

**Are the Clean Water, Clean Air, &
Endangered Species Acts
Being Used to Advance an
Anti-Development Agenda?**

Resource Development Council
28th Annual Conference-November 15, 2007

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Alaska Oil & Gas Association

ESA Listing of Polar Bears

- February, 2005
Center for Biological Diversity Petition to USFWS
- January, 2007
USFWS Proposal to List
- September, 2007
USGS “supporting” reports
- January, 2008
DOI will decide
- Next step?
Critical habitat designations

“Listing the polar bear under the Endangered Species Act, while hugely significant both legally and politically, will not in and of itself save the polar bear or its Arctic sea-ice habitat.”-

Center for Biological Diversity



“A series of administrative and legal events in the listing process have greatly increased public awareness of the polar bear’s plight...The proposal to list the polar bear was greeted by worldwide media attention.” –Center for Biological Diversity

- 250 television stories
- 1000 print stories
- 240 editorials
- 600,000 comments (mostly by online form letters) submitted during the proposal’s public comment period



CBD Actions

- *Polar Bear Incidental Take Regulations Lawsuit*
- *Yellow-billed Loon CHA Petition*
- *Cook Inlet Beluga Whale ESA Petition*
- *MMS 5-year Leasing Program Lawsuit*
- *Pacific Right Whale CHA Petition*
- *Stock Assessment Litigation*
- *CWA Impaired Waterbody Petition*

“ We must act now to prevent global warming's evil twin, ocean acidification, from destroying our ocean ecosystems.”-Center for Biological Diversity



“At this rate it would take about 1,000 years of current CO2 emissions to make the oceans acidic. The technically accurate description is that the oceans are becoming less basic, not more acidic. But, this description doesn't carry the same alarmist flair.”-Center for Science and Public Policy

Reaction to 9th Circuit Injunction?

- *CBD: “If polar bears are to survive as the arctic melts in the face of global warming, we need to protect their habitat.”*
- *Trustees for Alaska: “This is a precedent-setting case in the age of global warming. It shows that we have to be extra careful for polar bears, bowhead whales...when we’re considering oil development.”*

On the Home Front: Ballot Initiatives

- *07WIFI: An Act to Provide for Cleaner Waters in Alaska by Prohibiting Pollution Mixing Zones in Wild Salmon and Other Fisheries Spawning Waters.*
- *07WTR and 07WTR3: An Act to protect Alaska's clean water.*

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