

**NORTHWEST ARCTIC BOROUGH ASSEMBLY
RESOLUTION 13-60**

**A RESOLUTION OF THE NORTHWEST ARCTIC BOROUGH ASSEMBLY
AUTHORIZING PARTICIPATION IN A LAWSUIT CHALLENGING NATIONAL
MARINE FISHERIES SERVICE'S LISTING OF DISTINCT POPULATION
SEGMENTS OF THE BEARDED SEAL AS THREATENED, AND FOR RELATED
PURPOSES.**

WHEREAS: the North Slope Borough filed a lawsuit in United States District Court for the District of Alaska to challenge the National Marine Fisheries Service's (the Service) listing of distinct population segments (Beringia and Ohkotsk) of the bearded seal as a threatened under the Endangered Species Act; and

WHEREAS: Arctic Slope Regional Corporation and NANA Regional Corporation are joining the lawsuit to protect their interests in the lawsuit outcome; and

WHEREAS: the parties have proposed splitting the costs of single-attorney representation by Van Ness Feldman, LLP; and

WHEREAS: the parties anticipate that splitting costs four ways will result in legal fees of approximately \$25,000.00 per party; and

WHEREAS: the Borough has an obligation to protect its environment, subsistence resources, and to promote sustainable economic development for the overall benefit of all Borough citizens; and

WHEREAS: the Service's listing of the Beringia and Ohkotsk distinct population segments of the bearded seal as threatened has serious implications for the Borough's environment, economic development, and related concerns.

NOW THEREFORE BE IT RESOLVED: that the Northwest Arctic Borough Assembly, for and on behalf of the Northwest Arctic Borough:


1. Authorizes the Mayor, in consultation with the Borough attorney and such other advisers as he deems necessary, to participate in the bearded seal designation appeal on behalf of the Northwest Arctic Borough.
2. The Mayor shall report periodically to the Assembly on the status of the listing appeal and Borough litigation efforts.

PASSED AND ADOPTED THIS 3RD DAY OF SEPTEMBER 2013.



Walter G. Sampson, President

PASSED AND APPROVED THIS 3RD DAY OF SEPTEMBER 2013.



Reggie Joule, Mayor

SIGNED AND ATTESTED TO THIS 3RD DAY OF SEPTEMBER 2013.



Amanda Sage, Borough Clerk

ATTEST:

