

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 4(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 5/8/07

Referred: Rules

Sponsor(s): REPRESENTATIVES OLSON, Fairclough, Seaton

SENATORS Wagoner, Bunde, Therriault, McGuire, Wilken, Huggins

A RESOLUTION

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

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

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

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

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

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

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

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

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

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