

## **NORTHWEST ARCTIC BOROUGH ASSEMBLY**

### **RESOLUTION NUMBER 15-15**

**A RESOLUTION OF THE NORTHWEST ARCTIC BOROUGH ASSEMBLY APPROVING JOINING A LAWSUIT AGAINST THE NATIONAL MARINE FISHERIES SERVICES REGARDING ITS DECISION TO LIST THE ARCTIC, OKHOTSK, BALTIC, AND LAGODA SUBSPECIES OF THE RINGED SEAL UNDER THE ENDANGERED SPECIES ACT IN AN AMOUNT NOT TO EXCEED \$20,000.**

**WHEREAS:** On December 28, 2012 the National Marine Fisheries Services (NMFS) listed several species of ringed seals as threatened and endangered species, and

**WHEREAS:** On December 9, 2014, NMFS proposed to designate critical habitat for the Arctic subspecies of ringed seals, and

**WHEREAS:** NMFS acknowledges that ringed seals populations are currently robust, are widely distributed throughout their range, have a high degree of genetic diversity, and are not currently at risk of extinction, and

**WHEREAS:** The Arctic subspecies was listed as threatened based upon climate-related habitat impacts anticipated to occur after 2050 based upon the Intergovernmental Panel on Climate Change climate modeling, and

**WHEREAS:** The Northwest Arctic Borough previously joined a similar lawsuit involving the bearded seals listing as a threatened species based upon the same climate modeling and that litigation is currently on appeal to the Ninth Circuit Court of Appeals from the Alaska District Court which held the threatened species listing was arbitrary, capricious, and an abuse of discretion, and

**WHEREAS:** The Inupiat people have relied upon ringed seals for thousands of years as part of their traditional subsistence lifestyle, and

**WHEREAS:** The Alaska Oil and Gas Association, American Petroleum Institute, North Slope Borough, and the State of Alaska have filed complaints in Alaska District Court and others are expected to join in the litigation, and

**NOW THEREFORE BE IT RESOLVED:** The Northwest Arctic Borough approves joining a lawsuit against the National Marine Fisheries Services regarding its decision to list the Arctic, Okhotsk, Baltic, and Ladoga subspecies of the ringed seal under the Endangered Species Act in an amount not to exceed \$20,000.

**NOW THEREFORE BE IT RESOLVED:** That the Mayor shall execute the required documents to join the litigation.

**PASSED AND ADOPTED THIS 26<sup>th</sup> DAY OF MARCH 2015.**



**Carl Weisner, Northwest Arctic Borough, President**

**PASSED AND ADOPTED THE 26<sup>th</sup> DAY OF MARCH, 2015.**



**Reggie Joule, Mayor**

**SIGNED AND ATTESTED TO THIS 26<sup>th</sup> DAY OF MARCH, 2015.**



**Stella Atoruk, Borough Clerk**

**ATTE**

