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Alaskan Youth File New Constitutional Climate Lawsuit Against State Government

ANCHORAGE, Alaska—On Wednesday, May 22, attorneys for eight young Alaskans [filed](#) a new constitutional climate lawsuit against their state to stop the Alaska LNG Project, a massive fossil-fuel undertaking and one of the largest infrastructure projects ever proposed in North America. Defendants named in the case, [Sagoonick v. State of Alaska II](#), include the State of Alaska, the Alaska Gasline Development Corporation (AGDC), and AGDC president Frank Richards.

Youth plaintiffs are challenging the law that requires AGDC, a state-created entity, to advance and develop the Alaska LNG project. They claim the state's policy and actions to support the project violate their rights under the due process and public trust doctrine protections provided in Alaska's Constitution, including their right to a climate system capable of sustaining human life, liberty, and dignity, and their right to equal access to natural resources they depend on to sustain their lives, health, and cultures. The youth plaintiffs are also asking the court for an order prohibiting the state from moving forward with the project.

"Alaska's youth are on the frontlines of the climate crisis, and their futures depend on a swift transition away from fossil fuels," said Andrew Welle, senior staff attorney for Our Children's Trust. "The youth bringing this case are already experiencing devastating harms to their health, safety, and access to the fish and wildlife they depend on for sustenance. For several of them, their communities are in danger of being wiped off the map because of continuing greenhouse gas emissions. The Alaska LNG Project is the equivalent of pouring gasoline on a five-alarm fire at their homes."

The youth plaintiffs allege the Alaska LNG Project would roughly triple Alaska's greenhouse gas (GHG) emissions for decades, at a time when the scientific consensus is that GHG emissions must be rapidly reduced to avert catastrophic harm to youth and future generations.

"I find importance in the roots that my ancestors have created and the knowledge passed down by generations," said named plaintiff Summer Sagoonick. "I joined this lawsuit to protect a future not only for myself, but for generations to come."

Youth plaintiff Jamie T. stated, “I joined this case because melting permafrost and erosion are harming my Yup’ik culture by sinking our land and hurting the subsistence we gather. The foods that we gather are what nature gave us, and with the changes that are happening, we can barely get any subsistence. My Yup’ik culture is important to me because it’s been passed down to my generation and I want to keep it going by helping others with that they need. I want to see some changes with what’s happening here at my hometown Kasigluk. We are having to take great risks to gather our traditional food and to keep this culture going.”

The Alaska LNG Project is designed to unleash immense quantities of fossil gas located on Alaska’s North Slope and consists of a gas treatment plant, an 807-mile pipeline to transport the gas from the north slope to the Southcentral Alaska coast, and a liquified gas plant to liquify the gas for export. The Project would carry up to 3.9 billion cubic feet of fossil gas per day and is intended to operate for at least 30 years.

Background

This new lawsuit comes two years after the [Alaska Supreme Court’s decision in a previous case, *Sagoonick v. State of Alaska I*](#), in which a group of youth challenged the state’s policy of promoting fossil fuels as violating their rights under Alaska’s Constitution. This new case features several of the same plaintiffs. In 2022, in a 3-2 decision, the Court ruled in favor of the state and declined to allow the youth’s claims to proceed to trial. The two dissenting justices would have granted the youth declaratory relief and wrote separately to resolve a question the majority did not address – whether Alaska’s Constitution includes a “right to a livable climate.” Concluding that it does, the Justices wrote that the “constitutional right to a livable climate” is “arguably the bare minimum when it comes to the inherent human rights to which the Alaska Constitution is dedicated.”

This new lawsuit seeks to enforce the fundamental right to a livable climate recognized by the dissenting justices in *Sagoonick I*, among other protections afforded by Alaska’s Constitution, and prevent the state from causing the roughly 2.3 billion metric tons of CO₂ emissions that would result from the Alaska LNG Project.

Counsel for the youth plaintiffs include Andrew Welle and Joanna Zeigler of Our Children’s Trust, and Brad De Noble of De Noble Law Offices LLC.

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Our Children’s Trust was founded in 2010 on the idea that courts are vital to democracy and empowered to protect our children and the planet. Without a stable climate system, every natural resource we rely upon to exercise our basic human rights—life, liberty, home, happiness—is under threat. Our work will be achieved when there is universal recognition of children’s climate rights by courts around the world and children’s fundamental rights to life on this planet are protected. www.ourchildrenstrust.org

