

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Charlotte N. Sweeney

Civil Action No. 1:20-cv-00658-CNS

GLENWOOD SPRINGS CITIZENS' ALLIANCE,

Plaintiff,
and

GARFIELD COUNTY BOARD OF COUNTY COMMISSIONERS,

Plaintiff-Intervenor,

v.

UNITED STATES DEPARTMENT OF THE INTERIOR,
DEBORAH HAALAND, Secretary of the Interior,
UNITED STATE BUREAU OF LAND MANAGEMENT,
NADA CULVER, Acting Deputy Director of the BLM,
JAMIE CONNELL, Colorado BLM State Director, and
LARRY SANDOVAL, JR., Field Manager of the BLM's Colorado River Valley Field
Office,

Defendants.

ORDER DISMISSING CASE

This Court, having fully considered the Defendants' Motion to Dismiss (ECF No. 59), the joint response from Plaintiff Glenwood Springs Citizens' Alliance ("GSCA") and Plaintiff-Intervenor Garfield County Board of County Commissioners ("Garfield County") (collectively "Plaintiffs")(ECF No. 64), the Defendants' reply (ECF No. 67), as well as the Defendants' Notice of Intervening Agency Action (ECF No. 68) and GSCA's response (ECF No. 69), finds that:

WHEREAS, Plaintiffs asserted in this litigation that Defendants were allowing the mining of common variety rock in violation of the current BLM approval and federal law, and that such unauthorized and illegal mining must stop.

WHEREAS, Defendants filed the pending Motion to Dismiss after briefing on the merits was concluded (ECF No. 59).

WHEREAS, Defendants, by the Office of the Secretary of the Department of the Interior, issued a Decision on January 3, 2025 (ECF No. 68-1) (“Decision”) which resolves the outstanding issues in this case. The Decision prohibits mining of “common variety” minerals at the mine, absent compliance with federal statutes and permitting regulations governing such minerals.

WHEREAS, In response to that Decision, and Defendants’ Notice to this Court, GSCA agreed that the Decision is a final and non-reversible agency action and legal determination binding on the Interior Department and RMI, which satisfactorily resolves GSCA’s claims in this case. ECF No. 69. GSCA further agreed, *id.*, that the Department’s Decision confirms that that “the DCV is ‘complete’” and has been implemented by final agency action. See ECF No. 68 at 1-2 (quoting Plaintiffs’ Joint Response in Opposition to Federal Defendants’ Motion to Dismiss, ECF No. 64 at 5).

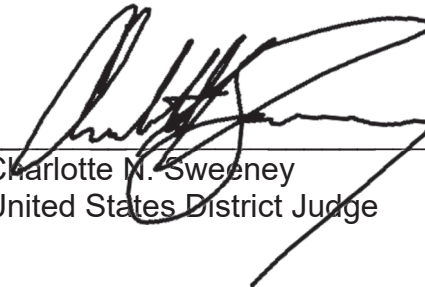
THEREFORE, This Court finds that the Interior Department’s January 3, 2025 Decision resolves GSCA’s claims and is a final agency action satisfying the finality requirements for dismissal of this case. It is further

ORDERED THAT:

This Court GRANTS the Defendants’ Motion (ECF No. 59) and that this case is dismissed with prejudice.

Dated this 14th day of January 2025.

BY THE COURT:



Charlotte M. Sweeney
United States District Judge