

ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8672

10139 SENATE RESOURCES

Taping by Joe Malatesta, Sr., of phone call to:

Joe: Today is March 28, 2000, and I am a private investigator and legal assistant for the law firm of Robinson and Beiswenger of Soldotna, Alaska. I am on the phone with Mr. Drew Scalzi. Mr. Scalzi for the purpose of this, I would like to make a formal taped interview with you regarding the Governor's nominations for the North Pacific Fisheries Management Council, the vacant seats, and I would just like to get a quick interview with you but I need your permission.

Scalzi: Yes

Joe: Prior to March 15, 2000, did the Governor of Alaska or his agent or representative ever contact you and ask for advice from you regarding the North Pacific Fisheries Management Council nominations of the following people: David Benton, James Bacon, Larry Shelton, Robert Penny, Phillip Cutler and Timothy Everst?

Scalzi: No

Joe: And I understand that you were telling me that you sent an email to the Governor prior to that, and you were in favor of Chris Norris to be appointed to the open seat?

Scalzi: That is correct. Chris Norris had sought my support for the nomination to the North Pacific Fisheries Management Council and I emailed the Governor's office for that purpose.

Joe: Right, but as far as you being a representative of the Kenai Peninsula Borough or Drew Scalzi of person, you were never contacted in any way, shape or form regarding the nominees that I mentioned.

Scalzi: No sir, I was never contacted.

Joe: End of interview.

Taping by Joe Malatesta Sr., of phone call to:

Joe: Today is March 28, 2000, and I am an investigator for the law firm of Robinson and Beiswenger of Soldotna, Alaska, and I am working on the Governor of Alaska's nominations to the North Pacific Fisheries Management Council and I am on the phone with Roy Brown of the Kodiak Fish Company in Kodiak. Roy, is it okay to make a quick taped interview with you regarding what we just talked about?

Roy: Very good.

Joe: What I would like to do is, you are the manager in Kodiak; is that what your position is at the Kodiak Fish Company?

Roy: I am personnel manager with a few other hats for this company located in Kodiak. Yes.

Joe: And prior to March 15, 2000, did the Governor of Alaska, Mr. Knowles, or any of his representative or agents contact you regarding his nominations to the seats on the North Pacific Fisheries Management Council those nominations being: David Benton, James Bacon, Larry Shelton, Robert Penny, Phillip Cutler, and Timothy Everst?

Roy: No, I was never personally contacted.

Joe: End of interview.

Taping by Joe Malatesta, Sr., of phone call to:

Joe: Today is March 28, 2000, I am the investigator with the law firm of Robinson and Beiswenger of Soldotna, Alaska, and I am on the phone telephonically with Ms. Shellikoff, and I am under the impression that you are the president of the Falls Pass Tribal Council, is that correct?

Shellikoff: Correct

Joe: What I would like to do with your permission, is make a quick taped interview regarding Governor Knowles' nominees for the North Pacific Fisheries Management Council? Can I have your permission?

Shellikoff: Yes

Joe: My question to you is prior to March 15, 2000, did the Governor meaning Mr. Knowles or any agent or representative of the Governor's office ever contact you regarding his nominations who are David Benton, James Bacon, Larry Shelton, Robert Penny, Phillip Cutler, and Timothy Everst?

Shellikoff: No

Joe: End of interview.

Taping by Joe Malatesta, Sr., of phone call to:

Joe: Today is March 30, 2000, and I am the legal assistant and investigator with the law firm of Robinson and Beiswenger of Soldotna, Alaska, and I am on the phone with Mr. Terry Gardner from Norquest Seafood Inc. Mr. Gardner can I have your permission to make a quick taped interview with you sir. May I have your permission?

Gardner: Sure

Joe: I just have a few questions regarding your possible knowledge of Governor Knowles or any of his agents or representatives prior to March 15, 2000, did they ever contact you regarding their nominees to the North Pacific Fisheries Management Council being: David Benton, James Bacon, Larry Shelton, Robert Penny, Phillip Cutler or Timothy Everst.

Gardner: We had prior to that time sent in a letter recommending Chris Norris for appointment to one of the vacancies and we received a phone call from the Governor's office, prior to or the day of the public announcement I guess a courtesy call of what they were going to announce there to nominees.

Joe: So I take it from your answer that prior to the public announcement they never contacted you and asked your opinion about the nominees.

Gardner: No

Joe: End of interview.

Taping by Joe Malatesta, Sr., of phone call to Clem Tillion

Joe: Today is March 28, 2000, and I am a legal assistant and investigator for the law firm of Robinson and Beiswenger of Soldotna. I am on the phone telephonic to Halibut Cove to Clem Tillion. Mr. Tillion is okay if I do a quick taped interview with you regarding the Governor's nominees to fill vacancies on the North Pacific Fisheries Council.

Clem: Yes, as long as you don't ask me to criticize him.

Joe: No, I don't want you to criticize anyone sir. My questions are this, prior to March 15th, 2000, were you contacted by the Governor himself, Mr. Knowles, or an agent or representative of him, regarding his nominees for appointments to the seats being, David Benton, James Bacon, Larry Shelton, Robert Penny, Phillip Cutler, Timothy Everst.

Clem: No, I never discussed any of those names.

Joe: Okay. That's all I need to know. Mr. Tillion. Did you ever have contact with the Governor's office regarding someone that you wished or that you thought would be a good person to take an open seat?

Clem: Yes, I did. I recommended Chris Norris of Petersburg to take the vacated seat.

Joe: Mr. Tillion, so then I guess you were shocked as most of us were, when you read the paper on March 15th?

Clem: I was a little startled, but I don't think anybody had any warning.

Joe: End of conversation.

Taping by Joe Malatesta, Sr., of phone call to Mr. Jensen

Joe: Today is March 28, 2000, I am the investigator for the law office of Robinson and Beiswenger in Soldnotna. I am on the phone long distance with Mr. Jensen and I need permission to make a quick taped interview with you regarding the Governor's nominations for the seats that are open on the North Pacific Fisheries Management Council. Can I have your permission?

Jensen: Yes, okay, we'll see what you say anyway.

Joe: Okay, fine. My question to you is prior to March 15, 2000, which is just a couple of weeks ago, were you ever contacted by the Governor's office or an agent of the Governor or a representative of the Governor about your opinion of his nominees of David Benton, James Bacon, Larry Shelton, Robert Penny, Phillip Cutler, and Timothy Everst.

Jensen: No.

Joe: You are on the list as a contact for the Governor, and that is the only reason I called. I am just trying to figure out you know, if you had ever been contacted and you answered that question, short and sweet. That's all I needed to know. End of interview.

Taping by Joe Malatesta, Sr., of phone call to Mitch Kilborn

Joe: Today is March 28, 2000, I am the investigator for the law firm of Robinson and Beiswenger in Soldotna, Alaska, and I am on the phone with Mitch Kilborn, General Manager of Western Alaska Fisheries, Inc., in Kodiak. Mr. Kilborn is it alright if I do a quick taped interview with you, it will only take a minute regarding Governor Knowles and his appointments to the North Pacific Fisheries Council seats?

Kilborn: Sure. Go ahead sir, frankly, I don't really know much about those two gentlemen. But I will answer what questions I can.

Joe: I would like to know this. Prior to March 15, 2000, did the governor himself or any representative or agent of the Governor, ever contact you, regarding your opinion or anything on his nominees David Benton, James Bacon, Larry Shelton, Robert Penny, Phillip Cutler and Timothy Everst?

Kilborn: No, I was never contacted.

Joe: End of interview.

Taping by Joe Malatesta, Sr., of phone call to Jeff Thomas

Joe: Today is March 28, 2000, I am the investigator for the law firm of Robinson and Beiswenger of Soldotna, and I am on the phone with Jeff Thomas of Western Alaska Fisheries, Inc., in Seattle. Mr. Thomas, I would like take a quick taped interview with you regarding the recent nominations for the open seats on the North Pacific Fisheries Management Council that Governor Knowles made? Do I have your permission?

Thomas: Yes

Joe: My question is basically very simple, prior to March 15, 2000, did the Governor of Alaska, Mr. Knowles, or any of his agents or representatives ever contact you regarding your input on his nominees David Benton, James Bacon, Larry Shelton, Robert Penny, Phillip Cutler, and Timothy Everst?

Thomas: No.

Joe: Has anyone else contacted you regarding that sir?

Thomas: No

SJR

17

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 3/18/99

FURTHER:

Date of 5-Day Notice: 3/18/99
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/23/99

Resources Committee considered

SENATE JOINT RESOLUTION NO. 17

Requesting that the National Marine Fisheries Service and the United States Congress act immediately to reverse the decline of the Cook Inlet beluga whale population and to regulate the harvest of the beluga whales in Cook Inlet until the beluga whale population has recovered.

and recommends:

- be replaced with _____ CS SJR 17 (RES)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
 same title
 new title
House Bill:
 same title
 technical title
 new: SCR# _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NB	DNP	AM
<i>[Signature]</i>	X	<i>[Signature]</i>	XXX		
<i>[Signature]</i>	X				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
CHAIR: <i>[Signature]</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

SRES	3/22	X	

APPLIES TO CS

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SJR 17

Revision Date 3/18/99 Dept. Affected _____
 Title Cook Inlet Beluga Population BRU _____
 Component _____
 Sponsor S RES _____
 Requester _____ Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
Personal Services						0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES []						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1091 Designated Program Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This resolution is anticipated to have no fiscal impact on state agencies.

Prepared by Senate Resources Committee
 Division *Rick Halford*
 Approved by Senator Rick Halford, Chairman
 Agency _____

Phone 465-4907
 Date 3/22/99
 Date _____

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SJR 17

Revision Date 3/18/99 Dept. Affected _____
 Title Cook Inlet Beluga Population BRU _____
 Component _____
 Sponsor SRL3 _____
 Requester _____ Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
Personal Services						0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES []						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
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1037 GF/Mental Health						
1091 Designated Program Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This resolution is anticipated to have no fiscal impact on state agencies.

Prepared by Senate Resources Committee Phone 465-4907
 Division _____ Date 3/12/99
 Approved by Senator Rick Halford, Chairman Date _____
 Agency _____

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**CS FOR SENATE JOINT RESOLUTION NO. 17(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - FIRST SESSION**

BY THE SENATE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATE RESOURCES COMMITTEE

A RESOLUTION

1 **Requesting that the National Marine Fisheries Service and the United States**
2 **Congress act immediately to reverse the decline of the Cook Inlet beluga whale**
3 **population and to regulate the harvest of the beluga whales in Cook Inlet until**
4 **the beluga whale population has recovered.**

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

6 **WHEREAS** the National Marine Fisheries Service (NMFS) is responsible under the
7 **Marine Mammal Protection Act (MMPA) for management and protection of beluga whales**
8 **in Alaska; and**

9 **WHEREAS** NMFS has concluded that, although the data on population trends of Cook
10 **Inlet beluga whales are incomplete, the Cook Inlet beluga whale population appears to have**
11 **declined in recent years, primarily due to overharvest; and**

12 **WHEREAS** NMFS has concluded that the Cook Inlet beluga whale population was
13 **at least 650 in 1994; and**

14 **WHEREAS** the most recent NMFS surveys place the Cook Inlet beluga whale
15 **population at a minimum of 347; and**

16 **WHEREAS** environmental groups have recently petitioned NMFS to list the Cook

1 Inlet beluga whale population as either threatened or endangered under the Endangered
2 Species Act; and

3 **WHEREAS** listing of this population under the Endangered Species Act would have
4 significant negative effects on the economies of Cook Inlet as well as the entire state; and

5 **WHEREAS** there are procedures under the MMPA that provide for the regulation of
6 the harvest of marine mammals; and

7 **WHEREAS** NMFS has apparently been reluctant to use its existing authority under
8 the MMPA allowing for the regulation of harvests; and

9 **WHEREAS** continued delays by NMFS could further contribute to the decline in the
10 Cook Inlet beluga whale population; and

11 **WHEREAS** the MMPA also specifically authorizes the Secretary of the United States
12 Department of Commerce to enter into cooperative agreements with Alaska Native
13 organizations to conserve marine mammals;

14 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the
15 National Marine Fisheries Service to immediately begin the process of reviewing the status
16 of Cook Inlet beluga whales to determine whether the status under the Marine Mammal
17 Protection Act should be changed; and be it

18 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
19 the United States Congress immediately consider legislation amending the Marine Mammal
20 Protection Act to require the National Marine Fisheries Service to regulate the harvest of Cook
21 Inlet beluga whales in cooperation with the local Native subsistence users until the population
22 has recovered; and be it

23 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
24 the United States Congress provide the National Marine Fisheries Service with adequate
25 financial resources to secure, in cooperation with the Alaska Department of Fish and Game
26 and the local subsistence users, the information and management tools necessary to ensure that
27 the Cook Inlet beluga whale population is not placed in jeopardy, that Alaskans dependent on
28 the beluga whale resource are not unnecessarily penalized, and that associated industries in
29 the state are not placed at risk.

30 **COPIES** of this resolution shall be sent to the Honorable William M. Daley, Secretary
31 of the United States Department of Commerce; and to the Honorable Ted Stevens and the

- 1 Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
- 2 Representative, members of the Alaska delegation in Congress.



Official Business

ALASKA STATE LEGISLATURE

SENATE RESOURCES COMMITTEE

State Capitol
Juneau, AK 99801

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Vice Chair: Senator Robin Taylor
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Senator Jerry Mackie
Senator Sean Parnell
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Senate Joint Resolution 17 Sponsor Statement

"Requesting that the National Marine Fisheries Service and the United States Congress act immediately to reverse the decline of the Cook Inlet beluga whale population and to regulate the harvest of the beluga whales in Cook Inlet until the beluga whale population has recovered."

According to the National Marine Fisheries Service (NMFS), the Cook Inlet beluga whale population has been declining in recent years and will become extinct within a decade, primarily due to over harvest. The studies that prove this trend are incomplete and their accuracy has been disputed. However, based on these presumptions, animal rights and environmental groups have petitioned the NMFS to list the Cook Inlet beluga whale population as threatened or endangered under the Endangered Species Act.

Designation of the species as endangered or threatened could severely curtail economic activities, such as oil exploration and production, and subsistence, commercial and personal use fishing in Cook Inlet. Another, more viable option, would be for the NMFS to use its existing authority under the Marine Mammal Protection Act (MMPA) to regulate harvest by Alaskan Natives until the population has recovered.

SJR 17 asks the federal government to start the process of assuming that authority, and to provide funding for the research necessary to balance the needs of the whales and the Alaskans who depend upon the resource and related industries in Cook Inlet. While this process is more complicated and costly for the federal government than simply declaring the species endangered and waiting to see if the population recovers, sound management of the resource while providing for the economic needs of Alaskans is the only reasonable and fair approach. This resolution urges the United States Congress to hold the NMFS to their responsibility of managing and protecting Cook Inlet beluga whales, before this problem becomes a crisis.

I urge your support for SJR 17.

SENATE JOINT RESOLUTION NO. 17
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Introduced: 3/18/99
Referred: Resources

A RESOLUTION

1 Requesting that the National Marine Fisheries Service and the United States
2 Congress act immediately to reverse the decline of the Cook Inlet beluga whale
3 population and to regulate the harvest of the beluga whales in Cook Inlet until
4 the beluga whale population has recovered.

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

6 WHEREAS the National Marine Fisheries Service (NMFS) is responsible under the
7 Marine Mammal Protection Act for management and protection of beluga whales in Alaska;
8 and

9 WHEREAS NMFS has concluded that, although the data on population trends of Cook
10 Inlet beluga whales are incomplete, the Cook Inlet beluga whale population has been declining
11 in recent years, primarily due to overharvest; and

12 WHEREAS NMFS has concluded that the Cook Inlet beluga whale population was
13 at least 650 in 1994; and

14 WHEREAS the most recent surveys place the Cook Inlet beluga whale population at
15 a minimum of 347; and

16 WHEREAS environmental groups have recently petitioned NMFS to list the Cook

1 Inlet beluga whale population as either threatened or endangered under the Endangered
2 Species Act; and

3 **WHEREAS** listing of this population under the Endangered Species Act would have
4 significant negative effects on the economies of Cook Inlet as well as the entire state; and

5 **WHEREAS** there are procedures under the Marine Mammal Protection Act that
6 provide for the regulation of the harvest of marine mammals only following a NMFS finding
7 of "depletion"; and

8 **WHEREAS** NMFS has apparently been reluctant to use the Marine Mammal
9 Protection Act procedure allowing for the regulation of harvests due to the fact that the
10 "depletion" review and finding process is extremely time-consuming and complicated; and

11 **WHEREAS** continued delays by NMFS could further contribute to the decline in the
12 Cook Inlet beluga whale population;

13 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the
14 National Marine Fisheries Service to immediately begin the process of reviewing the status
15 of Cook Inlet beluga whales for consideration for "depleted" status under the Marine Mammal
16 Protection Act; and be it

17 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
18 the United States Congress immediately consider legislation amending the Marine Mammal
19 Protection Act to allow the National Marine Fisheries Service to regulate the harvest of Cook
20 Inlet beluga whales until the population has recovered; and be it

21 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
22 the United States Congress provide the National Marine Fisheries Service with adequate
23 financial resources to secure, in cooperation with the Alaska Department of Fish and Game,
24 the information necessary to ensure that the Cook Inlet beluga whale population is not placed
25 in jeopardy, that Alaskans dependent on the beluga whale resource are not unnecessarily
26 penalized, and that associated industries in the state are not placed at risk.

27 **COPIES** of this resolution shall be sent to the Honorable William M. Daley, Secretary
28 of the United States Department of Commerce; and to the Honorable Ted Stevens and the
29 Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
30 Representative, members of the Alaska delegation in Congress.

COOK INLET BELUGA WHALES

SUMMARY OF SURVEY DATA

<u>YR.</u>	<u>"ESTIMATES"</u>	<u>AGENCY OR GROUP</u>	<u>COMMENTS</u>
1963	300-400	STATE	
1964	300-400	STATE	
1978	450	UNIVERSITY OF AK	
1978	500	INTERAGENCY GROUP	
1982	400	STATE	SAW 200-300
1988	300-450	STATE	
1993	344	NMFS	SAW 344, NO CORRECTION
1994	653	NMFS	SAW 279, CORRECTED
1995	491	NMFS	SAW 328, CORRECTED
1996	594	NMFS	SAW 361, CORRECTED
1996	891	ABWC	
1997	440	NMFS	SAW 264, CORRECTED
1997	752-861	ABWC	
1998	347	NMFS	SAW 194, CORRECTED
1998	500	ABWC	

GENERAL INFORMATION:

Survey data most accurate from 1994 to present. Correction factors appear complicated, but are generally between 2 - 3 times number visually counted.

Concern for this population has existed for over 5 years. NMFS has discussed listing in early 1990's.

The early 1990's harvest was estimated at 15 - 20 per year. Present harvest levels are estimated between 70 - 100 per year. The last five year average harvest estimated to be approximately 75 per year.

Scientists agree that this population can not sustain the present level of harvest.

NMFS classified Anchorage as a Native village soon after the Marine Mammal Protection Act passed which makes it legal to sell beluga meat in that community.

LAW OFFICES

BIRCH, HORTON, BITTNER AND CHEROT

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MEMORANDUM

TO: Ted Popley
 Ron Somerville

FROM: Bill Horn *BH*
 Beth Quevi *BH* **VIA TELEFAX**

DATE: November 23, 1998

RE: Federal Register Notice regarding Cook Inlet Beluga Whales

The National Marine Fisheries Service (NMFS) announced that it is initiating a status review of the Cook Inlet beluga whale population to determine whether designation under the Marine Mammal Protection Act, or a change in ESA classification is warranted.

In a November 20 Federal Register Notice (63 FR 64228-64229), NMFS announced they would conduct the review, in conjunction with the Alaska Beluga Whale Committee and the Cook Inlet Marine Mammal Council, to give consideration to the current status of the population, their distribution, abundance and trends, food habits, biohealth parameters, and reproductive parameters. The review will also examine the effects of Native subsistence harvest and the potential effects of other humanly induced impacts.

All interested parties should submit pertinent information and comments by January 19, 1999.

LAW OFFICES

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MEMORANDUM

TO: Ted Popely
Ron Somerville

FROM: Bill Horn *BH*
Beth Quevli *BQ*

DATE: March 1, 1999

RE: Possible Emergency Listing of Cook Inlet Belugas as Threatened Species

VIA TELEFAX

Several environmental groups, including the National Audubon Society and possibly the Center for Marine Conservation, Trustees for Alaska as well as several others, are expected to petition the federal government to list Cook Inlet Beluga whales as a threatened species under the Endangered Species Act.

The groups suggest the purpose of the petition is to temporarily stop Native subsistence hunting of the whales, whose population is estimated by the National Marine Fisheries Service to have dropped 65 percent in the last ten years. The potential petitioners contend that they are not against subsistence whale hunting, and that they would not be adverse to hunting resuming eventually under a more tightly controlled and monitored system.

Theoretically, the emergency petition would shorten the review period necessary before a listing can occur by 75 percent. However, such petitions are rarely granted, and, if this one was granted it would take until late spring, possibly June before a listing could be made.

The National Marine Fisheries Service has scheduled a meetings for March 8 and 9 to address the 1999 harvest of belugas and subsistence hunting issues.

14208

Beluga hunting debated

Conference suggests extinction imminent

By TOM BELL
Daily News reporter

Cook Inlet beluga hunters must drastically cut back on their hunt or the whales will face extinction, officials from the National Marine Fisheries Service said Monday at a conference in Anchorage.

The beluga population, estimated at around 350, has declined by nearly 50 percent since 1994, said Doug DeMaster, director of the Seattle-based National Marine Mammal Laboratory. If current hunting levels continue, he said, the Cook Inlet beluga will likely be extinct in a decade.

To allow the beluga population to recover, he said, the hunters must reduce the total killed every year to about seven or fewer. Last year, hunters killed 78 whales, according to NMFS estimates.

About a dozen Native hunters attended the conference put on by the agency. Some agreed the whales are in danger and said they would stop hunting in the Inlet. But some disputed the scientists' methods as well as findings.

"I do not think there is much of a decline," said Art Nugrene of Anchorage. "These people come up from Seattle and spend a couple of days counting belugas. These whales don't stay in the Inlet. They follow the fish."

A group of hunters did propose putting an end to the commercial harvest of the whales. The hunters have formed a five-man committee that intends to negotiate a plan for protecting the belugas. Mark John, the committee's chairman, said the group would an-

Please see Back Page, BELUGAS

State rural panel calls for limited Native self-rule

By TOM KIZZIA
Daily News reporter

At a time when Alaska is "pulling apart at the seams," only Gov. Tony Knowles can take steps to assure that Native institutions have a place in the state, members of the governor's Rural Governance Commission said Monday.

Meeting with two of Knowles' top aides, the commission said the words "Native" and "tribe" seem taboo in the Alaska Legislature. They called on Knowles to heed their call for state recognition of limited tribal self-government.

The alternative, they said, would be growing Native militancy, civil disobedience and a turning away from the state to the federal government.

"The wedge is deeper and more hurtful than many people understand," said former state Sen. Arliss Sturgulewski, who said the 10-month-old commission had traveled to the Bush to hear village sentiments. "I think we're at real peril if we do not recognize what's really happening in this state."

"The governor can do a lot, just as gover-

nor," said Tanana Chiefs Conference president Will Mayo.

Commission members said they want the state to do more contracting with tribes and involve tribes more in managing natural resources, for example.

Knowles chief of staff Jim Ayers offered no specific promises to the commission at its Anchorage meeting. But he said Knowles recognized the importance of Alaska's diversity.

Please see Back Page, PANEL

BELUGAS: Hunting called threat to Cook Inlet population

Continued from Page A-1

nounce its proposals later this week.

John said he hopes a co-management plan — put together and implemented by the hunters and the agency — will prevent the federal government from listing the whale as an endangered species.

Last week, a coalition of conservation groups and a former whale hunter filed a petition asking the federal government to do just that.

While the federal government could quickly declare the whale endangered, the government doesn't have the authority to stop this year's whale hunt without going through a formal process that could take from several months to a year. The hunting typically runs from April until October.

Adopting a co-management plan would not necessarily keep the whales off the endangered or threatened species list, said Mike Payne, head of NMFS's Washington, D.C.-based marine mammal division.

Since 1972, the Marine Mammal Protection Act has banned anyone except Natives from hunting the whales. There is no mechanism under that law to regulate the Native subsistence hunt, although hunting can be curbed if a species is listed as threatened or endangered under the Endangered Species Act or listed as depleted under the Marine Mammal Protection Act.

Carl Jack, one of the hunters on the committee, said NMFS is partly to blame for the beluga decline because it allowed commercial whale hunting for many years. Beluga skin and fat has been sold in an Anchorage store for \$6 a pound and also has been sold from vehicles parked in some lots in town.

"It's only human nature," Jack said. "If you put a dollar value on a resource, there will be an incentive to make money."

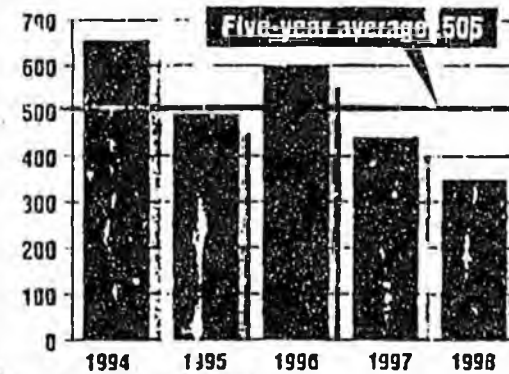
Payne agreed that NMFS policies have been part of the problem, but he said he's more interested now in finding some solutions.

"There is enough blame to go around," he said. "We are not trying to fix blame but fix the problem."

Daniel Alex, head of the Cook Inlet Marine

Cook Inlet beluga population

Biologists use aerial surveys and videotapes of pods to count the whales. Then they run the numbers through a formula to get an annual population estimate.



Source: National Marine Fisheries Service

RON ENGSTROM / Anchorage Daily News

Mammal Council, said the scientists' drastic prediction only makes sense if the Cook Inlet beluga population is considered distinct from all other beluga whales in Alaska. He said he believes that the local whales are part of a larger group from the Gulf of Alaska and that the whales are traveling to the Inlet in fewer numbers because there are fewer fish to eat here. He said scientists need to study where the whales travel not just count them in Cook Inlet. Hunting should be reduced until more is learned about the beluga population, Alex said.

The federal scientists say they're convinced by DNA analysis that the Inlet beluga stock is distinct from four other beluga groups in the state.

The conference at the Sheraton Anchorage Hotel continues today, starting at 9 a.m.

Reporter Tom Bell can be reached at tbull@adn.com.

Anchorage Daily News

Wednesday, March 10, 1999

Whalers offer change

Feds hear proposal for new beluga hunting guidelines

By TOM BELL
Daily News reporter



See Related File

While federal officials ponder whether to list Cook Inlet's beluga whales as an endangered species, a group representing most of the Inlet's beluga hunters have proposed fundamentally changing the way they hunt.



They said they want to ban commercial hunting and register all hunters. They want to require hunters to harpoon whales before shooting, so fewer would sink and be lost, and to hunt only in shallow waters, where they would be easier to recover.

Their proposal comes as federal officials, tribal leaders and hunters begin hashing out some kind of agreement for regulating beluga hunting. Both sides say they want "co-management," which would involve various sides creating and implementing a conservation strategy together.

Carl Jack, one of the hunter leaders, and Daniel Alex, head of the Cook Inlet Marine Mammal Council, said it could take a year to put a deal together. In the meantime, before hunting begins this spring, all sides should agree to an interim plan, they said. Talks continue today and Thursday.

Jack said the hunters and the federal officials share the same goal.

"We want a healthy stock so people who hunt can continue to do that in the future," he said.

For the past several years, hunters and federal officials have been talking about creating a co-management plan, but nothing has come of it. Such agreements exist between Native hunters and the federal government elsewhere in Alaska.

The effort to forge an agreement has gained urgency because of

concern that the Inlet beluga population is declining rapidly. A federal scientist warned Monday that current hunting levels could drive the Inlet's familiar white whales to extinction in a decade.

Some hunters believe a co-management plan might be the only way to keep the whales from being listed as an endangered species. Last week, a former hunter and a coalition of conservation groups petitioned the government to implement such a plan.

If the National Marine Fisheries Service does not list the belugas as endangered by June, the peak of the hunting season, environmental groups will probably take legal action against the agency, said Doug DeMaster, director of the Seattle-based National Marine Mammal Laboratory.

Without a co-management plan in place, he said, the agency wouldn't stand much of a chance in court.

Valerie Brown, staff attorney for Trustees for Alaska, described the hunters' proposal as a significant step forward. But she said the Endangered Species Act sets explicit scientific criteria for listing animals as endangered, such as a dramatic drop in population. Whether NMFS can strike a deal with hunters, she said, has nothing to do with those scientific rules.

An interim agreement would help prevent the beluga population from declining more, she said, but "that's not going to stop them from being endangered. They are endangered now."

She said she suspects the government wants to avoid listing the animals as endangered for political reasons. The agency would then have to monitor all human activity in the Inlet, including the oil and gas industry, for the potential effects on the beluga population, she said.

On April 21, the state is scheduled to auction large sections of the Inlet for oil and gas development. At Tuesday's conference, Brown held up maps showing that some of those lease areas have been identified by scientists as critical habitat for belugas.

During public comment Tuesday, one former hunter read a "dear human beings" letter written from a whale's perspective. A woman wearing a kuspuk cried as she talked about her frustrations as she watched the whale population crash while people seemed unwilling to agree on a solution. Gilbert Paniptchuk, an Anchorage hunter, angrily said the whales are not in decline and that outsiders were intruding on the traditional lives of Natives.

"We are up against people who are trying to destroy what Native people have and enjoy," he said.

The fisheries service has up to a year to make a decision about whether to list the Inlet beluga as endangered, but it can also list it immediately. Even if it put the whale on the list today, the agency could not stop this year's whale hunt without going through a formal process that could take from several months to a year.

The beluga population, estimated at 350, has declined nearly 50 percent in five years, federal scientists say. They say the Cook Inlet beluga stock is distinct and isolated from the state's other belugas. Some Native hunters say the whales are part of a larger Gulf of Alaska population and that there are fewer whales in the upper Inlet because there are fewer fish here.

* Daily News reporter Tom Bell can be reached at tbell@adn.com

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SJR

18

FISCAL NOTE

No. 1
 Bill Version: SJR 18
 (S) Publish Date: 4-9-99

STATE OF ALASKA
 1998 LEGISLATIVE SESSION

Revision Date (Note if correction) 04/07/99 Dept. Affected _____
 Title Exxon Valdez Damage Claims BRU _____
 Component _____
 Sponsor Senator Lincoln
 Requester Senate Judiciary Committee Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: 0.0

POSITIONS

POSITIONS	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This resolution is anticipated to have no fiscal impact on state agencies.

Prepared by Sue Mossgrove *Sm* Phone 465-3717
 Division Senate Judiciary Committee Date 4/7/99
 Approved by Senator Taylor Date 4/7/99
 Agency Chair, Senate Judiciary

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TEN-YEAR TIMELINE OF EXXON VALDEZ LITIGATION

- March 24, 1989: Exxon Valdez grounds on Bligh Reef and spills 11 million gallons of crude oil.
- May 2, 1994: Trial begins in federal court - +5 years after spill.
- September 16, 1994: Jury in federal court returns \$5 billion punitive damages verdict in Phase III of case.
- September 30, 1994: Exxon files 12 motions to overturn the jury verdicts.
- October 3, 1994: Exxon files 3 motions to overturn the jury verdicts.
- January 27, 1995: Judge Holland denies Exxon's motions to overturn the jury verdicts (Order 267).
- February 7, 1995: Exxon files motion asking to depose the jurors and a motion to adjust the Phase IIA verdict.
- February 7, 1995: Exxon files motion to reconsider the order re: chum price and to reconsider order re: UCI setnetter harvest.
- May 5, 1995: Judge Holland denies Exxon's motion to reconsider the jury verdict regarding chum salmon price.
- June 13 and 14, 1995: Judge Holland conducts jury interviews.
- July 12, 1995: Exxon files motion to depose Juror Rita Wilson and Reporter Natalie Phillips.
- July 12, 1995: Exxon seeks access to Jurors Murray and Dean original juror questionnaires filed under seal.
- August 11, 1995: Judge Holland denied Exxon's motion for the juror questionnaires.
- August 16, 1995: Judge Holland denied Exxon's motion to depose Wilson and Phillips.
- September 6, 1995: Exxon files motion for a new trial claiming juror misconduct and coercion.
- October 24, 1995: Exxon files motion to amend the Phase 11(a) findings and adjust verdict re: UCI setnetters.
- October 24, 1995: Exxon files motion attacking punitive damages verdict.

- November 13,1995: Exxon opposes Plaintiffs' motion to finalize the Phase IIA verdict.
- February 14,1996: Plaintiffs are served with a complaint for declaratory relief from the Seattle Seven seeking a percentage of plaintiffs' damages on behalf of Exxon
- February 20,1996: Judge Holland denies Exxon's motion for new trial based on possible juror misconduct and coercion (Order 308).
- March 6, 1996: Seattle Seven intervene in litigation on behalf of Exxon.
- March 18, 1996: Exxon files motion attacking punitive damage verdict and Seattle Seven object to Plan of Allocation acting on Exxon's behalf.
- April 5, 1996: Judge Holland denied Exxon's fourth attack on the UCI setnetter verdict (Order 316).
- June 11, 1996: Judge Holland approves Plan of Allocation and denounces Seattle Seven/Exxon scheme (Order 317).
- June 18,1996: Exxon files motion to reconsider Court's order re: Seattle Seven.
- August 6,1996: Judge Holland rejects Exxon's attempt to attack the punitive damages verdict based on credits claimed from the Seattle Seven releases (Order 326).
- September 6,1996: Judge Holland denies Exxon's motion to reconsider order re: Seattle Seven finding that Exxon perpetuated a deception upon the court and the jury (Order 327).
- September 24,1996: Judgment finally entered on federal court jury verdicts, including \$5 Billion punitive damages award - +7 years after spill -- +2 years after verdict.
- September 30,1996: Exxon and Seattle Seven file joint notice of appeal on Seattle Seven kickback.
- October 8, 1996: Exxon files motion to alter or amend the judgment and files its bill of costs against certain plaintiffs.
- November: 20, 1996: Judge Holland dismisses the Seattle Seven complaint with prejudice.

- December 19, 1996: Seattle Seven and Exxon file appeal challenging dismissal of complaint.
- January 17, 1997: Judge Holland issues order on Exxon's Motion to Amend Judgment (Order 332).
- February 12, 1997: Exxon files notice of appeal to Ninth Circuit.
- March 18, 1997: Plaintiffs filed motion for approval of Plans of Distribution.
- September 23, 1997: Exxon moved for a new trial on the ground of "newly discovered" evidence.
- January 5, 1998: The Ninth Circuit issued a limited remand to permit the district court to consider Exxon's motion for new trial.
- March 16, 1998: Exxon deposed Juror Rita Wilson.
- July 31, 1998: Judge Holland denied Exxon's second motion for a new trial (Order 339).
- August 7, 1998: Exxon filed an appeal on the denial of the second motion for a new trial.
- November 27, 1998: Exxon files its final brief in its second motion for a new trial.
- May 3, 1999: The U.S. Court of Appeals for the Ninth Circuit, sitting in Seattle, hears Exxon's appeal.

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*Executive Director
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March 25, 1999

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Lee R. Raymond
Chairman and CEO
Exxon Corporation
225 East John Carpenter Freeway
Irving, TX 75062

Dear Mr. Raymond:

The Exxon Valdez oil spill occurred 10 years ago. We, the undersigned Attorneys General, urge the Exxon Corporation to end the protracted litigation over the spill and honor the unanimous judgment of the jury in the lawsuit that followed. Substantial volumes of crude oil are shipped by supertankers every day off the coasts of our nation. Major oil spills from supertankers seriously harm the marine environment and the local communities and individuals that depend on the sea for their livelihood.

In September 1994 a unanimous federal jury found Exxon Corporation liable for the Exxon Valdez oil spill and awarded damages of \$5.5 billion to 40 thousand people injured by the spill, including Alaska native people, commercial fishermen, small business people, and land owners, as well as local governments and other entities injured by the spill. It has now been 10 years since the spill that devastated Prince William Sound and Exxon Corporation has not yet paid its debts to those who suffered from the spill.


Each year Exxon delays payment of its obligation it earns an estimated \$400 million from the difference between the statutory interest rate on judgments of 6 percent and the company's internal rate of return of about 14%. The U.S. District Judge who heard the case clearly recognized: "Exxon can more profitably employ its capital elsewhere, even at the risk of paying great amounts of interest on the prospective judgment in this case. Put more simply, the court is concerned that delay in paying plaintiff's judgment will profit Exxon." In the meantime, each year many of the individuals who have been awaiting compensation die, and many continue to live in dire economic straits. Exxon must do the right thing and honor its obligations to the people its action have injured.

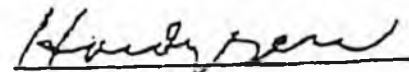
Exxon's use of its economic strength to delay, and in many cases to deny, justice to the 40 thousand people it has injured by the Exxon Valdez spill raises a significant concern. As State

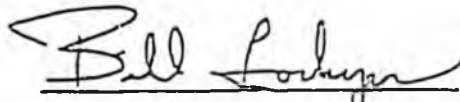
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March 25, 1999
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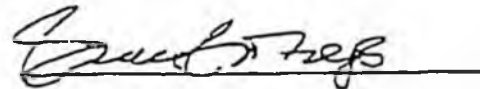
Attorneys General we have limited jurisdiction to deal with such an abuse of the legal system. However, as our state's chief legal officers, we call upon the Exxon Corporation to acknowledge its corporate responsibility to the people, businesses, and communities affected by the spill by paying the federal jury verdict awarded five years ago.

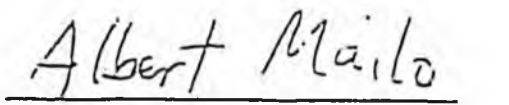
Very truly yours,

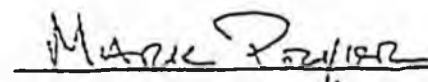

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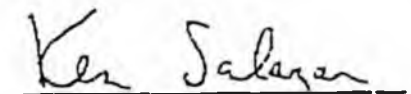

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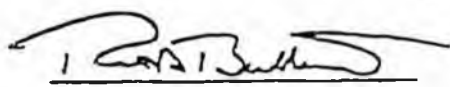

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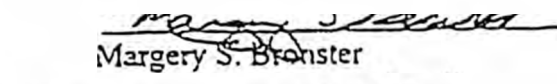

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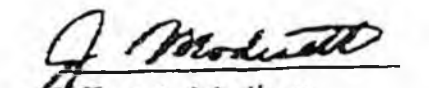

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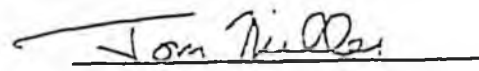

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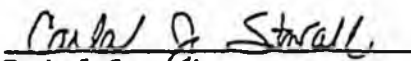

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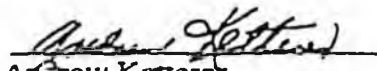

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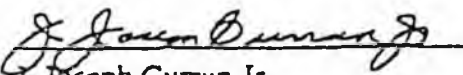

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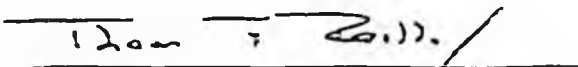
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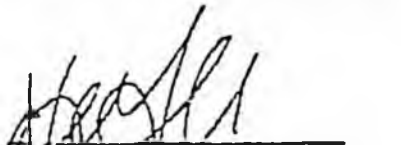

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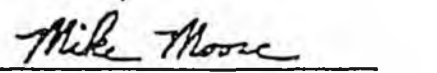

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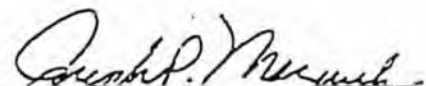

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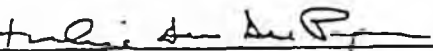

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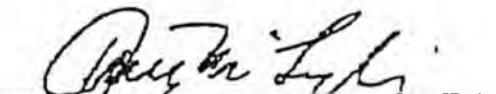

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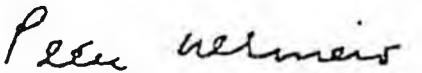

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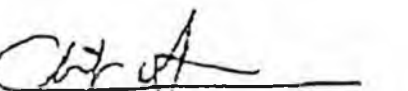

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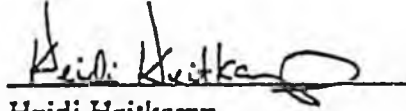
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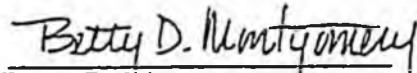
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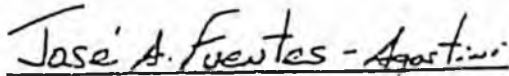
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Betty D. Montgomery
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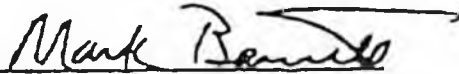
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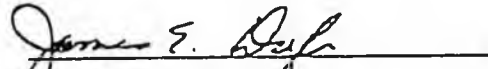
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James E. Doyle
Attorney General of Wisconsin



Gay Woodhouse
Attorney General of Wyoming

April 9, 1999

DEAR ALASKA STATE SENATORS AND REPRESENTATIVES:

We, the undersigned residents of the Native Village of Port Graham urge the Alaska State Legislature to pass Senate Joint Resolution 18, which requests that Exxon pay claimants the Court-ordered damages resulting from the 1989 Exxon Valdez oil spill. We, the undersigned residents of the Native Village of Port Graham support Senate Joint Resolution 18.

PRINT NAME	SIGNATURE	ADDRESS/PHONE NUMBER
1 James Miller	<i>James Miller</i>	PO Box 5502 Port Graham 99603
2 Emerson Anahonak	<i>Emerson Anahonak</i>	P.O. Box 5576 P.G. 99603
3 Steve Meyers	<i>Steve Meyers</i>	P.O. Box 5526 P.G. 99603
4 Lora Kambuck	<i>Lora Kambuck</i>	P.G. 335857. 99603
5 Frank Meyer	<i>Frank Meyer</i>	P.G. P.O. Box 5507 99603
6 Dick Anderson	<i>Dick Anderson</i>	P.G. P.O. Box 5537 - 99603
7 Robert Huntsman	<i>Robert Huntsman</i>	P.O. Box 5555 Port Graham,
8 Jean Huntsman	<i>Jean Huntsman</i>	P.O. Box 5555 Port Graham,
9 Thelma Lestley	<i>Thelma Lestley</i>	P.O. Box 5574 Port Graham
10 Alice Anahonak	<i>Alice Anahonak</i>	Box 5576 Port Graham, AK 99603-5576
11 Mickey Anahonak	<i>Mickey Anahonak</i>	" " " " " " " "
12 Dorene Anahonak	<i>Dorene Anahonak</i>	P.O. Box 5558 Port Graham, AK 99603-5558
13 Leonard D. ...	<i>Leonard D. ...</i>	Port Graham, AK. 99603-5506
14 ...	<i>...</i>	Port Graham, AK P.O. Box 5539
15 ...	<i>...</i>	P.O. Box 5533 Port Graham, AK. 99603-5533
16 Christina ...	<i>Christina ...</i>	PO Box 5541 Port Graham AK 99603
17 Dorene ...	<i>Dorene ...</i>	PO Box 5561 Port Graham AK 99603

April 9, 1999

DEAR ALASKA STATE SENATORS AND REPRESENTATIVES:

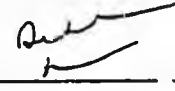

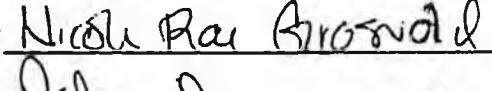
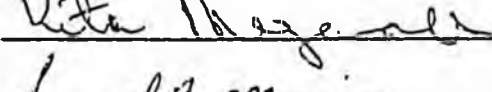
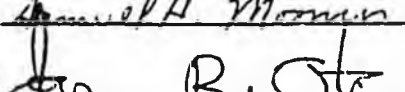
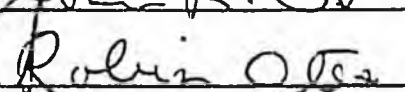
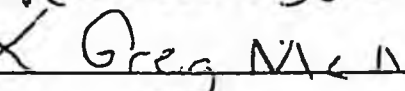
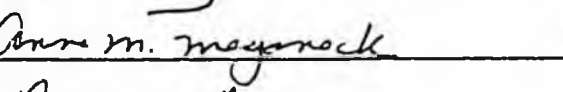
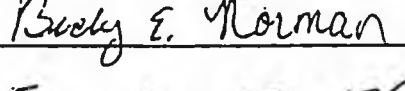
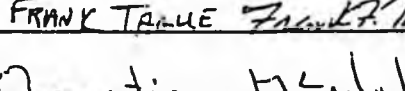
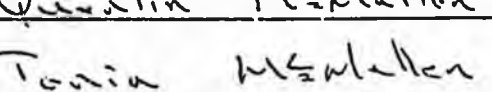
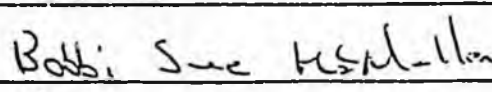
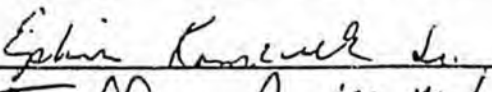
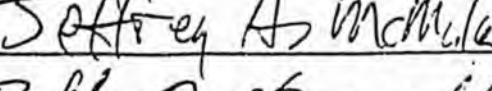
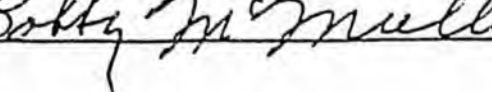


We, the undersigned residents of the Native Village of Port Graham urge the Alaska State Legislature to pass Senate Joint Resolution 18, which requests that Exxon pay claimants the Court-ordered damages resulting from the 1989 Exxon Valdez oil spill. We, the undersigned residents of the Native Village of Port Graham support Senate Joint Resolution 18.

PRINT NAME	SIGNATURE	ADDRESS/PHONE NUMBER
18	Francis Norman Inman Norman	P.O. Box 5509 Port Graham, Alaska 99603
19	Mary Malchoff	Box 5548 Port Graham AK 99603
20	Ren Merganack	Box 5503 Port Graham AK 99603
21	Aljo M. Timmer	P.O. Box 5578, Port Graham, AK 99603-5578
22	SHERBY GLAIN Helen	PO Box 5523 P.G., AK 99603 284 2291
23	FRANK F. TAGUE Frank F. Tague	5518 PT Graham AK 99603 284 233
24	Ralph Moorman	PO Box 5545 PT Graham AK 99603
25	Robert McMillan	P.O. Box 5512 Port Graham 99603
26	Edgar Otis	P.O. Box 5562 Port Graham AK 99603
27	Ann Miller	P.O. Box 5502 Port Graham AK 99603
28	Dob Malchoff	Box 5538 Port Graham 99603
29	Vivian Malchoff	P.O. Box 5538 Port Graham AK 99603
30	Vivian Malchoff	Vivian Malchoff Box 5538 Port Graham
31	Kiley Tilerant	P.O. Box 5546 PORT GRAHAM, AK 99603-5546
32	Leo Amherst	Box 5544 Port Graham 99603
33	Epilinn Mookook	P.O. Box 5558 Port Graham 99603
34	Lubora Merganack	P.O. Box 5507 Port Graham

April 9, 1999

DEAR ALASKA STATE SENATORS AND REPRESENTATIVES:

We, the undersigned residents of the Native Village of Port Graham urge the Alaska State Legislature to pass Senate Joint Resolution 18, which requests that Exxon pay claimants the Court-ordered damages resulting from the 1989 Exxon Valdez oil spill. We, the undersigned residents of the Native Village of Port Graham support Senate Joint Resolution 18.

PRINT NAME	SIGNATURE	ADDRESS/PHONE NUMBER
35 Deborah Hurlburt		PO Box 5529 Port Graham
36 Fred E. Leko		P.O. Box 5556 PORT GRAHAM
37 Nicole Rae Groszold		Box 5530 Port Graham
38 Rita Magallon		Box 5537 Port Graham
39 Samuel A. Morrison		P.O. Box 5508 Port Graham
40 Jan R. Ote		POB. 5522 Port Graham AK 99603
41 Robin Ote		P.O. 5522 Port Graham AK
42 X Greg McMillen		PO Box 5576 Port Graham, AK 99603-5576
43 Ann M. Magallon		P.O. Box 5534 P.G.M. AK 99603
44 Bucky E. Norman		P.O. Box 5565 Port Graham, AK 99603-5565
45 FRANK TAYLOR		Box 5518 Port Graham AK 99603 -907-284-2332
46 Quentin McMillan		P.O. Box 5512 Port Graham AK
47 Tonia McMillan		" " " "
48 Bobbi Sue McMillan		" " " "
49 Elin Karsrud L.		Box 5552 Port Graham, AK
50 Jeffrey A. McMilla		P. Box 5552 Port Graham 284-2262
51 Bobby M. McMillan		Box 5529 Port Graham 99603

April 9, 1999

DEAR ALASKA STATE SENATORS AND REPRESENTATIVES:

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PRINT NAME	SIGNATURE	ADDRESS/PHONE NUMBER
52	<u>Antonia M. Draves!</u>	<u>PO Box 5515 Port Graham AK 99603</u>
53	<u>Linda Norman</u>	<u>PO Box 5546 Port Graham AK 99603 (907) 284-2224</u>
54	<u>Reuben Noorman</u>	<u>PO Box 5546 Port Graham AK 99603 (908) 284-2224</u>
55	<u>Wayne Norman</u>	<u>" " " " " "</u>
56	<u>Johann Vicos</u>	<u>" 5501 P. Graham</u>
57	<u>Shirley Vicos</u>	<u>" 5501 P. Graham</u>
58	<u>Susan Seville</u> <u>Susan Seville</u>	<u>" 5532 Port Graham AK</u>
59	<u>Lina McMullen</u>	<u>" 5536, Port Graham AK 99603</u>
60	<u>Esther Ann McMullen</u>	<u>" 5512 (907) 284-2282 Port Graham AK 99603</u>
61	<u>Samantha McMullen</u>	<u>P.O. Box 5536 Port Graham AK 99603</u>
62	<u>Dorothy Morrison</u>	<u>P.O. Box 5505 Port Graham AK 99603 99603</u>
63	<u>John Arhonen</u>	<u>P.O. Box 5544 Port Graham AK 99603</u>
64	<u>Dick Arhonen</u>	<u>P.O. Box 5557 Port Graham AK 99603</u>
65	<u>Dorinda Kampeck</u>	<u>PO Box 5557 P.G.A. 99603</u>
66	<u>Violet Jean (Violet Yeaton)</u>	<u>P.O. Box 5569 Port Graham AK 99603</u>
67	<u>Elenore McMullen</u>	<u>Box 5529 Port Graham AK</u>
68	<u>Ann Arhonen</u>	<u>Box 5535 Port Graham AK 99603 55-</u>

April 9, 1999

DEAR ALASKA STATE SENATORS AND REPRESENTATIVES:

We, the undersigned residents of the Native Village of Port Graham urge the Alaska State Legislature to pass Senate Joint Resolution 18, which requests that Exxon pay claimants the Court-ordered damages resulting from the 1989 Exxon Valdez oil spill. We, the undersigned residents of the Native Village of Port Graham support Senate Joint Resolution 18.

PRINT NAME	SIGNATURE	ADDRESS/PHONE NUMBER
69	Billy Meganack	Port Graham Alaska AK 99603
70	Elmer Anahonak	Port Graham AK 99603
71	Alexia Tanape	Port Graham AK 99603
72	Pat Sam	Port Graham
73	Donald Poluit	Po Box 5573 Port Graham AK 99603
74	[Signature]	Box 5572 Port Graham AK 99603
75	Karen M. Morrison	Box 5572 Port Graham AK 99603
76	Thomas A. Newton Sr	Po Box 5568 Port Graham AK 99603
	Marlene Norman	
77	Marlene Norman	Box 5505 Port Graham, AK 99603
78	Fiona J. Krueger	Box 5575 Port Graham, AK 99603-5575
79	Nick Mooring	Box 5513 Port Graham AK 99603
80	Steven A. Anahonak	Box 5515 Port Graham AK 99603
81	Richard D. Morris	Po Box 5525 Port Graham AK 99603
82	Pat Anahonak	Po Box 5511 Port Graham AK 99603

Time for Exxon to pay up.

Subject: Time for Exxon to pay up.

Date: Mon, 26 Apr 1999 15:56:24 -0800

From: AKPIRG <akpirg@akpirg.org>

Organization: AKPIRG

To: Senator_Rick_Halford@legis.state.ak.us

I strongly support SJR 18. It is time that Exxon stop dragging it's feet. Every additional day that passes takes the sting out of the punitive settlement that was once supposed to be a harsh punishment but is now just a slap on the wrist. In this atmosphere of merger mania the state of Alaska should be sending a strong message to oil corporations: you can't walk all over us.

Thank you,
Jonah Baker
603 W. 18th Street
Anchorage AK 99503

--

Alaska Public Interest Research Group (AKPIRG)
voice: 907.278.3661
fax: 907.278.9300
email: akpirg@akpirg.org
web: www.akpirg.org

Subject: SJR 18

Date: Mon, 26 Apr 1999 16:00:07 -0800

From: Karen Button <karenb@pobox.alaska.net>

To: Senator_Rick_Halford@legis.state.ak.us

Sear Senator Halford:

I urge you to support SJR 18. Thousands of people's lives were completely disrupted when the Exxon Valdez ran aground. As you probably know, those who depended on fishing (either commercial or subsistence) were the most hard hit. Exxon's refusal to take full responsibility for its actions is not only unconscionable, it flies in the face of their public statements made after the spill; that they took full responsibility and would do whatever it took to make it right.

It's unbelievable that people are still waiting for justice ten years later. Please support Alaskans by supporting SJR 18, the Exxon Valdez Damage Claims.

Thank You,

Karen Button

Re: Exxon

Subject: Re: Exxon

Date: Tue, 27 Apr 1999 09:19:47 -0800

From: Senator Rick Halford <Senator_Rick_Halford@legis.state.ak.us>

Organization: Alaska State Legislature

To: "Emily Creely, Hyd Tech, Anchorage, AK" <ecreely@usgs.gov>

Dear Ms. Creely,

Thank you for your e-mail regarding Senate Joint Resolution 18, which will be heard in the Senate Resources Committee on Wednesday, April 28. I have shared your comments with Senator Halford and entered them into the official committee record.

Sincerely,

Brett Huber
Chief of Staff, Senator Rick Halford
Senate Resources Committee Staff

"Emily Creely, Hyd Tech, Anchorage, AK" wrote:

> Senator -
> Just wanted to take the time to voice my support of SJR 18 which asks
> Exxon to pay the people who suffered ill effects from the 1989 spill.
> Please vote in favor of this bill - thanks
> Emily Creely



750 W. 2nd Ave. #109, Anchorage AK 99501 / Ph. 907-258-6171 / Fax 907-258-6177

P.O. Box 22151, Juneau AK 99802 / Ph. 907-463-3366 / Fax 907-463-3312 / unite@akvoice.org

To: Senate Resources Committee

Subject: SJR 18

Date: 4/28/99

The Alaska Conservation Voice is comprised of twenty-seven organizations representing over 15,000 individuals statewide. ACV supports Senate Joint Resolution 18.

A tremendous tragedy occurred March 24, 1999 when the Exxon Valdez oil tanker grounded on Bligh Reef. The enormous Exxon Valdez Oil Spill sent over 11,000,000 gallons of crude oil washing westward through Prince William Sound, disrupting ecosystems from Cordova to Kodiak as well as the lives of thousands of Alaskans.

The effects of "The Spill" are lingering and dramatic. For example, during the first few years after The Spill, herring returned with low egg counts and covered with lesions. Television coverage of oil covered wildlife caused tourism to plummet, and the entire town of Cordova was diagnosed with Post Traumatic Stress Syndrome. To this day, beaches heavily oiled in 1989 still contain oil.

No one knows when or if the effects of the spill will be ever be eradicated.

In 1994, the Federal District Court ruled Exxon must pay five billion dollars in punitive damages to Alaskans whose lives were turned upside down by the devastation in Prince William Sound. Today, Exxon has still not compensated these people.

It is time to pay up. ACV commends the resolution sponsors and urges passage of this legislation.

Conserve Alaska. It's Only Natural.

Karen S. Cowart
7140 East Chester Heights Circle
Anchorage, AK 99504
Phone (907) 333-0885 Fax (907) 338-9644

via fax to (907) 465-4928

April 28, 1999

Senator Rick Halford
Chairman
Senate Resources Committee
Alaska State Legislature
State Capitol (MS 3101)
Juneau, AK 99801-1182

RE: Comment on SJR 18 – Exxon Punitive Damage Claims

Dear Senator Halford,

I understand that Senate Joint Resolution 18 will be an action item as the Senate Resources Committee convenes this afternoon. Although you best know me through my employment as the general manager of the Alliance, today, I am writing as a concerned citizen. I would like to provide my perspective on this resolution and how I see its message may be interpreted.

I am concerned with legislative actions that could hamper maximized, competitive development of Alaska's petroleum resources. I believe that SJR 18 sends an ominous message to potential business and resource investors.

It is inappropriate for a law-making body to try to prevent any citizen or business from engaging fully in the legal system. SJR 18 effectively seeks to prevent Exxon from appealing a lower court decision on punitive damage claims. The right of appeal is fundamental to American justice and should not be tampered with, especially by lawmakers. It is simply wrong to undermine government's separation of powers.

I understand legislators are faced with many influences with regard to this issue. Ultimately, citizens must trust you to make decisions that are based on what is good for all of Alaska. At a time when Alaska faces a decrease the number of oil and gas producing companies, state leaders should be pursuing ways to encourage more competitors to invest. SJR 18 does the opposite. It

makes Alaska look like an uncertain place to do business ... a place where legal rights can be swept aside on a tide of emotion.

The resolution alludes to Exxon-driven delays in paying damages. In fact, Exxon has already fully paid actual damage claims and is now only appealing punitive damage claims. Exxon does not dictate the court's schedule, so "delays" cannot justly be attributed to the company. I understand that the 9th District Court has scheduled legal arguments in this case in less than a week. It is particularly inappropriate for the legislature to intrude at this juncture.

I draw your attention to three of the resolution's clauses in particular:

WHEREAS, the petroleum industry plays a vital role in providing revenue, employment and economic stability for the state; and

Certainly I statement that is undeniable to Alaskans, since nearly 80% of the state's revenue comes from oil and gas.

WHEREAS, the Alaska State Legislature has encouraged development of the petroleum industry through incentives and partnerships; and

It is incumbent upon state leaders to continue to encourage responsible development.

WHEREAS, in order to foster partnerships between Exxon and the people of Alaska, Exxon Corporation must make good on its promise to make Alaska whole again and to pay its debt to the people of Alaska as prescribed by the court.

Forcing a business to forfeit judicial rights does not foster partnerships. It breeds mistrust.

Please consider the statewide economic consequences of passing SJR18. It is not good for all of Alaska.

Sincerely,



Karen Cowart

RICK HALFORD
465 4928

11/30/99

RE: Adopt Senate Joint Resolution 18

Margaret was an Alaskan native who had fished her entire life until her death in May of 1998. She never received her money from the Exxon Valdez oil spill. Many elders fished in 1989 are 10 years older now.

Please adopt Senate joint Resolution 18 so other elders can spend the money due them.

Yours truly,

Family of Margaret Clark

Margaret CLARK

PO Box 37

Naknek, ALASKA 99633

4-30-99

RE : Adopt Resolution 18

I have been fishing in Bristol Bay since 1986. Our fish price was affected by rumors of "tainted Alaska salmon" as a result of the 1989 Exxon Valdez oil spill. This was an opportunity for processors to unite in price fixing against Alaska fishermen. In 1991 we went on strike to protect our salmon resource which has caused hard feelings between fishermen and processors.

Our community has been hard hit by the domino effect of this oil spill. Exxon has recouped all losses with interest on fishermen's money while fishermen rely on disaster funds to help us thru the winter.

Please vote to adopt Senate Joint Resolution 18

Sincerely,
Peggy Clark

PEGGY CLARK
PO Box 167
NANAIK, ALASKA 99633
907 246-3383

April 29, 1999

RE: ADOPT Resolution 18

I Have been fishing in Bristol Bay all of my life (46 years). Our Fish Prices were affected by Rumors of "Tainted Alaska Salmon" - as a result of the 1989 Exxon Valdez Oil Spill. This was an opportunity for Processors to unite in Price Fixing against Alaska Fishermen. In 1991 we went on Strike to protect our Salmon resource which has caused hard feelings between Fishermen and Processors.

Our Community has been hard hit by the DOMINO effect of this oil spill. Exxon has recouped all losses with interest on Fishermen's money while Fishermen rely on Diaster Funds to help us thru the winter.

Please Vote to Adopt
Senate Joint Resolution 18

Thank you,

Eddie Clark

EDDIE CLARK

Box 167

NAKNELE, ALASKA

-99633 -

907-246-3383

SENATE COMMITTEE REPORT

DATE: 4/9/99

FURTHER:

DATE TURNED
IN TO OFFICE: 5/10/99

Resources Committee considered

SENATE JOINT RESOLUTION NO. 18

Requesting Exxon Corporation to pay claimants for court-ordered damages resulting from the Exxon Valdez oil spill.

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:

- same title
- new title
- House Bill:**
- same title
- technical title
- new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>Adrian L. Taylor</i>	✓				
CHAIR:		<i>[Signature]</i>			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
S. JUDICIARY	4/7	X	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE JOINT RESOLUTION NO. 18

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATORS LINCOLN, Elton, Ellis

Introduced: 3/24/99

Referred: Judiciary, Resources

A RESOLUTION

1 Requesting Exxon Corporation to pay claimants for court-ordered damages resulting
2 from the Exxon Valdez oil spill.

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

4 WHEREAS, on March 24, 1989, at 12:04 a.m., the oil tanker Exxon Valdez grounded
5 on Bligh Reef in Prince William Sound resulting in a spill of 11,000,000 gallons of North
6 Slope crude oil along Alaska's shoreline; and

7 WHEREAS, immediately following the spill, executives of Exxon Corporation
8 promised the residents of the state that they would make Alaska whole again; and

9 WHEREAS the oil spill killed or affected seabirds, sea otters, harbor seals, bald
10 eagles, killer whales, salmon and herring eggs, and many tidal plants and animals, and has
11 caused long-term damage to the environment of Prince William Sound; and

12 WHEREAS the oil spill affected many communities; commercial, subsistence, and
13 sport fishermen; tourism operators; subsistence gatherers; large and small businesses; and
14 others in the area; and

15 WHEREAS, on September 16, 1994, an Alaska jury in the federal district court
16 returned a \$5,000,000,000 punitive damage verdict against Exxon Corporation to help

1 compensate those affected by the spill; and

2 **WHEREAS**, between 1994 and 1996, the federal district court judge denied numerous
3 motions by Exxon Corporation to overturn or adjust the verdict, and the corporation continues
4 to file motions that delay settlement of the case; and

5 **WHEREAS**, between 1996 and today, Exxon Corporation filed two motions for new
6 trials that were denied by the federal court; and

7 **WHEREAS** oral arguments begin this year on Exxon Corporation's appeal of the
8 denial for its second motion for a new trial and, pending the outcome of this appeal, the
9 company may file a petition for further review to the United States Supreme Court; and

10 **WHEREAS** Exxon Corporation has prospered financially in the 10 years since the oil
11 spill and is preparing to merge with Mobil Corporation to create the largest corporation in the
12 world; and

13 **WHEREAS**, a decade after the oil spill and five years after the punitive damage
14 judgment, 40,000 claimants are still waiting for payment of punitive damages; 500 claimants
15 have died since 1989; and

16 **WHEREAS** the majority of the claimants who are owed punitive damages are working
17 men and women with families, homes, mortgages, and financial obligations; and

18 **WHEREAS** the petroleum industry plays a vital role in providing revenue,
19 employment, and economic stability for the state; and

20 **WHEREAS** the Alaska State Legislature has encouraged development of the petroleum
21 industry through incentives and partnerships; and

22 **WHEREAS**, in order to foster partnerships between Exxon Corporation and the people
23 of Alaska, Exxon Corporation must make good on its promise to make Alaska whole again,
24 and pay its debt to the people of Alaska as prescribed by the court.

25 **BE IT RESOLVED** that the Alaska State Legislature urges the Exxon Corporation to
26 cease its ongoing efforts to avoid or delay payment of the court-ordered judgment and to pay
27 all claimants owed punitive damages as a result of the 1989 Exxon Valdez oil spill.

28 **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the
29 United States; the Honorable Al Gore, Jr., Vice-President of the United States and President
30 of the U.S. Senate; the Honorable Janet Reno, Attorney General of the United States; the
31 Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable

1 Trent Lott, Majority Leader of the U.S. Senate; Robert Pitofsky, Chairman of the Federal
2 Trade Commission; William J. Baer, Director, Bureau of Competition, Federal Trade
3 Commission; the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators,
4 the Honorable Don Young, U.S. Representative, members of the Alaska delegation in
5 Congress; and Lee R. Raymond, Chairman and Chief Executive Officer of Exxon Corporation.

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

No. 1
Bill Version: SJR 18
(S) Publish Date: 4-9-99

Revision Date (Note if correction) 04/07/99 Dept. Affected _____
Title Exxon Valdez Damage Claims BRU _____
Sponsor Senator Lincoln Component _____
Requester Senate Judiciary Committee Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This resolution is anticipated to have no fiscal impact on state agencies.

Prepared by Sue Mossgrove *Sm*
Division Senate Judiciary Committee
Approved by Senator Taylor
Agency Chair, Senate Judiciary

Phone 465-3717
Date 4/7/99
Date 4/7/99

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

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SJR

20

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 4/8/99

FURTHER:

Date of 5-Day Notice: Advised for 4/9 meeting
 (in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 4/12/99

Resources Committee considered

SENATE JOINT RESOLUTION NO. 20

Relating to the removal of beaver from Washington, D.C.

and recommends:

- be replaced with _____ CS SCR 20 (RES)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
 same title
 new title
- House Bill:**
 same title
 technical title
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>[Handwritten signature]</i>	✓		
		<i>[Handwritten signature]</i>	✓		
<i>[Handwritten signature]</i>	✓	<i>[Handwritten signature]</i>	✓		
<i>[Handwritten signature]</i>	✓				
CHAIR: <i>[Handwritten signature]</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

S. RES	4/9	✓	

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPLIES TO CS

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SJR 20

Revision Date 4/8/99 Dept. Affected _____
 Title Save the Beaver in Washington DC BRU _____
 Component _____
 Sponsor Taylor _____
 Requester _____ Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
Personal Services						0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES []						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1091 Designated Program Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This resolution is anticipated to have no fiscal impact on state agencies.

Prepared by Senate Resources Committee Phone 465-4907
 Division Rick Halford Date 4/9/99
 Approved by Senator Rick Halford, Chairman Date _____
 Agency _____

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Alaska State Legislature

Chairman,
Judiciary Committee
Administrative Regulations
Revenue Committee

Vice Chairman,
Resources Committee



Senator Robin L. Taylor

State Capitol
Juneau, Alaska 99801-1182
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Fax: (907) 465-3922

50 Front Street
Suite 203
Ketchikan, Alaska 99901
(907) 225-8088
Fax: (907) 225-0713

SPONSOR STATEMENT

SJR20

Relating to removal of beaver from Washington, D.C.

The North American beaver inhabited the District of Columbia for eons before the first humans occupied the area. The beaver became extinct in the District of Columbia when development and the Capitals urban sprawl killed them off. Two years ago, one brave pioneering young beaver floated down the Potomac River and is now attempting to establish a colony of beavers, without government subsidy, in an area know as the Tidal Basin. We have decided to give this little critter a name... we are calling him Bucky.

Although Bucky is oblivious of the fact, he qualifies for special protection, under the Endangered Species Act and the land he is using is habitat critical to his survival. Unfortunately the Clinton/Gore Administration is protecting cherry trees instead of Bucky Beaver. Their Park Service employees are harassing poor Bucky by stealing his food and trying to trap him in a cage.

These Federal agencies are required by Federal law to stop all human activities and development projects in that critical habitat area. In fact, this beaver may very well be the latest evolutionary example of beaver adaptation, a unique sub species that has evolved and learned to survive in the polution and corruption that exists in Washington D.C. at almost toxic levels.

Less than 150 years ago, free roaming wild North American beaver lived and raised their young in the Tidal Basin and throughout the District. Government killed them off and now they are going to trap, tranquilize, tag, and transport this beaver out of town.

I say NO – let little Bucky Beaver alone. Enforce your Federal laws and protect him as zealously as you protect Kangaroo Rats and spotted owls. The trees eaten by the beaver were alien species not native to the area, planted for their decorative value.

The beaver lived there first. He is native to the area and his historic use predates mans. If the environmentalists are correctman is the trespasser, not Bucky Beaver.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SJR 20 | _____

Revision Date 4/8/99 Dept. Affected _____
 Title Save the Beaver in Washington DC BRU _____
 Component _____
 Sponsor Taylor _____
 Requester _____ Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
Personal Services						0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES []						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1091 Designated Program Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This resolution is anticipated to have no fiscal impact on state agencies.

Prepared by Senate Resources Committee Phone 465-4907
 Division Rick Halford Date 4/9/99
 Approved by Senator Rick Halford, Chairman Date _____
 Agency _____

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SJR

31

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. SJR 31

Revision Date/Time (Note if correction) _____ Dept. Affected _____
 Title Subsistence for Urban Alaska Natives BRU _____
 _____ Component _____
 Sponsor Senator Ward _____
 Requester Senate Resources Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This resolution is anticipated to have no fiscal impact on state agencies.

Prepared by: Juli Lucky  Phone 465-4907
 Division Senate Resources Committee Date/Time 3/24/00 3:16 PM
 Approved by _____ Date _____
 Agency _____

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SENATOR JERRY WARD

ALASKA STATE LEGISLATURE

SPONSOR STATEMENT

For SJR 31

Resolution relating to subsistence activities of urban Alaska natives

SJR 31 provides that urban Alaska Natives exercise the same rights of subsistence as do rural Alaska residents. A large number of Alaska Natives reside in the urban areas of Alaska. Urban natives rely on renewable resources for physical, economic, traditional, social and cultural existence as well as rural residents. The federal subsistence preference established under Title VIII, Alaska National Interest Lands Conservation Act, denies urban Alaska Natives the ability to participate in subsistence activities on the same level as rural residents. The Alaska State Legislature respectfully requests the Congress of the United States to clarify whether it intended to deny urban Alaska Natives the opportunity to engage in subsistence activities on the same level as rural Alaska residents when it passed Title VIII, Alaska National Interest Lands Conservation Act.

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-4940 • FAX (907) 465-3766
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Chairman, Senate Transportation Committee • Chairman, Senate State Affairs Committee

Senator_Jerry_Ward@legis.state.ak.us

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 1/12/00

FURTHER: Judiciary

Date of 5-Day Notice: 3/23/00
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/29/00

Resources Committee considered

SENATE JOINT RESOLUTION NO. 31

Relating to subsistence activities of urban Alaska Natives under the Alaska National Interest Lands Conservation Act.

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:

- same title
- new title
- House Bill:
- same title
- technical title
- new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Adrian L. Taylor</i>	✓	<i>[Signature]</i>			
<i>[Signature]</i>	✓		✓		
<i>[Signature]</i>	✓				
CHAIR: <i>Reik Halford</i>		CHAIR: _____			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>Senate Resources</i>	<i>3/24/00</i>	✓	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SJR

39

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 3/16/00

FURTHER:

Date of 5-Day Notice: 3/16/00
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3/23/00

Resources Committee considered

SENATE JOINT RESOLUTION NO. 39

Encouraging the United States Congress to pass S. 2214, a bill opening the coastal plain of the Arctic National Wildlife Refuge to responsible exploration, development, and production of its oil and gas resources.

and recommends:

- be replaced with _____ CS STR 39 (RES)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
- same title
 - new title
- House Bill:**
- same title
 - technical title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Robin L. Taylor</i>	✓	<i>[Signature]</i>			
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
CHAIR: <i>Rick Halford</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
Senate Resources	3/16/00	✓	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**

Good afternoon. My name is Deb Moore. On behalf of the Northern Alaska Environmental Center, I would like to testify in opposition of SJR 39: a resolution to encourage Congress to allow drilling in the coastal plain of the Arctic Refuge, otherwise known as the 1002 area.

The coastal plain is the biological heart of the Arctic Refuge. The Arctic Refuge coastal plain provides vital habitat for nearly 200 species of animal, including the 129,000 member Porcupine Caribou herd as well as polar bears, grizzlies and wolves. This also includes millions of migratory birds such as tundra swans, golden plovers, arctic terns, snowy owls & Pacific loons.

The Arctic Refuge's coastal plain is perhaps most celebrated as the calving ground of the 129,000-member Porcupine caribou herd, named after the Porcupine River in the Yukon Territories. Biologists generally agree that development of the calving grounds would have significant adverse impacts on the Porcupine caribou. Research on caribou in the vicinity of the Prudhoe oil fields suggests that cows with calves avoid noise and development infrastructure. Development obstructs their daily movements between inland areas rich in forage and the coast, where they go to escape hordes of harassing insects. The studies linked increased animal stress and extra exertion with lower calf production, lower calf weights, and lower calf densities throughout developed areas.

Recently, Senator Murkowski introduced legislation which would allow drilling in the coastal plain of the Refuge, claiming that drilling in the Refuge will control rising oil prices and reduce our dependence on foreign oil. This is simply not true. Drilling in the Arctic Refuge will have *no* discernable short-term or long-term impact on the price consumers pay at the pump and will *not* decrease our dependence on foreign oil.

Using reasonable estimates of economically recoverable oil, the small amount of oil in the 1002 area would never satisfy more than 2 percent of our nation's oil demands at any given time. We'd still be importing well more than half our oil from foreign markets. Even if we could access all of the oil at once and could become entirely independent from imports, this independence would be extremely short-lived. At our current consumption rate, with less than 6 months worth of oil likely to be found under the Refuge, we would quickly be just as dependent on imports as we are now.

In addition, how can our delegates be seeking independence through drilling in the Refuge when they're allowing North Slope crude oil to be *exported* to foreign markets? Since the export ban was lifted, record quantities of Alaskan oil have been shipped to China, Japan and other Asian countries instead of being used in the US, thereby *increasing* our dependence on foreign oil. If our delegates are truly serious about decreasing oil costs and our dependence on foreign oil, drilling in the Refuge is not the answer. Instead, the first step should be to reinstate the ban on oil exports.

Finally, rather than attempting to deal with high prices by demanding drilling in the Refuge, our delegates should be focusing on raising the fuel economy standards of our nation's automobile fleet. By improving fuel efficiency, we would be decreasing our annual consumption of fuel, which would in turn decrease both individual fuel costs and the amount of imported oil. Therefore, rather than need to drill for more oil, we would be able to maintain our standard of living using substantially less foreign or *domestic* oil.

The oil industry has already sprawled across the arctic with infrastructure stretching from the Canning to the Colville River. There is only 5% of the coastal plain which is currently protected from oil drilling. Allowing drilling on the coastal plain of the Arctic Refuge will not solve our high fuel prices or our dependence on foreign oil while it would have a significant adverse impact on the Porcupine Caribou herd as well as the hundreds of other species are dependent upon it.

The Northern Alaska Environmental Center is opposed to any legislation which would allow for drilling in the Arctic Refuge or would encourage Congress to move in that direction. We urge you to vote no for Resolution SJR 39.

Thank you.

Alaska State Legislature

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(907) 269-0200
Fax (907) 269-0204

During Session: (Jan. - May)
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4993
Fax (907) 465-3872

Drue Pearce *President of the Senate*

Sponsor Statement

SJR 39

3/21/00

U.S. oil production has fallen 17 percent during the Clinton-Gore Administration to the lowest annual production rate since 1954. At the same time U.S. consumption has risen approximately 14 percent. As of February 2000, America is importing approximately 56 percent of our daily oil consumption, 44 percent of which comes from countries that are members of the Organization of the Petroleum Exporting Countries (OPEC). This amounts to 10.5 million barrels of the roughly 19 million barrels we consume per day.

The dramatic decline in domestic oil production and the resulting dependence on foreign oil production is directly attributable to America's failure to develop a long-term energy policy. To be successful this policy needs to address not only the promotion of alternative technologies and fuels but must also recognize that, for the foreseeable future, Americans will be dependent on petroleum and natural gas to power our nation's industry, transportation systems, and economy.

America's energy industry has also been damaged. Jobs in the energy section have declined from 405,000 in 1990 to 293,000; a 28 percent drop over the last 10 years. A further sign of decline is that exploration rigs searching for oil have fallen from 657 in 1990 to 153 in February, 2000 -- a 77 percent decline. Alaska and America can ill afford to continue our increased dependency on oil imports from foreign countries while exporting our jobs to these same nations.

Industry and government experts recognize the Coastal Plain of Arctic National Wildlife Refuge (ANWR) as the single most promising unexplored region in the U.S. for a major oil and gas discovery. In 1998, the U.S. Geological Survey estimated that the Coastal Plain of ANWR could have up to 16 billion barrels of recoverable oil -- similar in size to volume of oil expected to be recovered from Prudhoe Bay.

In an effort to accommodate America's energy needs, the Federal government currently employs a strategy of encouraging foreign countries to produce more oil to be made available for import to the United States. The fallacy of this strategy is evidenced by the dramatic price fluctuation of oil in recent years. Further failure of this approach is the three recessions since 1973 triggered by rising imported oil prices which were primarily driven by consumer demand and reduced domestic production.

SJR 39 supports our congressional efforts to develop a long-term energy policy for America, which includes opening access to promising areas, like ANWR, in an effort to increase domestic oil and gas production. Only then will America lessen the grip that foreign oil producing nations have on our economy and consumers.

The Anchorage Times

Publisher: BILL J. ALLEN

"Believing in Alaskans; putting Alaska first"

Editors: DENNIS FRADLEY; PAUL JENKINS; WILLIAM J. TOBIN

The Anchorage Times Commentary in this segment of the Anchorage Daily News does not represent the views of the Daily News. It is written and published under an agreement with former owners of The Times, in the interests of preserving a diversity of viewpoints in the community.

Predictable crisis

EXPERIENCES OF a quarter of a century ago apparently are long forgotten by many Americans. Folks today seem genuinely surprised and angry that the price of gasoline and fuel oil has risen in recent weeks as foreign oil suppliers cut back production.

What did they expect?

News reports say heating oil in some areas on the East Coast is selling for \$1.75 a gallon. That's up almost \$1 from a year ago. Gasoline is going for \$1.40 and is projected to hit \$1.70 before long.

The Clinton White House is aflutter. What to do? What to do?

The president last week asked Congress for an emergency appropriation so he can give poor people extra money to buy the more expensive fuel. The secretary of Energy is heading to Saudi Arabia, Kuwait, Mexico and Venezuela to beg for increased oil production. Some administration officials are talking about selling off the federal stockpiled oil reserves.

It's appropriate that the administration is feeling some heat right now. After all, its policies are to blame for the situation.

Actually, the current price hikes are pretty mild compared to what the country faced during the Arab oil embargo of the mid-1970s. Then, motorists were fortunate just to find an open gas station — selling gasoline at any price.

Not coincidentally, the energy crisis of the '70s abated about the time the trans-Alaska pipeline came on line and began providing about one-fifth of the nation's domestic supply.

Oil and gas supplies remained stable for a number of years. But over this past decade, as oil flow through the pipeline has fallen back by half and the nation increased its reliance on foreign imports, the situation changed.

Bill Clinton and Al Gore have had a direct hand in obstructing domestic energy supply — including projects in Alaska. Their policies have included:

- Strong opposition to opening the coastal plain of ANWR.
- Placing off-limits to exploration the coastal region of the National Petroleum Reserve in Alaska.
- Opposition to offshore oil drilling.
- Dismantling hydroelectric dams in the Lower 48.
- Strong opposition to nuclear power generation.
- Closing off public lands in the West with vast reserves of coal.
- Blocking natural gas development in the Rocky Mountains.

Whatever extreme environmentalists have demanded, Clinton and Gore delivered. So, of course, the price of oil is now going up.

Five years ago, Congress approved legislation to open ANWR to oil exploration, but the president vetoed it. Had he not done so, Alaska's pipeline might still be delivering 2 million barrels a day, like it was at its peak 10 years ago — and the nation would not have to be begging foreign countries to give us more.

To: National Desk/Environmental Reporter
March 17, 2000

FYI . . . An Editorial From The Washington Times

March 17, 2000

Wildlife and oil prices

What's wrong with this picture? U.S. consumers are facing some of the biggest gas-price hikes in decades, increases that don't stop at the pump but ripple through the economy in the form of higher charges for food and other consumer goods. Meanwhile, the U.S. government is literally standing on the equivalent of billions of barrels of so-far untapped oil in Alaska that could provide them a measure of relief. Worse, if the Clinton administration has its way, no one ever will tap it, either.

The ostensible reason for blocking oil exploration and development there is environmental. When the administration vetoed legislation in 1995 that would have allowed such work on a tiny portion of the Alaska National Wildlife Refuge (ANWR), Interior Secretary Bruce Babbitt announced the administration had done so in the name of caribou, polar bears, swans, snow geese and musk oxen; any animal, in short, that might conceivably draw a breath in those barren climes and survive.

"Oil exploration and development has served as a kind of animal Viagra . . . there are more caribou in Alaska than humans."

The fact that the Eskimos who lived in the vicinity of the proposed work backed the exploration as a way of generating tax revenues to support basic sanitation, education and health needs; that workers in the lower 48 wanted it for the jobs it would create; that the United States could have used it to reduce dependence on foreign oil of the kind that leaves consumers here so vulnerable to the Organization of Petroleum Exporting Countries (OPEC) mattered not. The animals came first.

Awkwardly for the administration, there is evidence that far from harming wildlife, oil exploration and development has served as a kind of animal Viagra. When oil development began on the Arctic coast of Alaska at Prudhoe Bay, a herd of caribou located in the area numbered about 6,000. Today the herd in that area has grown to almost 20,000, and there are more caribou in Alaska than humans.

"Alaska is already one giant Motel 6 for wildlife. It contains 58 million acres of land designated as federal wilderness."

Furthermore the technology at the heart of the exploration has, like the personal computer, progressed so that it can do much more with much less. Says Alaska Sen. Frank Murkowski, the "entire development may only disrupt 2,000 acres of the [refuge's] coastal plain - a reduction from the 12,500 acres predicted to be impacted in the early 1980s. That is a 'footprint' so small - a little over 3 square miles in a region two and one-half times the size of the state of Rhode Island - as to

likely have no impact on wildlife." Moreover, Alaska is already one giant Motel 6 for wildlife. It contains 58 million acres of land designated as federal wilderness. That's bigger than the combined area of Pennsylvania, New Jersey, West Virginia and Maryland.

Ironically, by blocking oil exploration in Alaska, the administration may actually pose a greater risk to this country's environment. If America can't get oil out of the ground there, it will be that much more reliant on oil tankers whose occasional spills can take a grim toll on wildlife.

Mr. Murkowski, fellow Alaskan Sen. Ted Stevens and 31 other senators, including three Democrats, have co-sponsored legislation that would open a sliver of the plain to development under strict guidelines. Among other things it would place seasonal limits on oil development to reduce its impact on wildlife, particularly during the caribou calving period.

So it's possible to protect both wildlife and U.S. consumers by allowing oil development to proceed in Alaska. If the administration still turns down the proposal, the only protection it will guarantee is OPEC's.

(The Washington Times, March 17, 2000)

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. SJR 39

Revision Date/Time (Note if correction) _____ Dept. Affected _____
 Title Encouraging Congress to Open ANWR BRU _____
 _____ Component _____
 Sponsor Senate Rules _____
 Requester Senate Resources Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This resolution is anticipated to have no fiscal impact on state agencies.

Prepared by: Juli Lucky Phone 465-4907
 Division Senate Resources Committee Date/Time 3/16/00 4:22 PM
 Approved by _____ Date _____
 Agency _____

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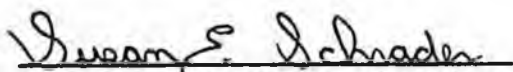
P.O. Box 22151, Juneau AK 99802 / Ph. 907-463-3366 / Fax 907-463-3312 / unite@akvoice.org

SJR 39 ~ Opening the Arctic National Wildlife Refuge to Oil Exploration and Drilling

TO: Senate Resource Committee
DATE: March 22, 2000

Alaska Conservation Alliance and Alaska Conservation Voters are sister nonprofit organizations dedicated to protecting Alaska's environment through public education and advocacy. Our 40 member organizations and businesses represent over 21,000 registered Alaskan voters. Like all Americans, our members enjoyed low fuel prices about a year ago and now are feeling the pinch of an increase in those prices. We do not, however, believe that opening the Arctic National Wildlife Refuge to oil exploration and drilling is the answer to the current situation.

- SJR 39 states (p. 2, l. 28) that the vast majority of Alaskans supports development in the coastal plain of the Refuge. This assertion is a profound overstatement. ACA commissioned a statewide public opinion survey that was conducted by Ivan Moore Research and completed in February, 2000. Only 50.7 % of the 500 Alaskans polled supported drilling in the Refuge; 41.7% favored protecting caribou and bird habitat and 7.6% were neutral on the issue. Fifty-one percent is hardly a "vast majority." Results from a survey question asking whether or not the respondent favored state funding of the industry lobby group Arctic Power's effort to open the Refuge revealed that only 41.6% favored state funding, while 46.6% did not support this use of state funds and 11.8% indicated they didn't know.
- 95% of Alaska's North Slope is available to oil and gas exploration and leasing. The coastal plain of the Refuge that many Alaskans wish to see protected represents just 5% of the North Slope. What is fair about Big Oil interests pushing to grab up the last 5% when they already have access to 95%?
- While the Native residents of Kaktovik, whose subsistence activities are centered around marine mammals rather than caribou, may support opening the Refuge, the Gwich'in people of Alaska and Canada consider the coastal plain as sacred ground. For an estimated 20,000 years, their traditional subsistence lifestyle has depended heavily upon the 129,000 caribou of the Porcupine herd that use the coastal plain as their birthing grounds. Protection of this herd, the coastal plain and the Gwich'in culture clearly makes the opening of the Refuge a human rights issue.
- Opening the Refuge is not a quick fix to our high-priced gasoline. Even if exploration started tomorrow, it would be years before any oil could be brought on line. What enabled us to make it through the fuel "crisis" of 1973 was not government intervention or Big Oil's efforts – it was citizens of the U.S. who chose to conserve fuel and use more fuel-efficient vehicles. Energy conservation can start today and oil exporting can stop today. There are clearly other alternatives to addressing the high fuel prices besides invading the last 5% of Alaska's North Slope.


Susan E. Schrader, Conservation Advocate

Conserve Alaska. It's Only Natural.

AMENDMENT

1

adopted w/o objection

Offered in Senate Resources

By: Senator Lincoln

To: SJR 39 LS1552/A

Page 2, following line 30, insert:

WHEREAS the state will ensure the continued health and productivity of the Porcupine Caribou herd and the protection of the land, water, and wildlife resources during the exploration and development of the coastal plain of the Arctic National Wildlife Refuge; and

Page 3, following line 6, insert:

FURTHER RESOLVED that oil exploration and development activity be conducted in a manner that protects the wildlife and the environment and utilizes the state's work force to the maximum extent possible; and be it

Good afternoon. My name is Deb Moore. On behalf of the Northern Alaska Environmental Center, I would like to testify in opposition of SJR 39: a resolution to encourage Congress to allow drilling in the coastal plain of the Arctic Refuge, otherwise known as the 1002 area.

The coastal plain is the biological heart of the Arctic Refuge. The Arctic Refuge coastal plain provides vital habitat for nearly 200 species of animal, including the 129,000 member Porcupine Caribou herd as well as polar bears, grizzlies and wolves. This also includes millions of migratory birds such as tundra swans, golden plovers, arctic terns, snowy owls & Pacific loons.

The Arctic Refuge's coastal plain is perhaps most celebrated as the calving ground of the 129,000-member Porcupine caribou herd, named after the Porcupine River in the Yukon Territories. Biologists generally agree that development of the calving grounds would have significant adverse impacts on the Porcupine caribou. Research on caribou in the vicinity of the Prudhoe oil fields suggests that cows with calves avoid noise and development infrastructure. Development obstructs their daily movements between inland areas rich in forage and the coast, where they go to escape hordes of harassing insects. The studies linked increased animal stress and extra exertion with lower calf production, lower calf weights, and lower calf densities throughout developed areas.

Recently, Senator Murkowski introduced legislation which would allow drilling in the coastal plain of the Refuge, claiming that drilling in the Refuge will control rising oil prices and reduce our dependence on foreign oil. This is simply not true. Drilling in the Arctic Refuge will have *no* discernable short-term or long-term impact on the price consumers pay at the pump and will *not* decrease our dependence on foreign oil.

Using reasonable estimates of economically recoverable oil, the small amount of oil in the 1002 area would never satisfy more than 2 percent of our nation's oil demands at any given time. We'd still be importing well more than half our oil from foreign markets. Even if we could access all of the oil at once and could become entirely independent from imports, this independence would be extremely short-lived. At our current consumption rate, with less than 6 months worth of oil likely to be found under the Refuge, we would quickly be just as dependent on imports as we are now.

In addition, how can our delegates be seeking independence through drilling in the Refuge when they're allowing North Slope crude oil to be *exported* to foreign markets? Since the export ban was lifted, record quantities of Alaskan oil have been shipped to China, Japan and other Asian countries instead of being used in the US, thereby *increasing* our dependence on foreign oil. If our delegates are truly serious about decreasing oil costs and our dependence on foreign oil, drilling in the Refuge is not the answer. Instead, the first step should be to reinstate the ban on oil exports.

Finally, rather than attempting to deal with high prices by demanding drilling in the Refuge, our delegates should be focusing on raising the fuel economy standards of our nation's automobile fleet. By improving fuel efficiency, we would be decreasing our annual consumption of fuel, which would in turn decrease both individual fuel costs and the amount of imported oil. Therefore, rather than need to drill for more oil, we would be able to maintain our standard of living using substantially less foreign or domestic oil.

The oil industry has already sprawled across the arctic with infrastructure stretching from the Canning to the Colville River. There is only 5% of the coastal plain which is currently protected from oil drilling. Allowing drilling on the coastal plain of the Arctic Refuge will not solve our high fuel prices or our dependence on foreign oil while it would have a significant adverse impact on the Porcupine Caribou herd as well as the hundreds of other species are dependent upon it.

The Northern Alaska Environmental Center is opposed to any legislation which would allow for drilling in the Arctic Refuge or would encourage Congress to move in that direction. We urge you to vote no for Resolution SJR 39.

Thank you.