



**MEMBERSHIP RESOLUTION 20-05**

**A RESOLUTION OF THE SOUTHWEST ALASKA MUNICIPAL CONFERENCE (SWAMC) URGING NMFS TO NARROW THE SCOPE AND AREA FOR DESIGNATION AS CRITICAL HABITAT FOR HUMPBACK WHALES IN ALASKA.**

**WHEREAS**, on October 9, the National Marine Fisheries Service published a proposed rule (84 FR 54354) to designate critical habitat (CH) for three distinct population segments (DPS) of humpback whales under the Endangered Species Act (ESA), and

**WHEREAS**, the proposed critical habitat designations for the Mexico DPS and the Western North Pacific DPS include almost all the navigable waters of the SWAMC region, including Kodiak Island, the Aleutians East Borough, Bristol Bay, and the Aleutian Islands, and

**WHEREAS**, the matter compelling the CH designation is primarily a crab pot gear entanglement and ship strike issue, and the pot gear fisheries in our region are prosecuted in the late fall and winter months, when the whales are not in Alaska, and

**WHEREAS**, SWAMC’s numerous coastal communities depend on the salmon, herring and pot cod/crab fisheries for jobs, small business stability, school funding and virtually all municipal services through fish taxes, and may have project development opportunities which could be significantly reduced by an arbitrary and overreaching designation, and

**WHEREAS**, of great concern is the inability to attribute the original source of the entangled gear as whales may carry entangled gear for weeks or even months, and the whales who spend some of their spring/summer migration in our region have migrated or traveled from Canada, International waters, the lower 48, Hawaii, or Mexico, and

**WHEREAS**, the agency has not adequately accounted for the socioeconomic impacts and other costs to communities in the region.

**NOW BE IT RESOLVED**, that the Southwest Alaska Municipal Conference Board of Directors requests that NMFS narrow the scope and area of the proposed CH designation for Humpback Whales and not finalize the rule until migration tracks and whale presence of the three DPS units in our region is gathered using satellite and other sophisticated tracking methods for a thorough analysis of the proposed designation. We request that NMFS carefully consider the impact of a “one size fits all” approach and make the most responsible and reasonable decision possible.

**PASSED AND ADOPTED** by the Southwest Alaska Municipal Conference Membership this 6th day of March 2020.

IN WITNESS THERETO:

Mary Swain, SWAMC Board President

Shirley Marquardt, SWAMC Executive Director