

ALASKA FEDERATION OF NATIVES, INC.

2011 ANNUAL RESOLUTION

RESOLUTION 11-08

TITLE: RECOMMENDATIONS ON H.R. 2714 TO AMEND THE MARINE MAMMAL PROTECTION ACT OF 1972

WHEREAS: The proposed legislation introduced by Representative Don Young to amend the Marine Mammal Protection Act of 1972 to allow the transport, purchase, and sale of pelts of, and handicrafts, garments and art produced from Southcentral and Southeast Alaska northern sea otters that are taken for subsistence; and

WHEREAS: The Alaska Federation of Natives supports the principle of maximum sustained yield harvests; and

WHEREAS: The Alaska Federation of Natives recognizes that sea otter resources can contribute to the economic well-being of Alaska Native hunters, artists, craftspeople and Alaska Native-owned small businesses, and communities through the harvest and sale of traditional and contemporary handicrafts, garments and art and is altered significantly; and

WHEREAS: The Alaska Federation of Natives believes that co-management regimes that allow tribes and other Alaska Native organizations to manage resources benefits both the resource population and tribal members; and

WHEREAS: While Alaska Natives have a very strong stake in enforcement that advances the goals of sustainable management and sustainable economies, Alaska Natives have been subjected to overzealous law enforcement and entrapment practices by the U.S. Fish and Wildlife Service; and

NOW THEREFORE BE IT RESOLVED by the Delegates to the 2011 Annual Convention of the Alaska Federation of Natives offers its support of H.R. 2714 with the following amendments:

- The legislation should state that the Native exemption will be maintained;
- The legislation should state that the Native exemption will not be impacted;
- The legislation will provide for co-management that would allow tribes or their regionally designated Alaska Native organization to make determinations of eligibility of tribal members to participate in subsistence harvests; the production of traditional and contemporary handicrafts and art; sustainable management and enforcement priorities and hunting methods;

- The legislation should provide for Listening Sessions with Marine Mammal Organizations as well as consultations with federally recognized tribes;
- The legislation should not provide for the sale of pelts to non-natives;
- The legislation includes all Marine Mammal Protection Act (MMPA) Regulated Species; and,

BE IT FURTHER RESOLVED that the Alaska Federation of Natives calls for a review of the U.S. Fish and Wildlife Service overzealous law enforcement and entrapment practices and its greater allocation of enforcement funds over other budgets that can provide greater benefits for the resources.

SUBMITTED BY: **AFN BOARD OF DIRECTORS**

CONVENTION ACTION: **AMENDED AND PASSED**





CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
ANDREW P. HOPE BUILDING
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CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA
Seventy-Sixth Annual Tribal Assembly
April 13-16, 2011
Juneau, Alaska

Resolution TA/ 11-43

Title: **Native Harvest and Co-Management of Sea Otter**

By: Juneau Tlingit & Haida Community Council

WHEREAS, Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe of more than 27,000 tribal citizens; and

WHEREAS, the membership of Central Council are dependent on abundant sustainable resources from the coastal waters of Southeast Alaska; and

WHEREAS, in the late 1960s, the Alaska Department of Fish and Game reintroduced approximately 400 sea otters in the waters of Southeast Alaska; and

WHEREAS, the federal government has jurisdiction under the Marine Mammal Protection Act (MMPA); and

WHEREAS, the sea otter population in Southeast Alaska is growing at an alarming rate and this drastic increase in sea otters, which prey on shellfish resources, is threatening the species such as dungeness crab, abalone, sea urchins, sea cucumbers, geoducks, and other species, to a point that traditional and customary uses, sport fishing, and commercial fishing have been stopped in many areas due to the low abundance of these resources; and

WHEREAS, residents throughout Southeast Alaska rely on shellfish not only for their livelihood, but for the survival in a traditional and customary way of life; and

WHEREAS, the production of sea otter into handicraft, garment, or art, whether traditional or contemporary, significantly altered or not, can be a significant revenue source for Alaska Natives, who live in economically depressed communities.

NOW THEREFORE BE IT RESOLVED, that the Seventy-Sixth Tribal Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska convened in Juneau, Alaska on April 13-16, 2011, formally requests tribal consultation with the U.S. Fish & Wildlife Service

through government-to-government relationships to work with tribes and tribal leaders in Southeast Alaska to develop co-management plans; and

BE IT FURTHER RESOLVED, that these plans shall be developed to recognize the traditional Native use of sea otter since time immemorial to protect these customary rights, to address law enforcement issues, to provide for co-management, and to training needs; and

BE IT FURTHER RESOLVED, that the Central Council shall go on record as opposing the export of any pelt of an otter from the Southcentral or Southeast Alaska stock of northern sea otters that is taken for subsistence purposes in accordance with section 101(b)(1); and


BE IT FINALLY RESOLVED, that Central Council urges Representative Don Young to adopt the following proposed regulatory amendments to the Marine Mammal Protection Act, Section 102(g), as stated below:

Section 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1372) is amended by adding at the end the following:


"(g) Nothing in this Act prohibits the transport, purchase, sale, export of, or any offer to purchase, sell or export, any sea otter handicraft, garment, or art, whether traditional or contemporary, significantly altered or not, from the Southcentral or Southeast Alaska stock of northern sea otters that is taken for subsistence purposes in accordance with section 101(b)(1)."

ADOPTED this 16th day of April 2011, by the Seventy-Sixth Tribal Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska.

CERTIFY


President Edward K. Thomas

ATTEST


Tribal Secretary Harold Houston

Linda Hay

From: Max Worhatch <mnmnwiv60@gmail.com>
Sent: Saturday, February 04, 2012 6:02 AM
To: Rep. Eric Feige; Rep. Neal Foster; Rep. Paul Seaton; Rep. Scott Kawasaki; Rep. Peggy Wilson; Rep. Cathy Munoz; Rep. Bob Herron; Rep. Berta Gardner; Rep. Alan Dick
Cc: Rep. Bill Thomas
Subject: House Joint Resolution 26

House Resource Committee:

My name is Max Worhatch. I live in Petersburg and I commercial fish.

I am the vice president of United Southeast Alaska Gillnetters, and I serve on the Petersburg Advisory Committee to the Alaska Boards of Fish and Game. I have been commercial fishing my entire adult life, and a good part of my childhood. Like many people in Petersburg, I make my entire living from the sea. I consider commercial fishing industry as the ultimate renewable resource extraction industry. Well managed fisheries coupled with common sense habitat protection leads to jobs and state revenue for generations to come.

On Friday, February 3, I sat in on the Resource Committees hearing on HJR 26, hoping to testify along with three others. Time constraints precluded Petersburg and Sitka from being heard. I was pretty upset immediately following the hearing as I had taken two hours of my time, which is presently filled with preparing for the upcoming crab fishery, to get the opportunity to speak to this issue which is of the utmost importance to me and the community I live in. I feel if the Three Minute Rule had been enforced by the chair to the people giving testimony, we could have gotten everybody in.

One of the fisheries I participate in is Dungeness crab. This fishery is worth between \$5-\$10 million dollars ex-vessel on an annual basis.

Most of this goes to Petersburg and Wrangell, but there are also processing facilities in Juneau, Sitka, Haines, and Kake. In 2011 somewhere in the neighborhood of 180 vessels participated in this fishery. Those vessels generally have at least one deckhand, oft times two. It is one of the most diverse fleets, with vessels ranges from limit seiners to 16 foot skiffs. This fishery is vitally important to Southeast, particularly Petersburg and Wrangell, who both depend heavily on the jobs and the raw fish tax provided by landings in their communities.

I support HJR 26 as it is written. I would like to thank Representative Wilson for introducing it, and I think it is long overdue. I feel that the selling of whole skins would allow for the fastest means of minimizing and arresting otter population growths into shell fish producing areas. It would also allow for a broader economic base for native communities. A sewing machine with which to sew hides is somewhere in the \$2000 range. That is a substantial investment for an unemployed young man living in Kake to make, not knowing if he can even sew anything that anyone would purchase. I think the current regulations make it very hard for rural natives and favors the natives who are connected to a road system or who happen to live in a town that gets cruise ships.

Again, I strongly support this resolution. It is time for the State of Alaska to take a stand on protecting the resources that are being effected by sea otter predation. It is time for the State of Alaska to protect the economic interests of ALL its residents. The State needs to be an advocate for the resources being depleted by otter predation. We need to start a dialogue with the Department of the Interior on coming up with a management plan that can actually work to all parties involved. The State of Alaska needs to be at that table, pushing hard to come up with a sustainable resource harvest of sea otters to minimize impacts on shell fishing producing areas. It is important not to get bogged down on details of how a management plan is going to work. That will come at the next level, and all interested parties can work on it there. The important thing is that we get a plan.

Thank You,

Max Worhatch

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FAX TRANSMISSION

TO: House Resources

Pages: 2 (Incl. cover)

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PHONE:

DATE: 02/06/12

Please provide a copy of this to all Committee Members
and enter this testimony into the file for HJR26: SEA
OTTER MANAGMENT

Thank you very much.

House Resource Committee
Re; House Joint Resolution 26

House Resource Committee:

My name is J. Andy Knight, I am a resident of Petersburg and for the last 29 years commercial fishing has been my sole source of income. I hold 2 crab permits (Dungeness, Tanner) and two Salmon permits (S.E. Troll, Gillnet) and I serve on the Petersburg Advisory Committee to the Alaska Boards of Fish and Game. The waters of S.E. Alaska have provided my family of five with income and food for nearly 30 years, and with continued well managed fisheries and common sense habitat protection, will do so for generations to come.

On February 3 I was at our local LIO hoping to give testimony on HJR26. Unfortunately time constraints denied Petersburg and Sitka from being heard. So now you will hear from me in writing.

I strongly support HJR26 as written. I want to thank Rep. Wilson for introducing it. It is long overdue and a necessary first step in addressing the unchecked growth of the Sea Otter population. This is an issue that demands immediate attention. Just ask any subsistence or commercial harvester of shellfish (i.e. Abalone, sea cucumbers, clams, crab) in our coastal communities. As the Otter population continues to swell and they move further into inside waters, subsistence and commercial harvest opportunities will be lost. I have seen this first hand in lower Chatham straight and lower Sumner straight.

It is time for the State of Alaska to take a stand. We must protect the resources that are being effected by Sea otter predation. It is time for the State of Alaska to protect the economic and subsistence interest of ALL its residents. We need to start a dialogue with the Federal Department of the Interior, to craft an Otter management plan that will address those issues. HJR 26 is the first step in the right direction.

Thank You.

J. Andy Knight

