

Alaska Oil and Gas Association



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Alaska Oil and Gas Association applauds federal district court's decision to vacate the U.S. Fish & Wildlife Service's polar bear critical habitat designation

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ANCHORAGE- In what is viewed by the Alaska Oil and Gas Association (AOGA) as a win for the oil and gas industry in Alaska, Judge Ralph Beistline today vacated the U.S. Fish and Wildlife Service's (FWS) polar bear critical habitat designation.

"This decision is good news for the oil and gas industry in Alaska, for Alaska Natives, and for the State of Alaska," said Kara Moriarty, AOGA's Executive Director. "The judge agreed that FWS overstepped its bounds when it designated an area the size of California as polar bear critical habitat, despite abundant polar bear populations. We're heartened to see this kind of overreaching behavior rejected."

In perhaps the strongest language contained within Judge Beistline's ruling, he admonished the FWS for going too far in its designation. He writes: "There is no question that the purpose behind the Service's designation is admirable, for it is important to protect the polar bear, but such protection must be done correctly. In its current form, the critical habitat designation presents a disconnect between the twin goals of protecting a cherished resource and allowing for growth and much needed economic development. The current designation went too far and was too extensive." (Pg. 49). As such, Judge Beistline found FWS' designation to be "arbitrary and capricious" and vacated the designation.

In 2011, AOGA and the American Petroleum Institute ("API") jointly filed a lawsuit challenging the designation, which was joined by similar lawsuits filed by the State of Alaska and a coalition of Alaska Native groups, including the Arctic Slope Regional Corporation. AOGA and API, and the other plaintiffs, believed that such a large, unnecessary critical habitat designation was unlawful and would stymie oil and gas development in an area that holds immense promise for future resource development.

"AOGA members care as much about protecting Alaska's environment and wildlife as anyone else, but we also recognize the need to responsibly develop our natural resources in order to keep the state's number one economic driver healthy," said Moriarty. "We are convinced that development can be done safely, and without major impacts to the wildlife that call these areas home."

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The Alaska Oil & Gas Association is a private, business trade association. Its member companies represent the majority of oil and gas exploration, production, transportation, refining and marketing activities in Alaska. More information about the organization is available at www.aoga.org.

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