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Attorneys for Appellants Orutsararmiut Native Council et al.

FILED in the TRIAL COURTS
STATE OF ALASKA, THIRD DISTRICT
MAR 19 2020
By _____ Clerk of the Trial Courts Deputy

**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE**

ORUTSARARMIUT NATIVE COUNCIL;)
CHEVAK NATIVE VILLAGE;)
CHULONAWICK NATIVE VILLAGE;)
NATIVE VILLAGE OF EEK; and)
COOK INLETKEEPER,)

Appellants,)

v.)

CORRI A. FEIGE, in her official capacity as)
Commissioner of the Department of Natural)
Resources,)

Appellee.)

Appeal Case No. _____ CI

**NOTICE OF APPEAL
(FROM ADMINISTRATIVE AGENCY TO SUPERIOR COURT)**

Notice is hereby given that Orutsararmiut Native Council, Chevak Native Village, Chuloonawick Native Village, Native Village of Eek, and Cook Inletkeeper appeal to the Superior Court from the following decisions of Corrie A. Feige, Commissioner of the Department of Natural Resources: (1) the decision dated January 17, 2020, to grant a Right-of-Way Lease for the Donlin Pipeline (ADL 231908) and (2) the decision dated February 18, 2020, denying reconsideration of the January 17 decision. Copies of the decisions are attached.

STATEMENT OF POINTS

The reasons for this appeal are:

1. By failing to consider the cumulative impacts of the whole project, including the impacts of the Donlin Gold Mine itself, the Commissioner acted in violation of Article VIII of the Alaska Constitution.
2. To the extent AS 38.35.200(a) or (b) purports to prohibit or limit Appellants from obtaining judicial review of the Commissioner's decisions at issue in this case, those provisions are unconstitutional under Article VIII of the Alaska Constitution and under the inherent powers of the courts.

INFORMATION PURSUANT TO APPELLATE RULE 602(c)(1)

Appellants and their current addresses are:

| | |
|------------------------------|-----------------------|
| ORUTSARARMIUT NATIVE COUNCIL | CHEVAK NATIVE VILLAGE |
| P.O. Box 927 | P.O. Box 140 |
| Bethel, AK 99559 | Chevak, AK 99563 |

| | |
|----------------------------|-----------------------|
| CHULONAWICK NATIVE VILLAGE | NATIVE VILLAGE OF EEK |
| P.O. Box 245 | P.O. Box 89 |
| Emmonak, AK 99581 | Eek, AK 99578 |

COOK INLETKEEPER
3734 Ben Walters Lane
Homer, AK 99603

Respectfully submitted this 19th day of March, 2020.

 for (AK bar no. 0611080)

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NOTICE OF APPEAL

Orutsararmiut Native Council et al. v. Feige,

Appeal Case No. _____ CI


CERTIFICATE OF SERVICE AND TYPEFACE

I certify that on March 19, 2020, a copy of the foregoing NOTICE OF APPEAL, with the accompanying documents, was served by first class U.S. mail on:

Corri A. Feige
Commissioner
Alaska Department of Natural Resources
Office of the Commissioner
550 West 7th Avenue, Suite 1400
Anchorage, AK 99501-3561

Kevin G. Clarkson
Attorney General
Alaska Department of Law—Civil Division
P.O. Box 110300
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In accordance with Appellate Rule 513.5(c), I also certify that the typeface used in the foregoing document is 13 point Times New Roman.


Iris Korhonen-Penn
Litigation Paralegal
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