

CS FOR HOUSE JOINT RESOLUTION NO. 32(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered: 3/2/12

Referred: Rules

Sponsor(s): REPRESENTATIVES DICK, Austerman, Chenault

SENATORS Menard, Meyer, Huggins, Wagoner, Thomas

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

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

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

15 **WHEREAS**, if wood bison were reintroduced in the state in their current status,

1 resource development on the land they occupy could be significantly affected; and

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

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

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

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

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

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

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

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

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

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

31 **WHEREAS**, for more than 70 years, the Department of Fish and Game has

1 successfully managed plains bison, which are genetically similar to wood bison, and wood
2 bison would prosper under similar management; and

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

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

10 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
11 Congress to exempt wood bison from protection under the Endangered Species Act of 1973
12 and to grant control of wood bison in Alaska to the state.

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