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Ninth Circuit Court ruling allows ConocoPhillips to continue mining and road building on the Willow oil and gas project despite lawsuits challenging its approval

ANCHORAGE, Alaska — A one-sentence U.S. Ninth Circuit Court of Appeals ruling today allows ConocoPhillips to continue on-the-ground mining and road building on the Willow oil and gas project while lawsuits challenging its legality make their way through court. The decision denies an emergency motion requested on April 5 by law firm Trustees for Alaska on behalf of Sovereign Inupiat for a Living Arctic and five allied groups as part of [lawsuit](#) challenging the approval of Willow.

“This ruling comes as more hard news and demonstrates again how the oil and gas industry exerts so much power over those whose health and food are most impacted and who will most experience the climate harm and disaster this project will fuel,” **said Sigiñiq Maupin, executive director of Sovereign Inupiat for a Living Arctic.** “Corporate and political interests continue to sacrifice places like Teshekpuk Lake and communities like Nuiqsut for their profits. We will continue to fight this project and protect Teshekpuk Lake and do so every step of the way.”

The Biden administration authorized the Willow oil and gas project in mid-March and ConocoPhillips started building ice roads right away, with an aggressive plan for opening a massive new gravel mine and constructing gravel roads in March and April.

The Willow project would significantly expand ConocoPhillips’ extensive oil and gas extraction operation in the Arctic and become a hub for future industrialization for decades, spewing out toxic emissions and greenhouse gas pollution that undermines the President’s climate promises.

Trustees for Alaska filed a lawsuit the day after the Biden administration approved the controversial Willow project, charging the Interior Department and multiple agencies with violating an array of laws. The U.S. District Court denied a motion for a preliminary injunction to stop construction and Trustees then appealed with the Ninth Circuit with a request for the Ninth Circuit to immediately halt activities during the appeal.

“The courts have denied our motions despite not ruling on the merits of the case or acknowledging the known, ongoing harm to land and people,” **said Bridget Psarianos, lead staff attorney with Trustees for Alaska.** “The U.S. Bureau of Land Management handed over permits as soon as the Biden administration approved the project and ConocoPhillips started ice road construction the same day, and then an aggressive plan for road construction and gravel mining. It is difficult not to see how a system that prioritizes oil and gas exploitation over the health of people and the planet disregards the voices of those without institutional power and

wealth. This devastating ruling only deepens our commitment to holding agencies and industry accountable to the impacts of their decisions on communities, climate, and the health of the planet.”

The public interest non-profit law firm Trustees for Alaska represents six clients in this litigation: Sovereign Iñupiat for a Living Arctic, Alaska Wilderness League, Northern Alaska Environmental Center, Environment America, Sierra Club and The Wilderness Society.

Group statements:

“We know that the Arctic tundra is one of the most threatened ecosystems in North America—one that the people and animals of the Arctic rely heavily on,” **said Emily Sullivan, Arctic program manager for the Northern Alaska Environmental Center.** “We are disappointed to hear that the court did not grant our motion to protect this landscape. We will continue to do everything we can to prevent further harm.”

“This is a profoundly disappointing decision,” **said Karlin Itchoak, Alaska regional director for The Wilderness Society.** “Despite Willow posing a serious threat to air quality and subsistence resources for Indigenous communities in the region—as well as the world’s climate—ConocoPhillips will be allowed to continue working on a destructive project that was poorly evaluated by the Bureau of Land Management. We will continue to fight with all means at our disposal.”

“We are deeply disappointed in the Biden administration’s approval of the Willow oil and gas extraction project in Alaska’s Arctic, and brought this challenge because project impacts weren’t thoroughly considered before approval,” **said Kristen Miller, executive director of Alaska Wilderness League.** “Today’s court ruling means ConocoPhillips can continue construction on a new oil and gas project with huge impacts on the land, local communities, and climate. This is not the path forward to address climate change, nor is it the right track to protect biodiversity in America’s Arctic.”

“The Willow project is a climate disaster waiting to happen,” **said Mike Scott, senior campaign representative for Sierra Club’s Our Wild Alaska campaign.** “The lands, wildlife, and communities of Arctic Alaska, and our global climate, will face serious consequences if ConocoPhillips is allowed to drill. Today’s ruling is only one step in the process of stopping the Willow project, and we will continue fighting to make sure this carbon bomb never goes off.”

“This is a huge disappointment” **said Environment America Public Lands Campaign Director, Ellen Montgomery.** “Construction will fragment habitat, mar the landscape and pollute the air and water. We will continue our work to protect this and other sensitive areas from destruction.”

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