

RESOLUTIONS COMMITTEE

1955

H. H. MACKAY

1. *National Fish Week*

WHEREAS, Fish and shellfish constitute a source of outstanding nutritional value, highly palatable, and available at reasonable prices, and

WHEREAS, The per capita consumption of fishery products in the United States and Canada is far less than it properly should be, and

WHEREAS, This low consumption can be attributed in large measure to the lack of appropriate publicity and promotional campaigns on behalf of fish as food, and

WHEREAS, The National Fisheries Institute, the Shrimp Association of the Americas, the Maine Sardine Industry, the Fisheries Council of Canada, and numerous other organizations, firms, and individuals have joined to organize and support a National Fish Week, October 3-8, 1955,

NOW, THEREFORE, BE IT RESOLVED, That the American Fisheries Society tender its congratulations to those groups and persons responsible for the initiation of a National Fish Week and urge upon its members full and whole-hearted support of this forward-looking enterprise.

2. *Inland Fisheries*

WHEREAS, The inland fisheries of the United States constitute a natural resource of great potential importance, and

WHEREAS, This potential has not been realized because of lack of information with respect to problems inherent in harvesting, processing, and marketing, particularly of species in great abundance but little utilized, and

WHEREAS, The United States Fish and Wildlife Service has very recently begun an analysis of these problems with respect to the Great Lakes and mid-western area with the view of determining a proper course of future action,

NOW, THEREFORE, BE IT RESOLVED, That the American Fisheries Society commends the United States Fish and Wildlife Service for this forward-looking action, and urges that this study be expanded so as to cover the field of under-utilized fish populations throughout the United States.

3. *Funds for Recreational Use of National Forests*

WHEREAS, The recreational use of National Forests continues to grow in keeping with increased population of the Nation and increased leisure, and

WHEREAS, Many national forests are presently in urgent need of recreational facilities including but not limited to camp ground sanitation facilities, and fish and wildlife habitat development, and

WHEREAS, Funds for the development of the aforesaid recreational facilities are almost entirely lacking,

NOW, THEREFORE, BE IT RESOLVED, That the American Fisheries So-

ciety does hereby petition Congress to hasten action on HR 1823 which would make available to the Forest Service funds for recreational improvement and upkeep, and fish and wildlife habitat development.

4. Integration of Wildlife Conservation Programs

WHEREAS, There is a definite need to integrate more closely wildlife conservation programs of State and Federal agencies dealing with water resources development to prevent loss of or damage to wildlife resources,

NOW, THEREFORE, BE IT RESOLVED, That the American Fisheries Society go on record as urging Congress to give favorable consideration to the immediate passage of the bill S.2372 introduced by Senator McClellan of Arkansas which amends Public Law 732 to accomplish the objectives of the Society.

5. Amending the Federal Power Act

WHEREAS, Under the provisions of the Act of Congress of June 25, 1910 (36 Stat. 347), commonly known and referred to as the withdrawal from entry on public land laws, the Secretary of the Interior has, from time to time, by executive order, withdrawn from entry, sale or location under the public land laws and has reserved for power purposes, numerous power sites on the public lands of the United States many of which power sites are located on, along and adjacent to local nonnavigable streams of the several states, and

WHEREAS, The Federal Power Commission, under the provisions of the Federal Power Act, 41 Stat. 1075, 16 U.S.C. 818, also has made numerous withdrawals from the public lands of the United States and has reserved for power purposes power sites on navigable and nonnavigable waters of the several states, and

WHEREAS, Ever since the enactment of the Desert Land Act of 1877, if not before, it has been the established law that all nonnavigable waters then a part of the public domain became *publici juris*, subject to the plenary control of the states designated therein, with the right in each to determine for itself to what extent the rule of prior appropriation or the common-law rule of riparian rights should obtain, and

WHEREAS, It has always been considered by the American Fisheries Society that the Federal Government, as the owner of the public domain had the power to dispose of the land and the water composing it together or separately, and that under the Desert Land Act of 1877, if not before, Congress had severed the title to the land and the water and had established the rule that the land should be patented separately and that the government title to the land would not carry with it a water right but all nonnavigable waters were reserved for the use of the public under the laws of the several states, and

WHEREAS, The Supreme Court of the United States recently upheld the validity of a license issued by the Federal Power Commission to construct a hydroelectric project on lands of the United States, withdrawn for power purposes, on a nonnavigable stream, wholly within one state without the

consent of the state on the ground that the withdrawal site was a "reservation" and not "public lands," within the meaning of Section 3 (1) and (2) of the Federal Power Act, and

WHEREAS, The legislative history of the Federal Power Act clearly indicated that it was never the intention of the Congress to invest the Federal Power Commission with the authority, either expressed or implied, to usurp or encroach on the sovereign powers of the states to regulate the use of the waters of their nonnavigable streams; it being expressly provided in Sec. 9 (b) (16 U.S.C.A. 802b) of said Federal Power Act that said Federal Power Commission shall, before issuing a license, require proof of the applicant that he has complied with the State laws with respect to the use of the water and the bed and banks of streams, and

WHEREAS, The actions of the Federal Power Commission and the courts in this respect have and will continue to jeopardize and to curtail the states in their development of stream utilization and is likely to cause irreparable damage to the water, wildlife, fishery resources, agriculture and industry and to create havoc in the administration of the water laws in the states, all in contravention of long established public policy.

NOW, THEREFORE, BE IT RESOLVED, That the American Fisheries Society hereby does urge the Congress of the United States to enact legislation amending the Federal Power Act so as to compel the Federal Power Commission to require proof that applicants for a license have obtained prior approval of the state or several states as the case may be, in respect to the use of the waters and the beds and banks of streams, notwithstanding the fact that the project sought to be licensed is to be located on public lands or reservations of the United States which has been withdrawn for power purposes, and

BE IT FURTHER RESOLVED, That such legislation shall impose on the Federal Power Commission the duty to require such proof, as above-mentioned, whether or not the project shall have an adverse effect on the navigable flow or the navigable capacity of any navigable stream.

6. Importation of Fish and Fish Eggs and Ports of Entry

WHEREAS, The reports of the special committees of the Society on (1) Importation of Salmonoid Eggs and Ports of Entry, and (2) Importation of Fish and Fish Eggs presented at the annual meeting of the American Fisheries Society, emphasized the danger of introduction and transmission of infectious diseases and parasites of fish through importation and transportation of fish and fish eggs, and

WHEREAS, These reports contain recommendations and suggested procedures for the development of a sanitary service to prevent the introduction and transmission of infectious diseases and parasites of fish,

NOW, THEREFORE, BE IT RESOLVED, That the Secretary of the Society transmit copies of the reports of these committees to each Federal, Provincial and State Fisheries agency with the request that appropriate consideration be given to the recommendations contained in these reports.

7. Water Pollution

WHEREAS, There is continuing need to strengthen and extend the Water Pollution Control Act, and

WHEREAS, The Senate Bill S. 890 passed the Senate and was reported favorably to the House by the House Committee on Public Works (House Report No. 1446) with amendments which further strengthened the Senate Bill, and

WHEREAS, The great majority of the people of the United States are sincerely and genuinely interested in better and cleaner waters throughout the Nation, not only for domestic and industrial uses, but for recreation as well,

NOW, THEREFORE, BE IT RESOLVED, That the American Fisheries Society hereby does urge the Congress of the United States to give prompt consideration to the Bill S.890 looking to its early enactment, and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the Clerk of the House, to the Chairman of the House Committee on Public Works, and to each member thereof, by the Secretary of this Society.

8. Pollution

WHEREAS, The American Fisheries Society views with deep concern the impact of pollution on our fish and wildlife resources, and on public health, and

WHEREAS, It is believed insufficient consideration is given to the research necessary to safeguard these resources and the public health from the effects of pollution,

NOW, THEREFORE, BE IT RESOLVED, That the American Fisheries Society hereby does urge Federal, State and Provincial agencies concerned with the control and protection of fish and wildlife resources and public health to analyze their research programs looking toward that expansion required to promote effective control of pollution.

9. Thanks to Dr. William C. Beckman

WHEREAS, The usefulness of any serial publication is greatly enhanced by the availability of a general index covering a long period of years, and

WHEREAS, The users of the Transactions of the American Fisheries Society benefited greatly from the general index for Volumes 1-58 but were handicapped by the lack of a similar index for later volumes, and

WHEREAS, Dr. William C. Beckman has remedied this deficiency by his compilation of an index for Volume 59-82,

NOW, THEREFORE, BE IT RESOLVED, That the American Fisheries Society in its Eighty-fifth Annual Meeting express to Dr. Beckman its deepest appreciation for his excellent and generous contribution, and

BE IT FURTHER RESOLVED, That a copy of this Resolution, endorsed by the President and by the Secretary-Treasurer be forwarded to Dr. Beckman as a memento of the Society's gratitude.

10. Appreciation of Hospitality

WHEREAS, The Augusta, Georgia meeting of the Society has been an outstanding success, and

WHEREAS, The members and guests of the Society have had available excellent facilities for enjoyment of the sessions and of recreational periods,

NOW, THEREFORE, BE IT RESOLVED, That the American Fisheries Society express its appreciation and gratitude to the Program Committee, through its Chairman, Fred J. Dickson; to Fulton Lovell, Director of the Georgia Game and Fish Commission, and through him to the State of Georgia, and especially to members of his office, and field staff for their efficiency in handling local arrangements; to Thomas D. Beckum, Clerk of Council, representing His Honor Mayor Hamilton, and through him to the City of Augusta; to the several organizations and individuals whose untiring efforts combined to make this meeting a success; to the press for its splendid coverage of the convention; and to the management of the Bon Air Hotel for the numerous courtesies extended to the convention delegates.
