

## KEYSTONE XL

### Opponents ask court to halt pipeline — again

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A Keystone XL pipeline protester holding a sign in front of the White House. Emma Cassidy/Tars and Action/Flickr

Keystone XL critics have called upon a federal judge to freeze progress on the crude oil pipeline for a second time.

The filing Wednesday from a pair of environmental and tribal groups follows a pingpong series of court actions in Montana and California that are deciding the pipeline's fate.

Last November, an injunction from U.S. District Court for the District of Montana Judge Brian Morris put the project on hold until the State Department could beef up its analysis of the pipeline's climate, market and cultural impacts.

But earlier this summer, an appellate court in San Francisco vacated that decision. The 9th U.S. Circuit Court of Appeals ruling sent the legal battle over Keystone XL back to the Montana district court, where Morris, an Obama appointee, is now reviewing a fresh presidential permit for the project ([Energywire](#), June 7).

"After losing on the merits in this Court, and failing to stay this Court's injunction on appeal, President Trump chose to evade rather than comply with these court orders and the environmental laws they enforced," the Indigenous Environmental Network and North Coast Rivers Alliance wrote in their [filing](#) with the Montana court this week.

The 9th Circuit had previously declined to dissolve the Morris construction block but reached a different conclusion after Trump issued an executive order in March containing a new permit for Keystone XL. Like the earlier State authorization, the presidential permit allows the Keystone XL project, an 875-mile conduit connecting Albertan oil fields to the existing Keystone line, to cross the U.S.-Canadian border.

The permit replaced a 2017 State authorization that was at the center of the earlier round of litigation.

Morris last fall instructed Trump's State Department to revisit some elements of an Obama-era National Environmental Policy Act review and halted construction until the administration updated the analysis.

After State completed its NEPA review in 2015, the Obama administration rejected Keystone XL on climate grounds.

Shortly after taking office in 2017, President Trump instructed developer TransCanada Corp., now TC Energy, to resubmit its application to the State Department.

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