



# A Vast Liquidation of Public Lands Is Underway in Alaska

By Jenny Rowland-Shea, Sung Chung, Sally Hardin, Matt Lee-Ashley, and Kate Kelly  
September 10, 2019

The Trump administration is quietly leading one of the largest liquidations of America’s public lands since the late 19th century. If fully implemented, this effort could result in the transfer, sale, or private exploitation of more than 28.3 million acres of public lands in Alaska, including old-growth forests, subsistence hunting areas for Alaska Native communities, habitats for polar bears, salmon spawning streams, and other backcountry areas.<sup>1</sup> It would affect millions of acres in the Tongass National Forest and the Arctic National Wildlife Refuge alone.

The work to liquidate national public lands is a shortsighted and inadequate response to the state of Alaska’s worsening budget crisis, a result of the state’s overdependence on revenues from oil drilling. As the Alaska Oil and Gas Association notes on its website, “Alaska is the only state in the Union that is so dependent on one industry to fund its government services.”<sup>2</sup> Since 1977, oil revenues have accounted for an average of 85 percent of the state’s annual budget.

Recently, however, the production and profitability of Alaska oil fields have been in steep decline, causing the state’s collection of oil and gas production taxes to fall from nearly \$6.9 billion in 2008 to \$806 million in 2018.<sup>3</sup> For the past eight years, Alaska’s elected officials have struggled to find the resources to pay for emergency responders, schools, and other basic services for residents.<sup>4</sup> In fact, the state faced a budget deficit of \$2.5 billion going into fiscal year 2019.<sup>5</sup>

This growing budget crisis is presenting Alaska with one of its most consequential choices since voting to become a state in 1958. On the one hand, Alaska can start to solve its budget problems by broadening its funding sources, encouraging economic growth in nonextractive industries, and safeguarding the natural resources that power its \$7.3 billion outdoor recreation economy and support the nation’s most valuable fisheries.<sup>6</sup> Unfortunately, Alaska politicians—led by Gov. Mike Dunleavy (R) and the state’s congressional delegation—have opted to pull the state in the opposite direction, doubling down on Alaska’s reliance on extractive industries.

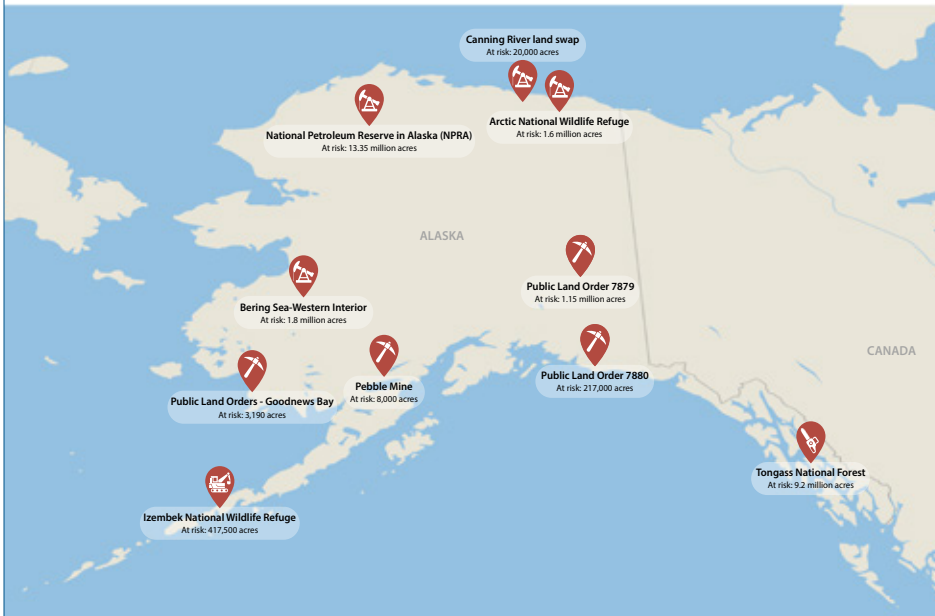
In June 2019, Gov. Dunleavy attempted to cut more than \$440 million from the state operating budget while increasing direct payments to state residents and preserving subsidies for the oil industry.<sup>7</sup> His newest cuts would, among other things, reduce Medicaid benefits for Alaskans, end a study on sexual assault and domestic violence in rural Alaska, and effectively bankrupt the University of Alaska system.<sup>8</sup>

Gov. Dunleavy’s budget proposal has been widely—and rightly—criticized, but the parallel effort to bolster the state’s finances through a massive liquidation of national public lands is moving ahead with little scrutiny.<sup>9</sup> The Trump administration’s effort represents one of the largest disposals and privatizations of national public lands since the late 19th century, when the U.S. government, under the Homestead Act of 1862, deeded more than 160 million acres of federal lands in the West to private citizens.<sup>10</sup> The public land liquidation currently being pursued in Alaska could result in an area of land that combined is as big as the state of Georgia being privatized, privately developed, or transferred to state or corporate ownership.

**FIGURE 1**

**A liquidation of public lands that combined cover an area as big as Georgia is underway in Alaska**

In at least 9 instances, public lands are being privatized, privately developed, or transferred to state or corporate ownership



Note: The 448,000 acres at risk from the Alaska-specific provision in the 2019 legislative lands package have not been included in this map, as the locations are yet to be confirmed.

Sources: For sourcing on the areas’ size, see Jenny Rowland-Shea and others, “A Vast Liquidation of Public Lands Is Underway in Alaska” (Washington: Center for American Progress, 2019), available at <https://www.americanprogress.org/?p=474256>.

Arguments for advancing the nine public land liquidation components identified in this issue brief amount to little more than false promises of financial or budgetary gain for Alaska, its residents, and the U.S. Treasury. In reality, this liquidation effort’s cost to the state and the country is hard to overlook. Any economic gains would be

short lived and would result in the exploitation and degradation of Alaska's natural amenities and the economies that they support, including commercial fishing, outdoor recreation, and tourism, while adding to the climate crisis by selling carbon sinks to oil, mining, timber, and other industrial interests. Moreover, the effort dismisses many dissenting perspectives among Alaska Native communities and delivers its main financial benefits to non-Alaskan and, in some cases, foreign corporations. In its parts and as a whole, the costs and consequences of this public land liquidation effort deserve far more attention and scrutiny.

---

### Tongass National Forest: 9.2 million acres at risk

The Tongass National Forest in Southeast Alaska is the nation's largest national forest, spanning nearly 17 million acres and encompassing 19 designated wilderness areas.<sup>11</sup> Now, at the direct instruction of President Donald Trump, the U.S. Forest Service is working to eliminate protections for 9.2 million acres of the largest remaining temperate old-growth forest in the world in order to allow more timber sales and related infrastructure.<sup>12</sup>

The effort to strip protections in the Tongass is emblematic of the Trump administration's push for uneconomic extractive industries at the expense of all else. The timber industry accounts for fewer than 1 percent of jobs in Southeast Alaska—just 400—even with the federal government regularly subsidizing timber sales in the Tongass with more than \$20 million in taxpayer funds per year.<sup>13</sup> The move jeopardizes the Tongass' important habitat for sensitive wildlife—such as brown bears, bald eagles, and salmon—that provides a basis for \$2 billion in annual revenue in ecotourism and commercial fishing, as well as 10,000 jobs.<sup>14</sup> Furthermore, the forest is essential to the Alaska biosphere in that it acts as a carbon storehouse—a function that could be significantly affected if 9.2 million acres are opened to alterations and logging.

---

### Arctic National Wildlife Refuge: 1.6 million acres at risk

The Trump administration is poised to auction off oil drilling rights in the heart of the Arctic National Wildlife Refuge within months.<sup>15</sup> As a result of a provision that U.S. Sen. Lisa Murkowski (R-AK) slipped into the 2017 tax reform bill that mandated two oil and gas lease sales in the refuge, a network of roads, pipelines, and oil derricks could soon cover the 1.6 million acres of the coastal plain, an area that serves as important habitat to polar bears, caribou, and migratory birds.<sup>16</sup>

A Center for American Progress analysis found that not only would drilling in the Arctic Refuge fail to produce anywhere close to the amount of money that the tax provision claims it would but also that the cost to the refuge would be high and

potentially irreversible.<sup>17</sup> Transforming the Arctic Refuge’s coastal plain into an industrial oil field would be devastating to wildlife and native subsistence users who rely on it for their food and cultural survival.

---

### Canning River land swap: 20,000 acres at risk\*

In addition to the planned oil and gas lease sale in the Arctic Refuge, the Trump administration is working to transfer control of 20,000 acres of land within the refuge to the state of Alaska for oil drilling.<sup>18</sup> In dispute is the far northwestern boundary of the Arctic Refuge.<sup>19</sup> Historically, the Department of the Interior (DOI) has maintained that Fish and Wildlife Service management responsibilities extend to the Staines River; however, the state of Alaska argues that the refuge boundary is the Canning River, located several miles to the east.

In 2014, the head of Alaska’s Department of Natural Resources sent a letter to the Interior Department requesting the conveyance of these acres to the state of Alaska, stating in an interview that the acres would be “offer[ed] for oil and gas leasing and development.”<sup>20</sup> The state’s appeal is pending review from the Interior Board of Land Appeals.<sup>21</sup> But in a January 2019 *Petroleum News* article, a senior DOI official stated that “we are engaged at the highest level with the governor and his staff on the Canning/Staines river boundary issue,” implying that the DOI is actively working to transfer the acreage to the state.<sup>22</sup>

---

### 2019 lands package: 448,000 acres at risk

Earlier this year, the Senate passed a sweeping, bipartisan legislative lands package containing more than 100 public lands, natural resources, and water bills, including many of specific interest to Alaskans.<sup>23</sup> Among the package’s Alaska-specific provisions is the Alaska Native Vietnam Veterans Land Allotment Act of 2019, sponsored by Sen. Dan Sullivan (R-AK) and Sen. Murkowski.<sup>24</sup> This provision would give an allotment of federal land to Alaska Natives who served in the Vietnam War. While this sounds benevolent, some argue that this need was already fulfilled by legislation in 1971 and 1998; in fact, this is one of the reasons the Bush administration opposed a similar bill in 2002.<sup>25</sup> In practice, the provision allows for nearly half a million acres of now-public lands to potentially become privatized, transferred, or sold off for oil and gas extraction.<sup>26</sup> There are exceptions for land within national parks, wilderness areas, and the Arctic Refuge; however, the bill requires that, within a year, the interior secretary conduct a study to identify lands within Alaska’s other wildlife refuges that could be carved out for giveaway.<sup>27</sup>

---

## National Petroleum Reserve-Alaska: 13.35 million acres at risk

The National Petroleum Reserve-Alaska (NPR-A) comprises 22 million acres of federal land west of the Arctic refuge on Alaska's North Slope. In 1976, the legislation that transferred this vast area from the U.S. Navy to the DOI mandated that the Bureau of Land Management (BLM) administer the land for the purposes of oil and gas leasing while protecting any areas "containing any significant subsistence, recreational, fish and wildlife, or historical or scenic value."<sup>28</sup>

In 2013, the Obama administration completed the first comprehensive management plan for the NPR-A, which allowed for oil development while expanding science-based protections for 13.35 million acres within the reserve important to wildlife and Alaska Native subsistence needs.<sup>29</sup> Oil and gas companies already own leases on more than 1.5 million acres of land within the NPR-A, yet the Trump administration is adamant about making more acres available to industry.<sup>30</sup> It is currently rewriting the management plan for the NPR-A and is expected to release a draft plan this year. Depending on what the administration decides, the draft could propose scrapping protections for some or all of the existing "special areas" in favor of giving the oil and gas industry unfettered access to these wild and globally unique public lands.<sup>31</sup>

---

## Pebble Mine: 8,000 acres at risk

Pebble Mine is a proposed open-pit mining project investigating a copper, gold, and molybdenum deposit in the headwaters of Southwest Alaska's Bristol Bay, home to the largest sockeye salmon run in the world.<sup>32</sup> The region's salmon fishery is valued at \$1.5 billion annually, provides more than 14,000 jobs each year, and provides sustenance to more than 25 Alaska Native tribes.<sup>33</sup> In 2014, the U.S. Environmental Protection Agency (EPA) proposed to restrict parts of Bristol Bay from being opened to mining, citing the "high ecological and economic value" of the watershed.<sup>34</sup>

In July 2019, however, the EPA fully revoked its previously proposed withdrawal, essentially greenlighting the mine to go forward with permitting and transferring oversight to EPA headquarters in Washington, D.C.<sup>35</sup> This reversal came a mere month after President Trump met with Gov. Dunleavy, but many reports say the decision was made just days after their meeting.<sup>36</sup> Furthermore, while Gov. Dunleavy remains publicly impartial on the mine, Alaska Public Media reports that he sent a letter on July 30, 2019, to one of the main investors in the Pebble project, stating, "I want to assure you the state will stand by those who invest in Alaska ... I am equally committed to removing obstacles that would hinder immediate construction."<sup>37</sup> The permanent footprint of the proposed 20-year mine would affect more than 8,000 acres and directly harm more than 100 miles of streams and rivers.<sup>38</sup> In the likely event of a spill, an even larger portion of the 40,000 square mile Bristol Bay watershed—including more than 500 miles of salmon streams—could be polluted by the mine's toxic tailings.<sup>39</sup>

---

## Public land orders in Alaska: 1.5 million acres at risk

Public land orders (PLOs) are actions that allow the interior secretary “to make, modify, extend, or revoke land withdrawals”—or areas that have been set aside from development and sale—and to transfer jurisdiction of an area from one department, bureau, or agency to another.<sup>40</sup>

In June 2019, then-Assistant Secretary for Land and Minerals Management Joe Balash signed a directive revoking two PLOs, subsequently making more than 1.3 million acres of BLM land eligible to be opened for development or to have ownership transferred to the state of Alaska or Alaska Native corporations.<sup>41</sup> The PLOs that were revoked, 7879 and 7880, covered two withdrawal areas known for their mineral potential, much of which the Obama administration had categorized “as areas of critical environmental concern.”<sup>42</sup> The move was applauded by Alaska’s congressional delegation, and Gov. Dunleavy said the PLO revocations would “further our mission to make Alaska open for business.”<sup>43</sup>

There are currently 17 similar land withdrawals across the state that cover roughly 50 million acres in total.<sup>44</sup> During the signing, Balash made clear that these were just two of many withdrawal revocations that the Department of the Interior had planned, saying it was “going to have a conveyor belt operating.”<sup>45</sup> In fact, last October, the BLM had already rescinded another PLO, lifting protections for another 229,000 acres.<sup>46</sup>

---

## Izembek National Wildlife Refuge: 417,500 acres at risk

Izembek National Wildlife Refuge is a 417,500 acre wilderness area in the southern Aleutian Islands that is ecologically rich and home to a diverse array of wildlife, such as salmon, caribou, bears, and birds.<sup>47</sup> Alaska’s congressional delegation has long expressed its desire to build a road that would cut through the wildlife refuge, connecting the communities of King Cove and Cold Bay and facilitating the transport of fish from a cannery to an airport, from which it could be exported.<sup>48</sup> The construction of the road would set a dangerous precedent nationwide for future development on protected lands.

Now, the Trump administration has joined in this effort. In July 2019, Interior Secretary David Bernhardt signed a land exchange agreement with King Cove Corp. behind closed doors and without a public process. The agreement outlined legal and policy reasoning for the exchange—a response to the court’s dismissal of an earlier Trump administration land swap attempt in Izembek.<sup>49</sup> Despite the administration’s claim that the road is needed for health and safety reasons, the new agreement removed language prohibiting the use of the road for commercial purposes.<sup>50</sup>

---

## Bering Sea-Western Interior region: 1.8 million acres at risk

The BLM is in the process of creating a new land use plan for a 13.4 million acre area in western Alaska, south of the Central Yukon watershed and west of Denali National Park and Preserve.<sup>51</sup> This region is one of the most undeveloped parts of the country, providing vital habitat to fish and wildlife. Moreover, it contains areas important to Alaska Natives and local communities dependent on the land for traditional subsistence uses.<sup>52</sup> Of the multiple proposals laid out in the draft plan, the one preferred by the BLM “would eliminate 1.8 million acres of Areas of Critical Environmental Concern” (ACEC), thereby opening the land to development.<sup>53</sup> Additionally, the plan does not propose any new ACECs, even though tribal communities requested that the BLM preserve 7 million acres of “traditional use areas.”<sup>54</sup>

---

## Conclusion

Transferring, selling, or privatizing national public lands has become a third rail for lawmakers across the country. Yet the Trump administration is carrying out one of the most brazen public land liquidation efforts in U.S. history and facing little scrutiny or attention.<sup>55</sup> In an effort that will further entrench Alaska’s economy in an unsustainable dependence on the extractive industry, more than 28.3 million acres of public lands are at risk, potentially placing in jeopardy precious old-growth forests, Arctic wildlife, and cultural resources for Alaska Natives. At a time when America’s protected areas are more critical than ever in helping fight climate change and natural area loss, the Trump administration is working hand in hand with Alaska’s politicians to exploit public lands in Alaska at the expense of public process, transparency, science, and the long-term health of the state’s economy.

*Jenny Rowland-Shea is a senior policy analyst for Public Lands at the Center for American Progress. Sung Chung is a former intern for Public Lands at the Center. Sally Hardin is the deputy director for the Energy and Environment War Room at the Center. Matt Lee-Ashley is a senior fellow and the senior director of Environmental Strategy and Communications at the Center. Kate Kelly is the director of Public Lands at the Center.*

*The authors would like to thank Steve Bonitatibus, Meghan Miller, and Rosemary Cornelius for their contributions to this brief.*

**\* Authors’ note:** *The 20,000 acres is within the Arctic National Wildlife Refuge’s 1.6 million acres, so this brief does not additionally count it toward the combined 28.3 million acre number.*

## Endnotes

- 1 CAP calculated 28.3 million acres by summing the affected acreages for the nine areas listed in the brief.
- 2 Alaska Oil and Gas Association, "State Revenue," available at <https://www.aoga.org/facts-and-figures/state-revenue> (last accessed August 2019).
- 3 Elizabeth Harball, "Alaska's 40 Years of Oil Riches Almost Never Was," NPR, June 24, 2018, available at <https://www.npr.org/2017/06/24/533798430/alaskas-40-years-of-oil-riches-almost-never-was>; State of Alaska Department of Revenue, "Annual Report" (Juneau, AK: 2008), available at <http://tax.alaska.gov/programs/document-viewer/viewer.aspx?857r>; Alaska Department of Revenue, "Annual Report 2018," available at <http://www.tax.alaska.gov/programs/programs/reports/AnnualReport.aspx?Year=2018#program60650> (last accessed August 2019).
- 4 Becky Bohrer, "Oil unease: Alaska faces tough budget decisions," KIRO 7, August 9, 2019, available at <https://www.kiro7.com/news/alaskas-oil-money-headaches-we-did-this-to-ourselves/974410430>.
- 5 Stephanie Kelly, "Alaska, other oil states fight budget deficits for fiscal year 2019," Reuters, March 2, 2018, available at <https://www.reuters.com/article/us-usa-municipals-energy/alaska-other-oil-states-fight-budget-deficits-for-fiscal-year-2019-idUSKCN1GE2U0>.
- 6 Outdoor Industry Association, "Alaska" (Boulder, CO: 2017), available at [https://outdoorindustry.org/wp-content/uploads/2017/07/OIA\\_RecEcoState\\_AK.pdf](https://outdoorindustry.org/wp-content/uploads/2017/07/OIA_RecEcoState_AK.pdf); Alaska Seafood Marketing Institute, "The Economic Value of Alaska's Seafood Industry" (Juneau, AK: 2017), available at <https://www.alaskaseafood.org/wp-content/uploads/2015/10/AK-Seafood-Impacts-Sep2017-Final-Digital-Copy.pdf>.
- 7 James Brooks, "Dunleavy vetoes \$444 million from operating budget," *Anchorage Daily News*, June 28, 2019, available at <https://www.adn.com/politics/alaska-legislature/2019/06/28/gov-mike-dunleavy-vetoes-444-million-from-alaska-state-operating-budget/>.
- 8 Tegan Hanlon, "Here's what the governor cut, and what was restored, in Alaska's state operating budget," *Anchorage Daily News*, August 20, 2019, available at <https://www.adn.com/politics/alaska-legislature/2019/08/20/heres-whats-cut-and-whats-not-in-alaskas-state-operating-budget/>.
- 9 Ben Kessler, "Many Alaskans mount effort to recall governor as huge budget cuts threaten education, Medicaid," NBC News, August 12, 2019, available at <https://www.nbcnews.com/news/us-news/alaskans-mount-effort-recall-governor-huge-budget-cuts-threaten-education-n1040951>.
- 10 Library of Congress, "Primary Documents in American History: Homestead Act," available at [https://www.loc.gov/rr/program/bib/ourdocs/homestead.html-targetText=copyright 1904.&targetText=Signed into law by President,160 acres of public land.&targetText=The Homestead Act led to,of public land by 1900](https://www.loc.gov/rr/program/bib/ourdocs/homestead.html-targetText=copyright%201904.&targetText=Signed%20into%20law%20by%20President%2C%20160%20acres%20of%20public%20land.&targetText=The%20Homestead%20Act%20led%20to%20of%20public%20land%20by%201900) (last accessed August 2019).
- 11 Ryan Richards, "Fraud in the Tongass" (Washington: Center for American Progress, 2018), available at <https://www.americanprogress.org/issues/green/reports/2018/10/03/458961/fraud-in-the-tongass/>.
- 12 Juliet Eilperin and Josh Dawsey, "Trump pushes to allow new logging in Alaska's Tongass National Forest," *The Washington Post*, August 27, 2019, available at [https://www.washingtonpost.com/climate-environment/trump-pushes-to-allow-new-logging-in-alaskas-tongass-national-forest/2019/08/27/b4ca78d6-c832-11e9-be05-f76ac4ec618c\\_story.html](https://www.washingtonpost.com/climate-environment/trump-pushes-to-allow-new-logging-in-alaskas-tongass-national-forest/2019/08/27/b4ca78d6-c832-11e9-be05-f76ac4ec618c_story.html); U.S. Senate Committee on Energy and Natural Resources, "Murkowski: Shared Stewardship, Active Forest Management Essential for Rural Prosperity," Press release, April 9, 2019, available at <https://www.energy.senate.gov/public/index.cfm/2019/4/murkowski-shared-stewardship-active-forest>.
- 13 Richards, "Fraud in the Tongass."
- 14 Ibid.
- 15 Henry Fountain and Steve Eder, "The White House Saw Riches in the Arctic Refuge, but Reality May Fall Short," *The New York Times*, August 21, 2019, available at <https://www.nytimes.com/2019/08/21/us/oil-drilling-arctic.html>.
- 16 Devin Henry, "Final GOP tax bill would allow Arctic refuge drilling," *The Hill*, December 13, 2017, available at <https://thehill.com/policy/energy-environment/364754-senator-arctic-drilling-provision-remains-in-gop-tax-cut-bill>; U.S. Bureau of Land Management, "DOI-BLM-AK-0000-2018-0002-EIS (Coastal Plain Oil and Gas Leasing EIS)," available at <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=102555> (last accessed August 2019).
- 17 Matt Lee-Ashley and Jenny Rowland-Shea, "Arctic National Wildlife Refuge 101," Center for American Progress, October 10, 2017, available at <https://www.americanprogress.org/issues/green/news/2017/10/10/440559/arctic-national-wildlife-refuge-101>; Jenny Rowland-Shea, "Measuring the Loss of American Wildlife if the Arctic National Wildlife Refuge Is Drilled," Center for American Progress, December 11, 2017, available at <https://www.americanprogress.org/issues/green/news/2017/12/11/443964/measuring-loss-american-wildlife-arctic-national-wildlife-refuge-drilled/>.
- 18 Tim Bradner, "State claims 20,000 acres on edge of ANWR," *Alaska Journal of Commerce* (4) 2014, available at <http://www.alaskajournal.com/business-and-finance/2014-10-22/state-claims-20000-acres-edge-anwr>.
- 19 Ibid.
- 20 Nick Snow, "Alaska asserts land claims at ANWR's boundary," *Oil and Gas Journal*, October 20, 2014, available at <https://www.ogj.com/general-interest/government/article/17271781/alaska-asserts-land-claims-at-anwrs-boundary>.
- 21 Interior Board of Land Appeals, "Pending Cases as of July 31, 2019" (Washington: U.S. Department of the Interior), available at <https://www.doi.gov/sites/doi.gov/files/uploads/fy19-pending-cases-july.pdf> (last accessed August 2019).
- 22 Kay Cashman, "ANWR border under discussion at highest levels," *Petroleum News*, January 7, 2019, on file with the authors.
- 23 Sen. Lisa Murkowski, Letter to Interior Secretary Sally Jewell, October 30, 2014, available at [https://www.energy.senate.gov/public/index.cfm/files/serve?File\\_id=B622B225-8979-4EC6-8FC5-64C943E6C28C](https://www.energy.senate.gov/public/index.cfm/files/serve?File_id=B622B225-8979-4EC6-8FC5-64C943E6C28C).
- 24 Alaska Native Vietnam Era Veterans Land Allotment Act, S. Pret. 115-451, 115th Cong., 2nd sess. (December 20, 2018), available at <https://www.congress.gov/congressional-report/115th-congress/senate-report/451/1>.
- 25 U.S. Bureau of Land Management, "Alaska Native Vietnam Veterans Land Allotment Act 2019 (Public Law 116-9, Section 1119): Timeline – 3/12/2019 – April 2025," available at <https://www.blm.gov/programs/lands-and-realty/regional-information/alaska/land-transfer/ak-native-allotment-act/alaska-native-vietnam-veterans-land-allotment> (last accessed August 2019); Christopher Solomon, "The big Alaskan land giveaway tucked into a sweeping conservation bill," *The Washington Post*, February 13, 2019, available at <https://www.washingtonpost.com/outlook/2019/02/13/big-alaskan-land-giveaway-tucked-into-sweeping-conservation-bill/>; U.S. House of Representatives, "Alaska Native Veterans Land Allotment Equity Act," Proposed bill, 107th Cong., 2nd sess. (October 11, 2002), available at <https://www.govinfo.gov/content/pkg/CRPT-107hrpt744/html/CRPT-107hrpt744.htm>.
- 26 Liz Ruskin, "Native Vietnam vets get another chance to claim 160 acres," Alaska Public Media, February 26, 2019, available at <https://www.alaskapublic.org/2019/02/26/native-vietnam-vets-get-another-chance-to-claim-160-acres/>.



- 27 John D. Dingell, Jr. Conservation, Management, and Recreation Act, S. 47, 116th Cong., 1st sess. (January 8, 2019), available at <https://www.congress.gov/116/bills/s47/BILLS-116s47pcs.pdf>.
- 28 An Act, Title I—National Petroleum Reserve in Alaska, Public Law 94-258, 94th Cong. 2nd sess. (April 5, 1976), available at <https://www.govinfo.gov/content/pkg/STATUTE-90/pdf/STATUTE-90-Pg303.pdf>.
- 29 U.S. Bureau of Land Management, "National Petroleum Reserve in Alaska," available at <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/about/alaska/NPR-A> (last accessed August 2019); U.S. Department of the Interior, "Secretary Salazar Finalizes Plan for Additional Development, Wildlife Protections in 23 Million Acre National Petroleum Reserve-Alaska," Press release, February 21, 2013, available at <https://www.doi.gov/news/pressreleases/secretary-salazar-finalizes-plan-for-additional-development-wildlife-protections-in-23-million-acre-national-petroleum-reserve-alaska>.
- 30 U.S. Bureau of Land Management, "NPR-A Leases," March 1, 2019, available at [https://www.blm.gov/sites/blm.gov/files/uploads/OilandGas\\_Alaska\\_NPR-A\\_LeaseReport\\_March2019.pdf](https://www.blm.gov/sites/blm.gov/files/uploads/OilandGas_Alaska_NPR-A_LeaseReport_March2019.pdf).
- 31 U.S. Bureau of Land Management, "National Petroleum Reserve in Alaska IAP/EIS," available at <https://www.blm.gov/planning-and-nepa/plans-in-development/alaska/npr-a-iap-eis> (last accessed August 2019); Audubon, "Arctic Slope," available at <https://www.audubon.org/conservation/project/arctic-slope-0> (last accessed August 2019).
- 32 Pebble Watch, "Mine Plan," available at <https://pebble-watch.com/projects/mine-plan/> (last accessed August 2019).
- 33 Alaska Conservation Foundation, "Protect Bristol Bay from Pebble Mine," July 2, 2019, available at <https://alaskaconservation.org/2019/07/protect-bristol-bay-from-pebble-mine/>.
- 34 U.S. Environmental Protection Agency, "2014 Proposed Determination Pursuant to Section 404c of the Clean Water Act for Pebble Deposit Area, Southwest Alaska," available at <https://www.epa.gov/bristolbay/2014-proposed-determination-pursuant-section-404c-clean-water-act-pebble-deposit-area> (last accessed August 2019).
- 35 Taryn Kiekow Heimer, "EPA Kills Bristol Bay Protections, Cozies Up to Pebble Mine," National Resources Defense Council Experts Blog, July 30, 2019, available at <https://www.nrdc.org/experts/taryn-kiekow-heimer/epa-kills-bristol-bay-protections-cozies-pebble-mine>; Hannah Weinberger, "Despite risks to salmon, EPA walks back protections for Alaska's Bristol Bay," Crosscut, August 2, 2019, available at <https://crosscut.com/2019/08/despite-risks-salmon-epa-walks-back-protections-alaskas-bristol-bay>.
- 36 Ben Fisher, "CNN: EPA reversal on Pebble Mine came after Trump met with Dunleavy," SeafoodSource, August 12, 2019, available at <https://www.seafoodsource.com/news/environment-sustainability/cnn-epa-reversal-on-pebble-mine-came-after-trump-met-with-dunleavy>; Matt Buxton, "EPA decided to give Pebble Mine a boost the day after Dunleavy met with Trump: Report," the Midnight Sun, August 12, 2019, available at <http://midnightsunak.com/2019/08/12/epa-moved-to-give-pebble-mine-a-boost-the-day-after-dunleavy-met-with-trump-report/>.
- 37 Liz Ruskin, "Dunleavy sends letter encouraging potential Pebble investor," Alaska Public Media, August 26, 2019, available at <https://www.alaskapublic.org/2019/08/26/dunleavy-sends-letter-encouraging-potential-pebble-investor/>.
- 38 Comments of Bristol Bay Native Corp. on the Pebble Project environmental impact statement, July 1, 2019, available at <https://pebbleprojecteis.com/publiccomments/drafteiscomments>. The PDF is on file with the authors.
- 39 Joel Reynolds, "Bristol Bay Crossroad: National Treasure or the Pebble Mine," Natural Resources Defense Council Expert Blog, January 28, 2019, available at <https://www.nrdc.org/experts/joel-reynolds/crossroad-bristol-bay-national-treasure-or-pebble>; The Nature Conservancy, "A Model Analysis of Flow and Deposition from a Tailings Dam Failure at the Proposed Pebble Mine" (Arlington County, VA: 2019), available at [https://static1.squarespace.com/static/56b0dfb660b5e98b87fc3d52/t/5c9a42bba4222fa3768a60ad/1553613518877/Lynker\\_TSF\\_Pebble\\_Model+-+Final+Report.pdf](https://static1.squarespace.com/static/56b0dfb660b5e98b87fc3d52/t/5c9a42bba4222fa3768a60ad/1553613518877/Lynker_TSF_Pebble_Model+-+Final+Report.pdf).
- 40 U.S. Bureau of Land Management, "Public Land Orders," available at <https://www.blm.gov/programs/lands-and-realty/land-tenure/withdrawals/public-land-orders> (last accessed August 2019).
- 41 Elwood Brehmer, "BLM lifts Alaska land withdrawals, opens 1.3 million acres," *Alaska Journal of Commerce*, June 27, 2019, available at <https://www.alaskajournal.com/2019-06-27/blm-lifts-alaska-land-withdrawals-opens-13-million-acres>.
- 42 U.S. Bureau of Land Management, "Public Land Order No. 7879; Partial Revocation of Public Land Orders No. 5173, 5178, 5179, 5180, 5184, 5186 and 5187, Alaska," *Federal Register* 84 (2019), available at <https://www.federalregister.gov/documents/2019/07/10/2019-14709/public-land-order-no-7879-partial-revocation-of-public-land-orders-no-5173-5178-5179-5180-5184-5186>; U.S. Bureau of Land Management, "Public Land Order No. 7880, Partial Revocation of Public Land Orders No. 5176 and 5179, Alaska," *Federal Register* 84 (2019), available at <https://www.federalregister.gov/documents/2019/07/10/2019-14708/public-land-order-no-7880-partial-revocation-of-public-land-orders-no-5176-and-5179-alaska>; Sean Maguire, "1.3M acres of federal land made available to State of Alaska and Doyon, Limited," KTUU, June 27, 2019, available at <https://www.ktuu.com/content/news/13M-acres-of-federal-land-made-available-to-State-of-Alaska-and-Doyon-Limited-511910502.html>.
- 43 U.S. Senate Committee on Energy and Natural Resources, "Delegation, Governor Welcome Lifting of PLOs to Restore Balanced Land Use in Alaska," Press release, June 26, 2019, available at <https://www.energy.senate.gov/public/index.cfm/2019/6/delegation-governor-welcome-lifting-of-plos>.
- 44 Brehmer, "BLM lifts Alaska land withdrawals, opens 1.3 million acres."
- 45 Maguire, "1.3M acres of federal land made available to State of Alaska and Doyon, Limited."
- 46 U.S. Bureau of Land Management, "The Department of the Interior Revokes Five Public Land Orders, Making Way for Alaska Land Conveyance and Mineral Development," Press release, available at <https://www.blm.gov/press-release/doi-revokes-5-plos-making-way-alaska-land-conveyance-and-mineral-development> (last accessed August 2019).
- 47 U.S. Fish and Wildlife Service, "Izembek National Wildlife Refuge: About the Refuge," available at <https://www.fws.gov/refuge/izembek/about.html> (last accessed August 2019).
- 48 Andrew Restuccia, "Alaska's long road war," *Politico*, April 4, 2014, available at <https://www.politico.com/story/2014/04/lisa-murkowski-king-cove-alaska-road-izembek-national-wildlife-refuge-105392>.
- 49 U.S. Fish and Wildlife Service, "Agreement for the Exchange of Lands" (Washington: U.S. Department of the Interior, 2019), available at [https://www.eenews.net/assets/2019/07/24/document\\_pm\\_02.pdf](https://www.eenews.net/assets/2019/07/24/document_pm_02.pdf); Elwood Brehmer, "Federal judge rejects deal for road through Izembek National Wildlife Refuge," *Alaska Journal of Commerce*, March 29, 2019, available at <https://www.alaskajournal.com/2019-03-29/federal-judge-rejects-deal-road-through-izembek-national-wildlife-refuge>.
- 50 Ibid.; Trustees for Alaska, "We're taking Trump to Court. Again." Press release, August 7, 2019, available at <https://www.trustees.org/were-taking-trump-to-court-again/>.
- 51 U.S. Bureau of Land Management, "Bering Sea-Western Interior RMP/EIS," available at <https://www.blm.gov/programs/planning-and-nepa/plans-in-development/alaska/BSWI> (last accessed 2019).

- 52 Bonnie Gestring, "Comments on the Bureau of Land Management (BLM), Bering Sea -Western Interior, DRAFT Resource Management Plan (DRMP) and DRAFT Environmental Impact Statement (DEIS)," Tom Heinlein and Bonnie Million, June 7, 2019, available at <https://earthworks.org/cms/assets/uploads/2019/06/Bering-Sea-Comments.pdf>.
- 53 Ken Rait, "Millions of Acres of Public Lands Could Lose Protections," The Pew Charitable Trusts, July 23, 2019, available at <https://www.pewtrusts.org/en/research-and-analysis/articles/2019/07/23/millions-of-acres-of-public-lands-could-lose-protections>; U.S. Bureau of Land Management, "Bering Sea - Western Interior: Resource Management Plan and Environmental Impact Statement" (Washington: U.S. Department of the Interior, 2019), available at [https://eplanning.blm.gov/epl-front-office/projects/lup/36665/168251/204814/Vol1\\_BSWI-Draft-RMP-EIS\\_DEIS-thru-Appendix\\_L.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/36665/168251/204814/Vol1_BSWI-Draft-RMP-EIS_DEIS-thru-Appendix_L.pdf).
- 54 Rait, "Millions of Acres of Public Lands Could Lose Protections."
- 55 Jason Blevins, "Utah congressman pulls federal land transfer bill, but fight to keep federal lands public continues," *The Denver Post*, February 2, 2017, available at <https://www.denverpost.com/2017/02/02/federal-land-transfer-bill-withdrawn/>; Tom Kuglin, "More than 1,000 rally against transferring or selling federal lands," *Billings Gazette*, January 20, 2018, available at [https://billingsgazette.com/news/state-and-regional/montana/more-than-rally-against-transferring-or-selling-federal-lands/article\\_522a069d-fbb9-510f-b723-1dac1bc0a837.html](https://billingsgazette.com/news/state-and-regional/montana/more-than-rally-against-transferring-or-selling-federal-lands/article_522a069d-fbb9-510f-b723-1dac1bc0a837.html).