

HOUSE JOINT RESOLUTION NO. 10

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES NAGEAK, Chenault, Millett, Johnson, Hawker, Olson, Herron, Neuman, Wilson, Hughes, Saddler, Tilton, Stutes, Pruitt, Colver, Talerico

Introduced: 1/28/15

Referred: Resources

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

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

WHEREAS, if the land contained in conservation units developed under the Alaska

1 National Interest Lands Conservation Act were a state, it would be the third largest state in the
2 United States; and

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

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

13 **WHEREAS**, in sec. 1002 of the Alaska National Interest Lands Conservation Act, the
14 United States Congress specifically set aside, and reserved ultimate decisions to the United
15 States Congress about the management of 1,500,000 acres of the coastal plain of the Arctic
16 National Wildlife Refuge; and

17 **WHEREAS** the coastal plain of the Arctic National Wildlife Refuge is estimated to
18 contain between 5,700,000,000 and 16,000,000,000 barrels of oil, with a mean recoverable
19 estimate of 10,300,000,000 barrels of oil; and

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

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

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

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

30 **WHEREAS** the revised Comprehensive Conservation Plan for the Arctic National
31 Wildlife Refuge proposes to manage the entire Arctic National Wildlife Refuge, including the

1 coastal plain, as wilderness; and

2 **WHEREAS** the wilderness designation would create practical limits to oil and gas
3 development and general economic development and potential limits to vital subsistence
4 activities; and

5 **WHEREAS** the original 1988 Comprehensive Conservation Plan involved far more
6 data gathering than the current Comprehensive Conservation Plan, including the incorporation
7 of studies by the United States Geological Survey, the United States Bureau of Land
8 Management, and other services in the United States Department of the Interior; and

9 **WHEREAS** the original 1988 Comprehensive Conservation Plan fully recommended
10 exploration for oil and gas and stated that any effect on the area would be minimal and could
11 be mitigated; and

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

14 **WHEREAS** the revised Comprehensive Conservation Plan is a violation of the "No
15 More Clause" of the Alaska National Interest Lands Conservation Act, that limits the addition
16 of wilderness lands in the state to 5,000 acres; and

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

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

24 **WHEREAS** the revised Comprehensive Conservation Plan violates the National
25 Environmental Policy Act of 1969, as neither a study for wilderness nor the declaration of
26 wilderness can take place without the consideration of "all alternative land uses"; and

27 **WHEREAS** sec. 1002 of the Alaska National Interest Lands Conservation Act
28 requires that studies be performed to provide information to the United States Congress; the
29 mandated studies include not only a study of wildlife resources, but also an analysis of the
30 potential effects of oil and gas exploration and development on those resources and a
31 delineation of the extent and amount of potential petroleum resources; and

1 **WHEREAS** the revised Comprehensive Conservation Plan completely ignores the
 2 requirement to study the potential effects of oil and gas exploration and development; and

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

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

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

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

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

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

25 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
 26 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
 27 President of the U.S. Senate; the Honorable Sally Jewell, United States Secretary of the
 28 Interior; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the
 29 Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the
 30 Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the Honorable Harry Reid,
 31 Minority Leader of the U.S. Senate; the Honorable Lisa Murkowski, Chair of the Energy and

- 1 Natural Resources Committee of the U.S. Senate; and the Honorable Dan Sullivan, U.S.
- 2 Senator, and the Honorable Don Young, U.S. Representative, members of the Alaska
- 3 delegation in Congress.