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CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 227()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES HERRON, Neuman

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the establishment of state fish and game reserves; creating the**
2 **Holitna River Basin Hunting, Fishing, and Trapping Reserve; and providing for an**
3 **effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 16.20 is amended by adding new sections to read:

6 **Article 6. Fish and Game Reserves.**

7 **Sec. 16.20.700. Purposes.** The purposes of establishing a fish and game
8 reserve are

9 (1) to promote management activities to rebuild or enhance fish and
10 wildlife populations and habitats to maintain historical and sustainable harvest levels
11 for continued high levels of human consumptive use of these resources; and

12 (2) to perpetuate other public uses of the area, including forest
13 management, mineral entry and development, oil and gas entry and development, and
14 other forms of public use of public land not incompatible with the purpose stated in (1)

1 of this section.

2 **Sec. 16.20.710. Regulations.** The Board of Fisheries or the Board of Game,
3 where appropriate, shall adopt regulations each considers advisable for conservation
4 and protection of fish and game to carry out the purposes of AS 16.20.700 and
5 16.20.720.

6 **Sec. 16.20.720. Holitna River Basin Hunting, Fishing, and Trapping**
7 **Reserve established.** (a) All state-owned land and water and all land acquired in the
8 future by the state within the watershed of the Holitna River and Hoholitna River is
9 designated as the Holitna River Basin Hunting, Fishing, and Trapping Reserve.

10 (b) The Holitna River Basin Hunting, Fishing, and Trapping Reserve is
11 established to

12 (1) ensure management and protection of fish and wildlife populations
13 and habitat to perpetuate subsistence use, commercial use, and other consumptive uses
14 of the area's fish and wildlife;

15 (2) implement maximum use and benefit, sustained yield, and common
16 use principles by using effective management techniques for conserving and
17 developing the area's fish and wildlife resources to regain or maintain historical
18 harvest levels with human consumptive use of these resources as a priority;

19 (3) maintain and enhance healthy and abundant fish and wildlife
20 populations commonly used for consumption by humans to provide high levels of
21 human consumptive use in keeping with amounts determined by the Board of
22 Fisheries and the Board of Game to be reasonably necessary to provide for subsistence
23 uses and with other population and use goals or objectives set by the appropriate
24 board;

25 (4) allow for long-term scientific research and management study areas
26 to determine the effectiveness of management activities under this section in providing
27 for current and future human harvest needs.

28 (c) To fulfill the purposes of this section, the Department of Fish and Game,
29 the Board of Fisheries, and the Board of Game shall manage the fish and game
30 resources of the area to provide for high levels of human harvest and, subject to
31 priorities among areas in which intensive management actions are carried out as

1 determined by the Department of Fish and Game, the Board of Fisheries, and the
2 Board of Game, shall

3 (1) control predation and adjust predator and prey population ratios
4 through whatever methods or means are considered appropriate to particular
5 circumstances;

6 (2) conduct management actions designed to further the purposes of
7 this section so long as the appropriate board has not found, based on substantial
8 evidence, that the challenged management actions are counterproductive or ineffective
9 in maintaining or enhancing healthy and abundant fish or wildlife populations
10 commonly used for consumption by humans for food to provide for high levels of
11 human consumptive use;

12 (3) consider scientific evidence augmented by historical and local
13 environmental knowledge when evaluating management activities.

14 (d) The Department of Natural Resources may not acquire by eminent domain
15 privately owned land within the Holitna River Basin Hunting, Fishing, and Trapping
16 Reserve but may acquire privately owned land by purchase, exchange, or other means
17 for inclusion in the reserve.

18 (e) Public access to the Holitna River Basin Hunting, Fishing, and Trapping
19 Reserve by boat, aircraft, dog team, snow machine, all-terrain vehicle, or other means
20 consistent with the purposes of this section may be regulated by the Department of
21 Natural Resources, in consultation with the Department of Fish and Game, as
22 necessary to meet the purposes of this section and to protect access to and
23 development of other natural resources within the reserve.

24 (f) Access to and from private property within the Holitna River Basin
25 Hunting, Fishing, and Trapping Reserve shall be guaranteed through access corridors
26 established by the Department of Natural Resources, in consultation with the
27 Department of Fish and Game and a private property owner.

28 (g) Entry upon the Holitna River Basin Hunting, Fishing, and Trapping
29 Reserve for purposes of exploration and development of nonrenewable resources is
30 subject to approval by the Department of Natural Resources, in consultation with the
31 Department of Fish and Game. Exploration and development activities must be

1 conducted in a manner that is compatible with the purpose of this section.

2 (h) Except as otherwise provided in this section, the Department of Fish and
3 Game and the Department of Natural Resources shall exercise each department's
4 respective authority over the Holitna River Basin Hunting, Fishing, and Trapping
5 Reserve through a fish and game management plan prepared by the Department of
6 Fish and Game in consultation with the Department of Natural Resources.

7 (i) All state-owned surface and subsurface land and water within the parcels
8 described in this subsection are established as the Holitna River Basin Hunting,
9 Fishing, and Trapping Reserve:

10 (1) Township 4 North, Range 48 West, Seward Meridian

11 Sections 2 - 5

12 Sections 9 - 10;

13 (2) Township 4 North, Range 51 West, Seward Meridian

14 Sections 1 - 10;

15 (3) Township 4 North, Range 52 West, Seward Meridian

16 Sections 1 - 23

17 Sections 26 - 35;

18 (4) Township 4 North, Range 53 West, Seward Meridian;

19 (5) Township 5 North, Range 37 West, Seward Meridian

20 Sections 1 - 3

21 Sections 10 - 11;

22 (6) Township 5 North, Range 47 West, Seward Meridian

23 Sections 2 - 12

24 Sections 14 - 23

25 Sections 27 - 32;

26 (7) Township 5 North, Range 48 West, Seward Meridian

27 Sections 1 - 27

28 Sections 34 - 36;

29 (8) Township 5 North, Range 49 West, Seward Meridian

30 Sections 1 - 33;

31 (9) Township 5 North, Ranges 50 - 54 West, Seward Meridian;

- 1 (10) Township 6 North, Range 35 West, Seward Meridian
2 Sections 4 - 9;
- 3 (11) Township 6 North, Range 36 West, Seward Meridian
4 Sections 1 - 13
5 Sections 16 - 21
6 Sections 29 - 32;
- 7 (12) Township 6 North, Range 37 West, Seward Meridian;
8 (13) Township 6 North, Range 38 West, Seward Meridian
9 Sections 1 - 20;
- 10 (14) Township 6 North, Range 39 West, Seward Meridian
11 Section 1
12 Sections 12 - 13
13 Section 24;
- 14 (15) Township 6 North, Range 42 West, Seward Meridian
15 Sections 4 - 6
16 Section 8;
- 17 (16) Township 6 North, Range 43 West, Seward Meridian
18 Sections 1 - 2;
- 19 (17) Township 6 North, Range 44 West, Seward Meridian
20 Sections 1 - 5;
- 21 (18) Township 6 North, Range 47 West, Seward Meridian
22 Sections 18 - 19
23 Sections 29 - 33;
- 24 (19) Township 6 North, Ranges 48 - 55 West, Seward Meridian;
25 (20) Township 7 North, Range 35 West, Seward Meridian
26 Sections 6 - 7
27 Sections 18 - 19
28 Sections 30 - 31;
- 29 (21) Township 7 North, Ranges 36 - 38 West, Seward Meridian;
30 (22) Township 7 North, Range 39 West, Seward Meridian
31 Sections 1 - 18

- 1 Sections 21 - 25
- 2 Section 36;
- 3 (23) Township 7 North, Range 40 West, Seward Meridian
- 4 Sections 1 - 21;
- 5 (24) Township 7 North, Range 41 West, Seward Meridian
- 6 Sections 1 - 14
- 7 Sections 17 - 18;
- 8 Section 24;
- 9 (25) Township 7 North, Range 42 West, Seward Meridian
- 10 Sections 1 - 23
- 11 Sections 28 - 33;
- 12 (26) Township 7 North, Range 43 West, Seward Meridian
- 13 Sections 1 - 27
- 14 Sections 29 - 30;
- 15 Sections 34 - 36;
- 16 (27) Township 7 North, Range 44 West, Seward Meridian;
- 17 (28) Township 7 North, Range 45 West, Seward Meridian
- 18 Sections 1 - 2
- 19 Sections 12 - 13
- 20 Sections 24 - 25;
- 21 (29) Township 7 North, Range 47 West, Seward Meridian
- 22 Sections 6 - 7
- 23 Section 18;
- 24 (30) Township 7 North, Ranges 48 - 54 West, Seward Meridian;
- 25 (31) Township 7 North, Range 55 West, Seward Meridian
- 26 Sections 1 - 2
- 27 Sections 11 - 14
- 28 Sections 23 - 26
- 29 Sections 32 - 36;
- 30 (32) Township 8 North, Range 34 West, Seward Meridian
- 31 Section 19;

- 1 (33) Township 8 North, Range 35 West, Seward Meridian
- 2 Sections 3 - 10
- 3 Sections 13 - 24
- 4 Sections 27 - 32;
- 5 (34) Township 8 North, Ranges 36 - 44 West, Seward Meridian;
- 6 (35) Township 8 North, Range 45 West, Seward Meridian
- 7 Sections 1 - 29
- 8 Sections 35 - 36;
- 9 (36) Township 8 North, Range 46 West, Seward Meridian
- 10 Sections 1 - 24
- 11 Sections 29 - 30;
- 12 (37) Township 8 North, Range 47 West, Seward Meridian
- 13 Sections 1 - 32;
- 14 (38) Township 8 North, Ranges 48 - 53 West, Seward Meridian;
- 15 (39) Township 8 North, Range 54 West, Seward Meridian
- 16 Sections 1 - 2
- 17 Sections 11 - 36;
- 18 (40) Township 8 North, Range 55 West, Seward Meridian
- 19 Sections 13 - 14
- 20 Sections 23 - 26
- 21 Sections 35 - 36;
- 22 (41) Township 9 North, Range 30 West, Seward Meridian
- 23 Sections 1 - 5;
- 24 (42) Township 9 North, Range 32 West, Seward Meridian
- 25 Sections 3 - 9
- 26 Sections 16 - 21;
- 27 (43) Township 9 North, Range 33 West, Seward Meridian
- 28 Sections 1 - 35;
- 29 (44) Township 9 North, Ranges 34 - 52 West, Seward Meridian;
- 30 (45) Township 9 North, Range 53 West, Seward Meridian
- 31 Sections 1 - 5

- 1 Sections 8 - 17
- 2 Sections 20 - 29
- 3 Sections 32 - 36;
- 4 (46) Township 10 North, Range 30 West, Seward Meridian
- 5 Sections 7 - 36;
- 6 (47) Township 10 North, Ranges 31 - 52 West, Seward Meridian;
- 7 (48) Township 10 North, Range 53 West, Seward Meridian
- 8 Sections 22 - 29
- 9 Sections 32 - 36;
- 10 (49) Township 11 North, Range 31 West, Seward Meridian
- 11 Section 31;
- 12 (50) Township 11 North, Range 32 West, Seward Meridian
- 13 Sections 18 - 19
- 14 Sections 29 - 36;
- 15 (51) Township 11 North, Range 33 West, Seward Meridian
- 16 Sections 2 - 11
- 17 Sections 13 - 36;
- 18 (52) Township 11 North, Ranges 34 - 51 West, Seward Meridian;
- 19 (53) Township 11 North, Range 52 West, Seward Meridian
- 20 Section 1
- 21 Sections 11 - 14
- 22 Sections 23 - 26
- 23 Sections 33 - 36;
- 24 (54) Township 12 North, Range 37 West, Seward Meridian
- 25 Sections 19 - 21
- 26 Sections 28 - 36;
- 27 (55) Township 12 North, Range 38 West, Seward Meridian
- 28 Sections 3 - 10
- 29 Sections 15 - 36;
- 30 (56) Township 12 North, Ranges 39 - 49 West, Seward Meridian;
- 31 (57) Township 12 North, Range 50 West, Seward Meridian

- 1 Sections 1 - 4
- 2 Sections 9 - 16
- 3 Sections 21 - 28
- 4 Sections 31 - 36;
- 5 (58) Township 13 North, Range 37 West, Seward Meridian
- 6 Sections 6 - 7
- 7 Sections 17 - 20
- 8 Sections 29 - 31;
- 9 (59) Township 13 North, Ranges 38 - 49 West, Seward Meridian;
- 10 (60) Township 13 North, Range 50 West, Seward Meridian
- 11 Section 25
- 12 Section 36;
- 13 (61) Township 14 North, Range 39 West, Seward Meridian
- 14 Sections 5 - 9
- 15 Sections 16 - 23
- 16 Sections 25 - 36;
- 17 (62) Township 14 North, Ranges 40 - 47 West, Seward Meridian;
- 18 (63) Township 14 North, Range 48 West, Seward Meridian
- 19 Sections 5 - 9
- 20 Sections 13 - 36;
- 21 (64) Township 14 North, Range 49 West, Seward Meridian
- 22 Section 13
- 23 Sections 24 - 25
- 24 Section 36;
- 25 (65) Township 15 North, Range 39 West, Seward Meridian
- 26 Sections 4 - 9
- 27 Sections 18 - 19
- 28 Sections 30 - 31;
- 29 (66) Township 15 North, Ranges 40 - 46 West, Seward Meridian;
- 30 (67) Township 15 North, Range 47 West, Seward Meridian
- 31 Sections 12 - 14

- 1 Sections 19 - 36;
- 2 (68) Township 16 North, Range 39 West, Seward Meridian
- 3 Sections 16 - 21
- 4 Sections 28 - 33;
- 5 (69) Township 16 North, Range 40 West, Seward Meridian
- 6 Sections 3 - 10
- 7 Sections 13 - 36;
- 8 (70) Township 16 North, Ranges 41 - 45 West, Seward Meridian;
- 9 (71) Township 16, North, Range 46 West, Seward Meridian
- 10 Sections 1 - 3
- 11 Sections 10 - 14
- 12 Sections 23 - 28
- 13 Sections 33 - 36;
- 14 (72) Township 17 North, Range 40 West, Seward Meridian
- 15 Sections 3 - 10
- 16 Sections 15 - 23
- 17 Sections 26 - 35;
- 18 (73) Township 17 North, Ranges 41 - 44 West, Seward Meridian;
- 19 (74) Township 17 North, Range 45 West, Seward Meridian
- 20 Sections 1 - 4
- 21 Sections 9 - 17
- 22 Sections 19 - 36;
- 23 (75) Township 18 North, Range 40 West, Seward Meridian
- 24 Sections 17 - 22
- 25 Sections 27 - 34;
- 26 (76) Township 18 North, Ranges 41 - 42 West, Seward Meridian;
- 27 (77) Township 18 North, Range 43 West, Seward Meridian:
- 28 the land south of the Kuskokwim River;
- 29 (78) Township 18 North, Range 44 West, Seward Meridian:
- 30 the land south of the Kuskokwim River;
- 31 (79) Township 18 North, Range 45 West, Seward Meridian

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Sections 1 - 2

Sections 11 - 15

Sections 22 - 27

Sections 34 - 36;

(80) Township 19 North, Range 41 West, Seward Meridian

Section 8: the land south of the Kuskokwim River

Sections 17 and 18: the land south of the Kuskokwim River

Sections 19 - 21

Sections 27 - 34;

(81) Township 19 North, Range 42 West, Seward Meridian

Sections 20 - 36: the land south of the Kuskokwim River;

(82) Township 19 North, Range 44 West, Seward Meridian

Sections 22 - 36: the land south of the Kuskokwim River;

(83) Township 19 North, Range 45 West, Seward Meridian

Sections 35 - 36.

* **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).