

CS FOR HOUSE JOINT RESOLUTION NO. 26(RES) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Amended: 3/19/12

Offered: 2/15/12

Sponsor(s): REPRESENTATIVES PEGGY WILSON, Thomas, Austerman, Dick

A RESOLUTION

1 **Urging federal agencies to work with the Alaska Department of Fish and Game,**
2 **Southeast Alaska Native leaders, and other interested parties to establish strategies and**
3 **plans for the sustainable management of the reintroduced sea otter population of**
4 **Southeast Alaska.**

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

6 **WHEREAS**, in the late 1960s, in the absence of a long-term management plan, the
7 Alaska Department of Fish and Game reintroduced approximately 400 sea otters to nearshore
8 waters in six different locations around Southeast Alaska; and

9 **WHEREAS**, without proper management, the sea otter population in southern
10 Southeast Alaska has grown at an alarming rate; and

11 **WHEREAS** more than 10,560 sea otters were observed in 2003, and a 2010-2011
12 aerial survey by the United States Fish and Wildlife Service revealed 20,000 sea otters, for an
13 approximate annual growth rate of 12 percent in southern Southeast Alaska and four percent
14 in northern Southeast Alaska; and

15 **WHEREAS** the federal government, which has responsibility for managing sea otter

1 populations under the Marine Mammal Protection Act of 1972, has not established an
2 effective management plan for protecting the ecosystems affected by sea otters; and

3 **WHEREAS**, in 1994, the United States Fish and Wildlife Service issued the
4 "Conservation Plan for the Sea Otter in Alaska," which stated that, while the optimum
5 sustainable population range had not been numerically defined for sea otters in Alaska, the
6 stock was believed to be in the optimum sustainable population range; and

7 **WHEREAS** the preface to the 1994 plan states that the plan "will be reviewed
8 annually and revised at least every three to five years"; and

9 **WHEREAS** male sea otters in Alaska can weigh up to 100 pounds and average
10 between 60 and 85 pounds, and large females can weigh up to 72 pounds and average
11 between 35 and 60 pounds; and

12 **WHEREAS** unmanaged high numbers of reintroduced sea otters consume up to 23
13 percent of their body weight each day of crab, abalone, sea urchins, sea cucumbers, clams,
14 and other shellfish that the region's human residents rely on for subsistence and commercial
15 uses and appear to be contributing to degradation of the ecological balance in many areas,
16 leading to diminished human harvests of those important subsistence and commercial
17 resources; and

18 **WHEREAS** the dramatically increasing and currently high number of reintroduced
19 sea otters has, in some areas, depleted shellfish stocks to a degree that subsistence, personal
20 use, sport, and commercial fishing have been halted because of unsustainable lack of
21 abundance; and

22 **WHEREAS** the State of Alaska, on behalf of its residents, has invested large
23 quantities of time and money in developing fisheries resources that are now being consumed
24 by sea otters; and

25 **WHEREAS** many residents in the state's coastal communities directly or indirectly
26 depend on the fishery resources of the state's coastal waters; and

27 **WHEREAS** money derived from the harvest of the state's sustainably managed
28 aquatic resources forms a major component of the economies of the state's coastal
29 communities, causing those communities to be particularly vulnerable to situations that
30 negatively affect yields from local resources; and

31 **WHEREAS** Southeast Alaska's municipalities, towns, and villages face substantial

1 challenges in developing broader economic opportunities for their residents; and

2 **WHEREAS** the Marine Mammal Protection Act of 1972 removed marine mammals
3 from the State of Alaska's management, denying Alaska residents and most Americans the
4 opportunity to harvest marine mammals, even if the denial places animal populations,
5 ecosystems, and the State of Alaska's economy at risk; and

6 **WHEREAS** Southeast Alaska's indigenous inhabitants have hunted sea otters since
7 time immemorial; and

8 **WHEREAS**, under the Marine Mammal Protection Act of 1972 and the regulations
9 adopted under the Act, Alaska Natives are limited to selling only "authentic" and "traditional"
10 Native handicrafts; and

11 **WHEREAS** sec. 101 of the Marine Mammal Protection Act of 1972 provides for
12 exemptions for Alaska Natives to harvest marine mammals, as long as the taking is for
13 subsistence purposes and not accomplished in a wasteful manner; and

14 **WHEREAS** sec. 101 of the Marine Mammal Protection Act of 1972 allows for the
15 use of marine mammal pelts for authentic Native articles, including handicrafts and clothing;
16 and

17 **WHEREAS**, under the Marine Mammal Protection Act of 1972, sale of value-added
18 fur products is allowed in both intrastate and interstate commerce; and

19 **WHEREAS** the state serves as a model for the management of harvestable resources
20 for sustained yield and sustainable use; and

21 **WHEREAS** implementation of a sustainable harvest management regime for sea
22 otters will serve the dual purposes of maintaining sea otter populations at a level suitable for
23 continued ecological balance and expanding economic opportunity; and

24 **WHEREAS** sec. 119 of the Marine Mammal Protection Act of 1972 allows the
25 United States Secretary of the Interior to enter into cooperative agreements with Alaska
26 Native organizations for the conservation of marine mammals and the development of marine
27 mammal cooperative management structures with federal and state agencies, including the
28 creation of local management plans for the harvest of marine mammals for subsistence use;

29 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
30 Secretary of the Interior and appropriate federal agencies to work with the Alaska Department
31 of Fish and Game, Southeast Alaska's Native leaders, and other interested parties in the state

1 to establish strategies and plans for sustainable management of the reintroduced sea otter
2 population of Southeast Alaska; and be it

3 **FURTHER RESOLVED** that the Alaska State Legislature urges state and federal
4 government authorities, in developing those management plans, actively to consider means of
5 expanding and enhancing small business and broader economic opportunities for residents of
6 Southeast Alaska; and be it

7 **FURTHER RESOLVED** that the Alaska State Legislature urges federal authorities
8 to consider broadening the scope of allowable uses for sea otters taken for subsistence
9 purposes by replacing the references to "authentic" and "traditional" handicrafts in the Marine
10 Mammal Protection Act of 1972 and the regulations adopted under the Act with the phrase
11 "Alaska Native articles of handicraft" and continuing the sale of sea otter pelts consistent with
12 all other provisions of the Marine Mammal Protection Act of 1972.

13 **COPIES** of this resolution shall be sent to the Honorable Ken Salazar, United States
14 Secretary of the Interior; and the Honorable Lisa Murkowski and the Honorable Mark Begich,
15 U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
16 delegation in Congress.