

**HJR**

**11**

<TARGET><BILL>HJR 11</BILL><SUBJECT>HJR  
11</SUBJECT><COMM>SRES27</COMM></TARGET>

# SENATE COMMITTEE REPORT

DATE: 2/16/11

FURTHER:

DATE TURNED  
IN TO OFFICE: 3/7/11

Resources Committee considered HOUSE JOINT RESOLUTION NO. 11

## HJR 11-OPPOSING ANWR WILDERNESS DESIGNATION

Urging the United States Congress to refrain from passing legislation that designates land in Area 1002 of the Arctic National Wildlife Refuge as wilderness.

and recommends:

- be replaced with SCS \_\_\_\_\_ (\_\_\_\_\_)
  - Same Title  Technical Title Change or  New Title & SCR No. \_\_\_\_\_
- adopt previous SCS \_\_\_\_\_ (\_\_\_\_\_)
  - Same Title  Technical Title Change or  New Title & SCR No. \_\_\_\_\_
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

Dept Abbr.	
ADM	LEG
CED	LAW
COR	LWF
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

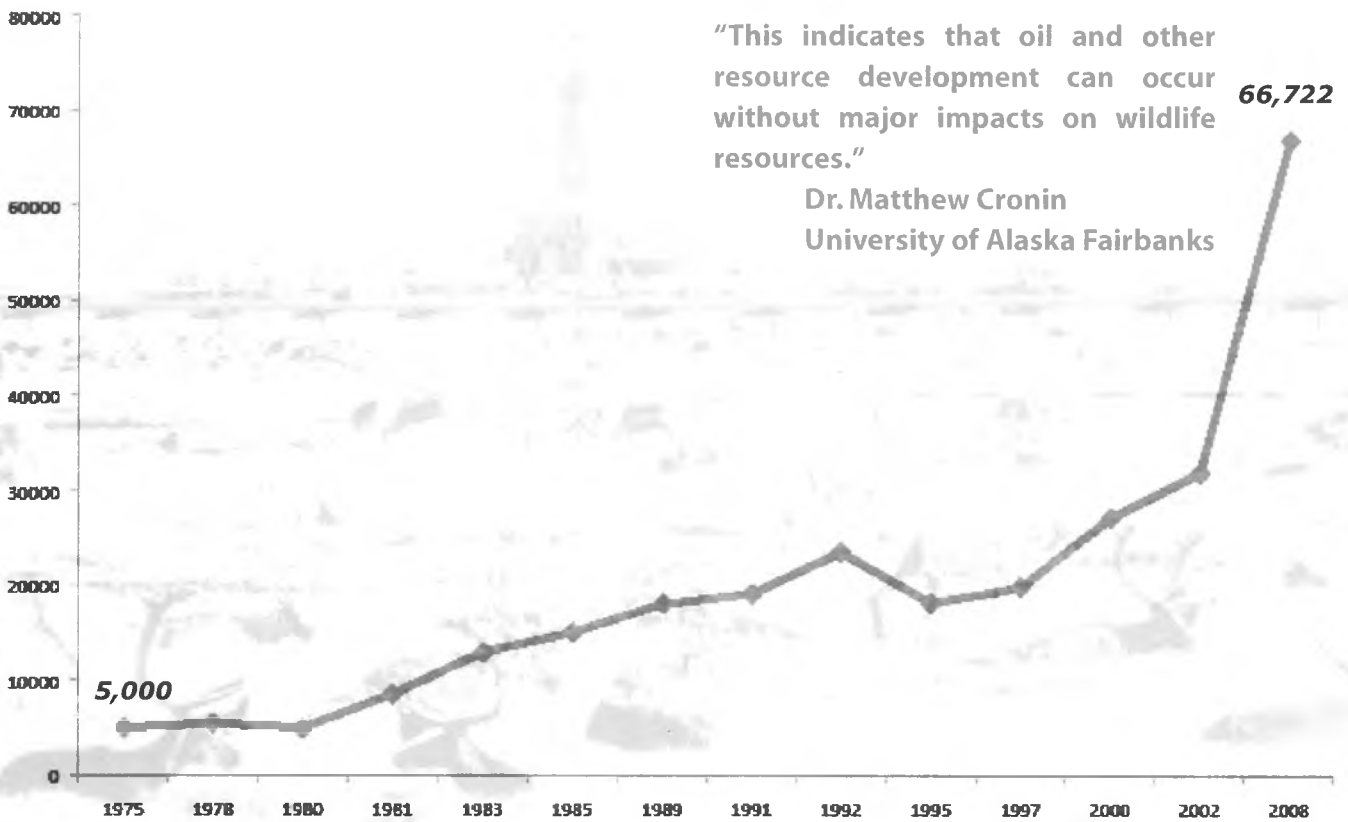
PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
Leg			X	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
	McGuire	✓			
	French			✓	
	Wilechowski			✓	
	Wagoner	✓			
	PASKVAN	X			
CO-CHAIR:					
CO-CHAIR:					

# Co-existing with oil development, Central Arctic caribou herd thrives, population at record high

**Central Arctic Caribou Herd Population**



The Alaska Department of Fish and Game has reported that the Central Arctic caribou herd, which occupies summer ranges that include the Prudhoe Bay and Kuparuk oil fields, grew sharply in numbers between 2002 and 2008.

The herd included approximately 67,000 animals in summer 2008, compared to 32,000 in 2002. The herd had less than 5,000 animals in 1975, several years before North Slope oil production commenced.

The Teshekpuk Lake herd to the west of Kuparuk also increased in population to 64,000 animals in 2008, up from 45,000 in 2002. The two herds are the only ones in the Arctic known to be increasing at this time, the Department said. The other two Alaskan Arctic herds, the Western Arctic herd, whose

range is west and south of the Teshekpuk Lake herd, and the Porcupine herd, with a summer range in Arctic National Wildlife Refuge east of Prudhoe Bay and winter ranges in the Brooks Range and Canada, are decreasing, as are many herds across Canada.

The department has not yet determined the causes of the changes in numbers in the different herds, but believes good reproduction rates, good weather, low predation and good habitat have combined to allow the Central Arctic and Teshekpuk Lake herds to increase rapidly. Movement among the herds may also account for some of the relative increases and decreases in numbers.

The increase in population is good news for many North Slope communities that hunt caribou. The Teshekpuk herd is an important

subsistence resource for Barrow and villages in the region while the Central Arctic herd is commonly hunted by Alaskans from all over the state.

“Although some local disturbance impacts may occur, North Slope oil field developments have not resulted in decreased numbers of caribou,” noted Dr. Matthew Cronin, a specialist in animal genetics and a research associate professor at the University of Alaska Fairbanks School of Natural Resources and Agricultural Sciences in Palmer. “This indicates that oil and other resource development can occur without major impacts on wildlife resources,” Cronin added. “The North Slope oilfields and caribou herds are a good example of achieving multiple use management.”

HJR 11

## Representative Charisse Millett

Session  
State Capitol Building, Room 412  
Juneau, AK 99801  
Phone (907) 465-3879  
Fax (907) 465-2069



Interim  
Anchorage LIO  
716 W 4<sup>th</sup> Ave.  
Anchorage, AK 99501  
Phone (907) 269-0222  
Fax (907) 269-0223

### Memorandum

To: *Tom Joe*  
Sen. Tom Wagoner, Co-Chair  
Sen. Joe Paskvan, Co-Chair  
From: Rep. Charisse Millett  
Subject: Calendaring request for HJR 11  
Date: February 16, 2011  
CC:

---

Please schedule House Joint Resolution 11 for a hearing at your earliest convenience. HJR 11 urges the United States Congress not pass any legislation designating Area 10-02 of ANWR as wilderness.

The resolution is timely because the U.S. Fish and Wildlife Service will release its draft Comprehensive Conservation Plan for ANWR by the end of March 2011. I believe the sooner the legislature weighs in on this issue the better.

The necessary materials for a hearing are included with this request.

Jeff Turner is the staffer assigned to this resolution. His direct line is (907) 465-6588.

###

*Thank you  
Charisse*

# Alaska House of Representatives

Session: Jan. – Apr.  
State Capitol Building  
Room 412  
Juneau, AK 99801  
907.465.3879  
Fax 907.465.2069



Interim: May – Dec.  
Anchorage LIO  
716 W 4<sup>th</sup> Ave.  
Anchorage, AK 99501  
907.269.0222  
Fax 907.269.0223

## Representative Charisse Millett District 30

January 25, 2011  
Bill Version: 27-LS0187\M

### House Joint Resolution 11 Sponsor Statement

**“Urging the United States Congress to refrain from passing legislation that designates land in Area 1002 of the Arctic National Wildlife Refuge as wilderness”**

House Joint Resolution 18 urges the United States Congress to reject any legislation seeking a wilderness designation for Area 1002 of the Arctic National Wildlife Refuge.

The U.S. Fish and Wildlife Service is drafting a new Comprehensive Conservation Plan for ANWR and the draft report is due out by late March 2011. No matter what the report recommends, it will renew calls for a wilderness designation. Not only will a wilderness designation lock it up – it will throw away the key.

Legislation has already been introduced in the US House of Representatives (H.R. 139) to make the coastal plain of ANWR a wilderness area.

The 1002 Area could be the largest untapped onshore oil prospect in the United States and that makes it both a national refuge and a strategic resource. The two are not incompatible.

Congress deliberately set aside Area 1002 for future oil and gas exploration. Lawmakers at the time understood the day may come when those reserves will be needed to fuel the economy and reduce the flow of imported oil into America.

Alaska needs new jobs to grow its economy and new revenue to fund basic services like education, public safety and transportation infrastructure. America needs a stable, safe and secure supply of energy to help the economy get back on its feet. ANWR can do all of that without harming the fragile arctic environment.

Locking up a two thousand acre area that makes up less than one percent of the refuge and holds an estimated 10,400,000,000 barrels of oil does not make sense for America's economy and national security.

HJR 11 has been referred to the House Resources Committee. For more information, contact Representative Millett at (907) 465-3879.

###

# FISCAL NOTE

**STATE OF ALASKA**  
**2011 LEGISLATIVE SESSION**

Fiscal Note Number \_\_\_\_\_  
 Bill Version HJR 11  
 () Publish Date \_\_\_\_\_

House Joint Resolution NO. 11  
 Title "Urging the United States Congress to refrain from passing legislation that that designates land in Area 1002 of the Arc..."  
 Sponsor Representative Millett  
 Requester House Resources Committee

Dept. Affected Legislature  
 Appropriation B&A Committee, Leg Council  
 Allocation & Subcommittees, Leg Operating Budget  
 OMB Component Number 783; 775

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
<b>OPERATING EXPENDITURES</b>							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Grants & Claims							
Miscellaneous							
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>							
-----------------------------	--	--	--	--	--	--	--

<b>CHANGE IN REVENUES</b>							
---------------------------	--	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2011) cost \_\_\_\_\_

**POSITIONS**

Full-time							
Part-time							
Temporary							

**Why this fiscal note differs from previous version**

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by Shane Miller, Finance Manager  
 Division Legislative Affairs Agency  
 Approved by Pamela Varni, Executive Director  
Legislative Affairs Agency

Phone 465-6626  
 Date/Time 2/3/11 10:32 AM  
 Date 2/3/2011

**Analysis**

This fiscal note has zero impact on the Legislative Affairs Agency.



# THE ALLIANCE

...for responsible development of Alaska's Oil, Gas & Mineral Resources

February 1<sup>st</sup>, 2011

Honored Members of the House Resources Committee:

Please accept this letter on behalf of the Alliance's 500 members and their 35,000 employees.

Our organization fully supports HJR 11- a resolution urging Congress to refrain from passing legislation that designates land in ANWR as wilderness.

Jobs are our future. Any attempt to thwart responsible resource development in Alaska is a threat to our member companies and to their employees.

Please support HJR 11.

Respectfully,

Rebecca Logan

General Manager

The Alliance

## Alaska Oil and Gas Association

---



121 W. Fireweed Lane, Suite 207  
Anchorage, Alaska 99503-2035  
Phone: (907)272-1481 Fax: (907)279-8114  
Email: [moriarty@aoga.org](mailto:moriarty@aoga.org)  
Kara Moriarty, Deputy Director

February 3, 2011

Representative Charisse Millett  
Alaska House of Representatives  
State Capitol – Rm. 13  
Juneau, AK 99801

Dear Representative Millett:

The 15 members of the Alaska Oil & Gas Association (AOGA) account for the majority of oil and gas exploration, development, production, transportation, refining and marketing activities in the state. We appreciate the opportunity to voice our support for HJR 11, which opposes the federal government designating the 1002 area of the Arctic National Wildlife Refuge (ANWR) as wilderness.

When ANWR was created as part of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980, only 8% of the area, known as the “1002 area”, was set aside for oil and gas development. During the ANILCA debate, it was agreed that “no more” wilderness would be designated as over 8 million acres elsewhere in the refuge was designated as wilderness.

Development is permanently restricted on over 90% of ANWR and for the last twenty years, four out of five Alaskans consistently have supported opening ANWR to oil and gas exploration.

At a time when the Trans-Alaska Pipeline is only operating at one-third of its capacity, federal and state lands designated for oil and gas development should remain a viable option. Now is not the time to set aside more wilderness.

Thank you for sponsoring this resolution. We respectfully request the members of the 27<sup>th</sup> Legislature to join you by supporting HJR 11.

Sincerely,

A handwritten signature in black ink that reads "Kara Moriarty". The signature is written in a cursive, flowing style.

KARA MORIARTY  
Deputy Director



**ANWR:**

---

JOBS AND  
ENERGY  
FOR AMERICA

**ARCTIC POWER**

P. O. Box 240306  
Anchorage, AK 99524  
907.274.2697  
907.274.2706 FAX

425 8<sup>th</sup> Street NW  
Ste. 540  
Washington, DC  
20004  
202.248-4468  
202.248-6123 FAX  
<http://www.anwr.org>

## Support for H.J.R. 11 27<sup>th</sup> Alaska State Legislature 1<sup>st</sup> Session

Arctic Power strongly supports House Joint Resolution 11 introduced to the Alaska State Legislature Jan 21, 2011.

At the opening of each Congress for the past ten years, bills have been introduced to declare the 10-02 area of ANWR "wilderness lands" as defined by the National Wilderness Act of 1964. To date not a single measure has gained support and most have died in committee. Additionally letters have been drafted by Congressmen to the President to either declare the 10-02 as wilderness or, in one case, ban all development of any kind north of the Brooks Range. These letters are often signed by 50-80 congressmen and women and are sent off to the White House. None have yet gained enough traction to cause passage of legislation.

Despite the lack of success in these measures, and that many on Capitol Hill brand these attempts as politically "dead-on-arrival", the fact remains that up to a third of the US Senate and a quarter of the US House actually believe that locking up Alaskan lands is a good thing and Alaskans simply do not know what is best for themselves when it comes to land management. Sadly, very few of those who sign these letters or bills have actually been to Alaska, let alone ANWR, and many support these bills purely on political grounds. As a fact we at Arctic Power know that very few Congressmen or women actually know the issues, the lands, or the history of Arctic oil and gas exploration at all.

As ANWR is the single most legislated energy issue of the modern era, HJR 11 will be a extremely important voice for the people of Alaska in responding to the misguided wishes of certain members of Congress keen on Federal land grabs. It is the voice of the people of Alaska that is often not heard in the Halls of Congress and deliberately left of out the ANWR "wilderness" letters sent to the White House. HJR 11 will be an official message that we, as residents of this state, can take to Washington to help assure our voices are heard.

After ANILCA passed in 1980, Alaska was given reason to breathe a sigh of relief, though at a cost of 105 million acres of our state's land. Today 61% of our state is controlled by Washington and fully 1/3<sup>rd</sup> of all Federal lands nationally lie in Alaska. Over half of all national wilderness lands or fifty-eight million acres exist in Alaska including 8 million acres (42%) of ANWR itself. Alaska also contains 70% of the nation's national parks and 80% of all the nation's wildlife refuge land. One must ask when is enough enough? Regardless of the rule of law of ANILCA itself, we simply do not need more protected lands.

Demands for wilderness designation of the 10-02 area by anyone inside or outside of Alaska completely and deliberately ignores that Alaskans, both individually and through laws put in place by their elected officials, have acted responsibly and practiced careful conservation and protection of the ecology for 30 years across the entire Arctic. The environmental Armageddon many environmental groups preached never happened. But still, those in favor of 10-02 wilderness designation artfully ignore the now 66,000 strong Central Arctic Caribou Herd migrating, calving and feeding within the largest oil field on the North American continent. A situation which was deemed impossible by the environmental lobby and their supporters in 1972.

Apart from the basic fact that ANILCA specifically did not designate the 10-02 as wilderness lands, ANILCA also states that the Federal Government's fill of claims to Alaskan lands have been met and that no Alaskan land, anywhere in the state, may be taken out of public use without a specific decision by Congress. In 1987, the Department of Interior carried out the letter of the law of ANILCA and recommended opening the 10-02 to oil exploration and development, and; in 1995, Congress fulfilled ANILCA by voting to do so. What has changed since then with regard to ANWR land is almost nothing at all. The Porcupine Caribou Herd fluctuates, as it always has and will, the local governments still strongly support development and overall statewide public support remains at a high 78%. Yet Alaska, year in year out, must battle against bill after bill, letter after letter, campaign after campaign the attempts of environmentalists and misguided US Congressmen and women to keep open the option to responsibly use our lands. Even the current Comprehensive Conservation Plan by the US Fish and Wildlife Service will most likely break the ANILCA law and, in April, come out with a recommendation for a wilderness designation of the 10-02 area. It is our great wish that this effort be stopped, that the US Fish and Wildlife Service know through HJR 11 and the force of law that this is not only not the wish of Alaskans, but it is also against the law of the land.

We at Arctic Power do not agree with those in the US Congress who want wilderness designation for the 10-02 area. We strongly believe they do not fully understand the issue and many are completely unwilling to listen to the voices of the people of Alaska.

We at Arctic Power do believe Alaskans know what is best for Alaskans and that a vast majority of Alaskans support passage of HJR 11 and responsible development of the 10-02 area of ANWR. We strongly support this resolution and recommend its passage.

Sincerely

Mike Navarre Co-Chair ARCTIC POWER

Eric Helzer Co-Chairman ARCTIC POWER

# STATE OF ALASKA

## CITIZENS' ADVISORY COMMISSION ON FEDERAL AREAS

*SEAN PARNELL, Governor*

*3700 AIRPORT WAY  
FAIRBANKS, ALASKA 99709*

*PHONE: (907) 374-3737*

*FAX: (907) 451-2751*

June 7, 2010

Richard Voss  
Refuge Manager  
Arctic National Wildlife Refuge  
101 12<sup>th</sup> Avenue, Room 236  
Fairbanks, AK 99701-6237

Dear Mr. Voss:

The Citizens' Advisory Commission on Federal Areas has considered the Notice of Intent to revise the Comprehensive Conservation Plan (CCP) for the Arctic National Wildlife Refuge and prepare an environmental impact statement. We note that this planning process also will include a review of refuge rivers for potential recommendation for inclusion in the National Wild and Scenic River System and review of refuge lands for potential recommendation for inclusion within the National Wilderness Preservation System. We appreciate the opportunity to offer the following scoping comments for consideration by the refuge planning team.

### **Public Involvement**

The Commission thanks you for providing the briefing and answering questions about the CCP revision at our June 2<sup>nd</sup> meeting in Fairbanks. We are encouraged by the extensive public outreach effort made by you and your staff during this initial phase of the plan revision. We are particularly pleased that the public meetings did not simply follow the "open house" format, but included the opportunity for the public to provide testimony as part of the planning record. Also, giving attendees the option of presenting testimony in an open forum or by meeting one on one with a member of the refuge staff is commendable. As you know, the Arctic Refuge receives more attention than other unit in the refuge system, making public involvement a critical part of this plan revision. We are confident that you will offer the same level of opportunities for public involvement in each phase of the process. The Commission is available to assist with future public outreach efforts or to again distribute information through our newsletter if that would be helpful.

### **Wilderness Review**

The Commission is strongly opposed to the development of new recommendations for designation of additional wilderness within the Arctic Refuge. The question of additional

wilderness designations for all national wildlife refuge units in Alaska was previously addressed in studies mandated by ANILCA Section 1317. The study for the Arctic Refuge was conducted in conjunction with the development of the current CCP. The November 1988 Record of Decision for the CCP and Final Environmental Impact Statement selected a plan alternative that represented the existing management situation and did not include a wilderness proposal.

The Commission supports retention of this decision, primarily because the 8.0 million acres of designated wilderness already within the Arctic Refuge is sufficient. Maintaining the remainder of the refuge in a non-wilderness status will allow the Service a measure of flexibility to respond to changing circumstances or management needs. Existing statutory and regulatory authorities provide sufficient protections for refuge values and purposes without reducing management options by imposing an additional layer of restrictions on the Service, cooperating agencies such as the Alaska Department of Fish and Game or the public.

The restrictions imposed by wilderness designation in Alaska are slightly less restrictive because of the special provisions of ANILCA. In spite of those special provisions, however, it is our considered opinion that each Federal land management agency has adopted wilderness policies that are more restrictive than was intended by Congress. These policies can unnecessarily restrict public activities and use, even those of a transitory nature that have no impact to refuge resources.

During the CCP revision process we would encourage the Service to look at how these policies are applied to the existing wilderness area in the refuge. The CCP should contain a table or summary of those activities and uses that are allowed and those that are restricted within designated wilderness. Included in the CCP should be a discussion of the applicable Service policies, regulations and statutes which guide wilderness management. Plan alternatives and refuge management policies should also allow for special circumstances where restrictions on the use of mechanized or power equipment can be waived for medical reasons or to accommodate handicapped individuals.

#### **1002 Area**

Although the ANILCA Section 1317 recommendations were never submitted to Congress by the Secretary, Congress has considered the question of wilderness in the 1002 area of the Arctic Refuge many times. There have been bills proposed in both the House and the Senate in each of the last 11 Congresses. At least 22 bills proposing wilderness designation for the 1002 Area have been introduced. Several other bills also contained wilderness proposals for lands within the Arctic Refuge. To our knowledge, none of these bills has advanced beyond committee. Given this and the controversial nature of wilderness designation in Alaska overall, the Commission would suggest that the time and effort in conducting wilderness studies in the 1002 area (Coastal Plain Wilderness Review Units) as well as the Brooks Range and Porcupine Plateau Wilderness Review Units could be better spent on other important management issues.

#### **Wild and Scenic River Studies**

The Commission is also opposed to studies and/or recommendations for additional wild and scenic rivers within the Arctic Refuge. As we have stated above on the wilderness study issue, existing statutory and regulatory authorities are more than adequate to protect all rivers and

waters within the refuge. In fact, one of the purposes of the refuge is to ensure "water quality and necessary water quantity within the refuge." We see no need to conduct wild and scenic river studies that will divert staff resources from other management issues.

#### **Access**

Under the current CCP and regulations, there are no restrictions for the Arctic Refuge on public access via snowmachine, motorboat, airplane or nonmotorized surface transportation. Even though there have been increases in public use and visitation, Commission members who are knowledgeable about the refuge see no need for any restrictions at this time. While we are aware that restrictions may be implemented only through the closure process and subject to the criteria found in the regulations at 50 CFR §36.42, the findings in the environmental impact statement and the revised CCP will heavily influence any decisions on future proposals for public access restrictions. This issue should be thoroughly and objectively examined as part of this revision.

#### **Visitor Use Survey**

We recently learned that implementation of the revised visitor use survey will be delayed until after the plan revision is completed. The Service should reconsider this decision and release the visitor survey for this season so that this information can be included in the CCP revision.

#### **Cabins**

Guidance for cabin management in the current CCP was developed prior to the promulgation of regulations for the use and construction of cabins within national wildlife refuges in Alaska. At the time the CCP was adopted, cabins were managed under a regional policy that was not uniformly applied and which was not consistent with the provisions of ANILCA. Formal cabin regulations were not adopted until 1994.

The Service estimated in the original CCP that there were 37 cabins on refuge lands used for trapping or other customary and traditional subsistence uses. According to the CCP, 25 of those were used to "some degree" and 12 were not being actively used. Twelve of the cabins were under special use permit. The CCP (pg. 210) states: "The Service eventually will place all of the cabins on refuge lands under permit, or declare them abandoned after researching their pattern of use."

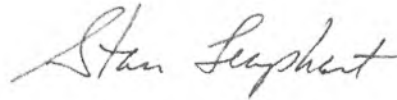
The CCP goes on to say that a detailed inventory of cabins and their uses on refuge lands will be conducted. It also says that before declaring a cabin abandoned, the Service will research its pattern of use and that all cabins determined to be abandoned will be disposed of in accordance with Service policy.

We have no specific information on the present status of cabins or cabin permits on the Arctic Refuge. We do understand that there are fewer cabins being used or under permit than when the original CCP was adopted. The revised CCP should include the results of the cabin inventory and the current status of cabins on the Arctic Refuge. The original CCP states that the Service has no plans for constructing or designating new public use cabins, but points out that cabins may be constructed or designated if necessary for refuge management and or public health and safety. We suggest inclusion of at least one alternative that would allow either the designation of existing cabins or construction of new cabins for public use in the non-wilderness portions of the

refuge. Consistent with ANILCA Section 1315(d), the need for public use cabins or shelters for public health and safety purposes within the designated wilderness portion of the refuge should also be considered in the alternatives. There is a significant segment of the public that considers public use cabins within conservation system units as both appropriate and desirable.

Again, the Commission appreciates the opportunity to provide these comments. We look forward to working with the refuge staff on the development of this plan revision and the environmental impact statement. We would welcome the opportunity to participate in planning team meetings along with other State personnel, if appropriate and if you think that participation would be helpful. When convenient, we also encourage you to provide updates that can be included in our monthly newsletter. Please contact us if you have questions or if we can clarify any of our comments.

Sincerely,

A handwritten signature in cursive script that reads "Stan Leaphart".

Stan Leaphart  
Executive Director