

Erik Grafe
EARTHJUSTICE
441 W 5th Avenue, Suite 301
Anchorage, AK 99501
T: 907-277-2500

Eric P Jorgensen
EARTHJUSTICE
325 Fourth Street
Juneau, AK 99801
T: 907-586-2751

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

NATIVE VILLAGE OF POINT HOPE, ALASKA)
WILDERNESS LEAGUE, CENTER FOR)
BIOLOGICAL DIVERSITY, DEFENDERS OF) No. _____
WILDLIFE, NATURAL RESOURCES DEFENSE)
COUNCIL, NORTHERN ALASKA)
ENVIRONMENTAL CENTER, OCEANA,)
PACIFIC ENVIRONMENT, RESISTING)
ENVIRONMENTAL DESTRUCTION ON)
INDIGENOUS LANDS (REDOIL), and SIERRA)
CLUB,)
)

Petitioners,

v.

KEN SALAZAR, Secretary of the Interior, and
MINERALS MANAGEMENT SERVICE,

Respondents.

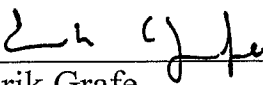
PETITION FOR REVIEW

Pursuant to 43 U.S.C. § 1349(c)(2) and Federal Rule of Appellate Procedure 15, the Native Village of Point Hope, Alaska Wilderness League, Center for Biological Diversity, Defenders of Wildlife, Natural Resources Defense Council, Northern Alaska Environmental Center, Oceana, Pacific Environment, Resisting Environmental Destruction On Indigenous Lands (REDOIL), and Sierra Club (Petitioners) hereby petition this Court to review the October 16, 2009, decision of the Secretary of Interior, acting through the Minerals Management Service (MMS), to approve an offshore oil exploration plan submitted by Shell Offshore, Inc. *See* Attachment 1.

Petitioners are Alaska Native and conservation groups whose members depend on the ecosystems and wildlife of the Arctic for subsistence, cultural, and traditional uses or whose members use and enjoy the affected area for recreational, aesthetic, or scientific purposes. Petitioners are aggrieved by the decision, which approves oil drilling offshore Alaska in the Beaufort Sea, because MMS failed to consider adequately potential impacts of the decision on the sensitive Arctic ecosystem, subsistence activities, and wildlife in violation of the National Environmental Policy Act, 42 U.S.C. §§ 4321-4370, the Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. §§ 1331-1356, and the Endangered Species Act, 16 U.S.C. §§ 1531-1599.

This Court has exclusive jurisdiction over the petition under OCSLA, 43 U.S.C. § 1349(c)(2). This petition is timely filed within 60 days after the October 16, 2009, decision. *See* 43 U.S.C. § 1349(c)(3).

Respectfully submitted this 15th day of December, 2009.



Erik Grafe
Eric P. Jorgensen
EARTHJUSTICE

Attorneys for Petitioners

CERTIFICATE OF SERVICE

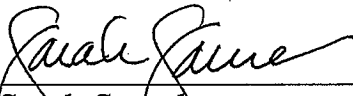
I, Sarah Saunders, hereby certify that on December 15, 2009, I served true and correct copies of the PETITION FOR REVIEW, with attachments, by USPS Express Mail on each of the following:

Ken Salazar, Secretary of the Interior
U.S. Department of Interior
1849 C Street, NW
Washington, DC 20240

Minerals Management Service
1849 C Street, NW
Washington, DC 20240

Eric Holder, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Shell Offshore Inc.
3601 C Street, Suite 1000
Anchorage, AK 99503



Sarah Saunders
Litigation Assistant