

Federal court ruling will impact rules on mining and endangered species

An Appalachian Newspapers Staff Report

A federal court ruling in a nearly three-year-old lawsuit may have impacts on coal mining in the region.

On May 29, U.S. District Judge Sparkle L. Sooknanan in the District of Columbia issued an order granting summary judgment in favor of the Center for Biological Diversity and Appalachian Voices in a lawsuit first filed in 2023 against several agencies, including the U.S. Office of Surface Mining Reclamation and Enforcement.

The lawsuit centered on the organizations' allegation that a written Biological Opinion by the U.S. Fish and Wildlife Service, which found that the

mining regulatory program administered by the U.S. Office of Surface Mining Reclamation and Enforcement was unlikely to jeopardize the continued existence of threatened species.

The Center for Biological Diversity and Appalachian Voices asserted, according to Sooknanan's order, that the Biological Opinion "flouts carefully designed procedures in the Endangered Species Act and impermissibly approves entrusting state regulators with responsibilities that lie with the federal defendants."

In the order, Sooknanan wrote, the Biological Opinion is "arbitrary and capricious and must be set aside."

In opposition to the motion for summary judgment, the

defendants in the case wrote that overturning the Biological Opinion would "cast America's coal industry into regulatory uncertainty during this time of national energy emergency."

In a statement released after Sooknanan's order was issued, the Center for Biological Diversity and Appalachian Voices said the order will require coal mines to follow the law and ensure their activities don't harm protected plants and animals.

"This is an incredibly important victory for the streams and rivers of Appalachia and the people and wildlife who rely on them," said Jared Margolis, a senior attorney at the Center for Biological Diversity. "For too long regulators have allowed coal mining to devastate wild-

life. This decision will require coal mines to fully account for their threats and harms and do more to ensure that imperiled wildlife aren't pushed to extinction for dirty fossil fuel profits."

The statement said the Biological Opinion had allowed coal mines to rely on a "watered-down process" that did not require an analysis of the harm they actually cause and were operating without limits on the extent of that harm.

"The Endangered Species Act requires such analyses to ensure that wildlife won't be lost forever," the statement said. "The court found that the government's process wasn't consistent with the law and vacated the nationwide biological opinion that coal mines in many states

used to avoid the more thorough analysis and implementation of mitigation measures that are essential to protect wildlife."

"The Endangered Species Act only works if federal regulators properly enforce it," said Willie Dodson, coal impacts program manager for Appalachian Voices. "The judge made the right call. The 2020 biological opinion set up a ludicrous and extra-legal scheme enabling coal companies to evade the law and engage in wildly destructive surface mining in watersheds where species like the Guyandotte River crayfish and the candy darter are just barely hanging on. These species are bellwethers for all of us. They need clean water. We need clean water."

Templeton Fund continues to feed Pike County residents

Special to the News-Express

In 2016, Linda J. Templeton planted a seed of hope with a \$25,000 gift to establish a fund dedicated to one simple but powerful vision: that no one in Pike County would go hungry — especially its children. Today, according to a statement from the Pikeville Community Foundation, that vision is not only alive, but it is also growing.

Community Foundation's Linda J. Templeton Fund, held at the Foundation for Appalachian Kentucky, Ms. Templeton's legacy continues to support families across Pike County in meaningful and measurable ways, the statement said.

After her passing in 2021, the statement said, Templeton fulfilled her lifelong commitment by leaving a significant portion of her estate to fully fund the endowment. Since then, the state-

ment said, the fund has awarded more than \$433,600 to support local food pantries and school backpack programs — efforts that provide consistent, reliable access to food for individuals and families facing hardship.

For the 2026 grant cycle, the fund distributed over \$120,000 in grants to 18 organizations serving Pike County. From stocking pantry shelves to sending food home with children on weekends, these grants are meeting urgent

needs while strengthening a network of care across the community, the statement said.

"Because the fund is endowed, its impact continues to expand," the statement said. "Each year, the fund's principal grows, allowing for an even larger grantmaking pool with a deeper reach, ensuring that Ms. Templeton's vision extends far into the future — forever."

"Linda would be so pleased to see her fund supporting and feeding

the hungry in Pike County," said Brad Slone, chair of the Pikeville Community Foundation. "That was her wish, and we are committed to honoring her legacy by administering this fund exactly as she intended."

If you are interested in leaving a legacy in the Pikeville and Pike County community or you want to include the Pikeville Community Foundation in your will, visit, appalachianky.org/ways-to-give/, or contact Kathy King

Allen, Chief Community Officer at, (606) 216-3977, or email, kathy@appalachianky.org.

To donate to the Pikeville Community Foundation, mail a check to Pikeville Community Foundation, 243 Main Street, Pikeville KY 41501 or donate online at, <https://bit.ly/pikevillecf>. Online donations can be set up to recur monthly, quarterly or annually.

Fiscal court conducts routine meeting

By Terry L. May News Editor

The Pike County Fiscal Court met in regular session on June 2 for a short meeting lasting less than half an hour, with only housekeeping items on the agenda.

During the meeting, the fiscal court:

- Approved the assignment of lease between the Tug Fork Apartments LTD and Tug Fork Preservation LLC;

- Adopted a resolution to file a \$300,000 Kentucky Local Government Economic Development Fund (LGEDF) grant application for development of the Hillbilly ATV Trail;

- Approved a FEMA Assistance to Firefighters Grant for an emergency response vehicle for the Upper Pond Creek Volunteer Fire Department; and

- Awarded several routine annual bids for products and services to a variety of vendors.

EC man charged with drug trafficking

A News-Express Staff Report

A Pike County man was arrested on drug trafficking charges in the early hours of June 8, according to court records.

A vehicle driven by James Holbrooks, 31, of Marrowbone Creek Road, Elkhorn City, was observed traveling at a high rate of speed on U.S. 23 and failed to use turn signals while changing lanes, according to a citation written by Pike County Sheriff's Deputy George Edmiston.

Before stopping Holbrooks, Edmiston wrote, he and Deputy Dylan Belcher paced Holbrooks at speeds ranging from 90 to 95 mph.

"Deputy Belcher pulled the vehicle over and (we) made contact with the driver who had



James Holbrooks

glassy eyes, slurred speech and could barely keep his eyes open," Edmiston wrote.

The citation said the driver consented to field sobriety tests and stated to Edmiston that he "had smoked meth before leaving the house."

"At that point, I placed the driver under arrest and searched the vehicle," Edmiston wrote in the citation. "I found a loaded Smith and Wesson side door, a tin can under the driver's seat containing a

small baggy full of crystals and a white powdery substance that appeared to be methamphetamine and several small, clear, unused baggies — commonly used to store drugs. The quantity of bags and drugs, that are uncommon with amounts used for personal use, led me to believe that Mr. Holbrooks was trafficking methamphetamine."

Holbrooks was arrested on charges of first-degree possession of a controlled substance (methamphetamine greater than 2 grams, first offense), first-degree trafficking in a controlled substance (methamphetamine, first offense), DUI (first offense) and traffic violations.

Holbrooks was lodged in the Pike County Detention Center, where he remained as of presstime.

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