

HOUSE JOINT RESOLUTION NO. 28

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES PHILLIPS, Ogan

Introduced: 3/10/99

Referred: Resources

A RESOLUTION

**1 Requesting that the National Marine Fisheries Service and the United States
2 Congress act immediately to reverse the decline of the Cook Inlet beluga whale
3 population and to regulate the harvest of the beluga whales in Cook Inlet until
4 the beluga whale population has recovered.**

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

6 WHEREAS the National Marine Fisheries Service (NMFS) is responsible under the
**7 Marine Mammal Protection Act for management and protection of beluga whales in Alaska;
8 and**

9 WHEREAS NMFS has concluded that, although the data on population trends of Cook
**10 Inlet beluga whales are incomplete, the Cook Inlet beluga whale population has been declining
11 in recent years, primarily due to overharvest; and**

12 WHEREAS NMFS has concluded that the Cook Inlet beluga whale population was
13 at least 650 in 1994; and

14 WHEREAS the most recent surveys place the Cook Inlet beluga whale population at
15 a minimum of 347; and

16 WHEREAS environmental groups have recently petitioned NMFS to list the Cook

1 Inlet beluga whale population as either threatened or endangered under the Endangered
2 Species Act; and

3 **WHEREAS** listing of this population under the Endangered Species Act would have
4 significant negative effects on the economies of Cook Inlet as well as the entire state; and

5 **WHEREAS** there are procedures under the Marine Mammal Protection Act that
6 provide for the regulation of the harvest of marine mammals only following a NMFS finding
7 of "depletion"; and

8 **WHEREAS** NMFS has apparently been reluctant to use the Marine Mammal
9 Protection Act procedure allowing for the regulation of harvests due to the fact that the
10 "depletion" review and finding process is extremely time-consuming and complicated; and

11 **WHEREAS** continued delays by NMFS could further contribute to the decline in the
12 Cook Inlet beluga whale population;

13 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the
14 National Marine Fisheries Service to immediately begin the process of reviewing the status
15 of Cook Inlet beluga whales for consideration for "depleted" status under the Marine Mammal
16 Protection Act; and be it

17 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
18 the United States Congress immediately consider legislation amending the Marine Mammal
19 Protection Act to allow the National Marine Fisheries Service to regulate the harvest of Cook
20 Inlet beluga whales until the population has recovered; and be it

21 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
22 the United States Congress provide the National Marine Fisheries Service with adequate
23 financial resources to secure, in cooperation with the Alaska Department of Fish and Game,
24 the information necessary to ensure that the Cook Inlet beluga whale population is not placed
25 in jeopardy, that Alaskans dependent on the beluga whale resource are not unnecessarily
26 penalized, and that associated industries in the state are not placed at risk.

27 **COPIES** of this resolution shall be sent to the Honorable William M. Daley, Secretary
28 of the United States Department of Commerce; and to the Honorable Ted Stevens and the
29 Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
30 Representative, members of the Alaska delegation in Congress.