

Wetlands regulations are ill conceived

by Congressman Don Young

WASHINGTON, D.C. — When Alaska has been threatened by ill conceived and poorly planned regulations, our elected leaders have a strong track record of joining together to fight for our state's best interests.

The new controversy regarding proposed wetlands regulations is no different. Alaska Democrats and Republicans are working hand in hand to protect Alaska's economic future.

Democrat Gov. Steve Copwer and his staff and the Republican Alaska Congressional Delegation are now working to stop proposed regulations which seriously hamper our state's ability to conduct important economic programs and development. It could freeze all community development in some areas and make private property worthless.

Congress may have adjourned in late November, but Gov. Copwer, Sens. Ted Stevens and Frank Murkowski and I are continuing our work against the anti-Alaska wetlands regulations.

Our work has brought a short-term victory — last month the Environmental Protection Agency recommended a 30-day delay in the implementation of the wetlands regulations which were scheduled to go into effect Dec. 15.

Prior to the EPA decision, the delegation had contacted several administration officials protesting the implementation of the regulations. In addition, Sen. Stevens and I personally spoke with Richard Darman, director of the Office of Management and Budget, seeking his support.

We pointed out that this issue has the potential for significant Alaskan and national economic consequences. Darman agreed with us and had the OMB direct the EPA to delay implementation for 30 days.

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I hope that through our direct conversations with key administration officials we will be able to secure additional delays if more time is needed to continue our negotiations.

The importance of this issue can be seen in the letters and phone calls we are receiving from Alaskans. Only the Prince William Sound oil spill issue has prompted such an outpouring of personal interest from Alaskans.

The issue is complex and involves a variety of federal agencies. We are working with the cabinet officials who are members of the Domestic Policy Council. The council has been instructed by the president to make a recommendation for a national policy to accomplish the goal of halting the loss of the nation's wetlands.

The council consists of the cabinet members for the Departments of the Interior, Commerce, Defense, Transportation, Energy and Housing and Urban Development, as well as the directors of the OMB and EPA.

The council and its staff are in the process of making recommendations and are seeking Alaska input on how a national wetlands policy can properly be implemented in Alaska.

However, it appears that the Corps and the EPA have attempted to implement their own plan in advance of the full council recommendation.

It's quite clear to me that the state could suffer economic losses if the EPA/Corps approach is not blocked. So far we've been successful, and we're going to keep at it until we get a fair deal.



OPINION

Any area that is inundated with surface water for a significant part of the year is considered wetlands. Under this definition more than 55 percent of the state is considered wetlands — about twice the combined wetlands acreage of the Lower 48 states.

Almost the entire North Slope area would also be considered wetlands, even though the area doesn't meet the scientific criteria for wetlands.

It's important to point out that while more than half of the Lower 48 wetlands have been lost to development, only 80,000 acres out of 170 million have been developed in Alaska.

The Domestic Policy Council staff in a December meeting concluded that there is considerable confusion among the various federal agencies responsible for federal wetlands permits on how to apply the Corps/EPA Memorandum of Agreement.

In addition, while EPA and Corps staff have verbally stated that sufficient flexibility exists in their agreement for unique conditions such as those in Alaska, meetings with their staffs have failed to produce specifics in writing on where and how this flexibility can be applied.

Given the confusion among the agencies themselves, the uncertainty about flexibility and the fact that the entire Domestic Policy Council should be involved, I felt it much more logical

to remove the agreement from the fast track and instead make it subject to full review by the public and the entire council.

It looks to me as if the EPA and the Corps have the cart before the horse. I've contacted the cabinet level people at the council because I feel that at least some of them will realize that we don't need to rush headlong into

this and that their direct input will make for a better national wetlands policy.

Congressman Don Young is the vice chairman of the House Interior Committee and a senior member of the Merchant Marine and Fisheries Committee. He is now serving in his ninth term as Alaska's lone member in the U.S. House of Representatives.