Robin Cooley, CO Bar #31168 (admitted pro hac vice)
Joel Minor, CO Bar #47822 (admitted pro hac vice)
Earthjustice
633 17<sup>th</sup> Street, Suite 1600
Denver, Colorado 80202
Phone: (303) 623-9466
rcooley@earthjustice.org
jminor@earthjustice.org

## UNITED STATES DISTRICT COURT DISTRICT OF WYOMING

STATE OF WYOMING et al.	)
Petitioners,  V.	) ) Civil Case No. 2:16-cv-00285-SWS [Lead] ) [Consolidated With 2:16-cv-00280-SWS]
UNITED STATES DEPARTMENT OF THE INTERIOR, et al.	) Assigned: Hon. Scott W. Skavdahl
Respondents,	) RESPONDENT-INTERVENORS' ) NOTICE OF APPEAL
WYOMING OUTDOOR COUNCIL, CENTER FOR BIOLOGICAL DIVERSITY, CITIZENS FOR A HEALTHY COMMUNITY, DINÉ CITIZENS AGAINST RUINING OUR ENVIRONMENT, ENVIRONMENTAL DEFENSE FUND, ENVIRONMENTAL LAW AND POLICY CENTER, MONTANA ENVIRONMENTAL INFORMATION CENTER, NATIONAL WILDLIFE FEDERATION, NATURAL RESOURCES DEFENSE COUNCIL, SAN JUAN CITIZENS ALLIANCE, SIERRA CLUB, THE WILDERNESS SOCIETY, WESTERN ORGANIZATION OF RESOURCE COUNCILS, WILDERNESS WORKSHOP, AND WILDEARTH GUARDIANS.	
Respondent-Intervenors.	, )

Pursuant to Federal Rule of Appellate Procedure 3 and 28 U.S.C. § 1292(a)(1),
Respondent-Intervenors Wyoming Outdoor Council, Center for Biological Diversity, Citizens for a Healthy Community, Diné Citizens Against Ruining the Environment, Earthworks,
Environmental Defense Fund, Environmental Law and Policy Center, Montana Environmental Information Center, National Wildlife Federation, Natural Resources Defense Council, San Juan Citizens Alliance, Sierra Club, The Wilderness Society, Western Organization of Resource Councils, Wilderness Workshop, and WildEarth Guardians hereby appeal to the United States Court of Appeals for the Tenth Circuit the Court's Order Staying Implementation of Rule Provisions and Staying Action Pending Finalization of Revision Rule, Dkt. No. 215 (April 4, 2018). The order enjoins provisions of the U.S. Bureau of Land Management's Waste Prevention Rule, 81 Fed. Reg. 83,008 (Nov. 18, 2016).

Respectfully submitted April 5, 2018,

/s/ Robin Cooley

Robin Cooley, CO Bar #31168 (admitted pro hac vice)
Joel Minor, CO Bar #47822 (admitted pro hac vice)
Earthjustice
633 17<sup>th</sup> Street, Suite 1600
Denver, Colorado 80202
Phone: (303) 623-9466
rcooley@earthjustice.org
jminor@earthjustice.org

Attorneys for Respondent-Intervenors Natural Resources Defense Council, Sierra Club, The Wilderness Society, and Western Organization of Resource Councils

Susannah L. Weaver, DC Bar #1023021 (admitted pro hac vice)
Donahue & Goldberg, LLP
1111 14th Street, NW, Suite 510A
Washington, DC 20005
Phone: (202) 569-3818
susannah@donahuegoldberg.com

Attorney for Respondent-Intervenor Environmental Defense Fund

Laura King, MT Bar #13574 (admitted pro hac vice) Shiloh Hernandez, MT Bar #9970 (admitted pro hac vice) Western Environmental Law Center 103 Reeder's Alley Helena, MT 59601 Phone: (406) 204-4852 king@westernlaw.org hernandez@westernlaw.org

Erik Schlenker-Goodrich, NM Bar #03-196 (admitted pro hac vice) Western Environmental Law Center 208 Paseo del Pueblo Sur, #602 Taos, New Mexico 87571 Phone: (575) 613-4197 eriksg@westernlaw.org

Attorneys for Respondent-Intervenors Citizens for a Healthy Community, Diné Citizens Against Ruining Our Environment, Earthworks, Montana Environmental Information Center, National Wildlife Federation, San Juan Citizens Alliance, WildEarth Guardians, Wilderness Workshop, and Wyoming Outdoor Council

Darin Schroeder, KY Bar #93282 (admitted pro hac vice) Ann Brewster Weeks, MA Bar #567998 (admitted pro hac vice) Clean Air Task Force 18 Tremont, Suite 530 Boston, MA 02108 Phone: (617) 624-0234 dschroeder@catf.us aweeks@catf.us

Attorneys for Respondent-Intervenor National Wildlife Federation

Scott Strand, MN Bar #0147151 Environmental Law & Policy Center 15 South Fifth Street, Suite 500 Minneapolis, MN 55402 Phone: (312) 673-6500 sstrand@elpc.org

Rachel Granneman, IL Bar #6312936 Environmental Law & Policy Center 35 E. Wacker Drive, Suite 1600 Chicago, IL 60601

Phone: (312) 673-6500

rgranneman@elpc.org

Attorneys for Respondent-Intervenor Environmental Law & Policy Center

Lisa McGee, WY Bar #6-4043 Wyoming Outdoor Council 262 Lincoln Street Lander, WY 82520 (307) 332-7031 lisa@wyomingoutdoorcouncil.org

Local Counsel for Respondent-Intervenors

## **CERTIFICATE OF SERVICE**

I certify that on April 5, 2018, I filed the foregoing **RESPONDENT-INTERVENORS' NOTICE OF APPEAL** using the United States District Court CM/ECF which caused all counsel of record to be served electronically.

/s/ Robin Cooley Robin Cooley Attorney for Respondent-Intervenors