

STATE OF ALASKA  
THE LEGISLATURE

1997

Source

CSSJR 16(RES) am H

Legislative  
Resolve No.

23



Relating to reauthorization and reform of the Endangered Species Act.

---

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

**WHEREAS** the Endangered Species Act (Act) will be considered for reauthorization by the Congress; and

**WHEREAS** the State of Alaska supports the basic concept embodied in the Act to prevent the extinction of species; and

**WHEREAS** effective protection for most endangered species is dependent upon cooperation among federal agencies, state fish and wildlife agencies, local governments, and private landowners; and

**WHEREAS** improper implementation of the Act has often created adversarial relationships among federal agencies, state fish and wildlife agencies, local governments, and private landowners; and

**WHEREAS** the detrimental effects of the Act on private landowners and regional economies is a disincentive for landowners to cooperate in the implementation of the Act and results in less protection for potentially endangered species on private land; and

**WHEREAS** the federal agencies charged with administering the Act have often misused their authority under the Act; and

**WHEREAS** an inadequate scientific basis exists for many decisions made by federal agencies regarding the listing of species and recovery plans for endangered species; and

**WHEREAS** administrative reforms promised by the Clinton administration either have not been implemented or have been wholly inadequate; and

**WHEREAS** new policies adopted by the federal agencies charged with implementing the Act have not significantly improved the implementation of the Act;

**BE IT RESOLVED** that the Alaska State Legislature respectfully requests the Congress to proceed with reauthorization of the Endangered Species Act (Act); and be it

**FURTHER RESOLVED** that the Alaska State Legislature respectfully recommends that the reauthorized Act contain the following features in order to assure partnerships with the states, protection of private property rights, and appropriate conservation of endangered species:

(1) an effective partnership with the states in the conservation of endangered species;

(2) greater flexibility for states in implementing the Act, including opportunity for consultation under sec. 7 of the Act;

(3) an exemption from the Federal Advisory Committee Act for cooperative ventures with the states;

(4) requirements for stricter scientific and quantitative criteria for listing species under the Act;

(5) require establishment of biologically sound de-listing criteria and recovery plan population objectives and require timely and mandatory de-listing once recovery plan population objectives have been met;

(6) clarification of the definition of "species" to limit the listing of "distinct population segments" to evolutionarily significant units and major segments of a species' range;

(7) establishment of taxonomic standards for listing subspecies under the Act;

(8) scientific peer review procedures for listing and "de-listing" of species under the Act;

(9) establishment of species conservation and recovery standards that take into consideration the ability of a species to recover, the costs of implementation, and the public

interest; and

(10) a requirement that recovery plans impose equitable burdens on user groups; and be it

**FURTHER RESOLVED** that the Alaska State Legislature requests that the reauthorized Act not include

- (1) an expansion of federal authority;
- (2) provisions that further complicate the law by integrating implementation of the Biodiversity Treaty with the Act; and
- (3) the creation of a new, overlapping, and ambiguous biological diversity reserve system.

**COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; 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.