



**FOR IMMEDIATE RELEASE**

**No. 09-06**

**Governor Announces Challenge to Beluga Listing Decision;  
Provides Federal Agencies with Notice of Intent to Sue**

January 14, 2009, Anchorage, Alaska - Governor Sarah Palin announced today that the State of Alaska filed a notice of intent to file a lawsuit challenging the federal government's decision to list beluga whales in Cook Inlet as threatened under the Endangered Species Act.

"The State of Alaska has worked cooperatively with the federal government to protect and conserve beluga whales in Cook Inlet," said Governor Palin. "This listing decision didn't take those efforts into account as required by law."

The notice of the state's intent to sue was sent to the Secretary of Commerce and the National Marine Fisheries Service (NMFS). It asserts that the listing decision should be withdrawn due to failure to adequately consider conservation or protection efforts by Alaska, failure to provide to Alaska's agencies an adequate written justification for portions of NMFS' final rule not consistent with the agencies' comments, failure to properly document or support its determination that the beluga whales in Cook Inlet comprise a distinct population segment and failure to provide a public review and comment period on significant studies and documentation used to support the listing.

"With this notice of intent, we are informing the federal agencies that, unless corrected, we will file suit due to the decision's failure to comply with provisions of the Endangered Species Act and the Administrative Procedure Act," said Attorney General Talis Colberg. "Failure to consider protection measures already in place and failure to document and support key elements of this decision are major flaws in the final rule."

Concern about the decline in Cook Inlet Beluga whales led the State of Alaska to petition NMFS to list the whales as depleted under the Marine Mammal Protection Act (MMPA), which resulted in restrictions on harvest beginning in 2000. The population has since stabilized and shows signs of recovery. Population estimates have increased 30 percent since 2005.

The state has placed much of the important beluga habitat within Cook Inlet in protected status, including several state game refuges and critical habitat areas. Recent actions by the Alaska Department of Natural Resources have maintained protection of important habitat by removing it from lease and sale offerings, even though there was no evidence of any habitat decline or habitat-related cause for the population decline.

The listing decision failed to properly consider the substantial regulation by the state and its political subdivisions of beluga habitat and food supply covering nearly every aspect of the environment affecting beluga whales in Cook Inlet, including water quality, oil and gas

development, coastal and upland development, prey species management, cruise ship regulation, and port development, among many others. These laws, when considered together with existing federal regulations, ensure that beluga whales in Cook Inlet are well-protected.

"Belugas are protected by the State of Alaska and the federal Marine Mammal Protection Act," said Alaska Department of Fish and Game Commissioner Denby Lloyd. "An ESA listing is not appropriate or necessary at this time. The population is stable and beginning to recover, just as we predicted when advocating for MMPA protection."

In written comments to the agency, the State of Alaska disagreed with many aspects of the decision including questionable use of computer population modeling, the contention that the belugas in Cook Inlet are a separate and distinct population from other belugas and the premise that a 1 percent chance of extinction in 50 years meets the criteria necessary for an endangered species listing.

"While challenging the listing, we will continue to protect beluga whales," said Governor Palin. "We will also be assisting Alaskan communities and stakeholders with navigating the complex bureaucratic process this listing decision imposes on their projects and working cooperatively with federal agencies on the required consultations, designations of critical habitat and development of a recovery plan and objectives."

###



## RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

### **RDC Action Alert:** ***Alaska Outer Continental Shelf Lease Sales***

**Comment deadline is March 16, 2008**

#### **Overview:**

The Minerals Management Service (MMS) is seeking comments on its Draft Environmental Impact Statement (DEIS) for Beaufort Sea and Chukchi Sea OCS Oil and Gas Lease Sales 209, 212, 217, and 221. Alaska's offshore waters hold great potential for meeting the nation's energy needs. In fact, the Chukchi Sea is considered the nation's most prolific, unexplored offshore basin in North America. MMS has estimated that Alaska's OCS contains 27 billion barrels of oil and 132 trillion cubic feet of natural gas. By comparison, total production from the North Slope since 1977 has been 15.5 billion barrels. Access to Alaska's OCS resources will be a key element in the economic feasibility of the proposed natural gas pipeline from the North Slope to the Lower 48. Alaska OCS lease sales to date have generated over \$3 billion in bonus payments to the U.S. Treasury.

For additional information, refer to MMS's hearing notice located at:

[http://www.mms.gov/alaska/cproject/ArcticMultiSale\\_209/2008\\_1219\\_NOA.pdf](http://www.mms.gov/alaska/cproject/ArcticMultiSale_209/2008_1219_NOA.pdf)

#### **Action Requested:**

RDC encourages its members to participate in the process by submitting comments and presenting brief testimony at public hearings scheduled later this month. It is vital that MMS and the Obama administration hear from Alaskans that these lease sales are critical to Alaska and for the nation's long-term energy security. MMS will count verbal and written comments for and against the proposed lease sales to assist the administration in deciding whether to hold the sales, determining lease terms/stipulations, and recommending whether portions of the sale area should be deferred or withdrawn.

The opposition will likely turn out in force at public hearings to oppose the sales. They can be expected to generate heavy write-in and email campaigns. Their objective is to show the new administration and incoming Department of the Interior Secretary Salazar that "Alaskans and people throughout the nation do not support OCS drilling." Therefore, it is critical that those supporting the lease sales express their opinion.

Send written comments to:

*Alaska OCS Region, Minerals Management Service  
3801 Centerpoint Drive, Suite 500  
Anchorage, Alaska 99503-5820*

Online: <https://ocsconnect.mms.gov/pes-public/>

Click on "Quick Search" and type in: Sales 209, 212, 217, and 221.

Click on Project ID to see DEIS and to submit comments.

**Comment deadline is March 16, 2008**

#### **Attend a public hearing to present brief testimony:**

Please also consider making a brief statement at the Anchorage hearing. Please sign in early!

**Thursday, January 15<sup>th</sup> at 7 p.m.**

Location: Centerpoint Building, 3801 Centerpoint Drive,

## 1<sup>st</sup> floor conference room

Public hearings also will be scheduled in the following communities between January 16 and March 15, 2009: Kaktovik, Wainwright, Point Lay, Point Hope, Barrow, and Nuiqsut. The dates, time, and locations for these hearings soon will be announced to the public on the MMS Web site: <http://www.mms.gov/alaska/>

### Points to consider for your comments:

- The Alaska OCS is an important future source of U.S. energy supply with an estimated 27 billion barrels of oil and 132 trillion cubic feet of natural gas potentially in place. The Chukchi Sea is considered the most prospective unexplored offshore basin in the country.
- Responsible development of Alaska's offshore energy resources would help meet future U.S. energy demand and offset declining production from mature basins in the U.S. and Canada. Moreover, Alaska OCS development would geographically diversify offshore domestic supplies beyond the hurricane-prone Gulf of Mexico.
- Any energy plan for the nation must include Alaska, which accounts for over 30 percent of the nation's technically recoverable resources.
- MMS should maintain regular lease sales in the Beaufort and Chukchi Seas, as well as portions of the North Aleutian Basin. Oil and gas production can move forward in these areas in an environmentally-sensitive and responsible manner through a strong regulatory regime, state-of-the-art oil spill response, seasonal operating restrictions as needed, and mitigation measures to avoid conflicts with other resource users.
- Revenue sharing from the OCS with local communities should be enacted to help address local impacts.
- OCS production in Alaska would provide many benefits, including hundreds of new jobs in rural and urban areas, additional tax income to the state and local governments, new local sources of fuel and energy, and improved search and rescue operations.
- Subsistence whaling is vitally important, both economically and culturally to North Slope villages. Seasonal restrictions and/or deferrals of specific tracts in active whaling waters should be considered to avoid potential conflicts. Early consultation and conflict avoidance mechanisms should also be established.
- OCS development has an outstanding safety and environmental record spanning decades. Development has coexisted with other industries, including fishing, in the North Sea, the Gulf of Mexico and Cook Inlet.
- Given long lead times for development, which can exceed ten years, MMS must proceed expeditiously with key lease sales. Otherwise, production from new areas could be pushed back decades.
- Demand for energy is continuing to rise and reality will require continued development of America's oil and gas resources as the nation transitions to the new energy sources of the future. While renewable energy will make up a growing part of the U.S. energy portfolio, they will not significantly reduce our reliance on foreign sources of oil in the near or mid-term.
- The health of our economy and our national security will require utilization of both conventional and unconventional energy sources. No single approach is enough as we cannot drill our way to energy independence, nor can we conserve our way.
- Given the impact of high energy prices on Americans and their economy, the U.S. has a moral obligation to develop domestic energy sources, both onshore and offshore. These resources will buy us the time we need to develop alternative and renewable energy resources that will someday break our reliance on foreign oil.

**Comment deadline is March 16, 2008**

Resource Development Council for Alaska, Inc.  
121 West Fireweed, Suite 250 Anchorage, AK 99503  
[resources@akrdc.org](mailto:resources@akrdc.org) Phone: 907.276.0700 Fax: 907.276.3887

## Red Dog Mine - Aqqaluk Project Supplemental Environmental Impact Statement

The U.S. Environmental Protection Agency (EPA) has developed a draft Supplemental Environmental Impact Statement (SEIS) for the Red Dog Mine. The Red Dog Mine is operated by Teck Cominco Alaska, Incorporated (Teck), which is proposing to extend the life of the Red Dog Mine operation. The Red Dog Mine is located in northwestern Alaska, approximately 82 miles north of Kotzebue. The Red Dog Mine operation consists of an open pit mine, mill for processing ore, waste rock disposal areas, tailings impoundment, and support facilities. Zinc and lead concentrates produced at the mill are trucked 52 miles to a port site on the Chukchi Sea for shipping to smelters outside of Alaska. The current mine pit will be mined out between 2010 and 2012. Teck proposes to mine an adjacent deposit, called the Aqqaluk Deposit, in order to continue operations until approximately 2031. The draft

### Main Pit and Aqqaluk Deposit



SEIS serves to support EPA's proposed decision to reissue the Clean Water Act (CWA) Section 402 National Pollutant Discharge Elimination System (NPDES) permit for the Red Dog Mine including any changes as a result of mining the Aqqaluk Deposit. The draft SEIS updates the environmental impact statement (EIS) developed in 1984 when the first NPDES permit was issued for discharges from the mine. The SEIS is also intended to support permitting associated with the Aqqaluk deposit by the U.S. Army Corps of Engineers (Corps) under Clean Water Act Section 404. Both federal actions the NPDES permit and 404 permits require compliance with NEPA. The EPA is the lead agency for the development of the SEIS. Cooperating agencies include: the U.S. Army Corps of Engineers, National Park Service, State of Alaska Department of Natural Resources, Northwest Arctic Borough, and, as represented by the Maniilaq Association, nine tribal governments (Buckland, Kiana, Kivalina, Kobuk, Kotzebue, Noatak, Noorvik, Selawik, and Shungnak).

EPA selected Tetra Tech to be the third-party contractor to work with EPA and the cooperating agencies to write the SEIS.

This website provides access to the draft SEIS and supporting documents. It also provides information on requesting copies of the document and for submitting public comments on the draft SEIS.

Links: [Get Adobe Reader](#) :: [Tetra Tech](#)

## Download Center

Below are some frequently requested documents for the Red Dog Project. To save a file to your hard drive, right click on the document and choose [Save Target As](#). To display the file, simply click the link. Note that some of these files are large, so they may take a while to download or display.

[Draft Supplemental Environmental Impact Statement](#)

- [Draft SEIS](#)
- [Red Dog Process and](#)

### Bulletins

EPA will host four public meetings/hearings for the Red Dog -Aqqaluk Project Draft SEIS and Draft NPDES permit. The times and locations of the open houses/public meetings are as follows:

Kivalina	January 12, 2009	Kivalina School (3:00 p.m.)
Noatak	January 13, 2009	Noatak School (3:00 p.m.)
Kotzebue	January 14, 2009	Northwest Arctic Borough

Photo Gallery

NPDES Draft Permit and Fact Sheet

- NPDES Draft Permit
- NPDES Permit Fact Sheet

Other Information

Assembly Chambers (10:00 a.m.)

Anchorage

January 15, 2009

Loussac Library (6:00 p.m.)  
3600 Denali Street.

Four public meetings have been scheduled to provide information and answer questions about the DSEIS and draft NPDES permit. The meetings will also include a hearing to formally receive oral comments from the public. Comments may be submitted in writing or verbally during the public hearings, or they may be submitted to EPA in writing, by e-mail, or by fax, until the comment period deadline at the close of business on February 3, 2009.

- <http://www.dec.state.ak.us/air/reddog.htm>
- <http://www.dec.state.ak.us/spar/csp/sites/reddog.htm>
- <http://www.dnr.state.ak.us/mlw/mining/largemine/reddog/>
- <http://www.dnr.state.ak.us/habitat/techrepts.htm>
- <http://www.dnr.state.ak.us/habitat/reddog.htm>
- <http://www.nana.com>
- <http://www.teck.com>
- <http://www.reddogalaska.com>

Cooperating Agency Links

- <http://www.epa.gov/Region10/>
- <http://www.poa.usace.army.mil/hm/default.htm>
- <http://www.nps.gov/noaa/>
- <http://www.dnr.state.ak.us/>
- <http://www.dec.state.ak.us/>
- <http://www.nwabor.org/>
- <http://www.maniilaq.org>

Questions

If you have any questions, please contact the EPA Red Dog Mine SEIS Project Manager, Ms. Patricia McGrath, 1200 Sixth Avenue, Suite 900, OWW-135, Seattle, WA 98101. Phone: (206) 553-0979 or Email:

[Mcgrath.Patricia@epa.gov](mailto:Mcgrath.Patricia@epa.gov).

Public Comments

The comment period for the draft SEIS runs from December 5, 2008 through February 3, 2009. Comments can be submitted on this [PDF form](#) and mailed or faxed to the location above. Or, you may save this [.DOC comment form](#), type in your comments, and email it as an attachment to [mcgrath.patricia@epa.gov](mailto:mcgrath.patricia@epa.gov). You can also simply email a comment directly.

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# Meet Alaska

## 2009 Conference

### Northern Exposures

*Running the gauntlet of risks to reach Alaska's oil & gas riches*

Friday, January 23, 2009

Sheraton Anchorage Hotel

Program starts at 8:30 a.m.

#### PACKET INCLUDES:

**Speaker line-up**  
**Registration form**  
**Sponsor invitation**



**THE ALLIANCE**  
ALASKA SUPPORT INDUSTRY ALLIANCE



## 2009 CONFERENCE LINE-UP

### Northern Exposures

*Running the gauntlet of risks to reach Alaska's oil & gas riches*

## 2009 FEATURED SPEAKERS

BRIAN FRANK

*President, North American Gas & Power, BP*

LARRY BURTON

*Executive Director, Business Roundtable*

JOHN CARRIG

*President & Chief Operating Officer, ConocoPhillips*

SCOTT GOLDSMITH

*Professor of Economics, Institute for Social & Economic Research  
University of Alaska Anchorage*

JAY STILL

*Executive Vice President, Domestic Operations  
Pioneer Natural Resources*

JOHN 'T HART

*Executive Vice President, Exploration, Talisman Energy*

EDWARD KELLY

*Vice President, North American Gas & Power, Wood Mackenzie*

MIKE FLYNN

*Vice President, Arctic Development, ExxonMobil Development Co.*

## DRILL, BABY, DRILL!: NEW PROJECTS, NEW CHALLENGES FOR NORTH SLOPE RIGS

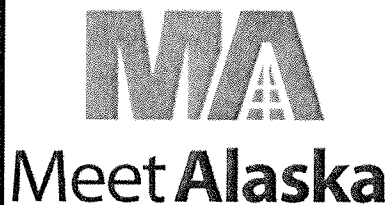
JOEY HUSBAND

*Alaska General Manager, Parker Drilling*

DON KORACH

*Engineering Manager, Nabors Drilling*





# MEET ALASKA 2009 REGISTRATION

**Company:** \_\_\_\_\_  
**Contact:** \_\_\_\_\_  
**Email:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City/State/Zip:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Voice:** (\_\_\_\_) \_\_\_\_\_ **Fax:** (\_\_\_\_) \_\_\_\_\_

1) \_\_\_\_\_  
     Name Title Company (if different than above)  
 2) \_\_\_\_\_  
     Name Title Company (if different than above)  
 3) \_\_\_\_\_  
     Name Title Company (if different than above)  
 4) \_\_\_\_\_  
     Name Title Company (if different than above)  
 5) \_\_\_\_\_  
     Name Title Company (if different than above)

## PAYMENT INFORMATION

Registration Options	Registration Cost	Quantity	Sub-Total
• Legislators and Government Officials (by Jan. 9)	\$250 per person	_____	\$ _____
• Legislators and Government Officials (after Jan. 9)	\$275 per person	_____	\$ _____
• Early Bird Member Registration (by Jan. 9)	\$245 per person	_____	\$ _____
• Alliance Member Registration (after Jan. 9)	\$275 per person	_____	\$ _____
• Early Bird Non-Member Registration (by Jan. 9)	\$275 per person	_____	\$ _____
• Non-Member Registration (after Jan. 9)	\$295 per person	_____	\$ _____

• New Member Special — SAVE \$75\*\*\* \$645 w/one registration \_\_\_\_\_ \$ \_\_\_\_\_  
**TOTAL REGISTRATION FEES** \_\_\_\_\_ \$ \_\_\_\_\_

The New Member Special includes Meet Alaska registration for one individual, plus a one-year company membership in the Alliance

\_\_\_ Check Enclosed for \$ \_\_\_\_\_ Please Invoice for \$ \_\_\_\_\_

Credit Card (check type): \_\_\_ VISA \_\_\_ Master Card

Credit Card Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Cardholder's Name: \_\_\_\_\_ Signature: \_\_\_\_\_

NOTE: NO REFUNDS FOR CANCELLATIONS MADE AFTER JANUARY 16, 2009

**Subject: Donate to AMEREF through your PFD!**

**Date:** Wednesday, December 31, 2008 11:55 AM

**From:** RDC <resources@akrdc.org>

**To:** <jbrune@akrdc.org>

**Conversation:** Donate to AMEREF through your PFD!

Starting tomorrow, you can register online for your annual Permanent Fund Dividend (PFD). As part of the registration process, you can now also select organizations to donate portions of your PFD to. We would like to encourage you to donate to AMEREF, the Alaska Mineral and Energy Resource Education Fund.

AMEREF is a 501(c)(3) non-profit organization that provides educational materials and training about our state's natural resources to Alaska's teachers. AMEREF's mission is to provide Alaska's students with the knowledge to make informed decisions relating to mineral, energy, and forest resources.

Remember, the PFD wouldn't be here today if it weren't for responsible resource development, and it is imperative we continue to teach future generations of Alaskans about the importance of our natural resources.

When you apply for your Permanent Fund Dividend, select the Alaska Mineral and Energy Resource Education Fund under 'The Gift of Giving.' Pick, click, and give!

Simply follow these easy steps:

1. Apply for your PFD Online at <http://www.pfd.state.ak.us/>
2. Choose to give a portion of your PFD
3. Search by Region: Statewide
4. Search for Organization: Alaska Mineral and Energy Resource Education Fund
5. Give \$25 or more up to the full 2009 dividend
6. Check the Opt-In box so that we can recognize you for your gift

For more information, visit <http://www.ameref.org> or call 907-276-KITS (5487)

Another easy way to donate to AMEREF is online, any day of the year:  
<http://www.ameref.org/donate.html>

Thank you for your support of AMEREF and Happy New Year.