

BY THE RULES COMMITTEE

1 IN THE HOUSE

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HOUSE JOINT RESOLUTION NO. 92

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - SECOND SESSION

5

Relating to subsistence and commercial

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fishing in Glacier Bay National Park.

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

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WHEREAS the National Park Service is currently considering a proposal

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to close nonwilderness as well as wilderness areas of Glacier Bay National

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Park (Park) to subsistence and commercial fishing; and

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WHEREAS the Wilderness Act requires only that wilderness areas in the

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Park be closed to commercial fishing, but the National Park Service is

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proposing to close the entire Park to commercial fishing; and

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WHEREAS subsistence fishing and commercial fishing have occurred in

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the Park since before it was established as a national monument in 1925 up

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to today; and

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WHEREAS the National Park Service does not recognize the right of

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residents of Hoonah and other local communities to use the area now includ-

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ed in the Park for subsistence fishing, as their ancestors had done for

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generations; and

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WHEREAS the prohibition of subsistence and commercial fishing in the

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Park would have disastrous and widespread economic and social consequences

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for fishers of northern Southeast Alaska and the communities in which they

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reside; and

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WHEREAS the continued subsistence and commercial use of fisheries

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resources within the navigable waters of the Park is desirable and is

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environmentally compatible with the purposes of the Park; and

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WHEREAS the harvest of fisheries resources in the Park is conserva-

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tively managed by the Alaska Board of Fisheries and the Alaska Department

1 of Fish and Game to promote the sustained health of the fish stocks; and

2 WHEREAS migratory species of fish that do not originate in the Park
3 constitute the vast majority of the fish harvested within the Park; a
4 significant portion of the salmon harvested in the Park are the result of
5 salmon enhancement and rehabilitation efforts by the State of Alaska,
6 private nonprofit aquaculture associations, and hatcheries in Washington,
7 Oregon, and British Columbia; and

8 WHEREAS the National Park Service must administer the Park subject to
9 valid existing rights; and

10 WHEREAS the National Park Service recognizes mining claims that pre-
11 ceded creation of the Park and permits large scale mining activity to take
12 place within the Park in recognition of this prior claim; and

13 WHEREAS the State of Alaska has a valid claim to ownership of the
14 submerged lands and navigable waters of the Park; and

15 WHEREAS the State of Alaska has a right to exercise management author-
16 ity over activities on submerged lands and in navigable waters of the Park,
17 provided that the state does not interfere with the purposes for which the
18 Park and wilderness areas within the Park were established; and

19 WHEREAS issues relating to state and federal jurisdiction in the Park
20 have not been resolved; and

21 WHEREAS there is no valid rationale for changing National Park Service
22 policy at this time and closing the entire Park, including marine waters
23 out to three miles offshore, to subsistence and commercial fishing; and

24 WHEREAS subsistence and commercial fishing in the Park does not
25 threaten Park resources, visitor enjoyment of Park resources, or whale
26 habitat in the Park;

27 BE IT RESOLVED that the Alaska State Legislature respectfully requests
28 the National Park Service to terminate its proceedings to close Glacier Bay
29 National Park to subsistence and commercial fishing; and be it

1 FURTHER RESOLVED that the National Park Service proceed expeditiously
2 to amend its regulations in order to

3 (1) expressly provide for subsistence fishing in the Park in
4 accordance with the provisions of Title VIII of the Alaska National Inter-
5 est Lands Conservation Act (P.L. 96-487); and

6 (2) allow commercial fishing under the laws of the State of
7 Alaska within the nonwilderness areas of the Park.

8 COPIES of this resolution shall be sent to the Honorable George Bush,
9 President of the United States; the Honorable Manuel Lujan, Jr., Secretary
10 of the U.S. Department of the Interior; James M. Ridenour, Director,
11 National Park Service, U.S. Department of the Interior; Boyd Evison, Alaska
12 Regional Director, National Park Service, U.S. Department of the Interior;
13 and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.
14 Senators, and the Honorable Don Young, U.S. Representative, members of the
15 Alaska delegation in Congress.