



For Immediate Release

**Citizens Pro Road Calls for State to Appeal the Recent Ninth Circuit Decision Regarding Transportation Improvements for Lynn Canal to the United States Supreme Court**

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In a meeting held today in Juneau members of Citizens Pro Road and a coalition of Southeast Alaska environmental, economic, business, legal and governmental groups joining it, called on the State of Alaska to appeal the recently released Ninth Circuit Court of Appeals decision in SEACC v the State of Alaska to the United States Supreme Court.

"Our coalition strongly encourages the State of Alaska to appeal this flawed decision by the Ninth Circuit to the Supreme Court," said Citizens Pro Road Chairman Richard "Dick" Knapp. "The Ninth Circuit is the most reversed Court in the nation, and this decision is just one more example of environmental activism overtaking sound legal judgment."

The Court's decision in favor of SEACC's contention that State and federal agencies violated the National Environmental Policy Act (NEPA) in the more than 15 years of work done on the Environmental Impact Statements associated with the Juneau Access Improvement Project is simply another in a long line of wrong decisions that have ultimately been overturned by the higher Court, Knapp said.

"The State and federal agencies looked at a wide variety of alternatives to improve

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transportation in the region. For SEACC and the other outside environmental groups to appeal the Record of Decision in the Courts at the eleventh hour with a trumped up alternative, sets a bad precedent for all of the other work the State is doing in full faith to align itself with federal and State policy,” said Paulette Simpson, a coalition member.

“We have been working through the process with five Alaska governors - going back to Gov. Walter Hickel’s administration - and after completing literally thousands of hours of public testimony, environmental assessments, and energy and economic impact studies,” said Sandy Williams, Vice Chair of Citizens Pro Road and former Department of Transportation official, “the State’s preferred alternative to build a road from Juneau to Haines and Skagway with a ferry terminal at Katzechin, is sound, correct, and desperately needed.”

According to Cathie Roemmich, CEO of the Juneau Chamber of Commerce, the Ninth Circuit Decision hurts people throughout the region. “It’s hard to believe that the Ninth Circuit Court’s solution to Juneau’s transportation dilemma is to take money and ferry service from our friends in communities throughout Southeast,” she said. “It is simply wrong and our coalition disagrees that increased Lynn Canal service should ‘come at the expense of service elsewhere.’ That is why our coalition is growing stronger by the day with individuals and groups willing to stand behind the State taking this case to the next level.”

“We agree with the dissenting Court opinion that stated ‘It was not arbitrary or capricious for the State to conclude that what amounts to robbing Peter to pay Paul would be ‘infeasible, ineffective, or inconsistent with the basic policy objectives of the area.’” Knapp said. “It’s unfortunate that just like in the School District’s case and in Coeur Alaska’s case, money and time have to be spent to reverse decisions made at the Ninth Circuit. We are confident of the same outcome in this case and support the State moving forward with an appeal.”

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