

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

3582 HRES HCR 43 - HJR 14 458




RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

HCR

43

HOUSE
COMMITTEE REPORT

(9)

Date referred: 3/19/86

FURTHER REFERRALS:

4/4
Rules

DATE: April 4, 1986

The RESOURCES Committee has considered HCR 43

Relating to the University of Alaska school of Mineral Industry, Mineral Industry Research Laboratory and Mining Extension Program."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with _____ same title
- _____ new title

and recommends _____

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

same zero w/analyses reported out these on sup # 99 3/19

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Herrmann Adelheid Herrmann

Miller(NP) M. L. Miller

Thompson [Signature]

Pearce [Signature]

Jenkins [Signature]

Cato [Signature]

Adelheid Herrmann
Co-Chairman Herrmann



Alaska State Legislature

Representative Mike Davis

Pouch V
Juneau, Alaska 99811
(907) 465-4930/4941

Interim Office:
P.O. Box 81435
Fairbanks, Alaska 99708

TO: House Resources Committee

FROM: Rep. Mike Davis

DATE: April 4, 1986

RE: HCR 43 Relating to the University of Alaska School of Mineral Industry, the Mineral Industry Research Laboratory and Mining Extension Program

The placer gold mining industry is a significant contributor to our state's economy. The accompanying charts indicate just how important this role is. The source of this data is the Department of Commerce and Economic Development's Office of Mineral Development.

While the industry in Alaska has existed for nearly one hundred years, it is uncertain if it will be able to continue making this contribution. Currently, almost all placer mining operations are not meeting stringent State and Federal regulations regarding water quality. There is increasing political and legal pressure being brought to bear on the industry to comply with these regulations.

With the exception of research in mining discharge water quality being done by selected miners in an innovative demonstration grant program administered by the DNR and DEC, miners have been left largely to their own devices to find their own solutions.

To date the University of Alaska School of Mineral Industry (SMI) and its research arm, the Mineral Industry Research Laboratory (MIRL) have not played a prominent role in efforts to find a practical solution to this dilemma. This is in no way meant as a criticism. Rather, it is the intention of this resolution to recognize the scientific and engineering contributions the University can make towards a solution. The SMI, MIRL and the Mining Extension program have an eminent faculty which represents a heretofore underutilized resource.

This resolution merely asks that the MIREL initiate a research involvement in the field aimed at achieving advances in placer mining water quality. The resolution further asks that the Mining Extension Program bring forth new information to the miner in the field.

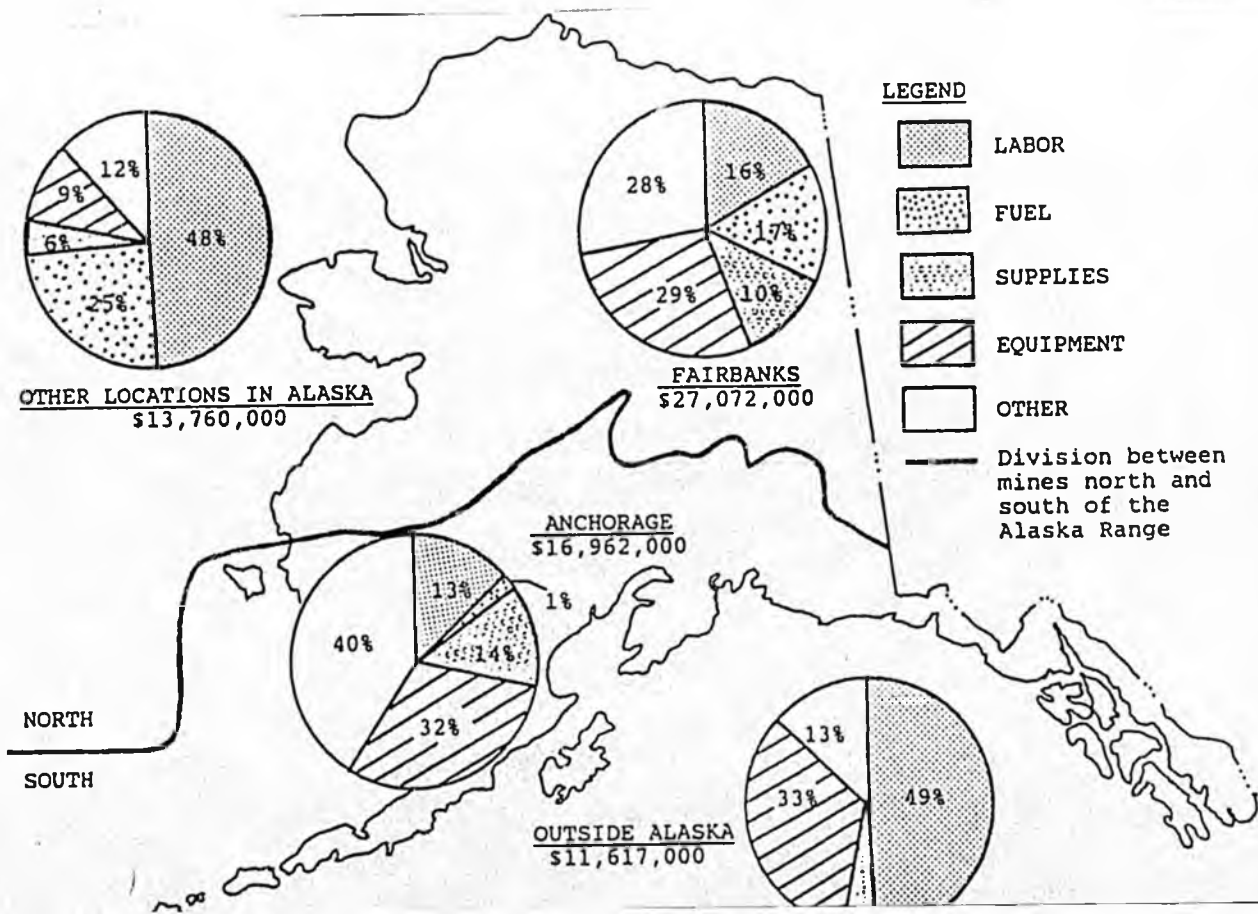
It is intended that the "Zero" fiscal note apply to this legislation.

**GROSS SALES AND FULL-TIME EMPLOYMENT
RESULTING FROM PLACER MINING**

Support Industry	Sales (x million)			Employment		
	State	FBKS	ANCH	State	FBKS	ANCH
Fuel	\$ 7.0	\$ 2.7	\$ 0.8	8	3	1
Equipment	6.4	0.7	1.7	55	6	15
Maintenance	2.7	1.3	0.8	26	12	8
Other Expenses	9.8	3.2	2.2	95	31	21
Communications	1.2	0.4	0.3	23	7	6
Utilities	0.6	0.1	0.2	3	0	1
Trade	12.8	4.8	3.5	448	169	123
Banking	0.9	0.2	0.2	25	7	7
Services	5.2	1.3	0.9	106	27	18
Restaurants & Bars	2.4	0.8	0.6	110	37	29
Health Services	0.7	0.3	0.3	26	10	9
All Other	77.6	30.6	20.3	753	316	201
Total	\$ 127.3	\$ 46.4	\$ 31.8	1,678	625	438

EMPLOYMENT BY PLACE OF RESIDENCE IN 1985
(in person-months and by percentage)

Location	North	South	Total
Fairbanks	2,890	218	3,108
	28.8%	2.2%	31.0%
Anchorage	620	1,008	1,628
	6.2%	10.0%	16.2%
Rural Alaska	2,276	1,159	3,435
	22.7%	11.5%	34.2%
Outside Alaska	1,517	351	1,868
	15.1%	3.5%	18.6%
Total	7,303	2,737	10,040
	72.8%	27.2%	100.0%





Sherman Carter
Executive Vice President
474-7448

University of Alaska
Fairbanks, Alaska 99701

March 12, 1986

The Honorable
Representative Mike Davis
Pouch V
Juneau, AK 99811

SUBJECT: Fiscal Note, House Resolution 43

Dear Representative Davis:

Attached are two fiscal notes for House Resolution 43 detailing the projected cost to the University of Alaska.

If House Resolution 43 is passed the university anticipates that the first phase of the Alaska Placer Mining Water Quality Control study will cost \$281,872. The publication of brochures, newsletters and bulletins for distribution to the mining community will add an additional \$76,000. No analysis has been completed as to the economic impact should placer miners be forced to cease operations due failure to meet water quality regulations in this fiscal note.

A second or corollary fiscal note for House Resolution 43 is also attached. The second fiscal note assumes that the resolution's intent is that the Department of Environmental Conservation or other outside entities will fund the research and extension activities. Considering declining state revenues and the federal Gramm-Rudman deficit reduction act, the chances of this becoming a reality are very slim.

The appropriate fiscal note forms and backup are attached. If you need any further information, please do not hesitate to call me or Brian Rogers at 474-7593.

Sincerely,


Sherman Carter

Enclosures:

cc: The Honorable Niilo Koponen
The Honorable Steve Frank
✓ The Honorable Richard Shultz
Jay Hogan, Office of Management and Budget
Liz Blecker, Legislative Finance

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No.: House Resolution 43
 Title: Relating to UA School of Mineral Industry, Mineral Ind Res Lab and Mining Extension Program
 Sponsor: David. Koponen, Frank and Shultz
 Requestor: _____
 Date of Request: March 7, 1986

FISCAL DETAIL

Agency Affected: University of Alaska
 BRU: University of Alaska - Fairbanks, Organized Research
 Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		165.3				
TRAVEL		6.0				
CONTRACTUAL		85.0				
SUPPLIES		15.0				
EQUIPMENT		10.0				
LAND & STRUCTURES						
GRANTS, CLAIMS		76.6				
MISCELLANEOUS						
TOTAL OPERATING		357.9				

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND		357.9				
FEDERAL FUNDS						
OTHER						
TOTAL		357.9				

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

See attached page.

Prepared by: Brian Rogers, Budget Director Phone: 474-7593
 Division: University of Alaska Date: March 10, 1986

Approved by Commissioner: *Thomas Carter* Date: March 10, 1986
 Agency: University of Alaska

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. 43

Assumptions

1. Mining operations will continue to have difficulty in complying with water quality regulations and standards for discharges from mining operations into receiving streams. Solutions utilizing new technology are needed for these problems before serious disruption occurs to the mining industry. This fiscal note does not attempt to calculate the impact to the state if miners are forced to curtail operations due to water quality regulations.
2. A comprehensive study on mining water quality control is needed on the soils contributing to and the causing of turbidity including those of organic muck, clay, decomposed bedrock and combinations of thereof. Emphasis should be placed on the application of available treatment technology as well as the evaluation of new and innovative treatment strategies.
3. The proposed study will be completed in two phases. Only the first phase costs are covered by this fiscal note. A progress report on Phase I will be available on July 1, 1987 with a final report on Phase I submitted on or before December 31, 1987. Advances in wastewater management and other techniques are made available to miners in the field.

Program Summary:

1. Positions. No new permanent positions will be created as a result of House Resolution 43. Personal services costs include 4 staff months of the co-principal mining engineer investigator, 5 staff months of the co-principal environmental engineer investigator, 50 months of graduate student labor and related fringe and staff benefits. Total personal services costs are \$165,310.

2. Other major expenditures include:

- Laboratory and field supplies	\$ 10,000
- Advisory Resources Services	9,000
- Services (Telephone, copying, report preparation, film, etc.	85,000
- Travel.	6,000
- Overhead on above expenditures.	76,562
- Equipment.	10,000
- Publication of brochures, newsletters and bulletins for distribution to the mining community. Preparation, printing and secretarial costs	<u>76,000</u>
Total Phase I Costs	\$357,872

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : House Resolution 43
 Title : Relating to UA School of Mineral Industry, Mineral Ind. Res. Lab and Mining Extension Program
 Sponsor : Davis, Kodonen, Frank, Shultz
 Requestor : _____
 Date of Request : March 7, 1986

FISCAL DETAIL

Agency Affected : University of Alaska
 BRU : University of Alaska - Fairbanks, Organized Research
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-				

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-				

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

See attached page.

Prepared by : Brian Rogers, Budget Director
 Division : University of Alaska

Phone : 474-7593
 Date : March 10, 1986

Approved by Commissioner : *William Carter*
 Agency : University of Alaska

Date : March 10, 1986

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. 43

Assumptions

1. Mining operations will continue to have difficulty in complying with water quality regulations and standards for discharges from mining operations into receiving streams. Solutions utilizing new technology are needed for these problems before serious disruption occurs to the mining industry. This fiscal note does not attempt to calculate the impact to the state if miners are forced to curtail operations due to water quality regulations.
2. A comprehensive study on mining water quality control is needed on the soils contributing to and the causing of turbidity including those of organic muck, clay, decomposed bedrock and combinations of thereof. Emphasis should be placed on the application of available treatment technology as well as the evaluation of new and innovative treatment strategies.
3. Any studies or publications required will be funded by outside research grants and contracts.

Program Summary:

1. Positions. No new permanent positions will be created as a result of House Resolution 43.
2. Other expenditures needed to complete the water quality control analyses will also be absorbed with existing budgets.
3. No additional funding will be required by the University as the study would be a regular research grant covered within the existing budget authority levels.

HOUSE
COMMITTEE REPORT

3/19

(7)

Date referred: 2/5/86

FURTHER REFERRALS: RESOURCES

DATE: March 4, 1986

HEALTH, EDUCATION AND
The SOCIAL SERVICES Committee has considered HCR 43

Relating to the University of Alaska School of Mineral Industry, Mineral Industry Research Laboratory and Mining Extension Program.

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with _____ same title
- replace with _____ new title

and recommends _____

further referral to the _____ Committee

and attaches:

- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note w/analysis
- } Supplement # 99

SIGNING DO PASS: *first*

SIGNING OTHER RECOMMENDATIONS:

GRUENBERG *Max Gruenberg*

KOPONEN *Wito Koponen*

TAYLOR *Vice Chair Robin Taylor*

HURLEY *Katie Hurley*

PETTYJOHN *[Signature]*

THOMPSON *David W. Thompson*

Max Gruenberg
Co-Chairman

Wito Koponen
Co-Chair



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

9/5/89
Date

HCR

52

BILL SHEFFIELD, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

OFFICE OF THE COMMISSIONER
P.O. BOX O, JUNEAU, ALASKA 99811-1800

Telephone: (907)

Address:

(907) 465-2600

April 2, 1986

The Honorable Richard Shultz
The Honorable Adelheid Herrmann
Co-Chairmen
House Resources Committee
P.O. Box V
Juneau, AK 99811-3100

Dear Representatives Shultz and Herrmann:

This letter discusses the costs to the Department of Environmental Conservation (DEC) that would result from passage of House Concurrent Resolution (HCR) 52. I have declined to put in a fiscal note for this resolution, but do want to clarify what I believe to be the fiscal impact on the Department.

As I stated in a hearing before the House Resources Committee, DEC has actively pursued assumption of all federal environmental programs except for the water quality permit program under Section 402 of the Clean Water Act. The major impediment I have seen to assumption of the 402 program has been the cost to the State. It was estimated in 1979 that nearly \$1,000,000 per year would be needed to assume the program. A review of past budgets indicates that DEC's budget did not include funds for assumption, nor did the Legislature add funds for assumption.

As I stated to the Committee, I believe that assumption of the 402 program for placer mining could be beneficial in relieving the administrative burden on that industry. Such a partial assumption of the 402 program would be possible only if the Clean Water Act is reauthorized allowing states to assume part of the 402 project. This Act is pending reauthorization in this Congress now, and Congress has until the end of the year to act on it.

If I retain a FY 87 budget with adequate resources, I intend to examine, before the start of the next legislative session, the costs and benefits associated with the assumption of the 402 program, with particular emphasis on the placer mining segment. However, completion of the tasks called for in the second part of the resolution, requesting that DEC take the steps necessary to actually assume the 402 program, would not be possible without considerable additional financial resources.

The Honorable Richard Shultz
The Honorable Adelheid Herrmann -2-

April 2, 1986

However, completion of my examination would enable the 15th Legislature the opportunity to assess and debate the costs during development of the FY 88 budget to continue or even complete assumption in FY 88 if possible; and to give DEC further direction. I hope to be able to allocate \$25,000 of my proposed FY 87 budget to examining this issue this fall.

If I do not have resources left in my budget for this task, as Representatives Sund and Pearce stated, I would question the wisdom of studying the assumption of additional responsibilities. As previously noted, assumption of the 402 program will require considerable State general funds. If my FY 87 budget must be reduced to the point that I am unable to complete the efforts I have outlined, then the prospects for future funding for the full program would seem remote enough to make these research efforts unnecessary. Hence, I have declined to develop a fiscal note for the resolution at this time.

Please feel free to contact me if I can be of any additional assistance in this matter.

Sincerely,


Bill Ross
Commissioner

cc: Representative Andre Marrou
Jim Ayers, Director of Legislative
Relations



ALASKA MINERS ASSOCIATION, INC.

509 W. Third Ave., Suite 17, Anchorage, Alaska 99501 (907) 276-0347

March 7, 1986

Representative Fritz Pettyjohn

Alaska State House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Fritz Pettyjohn,

On behalf of the Alaska Miners Association, I would like to thank you for the opportunity of discussing our problems with your office during the week we spent in Juneau.

As you will recall, we discussed the importance to the economy of the State of Alaska of the recent lawsuit filed against the BLM by the Sierra Club and other environmental and native organizations. We understand that the Governor is considering intervention in this suit. We appreciate your efforts in this matter.

Also, we discussed with you the possibility of the State of Alaska assuming the EPA N.P.D.E.S. permitting as authorized under Section 402 of the Clean Water Act. I believe that House Concurrent Resolution No. 52 would be an excellent vehicle for encouraging the State of Alaska to act in this matter. Therefore, we urge your support of HCR No. 52.

Again, we thank you for the courtesy you extended to us. We hope that if you desire any information regarding mining, you will contact us.

Sincerely yours,

Rose Rybachek
President

Appreciate your help.

COMMITTEE REPORT

(9)

Date referred: 2/17/86

FURTHER REFERRALS: FINANCE

DATE: March 26, 1986

The RESOURCES Committee has considered HCR 52

Relating to state assumption of federally mandated programs.

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with _____ same title
- replace with _____ new title

and recommends _____

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Shultz Dick Shultz

Herrmann Alfred Herrmann

Thompson Frank Thompson

Jenkins Rona Jenkins

Callis F. Kay Kessler

Cato Betty Cato

[Signature]

[Signature] ^{Sund}

[Signature] Pearce

Dick Shultz

Co-Chairman Shultz

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HCR 52
 Title : Relating to state assumption
of federally mandated programs.

 Sponsor : Marrou
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Environmental Conservation
 BRU : _____

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : House Resource Committee
 Division : Rep. Dick Shultz

Phone : 465-3715
 Date : _____

Approved by Commissioner : *Dick Shultz*
 Agency : Co-Chair, House Resources Committee

Date : March 27, 1986

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Introduced: 2/17/86
Referred: Resources and
Finance

1 IN THE HOUSE

BY MARROU

2

HOUSE CONCURRENT RESOLUTION NO. 52

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

Relating to state assumption of federal-

6

ly mandated programs.

7

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

8

WHEREAS 33 U.S.C. 1342 of the federal Clean Water Act of 1977 (33

9

U.S.C. 1251 - 1376) allows a state to take over from the federal government

10

the administration of the Act's permit program for discharges into the

11

navigable waters within the jurisdiction of the state; and

12

WHEREAS other federal environmental statutes also allow a state to

13

take over from the federal government the administration of the program

14

mandated by the statutes; and

15

WHEREAS the state has a better understanding than the federal govern-

16

ment of the difficult issues that are involved in balancing the protection

17

of the fragile environment and the promotion of the economic and recre-

18

ational needs and desires of the state;

19

BE IT RESOLVED by the Alaska State Legislature that the Governor is

20

respectfully requested to

21

(1) investigate the statutory changes that would be required for

22

the state to take over from the federal government the federal environ-

23

mental programs that a state may administer, and the possible advantages

24

and disadvantages involved in the assumption by the state of the adminis-

25

tration of the programs; and

26

(2) report the results of the investigation to the First Session

27

of the Fifteenth Legislature; and be it

28

FURTHER RESOLVED that the Governor is respectfully requested to take

29

the steps necessary for the state to take over from the federal government

1 under 33 U.S.C. 1342 of the Clean Water Act of 1977 the permit program for
2 discharges into the navigable waters within the jurisdiction of the state.



Official Business


Alaska State Legislature

House

Pouch V
State Capitol
Juneau, Alaska 99811

COPY

March 3, 1986

To: Rep. Herrmann & Rep. Schultz, Co-Chair House Resources Committee
From: Andre Marrou, Representative 

Subject: HCR 52, State Assumption of Federal Environmental Programs

HCR 52 was introduced upon Sen. Murkowski's recommendation.

Here is a copy of the portion of his speech in which he made this suggestion to a joint session of the Legislature earlier this year.

I agree with the Senator that local control of some of these programs is preferable to Federal management.

I hope you will agree and schedule this bill for a hearing.

AT SUCCESSES, INCLUDING THE ALASKA
STITUTE'S SEAFOOD PROMOTION PROGRAM
RIES DEVELOPMENT FOUNDATION'S SURIMI
EXAMPLES OF HOW WE CAN TAKE CONTROL
ND CREATE THE FUTURE WE WANT FOR OUR
SE WHO BENEFIT FROM IT.

OMY FOR ALASKA'S FUTURE WILL ALSO
TOURISM. JUST LOOK AT THE
LL HAVE IF ALASKA SITES ARE SELECTED
S. EVEN BEFORE 1992, ALASKA CAN BE
988 OLYMPICS IN SEOUL, KOREA.

T POSSIBLE FOR FOREIGN VISITORS TO
R WAY TO AND FROM THE OLYMPICS, I AM
ATE DEPARTMENT TO RELAX CERTAIN VISA
PROMOTING THE APPROVAL OF TEMPORARY
NCOURAGING MORE FOREIGN VISITORS TO
A GRAND OPPORTUNITY TO PUT ALASKA ON
AY AS THE SUPERIOR CHOICE FOR THE

-- AS WE SEIZE NEW ECONOMIC OPPORTUNITIES, LET'S CONSIDER
HOW WE MIGHT WANT TO TAKE SOME OF THE ENVIRONMENTAL
REGULATION CURRENTLY HANDLED ON THE FEDERAL LEVEL AND
SHOULDER THEM OURSELVES. FOR EXAMPLE, UNDER THE CLEAN
WATER ACT ALASKA CAN TAKE OVER THE SECTION 402
PERMITTING PROGRAM WHICH DICTATES THE NATURE OF THE
PERMITS THAT ARE ISSUED TO PLACER MINERS, LOG TRANSFER
FACILITIES, AND OTHER IMPORTANT SEGMENTS OF OUR ECONOMY.
WOULDN'T IT BE BETTER IF ALASKANS WERE DEALING WITH
ALASKANS ON SOME OF THESE TOUGH REGULATORY ISSUES
INSTEAD OF BUREAUCRATS IN WASHINGTON AND SEATTLE?

-- YOU MIGHT WANT TO LOOK INTO THE ADVANTAGES IN THIS
SESSION OF TAKING OVER FROM EPA THE CLEAN WATER
PERMITTING PROGRAM. 37 OTHER STATES OPERATE THE PROGRAM
AND FIND IT IN THEIR OWN BEST INTEREST, INCLUDING TEXAS.

-- AS THE FEDERAL GOVERNMENT TAKES A LESSER ROLE, THE
RESPONSIBILITIES FOR PERSONAL, DIRECT ACTION REVEPT TO
THE LOCAL COMMUNITY AND FAMILY LEVEL. THE DRUG PROGRAM
IS ONE EXAMPLE. WHILE WE MUST CONTINUE OUR VIGOROUS
EFFORTS TO STRENGTHEN DRUG LAWS AND PROMOTE TOUGH LAW
ENFORCEMENT, THERE IS NO MORE EFFECTIVE WAY THAN PARENTS
TAKING THE TIME FOR MEANINGFUL, PERSONAL TALKS WITH
CHILDREN TO CONVINCED THEM THAT DRUGS HAVE NO PLACE IN
THEIR LIVES. NO GOVERNMENT PROGRAM CAN SUBSTITUTE FOR
THAT KIND OF PEPSONAL EFFORT.

Alaska State Legislature

COMMITTEES:

Committee on Community and Regional Affairs
Committee on Transportation
Special Committee on Oil and Gas
Special Committee on Fisheries
Finance Sub-committee on Fish and Game



Andre Marrou
Representative

District 5

Kenai	Sterling
Soldotna	Anchor Point
Homer	Port Graham
Seldovia	English Bay
Kachemak	Nikolaevsk
Kasilof	Halibut Cove
Ninilchik	Clam Gulch

February 26, 1986

Senator Frank Murkowski
United States Senate
709 Hart Building
Washington, D.C. 20510

Dear Senator Murkowski:

Enclosed is a copy of a news release issued after I introduced four bills last week.

HCR52 (copy enclosed) was inspired by your speech to the Legislature on February 10, 1986.

Your comments on this resolution would be appreciated.

Sincerely,

Andre Marrou
Representative

AVM/lc
enc.



ALASKA MINERS ASSOCIATION, INC.

509 W. Third Ave., Suite 17, Anchorage, Alaska 99501 (907) 276-0347

March 7, 1986

MAR 11 1986

Representative Andre Marrou

Alaska State House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Andre Marrou,

On behalf of the Alaska Miners Association, I would like to thank you for the opportunity of discussing our problems with your office during the week we spent in Juneau.

As you will recall, we discussed the importance to the economy of the State of Alaska of the recent lawsuit filed against the BLM by the Sierra Club and other environmental and native organizations. We understand that the Governor is considering intervention in this suit. We appreciate your efforts in this matter.

Also, we discussed with you the possibility of the State of Alaska assuming the EPA N.P.D.E.S. permitting as authorized under Section 402 of the Clean Water Act. I believe that House Concurrent Resolution No. 52 would be an excellent vehicle for encouraging the State of Alaska to act in this matter. Therefore, we urge your support of HCR No. 52.

Again, we thank you for the courtesy you extended to us. We hope that if you desire any information regarding mining, you will contact us.

Sincerely yours,

Rose Rypacek
President

File
HCR 52

The Alaska Economic Report

March 15, 1986
No. 5/86

State Water Quality Takeover Possible ???

State Environmental Commissioner Bill Ross says his department hopes to take over partial or total management of the federal clean water act in Alaska next year, budget permitting. Thus ADEC could replace EPA in regulating placer mine water quality, raising the prospect that more flexible regulations could be developed under state management than might be possible under the federal EPA.

(PAGE 8)

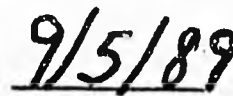


RECORDS CERTIFICATION

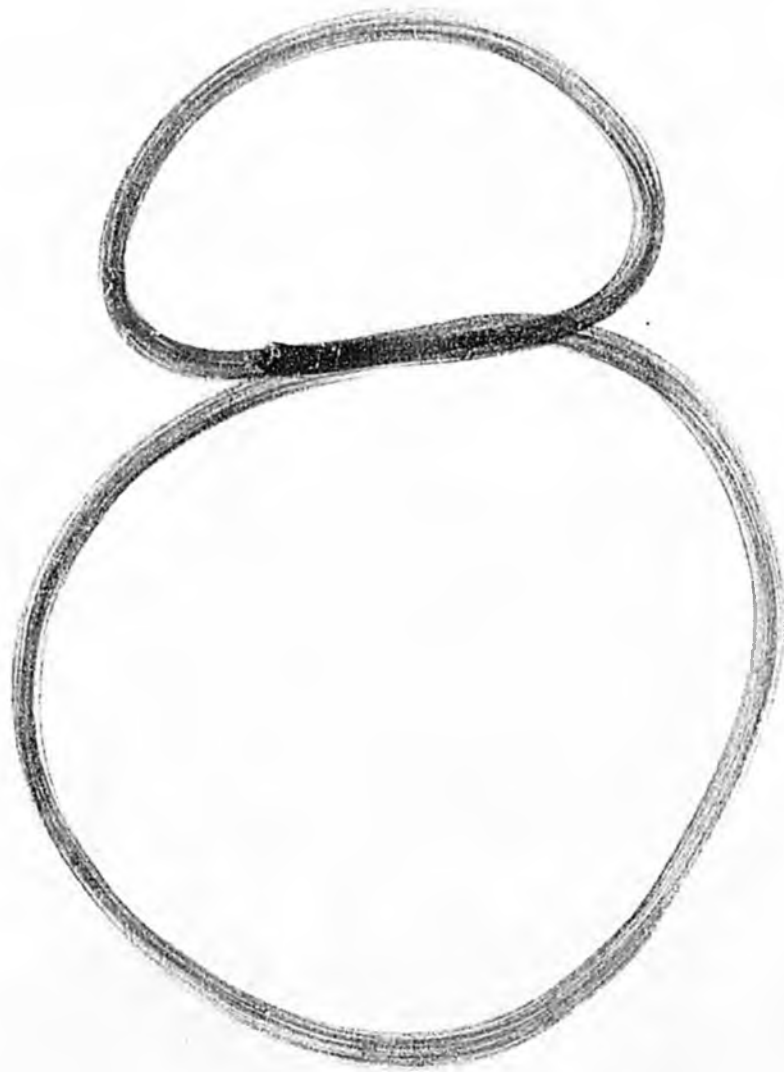


I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


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Date

HJR



ANALYSIS OF HJR 8

To: House Resources Committee Files
From: Janet Fries, Committee Aide
Date: 1/23/85

HJR 8 requests the North Pacific Fishery Management Council to take the following action:

1. To rescind its December 1984 action granting joint ventures in the Gulf of Alaska a 10% allocation of sablefish.
2. To grant Alaska longline fishermen exclusive fishing rights in the sablefish fishery in the Gulf of Alaska.

This type of resolution, in which the Alaska Legislature recommends a certain course of action to the Council, is warranted in situations like this one, where the interests of local, shore-based fishermen and processors are potentially adversely affected by the Council's actions.

Hein
1/21/85

Original sponsors: Grussendorf, Duncan,
M.M.Miller, et al

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE JOINT RESOLUTION NO. 8 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 Relating to the allocation of Gulf of
6 Alaska sablefish harvest by the North
7 Pacific Fishery Management Council.

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

9 WHEREAS the North Pacific Fishery Management Council on December 8,
10 1984, voted to allocate 10 percent of the optimum yield of sablefish in the
11 Gulf of Alaska groundfish fishery to incidental catch by joint venture
12 fishermen; and

13 WHEREAS joint venture operations in the Gulf of Alaska have expanded
14 dramatically in recent years; and

15 WHEREAS continued expansion of joint venture participation with for-
16 eign processors in the Gulf of Alaska should be accommodated by the North
17 Pacific Fishery Management Council in such a manner as to enhance, and not
18 restrict, development of the domestic fishery; and

19 WHEREAS use of longline gear in catching sablefish is ecologically
20 sound; and

21 WHEREAS Alaska longline fishermen have the capacity to harvest, and
22 United States processors have the capacity to process, the entire allowable
23 catch of sablefish in the Gulf of Alaska; and

24 WHEREAS the Magnuson Fishery Conservation and Management Act estab-
25 lishes a priority for United States fishermen delivering to United States
26 processors; and

27 WHEREAS the North Pacific Fishery Management Council, in allocating
28 fishing privileges among fishermen and among gear types, is directed by
29 management plan guidelines to consider such relevant factors as the

1 economic and social consequences of the allocation scheme and the depen-
2 dence on the fishery by present participants and coastal communities;

3 BE IT RESOLVED by the Alaska State Legislature that the North Pacific
4 Fishery Management Council is respectfully requested to rescind its action
5 allowing joint venture fishermen an incidental catch of sablefish equal to
6 10 percent of the optimum yield of sablefish in the Gulf of Alaska ground-
7 fish fishery, and set aside reserves to allow incidental catch of sablefish
8 based on actual needs rather than optimum yield; and be it

9 FURTHER RESOLVED that the North Pacific Fishery Management Council is
10 respectfully requested to take action at its February 1985 meeting to grant
11 longline fishermen exclusive fishing rights in the sablefish fishery in the
12 Eastern Regulatory Area of the Gulf of Alaska, from Dixon Entrance to a
13 west longitude determined by the North Pacific Fishery Management Council.

14 COPIES of this resolution shall be sent to the Honorable Ronald
15 Reagan, President of the United States; to the Honorable George Bush, Vice-
16 President of the United States and President of the U.S. Senate; to the
17 Honorable Thomas P. O'Neill, Jr., Speaker of the U.S. House of Representa-
18 tives; to the Honorable John B. Breaux, chairman, Subcommittee on Fisheries
19 and Wildlife Conservation and the Environment, House Committee on Merchant
20 Marine and Fisheries; to the Honorable Ted Stevens and the Honorable Frank
21 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,
22 members of the Alaska delegation in Congress; to the Honorable Malcolm
23 Baldrige, Secretary of Commerce; and Mr. James Campbell, chairman, North
24 Pacific Fishery Management Council.
25
26
27
28
29

ANALYSIS OF DRAFT HOUSE RESOURCES CS FOR HJR 8

To: House Resources Committee Files
From: Janet Fries, Committee Aide
Date: 1/23/85

This proposed CS includes the recommendations of the House Special Committee on Fisheries, which informally reviewed HJR 8 in order to provide technical assistance to the Resources Committee.

Page 1, Lines 15 through 18:

This changes the tone of the statement concerning joint ventures to one which is more consistent with the State of Alaska's current policy, that carefully regulated, joint ventures can serve an important function in the development of the domestic fishery.

Page 2, Lines 7 and 8:

This gives the Council a specific direction as to how they might consider solving the sablefish by-catch problem.

Page 2, Line 10:

The word Alaska has been deleted because many of the longline fishermen who have traditionally participated in this fishery are not full-time Alaska residents.

Page 2, Lines 11 and 12:

This restricts the effect of the longliners' exclusive rights to the Eastern Gulf of Alaska, the area which has traditionally been granted this exclusion.

Alaska State Legislature



Speaker of the House of Representatives

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-3720

Official Business

To: Reps. Herrmann and Schultz
House Resource Committee

Fr: Rep. Ben Grussendorf
Speaker

Dt: 1/15/85

Re: HJR 8

My intent on this resolution is to have it through both houses in time for the February 8th Meeting of the North Pacific Fisheries Management Council.

Longliners in Sitka, and the rest of state have shown they can harvest the entire OY of sablefish (black cod). They are quite concerned about a 10% allocation to Joint Venture by-catch. A method of allowing by-catch not tied to the OY is highly desirable.

Another area of concern is pot fishing. Pots lost off Cape Edgecumbe are fishing to this day, damaging longline gear and automatically depleting the sablefish stocks.

Both of these areas need to be handled by the N.P.F.M.C. on an emergency basis. This can be done under section 304(e) 16 USC 1855 by requesting the Secretary of Commerce to "promulgate emergency regulatory action." Without quick action it will be six months before the issue will make it through the process. In that time pot fishermen can enter the fishery, making it difficult to later remove them. The term hook-and-line can be substituted for longline fishing, if you feel pot fisherman could claim to be longliners by attaching pots instead of hooks.

The council should also take action to rescind their December vote on the 10% allocation.

Background material is attached: the N.P.F.M.C.'s December newsletter, a very good letter-to-the-editor from a Sitka longliner, and data sheets from the N.P.F.M.C.

Ron Hegge of the Alaska Longline Fishermans Association (ALFA) should be added to your contact list. ALFA will be interested in commenting on HJR 8 and other fishing measures which come before your committee. I will let you know if other Sitkans show an interest as well.

North Pacific Fishery Management Council

James O. Campbell, Chairman
Jim H. Branson, Executive Director

411 West 4th Avenue
Anchorage, Alaska 99510



Mailing Address: P.O. Box 103136
Anchorage, Alaska 99510

Telephone: (907) 274-4563
FTS 271-4064

#7-84

December 18, 1984

NEWSLETTER

Council Zeros in on Groundfish at December Meeting

Meeting in Anchorage the week of December 3rd, the North Pacific Council took a major step in reducing the directed foreign fisheries around Alaska. ~~The rapid expansion of the American fishery for sablefish in the Gulf of Alaska and the Aleutians in 1984 has eliminated any possibility of a directed foreign fishery or a joint venture fishery for that species or Pacific ocean perch and Alaska mackerel in most areas.~~ Alaska pollock in the Gulf are expected to be entirely utilized by U.S. shoreside processors and joint venture fisheries next year. Only limited amounts of Pacific codfish, sole and flounder would then be available for a foreign directed fishery. ~~The Council determined that because the foreign fisheries for those species take heavy bycatches of sablefish,~~ Pacific ocean perch and other rockfish, that the OY for those species should be set equal to the amounts needed by U.S. fishermen. The final determination was that there were no fish available for a foreign directed fishery in 1985 in the Gulf of Alaska.

The Gulf of Alaska extends from Southeast Alaska westward to 170°W. longitude, just west of Umnak Island in the Aleutian Chain. Foreign fishing vessels have been fishing in that area since 1962 when Japanese and Soviet vessels mounted large scale groundfish fisheries that exploited and rapidly depleted many of the resources in the Gulf. Some species, such as Pacific ocean perch, have not responded to careful Council management since the Magnuson Act was implemented in 1976. They are still badly depleted.

The Council will reevaluate the demands of the U.S. fishery as the season progresses.

The Council also asked the Secretary of Commerce to implement an emergency regulation closing all of the area within 20 miles of the Aleutian Islands to foreign trawling. That emergency regulation will be followed by a regular Council plan amendment during the course of the year. Eliminating foreign trawling in that area provides for expansion of the U.S. fishing effort for sablefish, Pacific ocean perch, rockfish and turbot, all high-value species caught by both U.S. longliners and trawlers.

There will still be considerable tonnages of groundfish available for foreign fishing in other areas of the Bering Sea and Aleutian Islands in 1985, primarily Alaska pollock, yellowfin sole and other flatfish.

In December the Council also approved joint ventures for 1985, adopted comprehensive fishery management goals and restructured its Advisory Panel. These and other items are discussed in this Newsletter.

Salmon and Groundfish Will Highlight
February Council Meeting in Sitka

The North Pacific Council will hold its next meeting February 6-8 at the Centennial Hall in Sitka. The Council will meet with the Alaska Board of Fisheries to hear staff reports on the salmon fisheries, a report on the U.S./Canada treaty negotiations, and public testimony before making decisions on proposed regulations for the 1985 fishery. When meeting alone, the Council will review proposed changes to the groundfish fishery management plans for the Gulf of Alaska and Bering Sea/Aleutians and instruct the plan teams on further developing draft decision documents for public and Council review. Final decisions on amendments to the groundfish plans will be made in May.

Management Goals

The Council adopted nine comprehensive management goals that are intended to provide direction for the Council's fishery management decisions over the next few years. The goals are accompanied by a set of findings and explanatory text. Copies of this material may be obtained by contacting the Council offices.

Council Restructures its Advisory Panel

Following the recommendations of a Council-appointed workgroup the Council approved restructuring the Advisory Panel to consist of 20 members (currently 25) each having one-year terms. These 20 members will be chosen to represent a variety of gear types and the major geographic regions of Alaska and the Pacific Northwest having an interest in the fisheries off of Alaska. The Council recognizes that gear conflicts and allocations will be the issues of greatest concern for the next few years and will rely on the Advisory Panel for comprehensive industry advice on how various fishery management alternatives will affect the industry and local economies, on potential conflicts between user groups of a given fishery resource or area, and on the extent to which the United States will utilize resources managed by the Council's fishery management plans. With a smaller 20-member Advisory Panel, funds will be available to include additional individuals with expertise needed to work through problems before the Council at any given meeting.

The Council has asked for nominations to the Advisory Panel with a deadline of December 31. The Council will be looking for people actively involved in the community and business to ensure the best and most pertinent input into the Council. All prospective members will be asked to commit to active participation in each meeting during their terms.

In addition to geographic representation it is hoped that the major gear types from the harvesting sector will be broadly represented though no particular seat will be guaranteed by gear type or fishery. In addition to the above mentioned interests the Council will be looking for representatives of the recreational fishing, environment, and consumer/marketing communities. It is expected that, as the issues and concerns of the Council change and evolve, so too will the profile of the membership of the AP.

All persons interested in serving on the Council's Advisory Panel are requested to send a short resume to the Council office by December 31. The Council expects to review and approve the nominees in January and invite the new AP participants for the February meeting.

Gulf of Alaska Optimum Yields are Revised for 1985

Based on recent comprehensive surveys of groundfish stocks in the Gulf of Alaska indicating declining abundance of certain stocks, several optimum yield (OY) values were reduced for 1985 as follows:

<u>Species</u>	<u>1984</u>	<u>1985</u>
Pollock	416,600 mt	321,600 mt
Pacific ocean perch	11,475	6,083
Atka mackerel	28,700	4,678
Rockfish	7,600	5,000
Other Species	28,780	22,430

The 1985 Gulf of Alaska OYs for all species are shown in Table 1. The Council requested the Regional Director of NMFS to promulgate an emergency regulation implementing the revised OYs by January 1.

Council Ends All Directed Foreign Fishing in Gulf

The Council reviewed an NMFS survey of the amount of groundfish expected to be harvested by U.S. fishermen for U.S. processors (DAP), and sold over-the-side to foreign processors (JVP) in 1985 and approved the apportionments shown in Table 1 for the Gulf of Alaska (Figure 1). DAP and JVP are the amount required by U.S. fishermen. Since optimum yield for most species is lower in 1985 and estimates of U.S. need are higher, and because of concern over bycatches of valuable, fully-utilized species in foreign fisheries, the Council voted to eliminate all directed foreign fishing (TALFF) in the Gulf of Alaska.

U.S. demand for sablefish, Pacific ocean perch and rockfish, equals or exceeds the fish available for harvest (Table 1). Since U.S. fisheries take precedence over both foreign and joint venture fisheries there cannot be any directed joint venture or foreign fishery on these species.

~~In an attempt to balance the requirements of the burgeoning U.S. longline sablefish fishery with the need for an incidental catch by U.S. joint venture trawlers, the Council recommended setting aside up to 10% of the sablefish harvestable yield, by regulatory area, for joint ventures. These fish must be returned to the American fishermen for discard or domestic processing and are counted against OY. Individual joint venture permits will have bycatch limits, which when reached, will end the operation, regardless of progress toward target species goals. Bycatch rates in various areas will be based on past performance. In general, joint ventures using off-bottom trawls will catch much less than the 10% ceiling, while on-bottom trawl operations may be greatly constrained. Since no joint ventures are expected in the Eastern area it will not be necessary to hold back any sablefish for joint venture trawlers in that area.~~

TABLE 1
GULF OF ALASKA GROUND FISH
1985 OYS, DAPS, JVPS, AND TALFF (MT)

<u>Species</u>	<u>Area</u>	<u>1985 OY</u>	<u>1985^{1/} DAP</u>	<u>1985^{2/} JVP</u>	<u>Reserves^{3/}</u>	<u>TALFF</u>
Pollock	Western/Central	305,000	9,371	293,250	61,000	0
	Eastern ^{4/}	16,600	2	0	3,320	0
Pacific cod ^{4/}	W	16,560	2,460	7,327	3,312	0
	C	33,540	8,624	10,073	6,708	0
	E	9,900	766	0	1,980	0
Flounders ^{4/}	W	10,400	400	102	2,080	0
	C	14,700	1,781	498	2,940	0
	E	8,400	627	0	1,680	0
Pacific ocean perch	W	1,302	1,302 ^{5/}	0	260	0
	C	3,906	3,906 ^{5/}	0	781	0
	E	875	875 ^{5/}	0	175	0
Sablefish	W	1,670	1,670 ^{5/}	0	334	0
	C	3,060	3,060 ^{5/}	0	612	0
	W. Yakutat	1,680	1,680 ^{5/}	0	336	0
	E. Yakutat	1,135	1,135	0	0	0
	S.E. Outside	1,435	1,435	0	0	0
Atka Mackerel	W	4,678	0	4,678	936	0
	C	bc	0	0	0	0
	E	bc	0	0	0	0
Rockfish	Gulfwide	5,000	4,600	0	1,000	0
Thornyhead ^{4/}	GW	3,750	0	10	750	0
Squid ^{4/}	GW	5,000	0	10	1,000	0
Other Species ^{4/}	GW	<u>22,430</u>	<u>69</u>	<u>1,400</u>	<u>4,486</u>	<u>0</u>
TOTAL		471,021	43,763	317,348	93,690	0

bc = bycatch amounts only.

1/ Estimates determined by NMFS Industry survey.

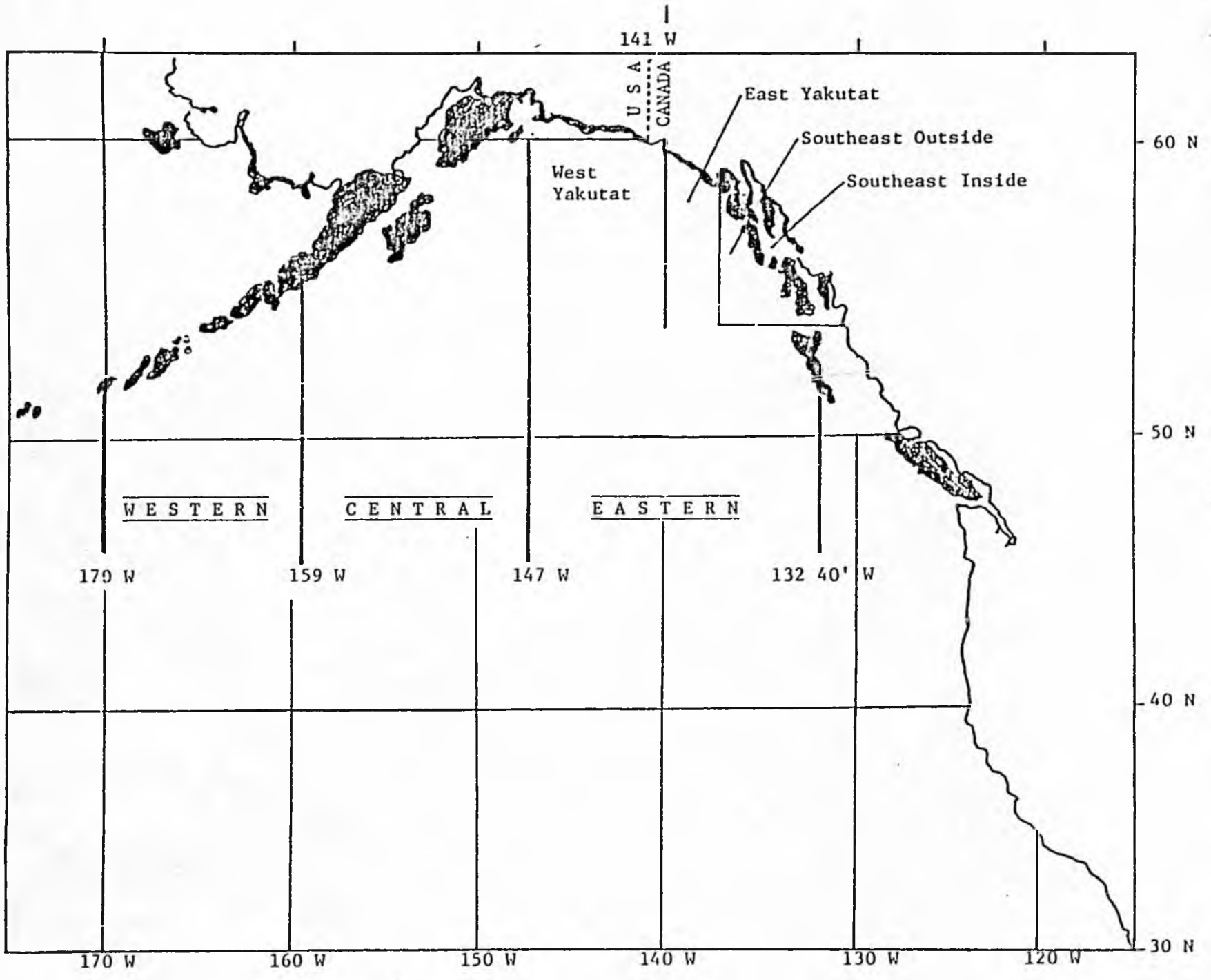
2/ Estimates determined by joint venture permit applications.

3/ Reserves = 20% OY.

4/ OY = DAH not to exceed stated OY for each species.

5/ DAP estimates have been reduced to equal OY.

Figure 1. Regulatory Areas of the Gulf of Alaska (FMP)



These procedures for conserving and managing sablefish constitute a short-term fix that will allow a trawl fishery of about 300,000 mt, worth \$26 million, in the Gulf in 1985, while minimizing the impacts on the domestic longline fleet. Gear restrictions for sablefish, including pots, will be considered by the Council during its groundfish annual management cycle. Proposals submitted by December 7, 1984 will be reviewed initially by the Council in early February. Final review is scheduled for May. Currently there are no regulations preventing the use of trawls or pots in the domestic sablefish fishery.

The Council also adopted a 10% bycatch ceiling by area for Pacific ocean perch and rockfish, two other species fully utilized by the U.S. in 1985.

The 1984 NMFS Triennial Groundfish Survey indicated that Atka mackerel in the Central and Eastern regulatory areas are depressed and showing no signs of recruitment. Therefore, the Council reduced the OY for Atka mackerel in both areas to bycatch only in an attempt to rebuild the stocks. In the Western regulatory area, JVP for Atka mackerel equals the OY.

The Council set OY equal to the total domestic harvest for the remaining groundfish species in the Gulf to minimize bycatch of sablefish, Pacific ocean perch, and rockfish. A large bycatch was considered unacceptable given the Council's desire to rebuild these stocks and encourage their domestic utilization.

Aleutians Closed to Foreign Trawling Within 20 Miles

The Council unanimously recommended closing foreign trawling within 20 miles of the Aleutian Islands; last year they could fish to within 3 miles. The 1985 U.S. fishermen will harvest the available sablefish, Pacific ocean perch, and Atka mackerel in the Aleutians. The foreign trawl closure will help minimize bycatch of these species. This will still allow the foreign mid-water fishery on pollock north of the Aleutians which annually produces nearly 100,000 mt, and foreign longliners will be able to fish outside 3 miles along the Aleutians.

Council Separates Foreign Pacific Cod Fishery From Traditional U.S. Areas in the Bering Sea

By unanimous vote the Council has restricted directed longline fishing for Pacific cod to areas north of 55°N. latitude in the Bering Sea, and to the extent that ice conditions permit, to the area west of 170°W. longitude. The Council also voted to allow only minimal Pacific cod bycatches in foreign trawl fisheries and to restrict the foreign longline catch to 35,000 mt.

Council Sets 1985 Quotas and Domestic Apportionments for Bering Sea/Aleutian Islands Groundfish

The Council has set the 1985 total allowable catches (TAC) of groundfish species in the Bering Sea/Aleutian Islands region and apportioned up to 85% of each TAC to domestic processors (DAP), joint ventures (JVP), and foreign fisheries. Their decisions were based on the 1984 status of stocks analyses surveys of U.S. industry needs and testimony at the December meeting.

~~Table 2 shows the TACs, DAPs and JVPs.~~ Four species have separate amounts for the Bering sea and Aleutian Islands areas, pollock, Pacific ocean perch, other rockfish, and ~~sablefish~~. The rest are managed as a unit for both areas. Table 2 also shows the amount of fish available for foreign harvest (TALFF). TALFF is the remainder, if any, of 85% of the TAC after it has been apportioned to DAP and JVP.

The 300,000 mt of reserves (Table 2) is not designated by species. It is 15% of the sum total of the TACs and can be apportioned during the fishing year by the Regional Director of NMFS.

~~Table 2 shows zero TALFFs~~ for Pacific ocean perch in the Aleutians and for Atka mackerel and ~~sablefish~~ in the Bering Sea and Aleutians. The Council asked the Regional Director to reapportion only a minimal foreign bycatch from the reserves of those species.

Squid and sablefish have zero JVPs in the Bering Sea. The Council asked the Regional Director to make minimal reserve reapportionments of these species to allow directed joint venture fishing.

Halibut Management

The Council recommended that the International Pacific Halibut Commission implement for the 1985 season in IPHC areas 2C (Southeast Alaska) and 3 (the Gulf of Alaska) concurrent one-, two- or three-day openings spaced approximately 20 to 30 days apart, pre-season hold inspections and pre-season non-exclusive area registration. If pre-season hold inspections are implemented, the Council recommended elimination of the five-day closure for setline gear before a halibut opening. They also recommended that its working relationship with the IPHC be formalized through a joint memorandum of understanding. The IPHC is expected to consider these recommendations at its annual meeting January 28-31, 1985 in Vancouver, B.C.

The Halibut Subcommittee gave a report on management options available to the Council in the halibut fishery. The Subcommittee was directed to rework the report into a format suitable for public workshops in Alaska and Washington beginning, possibly, next spring.

Net-discard Regulation

The Council discussed a regulation to prohibit U.S. fishermen from intentionally discarding fishing gear and other debris. A similar regulation already applies to foreign fishermen in the FCZ. Discarded fishing gear has been identified as a source of mortality, perhaps in significant numbers, of several species of marine mammals and birds in the Alaska area. The Council recommended that the draft regulation be circulated among other Regional Fishery Management Councils to solicit their support for the proposal.

TABLE 2

BERING SEA/ALEUTIAN ISLAND GROUND FISH
1985 APPORTIONMENTS (MT)

<u>Species</u>	<u>TAC</u>	<u>DAP</u>	<u>JVP</u>	<u>Reserves</u>	<u>TALFF</u>
Pollock (Bering Sea)	1,200,000	211,680	635,776		172,544
Pollock (Aleutian Is.)	100,000	10,540	17,174		57,286
POP (Bering Sea)	1,000	200	500		150
POP (Aleutian Is.)	3,800	3,000	230		-0-
Rockfish (Bering Sea)	1,120	600	2		350
Rockfish (Aleutian Is.)	5,500	800	98		3,777
Sablefish (Bering Sea)	2,625	2,235	-0-		-0-
Sablefish (Aleutian Is.)	1,875	1,485	109		-0-
Pacific cod	220,000	100,000	75,000		12,000
Yellowfin sole	229,900	1,770	86,800		106,845
Turbots	37,100	-0-	5,000		26,535
Other Flatfish	111,400	1,200	55,850		37,640
Atka mackerel	37,700	-0-	32,045		-0-
Squid	10,000	-0-	-0-		8,500
Other Species	<u>37,980</u>	<u>-0-</u>	<u>600</u>		<u>31,683</u>
TOTALS	2,000,000	333,510	979,184	300,000	457,310

Council Approves Joint Ventures for 1985

The Council reviewed 31 different joint venture operations proposing to harvest over 800,000 mt for 1985. These operations represent partnerships between U.S. fishermen and seven foreign countries including Japan, South Korea, the U.S.S.R., Poland, Iceland, Portugal and West Germany. Permit applications received at the Council meeting indicate the following tonnages of joint venture groundfish to be purchased in 1985:

Japan	345,000 mt	Iceland	15,000 mt
Korea	160,000 mt	Spain	12,000 mt
U.S.S.R.	200,000 mt	Portugal	40,000 mt
Taiwan	9,000 mt	West Germany	6,000 mt
Poland	40,000 mt		

The Council's Permit Review Committee reviewed testimony from representatives of nearly all joint venture companies and foreign nations. Following up on the Committee recommendations the Council approved 7 joint ventures for Japan, 12 for South Korea, 1 for the U.S.S.R., and 1 for Poland. Three other joint ventures were given provisional approval: A joint venture between Arctic Venture Fishery and Korea Wong Yang Fisheries was approved, but Korea Wong Yang must have a letter of credit in place before the joint venture can begin. This action was taken by the Council because of past pay disputes between Korea Wong Yang Fisheries and U.S. trawlermen. In addition, two Taiwanese joint ventures were approved provided the Government of Taiwan satisfactorily explains the steps it is taking to stop the illegal high-seas catch of salmon. The Permit Review Committee has been delegated authority by the Council to review and make recommendations on the Taiwanese permit request when the information becomes available.

The Council recommended denying a joint venture permit for a proposed Spanish joint venture with Alaska Salt Fish Company for cod and pollock, because of the high tariffs and import restrictions that prevent competition by U.S. products in Spain and displacement of U.S.-processed products in world markets by Spanish-processed salt cod.

Several other requests were reviewed but no action could be taken until the associated vessel permit applications were published in the Federal Register.

Finally, the Council approved a request by the Alaska Pacific Seafood Industry Coalition to include the following tonnages in the Council's estimate of U.S. utilization of fish for 1985: 700,000 mt of pollock and 70,000 mt unspecified other groundfish species for Japan-U.S. joint ventures, and 200,000 mt pollock to be harvested by U.S. fishermen, processed by U.S. processors, and purchased by Japan during 1985.

ADF&G Reports on 1985 Domestic Groundfish Harvests

ADF&G estimates that through November 14 U.S. industry harvested and processed nearly 50,000 mt of groundfish off Alaska. As shown below, sablefish accounted for 7,725 mt and Pacific cod for 34,301 mt of this American harvest. an additional 1,072 mt of sablefish were caught in State internal waters.

	Eastern Gulf	Central Gulf	Western Gulf	Bering Sea	Aleu- tians	Total
Pollock	0	330	0	4788.6	239.1	5357.7
Sablefish	4330.1	2755.5	211.3	425.3	2.6	7724.8
Pacific cod	31.9	2147.8	44.6	31345.4	731	34300.7
Flounder	64.2	239.8	4.8	4	0.3	313.1
P. ocean perch	3.2	0	116	1240.2	2.3	1361.7
Rockfish	576.2	48.1	8.2	45.4	0	677.9
Atka mackerel	0	0	31.3	0	0	31.3
Other	<u>82.9</u>	<u>1.6</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>84.5</u>
Total	5088.5	5522.8	416.2	37848.9	975.3	49531.7

(All in round weight in metric tons)

These figures do not include joint venture harvests by U.S. trawlers delivering to foreign processing vessels in over-the-side sales off Alaska. This 50,000 mt Domestic Annual Processed (DAP) harvest for 1984 is an increase over past years: 46,651 mt in 1983, 26,491 mt in 1982, 20,672 mt in 1981, 11,023 mt in 1980, and less than 10,000 mt in earlier years.

Joint Venture Update

The total joint venture catch off Alaska through November 10, 1984 was 579,114 mt. In the Gulf of Alaska, joint venture trawlers harvested 201,082 mt pollock, 4,314 mt Pacific cod, 3,095 mt flatfish, 1,657 mt Pacific ocean perch, and 2,540 mt of other species. In the Bering Sea and Aleutians, the joint venture harvest was 242,692 mt pollock, 34,011 mt Pacific cod, 35,595 mt Atka mackerel, 50,507 mt flatfish and 2,621 mt other species.

During 1984 there were 22 different joint venture company arrangements employing about 90 U.S. trawlers off Alaska. This year's joint venture catch is a significant increase over that of previous years: 350,901 mt in 1983, 179,556 mt in 1982, 95,501 mt in 1981, 33,425 mt in 1980, and 1,507 mt in 1979, the first year of significant joint ventures off Alaska. It is anticipated that joint venture harvests may go well over 800,000 mt off Alaska in 1985.

Foreign Fisheries Update

By November 10 the foreign fleets in the Gulf of Alaska harvested 111,360 mt of groundfish, or 52% of the current foreign allocation for that area. The catch included 87,781 mt of pollock, 15,622 mt of Pacific cod, 2,579 mt of Pacific ocean perch, and 1,052 mt of sablefish. The Central Gulf was closed to all foreign fishing on November 16.

In the Bering Sea and Aleutians they harvested 982,466 mt or about 72% of the current foreign allocation. The catch included 785,437 mt of pollock, 96,056 mt of yellowfin sole, 52,092 mt of flounders, 38,472 mt of Pacific cod, and 1,108 mt of Pacific ocean perch.

There were 109 foreign vessels off Alaska on November 28, 1984, 47 from Japan, 24 from South Korea, 9 from the USSR, 26 from Poland, and 1 each from West Germany, Taiwan and Portugal. Last year at this time there were nearly twice as many vessels off Alaska.

U.S. Coast Guard Reports on Enforcement

The Coast Guard reported that enforcement efforts since September 19 have resulted in six reports of violation and forty written warnings issued to foreign fishing vessels. Violations included failure to submit the required activity message 24 hours prior to beginning or ceasing fishing within the Fishery Conservation Zone, failure to respond to visual signals to stop for boarding, failure to sort catch and return prohibited species as soon as possible, failure to respond to visual signals to heave to for boarding, failure to maintain a Daily Cumulative Catch Log, failure to provide a safe boarding ladder, impeding a boarding party, and failure to accurately log incidental catch of prohibited species. In September, the Coast Guard issued a written warning to the Soviet stern trawler MYS GROZNY for fishing within the FCZ without a current permit. On November 13 two more Soviet vessels, the KALAR and TEKHNOLOG, were issued written warnings for the same infraction, and on November 15 the TEKHNOLOG was again issued a written warning for fishing within the FCZ without a permit.

Thus far in 1984, the U.S. Coast Guard enforcement effort has totaled 780 cutter patrol days and 3,039 aircraft patrol hours for a total coverage of 521,372 patrol miles. Combined enforcement efforts have resulted in three seizures, and the issuance of 32 reports of violation and 117 written warnings.

From the Council staff to all of you, HAPPY HOLIDAYS!



Letters to the Editor

Dear Editor: The following letter was sent to Gov. Bill Sheffield.

Dear Governor: Thank you for personally reading this letter. I'm writing in regard to recent action by the North Pacific Fishery Management Council. Serious errors were made by the Council in their December meeting in Anchorage.

I have been a fisherman here in Sitka and gulf-wide for thirteen years. Being born and raised in Sitka and now having four children, I'm naturally very concerned with maintaining the quality lifestyle that exists. Unfortunately, a situation has developed that will definitely, unquestionably result in the destruction of the small and medium boat longline fisheries in the Gulf of Alaska. These developments are upon us now and we have little to no time to act to ensure that we don't allow an irreversible situation to get established and out of control.

The NPFMC is responsible for making tremendously important decisions in the course of maintaining our fisheries. In doing this they are required to adhere to strict guidelines including those set forth in the Magnusson Act and the National Register. They have not done this.

At the December meetings in Anchorage they blatantly ignored these guidelines more than once.

In 1982, the NPFMC agreed to adopt an amendment proposed by Alaska Longline Fisherman's Association of Sitka. Formal presentation was made at the meeting by then executive director of ALFA, Greg Baker, and president Orrie Bell. This was accompanied by testimony by numerous fishermen. The purpose of the amendment (Amendment 12) was to ban the use of pot longline and trawl gear for black cod in the eastern Gulf of Alaska, so essentially, the eastern Gulf would be a hook and line sanctuary. Much testimony was given to support the amendment after which Mr. Jim Branson of the Council staff made the public comment that "this was one of the best presentations made by any fishermen's organizations we've seen; everyone's impressed, this thing should fly through." Well, it flew to Juneau and sat on someone's desk for a year and a half. Then, in June of 1985 we got a hold of a letter written by the same Mr. Branson to the Council members recommending throwing it out for lack of substance, not enough evidence of gear conflicts, etc. Then began the process of trying to find out who to believe.

The danger we face with pot gear and trawl gear is that both types have already damaged traditional fishing grounds in their own way.

Pot boats lose gear regularly and render otherwise productive grounds totally useless for our relatively light hook and line gear. The lost pots also continue to fish. It takes a large boat to

fish pots. One estimate was that eight to ten large pot boats would, with gear loss and the amount of gear they can lay out, pretty much take over the black cod fishery of southeast Alaska alone. I believe that is not an exaggeration by any means.

The fishable ground for black cod is a strip that runs along the continental shelf. There is not much actual fishable ground to begin with. The same sets would be used by both fisheries. Pot fishing and hook and line fishing don't co-habitate. Gear conflicts are already well-documented in southeast Alaska. I am among the fishermen who have lost valuable hook and line gear to lost pot gear.

The other menace on the horizon is the trawl fleet. Admission of trawl effort to continue in the Gulf of Alaska means the end of small and medium boat hook and line fisheries i.e. black cod, halibut, rockfish, etc. The stocks simply won't support it. Certain trawlers might try to tell you differently, but they don't live here, don't care about our area and communities, and traditionally don't give a damn about the stocks anywhere.

We are currently harvesting the quota of black cod in southeast Alaska and in the central Gulf with hook and line gear. Southeast area longliners have already taken voluntary reductions in their black cod OY. There simply is no room for more effort; especially of the magnitude we would see without this amendment in place. So what did our Council do? The totally disregarded the guidelines of the National Standard concerning gear loss, social and economic ramifications and denied our request. Their next bit of business was to give the trawlers their request of an emergency allocation of 10 percent of the OY for the Gulf of Alaska rather than allowing for a reasonable by-catch. In other words, the allocation granted by our Council is to come out of quotas that are currently being harvested by local hook and line fleets. This appears to be a direct violation of the Magnusson Act.

The NPFMC members who voted against Amendment 12 heard our representative speaking to them, but they weren't listening. It's almost embarrassing to have such an important entity in our industry mishandling its responsibility to such a degree.

We have been told that we'll be on the agenda in February when the Council meets in Sitka. The unanimous feeling in the longline fleet is that if we don't protect this resource now, we're out of business. We are a traditional established fishery producing a superior quality product and supporting shore based processors. We are literally fighting for our existence. We need your help in protecting a

established fishery producing a superior quality product and supporting shore based processors. We are literally fighting for our existence. We need your help in protecting a livelihood that is vital to the economics of many Alaska communities and to thousands of individual Alaskans.

Thank you.

Sincerely,
Greg Cushing

Conservation Control

RALEIGH, N.C. (AP) — An distributed letter from Sen. Je Helms proposing that conservation buy CBS stock and end what it is biased news reporting has "hit nerve," the North Carolina Republic says.

In an interview Thursday on ABC "Nightline," Helms said his office had reported a number of calls on the letter.

Helms and supporters told the Securities and Exchange Commission in documents filed Thursday that they were not seeking proxies from CBS stockholders in an attempt to take over CBS, but held open the possibility of making such an attempt later.

Once the group has persuaded enough people to buy CBS stock, "they intend to request a meeting with the company to obtain management's views concerning their proposal that the company end its liberal bias in news reporting and editorial policies," the documents said.

Edward J. Atorino, a stock analyst specializing in media companies for Smith Barney in New York, said it would be virtually impossible for such a takeover move to succeed.

Kennedy Criticizes South Africa

CAPE TOWN, South Africa (AP) — Sen. Edward M. Kennedy issued a sharply worded rebuttal after South Africa's foreign minister said Kennedy should be more concerned with the plight of American blacks than with South Africa's racial policies.

The Massachusetts Democrat, visiting South Africa at the invitation of Nobel Peace Prize winner Bishop Desmond Tutu, released a statement defending the status of blacks in America after Foreign Minister R.F. Botha criticized him Thursday in a statement broadcast on South African television.

The senator accused Botha of making an "untrue attack on the United States" when Botha said the death rate for American black children was twice that of whites, and the black poverty rate was three times higher.

Botha said Kennedy should stay out of South African affairs and be more

To Improve

LOS ANGELES (AP) — Complaints



Official Business

Alaska State Legislature

House of Representatives

Special Committee on Fisheries

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-4924

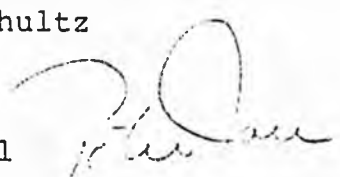
M E M O R A N D U M

January 16, 1985

TO: House Resources Committee
Representative Adelheid Herrmann
Representative Richard Shultz
Cc-Chairs

FROM: Representative Peter Goll
Chairman
Special Committee on Fisheries

SUBJECT: HJR 8



After reviewing HJR 8 and discussing the matter with interested members of the Special Committee on Fisheries, it is suggested that the following amendments be made to address the concerns of Kodiak-based fishermen.

- (1) Insert the following language on line 7, page 2, after the words "..fish fishery":

" , and set aside reserves to allow incidental catch of sablefish based on actual needs rather than Optimum Yield"

DISCUSSION--This amendment is designed to allow the continuation of the joint venture fisheries in the Gulf of Alaska without cutting back on the amount of sablefish available for harvest by Alaska's longline fleet. All parties agree that the 10 percent figure is too high.

- (2) Delete the following language on line 10, page 2:

[ALASKA]

DISCUSSION--Under the MFCMA, no distinction may be made between U.S. fishermen on the basis of residency in individual states.

DISTRICT 27:
AKHIOK
CHIGNIK
CHIGNIK LAGOON
CHIGNIK LAKE
CHINIAK
IVANOF BAY
KARLUK
KODIAK
LARSEN BAY
OLD HARBOR
OUZINKIE
PERRYVILLE
PORT LIONS
WOMEN'S BAY

Alaska State Legislature



House of Representatives

REPRESENTATIVE
DAVE THOMPSON
WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-2487
(917) 465-2498
P.O. BOX 75
KODIAK, ALASKA 99615
(H)(907) 486-4899
(L)(907) 486-8116

January 19, 1985

To: Representative Ben Grussendorf, Speaker
Alaska House of Representatives

From: Representative Dave Thompson

Re: HJR #8

After much discussion with all interested parties, I would respectfully recommend the following additional change to the above referenced Resolution.

(3) Insert the following language on line 11, Page Two (2),

" in the Eastern regulatory area of the Gulf of Alaska, from Dixon entrance to a West longitude determined by the NPFMC."

I believe this substitution will satisfy the concerns of all parties, including the Kodiak-based fleet.

Thank you for your consideration of my suggestion.



Official Business

Alaska State Legislature

House of Representatives

Special Committee on Fisheries

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-4924

M E M O R A N D U M

January 22, 1985

TO: House Resources Committee
Representative Adelheid Herrmann
Representative Richard Shultz
Co-Chairs

FROM: Special Committee on Fisheries
Representative Peter Goll
Chairman

SUBJECT: HJR 8/Effect of Incidental Catch Allocations

Information supplied by federal fisheries agencies should be carefully considered during committee discussions regarding HJR 8. Examination of the enclosed statistics reveals that the amount of sablefish for incidental catches of sablefish in the Gulf of Alaska by joint venture fisheries will vary by as much as 1.3 million pounds, depending upon the mechanism selected for determining the allocations.

The National Marine Fisheries Service staff says that joint venture operations will take place in 1985 only in the Western and Central regulatory areas of the Gulf.

According to an analysis by the NPFMC staff, the "observed bycatch rate" for the types of joint ventures planned in the Gulf during 1985 would result in the need for setting aside 1,057 metric tons of sablefish. If the sablefish incidental catch allocation is set at 10% of the Optimum Yield for the two regulatory areas, joint venture operations would be allowed to catch 473 metric tons of sablefish.

Based upon this information, it is suggested that the following amendment be made to HJR 8:

- (1) Insert the following language on line 7, page 2, after the words "...fish fishery":

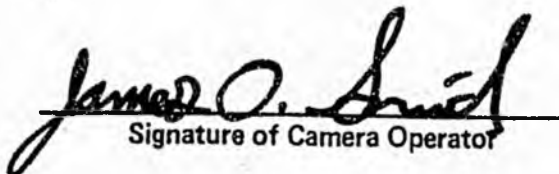
" , and set aside reserves to allow incidental catch of sablefish based on a percentage of the Optimum Yield for the Western and Central regulatory areas"

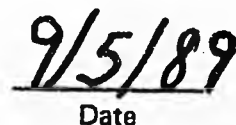


RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

HJR

Handwritten cursive letters 'h' and 'r'.

WILD AND SCENIC ISSUE

BECAUSE THERE ARE RIVERS IN ALASKA THAT HAVE BEEN DETERMINED AS BEING WILD AND SCENIC WITH OUT A DETERMINATION AS TO THEIR BEING CONSIDERED NAVIGABLE, THERE EXISTS THE DISTINCT POSSIBILITY THAT TRADITIONAL USES ON THESE AND OTHER RIVERS MAY NOT CONTINUE AT HISTORIC LEVELS.

IF A GIVEN WATER BODY IS FOUND TO BE NAVIGABLE, THE STATE WILL HAVE TITLE TO THE LAND UNDER SUCH A BODY THUS ALLOWING LOCAL RESIDENTS, AS CITIZENS OF THE STATE, TO BE IN A STRONGER POSITION TO ARGUE FOR CUSTOMARY AND TRADITIONAL USES BOTH ON THE WATER AS WELL AS ALONG EACH ONE OF IT'S SHORES.

IN TERMS OF ESTABLISHING RESOURCE AND RECREATIONAL PRIORITIES ON OUR ALASKAN WATER BODIES IT ESSENTIAL THAT LOCAL, STATE, AND FEDERAL CONCERNS BE ADDRESSED IN AN ORDER THAT ALLOWS THOSE PEOPLE WHO MOST DIRECTLY AFFECTED TO CONTINUE THEIR CUSTOMARY AND TRADITIONAL USES TO THE GREATEST DEGREE POSSIBLE.

TO THAT END IT DOES NOT MAKE SENSE TO ESTABLISH A FEDERAL CLASSIFICATION OF A WATER BODY BEFORE A LOCAL AND STATE PRIORITY SUCH AS NAVIGABILITY IS RESOLVED.

TO THAT END I HAVE SUGGESTED WITH THIS RESOLUTION THAT THE FEDERAL GOVERNMENT RECOGNIZE AND ADHERE TO SUCH A POLICY WITH THE OBVIOUS BENEFIT BEING MORE LOCAL CONTROL IN THE LONG TERM FOR OUR LOCAL ALASKAN RESIDENTS.

Hona

Original sponsor: Shultz

IN THE HOUSE BY THE TRANSPORTATION COMMITTEE
CS FOR HOUSE JOINT RESOLUTION NO. 14 (Transportation)
IN THE LEGISLATURE OF THE STATE OF ALASKA
FOURTEENTH LEGISLATURE - FIRST SESSION

Relating to the navigability of Alaska's
rivers and lakes.

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

WHEREAS Alaska's rivers and lakes have always been a primary means of transportation and access for the people of the state; and

WHEREAS a great many of these same waterbodies have traditionally and historically served as routes for commerce and trade; and

WHEREAS the geographic features of the State of Alaska necessitate the continued use of these rivers and lakes for traditional travel purposes; and

WHEREAS the federal government is not considering several traditional means of transportation used in Alaska, such as jet unit and aluminum river boat, inflatable boats, air boats, and winter use, when determining whether bodies of water in Alaska are navigable; and

WHEREAS all other states have had the opportunity to demonstrate navigability of waterbodies within their boundaries on a much less restrictive basis; and

WHEREAS the State of Alaska has several test cases now in litigation that will help establish a basis for claiming navigability of its waterbodies; and

WHEREAS trade, travel, commerce, subsistence, and recreational activities should continue on a traditional basis on Alaska's navigable rivers and lakes; and

WHEREAS the federal government may propose waterbodies in Alaska for classification as wild and scenic rivers without knowing whether or not

1 they will be determined navigable; and

2 WHEREAS such classification may prevent the citizens of this state
3 from continuing their historical and traditional uses of Alaskan water-
4 bodies;

5 BE IT RESOLVED that the Alaska State Legislature respectfully requests
6 the President of the United States and the Congress to direct the Secretary
7 of the Interior to suspend further classification of Alaskan waterbodies as
8 wild and scenic rivers until such time that a final decision is reached on
9 the issue of navigability, thus allowing historical and traditional activ-
10 ities to continue on the Alaskan waterbodies in dispute or in litigation.

11 COPIES of this resolution shall be sent to the Honorable Ronald
12 Reagan, President of the United States, the Honorable George Bush, Vice-
13 President of the United States and President of the U.S. Senate; the Honor-
14 able Thomas P. O'Neill, Jr., Speaker of the U.S. House of Representatives;
15 the Honorable Donald Hodel, Secretary of the Interior; and to the Honorable
16 Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the
17 Honorable Don Young, U.S. Representative, members of the Alaska delegation
18 in Congress.
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STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

POUCH M
JUNEAU, ALASKA 99811
PHONE:

March 26, 1985

The Honorable Bette Cato
Chair, Transportation Committee
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Cato:

Thank you for inviting this department's views with regard to HJR 14 (relating to navigability and designation of Wild and Scenic Rivers). The department earlier provided several suggested wording changes which are being incorporated into the Committee Substitute. Those changes provide consistency with terms as they are being used to present the state's position in certain litigation on navigation.

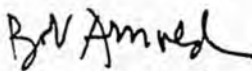
With the passage of ANILCA in December, 1980, Congress designated 26 Alaskan rivers to the list of National Wild and Scenic Rivers. At the same time 12 other rivers were withdrawn from the public domain, subject to valid existing rights, to complete studies on their suitability for inclusion in the system. These studies were to be complete and submitted to the Secretary of the Interior last fall.

Only these 12 rivers would be addressed by this resolution, and three have been administratively determined to be navigable. Thus, its impact may be somewhat limited. Inasmuch as wild and scenic river designation may have consequences upon the uses of the river and its bed, it is desirable to settle the issue of ownership ahead of such designation.

One other suggested change to HJR 14 would be to delete the reference to float planes in the fourth whereas. On February 28, 1985, the Ninth Circuit Court of Appeals found in the Slopbucket Lake case that "... float planes and related incidental watercraft is insufficient as a matter of law to render the lake navigable for purposes of title."

Mike Vediner from our Division of Land and Water Management will be available at the committee hearing to answer questions.

Sincerely,



Robert D. Arnold
Deputy Commissioner

Alaska State Legislature

House of Representatives

Committee on Transportation



Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

M E M O R A N D U M

Date: 26 March 1985
To: Legal Services
From: Rhonda Cargill, Professional Assistant
House Transportation Committee
Re: HJR 14

Please make the following changes to HJR 14 so that we can submit a committee substitute at tomorrow morning's 7:00 House Transportation Committee meeting:

<u>Page/Line</u>	<u>Change</u>
Page 1, Lines 13-14	Delete: [BOTH COMMERCIAL AND NONCOMMERCIAL] Replace with: <u>traditional travel</u>
Page 1, Line 15	Delete: [BUREAU OF LAND MANAGEMENT] Replace with: <u>federal government</u>
Page 1, Line 17	Delete: [FLAT BOTTOM] Replace with: <u>jet unit and aluminum</u>
Page 1, Line 17	Delete: [DOG SLED, AND SNOW MACHINE] Replace with: <u>inflatable boats, air boats, and winter use</u>

Page 1,
Line 25

Insert between "trade," and "commerce": travel

Page 2,
Line 3

Delete: [LEGALLY]

Please note that the committee meets at 7:00 a.m. We would deeply appreciate your giving us a work draft before day's end.

Introduced: 1/23/85
Referred: Transportation and
Resources

1 IN THE HOUSE

BY SHULTZ

2

HOUSE JOINT RESOLUTION NO. 14

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

Relating to the navigability of Alaska's

6

rivers and lakes.

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

8 WHEREAS Alaska's rivers and lakes have always been a primary means of
9 transportation and access for the people of the state; and

10 WHEREAS a great many of these same waterbodies have traditionally and
11 historically served as routes for commerce and trade; and

12 WHEREAS the geographic features of the State of Alaska necessitate the
13 continued use of these rivers and lakes for ~~both commercial and noncommer-~~
14 cial purposes; and

15 WHEREAS the ^{federal government} Bureau of Land Management is not considering several
16 traditional means of transportation used in Alaska, such as float plane,
17 ~~Jet unit and aluminum flat-bottom river boat, dog sled, and snow machine,~~ ^{inflatable boats, air boats, and winter use} when determining
18 whether bodies of water in Alaska are navigable; and

19 WHEREAS all other states have had the opportunity to demonstrate
20 navigability of waterbodies within their boundaries on a much less restric-
21 tive basis; and

22 WHEREAS the State of Alaska has several test cases now in litigation
23 that will help establish a basis for claiming navigability of its water-
24 bodies; and

25 WHEREAS trade, ^{travel} commerce, subsistence, and recreational activities
26 should continue on a traditional basis on Alaska's navigable rivers and
27 lakes; and

28 WHEREAS the federal government is now studying waterbodies in Alaska
29 for classification as wild and scenic rivers without knowing whether or not

1 they will be determined navigable; and

2 WHEREAS such classification may prevent the citizens of this state
3 from ²²legally continuing their historical and traditional uses of Alaskan
4 waterbodies;

5 BE IT RESOLVED that the Alaska State Legislature respectfully requests
6 the President of the United States and the Congress to direct the Secretary
7 of the Interior to suspend further classification of Alaskan waterbodies as
8 wild and scenic rivers until such time that a final decision is reached on
9 the issue of navigability, thus allowing historical and traditional activ-
10 ities to continue on the Alaskan waterbodies in dispute or in litigation.

BACKGROUND ON HJR 14

The purpose of this resolution is to request the President and Congress to suspend any further classifications of Alaskan waterbodies as wild or scenic until such time as a final decision is reached on the issue of navigability. This would allow traditional activities to continue on any waterbodies in dispute.

Traditional activities would include subsistence, recreation, trade and commercial use.