



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

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BREAKFAST MEETING

Thursday, January 16, 2014

1. Call to order – Phil Cochrane, President
2. Head table Introductions
3. Staff Report – Carl Portman, Deputy Director
4. Program and Keynote Speaker:

Preview of the 2014 Legislative Session

House Speaker Mike Chenault
 Senator Cathy Giessel, Chair, Senate Resources Committee

Next Upcoming Meeting:

Thursday, February 6: Bruce Tangeman, Deputy Commissioner, Alaska
 Department of Revenue, Egan Convention Center

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2014 Resource Development Council Policy Positions

TOP LEGISLATIVE PRIORITIES

- Advocate for tax policy and incentives that enhance the State of Alaska's competitiveness for all industries.
- Support legislation to encourage new exploration and development of Alaska's oil and gas deposits, as well as enhanced production from existing fields.
- Encourage the State to promote and defend the integrity of Alaska's permitting process and advocate for predictable, timely, and efficient state and federal permitting processes based on sound science and economic feasibility.
- Support efforts to bring more accountability to the appeals and litigation processes for community and resource development

General Issues

Fiscal Policy & Planning

- Advocate for tax policy and incentives that enhance the State of Alaska's competitiveness for all industries.
- Advocate for implementation of a comprehensive, responsible, and long-range state fiscal plan.
- Support efforts to limit unrestricted general fund spending to a sustainable level (\$5.5 billion annually, per ISER January 2013 update).
- Support some use of the Permanent Fund earnings as part of a fiscal plan.
- Oppose efforts to enshrine the Permanent Fund Dividend in the Alaska Constitution.
- Encourage and support foreign and domestic private sector investments in Alaska's resource industries and manufacturing.

Access

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

Regulation/Permitting

- Support efforts to bring more accountability to the appeals and litigation processes for community and resource development projects.
- Encourage the State to promote and defend the integrity of Alaska's permitting process.
- Encourage the State to use all available avenues to ensure reasonable and predictable decision making under the CWA Section 404 permit program.
- Advocate for predictable, timely, and efficient state and federal permitting processes based on sound science and economic feasibility.
- 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.
- Support reasonable mixing zones for resource and community development.
- Support efforts to reduce federal interference and devolve more authority to the states.

Infrastructure

- Support transportation and power projects that enhance resource and community development activities.
- Encourage development of new electrical generating and transmission systems to provide stable sources of electricity for economic development and existing consumers.
- Stimulate investment in power and transportation infrastructure by catalyzing private partnership investment through the public-private-partnership (P3) model.

Education

- Support programs, including the Alaska Resource Education program, to educate students and the general public on responsible resource development activities in Alaska.
- Support efforts to provide for a skilled and trained Alaska workforce necessary to support resource development industries.

Industry Specific Issues

Oil & Gas

- Support tax policies that establish a competitive tax structure and incentives to increase the exploration, production and development of all Alaska's oil fields (new and existing).
- Support policies to establish a competitive tax structure and legislative and administration efforts to increase the commercial viability of developing Alaska's natural gas resources.
- Educate and advocate for access to and development of oil and gas resources on federal lands; including the coastal plain of ANWR, NPR-A, and the Alaskan OCS.
- Advocate for federal revenue sharing and/or community impact assistance to maximize benefits of OCS development to Alaska.

Energy

- Support simplified leasing and efficient permitting of non-conventional fuel resources to encourage development of the state's resources and provide energy to local areas.
- 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.

Mining

- Encourage the expansion and increased production from existing deposits as well as new exploration and responsible development of Alaska's mineral and coal resources.
- Advocate continuation and expansion of airborne geophysical mapping and the on-the-ground follow up work required to realize the full benefits of the program.
- Support the State's efforts to maintain control of reclamation bonding.

Fisheries

- Support policies that ensure healthy and sustainable commercial, sport, and subsistence fisheries resources; access and markets for Alaska fishermen, sport charter businesses, and coastal communities; including a reasonable and stable regulatory environment.
- Support funding of fisheries and marine mammal research.
- Encourage programs that not only manage but in fact enhance the State's fisheries resources.

Forestry

- Advocate for a reliable and economical long-term State and federal 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 promote continued growth of the cruise and tourism industries in Alaska.
- Advocate for equitable environmental laws for cruise ships.
- Advocate additional aircraft landing sites and reduced restrictions on over-flights.
- Support South Denali infrastructure development to provide for a variety of visitor experiences and help accommodate future visitor needs in the region.
- Advocate for the reinvestment of a portion of visitor industry-related revenues to market Alaska as a destination.



Newsroom News Releases by Date

EPA releases Bristol Bay Assessment describing potential impacts to salmon and water from copper, gold mining

Release Date: 01/15/2014

Contact Information: Hanady Kader, EPA Public Affairs, 206-553-0454, kader.hanady@epa.gov

Agency launched study after requests for action to protect Bristol Bay watershed from large-scale mining

(Seattle - Jan. 15, 2014) The U.S. Environmental Protection Agency today released its final Bristol Bay Assessment describing potential impacts to salmon and ecological resources from proposed large-scale copper and gold mining in Bristol Bay, Alaska. The report, titled "An Assessment of Potential Mining Impacts on Salmon Ecosystems of Bristol Bay, Alaska," concludes that large-scale mining in the Bristol Bay watershed poses risks to salmon and Alaska Native cultures. Bristol Bay supports the largest sockeye salmon fishery in the world, producing nearly 50 percent of the world's wild sockeye salmon with runs averaging 37.5 million fish each year.

"Over three years, EPA compiled the best, most current science on the Bristol Bay watershed to understand how large-scale mining could impact salmon and water in this unique area of unparalleled natural resources," said Dennis McLerran, Regional Administrator for EPA Region 10. "Our report concludes that large-scale mining poses risks to salmon and the tribal communities that have depended on them for thousands of years. The assessment is a technical resource for governments, tribes and the public as we consider how to address the challenges of large-scale mining and ecological protection in the Bristol Bay watershed."

To assess potential mining impacts to salmon resources, EPA considered realistic mine scenarios based on a preliminary plan that was published by Northern Dynasty Minerals Ltd. and submitted to the U.S. Securities and Exchange Commission. EPA also considered mining industry references and consulted mining experts. Numerous risks associated with large-scale mining are detailed in the assessment:

Risks from Routine Operation

Mine Footprint: Depending on the size of the mine, EPA estimates 24 to 94 miles of salmon-supporting streams and 1,300 to 5,350 acres of wetlands, ponds, and lakes would be destroyed. EPA estimates an additional 9 to 33 miles of salmon-supporting streams would experience altered streamflows likely to affect ecosystem structure and function.

Waste and Wastewater Management: Extensive quantities of mine waste, leachates, and wastewater would have to be collected, stored, treated and managed during mining and long after mining concludes. Consistent with the recent record of similar mines operating in the United States, polluted water from the mine site could enter streams through uncollected leachate or runoff, in spite of modern mining practices. Under routine operations, EPA estimates adverse direct and indirect effects on fish in 13 to 51 miles of streams.

Risks from Accidents and Failures

Wastewater Treatment Plant: Short and long-term water collection and treatment failures are possible. Depending on the size of the mine, EPA estimates adverse direct and indirect effects on fish in 48 to 62 miles of streams under a wastewater treatment failure scenario.

Transportation Corridor: A transportation corridor to Cook Inlet would cross wetlands and approximately 64 streams and rivers in the Kvichak River watershed, 55 of which are known or likely to support salmon. Culvert failures, runoff, and spills of chemicals would put salmon spawning areas in and near Iliamna Lake at risk.

Pipeline: Consistent with the recent record of petroleum pipelines and of similar mines operating in North and South America, pipeline failures along the transportation corridor could release toxic copper concentrate or diesel fuel into salmon-supporting streams or wetlands.

Tailings Dam: Failure of a tailings storage facility dam that released only a partial volume of the stored tailings would result in catastrophic effects on fishery resources.

The assessment found that the Bristol Bay ecosystem generated \$480 million in economic activity in 2009 and provided employment for over 14,000 full and part-time workers. The region supports all five species of Pacific salmon found in North

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Recent additions

- 01/15/2014 [Food Processing Company Settles Violations of Chemical Release Reporting Requirements at Allentown, Pa. Facility](#)
- 01/15/2014 [Howard County, Maryland, Settles Underground Storage Tank Violations at Two Facilities](#)
- 01/15/2014 [EPA Releases Bristol Bay Assessment Describing Potential Impacts to Salmon and Water From Copper, Gold Mining / Agency launched study after requests for action to protect Bristol Bay watershed from large-scale mining](#)
- 01/15/2014 [EPA finds AllenCo facility fails to operate safely, violates federal laws](#)
- 01/15/2014 [Media Advisory: Press conference call with EPA Region 10 Administrator on release of final Bristol Bay Assessment](#)

America: sockeye, coho, Chinook, chum and pink. In addition, it is home to more than 20 other fish species, 190 bird species, and more than 40 terrestrial mammal species, including bears, moose and caribou.

In 2010, several Bristol Bay Alaska Native tribes requested that EPA take action under the Clean Water Act to protect the Bristol Bay watershed and salmon resources from development of the proposed Pebble Mine, a copper, gold and molybdenum mining venture backed by Northern Dynasty Minerals Ltd. Other tribes asked EPA to wait for a mine permitting process to begin before taking action on the potential environmental issues Pebble Mine presents.

Before responding to these requests, EPA identified a need for a scientific assessment to better inform the agency and others. EPA and other scientists with expertise in Alaska fisheries, mining, geochemistry, anthropology, risk assessment, and other disciplines reviewed information compiled by federal resource agencies, tribes, the mining industry, the State of Alaska, and scientific institutions from around the world. EPA focused on the Nushagak and Kvichak River watersheds, which support approximately half of the Bristol Bay sockeye salmon runs.

EPA maintained an open public process, reviewing and considering all comments and scientific data submitted during two separate public comment periods. The agency received approximately 233,000 comments on the first draft of the assessment and 890,000 comments on the second draft. EPA held eight public meetings attended by approximately 2,000 people. EPA consulted with federally recognized tribal governments and Alaska Native Claims Settlement Act village and regional corporations.

The study has been independently peer reviewed for its scientific quality by 12 scientists with expertise in mine engineering, salmon fisheries biology, aquatic ecology, aquatic toxicology, hydrology, wildlife ecology, and Alaska Native cultures.

The agency reviewed information about the copper deposit at the Pebble site and used data submitted by Northern Dynasty Minerals Ltd. to the U.S. Securities and Exchange Commission, including the document titled "Preliminary Assessment of the Pebble Project, Southwest, Alaska," which provides detailed descriptions of three mine development cases representing 25, 45 and 78 years of open pit mining. The 45-year development scenario was presented as the reference case in the Northern Dynasty report.

Over the course of the assessment, EPA met with tribes, Alaska Native corporations, mining company representatives, state and local governments, tribal councils, fishing industry representatives, jewelry companies, seafood processors, restaurant owners, chefs, conservation organizations, members of the faith community, and members of Congress.

EPA produced the report with its authority to perform scientific assessments under Clean Water Act section 104. As a scientific report, this study does not recommend policy or regulatory decisions.

For more information on the EPA Bristol Bay Assessment, visit <http://www.epa.gov/bristolbay>

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For Immediate Release
January 15, 2014

EPA's Plagued Assessment Fails on Many Fronts

Anchorage, AK – Pebble Partnership CEO John Shively had the following comment about the release of a final Bristol Bay assessment from the EPA:

“We have maintained all along that the Bristol Bay watershed assessment process has been rushed and thus has resulted in two very flawed documents. We will have to review the final product to see how many, if any, of these fundamental problems raised by the Pebble Partnership, the State of Alaska, EPA’s peer reviewers and others have been addressed. The EPA has studied much smaller areas than Bristol Bay and taken considerably longer and committed considerably more resources to complete them.

“It is a disappointing day when an agency charged with upholding a science based regulatory process ignores its own rules and regulations, and does not take the time nor expend the effort needed to fully assess impacts in the vast Bristol Bay region. We had higher expectations for the EPA.

“It must be remembered that the report does not assess the effects of the Pebble Project as we have not finalized nor submitted a project for regulatory evaluation. The report is based upon a so-called ‘hypothetical mine’ of the EPA’s design. The hypothetical mines developed by EPA in their first two drafts did not employ the most advanced engineering and mining practices, as will most certainly be used at Pebble.

“And it does not consider the critical environmental safeguards and modern mitigation that state and federal permitting will require for Pebble. Even then, the EPA has grossly *over-estimated* the effects of its *under-engineered* project. PLP has spent many years and \$600 million dollars on engineering and environmental studies to develop a plan for a 21st century mine. We understand the critical role salmon plays in this region of Alaska, both culturally and commercially. This is why we have dedicated significant time and resources to our environmental studies program and why we have taken time to design a responsible project for developing the mineral resource at Pebble.

“EPA did not take the time nor did it commit the financial resources to assess the potential impacts of development in an area the size of the state of Ohio. It is both a poorly conceived and poorly executed study, and it cannot serve as the scientific basis for any decisions concerning Pebble. We have noted throughout this process that the EPA has deviated from its own internal guidance for a report with ever changing objectives.



“Unfortunately the real loss is for stakeholders, especially those in Southwest Alaska who are seeking ways to fully understand modern mining and the range of issues posed by possible development of Pebble. We had certainly hoped that EPA would depoliticize this process and come back to its legitimate and important role of evaluating this project based on the best available science, an evaluation which should take place in the very comprehensive permitting process established by federal law. Clearly this report should not be used as the basis for any type of agency decision regarding Pebble.”

For more information contact:

Mike Heatwole
Vice President, Public Affairs
907-339-2600



FOR IMMEDIATE RELEASE

No. 14-005

State to Pursue Equity Partnership in Gasline

January 10, 2014, Anchorage, Alaska – Governor Sean Parnell today announced that the State of Alaska will pursue becoming an equity partner in the Alaska LNG project. The governor also announced the state will terminate its involvement with TransCanada as its licensee under the Alaska Gasline Inducement Act (AGIA), and partner with the company in a more traditional commercial agreement.

"For the first time in our state's history, the framework is in place to build an all-Alaska gasline on Alaska's terms and in Alaskans' interests," Governor Parnell said. "We have all the necessary parties to make an Alaska gasline project go - three producers, a pre-eminent pipeline builder, an entity in AGDC that can carry Alaskans' interests, and state agencies responsible for the royalties and taxes."

The governor stated he soon expects a commercial agreement, known as a Heads of Agreement, for the Alaska LNG project. The agreement is anticipated to be signed by Exxon, BP, ConocoPhillips, TransCanada, the Alaska Gasline Development Corporation (AGDC), and by the commissioners of the Departments of Revenue and Natural Resources. The Heads of Agreement will be subject to public review by the Legislature.

"As a partner in the gasline project, Alaska will control its own destiny," Governor Parnell said. "Ownership ensures we either pay ourselves for project services, or negotiate and ensure the lowest possible costs. As a partner, Alaskans stand to gain more."

Governor Parnell also intends to introduce legislation addressing how the state will manage its gas resources by authorizing the Department of Natural Resources to modify certain leases, and enter into shipping agreements to move and sell the state's natural gas. The legislation will propose moving from a variable net tax to a flat gross tax for North Slope gas, allow certain leases to pay production taxes with gas, and enable the Departments of Revenue and Natural Resources to manage the state's gas revenues.

"While most Alaskans have seen past efforts to develop a large gas project falter for various reasons, this time is different," Governor Parnell added. "AGDC is our 'ace in the hole,' meaning we can still opt for the smaller volume ASAP project."

###



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of Environmental
Conservation**

DIVISION OF WATER
Director's Office

555 Cordova Street
Anchorage, Alaska 99501
Main: 907.269.7483
Fax: 907.334.2415

January 10, 2014

Re: Public Comment Period for Antidegradation Implementation Regulations; Part of Alaska's Water Quality Standards

Dear Interested Party:

The Clean Water Act requires that each state, as part of its program to protect water quality, adopt a statewide antidegradation policy and identify methods of implementing the policy. The State of Alaska adopted an antidegradation policy (18 AAC 70.015) and the U.S. Environmental Protection Agency approved that policy in 1997. Since 2010, the Department of Environmental Conservation has been implementing that policy through interim implementation methods as it has sought to develop and formalize antidegradation implementation methods in regulations.

"Antidegradation" is a process for determining whether and to what extent the quality of high quality water can be lowered. The antidegradation policy and implementation methods assure that activities that lower water quality are permitted only if those activities are important, necessary, protect existing uses, and do not cause a waterbody to become impaired.

These regulations will be used in permitting discharges to Alaska's waters under the Clean Water Act including wastewater, dredge and fill, and other activities. The primary effect of these draft regulations will be to provide more transparency on the existing process as well as greater clarity and consistency in Department's application of Alaska's antidegradation policy. Another important aspect of the regulations is they will formalize the nomination and designation process for Outstanding Natural Resource Waters. While the Department administers the nomination process, the collective authority to designate such waters remains with the legislature and governor.

Our agency values your comments on these proposed regulations, and we have several ways for you to provide formal comments during the public comment period from January 14 until 4:30 pm on March 17, 2014. On-line you can go to: <http://aws.state.ak.us/OnlinePublicNotices> and submit them electronically. You can fax them to (907) 269-3487. You can mail them to: DEC Division of Water, Attention Earl Crapps, 555 Cordova St., Anchorage, AK, 99501 or email them to earl.crapps@alaska.gov. If you prefer to testify in person we will have informational workshops and formal hearings in Juneau, Anchorage and Fairbanks at the following locations and times:

- Juneau, Feb. 10, 2014: in the ADEC Main Conference Room, 410 Willoughby Street. The informational workshop will start at 4 p.m. with the formal hearing beginning at 5 p.m. and ending at 7 p.m.
- Anchorage, Feb. 12, 2014: in the Atwood Building Conference Room 602, 550 West 7th Ave. The informational workshop will start at 4 p.m. with the formal hearing beginning at 5 p.m. and ending at 7 p.m.

- Fairbanks, Feb. 18, 2014: in the ADEC Conference Rooms B and C, 610 University Avenue. The informational workshop will start at 4:p.m. with the formal hearing beginning at 5 p.m. and ending at 7 p.m.

Through the collective input from a public conference in 2009 and a year-long work group in 2012, these draft regulations seek to promote healthy water and healthy people and provide for valuable economic use of our waters.

For more information on antidegradation and an electronic copy of the proposed regulations visit our web site at: <http://dec.alaska.gov/water/wqsar/Antidegradation/index.html>. On January 13, 2014 this website will have an active link to the draft regulations.

Sincerely,

Andrew Sayers-Fay
Deputy Director, Division of Water

Murkowski's Appropriations Advocacy Reaps Fishery Failure and Tsunami Debris Aid

Senator's Campaign Gets \$75M for Fish Disasters Nationwide,

The **2014 Omnibus Appropriations bill** marks a major benchmark for Senator Lisa Murkowski's negotiations for Alaska that address a wide range of marine needs for the state - most notably providing \$75 million for recent fishery failures nationwide, including Alaska's Chinook disaster in 2012. It also boosts tsunami debris response efforts, advances a much-needed electronic monitoring alternative for Alaska's small boat fishing fleet, and millions in government loans to improve the commercial fishing fleet.

"While the spending bill is a clear positive step to deliver relief to Alaskans, it's not the final step - this is only the end of the beginning. We still must work with other states and the Department of Commerce to determine how these funds are allocated," said Murkowski. "I will not relent in making the strongest case possible for every Alaskan who suffered due to the anemic Chinook run in 2012. We speedily deliver relief to drought-stricken plain states; fishery disasters are droughts in our rivers and streams, and should be responded to, as well."

Over the course of 2012 and 2013, **Senator Murkowski built a bicoastal, bicameral and bipartisan coalition** of Congressional lawmakers to aid Alaskan communities reeling from 2012's anemic salmon run. The funding bill would allot \$75 million to be shared among disaster-struck regions in Alaska, New England, New York and New Jersey, Florida and Mississippi.

The Senator's focus on the continuing tsunami debris issue resulted in \$1M to aid Pacific coastal communities, and requires the National Oceanic and Atmospheric Administration to deliver a report on how federal agencies will work together to resolve lingering tsunami issues. (Senator Murkowski began a push for a **tsunami debris task force** in 2012.)

Items of interest for Alaskan in the appropriations bill:

Fisheries Disaster Funding: \$75 million for federal fisheries disasters declared by the Secretary of Commerce in 2012 and 2013.

Marine Debris: The bill includes \$6 million, specifically allocating \$1 million for the Community Debris Program focused on the 2011 Japanese tsunami.

Requires NOAA to report on how federal agencies are coordinating to address removal of debris on federal land and respond to potential invasive species.

Electronic Monitoring: The bill instructs the National Marine Fisheries Service to test the functionality of electronic monitors - designed to ensure compliance with federal regulations while also not requiring an additional person on-board.

Steller Sea Lions: The bill requires NOAA to report on how the agency is incorporating the independent scientific views into its Biological Opinion. (NOAA is presently considering changes and restrictions on commercial fishing in the Aleutians.)

Fisheries Finance Program: The bill authorizes the increase to \$100 million in low interest government loans for new fishing vessel construction and major rebuilds.

Alaska Data Buoys: The bill includes \$1.7 million to address the current maintenance backlog of research and weather buoys off the coasts of Alaska.

Alaska men appeal rulings on state land fight

Posted: December 20, 2013 - 12:03am

THE ASSOCIATED PRESS

FAIRBANKS — Two Alaska men who have feuded with the federal government over its authority to enforce federal regulations state-owned land in national parks have filed appeals after losing in district court.

Jim Wilde and John Sturgeon filed appeals with the 9th U.S. Circuit Court of Appeals, the Fairbanks Daily News-Miner reported.

The state of Alaska, which had intervened in Sturgeon's case, also is appealing the decision in that case, after a U.S. District Court judge ruled the federal government has the authority to enforce federal regulations on state-owned land in national parks and preserves.

All those appealing say that interpretation is contrary to a section of the Alaska National Interest Lands Conversation Act of 1980, which they interpret was meant to protect Alaskans from the type of federal overreach they say was displayed in their cases.

Jim Wilde, of Central, was arrested by park rangers in 2010 after failing to stop his boat for a safety inspection on the Yukon River within the Yukon-Charley Rivers National Preserve. He was pursued by rangers, one of whom drew a pistol and then a shotgun to get Wilde to pull over. After Wilde complied, a scuffle ensued and Wilde was arrested.

He was convicted of interfering with a government agent engaged in an official duty, violating a lawful order by a park ranger and operating an unregistered boat. He was ordered to pay a \$2,500 fine. A disorderly conduct charge was dismissed.

Sturgeon, of Anchorage, sued in 2011 after being ordered to leave the Yukon-Charley Rivers National Preserve for using a hovercraft to hunt moose on the Nation River several years earlier.

Sturgeon said he stopped on a gravel bar to work on his hovercraft when three armed rangers stopped, told him it was illegal to operate the boat in the preserve and ordered him to leave. Sturgeon had been using hovercraft there since 1990.

The state joined the lawsuit in December 2011 after the Alaska Department of Fish and Game was denied a Park Service permit to use a helicopter to conduct salmon research on state land on the Alagnak River in Katmai National Preserve.

The appeals will focus on the judges' interpretation of language in the 1980 law. Lawyers expect the three cases to be combined into one since the situations are similar.

Comment.

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