

**SENATE BILL NO. 152**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

**BY SENATOR FRENCH**

**Introduced: 1/17/12**

**Referred: Community and Regional Affairs, Resources**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act requiring legislative approval before the issuance of an authorization, license,**  
2 **permit, or approval of a plan of operation for a large-scale metallic sulfide mining**  
3 **operation that could affect water in or flowing into or over the Bristol Bay Fisheries**  
4 **Reserve."**

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

6 **\* Section 1.** AS 38.05 is amended by adding a new section to read:

7 **Sec. 38.05.142. Legislative approval required for certain mines.** (a) An  
8 authorization, license, permit, or approval of a plan of operation for a large-scale  
9 metallic sulfide mining operation that may adversely affect the water in or flowing  
10 into or over the Bristol Bay Fisheries Reserve designated in AS 38.05.140(f) may not  
11 be issued before the legislature enacts a law that includes a finding that the proposed  
12 large-scale metallic sulfide mining operation constitutes no danger to the fishery  
13 within the Bristol Bay Fisheries Reserve.

14 (b) The commissioner may adopt regulations under AS 44.62 to implement

1           this section.

2                   (c) In this section, "large-scale metallic sulfide mining operation" means a  
3           mine or mining operation that extracts metals, including gold and copper, from a  
4           sulfide-bearing rock and that would affect 640 or more acres of land.

5           \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
6           read:

7                   APPLICABILITY. AS 38.05.142, enacted by sec. 1 of this Act, applies to a large-  
8           scale metallic sulfide mining operation that has not received all authorizations, licenses,  
9           permits, or approved plans of operation before the effective date of this Act. The legislative  
10          action required in AS 38.05.142(a), enacted by sec. 1 of this Act, does not apply to an existing  
11          mining operation in the state or a mine that does not affect water described in  
12          AS 38.05.142(a), as enacted by sec. 1 of this Act.