

U.S. Supreme Court Denies Alaska's Request to Challenge EPA's Clean Water Act Veto

Denial Represents Win for Sheppard Mullin Client Trout Unlimited

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The U.S. Supreme Court today denied the State of Alaska's attempt to gin up an original action challenging the U.S. Environmental Protection Agency's Clean Water Act veto that effectively killed a controversial mine in the state. Sheppard Mullin had filed an amicus brief in the matter on behalf of Trout Unlimited ("TU"), the nation's largest sporting organization dedicated to cold water conservation.

Alaska's proposed complaint had targeted the EPA's exercise of authority under the Clean Water Act to veto the development of the Pebble Mine in the Bristol Bay watershed of southwestern Alaska—a unique and unspoiled area home to the world's largest sockeye salmon runs. Alaska asserted that the EPA's veto violated a land swap agreement and the state's sovereign and other development rights. But as TU argued, Alaska's alleged injuries were neither actual or imminent, nor redressable by the Court. Moreover, the lower federal courts provide Alaska adequate forums to pursue its claims, which are not yet ripe for review.

"We are grateful that, for now, one of Earth's most diverse and productive natural resources will remain undisturbed," said Sheppard Mullin partner Paul Werner, lead counsel for Trout Unlimited.

Sheppard Mullin has been representing TU on a pro bono basis since 2015 in its efforts to stop the controversial Pebble Mine. The Sheppard Mullin team, led by Werner, also includes partner Steve Hollman and associates Abram Shanedling, Hannah Wigger, Charles Spencer-Davis, Christopher Bauer, and Tifenn Drouaud.

The case is *State of Alaska v. United States of America, et al.*, case number 220157.

About Sheppard, Mullin, Richter & Hampton LLP

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