



EPA CLAIMS NO LEGAL AUTHORITY TO PAY \$1.2 BILLION IN GOLD KING CLEANUP CLAIMS

Agency cites sovereign immunity, lack of Congressional authority.

The Environmental Protection Agency (EPA) has concluded that the agency **is not legally able to pay compensation** for claims brought in connection with the three million gallons of waste released from the Gold King Mine. The decision, which was announced during the waning days of the Obama administration, counters earlier statements by the agency that it was **“committed to continue working hand in hand with the impacted local governments, states, and tribes.”**

More than 70 claims totaling \$1.2 billion have been filed since the August 2016 spill. Damages ranged from contaminated wells to crop damage and local government expenses. But the EPA’s independent claims officer – with guidance from the Justice Department – ruled that “the circumstances surrounding the Gold King Mine incident unfortunately do not meet the conditions necessary to pay claims.” Under the Federal

Tort Claims Act, federal agencies are not authorized to pay claims resulting from government actions that are discretionary – that is, acts of a governmental nature or function and that involve the exercise of judgment. Claimants have six months to challenge the decision in United States District Court.





The LandReport Official Directory

Business Directory

NEW

LandReport

DIRECTORY!

The Official Online Directory of "The Magazine of the American Landowner" — The Land Report announces the best of products and services for landowners in the U.S.

Categories:

- 1031
- Auctions
- ACRE
- Agricultural
- Appraisals
- Cattle
- Charitable
- Conservation
- Easements
- Farming
- Financing
- Food, Wine, Spirits
- Forestry
- Golf
- Insurance
- Leases & Rental and Services
- Land Brokers
- Land Investment Companies
- Land Management
- Leasing and Services
- Livestock
- Recreational Real Estate
- Real and Water Trading
- Real Estate Brokers
- Retirement & Estate Planning



WEST

SOLD

COLORADO RANCLAND

KESSLER CANYON SELLS FOR \$28

MILLION. Former Days Inn Hotels CEO

Richard Kessler has sold his exquisite ranch

resort west of Glenwood Springs to CheckFree

founder Peter Kight.

Numerous structures built to exacting standards exist on the property, including

the 20,000-square-foot Homestead Lodge.

According to *The Wall*

Street Journal, the

15,000-acre ranch, which was originally listed for \$35 million in 2014,

changed hands for \$28 million. Mike Hall and Brian Smith of Hall and

Hall represented Kessler, and Cody Lujan of Hall and Hall represented

Kight. See the listing [HERE](#).



JON KOHLER & ASSOCIATES

Plantation & High Quality Land Advisors

SPECIALIZING IN THE FINEST PROPERTIES IN THE SOUTHEAST...

Plantations

Ranches

Conservation Land

Private Lakes

Announcing Our South Carolina Expansion!

Our trademark brokerage and marketing model has brought our clients tremendous success in Florida, Georgia, and Alabama and is Now Offered in South Carolina!

Learn More... www.JONKOHLER.com

LEGACY SPRINGS RANCH

19,505± ACRES | TEXAS HILL COUNTRY
BURNET COUNTY | HIGHLAND LAKES

\$81,000,000

Rick Kuper

210.240.8282

rick.kuper@sothebysrealty.com



Sotheby's
INTERNATIONAL REALTY

For Advertising Inquiries, email newsletter@landreport.com or call (205) 970-6006.

For advertising inquires contact publisher@landreport.com.
Email editorial inquiries to editor@landreport.com.

The Land Report Newsletter is produced by the editors of
The Land Report and is available in online and digital formats.