

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES

September 25, 2007

2:32 p.m.

DRAFT

MEMBERS PRESENT

Representative Paul Seaton, Chair
Representative Kyle Johansen
Representative Craig Johnson
Representative Gabrielle LeDoux
Representative Peggy Wilson
Representative Bryce Edgmon
Representative Lindsey Holmes

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Carl Gatto
Representative Mark Neuman
Representative Bob Roses
Representative Scott Kawasaki

COMMITTEE CALENDAR

HOUSE BILL NO. 134

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

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 134

SHORT TITLE: PROTECTION OF SALMON SPAWNING WATER

SPONSOR(s): REPRESENTATIVE(s) EDGMON

02/14/07	(H)	READ THE FIRST TIME - REFERRALS
02/14/07	(H)	FSH, RES
02/28/07	(H)	FSH AT 8:30 AM BARNES 124
02/28/07	(H)	Heard & Held
02/28/07	(H)	MINUTE(FSH)

03/02/07	(H)	FSH AT 8:30 AM BARNES 124
03/02/07	(H)	Heard & Held
03/02/07	(H)	MINUTE(FSH)
03/05/07	(H)	FSH AT 8:30 AM BARNES 124
03/05/07	(H)	Heard & Held
03/05/07	(H)	MINUTE(FSH)
05/09/07	(H)	FSH AT 8:30 AM BARNES 124
05/09/07	(H)	Heard & Held
05/09/07	(H)	MINUTE(FSH)
09/24/07	(H)	FSH AT 4:30 PM Newhalen
09/24/07	(H)	Heard & Held
09/24/07	(H)	MINUTE(FSH)
09/25/07	(H)	FSH AT 2:00 PM Naknek

WITNESS REGISTER

FRED PIKE

POSITION STATEMENT: Testified on HB 134.

BRAD RUSH, Student
 Bristol Bay Borough High School
 [Location unknown]

POSITION STATEMENT: Testified on HB 134.

ADAM DUBAY
 Naknek, Alaska

POSITION STATEMENT: Testified on HB 134.

JODIE MCDONNELL
 Naknek, Alaska

POSITION STATEMENT: Testified on HB 134.

SCOTTY SAVO, Commercial Fisherman
 Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

DAN MICHELS, Owner
 Crystal Creek Lodge
 King Salmon, Alaska

POSITION STATEMENT: Testified in support of HB 134.

CARL ANDERSON
 Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

PAUL HANSEN, Commercial Fisherman
 Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

MATT PRICE, Owner
Price's Guide Service
King Salmon, Alaska

POSITION STATEMENT: Testified in support of HB 134.

MYRA OLSEN, Deputy Mayor
Lake and Borough Assembly
Egegik, Alaska

POSITION STATEMENT: Testified in opposition to HB 134.

GEORGE WILSON
Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

SHEILA BERGEY
King Salmon, Alaska

POSITION STATEMENT: Testified in opposition to HB 134.

LINDSAY BLOOM, Board Member
United Fishermen of Alaska
Member, Bristol Bay Drift Netters Association
Member, Alaska Independent Fishermen's Marketing Association
Contractor, Trout Unlimited
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 134.

EVERETT THOMPSON, Member
Naknek Village Council
Shareholder, Bristol Bay Native Corporation
Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

MARK ANGASAN, Village Representative
King Salmon, Alaska

POSITION STATEMENT: Testified in opposition to HB 134.

ALEX SAVO
Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

PETE HILL
Naknek, Alaska

POSITION STATEMENT: Testified in opposition to HB 134.

GLEN ALSWORTH, SR., Mayor

Lake and Peninsula Borough
Port Alsworth, Alaska

POSITION STATEMENT: Testified on HB 134.

BETTY BONIN
Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

VIOLET WILSON
Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

JEFF CURRIER, Manager
Lake and Peninsula Borough
King Salmon, Alaska

POSITION STATEMENT: Testified in opposition to HB 134.

MAUREEN KNUTSEN
Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

ALAN ASPELUND SR.
Naknek, Alaska

POSITION STATEMENT: Testified in opposition to HB 134.

PATRICIA EDEL, Owner
Bed and Breakfast/Sport Fishing Lodge
King Salmon, Alaska

POSITION STATEMENT: Testified in support of HB 134.

RICK EDEL
King Salmon, Alaska

POSITION STATEMENT: Testified on HB 134.

ANNETTE WILSON
King Salmon, Alaska

POSITION STATEMENT: Testified in support of HB 134.

PETER ANGESAN
King Salmon, Alaska

POSITION STATEMENT: Testified in support of HB 134.

JOHN HOLMAN, Owner
No Seeum Lodge
King Salmon, Alaska

POSITION STATEMENT: Testified in support of HB 134.

DOUGLAS OLSON
Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

JOHN SAVO JR.
Naknek, Alaska

POSITION STATEMENT: Testified in support of HB 134.

ACTION NARRATIVE

DRAFT

CHAIR PAUL SEATON called the House Special Committee on Fisheries meeting to order at [2:32:31 PM](#). Representatives Seaton, Edgmon, Wilson, Holmes, Johnson, Johansen, and LeDoux were present at the call to order. Representatives Neuman, Gatto, Kawasaki, and Roses were also in attendance.

[2:32:54 PM](#)

HB 134-PROTECTION OF SALMON SPAWNING WATER

CHAIR SEATON announced that the only order of business would be HOUSE BILL NO. 134, "An Act relating to conservation and protection of wild salmon production in drainages affecting the Bristol Bay Fisheries Reserve; and providing for an effective date."

[The motion to adopt CSHB 134, Version 25-LS0381\M, Kane, 2/22/07, was left pending at the 2/28/07 meeting.]

[2:33:05 PM](#)

CHAIR SEATON clarified the purpose of the bill and how it would effect different entities by stipulating restrictions on water usage. This action would have a wide range of implications, and he emphasized that the committee is interested to hear from each witness, what restrictions they would be interested in having included or excepted from the bill. This bill does not directly regulate water quality, rather it disallows certain water usages, to maintain the current water quality. He restated that the bill restricts water users/usage, not water quality. Additionally, he pointed out that the bill would have an impact

on mining, or any development activities, because of water usage, however, it is not "for or against Pebble Mine." He asked the area residents to speak to what they anticipate could result in unintended impacts, and what language, they would like to have included in the final bill. Submission of written testimony was encouraged. Finally, he acknowledged the presence of several local school classes, taking part in the gallery.

[2:41:59 PM](#)

REPRESENTATIVE EDGMON, as sponsor of HB 134, offered an introduction of the proposed legislation. He emphasized that the bill is currently a "work draft," and the testimonies being heard will help to form the final bill. HB 134 builds on the 1972 bill, sponsored by then Senator Jay Hammond, to create the Bristol Bay Fisheries Reserve. Apparently some confusion has arisen, as to whether this bill would create a refuge, and he gave assurance that a refuge is not being contemplated. The Bristol Bay Fisheries Reserve provides language in statute stipulating that, if there is to be any surface economic activity dealing with oil and gas, the legislature will be involved, via the resolution process, prior to such activity proceeding.

EDGMON directed attention to page 2 of the bill, regarding potential damages to salmon habitat. He read the conditions listed, that could cause such damage. A corporation found in to be in violation would be subject to significant fines; up to \$1 million dollars per day. Listed in the bill, following the protective conditions, are the exemptions, which would not be subject to restriction/fines. For clarity, he read the list of exceptions on page 2, subsection (b), paragraphs (1)-(6). The

crafting of this language, to create the appropriate water use policies, is the major aspect being addressed by these hearings. Subsection (c) sets forth the fines for individuals from \$10 up to \$5,000 per day, and corporations from \$1,000 up to \$1 million per day. He emphasized that the intent of this bill is to protect the water, and related resources, of the Bristol Bay area. Given the large scale mineral developments on the horizon, this legislation is necessary to protect the resource.

CHAIR SEATON corrected that the corporate fine is not less than \$100,000 a day, and up to \$1 million. Further, he laid out the protocol for providing testimony, and added the caveat that testimony would not be taken via teleconference, at this meeting. Future meetings, in Juneau, will allow for teleconferenced testimony.

[2:51:13 PM](#) 2:52:58

FRED PIKE, [Inaudible.] He said, "You have to allow for local development. [Inaudible.] But I am very concerned about salmon quality, and protection of our salmon streams." He cited the 124 years of commercial fishing in Bristol Bay that have provided numerous jobs to many people. [Inaudible.]

CHAIR SEATON drew attention to the speaker's statement regarding the importance of not impacting normal, commercial development, and asked what level of water usage he thinks should be allowed under the bill before it is restricted.

MR. PIKE replied [inaudible].

[2:55:19 PM](#) 2:56:22

BRAD RUSH, Student, Bristol Bay Borough High School, [Inaudible.] He stated, "They can't have their mine and commercial fishing at the same time."

[2:57:02 PM](#) 2:58:07

ADAM DUBAY, [Inaudible.]

REPRESENTATIVE JOHNSON asked how he would like transportation to be addressed in the bill.

MR. DUBAY responded [inaudible].

[2:59:36 PM](#) 3:00:42

REPRESENTATIVE GATTO asked if, as the local welding teacher, he is preparing his students for future jobs on a gas pipeline, or other industrial jobs.

MR. DUBAY replied [inaudible].

CHAIR SEATON responded to an unidentified, inaudible speaker in the gallery, that this is a public hearing, not a debate or question and answer opportunity.

[3:01:43 PM](#) 3:02:24

JODIE MCDONNELL, [Inaudible.]

CHAIR SEATON said her question is of a legal nature and can not be answered by the committee members.

[An auditory change took place, which helped sound quality].

MS. MCDONNELL said that she would like to see the fishery preserved by protecting the watershed.

[3:03:45 PM](#) 3:04:44

SCOTTY SAVO, Commercial Fisherman, as a generational fisherman, he said that this town would not exist without the fishery. He stated that he would like to see the waters kept clean to preserve the resource for future generations of fishermen.

[3:04:43 PM](#) 3:05:55

DAN MICHELS, Owner, Crystal Creek Lodge, opined that the bill is very well written. He cautioned the aspect regarding customary use of gravel [inaudible]. Something like Pebble Mine, he said, that big of a hole in the ground is going to be very permanent. He questioned whether the trade off for jobs will be worth the cost of the magnificent wilderness.

[3:06:50 PM](#) 3:07:56

CARL ANDERSON, said he fished for half of his life, but he is no longer a fisherman. [Inaudible.] He said, "I agree with the bill," [Inaudible.]

CHAIR SEATON clarified that his testimony supports allowing commercial uses to be permitted in the future, but not the expansion of other industries.

MR. ANDERSON responded that if someone wanted to come in and drill for oil, it would be an opportunity for jobs, "but we really don't want to see it." On the other hand, he said, if someone wanted to come in and open a new guide service, or expand a dock, the restrictions should not limit those activities.

CHAIR SEATON questioned if he is looking at the scale of the project, and does he support oil and gas as part of the energy exemption.

MR. ANDERSON said, "That is correct."

[3:09:58 PM](#) 3:11:03

PAUL HANSEN, Commercial Fisherman,, said he is a generational fisherman of the area. He supports the status quo, and expressed concerned for the possibilities of long term damage by mineral exploitation.

[3:11:34 PM](#) 3:12:44

MATT PRICE, Owner, Price's Guide Service, cautioned how much damage can occur in the long-term by a large scale mine. He said he is for this bill and against anything that would allow for a mine.

CHAIR SEATON asked whether he would support or oppose land based oil and gas development.

MR. PRICE cited concerns that could arise around oil and gas development, such as the sludge factor. [Inaudible.]

3:14:32 PM

REPRESENTATIVE JOHNSON asked if the lodges that he manages have water rights.

MR. PRICE replied, "I believe so."

REPRESENTATIVE JOHNSON recalled that only eight lodges in the area have water rights, and under this legislation other lodges would have to close, or be subject to a daily fine.

MR. PRICE answered that he did not have that understanding. [Inaudible.]

3:16:36 PM 3:17:36

REPRESENTATIVE EDGMON commented that the colleague from Anchorage, has taken a dramatic interpretation of the bill. As the sponsor he would not see the bill having such an effect on the area lodges. Certainly, that is not the intent, and the reason that it is still undergoing revision.

CHAIR SEATON pointed out that on page 2, line 17, the language stipulates "uses authorized, approved, and permitted before the effective date...", which does not grandfather in existing operations. Water use would need to be, or have been, previously permitted. However, if people want to have that as part of the bill, they should offer testimony to that effect.

REPRESENTATIVE JOHNSON clarified that he was stating the bill as it is presented today. Further, he read from the fiscal note

provided by DNR [2/27/07] paraphrasing: "... industrial, commercial, recreational uses will severely be curtailed or foreclosure of those uses." That is an accurate reading of how the bill is worded today, he emphasized and said, that what is being proposed will effect the economic development of this entire area.

[3:20:36 PM](#) 3:21:40

MYRA OLSEN, Deputy Mayor, stated that she opposes the bill in its entirety. It is hard to make a living today as a commercial fisherman, and definitely not as a crew member. The borough is currently experiencing a relocation of the residents for economic reasons. People are looking for viable alternatives to fishing to keep the community alive, she opined. This legislation will stifle economic development in the region. Neither does it appear to fix any problems; it discriminates against who can use water. She maintained that water quality is the issue that needs to be worked on through legislation, not who gets to use the water.

The committee took an at-ease from [3:23:35 PM](#) 3:24:30 to [3:30:02 PM](#) 3:26:31.

[3:32:25 PM](#) 3:28:51

GEORGE WILSON, said he has lived in the area for 28 years, raising his family, and enjoying both sport and subsistence fishing. He opined that the recent upturn, in fish prices, has been the nature of the fishery; sourced from a naturally pristine environment and marketed as such. Additionally, the salmon harvest in the Bristol Bay area represent more than an industry but also a way of life, as a major link in the local food chain. A large scale, commercial enterprise would threaten

that balance and interrupt the natural environment. [Inaudible.] He stated that no large scale operation has ever contributed anything to the environment; only detracted. One report of an accidental spill of any pollutant, from an operation like the Pebble Mine, would result in a complete collapse of the fishing industry built on the market base of being pristine and natural. However, he would not want to see HB 134 eliminate any current industry, or prohibit the expansion of existing holdings. He is opposed to large scale mining or oil production in the area.

[3:35:30 PM](#) 3:31:55

SHEILA BERGEY, stated that she is opposed to HB 134, or any other legislation, that would create a reserve with added restrictions on any sort of economic development. Any large-scale mining, or oil and gas development, should be allowed to be "played out" through the permitting process.

[3:36:48 PM](#) 3:33:46

LINDSAY BLOOM, Board Member, United Fishermen of Alaska; Member, Bristol Bay Drift Netters Association; Member, Alaska Independent Fishermen's Marketing Association; Contractor Trout Unlimited; cited the need to protect fisheries throughout Alaska via this type of legislation. She observed that the overriding sentiment supports the intent of the bill: to protect fisheries and fish habitat. "Not even water quality," she said. Unfortunately, legislative loopholes are not apparent to those outside of the body, or to lawyers. No fisherman is going to support something that will get in the way of their livelihood, she opined.

REPRESENTATIVE NEUMAN said he doesn't think there is anyone who wants to see the resources damaged in any way. Recalling the DNR presentation, at the previous hearing [9/24/07], he asked if the department's extensive permitting process [should be considered adequate].

MS. BLOOM responded that two red flags are immediately apparent. One, she said, was the expected "comfort" to be achieved by the production of a 1,500 page EPA document generated from base line studies. This does not provide comfort, as it would be a daunting task to penetrate such a document, neither is it friendly for public participation in the process. The second red flag, was the slide that indicated that statute dictates DNR to be the coordinator for the permitting of large mines in the state, however it didn't stipulate how the department should go about this task. She said that she would be more comfortable with ADF&G managing fish and game habitat in Bristol Bay.

REPRESENTATIVE NEUMAN suggested that she provide information to the state departments directly, and pointed out that the department heads are appointed as part of the governor's administration. However, as legislators working directly for the people of Alaska, the committee is eager to receive detailed feedback, of what the public desires for their area. This provides critical assistance to the legislators in the decision making process. [Audio was lost for approximately six seconds.] He encouraged the witness to feel free to contact the involved entities, and submit constructive guidelines.

[3:42:54 PM](#) 3:39:24

REPRESENTATIVE LEDOUX asked what steps could be taken to provide a comfortable permitting process, with regard to mining activity throughout the state; aside from moving the habitat office out of DNR.

MS. BLOOM said she would submit her response in writing.

[3:43:49 PM](#) 3:40:16

EVERETT THOMPSON, Member, Naknek Village Council; Shareholder, Bristol Bay Native Corporation; introduced himself as an area commercial fisherman since the age of seven, and a subsistence user. He said, "I am here to support [HB] 134, because I believe we don't have enough protection for our fish, and our other natural renewable resources, presently." For optimal marketing, he makes every effort to add quality to the fish; to make a Bristol Bay caught wild salmon as desirable to the customer as possible. The knowledge that the world's largest open pit mine is located at the head waters of this fishing ground, can only have an adverse effect on the market. Additionally, he stated concern for effects on the spawning grounds, considering the range of mining activities that would be taking place: water usage, explosions, toxic tailing ponds, dust, and energy use. What will be left behind, he asked. More protection is necessary. The fishing industry is controlled by the fisherman, and it is currently going through a period of improved methodology, which has resulted in an expanded market. However, the fishermen will not have control over mine activities. Although he indicated that he is not against all mining, he opined that this region would be the worst place to locate a mine. It is not just Pebble Mine that is interested in locating in this area, and he cautioned, "Once you let one [mine] in, I believe more will be right behind them." Since

Northern Dynasty first came to Newhalen to make a presentation, in 2004, he has undertaken an independent study on mining, and its effects. He stated that he is a volunteer resource member, and he related his experience of manning a booth at the Alaska State Fair [Palmer]. By not protecting this resource, it will cause a trade off of a non-renewable resource for one that is renewable. If protected, however, the area fishery will become more valuable on a world scale, as other areas succumb to pollution. The areas Native Corporations have passed resolutions, to protect the area, however, it is at the legislative level that action needs to take place, he finished.

[3:48:58 PM](#) 3:45:29

MARK ANGASAN, Village Representative, said he is a commercial fisherman, and does not know how many people are paying for their electricity, heat and other basic needs. The majority of the village economy is based on the fishery, and additional opportunities are needed in the area. Until all the [permits are completed], it will not be clear whether or not to allow the mine. The sport fishing industry, this area is "a big playground; that has to stop." Tourism and subsistence are good, but we live in a cash economy and need solutions to our problems, he said.

[3:52:34 PM](#) 3:48:57

ALEX SAVO, stated that he supports HB 134, however, limits on activities such as guiding, should be minimal.

[3:54:28 PM](#) 3:50:50

PETE HILL, stated that he is a retired teacher, who has taught in several villages in the area. He related that one of disappointments, of teaching in these areas, was that the graduates leave the schools "with nowhere to go." In order to make a living they leave the villages, and he opined that this is causing the villages to die. Although he is not opposed to HB 134 in its entirety, he said he opposes it because of what "it doesn't do."

CHAIR SEATON encouraged him to submit written testimony of what he would like to see the bill cover.

[3:56:07 PM](#) 3:52:27

REPRESENTATIVE EDGMON asked what aspects does he agree with.

MR. HILL answered that he agrees with the section on the water. However, the canneries should be dealt with and not grandfathered in, as they are a major source of water and land based pollution.

[3:57:14 PM](#) 3:53:27

GLEN ALSWORTH, SR., Mayor, stated that if any legislation threatens the ability of the borough to generate economic revenue from its lands, or the lands within its boundaries, it could threaten the ability of the area to maintain the borough tax base. The loss of the tax base would effect the schools and other municipal programs. Restricting economic opportunities, that residents can expect to garner from their land holdings, could eliminate the future of the borough and its people. The aspect of the bill that applies broad prohibitions on various

potential types of economic development, is a major concern to the borough.

CHAIR SEATON asked what he meant by financing the borough.

MR. ALSWORTH responded that the borough has a large land entitlement being processed. Assuming the receipt of the full entitlement, the land could provide a potential economic base to create businesses. The two current sources of revenue are a fish tax and a bed tax for lodging. It would be important to allow for the expansion of these two industries, as well as the development of other revenue sources that have not yet come to bear. The opportunity to diversify is imperative to the continued health of the borough.

CHAIR SEATON inquired if the land selection was based on any potential mineral content.

MR. ALSWORTH answered no, that was not his understanding. The scope of the available land to select was fairly narrow. To a follow-up from Chair Seaton, he said that the borough does have a severance tax. To a further question, he said, it appears that HB 134 could create difficulty for an existing lodge to expand/build improvements, or for a new entrant to the market to start-up. Water quality is a concern for everyone in the region, however, the bill appears to address water usage more than water quality. Finally, he said, it would be important to be enhancing the salmon run, and he provided examples of how that might be done.

[4:02:57 PM](#) 4:01:15

REPRESENTATIVE EDGMON reiterated that the bill strives to provide a higher level of protection for salmon, and asked whether the borough supports that intent.

MR. ALSWORTH responded that habitat support needs to be highlighted, supported, and defined. Then it can receive the utmost protection. The fines for violating, he said, are not necessary and somewhat useless. Once the damage has occurred, no level of monetary mitigation can recapture the natural elements of a desecrated stream; violation money cannot replace what would be lost. Designing and permitting should not allow anything that would ever do damage at that level; protection is essential. He made suggestions for enhancing the salmon run.

REPRESENTATIVE EDGMON interpreted that the borough supports the protective levels for salmon that HB 134 delineates.

MR. ALSWORTH agreed, and pointed out that the concern is for the restriction of development "down the road." The constraints, he said, could be like killing a gnat with a sledgehammer; the people of the area should not become an endangered species. Use of the water by the people, while supporting a major salmon run is not necessarily mutually exclusive.

[4:09:02 PM](#) 4:05:22

REPRESENTATIVE LEDOUX stated that she is not hearing him pledge support for this bill, but given his concerns for the water quality, would he support a more rigorous permitting process.

MR. ALSWORTH confessed that he is unfamiliar enough with the permitting process that he would have no idea what permits would

be required to build a dock in front of his house. He reported that it took him two years to receive water rights to keep his garden watered. However, there has been no one from DNR reviewing/enforcing his water usage. The permit is no better than the enforcement.

CHAIR SEATON said the committee will incorporate his suggestion for exempting fisheries enhancement programs.

MR. ALSWORTH finished by stating the positive focus that the 1972 Hammond bill, and these hearings have brought to the region.

[4:13:18 PM](#) 4:09:41

BETTY BONIN, said, "I truly believe that history repeats itself. When you hear about the devastation, the oil and mining companies have done in other areas, we need to pay attention." She emphasized the need to protect the spawning grounds and the fishery. The number of jobs that the mine will offer, do not compare with the number of jobs that are supported by the fishing industry. If developers are allowed to do what they want to do, the area would be left "with a mess to clean up, contaminated water, and contaminated salmon. However, the bill should not restrict residents from their way of life; protect the water, the salmon, and the spawning grounds.

CHAIR SEATON asked if she is supportive of the exemption for energy projects, and should that include oil and gas development.

MS. BONAN said she supports on-shore oil drilling only.

[4:15:48 PM](#) 4:12:06

VIOLET WILSON, introduced herself as a generational fisherman, from a family that has fished the area for over 100 years, and said that subsistence has always been a reliable resource. Her understanding, and concern, is that one out of every three open pit mines, in the world, has pollution problems. The fish have provided her an existence, and she said, "If it wasn't for our fish, only God knows where I would be." The fish support her and her family.

[4:18:57 PM](#) 4:15:02

JEFF CURRIER, Manager, Lake and Peninsula Borough, suggested that by creating this bill, the legislature is making an assumption that the environment is not being protected well enough, and another "layer" of laws are in order. It has been clearly stated, however, that the residents will not trade the fisheries for mines. He opined that HB 134 is flawed, and will create more problems than it will solve. He warned those who testified in favor of the bill to be careful what they ask for, because they just might get it. The current process, with the federal and state requirements, should work to protect the environment. This bill is not necessary, he said.

[4:23:17 PM](#) 4:19:20

MAUREEN KNUTSEN, stated that she favors the highest protection for Alaska's waters. She opined that a large scale development, such as an open pit mine with its potential for pollution,

cannot coexist with the fishery. Erring on the side of caution is important. Considering the global effects of pollution, she said that this resource can only become more valuable. Finally, she recommended reading the book, Rivers of Life, to gain an in-depth knowledge of the Bristol Bay watershed.

[4:26:34 PM](#) 4:22:27

ALAN ASPELUND SR., expressed his concern for the younger generation, receiving their native land allotments along the river, and possibly being denied the opportunity to establish lodges or guiding facilities. He recommended that a water volume restriction be included in the bill. Such a restriction would prevent large scale operations from misusing the area. He stated that he supports maintaining the watershed's clean water.

[4:32:00 PM](#) 4:28:26

PATRICIA EDEL, Owner, Bed and Breakfast/Sport Fishing Lodge, stated support for the bill, and recommended that it be written to deal specifically with large scale commercial operations, such as mining. She opined that it is imperative to include the ability to impose large fines.

CHAIR SEATON asked what her position would be on oil, gas, and energy development.

MS. EDEL provided support for on-shore development.

[4:34:21 PM](#) 4:30:16

RICK EDEL, said that the bill is too specific in some areas, while being too broad in others. The language on energy

projects could allow for unintended consequences, he cautioned. Also, grandfathering may present problems, and such action should be closely considered. He recommended that the bill: focus on maintaining water quality; expand the area of protection to all areas of Bristol Bay; allow commercial development that doesn't interfere with water quality; and define specific energy projects.

CHAIR SEATON inquired if he is supportive of on-shore oil and gas development.

MR. EDEL responded that he could support on-shore development.

[4:37:40 PM](#) 4:33:51

ANNETTE WILSON, stated support for HB 134 primarily because the village of Igiagik is dependent on obtaining potable water directly from Lake Iliamna. She observed that some fishermen are "go-getters," and doing well, while others are not as aggressive; hence less successful.

[4:39:56 PM](#)

PETER ANGESAN, said it would be important to put the "what if's" aside and focus on the positive concrete aspects. He opined that there is no future in fishing, the villages are dying, and crime rate is up; due to lack of employment. At one time there was concern for the oil operations in Prudhoe Bay, but that hurdle has been crossed and having worked there, he attested to the clean operations. Further, he pledged confidence in the permitting process and protection agencies to do a good job. He reiterated that he supports all fronts: progress, sustainable life styles, and HB 134.

[4:45:10 PM](#) [4:41:08]

JOHN HOLMAN, Owner, No Seeum Lodge, stated support for HB 134, and cautioned against impinging on existing operations, while attempting to protect the area. He recommended narrowing the bill to focus on the Pebble Mine. Additionally, oil and gas developments would pose pollution problems for Bristol Bay, and effect the fish returns. Mining and oil developments should be held to the same standards. Protection of the water, on a grand scale, is the priority concern, he finished.

[4:48:14 PM](#) 4:44:24

DOUGLAS OLSON, relayed that he is a commercial fisherman who markets his own product. The marketing edge is based on the pristine environment that the catch is produced from. He said he is pro-progress, but caution should be exercised on how the progress is defined. Having moved to Alaska from a mining town in California, he said he has severe doubts about the permitting process. A nonrenewable paycheck is not worth trading in for a renewable paycheck, he said.

[4:51:25 PM](#) 4:47:07

JOHN SAVO JR., said he is a generational fisherman. He cited the number of people in the villages who traditionally subsist, without other skills, and he asked what would happen to them if the resource were not there. He recommended that the restrictions for energy production include nuclear plants and river dams.

[4:53:17 PM](#) 4:48:50

CHAIR SEATON gave thanks to the gallery, and solicited written testimony.

DRAFT

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 4:49 p.m.