

HOUSE JOINT RESOLUTION NO. 32

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES DICK, Austerman

Introduced: 2/1/12

Referred: Resources

A RESOLUTION

1 **Urging the United States Congress to remove wood bison from protection under the**
2 **Endangered Species Act of 1973 and to grant control of wood bison in Alaska to the**
3 **state.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS** the purpose of 16 U.S.C. 1531 - 1544 (Endangered Species Act of 1973)
6 is to protect or restore a species to a condition where continued existence of the species is not
7 threatened or endangered; and

8 **WHEREAS** litigation pursued by numerous environmental and conservation groups
9 has significantly affected the Endangered Species Act of 1973, and, often, implementation of
10 the current law serves to defeat the original purpose of the Act; and

11 **WHEREAS** wood bison no longer exist in the United States but still exist in Canada;
12 and

13 **WHEREAS** the Department of Fish and Game would like to reintroduce wood bison
14 in the state; and

15 **WHEREAS** wood bison are an endangered species and cannot be hunted without

1 federal exemptions; and

2 **WHEREAS**, if wood bison were reintroduced in the state, resource development on
3 the land they occupy would be significantly affected; and

4 **WHEREAS**, in an effort to avoid the restrictions on hunting and resource
5 development, the Department of Fish and Game negotiated with the United States Fish and
6 Wildlife Service exemptions under 16 U.S.C. 1533(d) and 1539(j) (Endangered Species Act
7 of 1973) to allow hunting of wood bison and to allow resource development on land used by
8 wood bison; and

9 **WHEREAS**, just before the negotiated exemptions were to be signed and the wood
10 bison reintroduced into the wild, the United States Fish and Wildlife Service informed the
11 Department of Fish and Game that new litigation had been filed challenging whether
12 endangered species can ever be hunted and that the United States Fish and Wildlife Service is
13 no longer willing to proceed with the negotiated exemptions, as agreed; and

14 **WHEREAS**, because hunting wood bison, one of the main purposes for reintroducing
15 wood bison in the state, could be prohibited and other negotiated provisions are likely to be
16 challenged, the Department of Fish and Game is unwilling to release the wood bison; and

17 **WHEREAS**, after 20 years of protecting the gray wolf in other states, during which
18 time, all of the original goals were met or exceeded, the United States Fish and Wildlife
19 Service would not remove the gray wolf from the endangered species list and return control to
20 the states; and

21 **WHEREAS**, because numerous lawsuits have been filed in attempts to use the
22 Endangered Species Act for purposes other than to accomplish the stated goal, repeated
23 requests were made to the United States Congress to intervene; and

24 **WHEREAS**, in an unprecedented act, the United States Congress recently removed
25 the gray wolf from protection under the Endangered Species Act and returned control to the
26 respective states; and

27 **WHEREAS**, under the current situation, if wood bison were released in the state, their
28 habitat and any areas onto which they were to wander could become subject to the restrictive
29 provisions of the Endangered Species Act of 1973; and

30 **WHEREAS** significant resources in the state are at stake; and

31 **WHEREAS** the Donlin Creek mine is located well within wood bison traveling

1 distance, and, if wood bison were to wander to Donlin Creek, that \$70,000,000,000 of
 2 resources could easily be locked up, at a cost of \$700,000,000 for each of the approximately
 3 100 wood bison released; and

4 **WHEREAS** Canada, under the Species at Risk Act, has declared the wood bison
 5 proposed to be sent to Alaska a surplus and has acknowledged that the loss of those wood
 6 bison would not have a negative effect on the successful restoration of wood bison in Canada;
 7 and

8 **WHEREAS** the Department of Fish and Game has successfully managed plains
 9 bison, which are genetically similar to wood bison, and wood bison would prosper under
 10 similar management; and

11 **WHEREAS**, if the wood bison proposed to be reintroduced to the state are to be
 12 under the protection of the Endangered Species Act of 1973 and its accompanying restrictions
 13 relating to land development and hunting, the Department of Fish and Game has stated that it
 14 will not accept them; and

15 **WHEREAS** these facts serve to demonstrate that the wood bison's status on the list of
 16 species protected under the Endangered Species Act of 1973 is what most endangers them;

17 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
 18 Congress to remove wood bison from protection under the Endangered Species Act of 1973
 19 and to grant control of wood bison in Alaska to the state.

20 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
 21 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
 22 President of the U.S. Senate; the Honorable Harry Reid, Majority Leader of the U.S. Senate;
 23 the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable John
 24 Boehner, Speaker of the U.S. House of Representatives; the Honorable Nancy Pelosi,
 25 Minority Leader of the U.S. House of Representatives; the Honorable Ken Salazar, United
 26 States Secretary of the Interior; and the Honorable Lisa Murkowski and the Honorable Mark
 27 Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the
 28 Alaska delegation in Congress.