

DEPARTMENT of the INTERIOR

news release

OFFICE OF THE SECRETARY

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PROPOSED REGULATORY PLAN FOR KLAMATH RIVER FISHERY CONSERVATION ANNOUNCED

The Interior Department today announced its proposed 1979 regulatory plan for fishery conservation on parts of the Klamath and Trinity Rivers in Northern California. The plan, published in the Federal Register today, proposes new Indian fishing regulations, including a ban on commercial fishing.

The proposed regulations allow for Indian subsistence and ceremonial fishing, which will result in a significant harvest reduction in comparison to the 1978 fishing seasons when commercial fishing was authorized. While Indian commercial fishing is prohibited under the Department's proposal, the existence of the Hoopa and Yurok Tribes' rights are specifically recognized and are not affected by the emergency moratorium.

The proposed regulations also forbid drift nets because their use results in the fewest fishers catching the most fish. Subsistence fishing with set nets would be allowed seven days per week, although Indians would be limited to the use of no more than one 100-foot net each. Hook-and-line and dip nets would also be allowed. Another provision would establish criminal penalties for violators, with prosecutions occurring in the Court of Indian Offenses, for the Hoopa Valley Indian Reservation.

Under normal situations, Indian tribes regulate their own fishing on a reservation. On the Hoopa Valley Indian Reservation, however, this has not been possible because the two Tribes have not completed the organization process which is prerequisite to successful self-regulation, resource protection and management. The recent meetings on fishing regulations have sparked the parallel effort to develop Reservation-wide agreement on fishing regulations.

In developing the proposed regulations, Department officials met with Indians of the Hoopa Valley Indian Reservation to address commercial fishing and other resource issues surrounding this year's fishing seasons. The 1979 salmon runs are expected to be dangerously low, due to the impact of the 1976 drought, which has adversely affected fish runs from California to Alaska.

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The Hoopa and Yurok Indians of the Reservation are continuing their efforts with Department representatives to overcome the problems experienced with the 1978 regulatory process. The Department has actively encouraged the Indian attempts to develop Reservation-wide consensus on regulations, recognizing that the majority of the Indian people share the Federal and State concern for the current fish-run crisis.

Many of the new provisions were adopted on the recommendation of Indians participating in the meetings held over the past two months. The process of developing consensus regulations is considered to be the first step toward achievement of a Reservation-wide fishery management plan.

Over the years, Hoopa Valley Reservation Indians and all inside fishers have criticized the lack of action restricting the ocean take. The Department addressed this point last week when Secretary Cecil D. Andrus cautioned the Pacific Regional Fishery Management Council against a proposal to extend the 1977-78 salmon plan, which has implications for the Klamath River and coast-wide fisheries. In his February 7 letter to the PRFM Council Chairman, Andrus stated that the inside fishers cannot be expected "to bear the conservation burden for all. Fairness alone requires that the ocean fisheries bear their fair share of the conservation burden."

The proposed regulations are subject to substantial language changes as a result of the Indian and non-Indian comments on the Federal Register publication. The comment period closes on March 16, 1979, and revised final regulations will take effect on April 1, when the spring run is expected to begin. The regulatory procedures will undergo further alteration throughout the year, based on the spring run experience, all available biological data and continuing consultation.

All comments should be sent to: Assistant Secretary-Indian Affairs, Department of the Interior, Washington, D. C. 20240.

Further information on the proposed regulations can be obtained from: Joe Weller, Superintendent, Bureau of Indian Affairs, Hoopa Agency - P.O. Box 367, Hoopa, California 95546, Telephone (916) 625-4285.

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