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District Court voids permits for ConocoPhillips' Willow project

Ruling protects communities, prevents harm to wetlands, air and water quality, and animals such as polar bears

ANCHORAGE (AK)— Sovereign Iñupiat for a Living Arctic and five allied groups celebrate today's U.S. District Court decision protecting the health of Arctic communities by upholding the law and voiding the flawed Trump-era approvals and permits for the ConocoPhillips's Willow Master Development Plan.

“Today's court win recognizes that our land and our people deserve dignity and a pursuit of greater meaning,” said **Siqiñiq Maupin, executive director of Sovereign Iñupiat for a Living Arctic**. “When we do not have to medicate our children out of the village so they can breathe, we can teach them how the native plants can be eaten. When oil fields aren't blocking the migration and causing our caribou to starve, we can teach our youth how to hunt for our elders. This is our way of life, and today we defended it in court, and tomorrow and every day after that we will fight to protect it.”

Trustees for Alaska filed the lawsuit in [November](#), charging the Interior Department, U.S. Bureau of Land Management and U.S. Fish and Wildlife Service with prematurely and illegally authorizing the project. In February, the U.S. Ninth Circuit Court of Appeals granted a request for [an injunction and temporary restraining order](#) to stop winter blasting, gravel mining, and road construction from harming the community of Nuiqsut while the District Court ruled on the merits of the case. In today's ruling, the District Court found that Interior failed to comply with the National Environmental Policy Act and the Endangered Species Act.

“The permits and approvals granted to ConocoPhillips disregarded local health concerns, required public processes, and the law, and today's court ruling corrects that,” said **Bridget Psarianos, staff attorney with Trustees for Alaska**. “It would be unconscionable to allow Willow to move forward when its authorizations were founded on an illegal and deficient environmental analysis that fails to lay out and address impacts to wetlands, water, land, animals and people.”

ConocoPhillips applied for its permits and rights-of-way to drill in December, and had planned to start construction work on Feb. 2, 2021, but was forced to stop construction by the Ninth Circuit's injunction. BLM gave the green light on Jan. 20, the same day as President Biden's Inauguration, for construction to proceed. BLM says it signed off on Willow before seeing Biden's Secretarial Order prohibiting the agency from authorizing on-the-ground activities, and has continued to defend Willow in Court, despite the earlier ruling from the Ninth Circuit pausing the project due to likely legal violations.

Today's court decision nullifies all BLM's approvals and permits and voids the FWS's biological opinion because of "serious errors" in the analysis. The Interior Department will need to start decision-making processes over, and thoroughly assess, analyze and address impacts before making any further decisions on the project.

Law firm Trustees for Alaska represents six clients in the lawsuit: Sovereign Iñupiat for a Living Arctic, Alaska Wilderness League, Defenders of Wildlife, Northern Alaska Environmental Center, Sierra Club, and The Wilderness Society.

Find the court's ruling [here](#).

Client statements:

"This ruling is good news for the future of Arctic Alaska," says **Scott Fogarty, executive director of the Northern Alaska Environmental Center**. "We're grateful to see that the court recognizes the unacceptable impacts the Willow project would have on the people, climate, and wildlife of the region. And of course these impacts aren't only local, but global; the era of massive fossil fuel infrastructure projects is over, and we'd like to see the Biden administration stand by their commitment to climate action, and keep destructive projects like Willow from moving forward at all."

"We went to court because this project was rubber-stamped by BLM without meaningful disclosure or a plan to offset the environmental damage that drilling causes to local communities and the unique, wild places that deserve protection," said **Karlin Itchoak, Alaska director for The Wilderness Society**. "This ruling is a step toward protecting public lands and the people who would be most negatively impacted by the BLM's haphazard greenlighting of the Willow project."

"Today's decision validates what we've been saying throughout Willow's approval process, that the Trump bureau downplayed the significance of climate change, underestimated emissions, and ignored the concerns of local Indigenous communities toward increased oil and gas extraction in the region," said **Kristen Miller, acting executive director at Alaska Wilderness League**. "The Biden administration must now review Willow with a fresh eye. The reality is that a massive oil project like Willow, so close to local communities and projected to emit hundreds of millions of metric tons of CO2 into the atmosphere over the course of its lifetime, moves us away from our nation's long-term climate and environmental justice goals and simply should not move forward."

"This is a win for our climate, for imperiled species like polar bears, and for the local residents whose concerns have been ignored," said **Nicole Whittington-Evans, Alaska program director, Defenders of Wildlife**. "We welcome the court's decision upholding the rule of law and we urge the administration to examine alternatives to this massive destructive project."

“This destructive project should never have been approved in the first place, or carried forward by the current administration, and we are glad to see the court hold the Bureau of Land Management accountable for their responsibility to adequately account for the risks it would have posed to communities, wildlife, and public health,” **said Gregory Stewart, legal chair of Sierra Club Alaska Chapter.** “The Arctic is already warming twice as fast as the rest of the planet. Another massive expansion of oil drilling goes against the advice of climate experts and would exacerbate the global climate crisis while harming local ecosystems. We will continue to fight to ensure that this dangerous plan is shut down once and for all.”

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