

**Fred Parady
Executive Director
Alaska Miners Association**

**Testimony before the United States House of Representatives Natural Resource
Committee, Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs**

Re:

**Alaska's Sovereignty in Peril: The National Ocean Policy's Goal to Federalize Alaska
April 3, 2012**

Good morning members of the committee. My name is Fred Parady, Executive Director of the Alaska Miners Association (AMA). The Alaska Miners Association is a non-profit membership organization established in 1939 to represent the mining industry in Alaska. The AMA is a 501 C-6 International non-profit composed of more than 1400 individual prospectors, geologists and engineers, vendors, suction dredge miners, small family mines, junior mining companies, and major mining companies. Our members look for and produce gold, silver, platinum, diamonds, lead, zinc, copper, coal, limestone, sand and gravel, crushed stone, armor rock, and other materials. Our members live and work throughout Alaska, Canada, Russia, Mongolia, and the lower 49 states. We have submitted the required documents for the record.

The proposed National Ocean Policy will have a significantly disproportionate impact on Alaska's resource dependent industries and our economy as a whole, for the simple and straightforward reason that at approximately 34,000 miles, Alaska has more coastline than all of the lower 48 states combined.

The existing regulatory regime is already cumbersome and complex, a blend of State and Federal permitting and oversight that reflects tangled history but is not a streamlined, sensible process. The National Ocean Policy simply adds a layer of increased bureaucracy that will further slow already slow processes with no concomitant benefit to the environment. It is our strong view that the Coastal Marine Spatial Planning/Regional Planning Body structure is an unauthorized new regulatory program.

The ecosystem-based management goal as specified will undoubtedly require vast quantities of scientific data. Given that the purported lack of sufficient information itself is often the basis for third party legal claims by Environmental Non-government Organization (eNGOs) to block development projects, this new requirement will generate another endless round of study and halt common sense decisions in their tracks. Natural resource managers need to use best available data to move forward and make the best decisions with information available.

Clearly, uncertainty is heightened by the National Ocean Policy's stated policy of reaching to onshore activities that may have impacts on marine waters. Section 404 of clean water act and the ubiquitous nature of wetlands means upland activities already are highly regulated in Alaska. A plethora of petitions to list additional species under ESA onshore and off are adding substantial burdens to landowners and resource industries, without resulting in any recognizable progress for the underlying species. But one example is that hardrock mines in Alaska require over 60 State and Federal authorizations to proceed with development. The National Ocean Policy adds yet another another hurdle to overcome, and will serve to provide an additional platform for third party eNGOs to

litigate against projects that fail to meet the informational requirements or expectations for the National Ocean Policy.

AMA is further concerned that Coastal and Marine Spatial Planning will likely lead to far reaching use restrictions on marine waters that will over-ride the social and economic needs of Alaskans. No one present at the signing of the original wetlands legislation anticipated that it would be anything more than a mechanism to insure ducks had sufficient wetlands for breeding. Yet look at the ways in which regulatory interpretation has broadened from that date. Broad swaths of submerged lands could be restricted in exclusionary zones for a nebulous national agenda of “ecosystem based management”. One specific Alaska example regards the recovery of gold resources off the shores of Nome, which the State recently successfully leased. Such activity would be slowed if not stopped. Even if restricted zones were more modest in size and scope, use restrictions in strategic marine corridors necessary for resource transport and shipping could be devastating to our marine dependent industries.

One note worth making is that a justification for Coastal and Marine Spatial Planning is to resolve conflict among diverse resource interests, yet AMA and other resource associations are firmly aligned in opposing this overreaching effort. We are all concerned that NOP will create far more difficulties for these industries than it will resolve.

In closing, AMA strongly urges Congress to maintain an integral and substantial oversight role in these broad efforts to change the way ocean and coastal resources are managed. The power of appropriation could and should be used to restrain the premature implementation of the National Ocean Policy. Congressional oversight is needed to ensure implementation of the National Ocean Policy does not prevent Federal Agencies from fulfilling their core congressional mandates to adjudicate needed federal permits and leases.

AMA notes that there has not been meaningful stakeholder engagement. Detailed economic analysis of impacts of the policy should be completed and available for full public and Congressional review before policy implantation. The Handbook for Regional Coastal Marine Spatial Planning must be subject to public input, review, and comment before implementation.

At best, we believe the National Oceans Council should utilize pilot projects in geographic areas where NOP and CMSP has some acceptance, before broad swaths of ocean and marine areas, such as Alaska, have this policy imposed upon them.

Finally, during this very tenuous economic recovery with accompanying high unemployment, Congress and the administration should be untangling the complex web of complex statutes and regulations that are strangling our productive resource sector of our economy and killing job creation. National Ocean Policy does exactly the opposite – it adds complexity and jurisdictional ambiguity. Congress, the States and the private sector should have a more meaningful role in development and implementation of such far-reaching policies for State and Federal waters and upland resources.

Thank you for the opportunity to comment on this far-reaching initiative.