

**For Immediate Release:**

February 25, 2011

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**Judge Rules Best Interest Finding for Beaufort Sea Leases Unconstitutional**  
*Best Interest Finding Required for All Phases of Beaufort Sea Leases*

Anchorage, Alaska—A superior court judge ruled this week that the public will have the opportunity to participate in DNR’s decisions about whether other uses, such as subsistence hunting and fishing, and the public’s resources are jeopardized at each phase of oil and gas development in the Beaufort Sea.

The decision comes in a constitutional lawsuit challenging the Department of Natural Resources’ (DNR) Best Interest Finding for the Beaufort Sea Areawide Lease Sale where the Court ordered that all phases of the lease sale (*i.e.*, lease sale, exploration, development, production, and transportation) must be analyzed by DNR to determine whether they are in the best interests of the State. Superior Court Judge Peter Ashman determined that DNR’s current practice to analyze whether the lease sale is in the best interest of the State at the leasing stage only, which is before the impacts of exploration, development, production, and transportation are known, is unconstitutional.

Judge Ashman held that “application of statutory permission to issue only a single [best interest finding] at the initial phase of a development where it is impossible to assess the cumulative effects of the development as they relate to DNR’s continuing obligation to consider the public’s best interest violates Article VIII of the Alaska Constitution.”

“This decision finally allows Inupiat voices to be heard before financial interests affect our way of life,” Chairman of Resisting Environmental Destruction on Indigenous Lands (REDOIL), Inupiat and Kaktovik resident Robert Thompson stated. “The Beaufort Sea Areawide leases sold in Alaska’s Northern waters to the highest bidder do not address the concerns of those of us who reside here. Before this decision, we thought we would have no more say about the effect of major projects on the people affected and who reside here. This is a good decision for the Inupiat.”

“This case demonstrates that the framers of our constitution were forward thinking and knew that development for the maximum benefit of the people of Alaska requires a balance with conservation and the public interest,” said Vicki Clark, Legal Director for Trustees for Alaska. “This decision resurrects that constitutional mandate.”

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 was challenged 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.

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

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