

STATE OF ALASKA THE LEGISLATURE

2007

Source

SCS CSHJR 4(RES)

**Legislative
Resolve No.**

13



Requesting the Federal Subsistence Board to rescind its decisions regarding the subsistence fishery priority given to Ninilchik, Happy Valley, Hope, and Cooper Landing residents.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the communities of Ninilchik and Happy Valley have not exhibited a long-term and traditional fishing history in the Upper Kenai or Kasilof drainage waters on federal land; and

WHEREAS, in making the customary and traditional use determination for the communities of Hope and Cooper Landing, the Federal Subsistence Board failed to follow its own regulatory criteria for making that decision; and

WHEREAS a survey by the Alaska Department of Fish and Game did not support these communities' receiving a subsistence priority; and

WHEREAS the residents of these communities fall short of meeting the eight factors the Federal Subsistence Board considers when determining if an area has a subsistence priority; and

WHEREAS the United States Congress determined that, unlike purposes of other federal refuges established or expanded by the Alaska National Interest Lands Conservation Act, the rural subsistence priority was not an appropriate purpose of the Kenai National Wildlife Refuge, and, therefore, purposefully omitted "continued subsistence uses by local rural residents" from the list of purposes of the Kenai National Wildlife Refuge; and

WHEREAS, unlike its determination of purposes for other federal refuges, the United States Congress chose to make fish- and wildlife-oriented recreational opportunities a purpose of the Kenai National Wildlife Refuge;

BE IT RESOLVED by the Alaska State Legislature that the Federal Subsistence Board is requested to rescind its decisions granting Ninilchik, Happy Valley, Hope, and Cooper Landing residents a subsistence fishery priority.

COPIES of this resolution shall be sent by electronic transmission and by mail to the Honorable Dirk Kempthorne, United States Secretary of the Interior; the Honorable Mike Johanns, United States Secretary of Agriculture; the members of the Federal Subsistence Board; the Office of Subsistence Management, United States Department of the Interior; and the Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.