

RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

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Ex-Officio Members Senator Mark Begich Senator Lisa Murkowski Congressman Don Young Governor Sean Parnell

BREAKFAST MEETING

Thursday, February 18, 2010

- Call to order Wendy Lindskoog, President
- 2. Self Introductions
- 3. Headtable Introductions
- 4. Program and Keynote Speaker:

Economic Impacts of Proposed Cook Inlet Beluga Whale Critical Habitat Designations

Bill Sheffield, Director, Port of Anchorage and John McClellan, Tyonek Native Corporation

Future Meetings:

March 4: Economic Benefits of Port MacKenzie Rail Extension to the Mainline, Rick Mystrom, Former Mayor of Anchorage and Economic Development Advisor to Mat-Su Borough

March 18: Point Thomson Project, Speaker TBA

April 1: Senator Lisa Murkowski

April 15: Lt. Governor Craig Campbell

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adn.com | Our view: Jim Bowles 2/17/10 2:54 PM



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Our view: Jim Bowles He leaves a fine Alaska legacy

(02/16/10 18:39:19)

Alaska lost one of its champions Saturday when an avalanche killed Jim Bowles, president of Conoco Phillips Alaska. By all accounts, including his own, Bowles was a man who loved Alaska, loved the outdoors he was traveling in Saturday, loved the hunting and fishing life and the companionship of a regular group of friends who enjoyed it with him.

Bowles' position as Conoco's chief executive in Alaska made him by definition a player in the state's political, economic and civic life.

But Bowles also used his position atop one of Alaska's primary oil producers to make contributions that not only will continue to give, but do good for people Bowles never met.

Perhaps the two most obvious contributions are the \$5 million he steered toward the cancer center at Providence Alaska Medical Center and the \$15 million for the science building at the University of Alaska Anchorage.

Both of those gifts will be comforting, healing and helping Alaskans for decades.

Those alone would make a fine legacy. But Bowles' care for Alaska also set an example, one that runs counter to the take-and-go attitude of transience that sometimes has Alaskans thinking more of "mine" and less of "ours."

Bowles contributed to Alaska beyond the lines of self-interest. He didn't only enjoy where he lived, he contributed to make that place better, richer in opportunity and care than when he arrived in 2004.

Few of us can move millions to do good. But it's not the example of money that Bowles leaves us. It's the spirit.

BOTTOM LINE: Jim Bowles leaves a legacy of giving in Alaska that will have a long reach.

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James Bowles



James Lewis Bowles died unexpectedly Feb. 13, 2010, victim of an avalanche while snowmachining on the Kenai Peninsula near Spencer Glacier.

A memorial service will be at 10 a.m. Thursday in Anchorage at ChangePoint church. A second service will be held next week in Houston, Texas.

Jim was born Aug. 21, 1952, to Evelyn Crawford and James Ray Bowles in Fayetteville, Ark.

Jim graduated from the University of Arkansas in 1974 with a degree in mechanical engineering. Upon graduation, Jim joined Phillips Petroleum, moving to Odessa, Texas, where he met his wife, Kathy.

In 1977 they moved to Stavanger, Norway, where they welcomed their first child, Jennifer. Their second daughter, Rebecca, was born three years later, also in Norway. Jim's career with Phillips would take his family to Texas, Montana, Oklahoma, back to Norway, and eventually to Houston, Texas. Jim retired as president of Phillips' Americas Division in 2002, turning his attention to his ranch near Kerrville, Texas, and

spending time with his family in Pagosa Springs, Colo.

His retirement proved short-lived, and in 2004 Jim agreed to become president of Conoco Phillips Alaska. Jim often said that one of the major factors in his taking the position was the opportunities that Alaska afforded in the way of hunting and fishing. An avid and accomplished outdoorsman, Jim nurtured a love for the outdoors from an early age. In Alaska, Jim quickly formed fast friendships with a group of like-minded individuals, always planning his next camping, hunting or fishing trip. While Alaska provided him with limitless outdoor activities, Jim often found time to travel to Texas to see his children and adoring grandchildren and to work at his Circle B Ranch.

While Jim enjoyed the many challenges and opportunities that his job presented, he particularly relished spearheading Conoco Phillips' engagement with the Alaska community. During his tenure, Jim was instrumental in Conoco Phillips' involvement with the Providence Cancer Center, the University of Alaska Anchorage, and the United Way of Anchorage. He was particularly proud of the company's role in upgrading the facilities for, and access to, Potter Marsh, a part of the Anchorage Coastal Wildlife Refuge. Additionally, Jim was a member of the board of trustees at the Nature Conservancy.

Jim's rare ability to connect with people from all walks of life grew from an unconditional respect for all those he met. He was equally at home in the boardroom and the bunkhouse. As a father, husband, friend and manager, Jim believed in the ability of people to rise to the occasion. He never hesitated to challenge those around him to achieve beyond their own expectations.

Among his many accomplishments and milestones, Jim was most proud of his family. A devoted husband, father and grandfather, Jim found great joy in introducing his family to Alaska. In recent years, Jim found particular pleasure in taking his grandsons on hikes in Chugach State Park and boat rides on Prince William Sound. Jim leaves his family and friends with the gift of his unending passion for living and countless stories and memories.

He is survived by his loving family: Kathy, his wife of 33 years; his daughter, Jennifer Heininger, her husband Matt, and their children, Henry and Crawford; his daughter, Rebecca Gips and her husband Russell; his father, James Ray Bowles; and his brother, Rick Bowles.

Jim was preceded in death by his mother, Evelyn Bowles.

In lieu of flowers, the family asks that donations be made in Jim's name to the Nature Conservancy, the Providence Cancer Center or the United Way of Anchorage.

Arrangements are with Evergreen Memorial Chapel.

Published in adn.com from February 17 to February 18, 2010

RDC ACTION ALERT Oppose Proposed Critical Habitat Designation for Cook Inlet Beluga Whales

Overview:

The National Marine Fisheries Service (NMFS) is proposing to designate more than 3,000 square miles of Cook Inlet as critical habitat for the beluga whales. The entire upper half of Cook Inlet, the mid-Inlet, all of the Inlet's western shores and Kachemak Bay have been included as critical habitat.

According to NMFS biologists, the sole cause of the Cook Inlet beluga whale population decline is the subsistence harvest that transpired in the 1990s. In 2000, NMFS declared the belugas depleted under the Marine Mammal Protection Act and a co-management agreement was put in place, strictly limiting the subsistence harvest. In 2008, beluga whales in Cook Inlet were listed under the Endangered Species Act (ESA), despite an annual growth of four percent in their population since 2005. NMFS has not identified any development activity that has impeded the recovery of the whales.

The ESA requires economic effects to be taken into account for critical habitat designations. Areas may be excluded from critical habitat if it is determined that the benefit of such exclusion outweighs the benefit of specifying such areas as critical habitat unless failure to designate these areas will result in the extinction of the whales. Extensive mitigation and regulatory measures are in place which make designation of critical habitat unnecessary and extinction of the Cook Inlet beluga whale highly unlikely. The proposed critical habitat designation will likely have a significant economic impact on the Cook Inlet region without clear corresponding benefits to beluga whales. The proposed designation could put at risk billions of dollars in future projects and could ultimately cost Southcentral Alaska residents and companies hundreds of millions of dollars to comply with new requirements and standards. The proposed designation will likely lead to costly delays in permitting and construction, as well as lengthy litigation, ultimately discouraging future investment.

Action Requested:

Please submit comments **by March 3** opposing the proposed critical habitat designation. Encourage NMFS to exclude the entire Cook Inlet from critical habitat. In your comments, please be sure to explain the economic effect critical habitat designation would have on you or your activities in the Inlet.

Submit written comments to:

Kaja Brix, assistant regional administrator, Protected Resources Division, Alaska Region NMFS, Attn: Ellen Sebastian. Identify your comments with "RIN 0648-XT72" and submit by any of the following methods:

Electronic: Federal eRulemaking Portal Web site – Regulations.gov Mail: Box 21668, Juneau, AK 99802 FAX: 907-586-7557

Points to consider for your comments:

- The ESA requires NMFS to designate areas as critical habitat that are truly "essential to the conservation of the species" and it "shall not include the entire geographical area which can be occupied." NMFS lacks the scientific information necessary to accurately designate all of the extensive areas proposed as critical habitat. More research is needed on the primary constituent elements of the belugas to accurately differentiate between *critical* habitat and general habitat.
- The ESA requires economic effects to be taken into account for critical habitat designations. NMFS must conduct a more robust economic analysis before any critical habitat designation is finalized.

- Critical habitat designation in Cook Inlet will have significant adverse effects on community and economic development without providing a corresponding benefit to beluga whales. Extensive mitigation and regulatory measures are in place which make designation of critical habitat unnecessary and extinction of the Cook Inlet beluga whale highly unlikely.
- In its economic analysis, NMFS estimates the proposed designation will cost local communities and businesses \$600,000 over the next decade in additional regulatory oversight. This estimate is grossly inadequate as it does not factor in additional costs existing and future operations will have to pay to meet unnecessary regulatory requirements.
- The economic analysis failed to consider legal costs businesses and local communities would incur from lawsuits challenging agency permits for activities inside or near critical habitat. One single project alone could easily incur millions of dollars in litigation expenses.
- Industries tend to avoid investing in projects within critical habitat areas, fearing substantial delays, higher costs, regulatory uncertainty, and litigation. This economic impact must be considered before critical habitat areas are finalized.
- Activities likely to be negatively affected by critical habitat designation in Cook Inlet include shipping, oil and gas exploration, development, and production, renewable energy projects, wastewater utility discharges, commercial and industrial coastal development, commercial and sport fishing, mining, tourism, military operations, and community infrastructure development, including Port of Anchorage expansion, the Knik Arm Bridge, Port MacKenzie, and much more, all with no added benefit to the whales.
- Ninety percent of all goods coming into Alaska comes through the Port of Anchorage, so restrictions resulting from critical habitat designation may lead to higher costs for residents of rural Alaska who already suffer from exorbitant prices with no added benefit to the whales.
- Southcentral Alaska heats its homes and generates electricity through natural gas produced in Cook Inlet. This critical habitat designation could deter future oil and gas exploration and development, leading to greater costs for residents with no added benefit to the whales.
- Municipal utilities could be forced by this critical habitat designation to increase treatment for discharges, costing hundreds of millions, if not billions of dollars, leading to much higher consumer bills with no added benefit to beluga whales.
- Commercial, sport, and subsistence fishing could be curtailed by this proposed critical habitat designation, having a significant impact on Alaska's fisheries and tourism activities with no added benefit to the whales.
- Lost development opportunities resulting from critical habitat designation will result in declines in both state and local tax revenue, jobs, as well as every Alaskan's Permanent Fund Dividend with no added benefit to the whales.
- Scientists have concluded that the sole cause for the population decline of beluga whales in Cook Inlet was the unsustainable subsistence harvest of the 1990s. In fact, NMFS has not identified any community or economic development activity that has impeded the recovery of the whales or led to the population decline. Further, contaminant levels for the Cook Inlet belugas are lower than those found in similar populations elsewhere.
- NMFS has previously stated: "No information exists that beluga habitat has been modified or curtailed to an extent that it is likely to have caused the population declines observed within Cook Inlet." Three thousand square miles of critical habitat will not change this fact.
- National security could be compromised by designation of critical habitat as military operations will likely be affected with no added benefit to the whales.

Deadline for comment is March 3, 2010



Steve Denton

RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

Testimony of Resource Development Council
Before National Marine Fisheries Service on
Proposed Critical Habitat Designations for Cook Inlet Beluga Whales
Anchorage, AK
February 12, 2010

Good evening. For the record, my name is Jason Brune and I am the executive director of the Resource Development Council for Alaska. RDC members include all of the major, and many of the minor, parties who will be adversely impacted by the proposed designation of over 3,000 square miles of critical habitat in Cook Inlet. From local communities, to oil and gas, mining, tourism, and fisheries members, all stand to be negatively affected by this proposal. Meanwhile, this designation will result in no added benefit to the belugas.

RDC members who live, recreate, and work in and around Cook Inlet are committed to the recovery of the beluga whale. Over the years, we have worked closely with our members and the National Marine Fisheries Service (NMFS) on a number of initiatives to assist in the recovery of the stock. RDC members have funded millions of dollars in research on the belugas over the last decade and I am honored as a biologist to have recently been invited to serve on the Cook Inlet beluga recovery stakeholder panel.

It is important to remember that NMFS' biologists have acknowledged the sole cause for the population decline of Cook Inlet beluga whales was the subsistence harvest that transpired in the 1990s. The multitude of activities in Cook Inlet that will absolutely be impacted by this proposal were not the cause of the decline, nor are they an ongoing threat to the whale's recovery. Indeed, by my assessment, the population is recovering, at a rate of nearly 4%/year as was hoped for by the agency, in the timeline of 5-7 years following cessation of the subsistence harvest as predicted by Litsky and cited previously by NMFS, which begs the question of why critical habitat designation is even necessary.

The Service's broad designation of critical habitat in the Proposed Rule for the beluga whale is inconsistent with the ESA's definition of critical habitat. Congress amended the ESA in 1978 to provide an express and narrow definition of critical habitat. That definition was added in response to growing concerns that the Services were designating critical habitat "as far as the eye can see and the mind can conceive," and that such broad designations could collectively have a crippling economic impact.

First, Congress provided that critical habitat "shall not include the entire geographical area which can be occupied by the . . . species." Second, Congress limited critical habitat to those "specific areas" that contain the "physical or biological features . . . essential to the conservation of the species." Third, those physical or biological

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James Mery

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Denise Michels Lance Miller features, called primary constituent elements, must actually be found in the specific geographic areas. Fourth, Congress required the Service to make a finding that the designated critical habitat "may require special management considerations or protections." If any one of these required elements are absent in a particular area, then the Service cannot designate that area as critical habitat.

Unfortunately, this proposal appears to not have followed these requirements. The agency must differentiate between those areas that are critical habitat as opposed to just habitat.

Since statehood, economic and community development activities have occurred in Cook Inlet. Indeed, these activities have long co-existed with the belugas. Responsible community and economic development have in no way adversely impacted these whales or impeded their recovery. Unfortunately, this designation, if finalized will lead to additional requirements, costly delays, and lengthy 3rd party litigation. There is no other way to put it.

The ESA requires economic effects to be taken into account when designating critical habitat. In fact, areas may be excluded from critical habitat if it is determined that the benefit of such exclusion outweighs the benefit of specifying such areas as critical habitat.

The economic analysis that has been completed as part of this proposal is grossly inadequate. In fact, only direct consultation costs are acknowledged as "costs" in this analysis. Nothing further is considered.

Because of this, RDC has hired a contractor, Resource Dimensions, to undertake an independent economic analysis to attempt to more accurately identify the costs of this proposal. These economists have been conducting in person and telephone interviews with many of the potentially affected entities. We will be providing the results of this analysis to the agency. NMFS should use these results as a boilerplate to conduct a more robust economic analysis.

Overreaching critical habitat is being advocated by many predatory, non-Alaskan environmental interests. Indeed, some are even advocating for additional inland critical habitat where salmon spawn. We absolutely oppose this recommendation and applaud the agency for not including inland areas in this proposal.

In conclusion, the benefits of designating critical habitat in most, if not all of the areas that have been proposed is outweighed by the economic impacts it will have. I urge the agency to take a critical look at the available data, both scientific, and economic, and only designate areas that are truly critical. Over 50 years of responsible community and economic development are proof that these activities can continue to occur without the added burdens of critical habitat designations. I urge you to reconsider most of the proposed areas in your final ruling.

Thank you for the opportunity to comment.

SUITE SR-14# RUSSELL BUILDING WASHINGTON, DC 2055) (202) 224-3004

COMMITTEE ON ARMED SERVICES

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

COMMITTEE ON VETERANS' AFFAIRS

United States Senate

WASHINGTON, DC 20510

Statement of U.S. Senator Mark Begich Cook Inlet Beluga Whale Critical Habitat Public Hearings February 2010

I am pleased to join other Alaskans to express my views on the proposed designation of Critical Habitat for the endangered Cook Inlet beluga whale. Public comment on this proposed designation is an important element in the public process and I'm pleased that NOAA has acted on the Alaska Congressional Delegation's request to extend this comment period and add public hearings. I will be submitting formal comments, but this represents my general observations about the designation of beluga whale critical habitat in the Inlet which has the potential for major economic consequences to Alaska's population center.

The Cook Inlet beluga whale holds a special place in the hearts of Alaska's residents, 80 percent of whom live on the Inlet or are dependent on commerce that moves through the Inlet. NOAA's scientists tell us this subgroup of beluga whales is unique to the Inlet, that their population is threatened, and they are deserving of special protection. NOAA's listing of this stock as endangered under the Endangered Species Act in October of 2008 is still the subject of controversy. Once the agency has made this finding, it must act to designate the whale's Critical Habitat. This information will be used by NOAA to identify and protect areas most important for the animal's ongoing conservation and recovery. Importantly, NOAA will be consulted by other agencies every time federal projects are proposed in the Inlet. This includes bank restorations, bridges, port repairs and expansions, sewer projects, and military activities. Projects that are identified as occurring in critical habitat will have a higher level of scrutiny.

My concern is that NOAA lacks both a full understanding of where critical habitat is located and what the benefits and costs are to designating this habitat. This is important on two levels: first, we don't want to have added costs of mitigating impacts of coastal projects if the habitat is not essential for the whales' recovery and second, the Endangered Species Act allows for a special exemption from a critical habitat designation in special cases where the benefits from excluding an area outweigh the benefits gained to the animal. I'm concerned that NOAA has not done the necessary heavy lifting to analyze the economic impacts of this designation. The existing draft economic analysis cites the added costs for evaluating future project impact mitigations in the Inlet based on this Critical Habitat designation at a mere \$575,000. This low amount seems entirely unrealistic.

The Port of Anchorage is essential for the economy of our state, handling about 90 percent of all good arriving to Alaska. Although the Endangered Species Act provides for Critical Habitat exemptions in cases of national security, NOAA has not provided an analysis of the Port's status as one of only 19 National Strategic Seaports vital not only to Alaska's five military bases, but also to the security of our country.

I'm convinced we can work together to recover this whale in ways that don't place unnecessary constraints on development in the Inlet. If Alaskans believed that designating 3,000 miles of Critical Habitat would only result in \$575,000 of added cost, many would gladly chip in and pay the bill. Our experience with the Endangered Species Act tells us that this just isn't the case. I call on NOAA to take serious stock in the comments you will receive from Alaskans on all sides of this issue. We need to fashion a designation that leads to the recovery of the beluga whale and makes sense to Alaskans.

2010 Resource Development Council Policy Positions

TOP LEGISLATIVE PRIORITIES

- Advocate for equitable and predictable tax and royalty policies for all industries that enhance the State of Alaska's competitiveness for natural resource exploration and development investments.
- Support efforts to ensure Alaska's ballot initiative process is open and transparent.
- Encourage the State of Alaska to promote and defend the integrity of Alaska's permitting process.
- Support the State of Alaska's efforts to challenge unwarranted Endangered Species Act listings and proposed critical habitat designations.

Please see other side for policy positions on general and industry specific issues

2010 Resource Development Council Policy Positions

General Issues

Fiscal Policy & Planning

- Advocate development and implementation a comprehensive, responsible, and long-range state fiscal plan.
- Support equitable and predictable tax and royalty policies.
- Support some use of the Permanent Fund earnings as part of a fiscal plan.
- Support development of a state strategic economic development plan.
- Oppose efforts to enshrine the Permanent Fund Dividend in the Alaska Constitution.

Access

- Advocate increased access to and across public lands for resource and community development.
- · Advocate multiple-use of public lands.
- Continue to assert the state's rights on navigable waters and submerged lands.

Regulation/Permitting

- Support efforts to ensure Alaska's ballot initiative process is open and transparent.
- Encourage the state to promote and defend the integrity of Alaska's permitting process.
- Advocate clear, timely, and streamlined state and federal permitting systems based on sound science, economic feasibility, and protection of property ownership rights.
- Provide adequate resources to permitting agencies for personnel, research, and science.
- Support the State of Alaska's efforts to challenge unwarranted Endangered Species Act listings and proposed critical habitat designations.
- Remove the "Point of Discharge" requirement implemented by the 2006 cruise ship head tax initiative to empower DEC to regulate cruise ship discharges to meet all water quality standards.
- Encourage the state to carefully consider the impacts of potential changes to the ACMP program on communities and industry while striving to eliminate the duplication of current state and federal requirements.

Infrastructure

 Encourage the state to develop a prioritized transportation strategy that supports resource and community development activities.

Education

- Support programs, including the Alaska Resource Education program, to educate students and the general public on responsible resource development activities in Alaska.
- Support growing the state's emphasis on workforce development.

Industry Specific Issues

Oil & Gas

- Advocate for an improved tax policy that enhances the State of Alaska's competitiveness for exploration and development investments.
- Support legislation to encourage new exploration and development of Alaska's oil and gas deposits, as well as enhanced production from existing fields.
- Encourage public policy and fiscal decisions to improve the commercial viability of developing Alaska's North Slope and Interior natural gas resources.
- Support efforts to increase Cook Inlet oil and gas exploration, development and deliverability to meet local demand and export markets.
- Encourage incentives to improve the commercial viability of developing Alaska's challenged oil and gas resources, such as heavy oil.
- Educate and advocate for opening the coastal plain of the ANWR to oil and gas development.
- Support offshore oil and gas development and work to maximize benefits to Alaska through advocacy for federal revenue sharing and/or community impact assistance.
- Oppose efforts, either legislatively or through the initiative process, to impose a gas reserves tax.

Energy

- Support simplified leasing and permitting of non-conventional fuel resources to encourage development of the state's resources and provide energy to local areas.
- Encourage development of new electrical generating and transmission systems to provide stable sources of electricity for economic development and existing electricity consumers.
- Support utilization of Alaska's coal resources for value-added industries and power generation in addition to export to international markets.
- Support efforts to diversify Alaska's energy sources, including known renewable energy
 options and research and development of non-conventional sources.

Mining

- · Support competitive mining tax and royalty policies.
- Encourage the expansion and increased production from existing deposits as well as new exploration and development of Alaska's mineral resources.
- Advocate continuation and expansion of the airborne geophysical mapping program and the on-the-ground follow up work required to realize the full benefits of the program.

Fisheries

- Support fisheries policies that ensure access, markets and revenues for Alaska fishermen and coastal communities, and a healthy competitive environment for an Alaskan seafood processing industry.
- Support reduced fisheries waste and better utilization of Alaska fisheries resources, improved product value and development of new product forms.
- Support funding of fisheries and marine mammal research.

Forestry

- Advocate a reliable and economical long-term federal and state timber supply.
- Support adequate funding and enforcement of the Alaska Forest Practices Act.
- Encourage funding of forest management initiatives that address long-term forest health and reforestation.

Tourism

- Advocate for a positive business environment to restore the cruise and tourism industries in Alaska.
- Encourage the Alaska Legislature and Administration to resolve the current legal issues between the State and the cruise industry.
- Oppose inequitable taxation directed at the cruise industry as a result of the 2006 Ballot Initiative.
- · Advocate for equitable environmental laws for cruise ships.
- · Advocate additional aircraft landing sites and reduced restrictions on over-flights.



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

Testimony of Resource Development Council on HB 36

Thank you Chairman Stoltze, Chairman Hawker, and members of the committee. For the record, my name is Jason Brune and I am the executive director of the Resource Development Council. I appreciate the opportunity to testify today in support of HB36.

This bill is one of RDC's top priorities and I won't speak for other organizations, but I know it ranks high on most other state business associations' lists.

Although we sometimes may question the appropriateness and the role of the petition process as a means of governing, RDC appreciates the democratic rights of Alaskans to change state law through the initiative process. However, as we have seen over the last several years, a number of proposed initiatives have been brought forward that do not have the best interest of the state nor its people in mind. Furthermore, tactics are often used in the signature gathering process that mislead the public and misconstrue the issues and impacts at play.

RDC believes that openness and transparency must be at the forefront of good government.

I'm happy that Representative Crawford and former Representative Croft brought up the framers of our constitution. Indeed, Vic Fischer, one of the 55 delegates to the Alaska Constitutional Convention and a previous ballot initiative sponsor, spoke at the 2008 RDC Conference about the initiative process. "Believe it or not, I was one of the people who voted against the article on the initiative because, I argued strenuously at that time, that the initiative is a device that lends itself most to special interests – to groups that want to get something that they cannot get through the Legislature." Mr. Fischer's words were quite profound, and we have witnessed those special interests embracing the initiative process over the last decade. In just the past five years the Alaska business community has been the target of numerous punitive ballot initiatives pushed by anti-business and environmental interest groups unable to accomplish their goals through the legislative process.

Gov. Sean Parnell also expressed his support for initiative reform at this year's RDC Conference. "Ballot initiatives are powerful tools to change public policy – and the campaigns behind them are super-funded and super-charged. Alaska's voters deserve to know what interests and dollars are behind those campaigns. For these reasons, you can count on my support for ballot initiative reform. In my view, that reform should focus on financial disclosure. The right to see the money behind the campaigns is the very least Alaskans should expect."

This bill will require both public and legislative hearings for initiatives. This is a good idea. The process each of you as legislators go through to pass laws is extremely thorough. Unintended consequences of a piece of legislation are usually vetted through the numerous committee hearings, public testimony, and floor debates that a bill requires.

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Keith Sanders
Kenneth Sheffield
Keith Silver
Jeanine St. John
John Sturgeon

Dan Sullivan John Zager

Ex-Officio Members Senator Mark Begich Senator Lisa Murkowski Congressman Don Young Governor Sean Parnell Each of you who generously give of your time to make laws for this great state are required to disclose how you raise money and how you spend money. Why shouldn't we hold those who are attempting to change state law through the initiative process to that same standard? And, why wouldn't we make them disclose the source of their funds while they are collecting 30,000 plus signatures statewide. This openness and transparency will bring into the light of day the agendas, hidden or not, of the initiative sponsors.

In response to Rep. Thomas' and Rep. Kelly's questions and Chip Toma's statements, RDC would actively oppose an amendment that prohibits or limits "outside" contributions to this process. There are a large number of these so called "outside" companies that invest in Alaska and employ hard working Alaskans be it in the oil and gas sector, mining, fisheries, tourism, you name it.

By doing business in Alaska, they demonstrate that they have a dog in this fight and they should be allowed to participate in the process.

I'd also like to respond to Representative Crawford that there is no requirement that you have to pay signature gatherers. But, if you're going to, it seems the right thing to do to make sure they are paid a fair wage.

In conclusion, standards must be put in place to ensure a candid process and we applaud the bill's author and cosponsors for introducing the bill. This is one of the most important bills to my members and to the state of Alaska. I urge your support of HB36.



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Ex-Officio Members Senator Mark Begich Senator Lisa Murkowski Congressman Don Young Governor Sean Parnell Chairwoman Nancy Sutley Interagency Ocean Policy Task Force

February 12, 2010

Via Internet

Dear Chairwoman Sutley and members of the Task Force:

The Resource Development Council for Alaska (RDC) applauds the efforts of the Obama Administration to develop a detailed national plan for Coastal and Marine Spatial Planning (CMSP). RDC recognizes this as an important tool to help protect our natural resources in addition to promoting access for responsible development.

RDC is an Alaskan statewide membership-funded organization founded in 1975. Our membership is comprised of individuals and companies from Alaska's oil and gas, mining, timber, tourism, and fisheries industries, as well as Alaska Native corporations, local communities, organized labor, and industry support firms. RDC's purpose is to link these diverse interests together to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

Alaska, with more coastline than all other states in our nation combined, possesses five of the eleven U.S. large marine ecosystems (LME) but will only be represented by one of the nine regional planning areas, which includes a planning area for the Great Lakes – not an LME. RDC understands that Alaska's broad diversities, including the Arctic and vast coastlines, and our diverse uses of water and natural resources, will require many critical aspects be assessed.

RDC urges the Oceans Policy Task Force to immediately involve vital stakeholders in the next phase of the CMSP framework on the regional planning body. These stakeholders should include the North Pacific Fishery Management Council (NPFMC), representation from village and Alaska Native leaders, including Alaska Native Claims Settlement Act corporation leaders, and other affiliated state and federal agencies.

Additionally, RDC urges representation from economic stakeholders, not limited to, but including oil and gas leaseholders, coastal communities and boroughs, fishing and fish processing, and transportation users. Economic advisory groups should be utilized to identify economic impacts of uses of the oceans, coasts and river deltas.

RDC also urges the Task Force to clarify the role of existing polices and procedures, such as the NPFMC, as Alaska already adheres to some of the best science-based practices in the world. Adding additional layers and overriding regulation of successful practices will bring no added benefit to address the goals of CMSP.

Lastly, as a non-contiguous state of our Union, activities in Alaska, including travel and access, are significantly more costly. RDC encourages the Task Force to address financial concerns of participation by Alaska-based stakeholders.

In conclusion, RDC supports responsible development and stakeholder involvement in regional planning and looks forward to the next phase. Thank you for the opportunity to comment on this important issue.

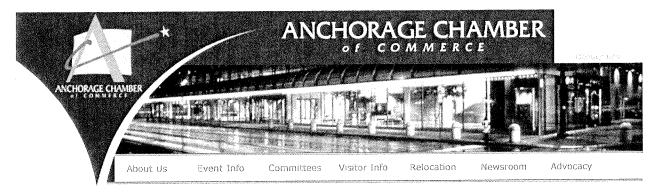
Sincerely,

Marleanna Soto

Projects Coordinator

Mariesums Soto

Resource Development Council for Alaska, Inc.



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"Make it Monday" forum - The Power of Ballot Initiatives

Date 2/22/2010

Time 11:30 AM TO 1:00 PM

Event Description:

Ballot initiatives have become a powerful force in creating legislation to govern business operations statewide. But do we truly understand an issue before signing a petition? Local business and industry leaders will discuss the ballot initiative process, its benefits and flaws, and show examples of how recently passed ballot initiatives have had a negative impact on their investment decisions.

Confirmed Speakers: Jason Brune, executive director, Resource Development Council; Ralph Samuels, VP government relations, Holland America Line; Lorna Shaw, community affairs director, Fairbanks Gold Mining, Inc.; Marilyn Crockett, executive director of Alaska Oil and Gas Association.

Pre-paid reservations are highly recommended and are required to guarantee food availability and space.

"Make it Monday" forums provide an educational opportunity intended to empower the membership with tools for success. Additionally, forums are a great place to network with other business leaders.

Cost: \$21 for members, \$25 for non-members

(Note: Please RSVP before 5 p.m. on the Friday before the Forum as they will NOT be taken on the day of the event. Reservations must be made by clicking below as prices increase at the door)

Cancellation Note: There is a 48 hour cancellation policy. To receive a full refund, registration must be canceled not less than two business days prior to the date of the event. No refunds will be given after this date. To assist in the event of unavoidable, last minute cancellations, all registrations are transferable to another person upon your request.

Register Now →

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If you need more information about this event, please complete the fields below:

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News Release

U.S. Army Corps of Engineers – Alaska District

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Anchorage, AK 99506-0898 Phone: 907-753-2520 / 2522

Email: Public.Affairs3@.usace.army.mil

February 5, 2010

Release No. 10-02

U.S. Army Corps of Engineers denies permit application for CD-5 drill pad

ANCHORAGE – The U.S. Army Corps of Engineers, Alaska District has denied the permit application from ConocoPhillips Alaska, Inc. to construct a drill pad identified as CD-5 west of the Colville River Delta to expand the Alpine petroleum field on the North Slope. The Corps has determined that there are other practicable alternatives that would have less adverse impact on the aquatic ecosystem and still meet the overall project purpose.

In December 2008, ConocoPhillips applied for permits under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act to discharge fill material over 62 acres of wetland tundra to construct the CD-5 drill site pad; a 6.2 mile-long access road with three bridge crossings; two valve pads with access roads; and new pipeline support structures. ConocoPhillips' preferred alternative states that the drill pad would be connected to the Alpine field's road system by gravel roads and a 1,425 foot-long bridge across the Nigliq Channel of the Colville. All three bridges and 2.5 miles of road would be within the Colville River Delta. The bridges would be used for vehicles, production pipelines, and utilities.

The Corps found that issuing a permit for the applicant's proposal is not in compliance with 404 (b)(1) guidelines, which states "that no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences".

Other alternatives with less environmental impacts could include horizontal directional drilling but would require new permit applications. These alternatives minimize impacts to the Colville River Delta, which is the largest and most complex delta on the Arctic Coastal Plain and drains nearly 30 percent of the North Slope. The delta serves as habitat for approximately 80 species of birds, numerous fish, migrating caribou, and is within the subsistence hunting and fishing areas of the village of Nuiqsut. The delta also represents nearly 70 percent of overwintering fish habitat within the North Slope.

For more information about the Corps of Engineers' Alaska District, visit our web site at: http://www.poa.usace.army.mil.

MURKOWSKI SLAMS DENIAL OF CONOCO NPRA PERMIT

WASHINGTON, D.C. – U.S. Sen. Lisa Murkowski, R-Alaska, today reacted to the Obama administration's denial of Conoco Phillips' permit to construct a bridge to access what would have been the first oil and gas lease in Alaska's National Petroleum Reserve (NPRA), insisting the company instead use directional drilling for the development.

For decades, those who oppose developing ANWR or Alaska's offshore fields have continually cited the 23 million-acre NPRA as the area where development should occur instead. If a producer cannot get across the Colville River, however, NPRA's resources are effectively off-limits.

"I am alarmed and amazed by this short-sighted decision, which totally ignores the economics of future energy development in all of northern Alaska," Murkowski said. "Directional drilling can work in ANWR because the oil is concentrated in the northwest corner. That is an entirely different situation than the vast and widely distributed deposits in the NPRA, however, and the administration knows it."

While the one oil deposit that Conoco is trying to access may be within reach of directional drilling, the known deposits that are next in line for development are more than 10 miles away from existing infrastructure and far outside of the technological scope of extended reach drilling. The bridge and the related pipelines are essential for additional oil and gas development from the petroleum reserve.

"If allowed to stand, this myopic decision will kill all future oil development from the nation's largest designated petroleum reserve and probably stop all future natural gas production from the area as well," Murkowski said. "The loss of energy potential is staggering for the nation and it would happen for absolutely no environmentally sound reason."

"America is dangerously reliant on foreign oil. Restricting access to even more of our domestic resources is simply unacceptable," Murkowski said.

Although Conoco Phillips may reapply for the permit, it is clear that they have lost another drilling season because of this regulatory overreach.



FOR IMMEDIATE RELEASE

No. 10-028

State Objects to Federal Ocean Zoning Policy

February 17, 2010, Juneau, Alaska – Citing concerns about impacts on Alaska and a lack of engagement with stakeholders, Governor Parnell called on senior Obama administration officials to meet with Alaskans before proceeding with further development of federal marine spatial planning efforts.

"I remain concerned that federal proposed changes to current ocean policy would supersede existing state and federal laws," Governor Parnell said. "I am also concerned that the ocean zoning proposal, in its current form, may well be unable to strike a balance between ocean protection and the use of the oceans for commercial purposes, such as Outer Continental Shelf oil and gas development and commercial fishing."

The governor's comments were in response to the Interim Framework for Effective Coastal and Marine Spatial Planning released by President Obama's Interagency Ocean Policy Task Force.

Governor Parnell objected to the proposal for increased federal control over Alaska's resources, development and economy, and noted that the framework for marine spatial planning would supersede existing programs that involve local stakeholders. The framework ignores the state's sovereign authority and jurisdiction to manage its own lands and waters, and creates a new bureaucratic process that will require significant resources and distract from addressing more immediate needs.

To date, there has been no substantial consultation or involvement with the State of Alaska, Alaska residents, or users of the resources in Alaska in the development of the interim framework. The governor urged the Interagency Ocean Policy Task Force to meet with senior administration officials from Alaska to discuss the state's concerns.

A copy of the state's comments on the Ocean Policy Task Force's Interim Framework for Effective Coastal and Marine Spatial Planning is available at: http://gov.alaska.gov/parnell_media/gov_letters/02122010 Sutley.pdf

- FOXNews.com
- February 16, 2010

Three Major Firms Pull Out of Climate Change Alliance

ConocoPhillips, BP America and Caterpillar pulled out of a leading alliance of businesses and environmental groups pushing for climate change legislation on Tuesday, citing complaints that the bills under consideration are unfair to American industry.

The sudden pullout of three corporate giants from a leading alliance of businesses and environmental groups could be the death knell for climate change legislation languishing on Capitol Hill.

ConocoPhillips, BP America and Caterpillar's announced Tuesday they will pull out of the U.S. Climate Action Partnership, citing complaints that the bills now in Congress are unfair to American industry.

BP spokesman Ronnie Chappell said Tuesday's announcements are not a statement on the likelihood that climate change legislation will fail.

"I would never speculate as to what would happen with a pending piece of legislation," Chappell said.

But he said the bills on the table no longer "conform" with what USCAP envisioned for a climate change bill. He said the legislation -- including one bill that passed the House but is stalled in the Senate -- does not provide adequate protections to U.S. refineries.

If any bills are passed, they will result in more oil imports, the closure of U.S. refineries and the loss of U.S. jobs. Plus he said it's too hard on the transportation sector.

"We do not believe that the bills now pending in Congress conform to the USCAP blueprint, in that a disproportionate share of the emissions reductions and disproportionate share of the cost fall on the transportation sector and on transportation consumers and motorists," he said.

Both BP America and Caterpillar were founding members of the group.

ConocoPhillips CEO Jim Mulva also said in a statement that the House and Senate bills "disadvantaged the transportation sector and its consumers" and "unfairly penalized" domestic refineries that would have to face international competition on an unbalanced playing field.

"We believe greater attention and resources need to be dedicated to reversing these missed opportunities, and our actions today are part of that effort," he said.

The companies described their withdrawal from the group as a way to advocate for climate change legislation in other ways.

"Our position on the need for comprehensive climate change legislation has not changed," Chappell said. "We can be a more effective voice in the climate change debate if we participate as BP and not as part of a larger organization. ... We will still be very active in the climate change discussions and we will still be advocating for legislation that conforms to the USCAP blueprint."

USCAP released a brief statement Tuesday announcing that the member companies were leaving the organization. The group said the companies "provided invaluable assistance, expertise and significant commitments of time and resources" in pushing for a major climate bill.

The group reiterated its view that Congress should act on a climate bill this year.

"We believe that U.S. action on energy and climate legislation in 2010 will preserve and create American jobs, secure our energy future and generate new investment in the global clean energy economy," the statement said.

The statement noted that while three companies were leaving, others have recently joined and USCAP "expects to add new members in the coming months."

The push for climate change legislation has been hampered by more than just concern over its impact on the U.S. economy. The record snowfall this year in Washington, D.C., and other areas of the country has fueled skeptics who see the snow-covered capital as evidence that global warming is a myth, though scientists argue that temperatures have risen over the long term and that extreme weather -- even snow -- can be a symptom of climate change.

The U.N. Climate Change Conference in Copenhagen in December ended with a non-binding agreement. And that was preceded by controversy over leaked e-mails from a British climate research center that appeared to show scientists discussing ways to obscure certain climate data.

Add to that Republican Scott Brown's election to the U.S. Senate from Massachusetts in January -- a win that broke the Democrats' 60-vote filibuster-proof majority.

The conservative Competitive Enterprise Institute seized on the departure of the three companies from USCAP as a sign that "cap-and-trade legislation is dead in the U.S. Congress and that global warming alarmism is collapsing rapidly."

FoxNews.com's Judson Berger contributed to this report.

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ACT NOW! ALASKA ACT Alaska Alliance for Cruise Trave

Dear Alaska Business Partner:

With the decision from the cruise industry to move portions of their fleet and their marketing dollars out of Alaska, we now must look ahead with creative minds to keep our Alaska tourism businesses viable. We believe we cannot sit back and wait for the Alaska Legislature, Governor's office, or anyone other than ourselves to affect change that will bring our industry back to life. PLEASE PASS THIS TO ALL OF YOUR EMPLOYEES!

To advance our goals, we are developing a new support group called the Alaska Alliance for Cruise Travel (AlaskaACT) We are not the cruise lines, rather we are a group of local Alaska businesses.

Our Mission Statement is simple:

Alaska Alliance for Cruise Travel is an Alaskan statewide, non-profit, membership-funded organization made up of business and individuals benefiting from cruise travel. Through AlaskaACT, these stakeholders will work together to promote accurate information and support responsible development and growth of Alaska Tourism and the Cruise Industry.

In addition to these activities our organization's efforts are focusing on the following goals:

- Create a positive business environment in Alaska for the cruise and tourism industries
- Encourage the Alaska Legislature and Administration to work toward a resolution of the current legal issues between the State and the cruise industry
- Oppose inequitable taxation directed at the cruise industry
- Support equitable environmental laws for the cruise industry
- Commit its resources to advancing the restoration and stability of the Cruise Industry in the best interest of Alaska, and Alaskans.
- Encourage accurate and honest reporting by the media
- Educate Alaskans about the economic benefits and positive environmental effects of the cruise industry on Alaska
- Support the cruise industry in their efforts to protect and preserve the environment through reasonable and attainable legislation

Please sign up today at www.alaskaact.com

(You will receive an email that will ask you to confirm your registration.)

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CT NOW!

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Please check all that apply: Who is your State Representative (if you know)?

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Thank you showing your support. You will receive an email from Alaska ACT verifying your registration.

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- Subsistence ANILCA provisions and how it is managed today
- General hunting, fishing and trapping on federal lands
- Access to inholdings and across Wilderness Preserves in National Forests, Parks, Refuges and other Conservation System Units and the definition of "compatible with the purposes of a CSU"
- Navigable waters, submerged lands and RS2477s who owns them and what is their status?
- Wilderness Act exceptions in ANILCA
- ANWR and ANILCA
- Management planning and ANILCA
- ANILCA and the State of Alaska



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This seminar was prepared for both those who know very little about ANILCA and those who work with its provisions on a regular basis. The following feedback will help us prepare for your participation.

]	know very little about ANILCA and would like a general introduction to its history, its key concepts and the influence it has on major Alaska issues. I know quite a bit about ANILCA but want to learn more. I work with ANILCA issues regularly but need a deeper understanding of many of its provisions.
Speci	fically, I am interested in the following ANILCA related issues:
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	Γhe Alaska context – our history and visions
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	The struggle leading to the passage of ANILCA, the mobilization of national
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	The geographic context of the Conservation System Units
	Management principles for the Conservation System Units (parks, etc.) in Alaska –
	revising management plans and the step-down planning process
	Alaska exceptions written by Congress to enable the continuation of the Alaska way
	of life and a healthy economy Access across Conservation System Units and to inholdings; the definition of
	'compatible with the purposes of a conservation unit" as it relates to access
	Wilderness reviews and exceptions to the Wilderness Act in Alaska
	Subsistence, including definitions of rural priority, customary trade and management
	General hunting and fishing in National Parks and on other federal lands
	Γhe Arctic National Wildlife Refuge and the debate over the 1002 area
	How ANILCA interfaces with the Alaska Native Claims Settlement Act – access,
	7(b) easements, Native allotments, etc.
	Who owns what, including navigable waters, submerged lands and valid existing
	ights including RS2477 rights-of-way
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Thank you. See you in March!



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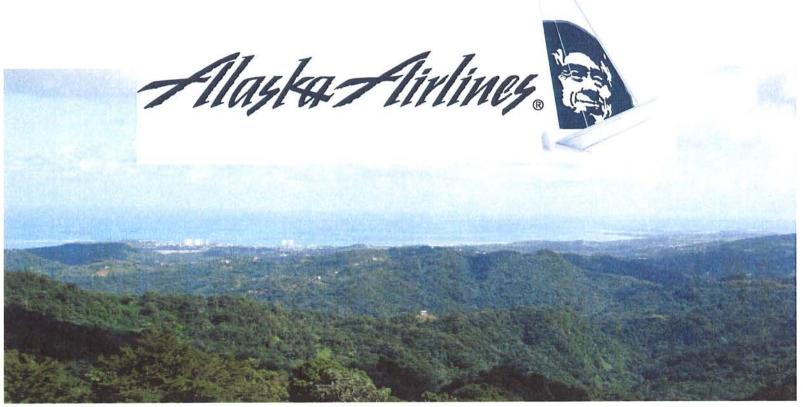
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