

STATE OF ALASKA THE LEGISLATURE

2014

Source

HCS SJR 15(RES)

**Legislative
Resolve No.**

35



Opposing any international designation of Alaska land or water as an international park, world heritage site, biosphere reserve, Ramsar site, or other classification of land or water that affects the use of land or water by the state or an Alaska Native corporation without approval by the United States Congress and the Alaska State Legislature; requesting the United States Department of State and the United States Department of the Interior to cease all further action related to an international designation for land and water in the state until the action is approved by the United States Congress and the Alaska State Legislature; requesting that the United States Congress pass legislation requiring Congressional approval of any international designation that affects the use of land or water by the state or the United States; requesting that the governor be involved in the process and development of any joint action plan; requesting that the state, including the departments responsible for the management of fish and wildlife and other natural resources, be an integral part of any discussion, agreement,

understanding, or other process that affects the use or development of fish and wildlife and other natural resources in the state; and urging the governor and the attorney general to reserve all legal remedies for a taking of the natural resources of the state by an international designation of land and water in the state.

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

WHEREAS Alaska and the Russian Far East are close neighbors across the Bering Sea, and archaeologists believe that the area was a migration route used by many peoples moving from Asia and populating North and South America; and

WHEREAS some of the indigenous peoples of Western Alaska and the Russian Far East speak the same language and share the same customs and traditions but have, until recent times, been separated by political differences between their respective countries; and

WHEREAS, in recent years, various events and exchanges have been organized to reconnect the residents of Western Alaska and those of the Russian Far East; and

WHEREAS the areas of Western Alaska and the Russian Far East have been referred to as Beringia; and

WHEREAS, in 2010, the United States and Russia began negotiations to develop a Memorandum of Understanding for the purpose of establishing an international protected area in the Bering Strait region that would include the Bering Land Bridge National Preserve, the Cape Krusenstern National Monument, and, in the Chukotka region of Russia, the yet-to-be-created Beringia International Park; and

WHEREAS the National Park Service identifies and defines Beringia as the area bounded on the east by the Mackenzie River in Canada, on the west by the Lena River in Russia, on the north by 72 degrees North latitude, and on the south by the southern tip of Kamchatka, leaving only the south-central and southeastern limits to be determined; and

WHEREAS the federal government historically has attempted to expand the scope of its influence beyond Alaska park boundaries, including the attempt to establish game buffer zones around Denali National Park and Preserve; and

WHEREAS, during the past two decades, the National Park Service has repeatedly

expanded the size of the area identified as Beringia; and

WHEREAS the National Park Service manages the Shared Beringian Heritage Program and seeks to foster mutual understanding and cooperation between the United States and Russia and between the indigenous peoples of Western Alaska and the Russian Far East by promoting cultural exchange, supporting subsistence opportunities, and working toward an international designation for the land and water in the area identified as Beringia; and

WHEREAS, for many years, the National Park Service has pursued a program to establish a Beringia International Park that potentially could evolve into a world heritage site or a marine biosphere reserve and would include land and water in Alaska and the Russian Far East; and

WHEREAS officials of the United States Department of State and the National Park Service have traveled throughout Russia and spoken before the Russian Duma in Moscow; and

WHEREAS the international designations contemplated by the National Park Service for the areas included in Beringia are an invitation and another means for United States and foreign environmental nongovernmental organizations to oppose resource development on public and Alaska Native land and water in the state; and

WHEREAS many Alaskans are concerned that the proposed Beringia International Park would impede future rights of access for the Red Dog Mine, the primary economic engine in Northwest Alaska; and

WHEREAS Alaska Native corporations and the state specifically selected much of their land because of the mineral potential and the opportunity to create jobs and other economic opportunities for the people of the state; and

WHEREAS, in September 2012, Governor Sean Parnell sent a letter to then United States Secretary of State Hillary Rodham Clinton asking for time to conduct a meaningful review of the proposed Memorandum of Understanding regarding Beringia and to provide input on the possible effects of the Memorandum of Understanding on the region and the state; and

WHEREAS, on January 17, 2013, Russian Prime Minister Dmitry Medvedev signed a decree creating Beringia National Park as a Russian National Park in the Chukotka Region; and

WHEREAS, in October 2013, members of the Alaska State Legislature learned that the United States Department of State, the National Park Service, and the Russian Federation were in the final stages of formalizing a Memorandum of Understanding regarding a transboundary protected area in the Bering Strait region; and

WHEREAS the current effort to formalize a transboundary protected area would be the first step in imposing international designations and could reduce the sovereignty of the state and the United States over the burdened parts of the state, in violation of the Alaska Statehood Compact, the Alaska Native Claims Settlement Act, and the Alaska National Interest Lands Conservation Act; and

WHEREAS the Department of Fish and Game is responsible for the management, protection, maintenance, enhancement, rehabilitation, and extension of fish and wildlife resources in the state, including management responsibilities on National Park Service land; and

WHEREAS, in the 1982 Master Memorandum of Understanding between the Department of Fish and Game and the National Park Service, the parties agreed to "consider carefully the impact on the State of Alaska of proposed treaties or international agreements relating to fish and wildlife resources which could diminish the jurisdictional authority of the State, and to consult freely with the State when such treaties or agreements have a significant impact on the State";

BE IT RESOLVED that the Alaska State Legislature asserts that any international Memorandum of Understanding or other action to designate land or water in the state as an international park, world heritage site, biosphere reserve, Ramsar site, or classification of land or water that affects the proper use of the land or water by the state or an Alaska Native corporation should require approval by Acts of the Alaska State Legislature and the United States Congress before taking effect; and be it

FURTHER RESOLVED that the Alaska State Legislature requests that the United States Department of State and the United States Department of the Interior cease all further action to establish an international designation of land or water in the state until the United States Congress and the Alaska State Legislature approve; and be it

FURTHER RESOLVED that the Alaska State Legislature respectfully requests that the United States Congress enact a law that requires Congressional approval of any

international designation that affects the use of land or water by the state or the United States; and be it

FURTHER RESOLVED that the Alaska State Legislature requests that, if the United States Department of State or the United States Department of the Interior nevertheless pursues or proposes the designation of land or water as an international park, world heritage site, biosphere reserve, Ramsar site, or classification of land or water that affects the proper use of the land or water by the state or an Alaska Native corporation, the governor be actively involved in the process and development of any joint action plan; and be it

FURTHER RESOLVED that the Alaska State Legislature requests that the state, including the departments responsible for the management of fish and wildlife and other natural resources, be an integral if not primary part of any discussion, agreement, understanding, or other process or document that affects the use or development of fish and wildlife and other natural resources in the state; and be it

FURTHER RESOLVED that the Alaska State Legislature urges the governor and the attorney general to reserve all legal remedies, including the recovery of damages, for a taking of the natural resources of the state in violation of the Alaska Statehood Compact, should a designation of land and water in the state as an international park, world heritage site, biosphere reserve, Ramsar site, or other classification hamper the use or development of the natural resources of the state.

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 John F. Kerry, United States Secretary of State; the Honorable Sally Jewell, United States Secretary of the Interior; the Honorable Jonathan B. Jarvis, director of the National Park Service, United States Department 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 Harry Reid, Majority Leader of the U.S. Senate; the Honorable Mitch McConnell, Minority Leader of the U.S. Senate; the Honorable Mary Landrieu, Chair of the Energy and Natural Resources Committee of the U.S. Senate; the Honorable Sean Parnell, Governor of Alaska; the Honorable Michael C. Geraghty, Alaska Attorney General; the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S.

Representative, members of the Alaska delegation in Congress; and all other members of the 113th United States Congress.