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FOR IMMEDIATE RELEASE: February 5, 2004

Court Upholds State's Decision on Redoubt Shoals Development

(Juneau, AK) –A Superior Court judge this week upheld the state's decision to allow commercial development of the Redoubt Shoals oil and gas prospect in lower Cook Inlet. The February 3 opinion rejected litigation by Cook Inlet Keeper aimed at blocking the project.

In rejecting the latest appeal, the superior court relied on HB 86, a bill the legislature passed last spring and the Governor signed into law in June. HB 86 gave direct legislative authorization to oil and gas projects in the Cook Inlet Basin that already have their state environmental permits. While considering the bill, the legislature heard testimony that the Redoubt Shoals project was still mired in litigation, despite years of extensive environmental review.

"HB 86 was a fair and reasoned step to avoid endless litigation over projects that have already passed a thorough environmental review," Attorney General Gregg Renkes said. "I am gratified that the court agreed with the Governor and the Legislature, and opened the way for environmentally responsible development of our rich petroleum resources."

The superior court's decision also upheld a second provision of HB 86 that narrows the range of parties allowed to appeal coastal zone approvals issued by the Department of Natural Resources. That provision will prevent Cook Inlet Keeper from pursuing future appeals like the one that delayed the Redoubt Shoals project.

Cook Inlet Keeper's suggestions that HB 86 violated provisions of the Alaska Constitution failed to persuade the judge, who noted that the state has an important interest in "promoting oil and gas development with minimal delay and expense to the public."

Litigation over the Redoubt Shoals development has been active since the late 1990s. This week's decision declines to hear Cook Inlet Keeper's second appeal of decisions to grant the project its environmental permits.