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**Alaska Supreme Court Reaffirms Constitutional Duty to Consider All Impacts of Oil
Development on State Lands**

Refuses State's Request to Change Important Decision

Anchorage, Alaska — The Alaska Supreme Court denied the State of Alaska's attempt to undo its recent decision that the Alaska Constitution requires the Alaska Department of Natural Resources (DNR) to consider all of the impacts from oil and gas development projects on state lands before it issues permits for development. In March, the Court clarified that "the State is constitutionally required to consider the cumulative impacts at later phases of an oil and gas project." The State of Alaska asked the Court to reconsider its ruling and delete the language about the constitutional requirement. The Court denied the request on November 1, 2013.

"The Inupiat rely on the subsistence resources of the Beaufort Sea to live. Now it is clear that before giving permits to corporations to explore and drill, DNR will have to look at what the impacts are, including the cumulative impacts, and include the public in deciding if it's the right thing to do," said Robert Thompson, Chairman of Resisting Environmental Destruction on Indigenous Lands (REDOIL), Inupiat and Kaktovik resident. "This is a good decision for my people who rely on these resources and all people concerned about the Arctic environment."

Under DNR's current piecemeal review of oil and gas development, DNR only considers the impacts of leasing — a paper transaction — and fails to meaningfully consider the impacts of the actual exploration and development activities that take place on the ground, such as seismic exploration and drilling.

"The Supreme Court's refusal to alter its decision reaffirms that the Alaska Constitution requires consideration of all impacts, including those to subsistence resources, fish, wildlife, and our lands and waters, as a fundamental requirement," said Princess Lucaj, Executive Director of the Gwich'in Steering Committee. "It's time for the State to be inclusive of the public's voice in these matters and take a hard look at the impacts of development — the human and environmental costs and the cumulative impacts — instead of just relying on the unknown economic benefits."

"This important court decision serves as a warning to the Parnell administration's agenda to silence Alaskans' voices on natural resource decisions," said Pamela A. Miller of the Northern Alaska Environmental Center. "The Supreme Court makes it clear that DNR has a constitutional obligation to take a hard look at all of the potential impacts of projects. This ruling provides a needed backstop to legislative proposals like HB 77 that

would take away existing rights of Alaskans to public notice and comment and instead let DNR make decisions behind closed doors.”

The case challenged the adequacy of DNR’s 10-year Beaufort Sea Areawide Lease Sale Best Interest Finding to safeguard the public interest pursuant to Article VIII of the Alaska Constitution. The challenge was brought by Trustees for Alaska on behalf of Resisting Environmental Destruction on Indigenous Lands (REDOIL), Gwich’in Steering Committee, Alaska Wilderness League, the Center for Biological Diversity, and Northern Alaska Environmental Center. The case is *Sullivan v. REDOIL*, Supreme Court No. S-14216.

This press release and the original decision are available on the web at:
<http://www.trustees.org>.

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