

Earth Justice: Bad River Band asks Wisconsin court to review Line 5 permit decision

Posted on Friday, Feb 20, 2026

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

Hurley, WI – The Bad River Band of Lake Superior Chippewa has [filed a petition for judicial review](#) with Wisconsin’s Iron County Circuit Court to challenge Administrative Law Judge Angela Chaput Foy’s decision last week [upholding a key permit](#) for Enbridge’s Line 5 reroute project. The Band, represented by Earthjustice, also filed a motion for an immediate stay to halt any construction until the Court can hear the legal claims.

Bad River Band Chairwoman Elizabeth Arbuckle said: “For generations, the Bad River — Mashkiiziibii — and the waters that flow into Lake Superior have nurtured our healthy walleye, sustained our wild rice beds, and kept our community vibrant and strong. The Band River watershed is not an oil pipeline corridor that exists to serve Enbridge’s profits. It is our homeland. We must protect it.”

Earthjustice Senior Associate Attorney John Petoskey said: “We are asking the Court to review a flawed decision that ignores important evidence, lacks legal grounding, and puts a tribal nation at existential risk. Band members rely on the rivers, wetlands, and groundwater seeps of this special watershed for their livelihoods. The fish and the wild rice beds that flourish in the Kakagon-Bad River Sloughs sustain important cultural practices that have endured for generations. Enbridge’s proposal to blast, trench, and drill through hundreds of upstream wetlands and waterways could destroy these sacred waters and trample the rights protected by tribal treaties signed with the United States government. This permit was granted and then upheld without baseline information about the project’s immediate and long-term impacts. We hope the Court will agree that more investigation is needed.”