

## **NEWS RELEASE**

*Contact: Liz Brocker  
(701) 328-2213*

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### **FEDERAL DISTRICT COURT STRIKES DOWN BLM'S FRACKING RULES**

BISMARCK, ND – In a decision filed late yesterday, a federal judge struck down the Bureau of Land Management's (BLM) March 2015 fracking rule. The state of North Dakota, through Attorney General Stenehjem's office, was a party to the lawsuit.

"This is the latest in a series of court decisions addressing the limits of federal environmental and regulatory authority. This ruling is a victory in our ongoing efforts to restrict federal overreach," said Attorney General Wayne Stenehjem.

In his order, US District Court Judge Skavdahl held that Congress has not delegated authority to the BLM to regulate fracking, and that "the BLM's effort to do so through the Fracking Rule is in excess of its statutory authority and contrary to law."

"North Dakota has adopted sensible fracking regulations that work, because Congress intended the states to regulate fracking," said Stenehjem. The state regulates and enforces fracking through the Department of Mineral Resources and the Industrial Commission, on which Stenehjem sits.

Judge Skavdahl criticized the federal government, stating "having explicitly removed the only source of specific federal agency authority over fracking, it defies common sense for the BLM to argue that Congress intended to allow it to regulate the same activity under a general statute that says nothing about hydraulic fracturing."

Stenehjem said he expects the federal government to continue fighting the court's consistent rejection of the Fracking Rule. "And I will continue to defend the state against this type of illegal federal overreach."

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