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Nauman
2/12/15

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 10(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES NAGEAK, Chenault, Millett, Johnson, Hawker, Olson, Herron, Neuman, Wilson, Hughes, Saddler, Tilton, Stutes, Pruitt, Colver, Talerico, Gattis, Lynn, Thompson, Muñoz, Reinbold, Tuck, LeDoux

SENATORS Stoltze, Dunleavy, Kelly, McGuire, Costello, Coghill, Micciche, Bishop, Egan, Giessel, MacKinnon, Huggins, Meyer

A RESOLUTION

Opposing the revised Comprehensive Conservation Plan and Environmental Impact Statement for the Arctic National Wildlife Refuge; opposing attempts by President Obama to alter management of the coastal plain of the Arctic National Wildlife Refuge; encouraging the United States Congress to reject a proposal based on the revised Comprehensive Conservation Plan or accompanying Environmental Impact Statement; and encouraging the United States Congress to reject a proposal that does not open the coastal plain of the Arctic National Wildlife Refuge to oil and gas development.

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

WHEREAS the Alaska State Legislature vehemently opposes the revised Comprehensive Conservation Plan issued by the United States Fish and Wildlife Service, under the United States Department of the Interior and with the support of President Obama, which includes a provision recommending that the United States Congress designate 12,000,000 additional acres of the Arctic National Wildlife Refuge, including the coastal plain, as wilderness; and

1 **WHEREAS** the Alaska State Legislature recognizes that, although the
2 recommendation may not be ultimately approved by the United States Congress, the revised
3 Comprehensive Conservation Plan could still result in the creation of a de facto wilderness
4 area by requiring the federal government not to diminish the wilderness character of the area,
5 effectively usurping secs. 101(d) and 1326(a) of the Alaska National Interest Lands
6 Conservation Act; and

7 **WHEREAS**, in 1980, the United States Congress enacted the Alaska National Interest
8 Lands Conservation Act, transferring approximately 105,000,000 acres of public lands to
9 various conservation units; and

10 **WHEREAS** 105,000,000 acres is more land than contained in the State of California;
11 and

12 **WHEREAS**, if the land contained in conservation units developed under the Alaska
13 National Interest Lands Conservation Act were a state, it would be the third largest state in the
14 United States; and

15 **WHEREAS**, with passage of the Alaska National Interest Lands Conservation Act,
16 the United States Congress explicitly stated, in sec. 101(d), that the "Act provides sufficient
17 protection for the national interest in the scenic, natural, cultural and environmental values on
18 the public lands in Alaska" and that the need for additional conservation areas had been
19 obviated; and

20 **WHEREAS** the Alaska National Interest Lands Conservation Act also prohibited
21 further studies of federal land in the state for "the single purpose of considering the
22 establishment of a conservation system unit, national recreation area, national conservation
23 area, or for related or similar purpose . . . unless authorized by this Act or further Act of
24 Congress"; and

25 **WHEREAS**, in sec. 1003 of the Alaska National Interest Lands Conservation Act (16
26 U.S.C. 3143), the United States Congress specifically set aside, and reserved ultimate
27 decisions to the United States Congress about the production of oil and gas in, the Arctic
28 National Wildlife Refuge, including the 1,500,000 acres of the coastal plain area defined in
29 sec. 1002 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3142); and

30 **WHEREAS** the coastal plain of the Arctic National Wildlife Refuge is estimated to
31 contain between 5,700,000,000 and 16,000,000,000 barrels of oil, with a mean recoverable

1 estimate of 10,300,000,000 barrels of oil; and

2 **WHEREAS** the oil resources estimated to be recoverable from the coastal plain
3 represent potential state and federal revenue in the hundreds of billions of dollars over the life
4 of production and a resource of significant national interest; and

5 **WHEREAS** the village of Kaktovik lies within the coastal plain, and there are
6 significant lands within the coastal plain that belong to the village of Kaktovik and the Arctic
7 Slope Regional Corporation and are of vital interest to the Native residents; and

8 **WHEREAS** the coastal plain lies within the boundaries of the state and North Slope
9 Borough and is of special significance to the residents of the state and the borough; and

10 **WHEREAS** a minimal number of recreationists, estimated to be 250, visit the coastal
11 plain of the Arctic National Wildlife Refuge in any given year; and

12 **WHEREAS** the revised Comprehensive Conservation Plan for the Arctic National
13 Wildlife Refuge proposes to manage the entire Arctic National Wildlife Refuge, including the
14 coastal plain, as wilderness; and

15 **WHEREAS** the wilderness designation would create practical limits to oil and gas
16 development and general economic development and potential limits to vital subsistence
17 activities; and

18 **WHEREAS** the United States Secretary of the Interior recommended in 1987 that the
19 United States Congress authorize full leasing of the sec. 1002 area with appropriate
20 safeguards that would avoid unnecessary adverse effects on the environment; and

21 **WHEREAS** the revised Comprehensive Conservation Plan does not contain the force
22 of law and is only a recommendation on management practices; and

23 **WHEREAS** the United States Fish and Wildlife Service claims that the creation of the
24 Arctic National Wildlife Refuge as a refuge already takes the land out of use or potential use;
25 and

26 **WHEREAS** all the goals of the revised Comprehensive Conservation Plan can be
27 achieved without declaring wilderness; Prudhoe Bay has demonstrated that both a strict
28 environmental land management policy and development can exist side by side with no
29 destruction of land, ecology nor negative effect on caribou; and

30 **WHEREAS** the revised Comprehensive Conservation Plan violates the National
31 Environmental Policy Act of 1969, as neither a study for wilderness nor the declaration of

wilderness can take place without the consideration of "all alternative land uses"; and

WHEREAS the revised Comprehensive Conservation Plan fails to consider any oil and gas exploration, development, or production as a potential alternative land use; and

WHEREAS oil and gas exploration and development on the coastal plain of the refuge and adjacent land could result in major discoveries that would reduce our nation's dependency on oil produced by hostile foreign nations, help balance the nation's trade deficit, and significantly increase the nation's security; and

WHEREAS the revised Comprehensive Conservation Plan has an accompanying Environmental Impact Statement;

BE IT RESOLVED that the Alaska State Legislature strongly opposes the United States Fish and Wildlife Services' revised Comprehensive Conservation Plan and Environmental Impact Statement and any recommendation by President Obama based on that Plan; and be it

FURTHER RESOLVED that the Alaska State Legislature vehemently opposes any attempt by the Administration to alter the management or status of the coastal plain of the Arctic National Wildlife Refuge; and be it

FURTHER RESOLVED that the Alaska State Legislature strongly encourages each member of the United States Congress to reject any proposal that is based on the revised Comprehensive Conservation Plan or accompanying Environmental Impact Statement; and be it

FURTHER RESOLVED that the Alaska State Legislature strongly encourages each member of the United States Congress to reject any proposal that does not explicitly and, without delay, open the coastal plain of the Arctic National Wildlife Refuge to oil and gas development so that local residents and residents of the state and nation can realize the vast economic and financial benefits of the immediate development of the coastal plain.

COPIES of this resolution shall be sent to the Honorable Barack Obama, President of the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Sally Jewell, United States Secretary of the Interior; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the Honorable Harry Reid,

1 Minority Leader of the U.S. Senate; the Honorable Lisa Murkowski, Chair of the Energy and
2 Natural Resources Committee of the U.S. Senate; the Honorable Dan Sullivan, U.S. Senator,
3 and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in
4 Congress; and all other members of the 114th United States Congress.