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PLP Comments Regarding Litigation Filed Against the EPA over Pebble Actions

Anchorage, AK -- Pebble Partnership CEO John Shively issued the following statement regarding litigation filed against the U.S. Environmental Protection Agency (EPA) by the company:

“We are filing litigation to fully contest the EPA’s unprecedented and unlawful actions against the Pebble Project. Since our objections to the politically motivated actions by the EPA have long fallen on deaf ears, we have sued the agency in federal court in Alaska to have our issues fairly and objectively heard.

“The EPA has long sought to prevent the Pebble Project from having a detailed plan reviewed through the normal permitting process. We have noted throughout that EPA staff have recklessly pursued this attack on fair and due process for the Pebble Project.

“In the most recent iteration of the EPA’s actions against the Pebble Project, it issued its final decision before the permitting process had concluded and ignored any potential benefits that would come from responsible development of the Pebble deposit. The EPA has also blocked activity on nearly 200,000 acres of Alaska land – land specifically identified for possible mineral development.

“The most appropriate place to determine whether the project should advance remains within the regulatory process and without political interference. The USACE initiated an Environmental Impact Statement process for evaluating the Pebble Project and the EPA fully participated in this process as a cooperating agency. The conclusions asserted by the EPA in their veto are in direct contrast with the final EIS for the Pebble Project which clearly indicated the project could be developed without harm to the Bristol Bay fishery.

“There have been many chapters in this Pebble saga and the narrative has long suggested we would end up in litigation. Our motivation has always been to provide important jobs for southwest Alaska while ensuring we could achieve this without impacting the important fishery resources of the region. We also know the resources at Pebble will make a major contribution to the country's stated goals of increasing electrical production from renewable sources of energy which require significant amounts of copper and other minerals.

“We look forward to our day in court as we believe we have a strong case. Not only were the EPA’s actions political and beyond their statutory authority, they fly in the face of the state’s ability to manage its land and resources- a right granted to it under the Alaska Statehood Act and one the state will also aggressively fight to protect.

“In addition to our case against the EPA for its unlawful actions against Pebble, we have filed a takings case against the federal government to preserve our ability to seek compensation for a violation of our rights in line with the protections under the Fifth Amendment. There are procedural rules regarding takings cases that made it necessary to get this claim on file at this time.”