

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ALASKA WILDERNESS LEAGUE;
NATURAL RESOURCES DEFENSE
COUNCIL, INC.; PACIFIC
ENVIRONMENT AND RESOURCES
CENTER,

Petitioners,

v.

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

Respondents,

SHELL OFFSHORE, INC.,

Respondent-Intervenor.

No. 07-71457

RESISTING ENVIRONMENTAL
DESTRUCTION ON INDIGENOUS LANDS,
A PROJECT OF THE INDIGENOUS
ENVIRONMENTAL NETWORK; CENTER
FOR BIOLOGICAL DIVERSITY AND
SIERRA CLUB,

Petitioners,

v.

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

Respondents,

SHELL OFFSHORE, INC.,

Respondent-Intervenor.

No. 07-71989

NORTH SLOPE BOROUGH; ALASKA
ESKIMO WHALING COMMISSION,

Petitioners,

v.

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

Respondents,

SHELL OFFSHORE, INC.,

Respondent-Intervenor.

No. 07-72183
DOI No. 2007-152
ORDER

On Petition for Review of a Decision of the
Department of Interior

Argued and Submitted
December 4, 2007—San Francisco, California

Filed June 30, 2009

Before: Dorothy W. Nelson, Stephen Reinhardt, and
Carlos T. Bea, Circuit Judges.

COUNSEL

Christopher Winter, Crag Law Center, Portland, Oregon;
Deirdre A. McDonnell, Earthjustice, Juneau, Alaska, for the
petitioners.

David C. Shilton, United States Department of Justice, Wash-
ington, D.C., for the respondent.

Kyle W. Parker, Patton Boggs LLP, Anchorage, Alaska, for
the respondent-intervenor.

ORDER

Petitioners in this case challenge the Minerals Management Service's ("MMS") approval of Respondent-Intervenor Shell Offshore Inc.'s ("Shell") 2007-2009 Beaufort Sea Plan of Exploration ("EP"). On May 5, 2009, however, Shell withdrew its EP, and the MMS subsequently rescinded its prior approval of that EP. The MMS characterized the EP as "null and void" and declared that it "will not consider nor approve any exploratory drilling activity under this EP."

The MMS's rescission of its approval of the EP, which was the agency action at issue in this appeal, renders Petitioners' challenge moot. Accordingly, Shell's unopposed "Motion to Dismiss Appeal as Moot" is GRANTED.

This appeal is DISMISSED AS MOOT. The parties shall bear their own costs on appeal. A certified copy of this order shall serve as the mandate of this court.

SO ORDERED.

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