

560

SRES

SCR

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560

Issues

Gathering, Compression and other Charges or Costs

The amount charged APC by Phillips for dehydration and transportation is 10¢/Mcf. The amount charged APC by Phillips to add a compression unit to maintain capacity in the gathering system is set at 10¢/Mcf. (The agreement between Phillips and the State, and the contract between APC and the State provide that APC will make all payments for the State's account directly to Phillips.) Both of these charges increase at a compounded rate of 6 percent per year. As further compression facilities are installed in the future, additional charges are to be mutually agreed upon by the parties involved. In addition, APC must pay Phillips in proportion to its deliveries for any new or increased taxes and charges which are levied against Phillips with respect to the gathering of royalty gas.

Phillips has supplied data on the gathering and compression charges negotiated between themselves and APC for delivering the State's royalty gas. (See Table I and Table II enclosed.) These figures have not been scrutinized as to whether they are just and reasonable by the Alaska Royalty Oil and Gas Development Advisory Board or the APUC. However, it has been suggested that they are on the high side.

Perhaps one way to get a better handle on these charges would be to request the APUC to review the royalty gas clause of its December 1975 order as it applies to allowing flow through charges. At the time the

flow through provision was granted the transportation cost figures were thought to be considerably less than those proposed now. It is questionable whether the APUC would have allowed the currently proposed flow through charges, considering their comment in the order that the flow through provisions proposed by Alaska Gas and Service Company (AGAS), the distribution affiliate of APC, were ". . . so broad that nearly all increases in any . . . cost of purchased gas could be flowed through."³ This tends to raise some doubts concerning APC's assertion that the APUC had intended to allow any and all flow through costs. The APUC order also states that the cost of royalty gas will be "somewhat higher" than the price of gas from other gas supplies now committed to APC. Other supplies are priced at 41.5¢/Mcf for gas from the Kenai gas field, compared to 84.65¢/Mcf for royalty gas from the North Cook Inlet field, i.e., 104% higher.

It is of particular interest to note that one of the reasons the APUC allowed the added costs was to provide APC with the opportunity to obtain additional gas to supplement their dwindling reserves, particularly in the Anchorage area. Since the "royalty" line to move North Cook Inlet gas to Anchorage has not been built, and APC is not required under the contract to deliver gas to Anchorage, the question arises as to whether the added flow through charges should be allowed by the APUC. It is difficult to ascertain from the written material we have reviewed how hard APC negotiated with Phillips for less than the agreed to

³ *Alaska Public Utilities Commission Docket U-75-68, Order No. 3, dated December 17, 1975, page 7.*

charges of 10¢/Mcf for transportation and 10¢/Mcf for compression. Records show that APC discouraged the APUC from developing " . . . 'a complete record' of the negotiations (between APC and Phillips) for the Commission's files . . ." ⁴. The question arises as to what incentives, if any, existed for APC to negotiate for lower charges if APC assumes that any added costs can be passed on automatically to the consumer under U-75-68(3)?

The argument that the royalty gas from the North Cook Inlet gas field is cheaper, even with the added 20¢/Mcf cost for transportation and compression charged by Phillips, than any "new" gas available to APC in the Cook Inlet is debatable. APC cites a \$1.45 price for similar gas in Cook Inlet being offered by Pacific Alaska LNG to support its contention. (We understand the above to be a "spot sale".) However, since the contract with APC provides that the State will receive the highest of three pricing options on the annual anniversary of the contract, one of which is the highest price paid within a 100 km radius from the Phillips platform, and since we have been advised that the gas for which Pacific Alaska LNG is making an offer is within the 100 km radius, it is unlikely that APC can escape paying the \$1.45 (or even a higher) price within the next year. Therefore, the assertion that regardless of the added transportation and compression costs the royalty gas is still a bargain is not quite accurate, and APC is not entirely candid when using this argument to attempt to convince the Alaska Oil and Gas Development

⁴ Letter from Alaska Gas and Service Company to Alaska Public Utilities Commission, dated September 29, 1976.

Advisory Board, the APUC or the Legislature " . . . that it appears royalty gas will always be available . . . at less cost than any other likely 'new' gas."⁵

At the same time APC told us that the above situation could not happen since no comparable sale to that provided for in the current contract would occur, and they, therefore, would never be subject to the pricing provision which calls for the highest price to be paid

". . . by any purchaser in the upper Cook Inlet area for gas of similar conditions of delivery; with due regard to appropriate factors including, but not limited to, differences of BTU content, delivery pressure, terms of the contract and connection charges." (Current Gas Purchase Contract, page 10, lines 3-8)

Royalty Line

One of the reasons APC cannot make Contract 76-1 of last year operational is that the contract provides that APC take all of the royalty gas available from the North Cook Inlet gas field. To have use for all royalty gas APC needs to ship approximately 50 percent to its Anchorage consumers, since only approximately 8 MMcf/day can be utilized on the North Kenai Road.

APC has been "flirting" with the idea of building a connecting "royalty" line from the North Kenai Road area to its "Anchorage" line, which delivers gas to Anchorage from the Kenai gas field from the beginning of the negotiations. However, they also have indicated that they would

⁵ Letter from Alaska Pipeline Company to Alaska Oil and Gas Development Advisory Board, dated April 15, 1977.

prefer to enter into an "exchange" agreement with U-M and Phillips to exchange royalty gas from North Cook Inlet with U-M gas from the Kenai gas field. This would be technically feasible, and cost far less than the proposed royalty line, since U-M runs a transmission line from the Kenai gas field to the North Kenai Road area, with APC running a line from the Kenai gas field to Anchorage. An exchange agreement would thus avoid a literal transfer of gas and eliminating construction of a "royalty" line. (See enclosed map.)

When APC found it impossible to work out an "exchange", they decided to build their own line to connect with the Anchorage line. However, this decision brought with it the request for all of the State's royalty gas from the North Cook Inlet field for the life of production rather than for a limited term through June of 1984. This request was not accepted by the State and Contract 76-1 provides for a termination date of July 1, 1984.

The question as to whether APC would build a royalty line continued and as late as February 2, 1977 APC informed the Alaska Oil and Gas Development Advisory Board that they would take such quantities of royalty gas as they could readily resell to their North Kenai Road customers, and not be committed to installing a pipeline connecting to their existing pipeline to Anchorage, although they could do so at their option.⁶ The

⁶ Letter from Alaska Pipeline Company to Alaska Oil and Gas Development Advisory Board, dated February 2, 1977.

most recent indications are that APC is inclined to build the connecting line upon approval of the contract by the Legislature, since " . . . it appears that there is sufficient benefit from the royalty line to justify the investment by APC."⁷

The physical absence of the royalty line not only prevents APC from providing Anchorage with much needed dedicated reserves, which was the APUC's reason for the royalty clause which allowed flow through of costs and commingling of lower priced Kenai field gas with North Cook Inlet royalty gas, but it also prevents APC from providing North Kenai Road customers with stand-by gas should the royalty gas ever be insufficient to meet demand.

APC has indicated that a royalty line would not be feasible if the present contract were not approved this year, because the contract only extends to June 1, 1984. We do not find this argument very persuasive. APC fully expects to get the royalty gas from the North Cook Inlet gas field for the life of production once the contract has been signed. Furthermore, it should be noted that the new contract provides that the contract can be extended prior to its termination, a provision absent from Contract 76-1.

The Legislature may wish to consider extracting a firm commitment from APC that they will build a royalty line immediately, making it a con-

⁷ *Letter from Alaska Pipeline Company to Alaska Oil and Gas Development Advisory Board, dated April 15, 1977.*

dition of contract approval. If this can be accomplished, then APC should be required to take all of the royalty gas which becomes available after completion of the line, and the 3 Bcf "best reasonable effort" provision should be deleted from and/or revised in the APC contract as well as the agreement between the State and Phillips to avoid delays in deliveries once the line is operational.

Jurisdiction

Present indications are that there is no possibility for APUC or APC jurisdiction over Phillips' pipeline, in as much as Phillips operates and maintains the line for its own purposes. Phillips has not violated any laws, and both agreements provide that should Phillips come under either FPC, APUC or Alaska Pipeline Commission jurisdiction, the agreements terminate. Short of revoking their right-of-way permit and substituting a right-of-way lease, which may be possible but almost certainly would entail litigation, there appears to be no way to make them submit to regulatory jurisdiction.

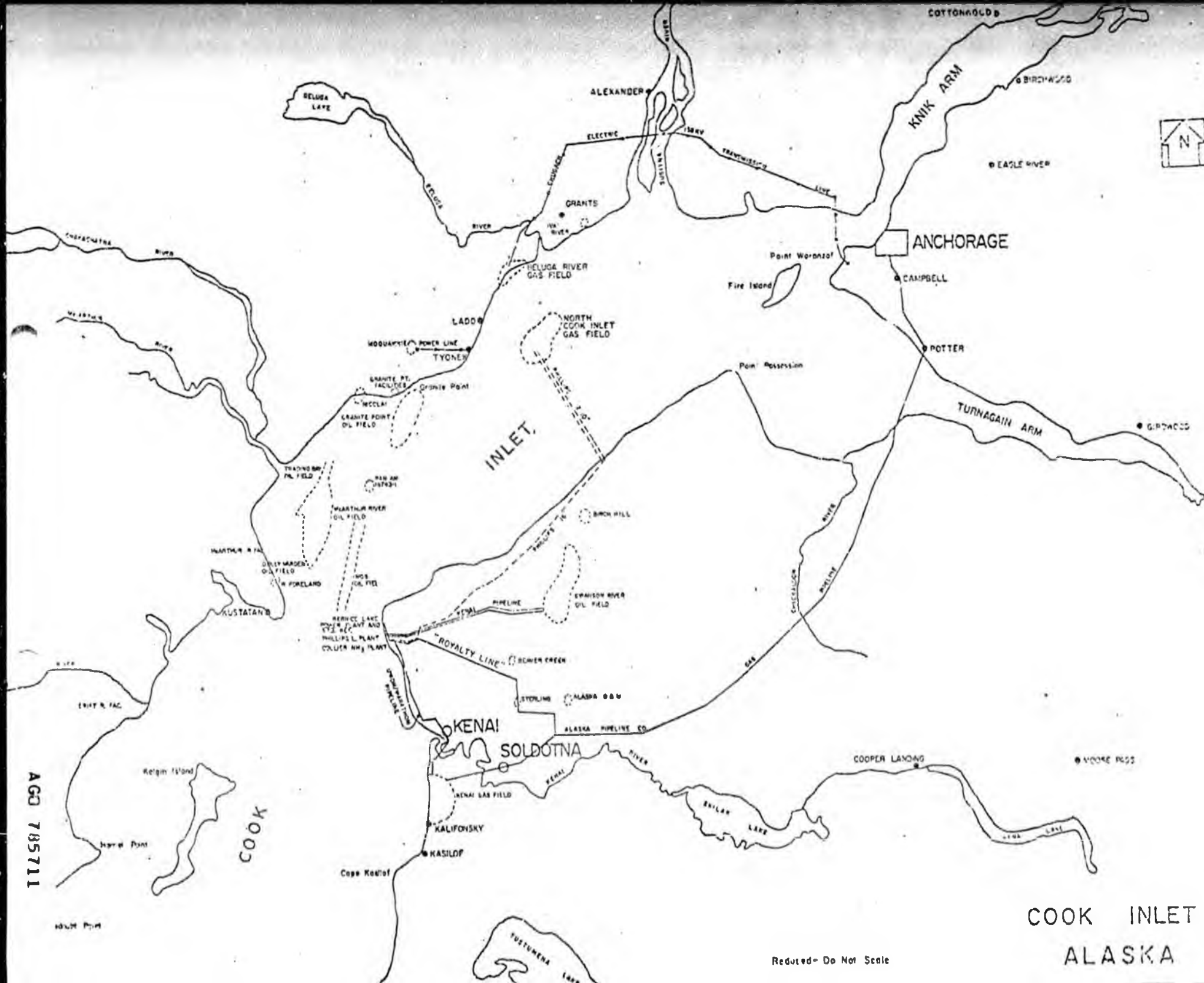
To avoid future problems, the Legislature may provide that

1. All pipelines not currently covered by our common carrier statute agree to common carrier status retroactively to retain their pipeline right-of-way permits (Right-of-Way Leasing Act-38.35.120).

2. Sec. 43.06.630(9) of the Alaska Pipeline Commission Act be amended so that gas processing plants are covered in the definition of what constitutes a pipeline or pipeline facility, and deleting the reference to transportation as a common carrier.

3. The possibility should be explored if producers/operators of oil and gas fields located in remote or inaccessible locations, such as a platform, should be required to enter into mandatory exchange agreements with more favorably located fields or transmission lines, which are regulated by the APUC, to avoid jurisdiction, while at the same time protecting the public interest.

These suggestions have not been thoroughly investigated nor checked with the Division of Legal Services, but are offered as a beginning to remedy the current jurisdictional problems with which the State is faced as it affects Phillips' pipeline.



AGO 785711

COOK INLET
ALASKA

Reduced - Do Not Scale

T A B L E I

PIPELINE

Estimated Present-Day Replacement Cost	at least	\$25,000,000
Estimated Present-Day Replacement Cost Depreciated to 1977		17,300,000

ESTIMATED COSTS

	<u>\$/Year</u>
Depreciation (20 Years)	\$1,100,000
Rate of Return 15% on Depreciated Investment	1,520,000
Income Tax @ 52.5% (State & Federal)	1,700,000
Operating Expense	2,750,000
	<hr/>
TOTAL	<u>\$7,070,000</u>

Cost/Mcf @ 43 Bcf/Year = 16.4¢

Cost/Mcf @ 55 Bcf/Year = 12.9¢

T A B L E I I

COMPRESSORS
(FIRST UNIT)

To maintain capacity in the gathering system and compressors to handle the full 12.5% royalty gas volume, it will be necessary to install compressors at an earlier date. Also, it is estimated that to maintain this capacity it will be necessary to install an additional compressor unit over and above that required for maintaining deliveries without the State taking its royalty gas in kind. Estimated differential in compressor investment is \$5,000,000.

Cost of Compression

	<u>\$/Year</u>
Depreciation (10 Years)	\$ 500,000
Rate of Return 15% on Average Investment	375,000
Income Taxes @ 52.9% (State & Federal)	420,000
Operating Expense	715,000

TOTAL	\$2,010,000

Minimum Annual Payment	= \$2,010,000
Royalty Gas Volume @ 4.3 Bcf/Year	= 5.4 Bcf
Royalty Gas Volume @ 5.5 Bcf/Year	= 6.9 Bcf
Cost/Mcf @ 5.4 Bcf	= 37.2¢
Cost/Mcf @ 6.9 Bcf	= 29.1¢

Phillips agreed with Alaska Pipeline Company's request to a compressor charge of 10¢/Mcf on a space-available basis and no minimum annual charge.

APPENDIX "A"

KEY PROVISIONS

PROPOSED REVISED CONTRACT

CONTRACT 76-1

CONTRACT BETWEEN STATE AND PHILLIPS
(with APC being a signatory)

CONTRACT BETWEEN STATE AND APC

Quantity:

ARTICLE II
All royalty gas available, when and as available.

ARTICLE IV

1. Phillips shall use its "best reasonable efforts" to deliver not less than 3 Bcf of royalty gas annually (without requiring installation or operation of added pipeline and compression facilities), and subject to
 - a. availability of capacity in Phillips' facilities to handle volumes in excess of Phillips' own requirements;
 - b. availability of royalty gas at the platform;
 - c. APC's requirements; and
 - d. APC's ability to take the requirements.
2. Over or under deliveries of royalty gas shall be carried in an over and short account. In the event the takes by the State (APC) shall ever be 60 MMcf less than the amount of royalty gas available, Phillips shall purchase the excess undelivered quantities of royalty gas over 60 MMcf from the State, and pay the State a price equal to that amount which Phillips would have otherwise paid the State had the State taken its royalty gas in value.

ARTICLE III

1. Up to all royalty gas available, subject to
 - a. APC's ability to take the entire amount of royalty gas available on any given day;
 - b. APC's need and available delivery facilities.
 APC shall use its "best reasonable efforts" to take not less than 3 Bcf of royalty gas annually.
2. Over or under deliveries of royalty gas shall be carried in an over and short account. In the event the takes by APC shall ever be 60 MMcf less than the amount of royalty gas available APC is not permitted to make up for any such underdelivery and the State may sell the undelivered quantity of royalty gas to Phillips.

Delivery Point:

ARTICLE III
Delivery point shall be the same for APC as it has been for State, which is Phillips' platform.

ARTICLE III & V

Delivery point shall be at or near the existing pipeline tap being presently used to deliver gas from Phillips' pipeline to the Tesoro refinery, which is located in the general vicinity of Phillips' Kenai LNG plant on the North Kenai Road.

ARTICLE V

APC's connection into Phillips' pipeline system at or near Phillips' pipeline tap serving the Tesoro refinery. It shall be the same delivery point as that of the State and Phillips.

Price:

- ARTICLE V
1. To July 1, 1977 55.5¢/Mcf
 2. July 1, 1977-July 1, 1978
the higher of
 - a. 60.36¢/Mcf or
 - b. price State would have received had it continued to take its royalty gas in value or
 - c. the highest price paid by any purchaser in the Upper Cook Inlet area (within a 100 km radius of Phillips' platform) for similar quality gas and similar conditions of delivery.
 3. July 1, 1978 and each succeeding 12 month period the higher of
 - a. the previous year's price plus 2¢/Mcf or
 - b. price State would have received had it continued to take its royalty gas in value or
 - c. the highest price paid by any purchaser in the Upper Cook Inlet area (within a 100 km radius of Phillips' platform) for similar quality gas and similar conditions of delivery.

ARTICLE VI

1. To July 1, 1978 64.65¢/Mcf
2. July 1, 1978-July 1, 1979
the higher of
 - a. 66.65¢/Mcf or
 - b. price State would have received had it continued to take its royalty gas in value or
 - c. the highest price paid by any purchaser in the Upper Cook Inlet area (within a 100 km radius of Phillips' platform) for similar quality gas and similar conditions of delivery.
3. July 1, 1979 and each succeeding 12 month period the higher of
 - a. the previous year's price plus 2¢/Mcf or
 - b. price State would have received had it continued to take its royalty gas in value or
 - c. the highest price paid by any purchaser in the Upper Cook Inlet area (within a 100 km radius of Phillips' platform) for similar quality gas and similar conditions of delivery.

AGO 785714

CONTRACT 76-1

Gathering and
Compression
Charges and
Taxes; Other
Charges

CONTRACT BETWEEN STATE AND PHILLIPS

ARTICLE IX

1. 10¢/Mcf for gathering costs to delivery point to increase 6 percent per year compounded annually on the anniversary date of the contract.
2. 10¢/Mcf for added compression costs to delivery point to increase 6 percent per year compounded annually on the anniversary date when the facilities were first used.
3. Additional compression charges to be mutually agreed upon between the parties, which includes APC since they are signatories of this contract (see also 12.3). If no agreement is reached within 90 days after Phillips serves notice about such added costs, then this contract is terminated.
4. Additionally, the State must pay Phillips any new or increased fee, imposts, duty, charge, excise or tax in proportion to the amount of royalty gas delivered to the State as it relates to gathering and compression.

ARTICLE XIV

Effective: Upon approval by the Legislature of the contract between the State and APC.
Expiration: June 1, 1984 unless terminated or extended prior to that date.

ARTICLE IX, XI & XIV

1. Will be terminated immediately if deliveries to State (APC) have not commenced by June 30, 1978.
2. If subjected to regulation as a utility (11.2).
3. If added compression cost cannot be agreed upon within 90 days (9.3).
4. If contract between State and APC is terminated.
5. If terminated the State's election to receive its royalty gas in-kind is revoked, and royalty gas available shall be sold to Phillips in value.
- 6.

CONTRACT BETWEEN STATE AND APC

ARTICLE VI & VII

1. 10¢/Mcf for gathering costs to delivery point to increase 6 percent per year compounded annually on the anniversary date of the contract.
2. 10¢/Mcf for added compression costs to delivery point to increase 6 percent per year compounded annually on the anniversary date when such compression facilities are ready for use. (This is different from State/Phillips agreement.)
This does not obligate Phillips to install any compression facilities or to operate any compression facilities already installed.
3. Additional compression charges to be mutually agreed upon between the State and APC. If no agreement is reached within 90 days after the State serves notice about such added costs, then this contract is terminated (7.5).
4. APC must pay the State any amount for which the State is obligated to reimburse Phillips for a proportion of new or increased fees, imposts, duties, charges or taxes. (This leaves out excise.) (The language is somewhat different from State/Phillips contract, but the effect would seem to be the same.)
5. APC must pay the State any additional costs not covered in the contract and incurred by State in transporting the gas to shore.

ARTICLE VII

Effective: Upon approval by the Legislature.
Expiration: June 1, 1984 unless terminated or extended prior to that date.

ARTICLE VII

1. Contract shall terminate immediately if deliveries to APC have not commenced by June 30, 1978.
2. Either State or APC may terminate this contract by giving 30 days notice to the other if Phillips comes under regulation as a utility.
3. Contract may be terminated if added compression cost cannot be agreed upon within 90 days.
4. Contract may be terminated if contract between State and Phillips is terminated.
- 5.
6. State may terminate upon 30 days notice to APC if the State cannot arrange for satisfactory transportation of royalty gas to shore.

Term: ARTICLE VI
Effective: Upon approval by the Legislature 5/20/76
Expiration: July 1, 1984

Termination Clause: ARTICLE VII
Allows APC to terminate the contract within 30 days of written notice to State if APC is unable to make satisfactory arrangements to take delivery of the royalty gas. APC may not exercise this right after January 31, 1978.

CONTRACT 76-1

Representation
and Condition
Precedent:

Payments:

Miscellaneous

CONTRACT BETWEEN STATE AND PHILLIPS

ARTICLE XI

Phillips, by entering into this contract, shall not be subject to regulation by the FPC, APUC or APC.

Should they become subject to regulation as a utility this contract may be terminated by either party upon 30 days' notice.

ARTICLE XII

APC to make all payments for State's account directly to Phillips.

CONTRACT BETWEEN STATE AND APC

ARTICLE VIII

Neither this contract nor APC's use or disposition of the royalty gas will subject Phillips to FPC, APUC or APC regulation.

ARTICLE IX

1. Assignments of interest by APC may be made "...to conform with...(APC's) various financing documents or as may be desirable to...(APC) as to...(APC's) commonly owned affiliate or subsidiary."
2. If APC does not receive or purchase all royalty gas available, then State can dispose of that portion not taken, provided no gathering and compression charges are incurred by APC as a result.

Legislative Affairs Agency
Research Division
April - 1977

SCR

87

COMMITTEE REPORT

SENATE

FURTHER: _____

3/17/78

Date: 3/20/78

Mr. President:

The Committee on RESOURCE S has had SCR 87
annulling a regulation of Dept. of Environmental Conservation

under consideration and (a majority of the committee) (the committee reports it back as follows)

- recommends it do pass recommends it do not pass
 recommends it do pass with attached amendment(s)
 recommends it be replaced with CS for _____
and _____ new title same title
 AND attaches a Letter of Intent New Fiscal Note
 reports it back without recommendation
 and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chairman

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

JAY S. HAMMOND, GOVERNOR

POUCH 0 - JUNEAU 99811

March 17, 1978

The Honorable Kay Poland
Chairman, Senate Resources Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Chairman Poland:

On March 8, Senate Concurrent Resolution No. 87, "Annulling a regulation of the Department of Environmental Conservation relating to drinking water," was introduced in the Alaska Legislature. The regulation in question, 18 AAC 80.040(b), became effective December 31, 1977, and reads as follows:

"No person who owns or operates a Class A or B public water system with surface water as a source may allow the use of water from that system without continuous disinfection."

This regulation applies to public water systems which serve, in the normal order of events, 25 persons per day for at least 60 days out of the year.

Although there are several acceptable means of disinfecting public water supplies, chlorination is the most common. Chlorination was first introduced in 1908. Immediately thereafter, instances of typhoid fever in those communities distributing disinfected water decreased dramatically. The worldwide reputation of United States water supplies as being safe to drink largely results from the almost nationwide disinfection of drinking water. This long-standing treatment technique is recognized today as the single most effective and inexpensive means of reducing waterborne diseases.

Although reported outbreaks of waterborne disease in the United States decreased dramatically from the 1930s to the 1950s, they have increased steadily since the 1950s, and quite dramatically since 1970. The cause for this increase is not completely understood, although it is most probably a combination of better reporting, and the growing contamination of water sources by domestic sewage.

The proposed resolution implies that Alaska's surface waters, in contrast to the national trend, are pure and safe to drink. This is manifestly untrue, as is demonstrated by a number of

serious outbreaks of illness in Alaska that are directly caused by inadequately protected water supplies. It must be understood that only a fraction of the total number of waterborne illnesses are actually reported. The best information available is derived from comprehensive epidemiological and engineering studies of sizable outbreaks. For your information, the following table presents some of the major outbreaks of waterborne diseases in Alaska in recent years. More historical data are available upon request.

<u>Date</u>	<u>Location</u>	<u>Source</u>	<u>Disease</u>	<u>Cases</u>	<u>Comments</u>
1954	Ketchikan	Lake	Salmonellosis	--	Seagulls contaminating lake
1949	Unalaska	Lake	Dysentery (probably shigellosis)	More than 20; 2 deaths	No disinfection
1971	Tok	--	Gastro-enteritis	112	--
1971	Anchorage	Well	Shigellosis	89	No disinfection
1967 (or 68?)	Kodiak	Island Lake	Dysentery	2 infant deaths; 4-5 families ill	No disinfection
1972	Cordova	Eyak Lake	Dysentery	400	Chlorinator not operating
1974	Juneau, Switzer Creek	Sur- face reservoir	Salmonellosis	28	Inadequate disinfection
1976	Russian Mission	Yukon River	Shigellosis	20-30	River water disinfected
1977	Craig	Surface	Dysentery	300	Chlorinator out of service

(--) indicates information not available

While the above table does not, by any means, include all the entire incidences of waterborne disease in Alaska, nor does it illustrate the degree of protection provided by the many water systems in the State which do provide disinfection, the fact that so many cases result from failure of systems to provide continuous disinfection indicates that the regulation will provide for a substantial increase in public health protection.

The incidence of diseases which may be waterborne is also of value in understanding the rationale for disinfection. While hepatitis A, shigellosis and salmonellosis can be transmitted by

March 17, 1978

a variety of means, they also are commonly waterborne. Alaska's incidence of hepatitis A was nearly 14 times that of the State of Washington in 1976. The incidence of salmonellosis and shigellosis were 1.6 and 2.3 times that of Washington, respectively. As might be expected from the severity of the disease, hepatitis A statistics are probably more accurate than the others.

Although disinfection is not 100 percent effective in destroying viruses, such as is the causative agent in hepatitis A, it still is the single most effective technique for virus control.

Disinfection of public water supplies is, then, a first line of defense against waterborne infections. Yet this powerful, time honored, tool to ensure that the water we and our children drink is free from bacterial contamination need not be prohibitively expensive. Consider a water system serving 30 families of four. If water consumption is 250 gallons per capita per day, total supply would be 30,000 gallons per day. The capital cost for a chemical feed pump for a system of this size, delivered in Anchorage, is \$320. The chemicals used to provide disinfection would cost \$1.18 per pound. While the amount of chemical actually used is dependent upon the quality of the water being disinfected, a good estimate of chemical used would be about 14 pounds per month. This would result in a one-time shared cost of \$10.57 per family for the chemical feed pump, and about 55 cents per month for chemicals. Naturally, there would be additional costs such as installation and electricity. These costs, however, vary widely depending on the system, the source, and the availability of utilities and we give no estimate for them here.

I hope that this information adequately explains the need for disinfection of public water supply systems as set out in 18 AAC 80.040(b). One cannot escape the conclusion that choosing to not disinfect public water supplies served by surface waters will result in disease outbreaks that need not occur.

If you have any questions, or if additional information would be of value, please contact me.

Sincerely,



Ernst W. Mueller
Commissioner

cc: Senator John Butrovich
Senator Chancy Croft
Senator John Huber
Senator H. D. Meland
Senator Mike Colletta
Senator Clem Tillion

SJR

7

COMMITTEE REPORT

SENATE

1/31/78

1/31/78 Date

Mr. President:

The Committee on RESOURCES has had SJR 7

opposing H.R. 39, the Alaska National Interest Lands Conservation Act under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that CS for _____ do pass
- (and) recommends it be referred to the _____ committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____
_____ recommends: _____
_____ recommends: _____

Chairman

****PLEASE NOTE****

THE ORIGINAL FILE CONTAINS AN OVERSIZED DOCUMENT THAT IS UNSUITABLE FOR FILMING. PLEASE REFER TO THE ALASKA STATE ARCHIVES TO VIEW THE ORIGINAL.

ALASKA WILDERNESS BROCHURE

Improperly in requesting information from the law firms. At Monday's assembly meeting Fader said he was gathering input and facts on all of the alternatives to get perspective.

As an advocate of consolidation, Fader considers the resignation of the city attorney a perfect time to put the legal departments of both governments into one office. When the city started looking into outside legal service, Fader said he sought the same information.

Fader said Holst was "over-reacting to the situation."

Teague defended Fader's action and said "it is premature to be concerned with job security. The importance of legal service makes it necessary to look at the alternatives."

Meanwhile, Wednesday's meeting was attended by representatives of four local law firms, including Ellis, Sund & Whittaker, A. Fred Miller, Esq., Ziegler, Cloudy, Smith, King and Brown, and Dennis McArty.

Most of the questioning by the private firms was directed to Stahl about the city's legal situation.

No formal proposals have been received by either the city or borough.

According to Teague, the next step of providing legal services for the city is up to the council. It has the option of hiring a new attorney, contracting with the borough to do the work, or contracting it out to a private firm.

Although the final decision is up to the council, Teague said he preferred to have the borough's legal services handled by a city attorney. The city has much more legal work, Teague said.

Teague didn't think he would have any problem working under any arrangement. He said contracting out the legal work was a practical solution, although it may not turn out to be the most viable.

If no action has been taken by the time the city attorney leaves, Teague said the assistant to the attorney, Tony Sholty, could act in a temporary capacity.

Right now the total budget for the city legal department is about \$92,000. The borough legal department budget runs about \$63,000.

A report prepared for the borough assembly by Holst estimated that a combined city-borough legal department could be budgeted at about \$131,000, plus some initial office set up costs.

guardian and the complaint referred to youth and adult author... He is alleged to have taken a vottle of vodka from the Totem Liquor Store.

Two children were reported out after curfew last night.

Today, for the second day in a row, a girl asked police to patrol a school bus stop in case her former boy friend tried to in-

report information of offending vehicles to the troopers, a trooper spokeswoman said.

Offenders will be cited into court, she said. Conviction of this offense carries a six-point penalty against a driver's record, which is half the point accumulation allowed before a person's driving privilege is suspended.

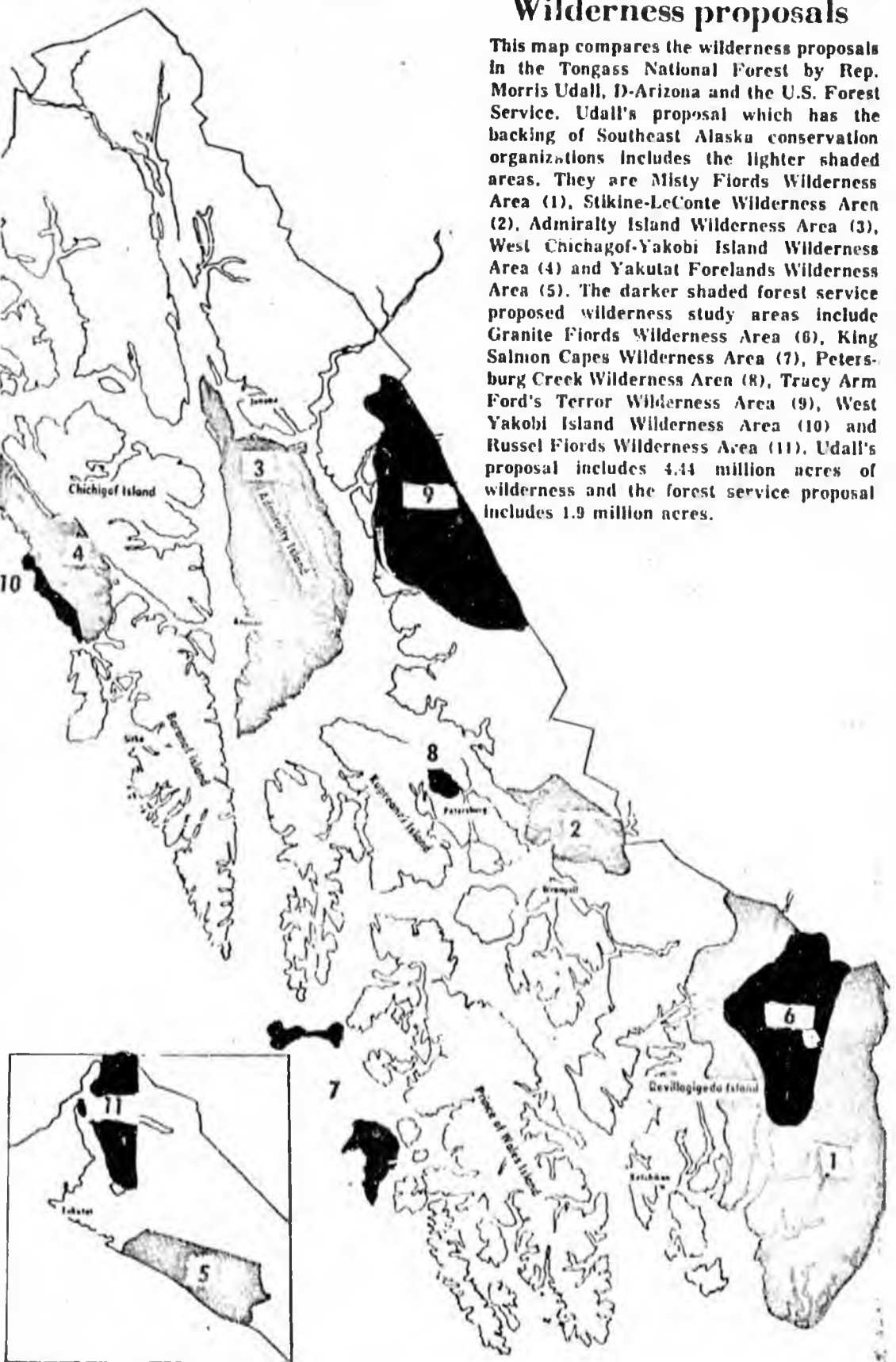
Hospital notes:

Admitted to Ketchikan General Hospital Wednesday were Karen Woolery, Harry Reeve, Jill Russell and June Durgan.

Discharged were Dale Strong, Kathleen Lea and Hope Brown and baby girl.

Wilderness proposals

This map compares the wilderness proposals in the Tongass National Forest by Rep. Morris Udall, D-Arizona and the U.S. Forest Service. Udall's proposal which has the backing of Southeast Alaska conservation organizations includes the lighter shaded areas. They are Misty Fiords Wilderness Area (1), Stikine-LeConte Wilderness Area (2), Admiralty Island Wilderness Area (3), West Chichagof-Yakobi Island Wilderness Area (4) and Yakutat Forelands Wilderness Area (5). The darker shaded forest service proposed wilderness study areas include Granite Fiords Wilderness Area (6), King Salmon Capes Wilderness Area (7), Petersburg Creek Wilderness Area (8), Tracy Arm Ford's Terror Wilderness Area (9), West Yakobi Island Wilderness Area (10) and Russel Fiords Wilderness Area (11). Udall's proposal includes 4.44 million acres of wilderness and the forest service proposal includes 1.9 million acres.



Alaska National Interest Land Conservation Act
H.R. 39

Sec. 1 - Describes Titles within the Act - purposes of the Act and where maps of proposal are on file.

Title I - Describes National Park System Proposals

- 64.1 million acres of National Parks, Monuments and Preserves to be managed by the NPS.
- Kenai Fjords may include a portion of the Chugach NF.
- Glacier Bay National Monument addition (.8 million acres) may include portion of Tongass NF.
- Sec. 103 provides for hunting under provisions of Sec. 702 of this Act.

Title II - Describes National Wildlife Refuge System

- 46.4 million acres of Wildlife Refuges and Ranges to be managed by the Fish and Wildlife Service.
- A portion of the Copper River Delta Refuge proposal would be Chugach NF.

Title III - Describes National Wild and Scenic River Proposals

- 23 Wild and Scenic Rivers proposed containing approximately 4 million acres.
- Rivers are outside and in addition to proposed Parks and Refuges.

- All Rivers would be managed by National Park Service.
- Situk (20 m acres) and Stikine (50 m acres) are now part of Tongass NF
- River boundaries will average 2 miles on each side and will be established within three years after date of enactment (Sec. 302).

Title IV - Describes National Forest System Proposals

- After consultation with both Secretaries of Agriculture and the Interior, the President is authorized within one year of enactment of this Act to add lands to the Tongass and Chugach NF's so as to include entire units of local topography, not to exceed 1.6 million acres, generally depicted on a map entitled "Potential NFS additions in Alaska, Dated _____."
- This 1.6 million acres is rock and ice.

Title V - Deals with National Petroleum Reserve (23 mm acres)

- Land review dedications pursuant to Sec. 105(c) of P.L. 94-258 replaces BLM management responsibilities with the Fish and Wildlife Service to protect surface values.

Title VI - Designation of Wilderness Areas

- Sec. 601 - Lands added to the Park, Refuge and Wild and Scenic Rivers System by this Act are hereby designated as wilderness. (Approximately 115 million acres.)

- Sec. 602 and Sec. 603 - Creates wilderness in existing Parks and Refuges in Alaska. (7.3 mm acres Parks, 19.7 mm acres Refuges) which is virtually all of existing Preserves.
- Sec. 604 - Adds certain lands in Tongass to wilderness
 - 1,030,000 acres - Admiralty Isla (excludes Native Village)
 - 300,000 acres - Yakutat Forelands (Tongass)
 - 2,400,000 acres - Misty Fjords (Tongass, Mainland East of Ketchikan)
 - 305,000 acres - Stikine--LeConte (Tongass - East of Petersburg)
 - 405,000 acres - West Chichigof ~~Yakobi~~ (Tongass - North of Sikta)
 - 600,000 acres - Nellie Juan (Chugach, Prince William Sound)

Total 5,040,000 acres Wilderness

(Total wilderness proposed in this bill - 147 million acres)

- Sec. 605 - Wilderness designated by this Act shall be managed in accordance with the Wilderness Act except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

Title VII - General Administrative Provisions

Sec. 701 - Provides for subsistence use in Parks, Refuges, Wild and Scenic Rivers and National Forests (Titles I, II, III, and IV).

- Secretary may designate "Subsistence Mgt. Zones" and "Regulatory Subsistence Boards."

- Secretary retains responsibility and may overrule Subsistence Board decisions.
 - Provides for periodic review of advisability to continue subsistence use.
- Sec. 702 - May permit hunting in National Preserves (part of Park System) on three areas totaling 12.6 million acres.
- Sec. 703 - Withdraws Parks, Monuments, Preserves, Wildlife Refuges and Ranges, and Wild and Scenic Rivers from all forms of appropriation under the mining laws and mineral leasing laws.
- Sec. 704(a) - Native lands not selected within National Forests, Parks, Refuges and Rivers will be added to the respective area. (This could add several million more acres to Parks and Refuges and Rivers.)
- Sec. 704(b) - State selections within Parks, Forests, Refuges or Rivers established by this Act are hereby revoked provided that the Secretary will make available equal acreage from other public lands but not from Forests, Parks, Refuges, or Rivers.
- Sec. 705 - Provides for land acquisition.
- Sec. 706 - Provides for the establishment of Administrative Sites outside established areas.
- Sec. 707 - Provides Native Corporations opportunity to provide visitor facilities for areas.
- Sec. 708 - authorizes Secretary to establish areas of ecological concern adjacent to established units.
- Provides for cooperative planning.

Proposal Summary

	<u>Millions of Acres</u>
National Park System	64.1*
National Wildlife Refuge System	46.4*
National Wild and Scenic Rivers System (23 Rivers)	4.0*
National Forest System	<u>1.6</u>
Total D-2 proposal	116.1

* Designated by this Act as wilderness - 114.5 million acres

Existing Park and Refuge Lands Designated Wilderness	27.0 million acres
Existing Forest Lands Designated Wilderness	<u>5.0 million acres</u>
Total Wilderness Proposed	146.5 million acres

This Act also designates the 23 million acre Petroleum Reserve for Fish and Wildlife Service Management.

Territorial Sportsmen, Inc.

P. O. Box 761

Juneau, Alaska 99801

January 17, 1977

ALASKA'S NATIONAL INTEREST LAND CONSERVATION ACT - H.R. 39

The Territorial Sportsmen, Inc. of Juneau, a non-profit sportsmen oriented conservation organization dedicated to the principles of multiple use and proper management of our natural resources, have recently received a copy of H.R. 39 introduced by Congressman Udall. The Territorial Sportsmen have had a long, continuing interest in the matters relating to land management and allocations in Alaska. There are numerous sections of H.R. 39 which in our opinion are not in the best interests of the State or the Nation. While we have only had access to a copy for three days, after careful review, we are deeply concerned with the language contained in H.R. 39. The purpose of this release is to provide members of our organization and other interested members of the community and the State with some of the facts.

The proposal would designate 147 million acres of wilderness which would be in addition to existing withdrawals for various purposes including military withdrawals. The 147 million acres, plus the previous dedications and withdrawals, would place 46 1/2 percent (approximately) of Alaska's entire land area of 3 62,516,000 acres in the wilderness classification. The designation in total of millions in acres of wilderness is greater than the combined areas of the States of California and Washington.



In addition to designation of National Park and National Wildlife areas as wilderness, all wild and scenic rivers would be managed as wilderness by the National Park Service. This would include 23 wild and scenic rivers. These rivers are outside and in addition to proposed parks and refuges. The boundaries of these designated rivers will average two miles on each side. Managed as wilderness by the National Park Service, these 23 proposed wild and scenic rivers will not be available for recreation, development, agriculture, current hunting practices, hydroelectric power site developments, timber harvesting or mining.

Under management by the National Park Service or as National Wildlife refuges, the State of Alaska (Alaska Department of Fish and Game) loses the primary responsibility for management of fish and wildlife species on these areas. The Secretary of the Interior is authorized to publish regulations, prescribe conditions and enforce such regulations and conditions for restrictions of hunting and fishing to subsistence use.

Although the Forest Service, Department of Agriculture, has currently designated approximately 2.5 million acres in seven wilderness study areas in the Chugach and Tongass National Forests and is currently managing them to protect the wilderness values, while the U.S. Geological Survey is completing the required study of mineral values, these designations are ignored by the proposed legislation or supplanted with instant designations of wilderness classification includes:

Admiralty Island.

1,030,000 acres excluding only the Angoon Native Village and related selected lands. The Goldbelt and Shee Atika, Inc. Native rights and selections on Admiralty Island are ignored.

Misty Fjords.

2,400,000 acres instant wilderness classification includes the 590,000-acre Granite Fjords wilderness study area managed by the Forest Service. Although the U.S. Geological Survey minerals survey findings are nearly ready for evaluation, instant wilderness designation precludes consideration of this information. The expanded area of 2,400,000 acres also includes the U.S. Borax Company's Quartz Mountain molybdenum project and would essentially block the development of this project.

The West Chichagof-Yakobi wilderness area proposal of 405,000 acres encompasses the Forest Service Unit Management plan for this area. A 5-year study including a formal environmental impact statement. The final impact statement based on extensive public involvement included designation of a 40,000-acre wilderness study area and management of most of the area as backcountry. The designation of the entire area as wilderness ignores the 5-year study and environmental impact statement, would block the development of Inspiration Mining Company's copper-nickel deposit on Yakobi Island. Several year-long residences and other existing recreation facilities would also be adversely affected by such classification.

The Yakutat Forelands, 300,000 acres and Stikine-LeCente 305,000 acres are also areas on the Tongass National Forest currently

under study in the Forest Service's land management planning process. Although the areas have not been studied for mineral values, instant wilderness classification would be made. Native claims, opportunities for agriculture and other forms of development are also ignored.

The Nellie Juan area on the Chugach National Forest is also designated as instant wilderness. Although this corresponds to the Forest Service's designated wilderness study area, the mineral surveys by the U.S. Geological Survey are not completed and Native claims are ignored.

Management of these National Forest wilderness area designations would be taken over by the National Park Service, eliminating the State of Alaska's responsibility for management of fish and wildlife species and restricting hunting and other opportunities for multiple use management.

The proposed legislation would also modify existing land classifications in southeast Alaska.

Copper River Delta Area.

Elimination of the Forest Service's Copper River Delta Game Management Area, where the Forest Service has a cooperative agreement with the State of Alaska Department of Fish and Game, seriously undermines the Forest Service's Multiple Use Management program. The Forest Service also has cooperative efforts underway in this area with the U.S. Fish and Wildlife Service, University of Alaska, and University of Minnesota. The Forest Service should be encouraged to continue such efforts rather than blocking such work.

H.R. 39 Fails to Recognize the Agricultural Potential in Alaska.

The agricultural potential in Alaska is not considered in the provisions of this proposed legislation. In fact, existing and potential agricultural lands are included in proposals for National Parks, National Wildlife Refuges, and Wild and Scenic Rivers preventing the use of these agricultural lands.

The Subcommittee on Agricultural Production, Marketing and Stabilization of Prices of the Committee on Agriculture and Forestry, U.S. Senate, held hearing in Palmer, Alaska on August 16, 1976, and in Fairbanks on August 17, 1976, on the agricultural potential in Alaska. The record of these hearings has been printed and clearly show the importance of these agricultural lands. The Alaska State Legislature and Governor Hammond have also recognized this important agricultural resource and additional agricultural lands have been identified.

It is essential that all of these agricultural lands be recognized and be available for use either as farmlands or as grazing lands. H.R. 39 should be referred to the Senate and House Committees on Agriculture and Forestry to assure these agricultural values are considered and will be available for use.

The Alaska National Interest Land Conservation Act - H.R. 39 also proposes to greatly modify existing land classifications in southeast Alaska and Prince William Sound, severely retarding the conservation (wise use) of resources on the Tongass National Forest, Chugach National Forest, and Glacier Bay National Monument.

The Glacier Bay National Monument is enlarged to a total of 2,800,000 acres and is all designated wilderness. These lands

include highly significant and economically available minerals critical to the Nation's needs. Opportunities for developed recreation facilities, hunting, aquaculture, and timber harvesting would also be foreclosed by these designations.

Retention of and classification of additional areas as National Forest which will permit multiple use management of these various resources should be made.

In conclusion, we would again urge that everyone become familiar with this proposal. Hearings no doubt will be held. Copies of the entire Act should be available in Alaska in the near future. I suggest you contact the various offices of our State delegation to secure copies or write directly to your Congressman or Senators. We would like to point out, also, that in our opinion this proposal does not recognize the economic factors involved. Certainly the proposals for southeast Alaska would, in our opinion, put southeast Alaska in a very precarious position so far as economics are concerned. I am sure this should be of interest to all Alaskans. We will be commenting further on this legislation. We are advised that other legislation will also be introduced in the very near future. We certainly should have some options.

A. W. (BUD) BODDY
President
Territorial Sportsmen, Inc.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
ALASKA AREA OFFICE
813 D STREET
ANCHORAGE, ALASKA 99501

RECEIVED
JAN 17 A.M.
PHIL E. HOLDSWORTH

13 JAN 1977

Mr. Phil Holdsworth, P.E.
Consulting Engineer
326 Fourth Street, No. 1009
Juneau, Alaska 99801

Dear Phil:

I understand Tom Dvorak of my staff discussed your letter inquiry of December 24, 1976 with you over the telephone and provided the information you were seeking concerning the refuge system in Alaska as to their status under the mining laws.

Let me again reiterate the mining law situation as it applies to the refuge system in Alaska. The only Alaska refuges now open to location and entry under the mining laws are the Clarence Rhode National Wildlife Range and Cape Newenham National Wildlife Refuge except those lands withdrawn under Section 11 of the Alaska Native Claims Settlement Act. The Secretary's proposal to Congress for refuge D-2 lands has included Clarence Rhode and Cape Newenham as part of the Yukon Delta and Togiak NWR proposals. Upon their establishment under the above proposals, they would then be closed to location and entry under the mining laws.

If I can be of further assistance, please do not hesitate to call on me.

Sincerely yours,

Gordon
Area Director



Save Energy and You Serve America!

SJR

12

COMMITTEE REPORT

SENATE

XX

2/2/77

Date

2/24/77

Mr. President:

The Committee on RESOURCES has had SJR 12

forthcoming action by U.S. Congress regarding (d)(2) lead withdrawal
under consideration. A majority of the members of the Committee

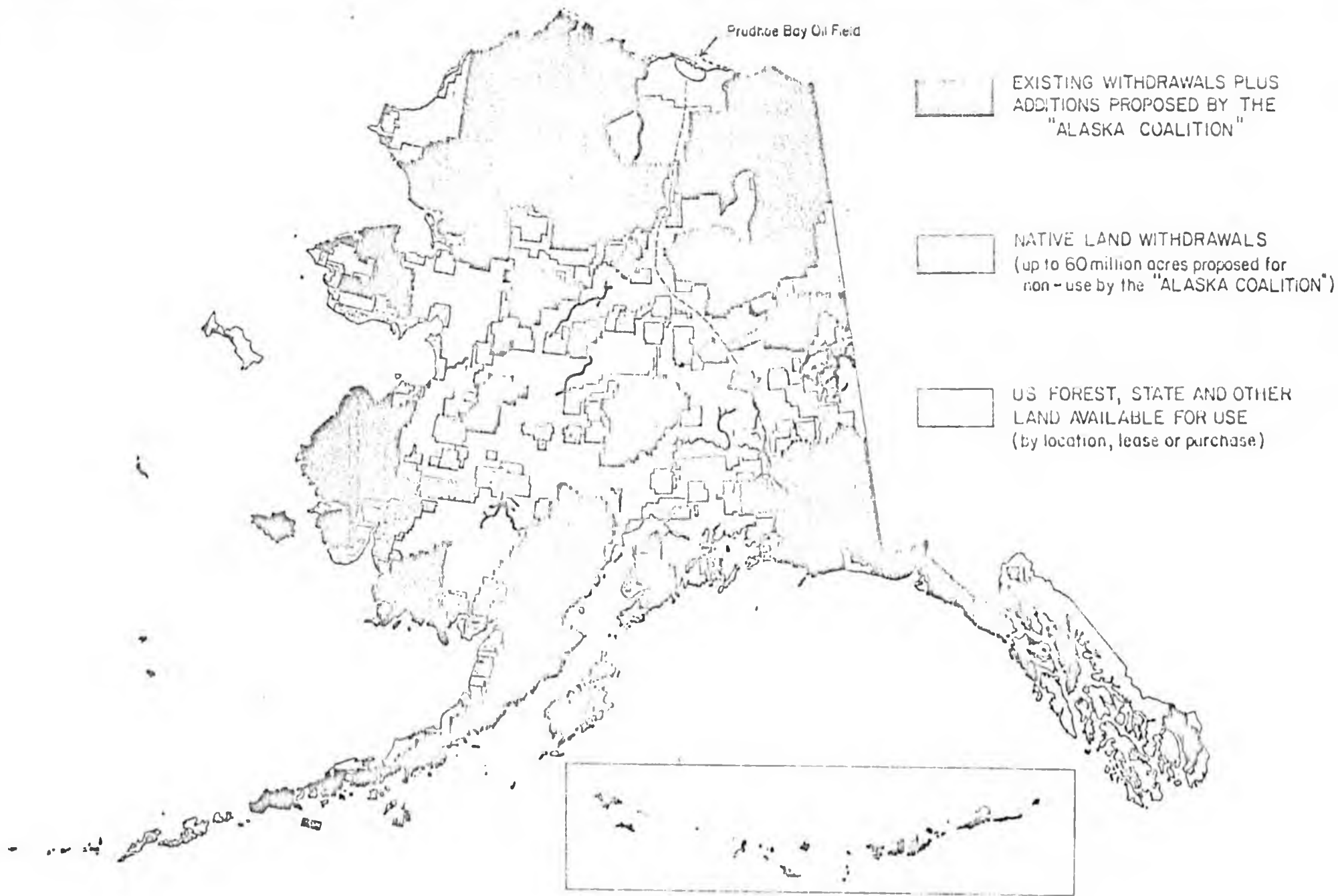
- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for SJR 12 and that
CS for SJR 12 do pass
- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____
_____ recommends: _____
_____ recommends: _____

Chairman



THE PRESERVATIONISTS' BLACKOUT

STATE OF ALASKA
One Inch = 190 Miles



Sierra Club, 510 Bush Street,
San Francisco, CA 94108
(415)981-8634

Dear

We are looking for Sierra Club members who will participate in our campaign over the next two years to bring about permanent legislative protection for Alaska's grandest lands. You are one of those who has gone on a recent outing to that incredible country, and we hope that you have special enthusiasm for it and will want to join our Alaska Task Force and take part in its Alaska Legislative Program (ALP).

The enclosed Alaska Report outlines the situation with respect to Alaska legislation and the reprint "Great Stakes in the Great Land" describes the various areas that environmentalists need to include in our national conservation systems. You will also find a sheet describing ALP in some detail.

We would like you to take on the responsibilities of Coordinator of legislative contact for your Congressional District or your local zone. Due to the inevitable unknowns of campaign such as this one, we cannot precisely detail the extent of those responsibilities at this time. Basically though, as Congressional District Coordinator (CDC), they entail the recruiting of 15 or so Zone Organizers (ZO) in various towns or areas of your district. As ZO, your task also will be to recruit 15 or so people who will promise to write their Senators and Congressmen at crucial times during the campaign.

In addition to recruiting others, we will ask you to notify them very rapidly at those crucial times when letters are needed. That will be the extent of the basic job. There is much more that you could undertake if you so desire, but the vital job of generating constituent communication to their Representatives is the one that is absolutely mandatory if we are to succeed with the enactment of strong Alaska legislation.

We estimate the recruitment phase will require up to 20 hours of your time over the next two months. Perhaps another 20 hours notifying your team when you are alerted, over the next two years. Between postage and phone calls, you probably will have out-of-pocket costs of \$10-20 which we cannot reimburse.

We are initiating this program in order to ensure heavy constituent contact with Senators and Representatives, without which we cannot win. District and Zone Organizers are essential to its success -- to Alaska's future.

Please undertake this job if you possibly can. It will cost you a little time and money. But it should be interesting and challenging. And very rewarding. We would appreciate hearing from you soon. In order to expedite the organization of ALP, please reply to Jim Bersey at the Alaska Task Force address. We will need both your home and business telephone numbers. Many thanks.

Cordially,

Edgar Weyburn, R.D.
Chairman
Alaska Task Force

P.S. Would you also let us know the name and address of good backpack equipment stores in your area that you feel could be inclined to participate in ALP? Also the name of the proprietors of those stores if you can easily obtain them.



alaska report

Sierra Club Alaska Task Force, 530 Bush Street
San Francisco, Calif., 94108 (415) 981-8634 - X523)

September, 1976
Volume 3
Number 4

A REVIEW OF ACTION ON ALASKA'S PUBLIC LANDS DURING THE 1970's

This issue of the Alaska Report will review and update the situation with respect to the disposition of Alaska's public lands -- its "unreserved public domain" which until recently amounted to more than three-quarters of the state. In 1972, the Secretary of the Interior, under Congressional authority, designated 79 million acres as "National Interest Lands" and withdrew them from public entry until the end of 1978. Congress must enact further legislation by that time to place Alaska's most treasured lands in national conservation systems order to permanently protect them. Various bills were submitted in both the 93rd and 94th Congresses calling for widely differing degrees of protection. The Senate Interior Committee conducted hearings in late 1975, but no other action has been taken. It is now up to the 95th Congress convening in 1977 to termine the future of Alaska National Interest Lands.

STATEHOOD

Claims to Alaska's 365 million acres and threats to their fragile ecology were minimal until the territory became our 49th State in 1959, with a population of nearly 230,000. But the Statehood Act, which Congress had passed the previous year, generously granted the infant state some 103 million acres of land plus another 40 million acres of tidelands. This whopping land grant (more than a been parcelled out to the seventeen western states combined) was intended to provide a base which would enable Alaska's tiny population to overcome its barren economic problems. It exceeded by some 50 million acres the amount of Alaska lands which should now be placed in trust for the benefit of all Americans.

As the State set about identifying the lands it wanted, it ran into opposition from Native Eskimos, Aleuts and Athabascan Indians, who rejected the State's claim to their ancestral lands. By 1966 the dispute had become intense enough for then Secretary of the Interior Stewart Udall to put a "freeze" on all development of, or transfer of title to, public land in Alaska. Then oil was discovered at Prudhoe Bay in 1968, and the oil companies were denied permission to build a pipeline across Alaska's public land to carry it to markets in the lower 48. From these two separate situations developed a strange coalition of oil industry and Alaska Native lobbyists which besieged Congress, demanding settlement of the Native claims and the thawing of the land freeze.

public domain and a cash payment of almost \$1 billion, to be distributed through 12 regional and numerous village corporations. (The regions, and the village recognized by the Department of the Interior, were incorporated after the passage of ANCSA on December 18, 1971; as of December, 1975, most had filed their land selections with Interior and received their first cash payments.)

In the course of the ANCSA debate, it became clear to conservationists that if the state, the Natives and private industry were each to be granted a chunk of 60 but no provision was being made to manage what was left in the unreserved public domain in the best interest of the owners -- the American people. Senators Henry Jackson and Metcalf sponsored an amendment which became Section 17 of the Act with some important provisions:

- 17(a) - established a joint Federal-State Land Use Planning Commission to assure comprehensive planning for Alaska's future;
- 17(b)&(c) - set up a planning procedure for locating public easements and transportation and utility corridors;
- 17(d)(1) - continued the land freeze for 90 days, during which time the Secretary of the Interior determined which of the "public lands" would be withdrawn (i.e., temporarily reserved under federal management) in the public interest. These "d-1 lands" are "multipurpose" lands and are open to metalliferous mining unless or until Congress indicates otherwise; and
- 17(d)(2) - allowed the Secretary to select up to 80 million acres which he deemed suitable for inclusion in the National Park, Forest, Wildlife Refuges and Wild and Scenic Rivers Systems in Alaska. Congress must decide which of these "National Interest Lands" to include in the four national conservation systems by the end of 1978.

FIRST STEPS Following the ANCSA timetable, in March of 1972 Secretary of the Interior Roy C. Borton recommended that 79 million acres be set aside as "d-2" lands, and also withdrew 47 million acres as "d-1" lands for further study of their best

The state of Alaska immediately sued the Interior Department for recommending d-2 some lands the state (pursuant to the Statehood Act) had preempted in a surprise move the previous January. In an out-of-court settlement in September, the state relinquished approximately 35 million acres of the 79 million selected in January; Interior gave up some of its March d-2 recommendations to allow selection, and some others were changed to d-1 status.

BILLS 17 - CONGRESS 1973 In December, 1973 Secretary Borton officially submitted to Congress his proposal for 28 d-2 areas of Alaska totalling 83.5 million acres. By special request, Senator Henry H. Jackson introduced Interior's proposal as S.2917. Also by request, he introduced S.2918, a proposal which conservationists felt better expressed the intent of Section 17(d)(2) of ANCSA by setting aside 106.5 million acres as d-2 lands, or "National Interest Lands".

At the same time, comparable House bills were introduced by Congressman Udall and Daley. Throughout the remainder of the 93rd Congress, they languished. In the spring of 1975 Senator Jackson reintroduced his original d-2 legislation as S.1687 (Interior's) and S.1688 (conservationist-backed), while Representative Udall introduced his bill (identical to S.1688) as H.R.2063.

ANALYSIS Conservationists back S.1688 as an alternative to Interior's proposal for a number of reasons, but primarily because the increased acreage allows the preservation of complete ecosystems. As a result of the 1972 out-of-court settlement, some of the d-2 proposals in S.1687 have huge gaps. Although S.1687 places some of the land changed to d-1 in the settlement with the state within the perimeters of the d-2 proposals (the state threatened to reopen its suit), as d-1 lands could be mined and/or selected by the state before Congress has voted on and

interior proposals for four National Parks: Wrangel Mountains, Gates of the Arctic, Mt. McKinley (southern extension) and Yukon-Charley Rivers. In other proposals, crucial parts of the ecosystem are simply omitted. For example, except from Interior's proposal for Selawik National Wildlife Range (in S.1687) are several hundred thousand acres to the west which the draft Environmental Impact Statement called "of comparable or greater value to fish and wildlife than the proposed refuge itself". (NPS DEIS)

The Interior bill also ignores several exciting opportunities for cooperative innovative management, such as that proposed for the Chukchi-Imluruk National Wildlife Lands. Secretary Horton originally proposed this as an area for joint National Park Service (NPS)/Fish and Wildlife Service (FWS) management, but S.1687 now calls for a National Reserve under sole NPS management. In the Wrangel Mount conservationists foresee the establishment of an international park with large equal grandeur and recreational potential in Canada. In S.1687, however, the Wrangels proposal is split between U.S. Forest Service and NPS jurisdiction, the latter getting 88% "barren rock and ice" (NPS DEIS).

S.1687 would place almost 19 million additional acres (there are already 21 million acres) under the Forest Service, whose operating code allows minor as well as clearcut logging. Only four National Wild and Scenic Rivers are proposed.

Conservationist-backed S.1688 seeks to retain cohesive units of Alaska's wilderness, thereby preventing damage to watersheds and animal habitat within the State proposed. For this purpose, for instance, the bill supports an extension of existing Arctic National Wildlife Range in northeastern Alaska to incorporate migratory routes of the Porcupine caribou herd which uses the Range. It would enlarge Mt. McKinley National Park on three sides, bringing a large part of the massif and surrounding wolf, moose, caribou and grizzly habitat into the Park established in 1917.

Individual proposals in S.1688 allow a comprehensive regional approach to conservation of land and wildlife resources. For example, on the Aleutian Peninsula extension of, and National Park status for, Katmai National Monument, and establishment of Aniakchak Caldera National Monument and an Alaskan Peninsula Joint Brown Bear Range would protect spectacular reminders of volcanic activity, rivers and hiking country, as well as the considerable forage needed by the endangered Alaskan brown bear, one of the world's largest carnivores. In southern Alaska, expanding the Arctic National Wildlife Range to the south, creating the Yukon Flats National Wildlife Range, a Yukon-Charley Rivers National Park and Birch Creek National Wild River would join an intact unit of the Arctic ecosystem with the Subarctic. Fauna endangered elsewhere in the Arctic by oil drilling and exploration would be protected, as would the summer breeding grounds of millions of wildfowl which migrate annually to the wetlands of the Yukon Flats. S.1688 proposes 13 of the nation's most beautiful and exciting rivers as Joint Wild and Scenic Rivers.

HOLDING
PATTERNS

On December 20, 1973 Senator Jackson wrote Secretary Horton asking him not to confer title to any lands which might qualify for designation by Congress without notifying the Interior Committee of both Houses of Congress at least 60 days in advance. The request was repeated in May and December of 1974. In March of the summer of 1974, the state of Alaska asked for patent to the 42 million acres of its January 1972 land selection which were not relinquished in the settlement with Interior. In September, 1974 Edgar Wayburn, Chairman of the Sierra Club Alaska Task Force, protested to Senator Jackson that the apparent willingness of the Interior Department to comply with the state's request would remove 6.5 million acres from possible inclusion in the four conservation systems.

First Class Mail



Alaska Report

On December 19, 1974 a Senate Interior Committee hearing chaired by Floyd K. Damm heard Royston C. Hughes, Assistant Secretary of the Interior, on the state d-2 conflict. Senator Haskell and Senator Lee Metcalf, also present, agreed to fast-track transfer of title to the state in undisputed areas; they also agreed to fast-track for compromise in some other areas, but Haskell warned: "I think the Department should be ill-advised to go ahead where there are conflicting legislative proposals, not be your d-2, but it might be our d-2."

THE WATCH

Others concerned about the national interest in Alaska have been active in this period. Conservationists protested vigorously in nationwide hearings against the October 1974 Bureau of Land Management document, "Multimodal Transportation and Corridor Systems in Alaska: A Preliminary, Conceptual Analysis". Of the 40 corridors carved across Alaska in this concept, only three were tentatively approved by the Secretary of the Interior.

To further study the d-2 situation, the Alaska Coalition, a group of 12 conservation groups met in Fairbanks in February, 1975 to discuss potential management and policy changes in legislation before the new 94th Congress.

94th CONGRESS 1975

And the holding pattern continued. Conservationists repeatedly urged Congressional hearings on the complex landmark legislation, stressing the 1978 deadline completion Congress had given itself in AISCRA. Furthermore, the situation was getting more complex -- Congressman Young of the Alaska delegation submitted a d-2 proposal to the 94th Congress.

On September 3, 1975, Congressman Hall introduced H.R. 9346, a bill containing the parks, monuments and wild and scenic rivers d-2 proposals of H.R. 2063. This falls directly under the jurisdiction of the National Parks and Recreation Subcommittee of the House Interior Committee. During the August recess, Congressmen Joan Small and Goodloe Byron and staff of the subcommittee had visited Alaska, and their report will help Chairman Roy Taylor's subcommittee.

Action in the Senate began with oversight hearings on November 21 and December 1 in the Senate Interior Committee. Edgar Mayhew, on behalf of the Alaska Coalition, advocated passage of S. 1638 and reiterated the increasing pressures for development of Alaska's public lands which make immediate Congressional action imperative. Committee also heard from the Interior Department, the Alaska delegation and a proposal from the state of Alaska, before issuing a white paper to be used as a basis for future substantive hearings.

Congressmen looked at Alaska in December, 1975 from another angle in consideration of H.R. 6644, a bill urged by Alaska natives to amend AISCRA. Certain federal, state and Native Land selections were changed which will affect the d-2 issue, particularly central and southwestern Alaska. Hopefully Congress will move on to examine proposed additions to the four national conservation systems in these regions.

THE ROAD AHEAD

Below is a chart summarizing the proposals Congress must consider in the process of deciding which lands in Alaska should be added to the national conservation systems:

	S. 1688 (Conserv)	S.1687 (Interior)	HR 6848 ⁽¹⁾ (Young)	State of Alaska ⁽²⁾	Fed/State LUPC
National Conservation systems:					
" Park System	52.1	32.3	10.7	16.7	18.3
" Wildlife Refuge System	50.8	31.6	-	15.3	14.8
" Wild & Scenic Rivers System	1.6	.8	.5	-less than 1 mil	
" Forest System	1.6	18.8	28.3	4.6	6.0
"Alaska National Land Reserves"					58.9
Wilderness study areas					9.0
"Alaska Resource Lands"				61.9	
"Alaska Scenic Reserve System"			24.1		
TOTAL: 106.1 83.5 63.8 98.5 107.0					


*In millions of acres

Notes:

(1) HR 6848 was introduced by Congressman Young in the 94th Congress. The 24 million acres in the so-called Alaska Scenic Reserve System would be administered by a Federal State Commission for multiple use -- i.e., resource extraction would be permitted as it is in the National Forests. Only 11 million acres would be added to the National Park and National Wild and Scenic Rivers Systems, where recreation, open space and wildlife preservation are the major land use values. HR 6848 would also establish 8 new transportation and utility corridors in the state.

(2) Governor Jay Hammond announced the state's proposal on October 25, 1975. It is not yet final, but in general proposes 40 million acres for the four national conservation systems, while placing 62 million acres in a new category called "Alaska Resource Land" under Bureau of Land Management administration according to recommendations of a powerful Federal-State Alaska Land Commission. It also vaguely outlines an idea for COBAMS or "cooperatively managed areas" in which all owners would somehow work together to carry out the Commission's recommendation as to the best use of the land.

(3) The Joint Federal-State Land Use Planning Commission's proposal was released the day as the state's and is similar to it. The "Alaska National Land Reserves" would be managed the same way as the state's "Alaska Resource Lands". Both proposals invest great responsibility in a Federal-State Commission which, if the state legislature so decides, could take over planning functions for state as well as federal lands, including decisions like the location and number of transportation and utility corridors in Ala:



ALASKA TASK FORCE

Sierra Club, 530 Bush Street,
San Francisco, CA 94108
(415)981-8634

ALASKA LEGISLATIVE PROGRAM

The purpose of the Alaska Legislative Program (ALP) is to ensure that conservationists and all wilderness and wildlife enthusiasts throughout the country are aware of upcoming Congressional legislation dealing with the preservation of more than 100 million acres of Alaskan lands in our national conservation systems. ALP will keep them informed of the bill's progress toward enactment and will generate expressions of their active support to their elected representatives.

ALP is intended to supplement the dissemination of information on Alaska lands through books, Bulletin and newsletter articles, film, filmstrips and slideshows. It will do so by reaching out primarily to people who are predisposed toward wilderness values, including customers of backpack equipment and readers of publications dealing with wilderness activities.

In addition to informing millions of interested people, ALP will make a major effort to encourage them to let their Congressmen and Senators know they want Alaska protected. A chain of communication is being established in all Congressional Districts, that will allow upwards of 200 volunteer letter-writers in each district to be notified quickly at times when contacting their Representatives is crucial.

Here's the way it will work. A Sierra Club Alaska Task Force member will serve as a Congressional District Coordinator (CDC). The CDC will recruit 15 friends of Alaska to serve as Zone Organizers (ZO) throughout the District; each of them will put together a team of 15 or more volunteer letter-writers in their vicinity who will agree to communicate to their legislator when the time is right. Each CDC and ZO should find an assistant both to aid with recruitment and to serve as a back-up in case of the organizer's absence at a time when letters are needed.

The ALP approach is based on personal involvement. It replaces computers with people! But it will require a commitment, some real work and some out-of-pocket expenses over a two year period by some 7000 volunteers. And reliable follow through by just two-thirds of the letter-writers will ensure very strong constituent contact with all Senators and Representatives when it is most needed.

People who undertake assignment as either CDC or ZO will have two sources to aid their recruitment efforts. The first is the membership list maintained by each Sierra Club Chapter and Group. The second is the retail backpack stores in their area. (One element of ALP is a petition campaign in such stores on behalf of Alaskan lands protection,

Those names will be available to Coordinators and Organizers. And most stores participating in the petition campaign would likely be willing to give Coordinators the names and addresses of charge or local catalogue customers.) Backpacking outfitters are, almost without exception, personally committed (as well as financially motivated) to wilderness protection. Most of their customers are too. Those retail locations will play an important part in ALP's success.

The timing of "letter alerts" will be determined by the legislative situation. Sierra Club legislative representatives in Washington, D.C., Task Force members at the San Francisco Headquarters, or Chapter Leaders will quickly notify all 435 CDC's by phone or mail. They in turn would make every effort to alert all their ZO's within 24 hours, by phone if within toll-free or reasonable cost area; otherwise by letter/postcard. ZO's would quickly follow the same procedure with their letter writing team. Most often, general letters of support for maximum protection of Alaskan lands, in the writers own words and expressing his own philosophy or reasons, will be sufficient. But in some cases, specific points will need to be addressed; backing or opposing specific amendments referring to specific areas, urging prompt action on the Alaska National Interest Lands legislation, etc.

Coordinators can expect 5 or 6 alerts and writers will likely be asked for about 8 letters during the two year span of the 95th Congress. The key to the success of Alaska legislation will be getting it started through the laborious legislative maze. There will be enormous pressure by exploitive interests and the Alaska delegation to act on the bill. Early constituent influence on all House members is important in order to generate maximum support from Committee members.

All volunteers in this program are requested to write both Senators and their Congressman before mid-January, 1977 (or when they become involved after that date), urging prompt action by House and Senate Interior Committees on legislation calling for protection of over a million acres in Alaska.

For further information, contact the Alaska Task Force at the above address.

P.S. Please share with us any other ideas you have on this.

SJR

37

COMMITTEE REPORT

SENATE

1/26/88

FURTHER: None

Date: _____

Mr. President:

The Committee on Conservation of Downy Woodpecker has had 2/1/88

Conservation of Downy Woodpecker

under consideration and (a majority of the committee) (the committee reports it back as follows)

- recommends it do pass recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____
- and _____ new title same title
- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chairman



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
P. O. BOX 1668 - JUNEAU, ALASKA 99801

file

February 7, 1978

Honorable Kay Poland
Alaska State Legislature
Juneau, AK 99801

Dear Senator Poland:

In response to the request by the Senate Resources Committee in their final day of hearings on Senate Bills 439 and 440, and Senate Joint Resolution 37, the following information is submitted:

The average yearly take of bowhead whales by all Alaskan Eskimo villages for the past ten years is 24.4 whales. The take in 1976 was 48 whales.

The average yearly take of bowhead whales in Barr ; for the past ten years is 13 whales. The take in 1976 was 23 whales.

The average yearly take of bowhead whales by Soviet natives for the past five years is 2 whales. They took no bowhead whales in 1976.

A call this morning to Dr. George Harry, Director of the Marine Mammal Division of National Marine Fisheries Service in Seattle, confirms that there has been no take of bowhead whales by Canadian Eskimos in recent years.

Bowhead whale catch statistic tables have been attached for your information. Please do not hesitate to call on us if we can be of any further assistance.

Sincerely,

Harry L. Rietze

Harry L. Rietze
Director, Alaska Region

Table 13.--Bowhead whales taken by USSR natives in recent years

Year	Chukchi Sea	Bering Sea	Total
1972	0	1	1
1973	0	2	2
1974	1	2	3
1975	2	2	4
1976	0	0	0

Source: Personal communication from Dr. V.N. Mineev.

Tables taken from: "The 1976 Catch of Bowhead Whales (Balaena mysticetus) by Alaskan Eskimos, with a Review of the Fishery, 1973-1976, and Biological Summary of the Species." by Willman Marquette, U.S. Dept. of Commerce, May 1977

Table 14. Bowhead Whales taken by Alaskan Eskimos and shore-based stations in the western Arctic Ocean.

Year	Barrow	Pt. Hope	Wainwright	Nuigsut	Icy Cape	Kaktovik	Gambell	Savoonga	Kivalina	Misc.	Total
1852	17										17
1853	7										7
1854-79											-
1880			5								5
1881	18										18
1882	1										1
1883	2										2
1884	10										10
1885	28	12									40
1886											-
1887	6										6
1888	2										2
1889	4										4
1890	1	1									2
1891	18										18
1892	8	0									8
1893											-
1894	10										10
1895	4										4
1896	6	33									39
1897	5										5
1898	42 ^{1/2}	1									43
1899											-
1900	19										19
1901			1								1
1902			2								2
1903	4		0								4
1904	2		0								2
1905	5										5
1906	1										1
1907	9		0								9
1908	23	13			10-12						46-48
1909	11	13			1						25
1910	2+										2
1911	1		3								4

Table 14 . (continued)

Year	Barrow	Pt. Hope	Wainwright	Nuigsut	Icy Cape	Kaktovik	Gambell	Savoonga	Kivalina	Misc.	Total
1912	2	1									3
1913	4	1									5
1914	1	2			1						4
1915		3									3
1916	5	7	1							1	14
1917		3			3					2	8
1918	1	7									8
1919	1	2									3
1920		3									3
1921		2									2
1922	1	13	3								17
1923										2	2
1924		16								9	25
1925	19	10	2								31
1926	4	13									17
1927	2	3									5
1928	11										11
1929	15										15
1930	7										7
1931	11	1									12
1932	7										7
1933	5										5
1934	4										4
1935	6										6
1936	4	4									8
1937	9										9
1938	4										4
1939	6										6
1940	0	5									5
1941	2	8	1								11
1942	10		1								11
1943	6										6
1944	0		2								2
1945	3	3									6
1946	9	2									11

Table 14. (continued)

Year	Barrow	Pt. Hope	Wainwright	Nuigsut	Icy Cape	Kaktovik	Gambell	Savoonga	Kivalina	Misc.	Total
1947	4	6									10
1948	5	0									5
1949	0	4		1							5
1950	4	2		2						1 (Cape Lisburne)	9
1951	9	4									13
1952	0	2+									2
1953	17	4					2				23
1954	1	3									4
1955	19	1		1			2				23
1956	2	2					1				5
1957	0	3					0				3
1958	0	2					0				2
1959	0	1									1
1960	15	4		0							19
1961	6	2		1			1				10
1962	5	6		1							12
1963	5	3		2							10
1964	11	1		1		2			1		16
1965	4	2		0							6
1966	7	5		1							13
1967	3	1		0							4
1968	10	3		2			1				16
1969	11	3		3						1 (Wales)	18
1970	15	8		0					1		24
1971	11	6		2			1		1	1 (Wales)	24
1972		14		2			2		1		39
1973	17	7		3	1	3	2	4			37
1974	9	6		1		2	2		0		20
1975	10	4		0			1		0		15
1976	23	12		3		2	1	7	0	0 (Wales)	48

1/. Combined catch of Eskimos and two vessels.



Alaska Conservation Society

Incorporated in 1960

P.O. Box 60192

College Branch, Fairbanks, Alaska 99708

September 16, 1977

Mr. Robert Schoening, Director
National Marine Fisheries Service
US Department of Commerce, NOAA
Washington, DC 20235

*Senate
Resources*

Dear Bob:

This letter is written on behalf of the Alaska Conservation Society, to urge the United States government to file a qualified objection to the International Whaling Commission's moratorium on bowhead whale hunting by Alaska Natives.

This has not been an easy decision to make. The Society has tried to inform itself fully about the situation. We know the uncertainties about the present status of bowhead whales, the fluid and confused cultural context of the harvest, and the potential international ramifications of a U.S. objection. Having weighed the risks from every angle, we firmly believe that our Nation must support continued bowhead harvests, albeit under a much different level of control, cooperation, and study than previously.

In one sense our decision is based on the knowledge that the prime responsibility for the historic decline of bowhead whales lies not with Alaska Natives but with non-Native commercial whalers. Further, the federal government has been negligent in the extreme since 1972 and 1973 in not mounting an adequate effort to find out the status of bowheads or the effect of subsistence hunting on bowhead numbers; in failing to establish cooperative relations with hunters; and in failing to heed the repeated warnings of the International Whaling Commission. In short, both the longterm reduction in bowhead numbers and the present crisis atmosphere are largely our national responsibility. Now we need to proceed with a decision that balances careful conservation with sensitivity to human needs, and we think it would be grossly unfair to ask Native hunters and their families to bear the entire costs of that decision.

There is no doubt that Native hunters must share some of the responsibility as well. The ranks of longtime hunters have been swelled by the addition of young Eskimos who, now wealthy enough to outfit a whaling crew, compete for the prestige of killing a whale. The overall harvest has gone up since 1974; worse, the struck-and-lost rate has increased sharply. When too many whales were beached at once, waste has occurred.

The Alaska Conservation Society offers recommendations dealing with hunting, research, and cooperation between government and citizen. We base these recommendations on two premises: 1) That the United States will have to show the world community and IWS in particular, a substantive response to the need for bowhead conservation; and 2) That Native people recognize the gravity of the situation and will not only regulate their own actions more closely but will cooperate in all phases of a bowhead conservation program.

Hunting

The Society recommends adoption of a quota and permit system for limiting the overall kill in 1978 and subsequent hunts as may be authorized. Recognizing that any number will be more or less arbitrary, we recommend a quota of twenty five whales yearly beginning in 1978, subject to change as soon as new and convincing population data indicate that a change is needed or permissible. A permit will be considered filled if a whaling crew kills and beaches a whale, or strikes and loses a whale. This should provide a strong incentive to harpoon or shoot at only those whales where chances of loss are small. The number of whales harvested (beached) under this system probably would be 10 to 15, close to the longterm average for years prior to 1975.

Each traditional whaling community would receive a block of permits in numbers proportional to the historic take in that community. The community itself, or a recognized association of whalers such as the newly formed Alaska Eskimo Whalers Commission, would then allocate the permits to specific whaling captians or cooperatives. The hunt would be monitored by both local and federal officials. If substantial abuses occurred, the US should immediately withdraw its objection to the IWC moratorium.

Hunting technology is an important aspect of the situation. Fewer whales are lost when harpoons (with attached lines and floats) are struck into the whale first, with or without later use of explosive-

shell shoulder guns. However, use of harpoons increases the risk to the whalers. A decision must be made either to require the use of harpoons or to develop much more lethal explosive projectiles; the present reliance on individual choice of a mix of weapons has contributed to the current conservation problem.

Research

A big share of the bowhead problem is that no one has convincing information on the number or composition of arctic bowhead stocks. Such information is urgently needed. Funding this research is the responsibility of the federal government.

Bowhead research should start immediately, in October 1977. The studies should consist of at least the following:

- a) Re-examination of existing data. There is reason to believe that presently available data could support a firmer population estimate than given by NMFS in its Environmental Impact Statement.
- b) Aerial surveys for visual observation of migrating whales.
- c) Surface counts using the best available equipment for echo sounding and vocal signal reception. Equipment could be tested in the field this fall for major census in the spring of 1978.
- d) Radio tagging of whales as feasible. Marking-resighting census techniques are well within the state-of-the-art and should be used whether or not radio tagging is possible.
- e) Use of an icebreaker in April and May each spring for three years beginning in 1978 as a mobile base for surface research and helicopter operations.

We urge most strongly that the help of Alaska Natives be sought and used to the utmost in this research program. Such an action would pay off in better research results as well as in overall cooperative relationships.

Cooperation

Tensions are high among the various groups involved in the bowhead problem. The main reasons are that the federal government has had no

continuing cooperative presence in arctic Alaska, acting as though one could understand the whole world from Washington, DC; and, on the other hand, that some Native spokesmen have been extremely defensive and "militant". It is absolutely essential that these tensions be resolved. Day to day and face to face contacts need to be established in arctic Alaska among people with clear responsibilities for various aspects of the bowhead program. Involvement of local people in research, as I just mentioned, is important.

We understand the discomfort U.S. representatives may feel when they file an objection this fall to the IWC moratorium. Indeed, some countries may gleefully seize on this as evidence of hypocrisy in our position on whales. I am convinced, however, that the world at large will respect us if we admit to some mismanagement of bowheads but, at the same time, put our reputation on the line behind a sound program responsive to biological conservation and human needs.

Please enter this letter in the record of hearings on the bowhead whale question.

Sincerely yours,

ALASKA CONSERVATION SOCIETY

Bob

Robert B. Weeden
President

RBW/ts

Alaska Eskimo Whaling Commission

Box 570
Barrow, Alaska 99723

TESTIMONY IN SUPPORT OF SJR 37; SB 439; AND SB 440 BEFORE THE SENATE RESOURCES COMMITTEE BY JACOB ADAMS, CHAIRMAN, ALASKA ESKIMO WHALING COMMISSION

MR. CHAIRMAN, MY NAME IS JACOB ADAMS, AND I AM CHAIRMAN OF THE ALASKA ESKIMO WHALING COMMISSION. I AM HERE WITH MR. ARNOLD BROWER, PRESIDENT OF THE BARROW WHALING CAPTAINS ASSOCIATION. OUR BARROW WHALING COMMUNITY IS THE LARGEST OF EIGHT WHALING VILLAGES IN ALASKA. THE OTHERS ARE KAKTOVIK (BARTER ISLAND), WAINWRIGHT, PT. HOPE, KIVALINA, SAVOONGA AND GAMBEL. THE ALASKA ESKIMO WHALING COMMISSION WAS ORGANIZED WHEN THE BARROW WHALING CAPTAINS ASSOCIATION JOINED WITH THE NORTH SLOPE BOROUGH TO HOLD THE FIRST STATE-WIDE WHALING CAPTAINS CONFERENCE IN BARROW LAST AUGUST. THIS WAS AN HISTORIC GATHERING OF OUR WHALING CAPTAINS, IMPORTANT TO THE HISTORY OF THE ENTIRE ARCTIC, AND IMPORTANT TO THE DEVELOPMENT OF EFFECTIVE MANAGEMENT OF ALASKA'S SUBSISTENCE RESOURCES, PARTICULARLY OUR MIGRATORY SPECIES. THE MEETING WAS CALLED TO DEAL WITH THE INTERNATIONAL WHALING COMMISSION'S DECISION TO REGULATE NATIVE SUBSISTENCE WHALING, AND TO PLACE A "ZERO" SUBSISTENCE QUOTA ON THE BOWHEAD.

THE IWC IMPOSED ITS BAN LAST JUNE, AND BY AUGUST WE HAD LEARNED THAT THE NATIONAL OCEANOGRAPHIC AND ATMOSPHERIC ADMINISTRATION, WORKING WITH A FEW WASHINGTON, D.C. WHALE CONSERVATIONIST LOBBYISTS, HAD BEEN TRYING SINCE 1970 TO USE THE INTERNATIONAL WHALING COMMISSION TO BRING ALASKA'S

BOWHEAD SUBSISTENCE HUNT UNDER REGULATION. UNTIL WE WERE CONTACTED EARLY IN 1977, WE HAD RECEIVED NO WORD OF THE IWC'S CONCERN ABOUT ALASKA'S SUBSISTENCE BOWHEAD WHALING. HAD WE BEEN ASKED EARLY ON TO ORGANIZE TO HELP THE U.S. RESPOND TO IWC CONCERNS, THERE WOULD HAVE BEEN NO BOWHEAD WHALE CONTROVERSY TODAY AND MUCH OF THE POLITICAL REACTION THAT RESULTED IN THE 1978 QUOTA OF JUST 12 BOWHEAD WHALES FOR ALASKA COULD HAVE BEEN AVOIDED.

SINCE ITS ORGANIZATION, THE ALASKA ESKIMO WHALING COMMISSION, CONSTITUTED OF WHALING CAPTAINS FROM EACH OF ALASKA'S 9 WHALING COMMUNITIES, HAS MET IN BARROW TO ADOPT ITS OWN BOWHEAD WHALING REGULATIONS, COPIES OF WHICH HAVE BEEN PROVIDED YOU. THE BASIC PROVISIONS OF THE AEWK MANAGEMENT PLAN IS TO PROVIDE FOR THE MANNER IN WHICH THE BOWHEAD WHALE HARVEST WILL TAKE PLACE, REPORTING REQUIREMENTS BY WHALING CAPTAINS, METHOD OF DETERMINING THE LEVEL OF HARVEST, ATTEMPTS TO HARVEST BY EACH VILLAGE AND PROVIDING FOR PENALTIES.

LAST WEEK, THE ALASKA ESKIMO WHALING COMMISSION MET TO RESPOND TO THE NEW IWC QUOTA. A CONCENSUS WAS REACHED BY THE COMMISSION TO ABIDE BY THE QUOTA FOR THE 1978 SEASON IF SEVERAL CONDITIONS WERE MET. THE CONDITIONS SET WERE REGULATIONS BY THE AEWK IN COOPERATION WITH THE FEDERAL GOVERNMENT, IMMEDIATE RESEARCH ON WEAPONS IMPROVEMENT, COMMITMENT BY THE GOVERNMENT TO PROVIDE FOR ALTERNATIVE SUBSISTENCE RESOURCES, FULL PARTICIPATION IN FUTURE IWC DECISIONS AND A COMMITMENT BY THE U.S. GOVERNMENT TO WORK

FOR RESTORATION OF A FULL SUBSISTENCE HUNT. BECAUSE WE BELIEVE IN COOPERATIVE MANAGMENT OF SUBSISTENCE RESOURCES, THE COMMISSION DECIDED TO TRY TO COOPERATE WITH THE IWC QUOTA AND THE U.S. GOVERNMENT. OUR PROPOSAL IS NOW IN THE FEDERAL GOVERNMENT HANDS, WE WOULD ASK THE ALASKA STATE LEGISLATURE AND THE ADMINISTRATION TO REQUEST THAT THE U.S. GOVERNMENT COOPERATE WITH THE AEWG TO ACHIEVE THE BEST POSSIBLE MANAGEMENT OF THE BOWHEAD WHALE.

THE COMMISSION ALSO ENDORSED THE GOVERNMENTS RESEARCH PROGRAM WITH THE EMPHASIS THAT THE RESEARCH BE DONE IN A EXPEDITIOUS MANNER AND TO PROVIDE FOR PARTICIPATION BY THE WHALING CAPTAINS.

MR. CHAIRMAN, THE NATIONAL MARINE FISHERIES SERVICE WILL SPEND ABOUT \$700,000 ON BOWHEAD RESEARCH THIS YEAR. THIS WILL ENABLE THE EMPLOYMENT OF SCIENTISTS AND WHALERS TO COOPERATE IN AIR AND SURFACE SURVEILLANCE OF THE SPRING BOWHEAD MIGRATION. MOST OF US WHALERS BELIEVE THAT THERE ARE MANY MORE WHALES THAN THE 1300 ESTIMATED BY THE GOVERNMENT. WE FEEL THAT A MORE ACCURATE COUNT WILL JUSTIFY THE RESTORATION OF OUR SUBSISTENCE EXEMPTION FROM REGULATION BY THE IWC, AND THUS THE REMOVAL OF OUR SUBSISTENCE WHALING FROM THE INTERNATIONAL POLITICS OF COMMERICAL WHALING.

WE WERE PLEASED TO HEAR THAT THE LEGISLATION BEFORE YOU HAD BEEN INTRODUCED. THIS LEGISLATION WILL PROVIDE THE STATE DEPARTMENT OF FISH AND GAME WITH THE AUTHORITY TO ACTIVELY PARTICIPATE AS WE ESTABLISH THE FIRST COOPERATE MANAGEMENT SYSTEM FOR AN IMPORTANT MIGRATORY SUBSISTENCE SPECIES. THIS WEEK, WE LEARNED THAT THE HOUSE VERSION OF THE D-2 BILL WILL

PROBABLY PROVIDE FOR STATE JURISDICTION OVER NATIVE SUBSISTENCE HUNTING IN ALASKA. THIS CONCESSION WILL NOT BE POPULAR IN RURAL ALASKA. I WOULD LIKE TO SUGGEST THAT THIS LEGISLATION WILL ENABLE THE STATE TO JOIN WITH SUBSISTENCE HUNTERS AND THE FEDERAL GOVERNMENT TO DESIGN A PROTOTYPE COOPERATIVE MANAGEMENT SYSTEM ABLE TO DEAL WITH A SINGLE MIGRATORY SPECIES THROUGHOUT ITS RANGE. THE WORK AND EXPERIENCE OF THE ALASKA ESKIMO WHALING COMMISSION WILL HAVE SIGNIFICANT IMPACT UPON THE EARLY DEVELOPMENT OF COOPERATIVE SUBSISTENCE RESOURCE MANAGEMENT REGIMES CAPABLE OF HONORING AND UPHOLDING NATIVE SUBSISTENCE HUNTING RIGHTS. ONCE SUCH A REGIME IS IN PLACE FOR THE BOWHEAD, ITS PRINCIPLES CAN BE APPLIED TO OTHER MARINE MAMMALS, AND TO THE CARIBOU. THERE HAS BEEN TALK OF TRANSFERRING JURISDICTION OVER THE SUBSISTENCE HUNTING OF OTHER MARINE MAMMALS FROM THE FEDERAL GOVERNMENT TO THE STATE. AND THERE IS THE PROBLEM OF THE MANAGEMENT OF THE U.S./CANADIAN ARCTIC CARIBOU HERDS. ALL OF THESE ARE SUBSISTENCE SPECIES MANAGEMENT PROBLEMS THE SOLUTIONS FOR WHICH COULD BE BASED UPON THE EXPERIENCE OF THE ALASKA ESKIMO WHALING COMMISSION. SUCCESSFUL STATE EXPERIENCE HERE COULD HELP REDUCE NATIVE OPPOSITION TO STATE REGULATION OF SUBSISTENCE HUNTING.

THE EXPENSES OF THE ALASKA ESKIMO WHALING COMMISSION HAVE BEEN PAID FROM A \$100,000 APPROPRIATION BY THE NORTH SLOPE BOROUGH ASSEMBLY THAT WAS MADE SHORTLY AFTER THE COMMISSION WAS FORMED. HOWEVER, WE WOULD LIKE TO SEE THE COMMISSION BECOME INDEPENDENT OF THE NORTH SLOPE BOROUGH,

AND THE MONEY AUTHORIZED AND APPROPRIATED BY THE LEGISLATION BEFORE YOU WOULD MAKE THIS POSSIBLE. THE COMMISSION WOULD USE THE MONEY TO EMPLOY A SMALL STAFF TO WORK CLOSELY WITH STATE AND FEDERAL AGENCIES INVOLVED IN WHALE RESEARCH AND WHALING SURVEILLANCE; TO ORGANIZE AND DIRECT ON-GOING WHALING WEAPONS IMPROVEMENT PROGRAMS; AND IN THE PRACTICAL PROBLEMS OF ENFORCEMENT OF THE AEWCS OWN REGULATIONS. ALL OF THIS WILL REQUIRE A SERIOUS WHALING VILLAGE EDUCATION PROGRAM AIMED AT LOCAL UNDERSTANDING OF THE NEED FOR QUOTA COMPLIANCE AND AEWCS REGULATION OF OUR PREVIOUSLY UNREGULATED HUNT OF THE BOWHEAD WHALE. EARLY STATE SUPPORT OF THE AEWCS WOULD STRENGTHEN OUR STATUS AND NEGOTIATIONS WITH THE NATIONAL MARINE FISHERIES SERVICE.

MR. CHAIRMAN, THE LEGISLATION BEFORE YOU WAS NOT REQUESTED BY THE ALASKA ESKIMO WHALING COMMISSION, BUT IT REFLECTS THE GOOD WILL THAT WE HAVE ENJOYED FROM ALL OF ALASKA AS WE HAVE BATTLED IN WASHINGTON, D.C. AND TOKYO TO DEFEND OUR SUBSISTENCE WHALING. THANKS TO A SENSITIVE LEGISLATURE, WE DIDN'T HAVE TO ASK FOR THE LEGISLATION, BUT WE APPRECIATE ITS INTRODUCTION AND YOUR EXPEDITIOUS HEARINGS.

THANK YOU VERY MUCH.

AEWC MANAGEMENT PLAN

Subpart A - Introduction

§100.1 Purpose of regulations

It is the purpose of the regulations contained herein to: (a) insure an efficient subsistence harvest of bowhead whales; and (b) provide a means within the Alaskan Eskimo customs and institution of limiting the bowhead whale harvest in order to prevent the extinction of such species.

§100.2 Scope of regulations

The regulations contained herein apply to the subsistence hunting of bowhead whales by Eskimos located in the State of Alaska.

Subpart B - Alaska Eskimo Whaling Commission

§100.11 Powers

(a) The Alaska Eskimo Whaling Commission (hereinafter AEWK) is empowered to administer the regulations contained herein to insure that the purposes stated in §100.1 of these regulations are attained.

(b) The AEWK is empowered to enforce these regulations by:

(1) denying any person who violates these regulations the right to participate in hunting the bowhead whale.

(2) acting as an enforcement agent for any governmental entity authorized to enforce these regulations.

(c) The AEWK is empowered to promulgate interim regulations that are in addition to, but not in lieu of, regulations contained herein.

§100.12 Duties

(a) The AEWK shall administer and enforce the regulations contained herein (including any interim regulations.)

(b) The AEWK shall conduct village educational programs to facilitate compliance with these regulations, including training programs for whaling captains and crews.

(c) The AEWC shall initiate research for improvement of the accuracy and reliability of weapons.

Subpart C - Regulations

§100.21 Definitions

(a) "bowhead whale" means a whale whose scientific name is Baleana mysticetus and which migrates past whaling villages in Alaska.

(b) "captain" means the person in charge of a whaling crew,

(c) "harvest" means to kill and bring to shore or butchering area.

(d) "non-traditional weapons" means any instrument that could be used to harvest a bowhead whale that is not a traditional weapon.

(e) "Scientific Committee" means the committee established pursuant to §100.26 of these regulations.

(f) "traditional weapon" means a harpoon with line attached, darting gun, shoulder gun, lance or any other weapon approved by the AEWC with the concurrence of the Scientific Committee, as such a weapon in order to improve the efficiency of the bowhead whale harvest.

(i) "harpoon with line attached" means a harpoon with a rotating head which is attached to a line and float and which has no explosive charge. (See Figures 7 and 8 of Appendix E of the FEIS on the International Whaling Commission's Deletion of Native Exemption for the Subsistence Harvest of Bowhead Whales (October, 1977) (hereafter FEIS),

(ii) "darting gun harpoon" means a harpoon with an explosive charge and with a line and float attached. (See Appendix E of the FEIS in Figure 4.)

(iii) "shoulder gun" means a whaling gun, adapted from the era of commercial whaling in the 19th Century, which has an explosive charge and which has no attached line and float. (See Appendix E of the FEIS in Figure 5.)

(iv) "lance" means a non-explosive sharply pointed weapon without a harpoon head.

(g) "whaling crew" means those persons who participate directly in the harvest or attempted harvest of the bowhead whale and are under the supervision of a captain.

(h) "whaling village" means the Alaska Eskimo village in which resides a whaling captain and crew which participates in the harvest or attempted harvest of bowhead whales.

(i) "whaling season" means customary period of time during which the bowhead whale is harvested, either in the Spring or Fall.

§100.22 Registration

(a) Each captain shall register with the AEWG on forms provided by the AEWG for that purpose which discloses his name, address, age, qualifications as captain, names of crew members, and his willingness to abide by the regulations of the AEWG and to require his crew to abide by those regulations.

(b) The AEWG shall take into account any reading or language difficulties in developing procedures and forms for registration.

§100.23 Reports

(a) Each whaling captain shall be responsible for keeping a written record of the number of whales --

- (1) attempted to be harvested by using traditional weapons but not harvested,
- (2) harvested by the captain or his crew, and
- (3) sighted by the captain or his crew.

(b) Each whaling captain shall report the date, place, and time of any striking not resulting in harvesting and shall describe --

- (1) the size of the bowhead whale,
- (2) any known later attempted harvest or actual harvest of said whale, and
- (3) the reason for the captain or crew not harvesting the whale -- e.g. environmental factors, the failure of traditional weapons, or other reason.

(c) Each whaling captain shall make such other reports as the AEWG requires in order to accomplish the purposes of the regulations herein or in order to advance the scientific knowledge of the bowhead whale.

§100.24 Permissible harvesting methods

(a) No whaling captain or crew shall harvest or attempt to harvest the bowhead whale in any manner other than the traditional harvesting manner.

(b) "Traditional harvesting manner" means:

- (1) only traditional weapons shall be used, as defined in §100.21(f).
- (2) the bowhead whale may be struck with a harpoon or darting gun with line and float attached or simultaneously with harpoon and shoulder gun or darting gun.
- (3) the shoulder gun may be used
 - (i) when accompanied by harpoon with or without a darting gun.
 - (ii) after a line has been secured to the bowhead whale, or
 - (iii) when pursuing a wounded bowhead whale with a float attached to it.
- (4) the lance may be used after a line has been secured to the bowhead whale.

§100.25 Traditional proprietary claim

The bowhead whale shall belong to the captain and crew which first strikes the bowhead whale in the manner described in §100.24.

§100.26 Level of harvest

(a) The AEWEC shall establish the levels of harvest and attempted harvest for each whaling village during each season. Such levels may be set by methods including, but not limited to, the following:

- (i) Specification of number of whaling crews permitted to harvest or attempt to harvest bowhead whales during specified periods;
- (ii) Specification of the size or age of whales which may be taken during specified periods, after consultation with the Scientific Committee.
- (iii) Specification of the number of whales that may be taken by each crew.
- (iv) Specification of the number of bowhead whales which may be harvested or attempted to be harvested by each village.

(b) The level of harvest supported by scientific data shall be no greater than that necessary to meet the cultural and nutritional needs of the Eskimo inhabitants of the State of Alaska.

(c) In establishing the levels of harvest and attempted harvest, the AEWEC shall not establish levels of harvest or attempted harvest greater than the carrying capacity of the bowhead whale stock, supported by scientific data.

(d) The carrying capacity of the bowhead whale stock shall be determined by a Scientific Committee appointed by the Polar Research Board of the National Academy of Sciences. The Scientific Committee shall consist of nine members who are qualified by reason of their education and experience to make objective determination concerning the carrying capacity of the bowhead whale stock. Three of the nine members shall be members of the Eskimo community. The AEWEC shall make recommendations to the Polar Research Board for the choice of Eskimo members.

(e) In determining the carrying capacity of the bowhead whale stock the Scientific Committee shall not consider any prospective threats to the species resulting from oil and gas development within the habitat of such species. Provided, however, that this section may be further implemented by the Scientific Committee and the AEWG at a later date in the event of actual risks.

(f) The mortality rate for attempted harvest shall be determined by the Scientific Committee.

Subpart D - Penalties

§100.31 Denial of participation in harvest:

(a) Any person who the AEWG determines has violated the regulations contained herein shall, after opportunity for a hearing before the AEWG, be prohibited from harvesting or attempting to harvest the bowhead whale for a period of not less than one whaling season nor more than five whaling seasons.

(b) Any person who willfully violates the regulations contained herein shall be subject to a fine of not more than \$1,000 assessed by the AEWG. No person shall harvest or attempt to harvest the bowhead whale until such fine has been paid.

SJR

47

COMMITTEE REPORT
SENATE

FURTHER: NONE

Date: _____

Mr. President:

The Committee on RAILROADS has had 50

was reported by the committee for passage of H.R. 10000

under consideration and (a majority of the committee) (the committee reports it back as follows)

- recommends it do pass recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____

and _____ new title same title

- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Chairman

SJR 47 - RELATING TO LOANS GUARANTEED BY THE FEDERAL GOVERNMENT
FOR THE PURCHASE OF VESSELS CAPABLE OF HARVESTING
ALASKAN BOTTOMFISH."

THIS RESOLUTION URGES OUR CONGRESSIONAL DELEGATION TO SUPPORT
SENATE RESOLUTION 974 WHICH WOULD INCREASE FEDERAL GUARANTEES
FROM 75% TO 87.5% ON LOANS FOR FISHING VESSELS.

THE LOANS ARE ONLY AVAILABLE TO VESSELS ENGAGED IN FISHERIES
WHICH HAVE NOT YET ACHIEVED MAXIMUM ENTRY. IN ALASKA, SALMON
AND KING CRAB ARE CLASSIFIED AS SUCH ("CONDITIONAL FISHERIES").
VESSELS MAY BE CONVERTED FROM SALMON OR CRAB TO OTHER FISHERIES
SUCH AS BOTTOMFISH; BUT NOT THE CONVERSE.

SJR

49

COMMITTEE REPORT

SENATE

FURTHER: None

Date: _____

Mr. President:

The Committee on RESOURCES has had SJR 41
national energy plan and support, S. 1962.

under consideration and (a majority of the committee) (the committee reports it back as follows)

- recommends it do pass recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____

- and _____ new title same title
- AND attaches a Letter of Intent New Fiscal Note
- reports it back without recommendation
- and recommends it be referred to the _____ Committee

MEMBERS SIGNING DO PASS:

OTHER RECOMMENDATIONS:

[Signature]

[Signature]

[Signature]
Chairman

PRINCE WILLIAM SOUND
AQUACULTURE CORPORATION

APR 3 1978

DIVISION OF F.R.E.D.

P.O. Box 1110
Cordova, Alaska 99571
(907) 424-3111

A regional non-profit organization for the enhancement of fisheries.

March 31, 1978

Chief

The Honorable Mike Gravel
United States Senate
3121 Dirksen Senate Office Building
Washington D.C. 20510

Dear Senator Gravel:

I recently received from your office a copy of your aquaculture bill, S-2762, and I am enclosing my comments for your consideration.

We in the Prince William Sound Aquaculture Corporation are very appreciative of your efforts in regard to this subject which is of such great importance to Alaska. We have enjoyed working with your aid, Mr. Tom Roach and we commend his work on this bill.

I have restricted the majority of my comments to the subject of the National Aquaculture Development Plan and the development programs that it calls for. My primary concern in this regard is the role of the states in relation to the role of the federal government in the plan and development program formulation. I am very concerned that the present wording of the bill will result in a federal domination of these activities because too much responsibility and authority is given to the Secretary of Commerce. My recommendations to correct this situation are as follows:

1. Assign to the regional subcommittees the responsibility for identification of priority species and for the formulation of their development programs.
2. Limit the Secretary's role in regard to the development programs to one of reviewing, approving and implementing.
3. Require the Secretary to consult with the appropriate regional subcommittee prior to revising or cancelling any program.
4. Provide funding for the regional subcommittees to carry out their planning activities.

I am very pleased to see the attention that you have given to the rehabilitation and enhancement of publicly owned fish and shellfish resources. Your bill corrects the deficiencies of similar bills in this regard by identifying this subject as one of vital concern to all states with publicly owned fishery resources. Do you think that this concern might be given more funding attention in the bill? A matching federal, state and local grant program would stimulate greater efforts in these areas, and would most certainly benefit Alaska.

I have not addressed myself to the sections of the bill that deal with Contracts and Grants (section 7), Guarantees of Obligations Issued for Aquaculture Facilities (section 8), Disaster Loans (section 9), or Insurance Against Certain Losses Incurred in Aquaculture Facility Operations (section 10), because of the limitations of my expertise in these areas.

In closing, I would like to emphasize the position of my organization that Mr. Leggett's bill, H.R. 9370, as presently written is not good for Alaska. Your bill S-2762, is a great improvement on that bill and, with the additions of our recommended amendments in regards to the role and responsibilities of the regional subcommittees, will be good not only for Alaska, but for the other 49 states as well.

Sincerely yours,

PRINCE WILLIAM SOUND
AQUACULTURE CORPORATION

A. W. Hall

A. W. Hall
Business Manager

AWH:ec

Enc.

cc: Floyd Heimlich, CIRA
Jack H. ...
Derek ...
Shari ...
Bob ...
Bob Palmer, Office of Governor
Senator ...
Congressman Young

PRINCE WILLIAM SOUND AQUACULTURE CORPORATION
COMMENTS AND RECOMMENDATIONS TO S-2762
BY SENATOR MIKE GRAVEL

Section 4, National Aquaculture Development Plan.

1. Page 8, Line 5 - insert after the word "shall" the following: "have", and add a "d" to "prepare".
2. Page 8, Line 9 - "consisting of the chairmen of the subcommittees created under subsection (a) (2) (B) of this section,"
3. Page 9, Line 19 - insert new subsection "E" renumber following subsections.

"(E) The regional subcommittees shall formulate regional aquaculture development programs for each priority species and submit them to the Secretary for his review and approval".
4. "(G) The Secretary shall provide funding for each regional advisory committee established under sub-paragraph (B) sufficient to support the activities required by this act.
5. Page 10, Line 8 - rewrite line to read: "...which the regional subcommittees determine to have a potential for.."
6. Page 10, Line 10 - strike the wording "the Secretary" and insert in lieu thereof "them".
7. Page 11, Line 1 - rewrite line to read: "(2) contain regional aquaculture development programs, ..."
8. Page 11, Line 2 - strike the word "Secretary" and insert in lieu thereof "Regional Subcommittees".
9. Page 11, Line 4 - insert the word "regional" between "the" and "aquaculture", and add an "s" to "program".
10. Page 11, Line 5 - strike the words "set forth" and insert in lieu thereof "be reviewed".
11. Page 11, Line 6 - rewrite line to read: "...and approved by the Secretary after he determines those actions which should be..."
12. Page 11, Line 7 - insert after the word "undertaken", the following: "to implement the regional plans,"
13. Page 12, Line 5 - add the following language immediately after the word "areas:" "...and the populations of fish and shellfish native to the areas".

- Section 4, continued
14. Page 12, Line 17 - strike the words "In preparing" and insert in lieu thereof "prior to approving".
 15. Page 12, Line 19.- rewrite line to read: "...such programs pursuant to subsections (c) and (1), the Secretary..."
 16. Page 13, Line 18 - rewrite line to read: "...propriate Regional Fishery Management Council, the appropriate regional subcommittee created under Section 4 (a) (2) (B), and any ..."
 17. Page 14, Line 8 - insert between the words "and" and "prepare", the following: "direct the appropriate regional subcommittee to.."
 18. Page 14, Line 11 - insert between the words "Secretary" and "funds" the following: "after consultation with the appropriate regional subcommittee"

Section 7, Contracts and Grants.

1. Page 21, Line 6 - replace "(a)" with "(a) (1)".
2. Page 21, Line 15 - insert new paragraph to read: "(2) The Secretary, together with the secretary of Interior and the Secretary of Agriculture shall establish a matching grant program requiring federal and state or local government participation for the purpose of the rehabilitation and enhancement of publicly owned fish and shellfish resources".

Section 8, Guarantees of Obligations Issued for Aquaculture Facilities.

1. Page 25, Line 5 - insert between the words "fewer" and "employees" the following: "full time".

Section 11, Federal Aquaculture Assistance Fund.

1. Page 44, Line 5 - insert between "sections" and "8", the following: "4,"
2. Page 44, Line 21 - insert between "sections" and "8", the following: "4,"
3. Page 44, Line 25 - insert between "sections" and "8", the following: "4,"

Section 13, Authorization of Appropriations.

1. Page 47, Line 19 - insert between "sections" and "8", the following: "4,"

Senate Commerce Committee
Room 5207 Dirksen Senate Office Building
Washington, D.C. 20510
Mr. Donn Anderson, Consul
202-224-5115

Committee Members

Senator Howard Cannon, Chairman
Rm 259, Russell Senate Office Bldg
Washington, D.C.

Senator John C. Danforth
Rm 229 Russell Senate Office Bldg

Senator Warren Magnuson
Rm 127, Russell Senate Office Bldg

Senator Russell Long
Rm 217, Russell Senate Office Bldg

Senator Ernest Hollins
Rm 115, Russell Senate Office Bldg

Senator Daniel Inouye
Rm 442, Russell Senate Office Bldg

Senator Adlai Stevenson
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Senator Ted Stevens
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Senator Barry Goldwater
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