

SENATE JOINT RESOLUTION NO. 18

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Introduced: 2/28/24

Referred: Resources

A RESOLUTION

1 **Urging withdrawal of proposed Bureau of Land Management regulations affecting the**
2 **National Petroleum Reserve in Alaska; and urging meaningful engagement with tribes,**
3 **local governments, and affected communities.**

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

5 **WHEREAS**, in 1923, President Warren G. Harding issued an Executive Order
6 establishing Naval Petroleum Reserve No. 4 on the North Slope region to provide a potential
7 supply of oil for the United States Navy; and

8 **WHEREAS** 42 U.S.C. 6501 (Naval Petroleum Reserves Production Act of 1976)
9 redesignated Naval Petroleum Reserve No. 4 as the National Petroleum Reserve in Alaska
10 and transferred responsibility for its administration to the Secretary of the Interior; and

11 **WHEREAS** the National Petroleum Reserve in Alaska encompasses 23,500,000
12 acres, with boundaries extending south from Icy Cape to the drainage divide of the Brooks
13 Range, then following the divide eastward to 156 degrees west longitude, then north to the
14 Colville River, and following the Colville River downstream to its mouth; and

15 **WHEREAS** the National Petroleum Reserve in Alaska falls entirely within the

1 boundary of the North Slope Borough and includes the communities of Atqasuk, Nuiqsut,
2 Utqiagvik, and Wainwright; and

3 **WHEREAS** Alaska Natives have continuously inhabited the region that includes the
4 National Petroleum Reserve in Alaska for over 10,000 years; and

5 **WHEREAS** President Biden has signed multiple Executive Orders directing federal
6 agencies to elevate and honor tribal self-determination and the government-to-government
7 relationship between tribes and the federal government; and

8 **WHEREAS** there are nine federally recognized tribes on the North Slope and five
9 federally recognized tribes in the National Petroleum Reserve in Alaska; and

10 **WHEREAS** federally recognized tribal governments have a nation-to-nation
11 relationship with federal agencies; and

12 **WHEREAS** President Biden's Executive Order 13175 (Consultation and Coordination
13 with Indian Tribal Governments) and Memorandum on Tribal Consultation and Strengthening
14 Nation-to-Nation Relationships both require meaningful consultation and collaboration with
15 tribal officials and require tribal voices in policy deliberations that affect tribal communities;
16 and

17 **WHEREAS** the federal government is directed to consult with Alaska Native
18 Corporations on the same basis as tribes, and Alaska Native Corporations own land within
19 and directly adjacent to the National Petroleum Reserve in Alaska; and

20 **WHEREAS** North Slope municipal and tribal governments, Alaska Native
21 Corporations, and other Alaska Native organizations have requested the proposed Bureau of
22 Land Management regulations restricting development within the National Petroleum Reserve
23 in Alaska be withdrawn pending meaningful tribal consultation, public meetings, and
24 stakeholder engagement; and

25 **WHEREAS** President Biden directed federal agencies to consider the potential
26 benefit and harm of federal regulations, including in relation to wages and inequality; and

27 **WHEREAS** employment with Alaska Native Corporations and their subsidiaries and
28 high unionization rates in the energy industry directly contribute to better wages and lower
29 rates of economic inequality; and

30 **WHEREAS** the 2020 National Petroleum Reserve in Alaska Integrated Activity Plan
31 and Environmental Impact Statement estimates that the exploration, development, and

1 production of oil and gas in the reserve could generate 3,600 direct jobs and 2,750 indirect
2 jobs annually over a period of 30 years; and

3 **WHEREAS** state royalties from oil and gas development in the National Petroleum
4 Reserve in Alaska are allocated to the National Petroleum Reserve in Alaska Impact
5 Mitigation Fund, which is used to provide the local communities of Anaktuvuk Pass, Atkasuk,
6 Nuiqsut, Wainwright, Utqiagvik, and the North Slope Borough with grants to mitigate
7 impacts related to oil and gas development; and

8 **WHEREAS** resource development in the state has benefited rural communities by
9 bringing family-supporting jobs and wages, increased educational opportunities, safe water
10 and wastewater facilities, and expanded health care services to those communities; and

11 **WHEREAS**, because of resource development and associated revenue and
12 infrastructure investments, compared with the national average, rural areas of the state
13 experienced greater increases in life expectancy between 1980 and 2014 in locations where
14 resource development activities, including oil and gas development, mining, and fisheries
15 operations, have occurred; and

16 **WHEREAS** continued development of the state's renewable and oil and gas resources
17 with rapidly advancing carbon sequestration deployment ensures that the state can meet its
18 own energy needs and contribute to national security and global decarbonization goals;

19 **BE IT RESOLVED** the Alaska State Legislature recognizes the authority of a
20 legislative body and further recognizes that regulations are not intended to usurp codified law;
21 and be it

22 **FURTHER RESOLVED** that the Alaska State Legislature affirms the importance of
23 consultation among the federal government, tribal governments, local governments, and
24 Alaska Native corporations regarding proposed federal regulations; and be it

25 **FURTHER RESOLVED** that the Alaska State Legislature concurs with local tribal
26 governments and indigenous stakeholders that consultation regarding the proposed Bureau of
27 Land Management regulations affecting the National Petroleum Reserve in Alaska was
28 insufficient given the potential economic impact of withdrawal of land from development and
29 effects on the ability of tribal and local governments to fund basic infrastructure with property
30 tax revenue; and be it

31 **FURTHER RESOLVED** that the Alaska State Legislature urges withdrawal of the

1 Bureau of Land Management's proposed rule to adopt regulations affecting the National
2 Petroleum Reserve in Alaska, as proposed in September, 2023, asserting that the proposal (1)
3 lacks the benefit of consultation; (2) does not align with the congressionally adopted policy of
4 oil and gas production, subject to reasonable mitigation measures, as reflected in 42 U.S.C.
5 6501 (Naval Petroleum Reserves Production Act of 1976); and (3) does not serve the public
6 interest; and be it

7 **FURTHER RESOLVED** that the Alaska State Legislature urges that future proposed
8 regulations consider the full economic impact of resource development, including jobs within
9 the region and throughout the state, funding for apprenticeship and other workforce
10 development programs, employment of Alaska Native corporation shareholders and tribal
11 members, and effects on wages for working class Alaskans; and be it

12 **FURTHER RESOLVED** that the Alaska State Legislature urges that future proposed
13 regulations by the federal Bureau of Land Management align with the congressionally
14 adopted policy of oil and gas production, subject to reasonable mitigation measures, as
15 reflected in 42 U.S.C. 6501 (Naval Petroleum Reserves Production Act of 1976); and be it

16 **FURTHER RESOLVED** that the Alaska State Legislature urges that future proposed
17 regulations by the federal Bureau of Land Management consider the role of energy production
18 in advancing national security and energy independence for the United States and its allies.

19 **COPIES** of this resolution shall be sent to the Honorable Joseph R. Biden, President
20 of the United States; the Honorable Kamala D. Harris, Vice President of the United States and
21 President of the U.S. Senate; the Honorable Deb Haaland, United States Secretary of the
22 Interior; the Honorable Tracy Stone-Manning, Director, Bureau of Land Management, U.S.
23 Department of the Interior; Steve Cohn, Alaska State Director, Bureau of Land Management,
24 U.S. Department of the Interior; and the Honorable Lisa Murkowski and the Honorable Dan
25 Sullivan, U.S. Senators, and the Honorable Mary Peltola, U.S. Representative, members of
26 the Alaska delegation in Congress.