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Bullard

2/14/12

CS FOR HOUSE JOINT RESOLUTION NO. 32()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY**Offered:****Referred:****Sponsor(s): REPRESENTATIVES DICK, Austerman**

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 ("the Act") is to protect or restore a species to a condition where continued existence of the
7 species is not threatened or endangered; and

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

11 **WHEREAS** free-ranging wood bison no longer exist in the United States but still
12 exist in healthy numbers in Canada; and

13 **WHEREAS** the State of Alaska would like to reintroduce wood bison in the state to
14 provide alternative hunting opportunities in rural areas, and providing this hunting
15 opportunity would be one of the main purposes for reintroducing wood bison in the state; and

1 **WHEREAS** wood bison are an endangered species and cannot be hunted without
2 federally approved exemptions to the Act; and

3 **WHEREAS**, if wood bison were reintroduced in the state in their current status,
4 resource development on the land they occupy could be significantly affected; and

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

9 **WHEREAS** the certainty of the negotiated rules cannot be guaranteed by the United
10 States Fish and Wildlife Service; and

11 **WHEREAS** the negotiated rules are likely to be challenged; and

12 **WHEREAS**, after 20 years of protecting the gray wolf in other states, during which
13 time all of the original goals were met or exceeded, the United States Fish and Wildlife
14 Service could not remove the gray wolf from the endangered species list and return control to
15 the states because of litigation brought in the federal courts; and

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

19 **WHEREAS**, in an unprecedented act, the United States Congress recently removed
20 the Montana and Idaho populations of the gray wolf from protection under the Act and
21 returned control to the respective states; and

22 **WHEREAS**, under the current situation, if wood bison were released in the state, their
23 habitat and any areas onto which they were to wander could become subject to the restrictive
24 provisions of the Act because of court action; and

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

26 **WHEREAS** the Donlin Creek mine is located well within wood bison traveling
27 distance, and, if wood bison were to wander to Donlin Creek, that \$70,000,000,000 of
28 resources could easily be locked up, at a cost of \$700,000,000 for each of the approximately
29 100 wood bison released; and

30 **WHEREAS** Canada, under the Species at Risk Act, has declared the wood bison
31 proposed to be sent to Alaska a surplus and has acknowledged that the loss of those wood

1 bison would not have a negative effect on the successful restoration of wood bison in Canada;
2 and

3 **WHEREAS**, for more than 70 years, the Department of Fish and Game has
4 successfully managed plains bison, which are genetically similar to wood bison, and wood
5 bison would prosper under similar management; and

6 **WHEREAS**, if the wood bison proposed to be reintroduced to the state are to be
7 under the protection of the Act and its accompanying restrictions relating to land development
8 and hunting, the State of Alaska has concerns related to the uncertainty of court intervention;
9 and

10 **WHEREAS** these facts serve to demonstrate this point: The wood bison's status on
11 the list of species protected under the Endangered Species Act of 1973 is what most
12 endangers them;

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

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