

Sheppard Mullin Files Motion to Intervene on Behalf of Trout Unlimited To Protect Alaskan Watershed

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Sheppard Mullin has moved to intervene on behalf of pro bono client Trout Unlimited (“TU”) in a recent lawsuit filed by Northern Dynasty Minerals and Pebble Limited Partnership challenging the U.S. Environmental Protection Agency’s (“EPA”) final determination blocking sprawling commercial mining operations in the Bristol Bay watershed of southwestern Alaska, a unique and unspoiled natural wonder home to the world’s largest sockeye salmon runs.

The mining company sued in March of this year in federal district court in Alaska seeking to overturn the Clean Water Act safeguards for the Bristol Bay headwaters that the EPA installed after decades of painstaking environmental review.

“The EPA’s decision protecting a singular and highly productive natural wonder from catastrophic environmental devastation at the hands of commercial mining interests is imminently reasonable, supported by a mountain of evidence, and scientifically sound. We will continue to fight to ensure that protection remains in place for those whose livelihoods and enjoyment depend on the Bay today and for future generations tomorrow,” said Paul Werner, Sheppard Mullin partner and lead counsel for Trout Unlimited.

TU’s intervention in this lawsuit builds on the organization’s longstanding commitment to protecting the region. In 2019, TU successfully challenged the EPA’s abrupt withdrawal of earlier preliminary protections for the Bristol Bay region, making it possible for the EPA to finalize protections in January 2023 that are being challenged here. Sheppard Mullin also filed a “friend of the court” brief on behalf of TU in a putative original action the State of Alaska sought to gin up in the U.S. Supreme Court to overturn the EPA’s final determination, which the Court ultimately rejected.

“As Trout Unlimited reenters the courtroom, it brings a legacy of legal triumphs and a commitment to safeguarding Bristol Bay’s natural resources for future generations,” said Chris Wood, president and CEO of Trout Unlimited. “We will not sit idly by while Northern Dynasty Minerals fights to destroy a large swath of the world’s most important salmon fishery. Our previous lawsuit was instrumental in getting Clean Water Act safeguards back on track and that same legal team is ready to take on this frivolous lawsuit.”

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, Christopher Bauer and Alexandra Bustamante.

The case is *Northern Dynasty Minerals Ltd., et al. v. U.S. EPA*, No. 3:24-cv-00059-SLG (D. Alaska).

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Practice Areas

Environmental Litigation

Litigation