

STATE OF ALASKA

THE LEGISLATURE

1990

Source

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Legislative
Resolve No.

57



Relating to the "no net loss of wetlands" policy and opposing the Memorandum of Agreement of the United States Army Corps of Engineers and the United States Environmental Protection Agency.

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

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

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

WHEREAS the November 15, 1989, Memorandum of Agreement between the United States Corps of Engineers and the United States Environmental Protection Agency fails to distinguish Alaska's fundamentally different wetlands from those of the other states; and

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

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

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

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

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

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

WHEREAS the subjection of the state to a "no net loss" policy conceived without an understanding of Alaska's unique characteristics would prevent the reasonable, responsible, and appropriate development of wetlands in Alaska; and

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

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

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

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

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

FURTHER RESOLVED that the President direct the White House Domestic Policy Council to propose a wetlands conservation strategy that recognizes the role of the states and provides resources for them to plan wetlands conservation strategies, allows for regional diversity, allows the national goal to be pursued through individual state wetlands management programs, and provides flexible approaches that recognize the uniqueness of Alaskan wetlands.

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