



FOR IMMEDIATE RELEASE
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State Files Appeal of Federal Court Ruling Halting Juneau Access Project

(Juneau, Alaska) - Governor Sarah Palin announced today that the state has appealed the February 13, 2009, decision by U.S. District Court Judge John Sedwick granting the request of an environmental group to stop all work on the Juneau Access Project.

Sedwick, ruling in a case brought by the Southeast Alaska Conservation Council (SEACC) against the Juneau Access Project, decided that the Federal Highway Administration violated federal environmental laws by failing to consider a project alternative that used existing state ferries.

"With all due respect, the court is simply wrong," said Deputy Attorney General Craig Tillery. "The record contains data and analysis regarding existing ferry assets and traffic in Lynn Canal. It shows existing vessels cannot meet the purpose and need of the project, particularly reducing travel time and costs."

That is backed up by a review of 15 years of data, said Commissioner Leo von Scheben of the Department of Transportation and Public Facilities. "We believe the record is clear: Existing ferries cannot move all of the traffic that would use a road up and down Lynn Canal."

The state's appeal will go to the 9th Circuit Court in San Francisco.

"While an appeal could take up to two years," Tillery said, "the questionable validity of the lower court's decision leads us to believe that devoting this time now will ultimately shorten the path to final resolution."

"The incredible amount of litigation this project faces shows how difficult it is to build infrastructure in a cost-efficient, responsible, and timely way," Governor Palin said. "While we are frustrated by the delay, the project is in a position where the technical, legal challenges must be resolved before it can move forward for a full assessment."

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