

SJR

79



Alaska State Legislature

SENATE Resources Committee

Official Business

BETTYE FAHRENKAMP, Chairman
VIC FISCHER, Vice-Chairman
BRAD BRADLEY
DICK ELIASON
DON GILMAN
BOB MULCAHY
ARLISS STURGULEWSKI

POUCH V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

MEMORANDUM

TO: Pat Lawler
House Resources Committee Staff

FROM: Tom Johnson
Senate Resources Committee Staff

DATE: April 1, 1982

RE: Back-up information on SJR 70 and SJR 79

Per your request, attached please find back-up information from our files on SJR 70 and SJR 79.



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MEMBERS PRESENT

Senator Fahrenkamp
Senator Eliason
Senator Gilman
Senator Mulcahy
Senator Sturgulewski

POUCH V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3834
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March 22, 1982
1:35 p.m.

Beltz Room
Room 211 - Capitol

Hearing:

- SB 731 Establishing the Shuyak Island State Park.
SB 769 Removing the requirement that power projects constructed under the energy program for Alaska be owned by the State.
SB 843 Relating to surface coal mining and the surface effects of underground coal mining.
SJR 70 Relating to commercial fishing of North Pacific chinook salmon.
SJR 79 Requesting the National Park Service to adopt procedures providing public notice of proposed regulations, emergency regulations, and field orders for national parks, preserves, and monuments in Alaska.

SB 731

Senator Mulcahy said a Committee Substitute had been prepared, changing the word "compatible" to "other".

Jim Lieb, Alaska Department of Fish and Game, expressed support for the Committee Substitute.

Senator Gilman moved the acceptance of the Committee Substitute. He then moved CSSB 731 with individual recommendations.

SB 769

Senator Gilman explained that a Committee Substitute with a changed title had been prepared. It requires that federal power projects in which the State participates must meet the same tests as all State projects, and gives the Alaska Power Authority approval to proceed with the Bradley Lake project.

Senator Mulcahy moved the acceptance of the Committee Substitute. He then moved CSSB 769 with individual recommendations.

Senate Resources Committee
March 22, 1982
Page 2

SB 843

Jay Nelson, Alaska Environmental Lobby, stated that some provisions of SB 843 are not strong enough to protect the people and the environment. He stressed the need for revegetation with native species, the designation as unsuitable for surface coal mining areas that are highly biologically productive, and the recognition of the fisheries value.

Mark Wittow, Department of Natural Resources, stated that the Department of Fish and Game and the Department of Environmental Conservation both have permitting requirements that protect fisheries which would still stand. He further stated that performance standards will determine the type of reclamation and the amount of habitat protection required.

Senator Sturgulewski stated that State lands on which surface mining will not be allowed should be further defined.

Phil Holdsworth, COAL, in supporting the bill, clarified the point that all State agencies will continue to work together, so there are "built in" protections.

Senator Fahrenkamp stated that SB 843 would be held until 3/24/82.

SJR 70

Senator Mulcahy stated that SJR 70 had been heard in the Fisheries Subcommittee. He moved the acceptance of the Committee Substitute. He then moved CSSJR 70 with individual recommendations.

SJR 79

Senator Mulcahy stated that SJR 79 had been heard in the Fisheries Subcommittee. He moved the acceptance of the Committee Substitute. He then moved CSSJR 79 with individual recommendations.

The meeting was adjourned at 2:35 p.m.



JUNEAU, ALASKA

Alaska State Legislature
Senate

RESOURCES SUBCOMMITTEE ON FISHERIES

TO: Senator Fahrenkamp, Chairman
Senate Resources Committee

FROM: Senate Resources Subcommittee on Fisheries

SUBJ: SJR 70 "Relating to commercial fishing of North Pacific chinook salmon".

The subcommittee has taken testimony and replaced SJR 70 with CS SJR 70, and reports CSSJR 70 back to the committee as a whole with the following recommendations.

Members		Recommendation
Senator Mulcahy	<u>Bob Mulcahy</u>	<u>No Rec</u>
Senator Eliason	<u>William L</u>	<u>Do Pass</u>
Senator Gilman	<u>Alan Gilman</u>	<u>Do Pass</u>

Amendments to SCR 40, SJR 70, and SJR 79 suggested by TROLL PAGE

SCR 40: page 1, line 8 delete "tollers" and insert "state wide troll entry permit holders".
page 1, line 13 delete "trollers" and insert "state wide troll entry permit holders".
page 1, line 17 insert "without adverse effects on salmon stocks" after ity.

SJR 70: Page 1, line 17 delete "10" and insert "15".
Page 1, line 22 insert "which would be a 25% reduction since 1980" after range.
Page 2, line 9 delete "upper end of the 1981" and insert "1980".

SJR 79 Page 1, lines 15 and 16: delete lines 15 and 16 and insert "WHEREAS the National Park Service failed to provide timely notice of the closure; and
Page 1, line 21 delete "several"
Page 1, line 21 insert "severe, unnecessary, and unwarranted" before economic.

THESE AMENDMENTS WERE INCORPORATED INTO THE COMMITTEE SUBSTITUTE FOR SJR 79
AND SJR 70.

LEGISLATION SUMMARY

SJR 70: Relating to commercial fishing of North Pacific chinook salmon.

WHEREAS commercial fishing provides the highest employment of any industry in the state, and that Alaska commercial fishermen, especially trollers, depend on the North Pacific (king) salmon for their livelihood, and that the fishery management plan implemented by the Secretary of Commerce since 1977 have substantially reduced the harvest of chinook salmon in the fishery conservation zone off the coast of Southeast Alaska, and that Alaska commercial fishermen suffered a more than 10% reduction for the 1981 allowable harvest, and that the North Pacific Fishery Management Council has tentatively voted for management of the Yakutat-Southeast Alaska chinook salmon fishery at the lower end of the 1981 optimum yield range, and that Canadian commercial fishermen off British Columbia have not experienced a similar reduction, and continue to harvest chinook salmon in increasingly greater quantities, and thereby present a severe economic threat the Alaska and other Pacific coast state commercial fishermen, and that salmon interception treaty negotiations between the United States and Canada have not resolved the international dispute;

RESOLVED that the Legislature requests that North Pacific Management Council to provide for the Yakutat-Southeast Alaska chinook salmon fishery to be managed at the upper end of the 1981 optimum yield range, and requests the President of the United States to direct the Secretary of Commerce to disapprove amendments to the North Pacific fishery management plan that would reduce the harvest of Chinook Salmon in the Yakutat-Southeast Alaska Region below the 1981 level, and further requests the President to direct American participants in salmon interception treaty negotiations with Canada to effect a speedy resolution of North Pacific salmon fishery issues.

PRIME SPONSOR: Ziegler

CO-SPONSOR(S): None

February 17, 1982

Senator Richard L. Eliason
State Capitol
Pouch V
Juneau, Alaska 99811

Dear Mr. Eliason:

I am enclosing a copy of a letter which I wrote to Governor Hammond concerning the troll fishery in Southeast Alaska. I would appreciate it deeply if you would take time to read this letter so that you may become more aware of the unfortunate situation in which we find our fishery today.

Thank you, in advance, for your time and consideration.

Sincerely,



David R. Carlson
F/V Quest
PO Box 1232
Petersburg, AK 99833
772-3765

February 16, 1982

The Honorable Jay S. Hammond, Governor
State of Alaska
Pouch A
Juneau, Alaska 99811

Dear Mr. Hammond;

I am a commercial Salmon Power Troller in Southeast Alaska. I am writing this letter to you to apprise you of the dire situation in which we now find our fishery. I will try to make this letter as short and brief as possible but there are certain facts and events which have recently taken place of which I believe you should be aware.

Presently, and since 1973, our fishery has been under Limited Entry which has limited the number of participants in the fishery. Although the concept of Limited Entry has been ruled unconstitutional by Judge Carlson, I trust that the Alaska Supreme Court will uphold the Limited Entry Law. In 1980, the Alaska Board of Fisheries in conjunction with the North Pacific Management Council (NPFMC) imposed a "Quota" or "Optimum Yield" on the King Salmon harvest for the first time. This allowed us a harvest of 320,000 King Salmon which was supposed to be the last ten year average of King Salmon harvests in Southeast Alaska. However, this did result in a substantial reduction from the 1979 harvest level. We were led to believe that this harvest level would remain in effect for the foreseeable future thus stabilizing our harvest levels. This quota or optimum yield was imposed, for the most part, because both boards believed, although scientific data was grossly inadequate, that we were harvesting a large number of the Columbia River Bright stock of King Salmon which was not reaching the desired escapement goal as outlined by the Washington Department of Fish and Wildlife. In 1981, the Alaska Board of Fisheries and the NPFMC again recommended a further reduction of the King Salmon harvest level. There was, however, a difference of opinion as to whether the reduction should be ten or fifteen percent. No agreement was reached so we fished last season under a quota or optimum yield range of 272,000 to 288,000 King Salmon. The net result of these quotas or optimum yields and subsequent reductions resulted in a loss of approximately 40% of fishing time as compared to 1979.

In January of this year, the Alaska Board of Fisheries and the NPFMC again met to discuss the Southeast Troll Fishery and regulations for the 1982 season. The NPFMC again recommended another reduction which would lower our King Salmon Harvest to 243,000. The Alaska Board of Fisheries declined to vote in favor of this further reduction at this time. Thus, we now have a range in the quota or optimum yield

February 16, 1982

Governor Hammond

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of 243,000 to 288,000 King Salmon. Both boards will meet again in March to decide on which figure, or somewhere inbetween, will be the King Salmon harvest for 1982. The Alaska Board of Fisheries did not agree with the NPFMC recommendations for the following reasons: In 1981, we harvested 52,000 fewer King Salmon than in 1980. Although our quota for 1981 was 272,000 to 288,000 King Salmon, we actually harvested only 268,000 King Salmon. (This figure includes harvest by all gear types in Southeast Alaska). This was because Alaska Fish & Game made a "double-entry" error with their computer calculations which resulted in an additional closure late in the season. Bear in mind, now, that the primary purpose for these reductions in our King Salmon harvests was to allow more escapement of the Columbia River Bright stock of King Salmon. As a result of this reduction of 52,000 fewer King Salmon harvested in 1981, the number of King Salmon reaching the Bonneville Dam near the mouth of the Columbia River increased by a paltry 2000 fish. This indicates a cost-benefit ratio of 25 to one. In other words, for every 25 King Salmon we allow to pass through Southeast Alaskan waters, one makes it to the mouth of the Columbia River. The worst of the situation is yet to come. By the time these fish made it to the McNary Dam and, thus, to their spawning grounds (I believe four dams and about one hundred miles upriver) there were actually fewer fish than there were in 1980. It is obvious that the reductions in King Salmon harvests in Southeast Alaska have had absolutely no effect on this stock of King Salmon. The escapement goal as proposed by the Washington Department of Fish and Wildlife for the Bright stock of King Salmon is 40,000 fish. 63,900 made it to the Bonneville Dam but only 25,500 made it to the McNary Dam. That means an interdam loss of SIXTY PERCENT. What happened to these fish? Well, the dams certainly don't help the fish on their way to the spawning grounds but poaching and other illegal harvesting of these fish is certainly to be considered. The Washington Department of Fish and Wildlife refused, or at least been very reluctant, to solve the problem. It has been much easier to point their finger at Alaskans than at the problem in their own "backyard". It has already been determined that if we were not to harvest any King Salmon at all in Southeast Alaska, the escapement goal would still not be met for these stocks of fish. In fact, the Washington Department of Fish and Wildlife has now built in a 60% interdam loss in escapement goals. They are obviously not willing to determine the reasons or attempt to alleviate this loss of King Salmon between the dams. An obvious solution, although perhaps an unorthodox one, would be to truck these King Salmon the hundred or so miles to the upriver side of the McNary Dam and thus to their spawning grounds. So Washington and Oregon again approached the NPFMC and the Alaska Board of Fisheries to further reduce our harvest quota or optimum yield which history has shown will provide no benefit to these stocks of King Salmon. It must

February 16, 1982

Governor Hammond

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also be pointed out that the Canadians harvested more than three times the number of King Salmon that we harvested in 1981. I'm sure you are aware of the fact that geographically they are much closer to the Columbia River than we are in Southeast Alaska.

This brings me to the purpose of writing this letter to you. I urge you to support and encourage the Alaska Board of Fisheries to adhere to their 288,000 harvest range of King Salmon for 1982. Further reductions will NOT reduce or alleviate the problem of the Columbia River Bright King Salmon stocks. We simply DO NOT catch that many to make any significant consequence. Our King Salmon harvest has already been reduced by approximately one-third since 1979. Further reductions would deal an almost fatal blow to our troll fishery.

I purchased a permit in 1979 and the value of that permit has been reduced by a third since then. The vessel I own is essentially unsellable for a "fair" price because no one is willing to enter the fishery with all the "chaos" we have been going through for the past two years. Although our seasons and harvest levels have been significantly reduced over the past two years, the level of participants allowed in the fishery has remained the same. It doesn't take a mathematical genius to figure out that reduced harvest levels and fishing seasons means less money for the fisherman. I am unable to make a living at trolling, however, I cannot sell out because the present market values would not cover the existing loans I have on the boat and permit. Since 1979, we have had absolutely no stabilization in our fishery. Every year we have been confronted with even further cuts and reductions in our harvest levels and seasons. This year, again, we will not know how many King Salmon we can harvest or what our fishing seasons will be until the end of March. Somehow, someone has got to make some coherent sense out of this situation if there is to be any hope at all of maintaining this fishery for those other than school teachers, vacationers, etc.

I offer the following recommendations or suggestions to save the fishery from virtually becoming extinct:

1. Support the Alaska Board of Fisheries with their 238,000 King Salmon harvest level and urge them to resist any further reductions until it can be shown, for biological and NOT political or allocation reasons, that further reductions will benefit the fishery.

February 16, 1982

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2. Take a hard look and make revisions in the Limited Entry system so that reductions in our harvest levels will result in a reduction of participants allowed to enter the fishery so that those remaining in the fishery have a reasonable opportunity to make a living which was the whole purpose of instituting Limited Entry in the first place. I purchased my permit expecting to have this opportunity. With all the reductions imposed on us over the past two years, I can no longer do this.

3. Urge our two Senators and one Representative in the United States Legislature to offer an amendment to revise the Federal Marine Fisheries Act to allow more representation by Alaskans on the NPFMC. At the present time, Alaskans do not even have a voting majority on this body; the very body that regulates our traditional fisheries. In addition, all persons appointed to the NPFMC should fully support Alaskans and their fisheries. Clem Tillion, a present member of the board, has repeatedly been quoted as saying that if he has a choice between voting for the fisherman or the fish, he will vote for the fish every time. He has voted for the fish but the fish he has voted for in our situation have wound up in the hands of Canadian or Washington fishermen or in some cases, poachers on the Columbia River. It would also be exceedingly helpful if there was a troller on the NPFMC. As long as this body is going to continue to concentrate on the troll fishery, we need an Alaskan troller to represent and convey our interests and concerns.

4. Mandate that all regulations be reviewed by the local advisory boards. At present, most regulations that are passed by the Alaska Board of Fisheries are not those which have been reviewed and considered by the advisory boards. This has led to a total lack of confidence by fishermen in these boards. This does not help in promoting trust in government.

5. Lastly, I, and many other trollers, would like to know what the future of our fishery is going to be. If it is the desire of the State of Alaska and the Federal Government to put trollers out of business, I'd like to know it now so I can do something else. We can't take being "nickled, dimed, and quartered" to death. We HAVE to have some stabilization and confidence in this fishery if it is to survive.

I know this letter is lengthy and I apologize but I am very concerned and disappointed over what has happened to our fishery and my investments and livelihood. I rely on fishing to support my family and make a living. I can no longer do this. I would appreciate your assistance in this matter.

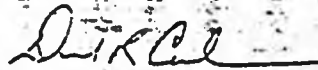
February 16, 1982

Governor Hammond

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Thank you for taking the time to read this letter.

Sincerely,



David R. Carlson

F/V Quest

PO Box 1232

PETERSBURG, AK 99833

772-3765

February 26, 1982

Senator Ziegler
Alaska State Legislature
Pouch V (MS 3001)
Juneau, AK 99811

Mr. Ziegler:

Thank you for introducing SCR40. The troll industry has been trying to regain our privilege to fish statewide as we had before 1976.

I feel the reduction in the take of the Japanese High Seas gill net salmon has dramatically helped the return of fish runs in western Alaska. With an ever watchful eye I feel the king salmon returns will increase even more.

The high quality of the troll caught king salmon and the surging demand is a very good reason to make the troll industry state wide.

The enclosed information shows the dramatic catch increase by other gear groups in Alaska. In the one area where fish are not on an increase, I propose that the troll fleet not fish these stocks.

The North Pacific Fisher Management Council and the Alaska Department of Fish are operating in a data void for king salmon stocks in the Gulf of Alaska and Bering Sea. At least a small group of boats should be allowed to sample stocks and tag king salmon to help determine run sizes and areas where fish travel.

For example, only 2 and 5 year old Taku River king salmon are caught by Alaska fishermen. Where are the 3 and 4 year old fish? The troll industry would certainly like to know.

Mr. Ziegler, I'd again like to thank you for your support of the Alaska troll industry, and I also fully support SJR70.

Sincerely yours,

Walter C Pasternak

Walter C. Pasternak

WR/dw



Alaska
Trollers
Association

CHINOOK CATCH BY AREAS

		<u>Catch</u>	<u>Change</u>
Prince William Sound	1981	21,400	
	1980	8,700	+146%
Cook Inlet	1981	12,000	
	1980	12,900	- 7%
Bristol Bay	1981	239,000	
	1980	95,000	+152%
Kodiak	1981	1,400	
	1980	500	+180%
Chignik	1981	2,700	
	1980	2,200	+ 23%
Alaska Peninsula	1981	27,400	
	1980	22,000	+ 25%
Alaska, Yukon, Kuskokwim (AYK)	1981	246,300	
	1980	207,500	+ 19%
Total chinook in areas outside Southeastern	1981	550,200	
	1980	348,800	+ 58%
Southeastern	1981	268,100	
	1980	320,600	- 16%

8/11/81

Table 1. Incidental catch of prohibited species in Gulf of Alaska by foreign trawlers, 1977-1980.

	<u>Shumagin</u>	<u>Chirikof</u>	<u>Kodiak</u>	<u>Yakutat</u>	<u>Southeastern</u>	<u>Total</u>
<u>Halibut (m.t.)</u>						
1977	1,291	848	1,001	279	208	3,627
1978	666	158	152	196	45	1,217
1979	165	73	438	1,375	278	2,329
1980	120	38	1,356	443	131	2,088
Average	560	279	737	573	166	2,315
<u>Salmon (no's.)</u>						
	90% of Salmon catch are kings					
1977	1,071	166	3,184	607	244	5,272
1978	34,738	8,089	2,318	312	128	45,585
1979	13,916	3,034	2,424	82	212	19,718
1980	19,179	8,746	7,377	404	61	35,767
Average	17,226	5,021	3,826	351	161	26,586
1981	9,000	12,000	500	300	0	22,000
<u>King Crab (no's.)</u>						
1977	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
1978	89,692	0	99	750	0	90,541
1979	20,385	9	54	127	19	20,594
1980	1,691	0	79	312	21	2,103
Average (78-80)	37,256	3	77	396	13	37,746
<u>Tanner Crab (no's.)</u>						
1977	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
1978	6,757	14	337	7,521	0	14,629
1979	240	202	7,033	1,308	57	8,840
1980	3,111	0	6,124	2,520	7	11,830
Average (78-80)	3,269	72	4,498	3,805	21	11,766

NOF, 46 - 265204 Item E-5

9/21

The last salmon

(First of three parts)

By BILL DIETRICH

Vancouver, Columbia

VANCOUVER, Wash. (AP) -- Who will catch the last salmon in the Columbia River? Will it be an Indian? A white millnetter? A sportsman?

A thief, most likely.

As runs dwindle, seasons shorten and the value of salmon climbs to as much as \$100 a fish, the attraction of illegal fishing grows.

"It's better than robbing a bank," said Joe Salte of Cathlamet, a Washington state fisheries agent. "If you go out and poach for a season, you can make maybe \$40,000 or \$50,000."

If caught in Washington, the fine for a first offender is sometimes less than the wholesale price of a night's catch. Jail time is unlikely.

While Oregon has made illegal commercial fishing a felony, Washington's Legislature voted in 1979 to keep it a misdemeanor after lobbying by some commercial fishermen.

One Skamokawa man amassed 23 fishing violations, three resisting arrest charges and one escape in just four years.

In 1979, a Skamania County grandmother was sent to prison in Oregon for selling an estimated \$380,000 of illegal fish in just three months.

An undercover sting operation last year led to charges of illegal fish-buying against three Portland brokers. Two have pleaded guilty.

Five state and federal agencies and four Indian tribes with enforcement powers are attempting to crack down. But enforcement remains understaffed and uncoordinated.

"I think we're barely scratching the surface," said Salte. "There's no question we need more people" to police the fish laws.

Washington and Oregon officials are belatedly recognizing that as salmon runs decline, poaching may be serious enough to push the fish to extinction.

Half of the fall chinook wild run disappeared between Bonneville and John Day dams in 1980 and 1981. Biologists fear poaching may be the cause.

Maintaining the Columbia River fish run this year will cost the public more than \$16 million. The annual value of the stolen fish is not known, but based on undercover investigations, fisheries agents believe it is hundreds of thousands of dollars. Some guesses run more than \$1 million.

Some fish are sold to restaurants and brokers in the Vancouver-Portland area. Others have been flown to California or the East Coast.

One 33-year-old poacher now in prison boasts of making more than \$1 million from fish caught illegally in the lower Columbia River. Upriver, a minority of Indians are believed abusing ceremonial fishing privileges to poach in tributary streams, so-called sportsmen have been caught snagging and clubbing spawning fish for later sale.

Each group tends to point accusingly at the other as the real culprit.

Uppermost should be the preservation of the resource, but too many fishermen of both races look on it as who's going to catch the last salmon in the Columbia River," said Jeff Sanders, police chief of Oregon's Warm Springs Tribe.

If a group of organized thieves annually embezzled hundreds of thousands of dollars from government coffers, one would expect a public outcry and police crackdowns.

Yet the thefts from the Columbia are often ignored by the public, concealed by some fishermen, inadequately policed, unenergetically prosecuted and punished with light sentences.

Because the salmon are hidden from human eyes until caught or they go over a fish ladder, there are no reliable numbers on how many are illegally caught in the Columbia.

Yet authorities fear illegal fishing may be threatening to annihilate the fall wild chinook that spawn at Priest Rapids near Hanford, the last free-flowing part of the river.

In 1980, 30,000 natural spawning fall chinook disappeared when swimming between the fish ladders at Bonneville and John Day dams. They were not reported as commercial catches, did not show up at hatcheries and did not swim up tributary streams.

Some fishermen contend they were killed by dam turbines. Washington fisheries biologist Don McIssac of Vancouver said most scientists think it is more likely the majority were caught illegally.

Last fall, the problem worsened: 33,000 wild chinook and 20,000 hatchery fish ended up missing.

"Our needed spawning escapement was not realized," said McIssac. "We got half of what was needed to perpetuate runs at maximum sustained yield."

State biologists were concerned enough to ask for a halt to river fishing on the fall run in 1981, but the courts awarded the Indian tribes eight days. Biologists may seek a shutdown again this year.

And, in a science-fiction-like twist, they hope to implant some fish at Bonneville with radio transmitters so they can be tracked while swimming upstream to John Day. Then scientists could say with certainty whether it is poaching or dams that cause the fish to disappear.

Even without thousands of fish mysteriously missing, undercover investigations and arrests have consistently forced authorities to increase their estimates of illegal fishing.

"It's a pretty widespread problem," said Salte. "I think it's severe enough that it's affecting the fish runs."

Simple arithmetic is one reason agents are concerned. Saturation patrols in 1981 brought five to six arrests on Bonneville Pool for four to five consecutive nights, and Oregon State Police Sgt. Joe Schwab. Some 47 illegal nets were confiscated during 1981 in the vicinity of The Dalles. About 200 nets were confiscated on the river last year.

Ed Wickersham, a U.S. Fish and

Wildlife agent who lives in Vancouver, said one illegal floater net near Spring Creek hatchery above Bonneville was found so full of fish it had been dragged under water. In 1979, just two illegal nets yielded 2,500 pounds of chinook. On Sept. 6, 1980, four illegal nets contained 138 pounds of chinook.

"It wouldn't be uncommon to catch 100 fish in a single night," Salte said. "That number easily could be worth \$5,000."

Veteran poacher Marvin Tolva, now in prison, said up to \$10,000 can be caught a night when runs peak.

James Lithgow, a Portland fish broker, pleaded guilty in December and paid a \$7,000 fine. His Lithgow Bros. Inc. fish brokerage was fined an additional \$5,000. Carlson Seafood Inc. pleaded guilty and was fined \$4,000. Owner Craig Carlson was fined an additional \$1,000. Action is pending against Joe Jaha of Sea Sands brokerage.

Those cases were prosecuted under Oregon's felony law. Under Washington law, the crime is at worst a gross misdemeanor, with a fine up to \$5,000.

(See LAST SALMON, Page 8B)

Last salmon/ from page 1B

and a penalty of a year in jail. In reality, most fines remain well below \$1,000 and jail time is given only to repeat offenders.

Fisheries agents suspect many area restaurants, knowingly or unknowingly, are buying and serving stolen fish. Arrests, however, are rare.

Tracing illegal fish to the retail market is difficult. Most legal salmon served or sold outside regular fishing seasons have been frozen and stored. Black market fish need only be frozen to prevent enforcement officers from determining when it was caught.

Even if fish is sold fresh out of local season, sellers often point to other legal salmon seasons elsewhere. There is a legal salmon troller fishery for chinook salmon in the Strait of Juan de Fuca almost year around.

The Columbia River experiences spring, summer and fall runs of salmon, but because the number returning to the river to spawn continues to decline, river commercial fishing has been sharply reduced.

Under a compact agreed to between the states of Washington and Oregon and the Yakima, Warm Springs, Umatilla and Nez Perce Indian tribes, about one-third of the fish destined to migrate upriver from Bonneville Dam are reserved to lay eggs for future runs.

Of the remainder, Indians are supposed to get 40 percent of the spring chinook and 60 percent of the fall chinook, with the rest for non-Indians. However, the tribe's recorded catch often lags behind those percentages.

One winter commercial fishing season is planned for later this month and March, agreed to by the states and tribes. A brief fall fishery may be set later. Tribal fishing seasons are different from those of non-Indians to try to ensure the tribes catch the percentage they are allowed.

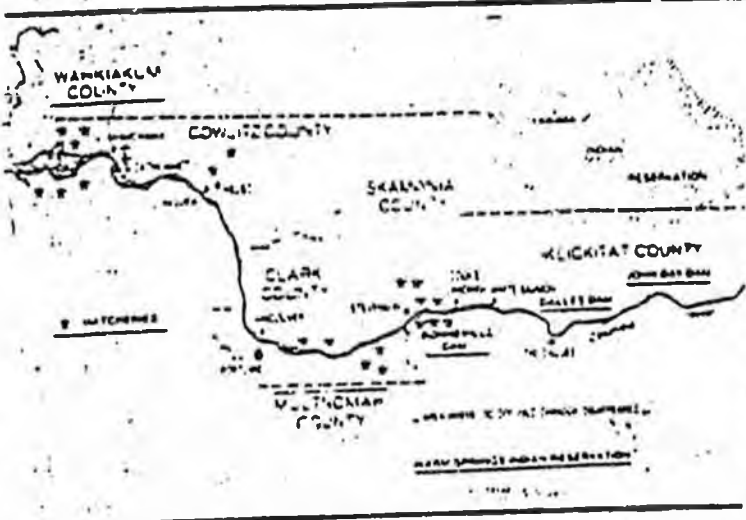
Indian tribes also are allowed to set their own special seasons for ceremonial fishing, to provide fish for traditional religious or tribal gatherings. The catch is not supposed to exceed the number needed for the ceremony, and the recorded number of fish caught for ceremonial purposes is small.

But fisheries officers believe large numbers of unrecorded surplus fish are caught on out-of-season ceremonial permits and sold on the black market.

Fisheries agents say a distinct part of the Northwest's heritage is at stake.

"Unless more is done, in our lifetime we will see the extinction of the run," said Sanders, the Warm Springs reservation police chief. "You will have to go to an aquarium to see salmon."

Next week: Law Enforcement.



Warm Springs Tribal Chief Jeff Sanders warns that if poachers aren't stopped, future salmon will be seen only in aquariums.

AP Wirephoto

Columbia River

Dear Editor:

Trollers in Alaska apprehensively await a decision by Craig, a Federal judge. Craig's decision concerning returning king salmon to the Columbia River system will decide the future of Alaskan trollers. If he decides Alaskans must let more king salmon go-by, in order that Indian tribes in Washington get their 50% share of the run, Alaskan trollers will have a king quota of 240,000 and a bleak future. Next year, the king quota will probably be dropped again, and again the next year, and on and on until Alaskans will have no quota. I believe this will happen because the Alaska king quota

was supposed to stay at 320,000 the first year it was instituted. The very next year it was lowered to 272,000. This year the quota may drop to 240,000, depending on Judge Craig's decision.

Before Craig makes his decision, I hope he considers the following information:

—In 1976, 2,800,000 king salmon were killed during a test to see how low the water level on part of the Columbia would go if water were used to cool two nuclear plants at Hanford Washington.

—The "Royal Chinook" run was practically wiped out with the building of the Grand Coulee Dam.

—Stream fluctuations on Washington's Cowlitz River killed up to 18,000 small fish a day.

—Irrigation interests along the Columbia River system can now take water below minimum levels of the past.

—The Japanese incidentally caught 700,000 king salmon last year and the Canadians caught about three times as many king salmon as Alaskans.

—The cutting of Alaska's king quota this last year has shown no noticeable difference upon the Columbia run.

—There is not conclusive biological proof that Alaskans are catching detrimental numbers of the Columbia king salmon run.

Last of all, I hope Judge Craig is a reasonable man and sees that a minority of people are receiving a majority of a natural resource which more than meets the U.S. government's treaty obligations to them.

Yours very truly,
Ronald L. Merritt
P.O. Box 912

Wrangell, AK

Relating to HJR-78
SJR-70

F I N A L

ENVIRONMENTAL IMPACT STATEMENT, PRELIMINARY FISHERY MANAGEMENT PLAN
High Seas Salmon Fisheries of Japan

U.S. DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL MARINE FISHERIES SERVICE

P. O. Box 1668
Juneau, Alaska 99802

January 1977



JUNEAU, ALASKA

Alaska State Legislature
Senate

RESOURCES SUBCOMMITTEE ON FISHERIES

TO: Senator Fahrenkamp, Chairman
Senate Resources Committee

FROM: Senate Resources Subcommittee on Fisheries

SUBJ: SJR 79 "Requesting the National Park Service to adopt procedures providing public notice of proposed regulations, emergency regulations, and field orders for national parks, preserves, and monuments in Alaska".

The subcommittee has taken testimony and replaced SJR 79 with CS SJR 79, and reports CSSJR 79 back to the committee as a whole with the following recommendations.

Members	Recommendation
Senator Mulcahy	<u>Bob Mulcahy</u> No Pass
Senator Eliason	<u>Dick Eliason</u>
Senator Gilman	<u>Don Gilman</u> No Pass

Fanning/Grussendorf Subcommittee Report on CSSJR 79

Page 1, line 25: Delete: "Alaska commercial fishermen"

Insert: "all Alaska residents"

Page 2, line 1: Delete: "Glacier Bay National Park and other"

Insert: "all"

Page 2, line 10: Insert additional resolve:

FURTHER RESOLVED that the National Park Service is requested to reevaluate the necessity of its three-year closure of Glacier Bay National Park to commercial fishing of shrimp and other principle food sources of the humpback whale."

Original sponsor: Labor and Commerce Committee
by request

Offered: 3/23/82
Referred: Rules

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE JOINT RESOLUTION NO. 79 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 Requesting the National Park Service
6 to adopt procedures providing public
7 notice of proposed regulations,
8 emergency regulations, and field
9 orders for national parks, preserves,
10 and monuments in Alaska.

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

12 WHEREAS in 1980 the National Park Service instituted a three-year closure
13 of Glacier Bay National Park to the commercial fishing of shrimp and other
14 principal food sources of the humpback whale; and

15 WHEREAS the National Park Service failed to provide timely notice of the
16 closure; and

17 WHEREAS, without notice of the closure, commercial fishermen made prep-
18 arations to fish and traveled to Glacier Bay only to be refused entry into
19 the park by National Park Service employees; and

20 WHEREAS failure of the National Park Service to provide adequate notice
21 of the closure caused severe, unnecessary, and unwarranted economic loss to
22 commercial fishermen;

23 BE IT RESOLVED by the Alaska State Legislature that the Department of
24 the Interior, National Park Service, is respectfully requested to adopt
25 procedures that will provide to Alaska ^{all} ~~commercial fishermen~~ ^{Residents} and other users
26 of national parks, preserves, and monuments in Alaska improved notice of
27 proposed regulations, emergency regulations, and field orders; and be it

28 FURTHER RESOLVED that the Department of the Interior, National Park
29 Service, is respectfully requested to adopt notice procedures for field

ALL

1 orders issued for ~~Glacier Bay National Park and other~~ national parks, pre-
2 serves, and monuments in Alaska in order that, not less than 48 hours before
3 the effective date of a field order, the order will be

4 (1) posted and otherwise made available to the public in accor-
5 dance with procedures customarily used by the Alaska Department of Fish and
6 Game for posting and publicizing similar notices; and

7 (2) broadcast at the time intervals, channels, and frequencies
8 customarily used by the Alaska Department of Fish and Game to broadcast
9 similar notices. .

10 COPIES of this resolution shall be sent to the Honorable James G. Watt,
11 Secretary of the Interior; Mr. Russell E. Dickenson, Director, National Park
12 Service; Mr. John Chapman, Superintendent, Glacier Bay National Park; and to
13 the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators,
14 and the Honorable Don Young, U.S. Representative, members of the Alaska
15 delegation in Congress.

16
17 Be it further Resolved: that the
18 N.P.S. re-evaluate the necessity of
19 their 3 yr closure of Glacier Bay NP to
20 commercial fishing of Shrimp, other
21 principle food sources of the humpback
22 whale.
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