

**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

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Filed June 30, 2009

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

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### **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.

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### **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 On May 5, 2009, however, Shell withdrew its EP, and the MMS subsequently rescinded its prior approval of that EP.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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