

Original sponsor(s): SEN. FRANK, Kelly, Coghill, Sturgulewski, Uehling, Pearce, Faiks, Zharoff, Fahrenkamp, Jones, Fischer, Binkley, Adams, Halford, Szymanski, Duncan, Rodey, Pourchot; REP. Zawacki, Leman, Miller, Barnes, Kubina, Hanley, Phillips, Donley, Gruenberg, Shultz, Sharp, Boucher, Menard, Taylor, Rieger, Larson, Hudson, Cotten, Collins

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO. 54 (Resources) am H  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Relating to the "no net loss of wet-  
6 lands" policy and opposing the Memorandum of Agreement of the United States  
7 Army Corps of Engineers and the United  
8 States Environmental Protection Agency.  
9

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

11 WHEREAS the Domestic Policy Council, the United States Environmental  
12 Protection Agency, the United States Army Corps of Engineers, the United  
13 States Fish and Wildlife Service, and other federal agencies are advancing  
14 a new wetlands policy for the nation; and

15 WHEREAS the Alaska State Legislature recognizes the vital importance  
16 and value of wetlands to the State of Alaska and the nation; and

17 WHEREAS the November 15, 1989, Memorandum of Agreement between the  
18 United States Corps of Engineers and the United States Environmental Protection  
19 Agency fails to distinguish Alaska's fundamentally different wet-  
20 lands from those of the other states; and

21 WHEREAS the "no net loss" policy stems from the 54 percent wetlands  
22 loss in the continental United States; and

23 WHEREAS the definition of wetlands has expanded significantly since  
24 the Clean Water Act was originally implemented; and

25 WHEREAS Alaska has land characteristics that are unique to the state  
26 and require special consideration in a wetlands policy for the nation; and

27 WHEREAS 88 percent of the total land mass of the state is owned by the  
28 federal and state governments, and the state is committed to protecting and  
29 preserving highly valued wetlands; and

1       WHEREAS under the existing definition of wetlands, up to 170,000,000  
2 acres of Alaska are wetlands in contrast to the other states where only a  
3 small percentage of the area is wetlands; and

4       WHEREAS the "no net loss wetlands" Memorandum of Agreement fails to  
5 recognize the unique nature of permafrost in the state as well as the vast  
6 areas of the state that cannot be developed; and

7       WHEREAS the subjection of the state to a "no net loss" policy con-  
8 ceived without an understanding of Alaska's unique characteristics would  
9 prevent the reasonable, responsible, and appropriate development of wet-  
10 lands in Alaska; and

11       WHEREAS the future development and extraction of Alaska's natural  
12 resources and diversification of the state's economy would be deleteriously  
13 affected by subjection to a "no net loss" policy that did not consider  
14 Alaska's unique circumstances; and

15       WHEREAS the wetland areas of the state cover up to 170,000,000 acres  
16 and only 80,000 acres, approximately 0.05 percent of the wetlands, have  
17 been altered since 1867;

18       BE IT RESOLVED by the Alaska State Legislature that George Bush,  
19 President of the United States, is respectfully requested to rescind the  
20 application to the state of the wetlands Memorandum of Agreement; and be it

21       FURTHER RESOLVED that the Alaska State Legislature urges the President  
22 of the United States to determine that application of a "no net loss"  
23 policy to wetlands in Alaska that does not consider Alaska's unique circum-  
24 stances would not be in the best interest of the state or nation; and be it

25       FURTHER RESOLVED that the President direct federal agencies to account  
26 for the unique circumstances and needs of the State of Alaska in developing  
27 and implementing national wetlands policy; and be it

28       FURTHER RESOLVED that the President direct the White House Domestic  
29 Policy Council to propose a wetlands conservation strategy that recognizes

1 the role of the states and provides resources for them to plan wetlands  
2 conservation strategies, allows for regional diversity, allows the national  
3 goal to be pursued through individual state wetlands management programs,  
4 and provides flexible approaches that recognize the uniqueness of Alaskan  
5 wetlands.

6 COPIES of this resolution shall be sent to the Honorable George Bush,  
7 President of the United States; Lieutenant General Henry J. Hatch, Chief of  
8 Engineers, Commanding General, U.S. Army Corps of Engineers; William K.  
9 Reilly, Administrator, U.S. Environmental Protection Agency; and to the  
10 Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and  
11 the Honorable Don Young, U.S. Representative, members of the Alaska delega-  
12 tion in Congress.