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Referred: House Special Committee
on Fisheries and Resources

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1 IN THE HOUSE

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HOUSE JOINT RESOLUTION NO. 41

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

Relating to the protection of Bering Sea

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fisheries.

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

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WHEREAS the United States Department of the Interior has conducted the

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Norton Sound Outer Continental Shelf (OCS) Oil and Gas Lease Sale No. 57,

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in which offshore tracts in the northeastern portion of the Bering Sea were

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offered for lease to the petroleum industry for the production of oil and

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gas; and

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WHEREAS the Norton Sound area is a critical habitat for invaluable

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resources belonging to the citizens of Alaska, including zooplankton and

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other microorganisms basic to the biological community of the Bering Sea

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region, bottom fish, shellfish including king crab and clams, salmon,

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herring, smelt, tomcod, flounder, whitefish, sheefish, and arctic char, and

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other valuable fisheries resources of the State of Alaska; and

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WHEREAS Norton Sound is an area which is seasonally a primary habitat

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for numerous resources in which the State of Alaska has a significant

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interest; and

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WHEREAS residents of at least 119 Alaska communities are dependent for

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their livelihood on the Bering Sea fisheries and on other biological re-

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sources that are dependent upon the fisheries, including walrus, black

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(bowhead) whale, gray whale, oogruk (bearded seal), spotted seal, ringed

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seal, beluga, polar bear, and numerous species of migratory waterfowl and

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seabirds; and

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WHEREAS the State of Alaska has significant interest in and a consti-

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tutional responsibility for the management and protection of onshore

1 biological resources which are located on expansive tidelands and wetlands
2 and which are greatly affected by any alteration in the chemical or sedi-
3 mentary composition in the Norton Sound environment, including migratory
4 waterfowl, land birds such as ptarmigan, freshwater fish including black-
5 fish and pike, land animals including moose, caribou, reindeer, arctic
6 hare, beaver and other land animals, as well as edible plants including
7 abundant resources of berries and greens; and

8 WHEREAS the residents of 58 Norton Sound communities have unanimously
9 endorsed the alternative of a delayed Norton Sound OCS oil and gas lease
10 sale in order to permit the development of the technology required to
11 protect the biological resources of Norton Sound during petroleum explora-
12 tion and development; and

13 WHEREAS the knowledge of local conditions possessed by residents of
14 the 58 Norton Sound communities was not appropriately considered before the
15 decision to lease Norton Sound tracts, to such an extent that the residents
16 of Norton Sound were prompted to bring legal action against the United
17 States to void the Norton Sound OCS oil and gas lease sale; and

18 WHEREAS the scientific community has expressed serious concern that
19 not enough is known about the behavior of Norton Sound and the Bering Sea
20 to permit an informed OCS development decision to be made at this time, and
21 that insufficient data has been obtained concerning weather and currents,
22 ice movement, sedimentology, effects of ingestion by humans of oil-contamin
23 biological resources, removal of oil contaminants from the Norton Sound
24 environment, effects of oil spills on deposit-feeding organisms, alteration
25 of migratory patterns of animals from industrial disturbances, effects of
26 noise from tankers and seismic boats and other industrial activity, and the
27 behavior of salmon smolt and other valuable state resources; and

28 WHEREAS recent mysterious disappearances of numerous commercial and
29 fishing vessels in the Bering Sea, including two modern vessels

1 specifically designed for Bering Sea operations, as well as frequent public
2 description of the region as the "Bering Triangle," indicate that a serious
3 potential exists for contamination and destruction of valuable state re-
4 sources from industrial accidents involving petroleum tanker traffic; and

5 WHEREAS development of the Norton Sound oil field is probably not in
6 the best interests of the United States and the State of Alaska because the
7 large number of offshore oil and gas tracts being leased for exploration
8 and development will not generate adequate tax revenue for the resource
9 being offered, especially considering the priceless value of the fisheries
10 resource to the citizens of the state, and the absence of an accurate and
11 independent economic analysis of the feasibility of exploration and devel-
12 opment of the oil and gas reserves of Norton Sound, which is estimated to
13 be a relatively modest yield field; and

14 WHEREAS the State of Alaska, in acknowledgement of the environmental
15 and renewable resource value of Norton Sound, and in accordance with the
16 advice and expertise provided by elders and other local expert witnesses,
17 and after extensive public hearings, acted to cancel a similar lease sale
18 in the Norton Sound region, State OCS Oil and Gas Lease Sale No. 38;

19 BE IT RESOLVED that the Alaska State Legislature respectfully requests
20 the Secretary of the Interior, with the Governor of the State of Alaska,
21 the Alaska commissioner of environmental conservation and the Alaska com-
22 missioner of fish and game, and in consultation with local residents of the
23 Bering Sea periphery and the Alaska scientific community, to develop a
24 long-term, adequately supported monitoring plan and monitoring program, in
25 order to appraise Alaska citizens of the exact status of Norton Sound
26 biological resources during all phases of Norton Sound OCS oil and gas
27 exploration and development; and be it

28 FURTHER RESOLVED that the Alaska State Legislature respectfully re-
29 quests the Secretary of the Interior, in consultation with local

1 representatives from Norton Sound communities, the Alaska scientific commu-
2 nity, the Alaska Department of Fish and Game, and the Alaska Department of
3 Law, to conduct a comprehensive review of the Final Environmental Impact
4 Statement (FEIS) for Norton Sound OCS Lease Sale No. 57 to determine whe-
5 ther the state's interests, including interests in fisheries, were ade-
6 quately represented in the EIS process, and to determine whether the EIS
7 process for Norton Sound has been properly and lawfully observed by the
8 federal government; and be it

9 FURTHER RESOLVED that the governor is respectfully requested to submit
10 to the legislature a report on the above determinations and findings within
11 30 days after the effective date of this resolution, together with recom-
12 mendations for subsequent actions to be taken by the State of Alaska in
13 order to properly and lawfully discharge its responsibility for the manage-
14 ment and protection of state resources, including fisheries and other
15 biological resources, of the northeastern Bering Sea environment.

16 COPIES of this resolution shall be sent to the Honorable James Watt,
17 Secretary of the Interior; and to the Honorable Bill Sheffield, Governor of
18 the State of Alaska.