

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

April 13, 2017

5:02 p.m.

MEMBERS PRESENT

Representative Andy Josephson, Co-Chair
Representative Geran Tarr, Co-Chair
Representative Dean Westlake, Vice Chair
Representative Harriet Drummond
Representative Justin Parish
Representative Chris Birch
Representative DeLena Johnson

MEMBERS ABSENT

Representative George Rauscher
Representative David Talerico
Representative Mike Chenault (alternate)
Representative Chris Tuck (alternate)

OTHER LEGISLATORS PRESENT

Representative Jennifer Johnston

COMMITTEE CALENDAR

HOUSE JOINT RESOLUTION NO. 9

Urging the United States government to continue to work with the government of Canada to investigate the long-term, region-wide downstream effects of proposed and existing industrial development and to develop measures to ensure that state resources are not harmed by upstream development in British Columbia.

- MOVED CSHJR 9(RES) OUT OF COMMITTEE

HOUSE BILL NO. 211

"An Act requiring a nonresident to be accompanied by a guide or resident spouse or relative when hunting certain caribou; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 177

"An Act relating to the response to, and control of, aquatic invasive species; establishing the aquatic invasive species response fund; and relating to the provision of information about aquatic invasive species to users of the Alaska marine highway system."

- HEARD & HELD

HOUSE BILL NO. 197

"An Act relating to the duties of the commissioner of natural resources; relating to agriculture; and relating to community seed libraries."

- SCHEDULED BUT NOT HEARD

HOUSE BILL NO. 217

"An Act relating to the Alaska Food, Drug, and Cosmetic Act; relating to the sale of milk, milk products, raw milk, and raw milk products; and providing for an effective date."

- BILL HEARING POSTPONED

HOUSE BILL NO. 218

"An Act relating to the state veterinarian and to animals and animal products."

- BILL HEARING POSTPONED

PREVIOUS COMMITTEE ACTION

BILL: HJR 9

SHORT TITLE: CANADIAN MINES ON TRANSBOUNDARY RIVERS

SPONSOR(S): REPRESENTATIVE(S) ORTIZ

01/30/17	(H)	READ THE FIRST TIME - REFERRALS
01/30/17	(H)	FSH, RES
03/16/17	(H)	FSH AT 10:00 AM GRUENBERG 120
03/16/17	(H)	-- MEETING CANCELED --
03/28/17	(H)	FSH AT 10:00 AM GRUENBERG 120
03/28/17	(H)	<Bill Hearing Canceled>
03/30/17	(H)	FSH AT 10:00 AM GRUENBERG 120
03/30/17	(H)	-- MEETING CANCELED --
04/06/17	(H)	FSH AT 10:00 AM GRUENBERG 120
04/06/17	(H)	Moved CSHJR 9(FSH) Out of Committee
04/06/17	(H)	MINUTE(FSH)
04/07/17	(H)	FSH RPT CS(FSH) 3DP 2NR 2AM
04/07/17	(H)	DP: KREISS-TOMKINS, TARR, STUTES

04/07/17 (H) NR: CHENAULT, FANSLER
04/07/17 (H) AM: EASTMAN, NEUMAN
04/10/17 (H) RES AT 1:00 PM BARNES 124
04/10/17 (H) -- MEETING CANCELED --
04/12/17 (H) RES AT 1:00 PM BARNES 124
04/12/17 (H) Heard & Held
04/12/17 (H) MINUTE (RES)
04/13/17 (H) RES AT 5:00 PM BARNES 124

BILL: HB 211

SHORT TITLE: NONRESIDENT HUNTING REQUIREMENTS: CARIBOU
SPONSOR (s): REPRESENTATIVE (s) WESTLAKE

04/05/17 (H) READ THE FIRST TIME - REFERRALS
04/05/17 (H) RES
04/12/17 (H) RES AT 1:00 PM BARNES 124
04/12/17 (H) Scheduled but Not Heard
04/13/17 (H) RES AT 5:00 PM BARNES 124

BILL: HB 177

SHORT TITLE: AQUATIC INVASIVE SPECIES
SPONSOR (s): REPRESENTATIVE (s) TARR

03/14/17 (H) READ THE FIRST TIME - REFERRALS
03/14/17 (H) RES, FIN
04/05/17 (H) RES AT 1:00 PM BARNES 124
04/05/17 (H) Scheduled but Not Heard
04/07/17 (H) RES AT 1:00 PM BARNES 124
04/07/17 (H) Heard & Held
04/07/17 (H) MINUTE (RES)
04/10/17 (H) RES AT 1:00 PM BARNES 124
04/10/17 (H) -- MEETING CANCELED --
04/12/17 (H) RES AT 1:00 PM BARNES 124
04/12/17 (H) Scheduled but Not Heard
04/13/17 (H) RES AT 5:00 PM BARNES 124

WITNESS REGISTER

JODE SPARKS, Spokesperson
Alaska Youth for Environmental Action
Soldotna, Alaska

POSITION STATEMENT: Testified in support of HJR 9.

TONY GALLEGOF, Director
Cultural and Natural Resources
Ketchikan Indian Community
Ketchikan, Alaska

POSITION STATEMENT: Testified in support of HJR 9.

FREDERICK OLSEN JR, Chairman
United Tribal Transboundary Mining Work Group; Tribal Vice
President
Organized Village of Kasaan
Kasaan, Alaska

POSITION STATEMENT: Testified in support of HJR 9.

BRIAN LYNCH, Spokesperson
Rivers Without Borders
Petersburg, Alaska

POSITION STATEMENT: Testified in support of HJR 9.

KAREN MATTHIAS, Executive Director
Council of Alaska Producers
Anchorage, Alaska

POSITION STATEMENT: Testified during the hearing of HJR 9.

GRAHAM NEALE
Juneau, Alaska

POSITION STATEMENT: Testified during the hearing of HJR 9.

LAURA STATS
Juneau, Alaska

POSITION STATEMENT: Testified in support of HJR 9.

GUY ARCHIBALD, Coordinator
Mining and Clean Water
Southeast Alaska Conservation Council
Juneau, Alaska

POSITION STATEMENT: Testified in support of HJR 9.

DEANTHA CROCKETT, Executive Director
Alaska Miners Association
Anchorage, Alaska

POSITION STATEMENT: Testified during the hearing of HJR 9.

JILL WEITZ, Spokesperson
Salmon Beyond Borders
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing of
HJR 9.

BRUCE DALE, Director
Division of Wildlife Conservation
Alaska Department of Fish & Game

Palmer, Alaska

POSITION STATEMENT: Answered questions during the hearing of HB 211.

REGGIE JOULE

Kotzebue, Alaska

POSITION STATEMENT: Testified in support of HB 211.

PAUL (CHRIS) MCKEE, Supervisor

Wildlife Division

Office of Subsistence Management

Fish and Wildlife Service

U.S. Department of the Interior

Anchorage, Alaska

POSITION STATEMENT: Testified during the hearing of HB 211.

AL BARRETTE

Fairbanks, Alaska

POSITION STATEMENT: Testified during the hearing of HB 211.

MARK RICHARDS, Executive Director

Resident Hunters of Alaska

Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition to HB 211.

JAKE JACOBSON

Kodiak, Alaska

POSITION STATEMENT: Testified in support of HB 211.

TIM STALLARD, Chairperson

Alaska Committee for Noxious and Invasive Pest Management

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 177.

ARTHUR KEYES, Director

Division of Agriculture

Department of Natural Resources

Palmer, Alaska

POSITION STATEMENT: Answered a question during the hearing of HB 177.

MICHAEL NEUSSL, Deputy Commissioner

Alaska Marine Highway System

Office of the Commissioner

Department of Transportation & Public Facilities

Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing of HB 177.

TAMMY DAVIS, Invasive Species Coordinator
Alaska Department of Fish & Game
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing of HB 211.

ACTION NARRATIVE

[5:02:43 PM](#)

CO-CHAIR ANDY JOSEPHSON called the House Resources Standing Committee meeting back to order at 5:02 p.m. Representatives Josephson, Birch, Parish, Westlake, and Tarr were present at the call to order. Representatives Drummond and Johnson arrived as the meeting was in progress. Also present was Representative Johnston.

The meeting was a continuation of the House Resources Standing Committee meeting recessed at 3:14 p.m., on 4/12/17.

HJR 9-CANADIAN MINES ON TRANSBOUNDARY RIVERS

[5:03:21 PM](#)

CO-CHAIR JOSEPHSON announced that the first order of business would be HOUSE JOINT RESOLUTION NO. 9, Urging the United States government to continue to work with the government of Canada to investigate the long-term, region-wide downstream effects of proposed and existing industrial development and to develop measures to ensure that state resources are not harmed by upstream development in British Columbia. [Before the committee was CSHJR 9(FSH), Version J].

CO-CHAIR JOSEPHSON said invited testimony on HJR 9 was heard 4/12/17, and opened public testimony.

[5:03:49 PM](#)

JODE SPARKS, spokesperson, Alaska Youth for Environmental Action (AYEA), informed the committee his organization is a group of diverse, politically-minded teenagers from across Alaska. He expressed support for HJR 9 because of his support for sustainable salmon. Other students in his biology class in Soldotna, and their teacher, also support the resolution. Mr.

Sparks said the bill would have no impact on Alaska industry, but would help save Alaska salmon. Although Southeast Alaska is distant from the Kenai Peninsula, the two areas share cultural and economic dependence on salmon, and residents fish and work in commercial fishing. Fishing provides employment for over 10,000 workers in Southcentral Alaska and enhances tourism. The bill would benefit mostly salmon in Southeast, but all Alaskans support salmon and seek healthy salmon. Alaskans also want the state to have a say in its industries, and HJR 9 would provide Alaskans influence over mines that affect Alaska waters. Representing AYE, students, salmon-lovers, and young Alaskans, Mr. Sparks urged the legislature to pass HJR 9.

[5:05:39 PM](#)

TONY GALLEGOF, director, Cultural and Natural Resources, Ketchikan Indian Community (KIC), summarized from a resolution passed by KIC in support of HJR 9 as follows:

1. The Province of British Columbia (B.C.), Canada, says its mines can be developed responsibly but reports found this is not the case
2. KIC is concerned about the long-term health of fishes and rivers, and seeks enforceable measures to protect resources in the future
3. Binding, enforceable measures are needed to address Alaskans' concerns about transboundary mining activity
4. The [Statement of Cooperation on the Protection of Transboundary Waters (SOC) does not guarantee or ensure monitoring and does not provide funding
5. Monitoring without funding is not enough
6. Long-term cumulative impacts from existing and future mining projects in B.C. affect Alaska's natural resources
7. HJR 9 is proactive
8. B.C.'s current processes do not provide a mechanism or funds to ensure proper cleanup and compensation
9. Concerns are being dismissed
11. The federal Boundary Waters Treaty (BWT) should be honored
10. B.C. needs to implement a robust monitoring to ensure protection of waters in perpetuity

Therefore, the Ketchikan Indian Community resolves that the KIC Tribal Council urge the U.S. government

to work with Canada to investigate long-term downstream effects of existing and proposed industrial development in B.C. and develop measures to protect the state's resources.

REPRESENTATIVE PARISH asked how many are represented by KIC.

MR. GALLEGOF said KIC is the second largest Tribe in the state and represents over 6,000 members.

5:10:03 PM

FREDERICK OLSEN JR, chairman, United Tribal Transboundary Mining Work Group, and Tribal vice president, Organized Village of Kasaan, said the Organized Village of Kasaan (Kasaan) passed a resolution in support of HJR 9, as Kasaan has a close and personal relationship to its region and the land. Mr. Olsen recalled previous testimony heard last year created HJR 9, and he restated Kasaan's support. The resolution could be stronger, and could stress the U.S. government's fiduciary trust responsibility in government-to-government relationships that do not recognize Tribes; on behalf of Alaska Native Tribal citizens, he called on the U.S. to enforce the formation of the International Joint Commission under the Boundary Waters Treaty (BWT) of 1909. Mr. Olsen noted BWT articles address harm and potential harm; however, the Tulsequah Chief mine is polluting the Taku River watershed, the Brucejack mine may be affecting the Unuk River, and the Red Chris mine is threatening the Stikine River. Mr. Olsen pointed out it is time to implement BWT on the Alaska/Canada border. Referring to testimony on 4/12/17 from misleading witnesses, he clarified that a treaty between two countries with federal governments requires federal enforcement, but that is not federal overreach. Mr. Olsen suggested greed leads to selling out the health of thousands of Alaskans. He concluded that the loss of a way of life on this side of the border should not merely be a cost of doing business.

5:15:50 PM

BRIAN LYNCH, spokesperson, Rivers Without Borders, stated his support for HJR 9. He said he is a retired Alaska Department of Fish & Game (ADFG) commercial fisheries management biologist with 30 years' experience in Southeast Alaska, and is now working part-time for Rivers Without Borders. He said the issue addressed by HJR 9 is not about the management of Alaska's resources, but is one of ensuring that activities on the other

side of the international border do not harm Alaska's resources and industries. Furthermore, "HJR 9 has nothing to do with the Alaska mining industry or how we manage our resources," he said. Federal involvement would complement the SOC and, although the Alaska congressional delegation has strongly opposed federal overreach on other issues, Alaska's senators and congressman support federal intervention in this issue. Mr. Lynch recalled testimony during previous hearings expressing greater concern for the B.C. and Canadian mining industry, than for the Alaska seafood industry and thousands of existing jobs. In fact, the economic lifeblood of Petersburg is the seafood industry, and mine contamination from any of the transboundary watersheds would have significant and devastating impacts on Petersburg, all Southeast Alaska, and beyond. Mr. Lynch pointed out river estuaries support crab and halibut fisheries which, if contaminated by toxic materials from a mine disaster, would be difficult or impossible to clean up as demonstrated following the 2015 Samarco mine disaster in Brazil. He described how fisheries in the Gulf of Alaska and Bering Sea could be impacted if any transboundary king salmon stocks are listed under the Endangered Species Act (ESA) as a result of a mining disaster. Mr. Lynch urged the committee to remember that the financial impacts of a mine disaster could be very extensive, which explains why enforceable financial assurances, backed by federal involvement, are absolutely necessary.

[5:19:23 PM](#)

KAREN MATTHIAS, executive director, Council of Alaska Producers (CAP), informed the committee CAP is a statewide business association representing large metal mines and some advanced projects in Alaska; CAP promotes economic opportunity and environmentally sound mining practices. Ms. Matthias said she also represents CAP on the [State of Alaska Transboundary Working Group]. Recognizing the need to protect and enhance the shared environment, CAP supports dialogue between Alaska and B.C. on development in B.C. along rivers flowing from B.C. to Alaska. The state has sought to deepen the existing levels of communication and cooperation between Alaska and B.C. through outreach to stakeholder groups, which has resulted in a Memorandum of Understanding (MOU) and SOC, which she characterized as "the starting point for greater collaboration between the province and the state, in fact, the technical work has already begun." Ms. Matthias encouraged the committee to request an update from the Department of Environmental Conservation (DEC), the Department of Natural Resources (DNR), and ADFG on this subject, and to obtain comparisons of B.C. and

Alaska [mine] permitting. She stated CAP is not opposed to federal involvement, but questioned whether federal involvement would provide timely or meaningful results, and urged for the committee to amend the resolution to recognize the value of the SOC, the work of the technical group, and the efforts of Lieutenant Governor Mallott to ensure Alaska state regulators have meaningful access to and influence on the regulatory process in B.C.

[5:21:38 PM](#)

GRAHAM NEALE said he is a miner, an educator, and a volunteer who has been involved in resources in Alaska and B.C. for 20 years. As a Canadian, he lives in Southeast Alaska, works in a dynamic industry, and enjoys fishing. He stressed that Canada is generally respected worldwide as a responsible nation; regarding this issue, there exists a working relationship, an open dialogue, and an MOU and SOC between B.C. and Alaska which were culminated in two years. Furthermore, the Minister of Energy and Mines, B.C., Bill Bennett, and some proponents of projects in B.C., have studied modifications and have stated that they care what Alaskans think even though they don't have to. Mr. Neale said members of his family were affected by [the tailings dam failure at] Mount Polley, which caused concern and disgust, however, the response to the event was a stop to work, an investigation, repercussions, and a commitment "to be better, which you can't ask much more from, from your neighboring country." From an historical perspective, he opined the aforementioned response was an improvement over past patterns of mining that were accepted - on both sides of the border - one hundred years ago. Mr. Neale said his most important point is that as a father who hopes to fish with his son, he would not work in an industry or a jurisdiction that would put his values at risk." In response to Representative Birch, he said he would submit his written testimony to the committee.

[5:24:20 PMs](#)

REPRESENTATIVE PARISH observed most of the miners working at two of the five biggest mines in Alaska live in his district, and they work hard for environmental protection. However, he said he is troubled by some of the egregious mistakes made in Canada, such as at the Tulsequah Chief and Mount Polley mines, when compared to practices at Kensington and Greens Creek mines. He directed attention to [a document in the committee packet entitled, "Auditor General's Comments," and dated May 2016].

Representative Parish asked what is being done to strengthen the committee's level of confidence [in Canada's policies].

MR. NEALE said he cannot testify on behalf of a nation or a province; however, early mining practices left legacy concerns from activities that occurred while the industry provided modern conveniences, and before environmental regulations were established. What was learned from Mount Polley is that there are repercussions and a commitment to improve. In response to Co-Chair Tarr, he said he is in favor of the diplomatic policies that are currently in place between Alaska and B.C., and is neutral on HJR 9.

[5:27:10 PM](#)

LAURA STATS said she is representing herself, her family, and extended family members who work in the commercial fishing industry in Southeast Alaska. She opined an Alaskan need not be a fisherman to understand the bounty of salmon, and the marine ecosystem. Residents of Alaska witness returning salmon, seals, sea lions, whales, and other marine life, and in Southeast, residents witness rare sights. A generation ago, Lynn Canal and Chatham Strait were filled with herring, and herring roe was harvested - but no longer. She stressed the importance of stewardship of Alaska's rare and abundant environment, and urged the committee to vote in favor of HJR 9. Due to budget deficits, Alaska is at a crossroad, and it is in Alaskans' best interest to protect the environment and thereby encourage the robust continuation of salmon stocks and the economy.

[5:29:29 PM](#)

GUY ARCHIBALD, Coordinator, Mining and Clean Water, Southeast Alaska Conservation Council (SEACC), said he is an environmental chemist and microbiologist with 20 years of experience. He referred to a 2016 report by Bowker and Chambers [document not provided] and said the report shows that "these very types of modern mines, due to exploiting very low-grade ores and having to go at an economy of scale, actually fail at a higher rate and more catastrophically than smaller, older legacy mines." Further, BC Hydro and Power Authority (BC Hydro), which was built to power certain mines, is \$18 billion in debt, and he posited the Province of B.C. is "betting the bank on these mines being developed and, and going into production." Referring to expert testimony and [a document in the committee packet entitled, "Auditor General's Comments," and dated May 2016], Mr. Archibald opined B.C. was to move away from watered tailings

facilities, but six months after the Mount Polley [tailings dam] disaster, B.C. permitted the Red Chris [mine] tailings facility, which is a watered tailings facility, and the Brucejack [gold mine project] that will store tailings underwater. Other proposed mines, including the Kerr-Sulpherets-Mitchell (KSM), Schaft Creek, and Galore Creek mines, have not changed their plans of operation to move away from watered tailings facilities. Mr. Archibald acknowledged B.C. has modified some of its practices as follows: formed a nonbinding review board to review tailings designs; now requires mines to submit a management plan; now requires mines to give an annual report; created a web site. He closed, expressing concern about the idea that federal involvement might be too little/too late, and pointed out that the KSM mine, proposed to mine the largest ore-body in the world, has a post-closure operating plan covering 200 years. He said, "I think the federal government can have an impact sometime between now and 200 hundred years from now."

[5:33:06 PM](#)

CO-CHAIR JOSEPHSON questioned whether the KSM mine has a 200-year lifespan.

MR. ARCHIBALD explained the operating plan is mining for 52 years, and active water treatment and post-closure activities for 200 years, which is the maximum time-period for the plan's predictive model. The rate of water treatment would be 119,000 gallons per minute discharged into the Unuk River for 200 years. He said he wondered why industry associations are opposed to the tools and expertise federal agencies would provide.

REPRESENTATIVE DRUMMOND asked for an alternative to watered tailings storage.

MR. ARCHIBALD said one alternative is a dry stack as utilized by Greens Creek mine on Admiralty Island. The "technical panel" recommended that safety, and not economics, should be the "driver" behind tailings dam design; currently, tailings dam design is based on three considerations: economics and financial feasibility, environmental impacts, and impacts to society. Although water did not cause the dam failure at Mount Polley, the water mobilized the tailings, thus more damage was caused than if the tailings were dry stacked.

[5:36:06 PM](#)

DEANTHA CROCKETT, Executive Director, Alaska Miners Association (AMA), informed the committee AMA is the professional trade association for Alaska's mineral industry, mines large and small, and has branches in eight locations statewide. She directed attention to a letter in the committee packet from AMA dated 3/15/17, which addressed "the first version" of HJR 9, and that noted the collaboration between the state and B.C. led to the MOU and SOC agreed upon by the two governments, and to the beginning of technical work to further collaboration. At the time of the letter, AMA suggested the resolution reflect the aforementioned advancements by which to address any concerns regarding transboundary mining. However, HJR 9, Version B, includes new language insisting on federal government intervention, in addition to the ongoing collaboration. Ms. Crockett expressed surprise that the legislature would be requesting federal overreach into the management of Alaska's natural resources, and the regulatory management of its resources. Instead, she said, the legislature should support Alaska's collaboration and the regulatory mission of state agencies, and thereby avoid compromising the formalized collaboration. Results from collaboration by Lieutenant Governor Mallott and B.C. officials include the state's participation on the mining review committee for the Brucejack and KSM projects, and demonstrates that the two governments are working to address common interests and to protect waters and fisheries. Ms. Crockett concluded that asking for federal involvement is unnecessary and cedes Alaska's authority to manage its resources to the federal government.

[5:38:25 PM](#)

CO-CHAIR JOSEPHSON, after ascertaining no one else wished to testify, closed public testimony, and before the committee was CSHJR 9(FSH).

REPRESENTATIVE PARISH expressed his support for the resolution and opined the resolution does not undercut the efforts of Lieutenant Governor Mallott, nor of the State of Alaska Transboundary Working Group. Returning attention to a document [in the committee packet entitled, "Auditor General's Comments," and dated May 2016], that revealed B.C. regulatory failures such as the catastrophe at Mount Polley and the ongoing contamination of salmon waters by the Tulsequah Chief mine, he said Alaska has stringent expectations of its mines, and its expectations are met because of robust regulatory authority. Representative Parish cautioned that lower bonding, lower expectations, and lax

enforcement from Alaska's Canadian neighbors puts Alaska fisheries at risk.

REPRESENTATIVE BIRCH urged the committee to recognize that government officials from Alaska and B.C. are working closely together toward resolving the issues under discussion; furthermore, Alaska and B.C. share a large economic component in a successful river system. He said he agreed with previous testimony from those expressing concern about inviting the federal government to take the lead in the management of Alaska's resources.

REPRESENTATIVE JOHNSON asked if there are any rivers flowing from Alaska into Canada that would be affected by transboundary issues.

CO-CHAIR JOSEPHSON said no.

CO-CHAIR TARR expressed her support for the resolution, which she characterized as a preventative measure. She agreed that the resolution would not detract from ongoing collaboration, and pointed out the only legally binding agreement between Alaska and B.C. must come from the federal governments.

REPRESENTATIVE DRUMMOND expressed her support for the resolution.

[5:44:25 PM](#)

REPRESENTATIVE JOHNSON directed attention to the resolution on page 2, lines 15-17, which read:

WHEREAS the federal-provincial environmental assessment process does not address the long-term, cumulative effects of industrial development in the transboundary region; and

REPRESENTATIVE JOHNSON asked for more information on "the federal-provincial environmental assessment process."

[5:45:46 PM](#)

JILL WEITZ, spokesperson, Salmon Beyond Borders, explained in 2012, the Harper Administration [Stephen Harper, Prime Minister of Canada from 2/6/06 to 11/4/15] removed a stipulation within Canada's environmental assessment process that suggested a

project leaving its jurisdictional boundaries would require a federal environmental assessment.

REPRESENTATIVE JOHNSON asked for a reference to said assessment process.

MS. WEITZ said she believed the relevant reference is to section 36 of the Canadian Environmental Assessment Act; section 36 was removed from the Act during the Harper Administration.

REPRESENTATIVE JOHNSON directed attention to the resolution on page 2, lines 5-9, which read:

WHEREAS the proposed mines would generate billions of tons of acid-generating tailings, which would be held behind huge dams and could pose the threat of acid rock drainage for centuries, if not in perpetuity; and WHEREAS the tailings would need monitoring, maintenance, water treatment, and possible remediation for centuries, if not in perpetuity; and

REPRESENTATIVE JOHNSON asked whether the mine plans are on file. In response to a request to clarify her question, Representative Johnson remarked:

So, it's the State of Alaska making a statement saying that ... [the mines] would generate billions of tons of acid-generating tailings, ... and I'm wondering where the facts come from.

[5:50:25 PM](#)

MS. WEITZ confirmed that the projects have plans that have been reviewed by the Department of Natural Resources (DNR) - as well as independent scientists - regarding the permitting review process and mines in operation.

CO-CHAIR JOSEPHSON inquired as to whether Ms. Weitz can attest to have reviewed evidence supporting the resolution on page 2, lines 5-7, and that many mines would generate billions of tons of acid-generating tailings.

MS. WEITZ said yes.

CO-CHAIR JOSEPHSON understood it is "well-known" that a large-scale, open-pit mine poses some threat of acid-rock drainage and

must be monitored for a long period of time, which is acknowledged in mine operating plans.

MS. WEITZ advised every mining plan is different and thus she would not generalize. Mining plans identify mine life and the proposed water treatment; for example, the KSM Project has projected 200 years of water treatment.

REPRESENTATIVE JOHNSON remarked:

... I have to be aware that what we expect from upstream in Canada we should be very much prepared to do upstream ... in Alaska as far as any drainage. ... I understand ... this is just a resolution, but I think it's important to remember it's a statement that, that is ... still action of the legislature. ... It seems like, a little bit like hyperbole when we say, when we start talking about what could happen. We know a lot of things could happen.

REPRESENTATIVE JOHNSON asked Representative Ortiz if Alaska would want the resolution applied to it as well [as to Canada].

[5:53:55 PM](#)

REPRESENTATIVE ORTIZ said absolutely. He agreed that international water treaties and agreements work both ways, and potential cooperation leading to agreements between the governments of Canada and the U.S. would be binding, which is commonly accepted.

REPRESENTATIVE JOHNSON directed attention to the resolution on page 1, lines 12 and 13, which read:

WHEREAS large-scale mining in British Columbia is experiencing unprecedented and rapid expansion within the Taku, Stikine, and Unuk watersheds; and

REPRESENTATIVE JOHNSON questioned whether the foregoing statement is true.

REPRESENTATIVE ORTIZ said the mines are now being proposed in large numbers, and they are big mines that did not exist before. The specific purpose of building [BC Hydro] is to provide energy to the new mines, and he said, "On the Canadian side, they're at this point now where they see it's to their benefit economically to develop, to develop these mines now" In further

response to Representative Johnson, he stressed the resolution addresses proposed mines that would potentially affect the Taku, Stikine, and Unuk watersheds.

There followed a brief discussion on the character of resolutions in general.

REPRESENTATIVE PARISH clarified that a few rivers in the Arctic National Wildlife Refuge flow northeast, but they are outside the scope of HJR 9.

[5:58:30 PM](#)

CO-CHAIR TARR moved to report [CSHJR 9(FSH)] out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, CSHJR 9(FHS) was reported from the House Resources Standing Committee.

[5:58:47 PM](#)

The committee took an at-ease from 5:58 p.m. to 6:01 p.m.

HB 211-NONRESIDENT HUNTING REQUIREMENTS: CARIBOU

[6:01:52 PM](#)

CO-CHAIR JOSEPHSON announced that the next order of business would be HOUSE BILL NO. 211, "An Act requiring a nonresident to be accompanied by a guide or resident spouse or relative when hunting certain caribou; and providing for an effective date."

[6:02:21 PM](#)

REPRESENTATIVE WESTLAKE, speaking as the sponsor of HB 211, informed the committee the bill is about more than game management unit (GMU) 23, but addresses the migrating caribou herds - wherever they traverse - to perpetuate the health of the herds. He paraphrased from the sponsor statement as follows:

House Bill 211 affords Alaskans an opportunity to harvest vital subsistence resources while allowing nonresident hunters, without a second degree of kin, to hunt through requiring a licensed professional guide in order to take a caribou any of these four arctic herds: Western Arctic, Central Arctic, Porcupine, and Teshekpuk.

The Central Arctic Herd population has fallen by 69% since 2010 while the Western Arctic Herd has decreased by 41% since 2003. With no definitive cause yet determined for the population decline, now more than ever is the time to take extra precaution when managing these herds, which are a vital resource that many rural communities depend on for subsistence.

Recently, game management unit 23 has experienced over-harvesting issues and hunting has been federally closed to anyone that does not reside in the area. It is my hope that by requiring nonresident hunters to be accompanied by a licensed guide who is familiar with the areas and migration patterns of these magnificent herds, the need for game unit closures similar to the one in 23 will be prevented.

REPRESENTATIVE WESTLAKE advised brown bear, sheep, and goat all have guide requirements because of the inherent dangers of hunting, and the need for guide requirements for caribou is sought to avoid conflicts with local residents, the need for hunters to be familiar with the territory, and respect for the resource. Furthermore, guides would have a vested interest to not disrupt caribou migration patterns. He advised that subsequent to the closure of GMU 23 - due to the decline in caribou - the subsistence harvest, the resident harvest, and the guided resident harvest declined; however, the nonresident unguided - or transporter - harvest increased. Representative Westlake pointed out that in Canada, the Porcupine Caribou Herd is managed with guide requirements for nonresidents, and HB 211 would bring Alaska's caribou regulations "just in line [with Canada] and looking at a successful model." He concluded the bill is a vision for the last great herd in America.

REPRESENTATIVE BIRCH asked for information related to caribou herd population decline, herd management, and statistics.

[6:08:02 PM](#)

BRUCE DALE, director, Division of Wildlife Conservation, Alaska Department of Fish & Game, said the herds represented in HB 211 have mixed histories. The Western Arctic Herd has declined from 500,000 to 200,000 due to a combination of factors including nutrition, weather, and age structure, and at the current rate will further decline substantially; however, in the last two years there have been good signs such as good calf cohorts [groups], good body condition, and better pregnancy rates. He

said ADFG has concerns about both the herd and the local residents. In its last major decline, the Western Arctic Herd declined to about 75,000; in fact, in the early '70s there were 250,000 caribou in the state, and now there are about 750,000.

REPRESENTATIVE BIRCH recalled there was a wanton waste issue in the region at one time; he asked for the level of hunting pressure on the caribou, in general.

MR. DALE stated hunting did not cause the caribou decline. With the population now at 200,000, hunting needs to be restricted through actions by the Board of Game, ADFG, and the Federal Subsistence Board, U.S. Department of the Interior. He said "... on the other extreme, the Porcupine herd is at 200,000 caribou and it's as big as it has ever been. East of that, in Canada, herds have declined catastrophically." [ADFG] is also investigating the declines of the Central Arctic and Teshekpuk herds. In further response to Representative Birch, Mr. Dale explained calving occurs in the north and northwest, and herds migrate to the south to spend winter in the boreal forest.

[6:12:06 PM](#)

REPRESENTATIVE PARISH asked for the potential ecological and economic impacts of the bill.

MR. DALE advised the ecological impact would be very small because the nonresident harvest is a small component for most of the herds. He was unsure of the economic impact, but he estimated that 80 percent of nonresidents hunt without guides, thus the bill may cause a reduction in the number of nonresident harvests; as a result of the federal closure, the number is zero.

REPRESENTATIVE PARISH concluded there would be a decrease in the overall number of nonresident hunters, and an increase in the number of guided hunts.

MR. DALE agreed, but said the degree of decrease/increase is unknown.

[6:14:19 PM](#)

REGGIE JOULE stated his support for HB 211, and said the bill addresses several issues, such as a declining herd and many user conflicts in certain areas. Mr. Joule opined relegating out-of-state hunters to guided hunts would have a small impact, but

would make a difference. He suggested the subject of transporters before the [Big Game Commercial Services Board, Department of Commerce, Community & Economic Development] is a larger and difficult issue, but a close look reveals that [funding] resources are needed to manage [natural] resources. He remarked:

Currently, the situation is, at least in the Western Arctic Caribou Herd, local residents were allowed to hunt fifteen a day, every day of the year - fifteen caribou - we're down to five. Now, we make that work. And, there were no closed seasons at one point in time, and now we have closed seasons for both bulls and cows at various times of the year, when it's appropriate. And people are making that work: everybody is giving in a little bit here. And the local residents certainly understand that.

MR. JOULE, as an aside, observed predators - wolves and bears - are out of control. He concluded that HB 211 would impact the local economy, but Alaska residents would be able to use transporters and provide for their families. In response to Representative Birch, he said his experience is that the population of the herd has declined to a combination of factors: predators are more successful in years of low snow, and hunters are responsible for taking less than 30,000 out of a herd of 250,000. Therefore, all [conservation] measures should be carefully considered.

[6:20:38 PM](#)

PAUL (CHRIS) MCKEE, Supervisor, Wildlife Division, Office of Subsistence Management, Fish and Wildlife Service, U.S. Department of the Interior, informed the committee the Federal Subsistence Board closed GMU 23 to non-federally qualified users from [7/1/16 to 6/30/17], and has received a special action request submitted by the Northwest Arctic Subsistence Regional Advisory Council, Federal Subsistence Management Program, U.S. Department of the Interior, seeking another closure for the upcoming year. If approved, GMU 23 would remain closed from 7/1/17 to 6/30/18. He said his staff is responsible for writing the analysis of the request for closure, but he was unsure how the board would rule, and expressed his intent to provide the analysis in a timely manner so that the board can issue its decision prior to hunting season. Also, the North Slope Subsistence Regional Advisory Council, Federal Subsistence Management Program, U.S. Department of the Interior, submitted a

special action request to close caribou hunting in GMUs 26A and 26B to non-federally qualified users as well. If both requests are approved, all of GMU 23 and all of GMUs 26A and 26B would be closed to non-federally qualified users, including nonresidents and nonrural Alaska residents. Mr. McKee added that a U.S. Department of the Interior interagency group meeting will be held [4/17/17], attended by representatives of the Federal Subsistence Management Program, the National Park Service, the Bureau of Land Management, the Bureau of Indian Affairs, and the U.S. Fish and Wildlife Service, and also attended by representatives from ADFG, all of whom will seek ways to avoid unit-wide closures. He expressed hope that participants can "come up with some options that can avoid, you know, having all of unit 23 closed out, so that's kind of where we're at, currently, on the federal side."

6:25:08 PM

CO-CHAIR JOSEPHSON opened public testimony.

6:25:23 PM

AL BARRETTE said mandatory guiding is not, and should not be, a tool used to limit nonresident hunting opportunities. He stressed that this purpose is not the intent - or the reason - mandatory guiding is in statute. He directed attention to the bill on page 1, line 1, which read [in part]:

"An Act requiring a nonresident to be accompanied by a guide or resident spouse or relative when hunting
...."

MR. BARRETTE opined "spouse or relative" should read, "a second degree of kindred," which is defined in statute. He then directed attention to page 1, lines 12-14 which read [in part]:

... misdemeanor and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than \$5,000, or by both.

MR. BARRETT urged for this language in the bill to comport with proposed HB 129 or proposed SB 60. Lastly, he directed attention to page 2, lines 9-12 which read:

(g) In addition to the animals listed under (a) of this section, it is unlawful for a nonresident to hunt, pursue, or take caribou from the Porcupine,

Central Arctic, or Western Arctic caribou herds unless the nonresident is accompanied by a person who is qualified under the terms of (a) of this section.

MR. BARRETT pointed out the bill stipulates the Porcupine, Central Arctic, and Western Arctic caribou herds and he questioned how - for enforcement purposes - one would distinguish a Teshekpuk caribou from a Western Arctic caribou or others as the Teshekpuk herd lies in between the Western Arctic and [Central Arctic] herds.

[6:27:54 PM](#)

MARK RICHARDS, Executive Director, Resident Hunters of Alaska, referred to written testimony from Resident Hunters of Alaska dated [4/10/17] in opposition to HB 211 [document not provided]. He said Resident Hunters of Alaska believes only the legislature should have the authority to add to the list of species that must be guided under AS 16.05.407 and AS 16.05.408. Mr. Richards informed the committee the Board of Game (BOG), Alaska Department of Fish & Game, without legislative approval, has added moose and black bear to the list of "must be guided species" in some areas. This action in the Interior has restricted resident opportunities for the purpose of guaranteeing an allocation to guides. As has been previously stated, all nonlocal federally qualified subsistence hunters have been prohibited from hunting the Western Arctic Herd on federal lands in GMU 23, including all nonresidents and all Alaskans who do not live in the region. At the recent BOG meeting in Fairbanks, the board severely reduced seasons and bag limits in the Central Arctic Herd, for both residents and nonresidents, which came about "via" a Resident Hunters of Alaska proposal. Further, under consideration is a federal wildlife special action request to restrict all nonlocal federally qualified subsistence hunters from hunting the Central Arctic Herd on federal land. Mr. Richards stated:

If the intent of this bill is to reduce nonresident harvest when caribou herds are in steep decline, that is something Resident Hunters of Alaska agrees with and has already been proposing to the Board of Game: That in all cases, if and when any wildlife population is in decline, and [residents'] needs and opportunity are going to be restricted, we should first reduce or eliminate all nonresident hunting opportunities. Those are functions of the Board of Game, which the legislature has given authority to deal with these

matters. Requiring nonresidents ... to hire a guide to hunt these herds, however, in order to reduce nonresident harvest, is in no way a solution to less nonresident hunting and harvest. What this bill would do is create a new subsidy to guides, that wasn't there before, and we can't use the current percentages of unguided versus guided caribou hunters on the North Slope, and say that those percentages would remain the same should this bill pass.

[6:31:11 PM](#)

REPRESENTATIVE PARISH was unclear how the bill would result in a new subsidy for guides, although he agreed it would result in an increase in guided hunts. He asked whether Mr. Richards expected the bill would result in a reduction to the allocation for Alaska residents.

MR. RICHARDS answered the allocation is a function of BOG, and there are examples of BOG actions that have added new must-be-guided species resulting in restrictions on residents, "because the board is then beholden to provide that allocation." He provided an analogy. Mr. Richards clarified that a guaranteed client base is the subsidy. In further response to Representative Parish, he said not all contracting guides are Alaskans, and a larger percentage of assistant guides are nonresidents.

[6:33:19 PM](#)

JAKE JACOBSON stated he lives in Kodiak and Kotzebue, and is representing himself and his Alaskan family members. Mr. Jacobson said he has hunted and eaten caribou from the Western Arctic Herd for 50 years and has guided in the region for 45 years. In the '70s and '80s he worked for ADFG, when there was a focus on caribou in GMUs 23 and 26. In 1972, the population of the Western Arctic Herd was estimated at 242,000, and ADFG was concerned that the herd would overgraze and then decline; therefore, the department closed areas on the North Slope and elsewhere, and compared grazed tundra with un-grazed tundra. He said botanists noticed no difference, and there was no great threat of overgrazing with a herd size at 242,000. However, ADFG remained concerned and opened the hunting season with no limits, and allowed [hunted] caribou to be sold - and many were - at \$35 per carcass. Mr. Jacobson said the herd is now over 200,000, the harvest is estimated at 12,000-15,000 for local subsistence users, and at 500-600 for nonlocals - those being

transported and guided hunts. The harvest records for the transported and guided hunts are accurate, and estimated for local harvest, he added. Mr. Jacobson spoke in favor of the bill and agreed that the language "relative" should be clearly defined as "second degree of kindred." Furthermore, the bill would reduce and defuse user conflicts in GMU 23, and would restore resident access to caribou hunted in GMU 23, provided the federal subsistence board does not continue to prevent all but local subsistence users access to the herd. He urged for the passage of HB 211.

[6:36:41 PM](#)

CO-CHAIR JOSEPHSON, after ascertaining no one further wished to testify, closed public testimony.

[HB 211 was held over.]

[6:37:09 PM](#)

CO-CHAIR JOSEPHSON passed the gavel to Co-Chair Tarr.

HB 177-AQUATIC INVASIVE SPECIES

[6:37:29 PM](#)

CO-CHAIR TARR announced that the next order of business would be HOUSE BILL NO. 177, "An Act relating to the response to, and control of, aquatic invasive species; establishing the aquatic invasive species response fund; and relating to the provision of information about aquatic invasive species to users of the Alaska marine highway system."

CO-CHAIR TARR said public testimony was opened [during the hearing of HB 177 on 4/7/17] and remained open.

[6:38:02 PM](#)

TIM STALLARD, Chairperson, Alaska Committee for Noxious and Invasive Pest Management (CMPM), which is the professional association for the study and management of invasive species in Alaska, expressed CMPM's support of HB 177. Mr. Stallard informed the committee invasive species are defined as those that cause harm to natural resources, health, and economic value; in fact, across the U.S. invasive species cause the loss of hundreds of billions of dollars each year in crop losses, damage, and ecological harm. Alaska's low population and

extreme climate have slowed the arrival and establishment of invasive species, but the state needs to be prepared to take rapid action when necessary, in a manner similar to the prevention of, and quick response to, wildfires. The intent of the bill is to allow the Alaska Department of Fish & Game (ADFG), the Department of Natural Resources (DNR), and other state agencies to respond quickly to the presence of invasive species. Mr. Stallard pointed out additional invasive species vectors should be addressed in statute and regulation, such as watercraft arriving via land borders, marine ports, aircraft, and imported material and equipment with access to Alaska waterbodies. Additional issues are the release of pets, aquarium dumping, illegal stocking, and the instate movement of boats and equipment. Further, CPM seeks to ensure state agencies hold authority to write effective regulations related to aquatic invasive species. He expressed concern that the Division of Agriculture, DNR, is over five years behind updating its regulations regarding "the noxious weeds list." Mr. Stallard closed, noting that Alaskans rely on the state's natural resources for food, work, and fun, and invasive species threaten the Alaska way of life. He urged for passage of HB 177 this session.

[6:42:05 PM](#)

ARTHUR KEYES, director, Division of Agriculture, Department of Natural Resources, said the noxious weed regulations "are just one of many of the regulations that we have on our plate to update." He said the division is looking to have progress on updating regulations this year.

REPRESENTATIVE PARISH asked for an approximate number of trailers and vessels coming into the state annually.

[6:44:24 PM](#)

MICHAEL NEUSSL, deputy commissioner, Office of the Commissioner, Alaska Marine Highway System (AMHS), Department of Transportation & Public Facilities (DOTPF) directed attention to a written response [in the committee packet dated 4/10/17] that included information on traffic volumes entering the state from Bellingham, Washington and Prince Rupert, British Columbia. He said the traffic volumes include vehicles other than boats. The definition of boat or watercraft is nebulous and may include kayaks, canoes, and personal watercraft carried on vehicles that are not tracked individually.

CO-CHAIR TARR reported from the aforementioned written response: From Prince Rupert, 77 port calls and 2,753 vehicles embarked; from Bellingham, 68 port calls and 5,689 vehicles embarked.

MR. NEUSSL added AMHS does track nonmotorized vehicles embarking with walk-on passengers such as bicycles, kayaks, and canoes; the total number systemwide was 1,755 for nonmotorized forms of transportation.

REPRESENTATIVE PARISH reasoned from the provided response that .3 percent of 8,000 vehicles embarked would be about 240 trailers entering the state from Prince Rupert and Bellingham during fiscal year 2015.

MR. NEUSSL clarified the definition of trailers includes trailers not carrying boats. In further to Representative Parish, he expressed his belief that DOTPF does not have information on the number of boats entering the state on roads.

[6:48:00 PM](#)

CO-CHAIR TARR closed public testimony. Before the committee was HB 177.

[6:48:07 PM](#)

CO-CHAIR TARR moved to adopt Amendment 1 which read:

Page 1, line 3:

Delete "users of the Alaska marine highway system"

Insert: "certain persons registering or transporting boats"

Page 1, following line 4

Insert a new bill section to read:

"*Section 1. AS 05.25.055 is amended by adding a new subsection to read:

(j) To the extent possible, the Department of Administration shall ensure that a person who registers a boat under this section is provided with any information relating to aquatic invasive species that has been published in pamphlet form by the Department of Natural Resources or the Department of Fish and Game."

Page 1, line 5:

Delete "**Section 1**
Insert "**Sec. 2**

[6:48:17 PM](#)

CO-CHAIR JOSEPHSON objected for discussion purposes.

CO-CHAIR TARR restated the bill is creating infrastructure for a rapid response fund to prevent delays in the state's response to the presence of invasive species. Because prevention is less expensive than treatment, Amendment 1 expands the dissemination of prevention information to include not only persons transporting boats via AMHS, but through the Department of Administration, and thereby the Division of Motor Vehicles, to those registering a boat in the state. As an aside, she said floatplanes are regulated by the Federal Aviation Administration, U. S. Department of Transportation.

CO-CHAIR JOSEPHSON asked whether AMHS is still required to educate and inform.

CO-CHAIR TARR said yes; individuals traveling on AMHS would receive information, and individuals registering a boat would receive information from the Division of Motor Vehicles.

[6:52:03 PM](#)

CO-CHAIR JOSEPHSON withdrew his objection.

[6:52:11 PM](#)

REPRESENTATIVE DRUMMOND objected. She asked where the bill directs AMHS to provide information to passengers with boats.

CO-CHAIR TARR directed attention to the bill on page 3, lines 4-10, which read:

***Sec. 2.** AS 19.65 is amended by adding a new section to read:

Sec. 19.65.033. Provision of information relating to aquatic invasive species. To the extent possible, the commissioner of transportation and public facilities shall ensure that a person who purchases a ticket for vehicle deck space on a ferry for the purpose of transporting a vessel into the state is provided with any information relating to aquatic invasive species that has been published in

pamphlet form by the Department of Natural Resources or the Alaska Department of Fish & Game.

[6:52:43 PM](#)

REPRESENTATIVE DRUMMOND removed her objection. There being no further objection, Amendment 1 was adopted.

REPRESENTATIVE PARISH directed attention to [the bill on page 1, line 14, and page 2, lines 1 and 2] which read [in part]:

response to, and management of, an aquatic invasive species under (a) of this section shall be given priority over activities regulated by the department in the area where an incipient population of an aquatic invasive species is being targeted.

REPRESENTATIVE PARISH questioned whether "given priority over activities regulated by the department," for an invasive population that could not be eradicated in a reasonable period, would override other vital activities of the department.

[6:54:12 PM](#)

TAMMY DAVIS, Invasive Species Coordinator, Alaska Department of Fish & Game, in response to Representative Parish after he restated his question, said, "When I read that statement, I would believe that responding to that introduced population would be the number one priority."

CO-CHAIR TARR pointed out the purpose of the bill is to enable rapid response and thus is supposed to create the infrastructure necessary [for ADFG] to immediately respond. Otherwise, an "expensive regulatory process" must be followed.

REPRESENTATIVE PARISH gave the example of Sitka, which has a severe [Didemnum vexillum (Dvex)] problem, and stated his concern that the bill would direct ADFG to move resources away from other critical activities. He asked Ms. Davis whether the bill would change the way ADFG has been managing the incipient aquatic invasive population of Dvex in Sitka.

MS. DAVIS said she is a biologist, "more so than a policy person." She explained the "Dvex efforts" in Sitka thus far have not taken from other management priorities of ADFG; however, the department requested that boaters avoid Whiting Harbor because of the invasive species, although it does not

have enforcement authority. She said Representative Parish has asked a policy question, and she was not comfortable responding to how the proposed statute would be interpreted.

7:00:50 PM

REPRESENTATIVE PARISH proposed [a conceptual amendment] deleting the language "over activities regulated by the department in the area," and thereby the intent would remain that priority is given where an incipient population of an aquatic invasive species is being targeted.

CO-CHAIR TARR restated the intent of the bill is to enable ADFG to legally prioritize management of an aquatic invasive species outbreak, because the department has other statutorily-mandated obligations. She expressed her understanding ADFG seeks the ability to separate its responsibilities in order to prioritize managing an outbreak and take immediate action. Co-Chair Tarr opined ADFG would not want said language deleted.

REPRESENTATIVE PARISH suggested changing "shall" [on page 2, line 1] to "may."

CO-CHAIR TARR said she would not support the change because it would change the intent of the bill.

REPRESENTATIVE PARISH related he has received reassurance from ADFG that the abovementioned language in the bill "is more of an intent statement, and not one that would prevent them from accomplishing other high priority activities," and said his fears are assuaged on that point. He then directed attention to page 2, lines 16-18 which read [in part]:

... the department shall respond in a manner determined to cause the least harm to noninvasive fish populations that are used for recreational, personal use, commercial, or subsistence purposes.

REPRESENTATIVE PARISH observed often the manner that causes the least harm is the most expensive.

CO-CHAIR TARR noted that the fund created by the bill is not funded at this time, but should there be an aquatic invasive species outbreak, there would be "a place for the money to go." She expressed her preference for the use of mechanical - over chemical - means of managing an invasive species. In transportation corridors pesticides are less expensive than

mechanical control methods, and the language in the bill gives the department flexibility.

[7:05:29 PM](#)

REPRESENTATIVE PARISH gave an example of an elodea outbreak in which an herbicide is deemed the most effective means for eradication, but would be more harmful than a mechanical approach. He opined the bill would mandate the use of a mechanical method and thus provide only an "incomplete solution."

CO-CHAIR TARR said the alternative selected would not provide an incomplete solution because the goal is eradication of an aquatic invasive species; however, there are concerns about using chemicals in freshwater lakes and streams to control northern pike, and she wants the bill to minimize the potential for harm.

REPRESENTATIVE PARISH is also opposed to poison in lakes and suggested the bill should direct "minimal total ecological impact."

[7:07:26 PM](#)

The committee took a brief at-ease.

[7:08:03 PM](#)

HB 177 was held over.

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 7:08 p.m.