

HOUSE BILL NO. 134

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES EDGMON, Ramras, Dahlstrom, Gara, Kerttula

Introduced: 2/14/07

Referred: House Special Committee on Fisheries, Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to conservation and protection of wild salmon production in drainages**
2 **affecting the Bristol Bay Fisheries Reserve; and providing for an effective date."**

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 **LEGISLATIVE FINDINGS.** The legislature finds that

7 (1) in 1972, the Seventh Alaska State Legislature determined that a heightened
8 level of protection was needed for the Bristol Bay fisheries and acted by designating the
9 Bristol Bay Fisheries Reserve in order to protect the longstanding and valuable commercial,
10 subsistence, and sport fishing in the area;

11 (2) the area described as the Bristol Bay Fisheries Reserve and the rivers,
12 streams, and lakes that produce the fish continue to need protection just as when the reserve
13 was created; and

14 (3) the considerations that justified the 1972 action also warrant extension of

1 similar conservation measures and protections to the river systems, ground water, aquifer
 2 systems, and other hydrologic regimes, including any hydrologically interrelated or connected
 3 surface and ground water, within the drainage systems that connect to the surface water of
 4 Bristol Bay.

5 * **Sec. 2.** AS 16.10 is amended by adding a new section to read:

6 **Sec. 16.10.015. Protection of salmon streams within certain drainages**
 7 **affecting the Bristol Bay.** (a) Notwithstanding any other provision of law, within the
 8 watersheds of the Nushagak, Kvichak, Naknek, Egegik, and Ugashik Rivers, a person
 9 may not

10 (1) withdraw, obstruct, divert, inject, pollute, or pump, either
 11 temporarily or permanently, any subsurface or surface water in drainages supporting
 12 salmon or any water hydrologically interrelated or connected to those drainages; or

13 (2) alter, destroy, displace, relocate, channel, dam, convert to dry land,
 14 or otherwise adversely affect any portion of a river, stream, lake, bog, tributary, or any
 15 other water body, including the beds of water bodies, in drainages supporting salmon.

16 (b) The prohibitions listed in (a) of this section do not apply to

17 (1) uses authorized, approved, and permitted before the effective date
 18 of this Act;

19 (2) drinking water and domestic uses;

20 (3) ordinary existing and future municipal uses; or

21 (4) traditional, cultural, or residential uses.

22 (c) In addition to any other penalties, a person who violates (a) of this section,
 23 upon conviction, is punishable by a fine of not less than \$10 a day or more than \$5,000
 24 a day, except that a corporation is punishable by a fine of not less than \$100,000 a day
 25 or more than \$1,000,000 a day. Each day on which a violation described in (a) of this
 26 section occurs constitutes a separate violation of that subsection.

27 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).