

COMMUNITY
Xtra!

Business News

Is the federal government overreaching its authority in Alaska?

What do you call it when the 3rd grade girl in the cafeteria reaches into the boy's tray across the table and takes his cookie? In the real world we would say, "She stole his cookie!"

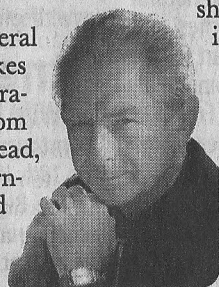
When the Federal government takes your stuff, we graciously refrain from calling it theft; instead, we say, "the government overreached its authority".

But what if the type of "overreach" the federal government practices in Alaska threatens our future? What would you do next?

We can be thankful that a state advisory commission charged with looking at such challenges is acting to define the problem and develop solutions.

On Monday and Tuesday

this week, the state government's Citizens' Advisory Commission on Federal Areas convened a summit to explore the nature of federal overreach here and what should be done about it.



By Dave Harbour

According to the summit's invitation to the public, its purpose is "...to discuss, document and highlight areas where the relationship with federal government agencies with respect to the management of Alaska's land and natural resources may be deteriorating."

The speaker roster included some unusually well informed experts on state-federal relationships, including Governor Sean Parnell, Senator Lisa Murkowski, Congressman Don Young,

and Attorney General Michael Geraghty. Sometime this week, the organizers will be placing these historical presentations on line at: www.cafa.eventbrite.com.

However, even before the summit convenes, we can make note of several points that may improve our understanding of this issue:

First. President Eisenhower's signing of our Statehood Proclamation on January 3, 1959, following an act of Congress, adoption of our constitution and a vote of the people, composed the "Statehood Compact". Until 1959, opponents of statehood had argued that Alaska couldn't pay its own way. This is one of the reasons that Alaska was granted over 100 million acres of its own - more than any other state - in addition to 90% of mineral leasing revenue on federal lands.

Second. Over the years,

the federal government's natural resource bureaucracies grew as Congress enacted the Clean Air Act, Clean Water Act, Endangered Species Act, among others. And with each act came more regulations, restrictions on Alaska that did not exist at the time of statehood.

Third. In and of themselves the environmental acts above were well intended. But in www.northerngaspipelines.com we have documented over the last decade a steady increase in the heavy hand of federal overreach.

Here are several examples:

- The Environmental Protection Agency's (EPA) delay of Shell's reasonable applications for Clean Air Act permits to explore the Chukchi and Beaufort Seas on leases it purchased from the federal government in good faith resulted in unjustified delays in

Shell's exploration programs. The EPA has - many think, illegally - used the Clean Water Act to determine whether it should stop a mining project on Alaska state lands before that project has even filed a permit application or plan of development.

- The U.S. Fish and Wildlife Service (USFWS) designated 187,166 square miles as a critical habitat for polar bears. It has urged restricted access to the small sliver of land designated by Congress for oil and gas activity within the Arctic National Wildlife Refuge

- The Bureau of Land Management closed half of the National Petroleum Reserve Alaska to oil and gas exploration and development while it has refused for years to clean up federal drilling debris and hazardous waste that government drilling created in the

petroleum reserve.

Yes, federal overreach endangers Alaska's ability to economically survive. Oil from federal and state lands is needed to keep the 3/4 empty Trans Alaska Pipeline System (TAPS) from drying up. If TAPS goes down, it would take 90% of Alaska's operating budget and over half of Alaska's economy with it.

Dave Harbour is publisher of www.northerngaspipelines.com. He is former Chairman of the Regulatory Commission of Alaska, the Alaska Council on Economic Education, the Anchorage Chamber of Commerce, and the Hugh O'Brian Youth Foundation-Alaska.

The opinions in this column are those of the author and do not necessarily reflect those of the editors.