

**ALASKA STATE LEGISLATURE  
HOUSE RESOURCES STANDING COMMITTEE**

January 22, 2024

1:04 p.m.

**MEMBERS PRESENT**

Representative Tom McKay, Chair  
Representative George Rauscher, Vice Chair  
Representative Thomas Baker  
Representative Kevin McCabe  
Representative Dan Saddler  
Representative Stanley Wright  
Representative Jennie Armstrong  
Representative Donna Mears  
Representative Maxine Dibert

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 169

"An Act relating to certain fish; and establishing a fisheries rehabilitation permit."

- MOVED CSHB 169(FSH) OUT OF COMMITTEE

HOUSE BILL NO. 177

"An Act relating to critical and essential minerals and the global energy transition."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 169

SHORT TITLE: FISHERIES REHABILITATION PERMIT/PROJECT

SPONSOR(S): REPRESENTATIVE(S) CRONK

04/24/23	(H)	READ THE FIRST TIME - REFERRALS
04/24/23	(H)	FSH, RES
04/25/23	(H)	FSH AT 10:00 AM GRUENBERG 120
04/25/23	(H)	-- MEETING CANCELED --
04/27/23	(H)	FSH AT 10:00 AM GRUENBERG 120
04/27/23	(H)	Heard & Held

04/27/23 (H) MINUTE (FSH)  
05/08/23 (H) RES WAIVED PUBLIC HEARING NOTICE, RULE  
23 (A)  
05/08/23 (H) FSH AT 9:00 AM GRUENBERG 120  
05/08/23 (H) Moved CSHB 169 (FSH) Out of Committee  
05/08/23 (H) MINUTE (FSH)  
05/09/23 (H) FSH RPT CS (FSH) 5DP 1NR  
05/09/23 (H) DP: MCCABE, STUTES, MCCORMICK,  
CARPENTER, VANCE  
05/09/23 (H) NR: HIMSCHOOT  
05/10/23 (H) RES AT 1:00 PM BARNES 124  
05/10/23 (H) -- MEETING CANCELED --  
05/12/23 (H) RES AT 1:00 PM BARNES 124  
05/12/23 (H) -- MEETING CANCELED --  
01/17/24 (H) RES AT 1:00 PM BARNES 124  
01/17/24 (H) Heard & Held  
01/17/24 (H) MINUTE (RES)  
01/22/24 (H) RES AT 1:00 PM BARNES 124

BILL: HB 177

SHORT TITLE: CRITICAL NATURAL MINERALS PLAN AND REPORT  
SPONSOR (S): REPRESENTATIVE (S) SADDLER

04/24/23 (H) READ THE FIRST TIME - REFERRALS  
04/24/23 (H) RES, FIN  
01/17/24 (H) RES AT 1:00 PM BARNES 124  
01/17/24 (H) Heard & Held  
01/17/24 (H) MINUTE (RES)  
01/22/24 (H) RES AT 1:00 PM BARNES 124

**WITNESS REGISTER**

GALE VICK, representing self  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified to hold CSHB 169 (FSH) because it  
could make the decline worse.

EVA BURK, Member  
Yukon River Inter-Tribal Fish Commission  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified to hold CSHB 169 (FSH) until  
further consideration.

NANCY HILLSTRAND, representing self  
Seldovia, Alaska

**POSITION STATEMENT:** Testified to wait until the science is  
available for the passage of CSHB 169 (FSH).

REPRESENTATIVE MIKE CRONK  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** As prime sponsor, presented CSHB 169(FSH).

DAVE STANCLIFF, Staff  
Representative Mike Cronk  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions and offered information during the hearing on CSHB 169 (FSH) on behalf of Representative Cronk, prime sponsor.

#### **ACTION NARRATIVE**

[1:04:32 PM](#)

**CHAIR TOM MCKAY** called the House Resources Standing Committee meeting to order at 1:04 p.m. Representatives McCabe, Baker, Rauscher, Saddler, Wright, Armstrong, Mears, Dibert, and McKay were present at the call to order.

#### **HB 169-FISHERIES REHABILITATION PERMIT/PROJECT**

[1:05:30 PM](#)

CHAIR MCKAY announced that the first order of business would be HOUSE BILL NO. 169, "An Act relating to certain fish; and establishing a fisheries rehabilitation permit." [Before the committee was CSHB 169(FSH).]

[1:06:04 PM](#)

CHAIR MCKAY opened public testimony on CSHB 169(FSH).

[1:06:42 PM](#)

GALE VICK, representing self, provided her background in fisheries and urged the committee to table HB 169 for further consideration due to lack of monitoring, population collapse, and/or disease. She said there are obstacles to finding brood stock [fish] and the math doesn't add up. She said there is data that suggests there are too many salmon in the North Pacific competing for forage.

[1:09:55 PM](#)

EVA BURK, Member, Yukon River Inter-Tribal Fish Commission expressed concern that if [fisheries biologists] are not meeting escapement goals then there won't be enough harvestable eggs to fertilize. She called for a Chinook rebuilding plan on the Yukon [River]. She advocated for the best available science to help the problem. She claimed hatchery salmon are threatening the wild stock. She also stated trawling bycatch is an issue that needs to be studied.

[1:12:34 PM](#)

NANCY HILLSTRAND, representing self, testified that HB 169 is well-intentioned but it places wild fish at risk. She advocated to do homework on this issue. She also informed the committee that the Alaska Department of Fish & Game (ADF&G) currently has three stages for restocking salmon. Ms. Hillstrand recommended to wait for the Salmon Resource Task Force results because it will find out why there is a problem.

[1:16:18 PM](#)

CHAIR MCKAY, after ascertaining there was no one else who wished to testify, closed public testimony on CSHB 169(FSH). He then asked Representative Cronk to address some of the questions just heard.

[1:16:45 PM](#)

REPRESENTATIVE CRONK said CSHB 169(FSH) has been eight years in the making for background. He stated that these are not "Frankenfish" or hatchery fish, rather these fish are from in-stream incubation. He continued that there are too many salmon in the ocean but CSHB 169(FSH) does not change the fish genetically and the bill serves to enhance the fishery. He listed off the tribal corporations and agencies that are in support of the bill. He called for a time to do something about the Yukon River subsistence fishery with a permitted process.

[1:19:15 PM](#)

CHAIR MCKAY inquired whether CSHB 169(FSH) addressed only the Yukon River.

[1:19:29 PM](#)

DAVE STANCLIFF, Staff, Representative Mike Cronk, Alaska State Legislature, on behalf of Representative Cronk, prime sponsor of CSHB 169 (FSH), answered that the proposed legislation is not specific to any river system and is an optional piece of legislation.

[1:20:28 PM](#)

REPRESENTATIVE MCCABE stressed the difference between hatchery fish and fish eggs that are incubated from a river and then released in that same river. He asserted a female Coho [salmon] has about 45,000 eggs, at 5 percent, 225 fish hatch, and out-migrate given mortality rates. He maintained the upper limit of 500,000 fish doesn't account for mortality after fertilization. He saw CSHB 169(FSH) as one more way of solving the fish problem.

[1:22:58 PM](#)

REPRESENTATIVE SADDLER asked whether, under CSHB 169)FSH), there would a limit to the number of permits for applicants.

[1:23:11 PM](#)

MR. STANCLIFF replied no, except for the requirements that would be administered by ADF&G.

[1:23:39 PM](#)

REPRESENTATIVE SADDLER queried what mechanism there is for monitoring feedback and timeline to determine if the program is working or not.

[1:24:08 PM](#)

MR. STANCLIFF replied that part of the requirements in this process includes monitoring of any permit issued. He posited that ADF&G would be careful in the selection of who is qualified for a permit. He suggested the legislature should trust the professionals at ADF&G to manage the program.

[1:25:27 PM](#)

REPRESENTATIVE SADDLER asked the bill sponsor what the status quo is and where Alaska is headed if nothing is done, as far as fish stocks.

[1:25:38 PM](#)

REPRESENTATIVE MIKE CRONK, Alaska State Legislature, as prime sponsor of CSHB 169(FSH), explained that subsistence fishing for Chinook on the Yukon hasn't happened for years. He said the forecast is dismal for future fishing. He noted that the summer Chum fishery happened but not the fall fishery last year. He believed the fisheries will not return by nature and the state needs to manage the fisheries under its constitution. He also envisioned local knowledge from tribes to assist in management of the fisheries to be successful. He maintained CSHB 169(FSH) is a natural way to enhance fisheries as opposed to commercial fish hatcheries. He professed CSHB 169(FSH) is another tool in the toolbox.

[1:27:51 PM](#)

REPRESENTATIVE RAUSCHER inquired about the fiscal note and the requirements of ADF&G.

[1:28:08 PM](#)

MR. STANCLIFF said there was a recommendation to add personnel specifically to oversee the program and he anticipated a forthcoming fiscal note from the House Finance Committee. He added that there is pressure on Canada from Alaska communities to cut down on mining interests and exploration of waters that feed into Southeast Alaska. He informed the committee that Alaska has an agreement with Canada within the Yukon River, and the state needs to fulfill this agreement.

[1:29:44 PM](#)

REPRESENTATIVE RAUSCHER mentioned three of the entities listed are in his district, so he is in support of CSHB 169(FSH).

[1:30:02 PM](#)

REPRESENTATIVE DIBERT explained this is a huge issue for the people in her district who have subsistence fished for millennia. She asked whether CSHB 169(FSH) had been presented to the aforementioned task force in the past eight years.

[1:30:41 PM](#)

REPRESENTATIVE CRONK said he had no knowledge of what the Salmon task force had done. He held that [Alaskans] do not control the

"environmental thing" but do control how many fish can get down the river. He said the salmon returns are too low for the stock to return to normal.

[1:32:07 PM](#)

REPRESENTATIVE DIBERT mentioned that two communities are on that list.

[1:32:22 PM](#)

REPRESENTATIVE MEARS opined that professionals should do their jobs and [CSHB 169(FSH)] would give them the tools to do it.

[1:32:33 PM](#)

REPRESENTATIVE MCCABE opined that people are doing this anyway and it is working. He proposed, as a state, Alaska should give a nod to the regulations.

[1:33:26 PM](#)

REPRESENTATIVE CRONK agreed with Representative McCabe and said he wants the program to be successful. He reiterated that Alaska has failed to meet its treaty obligations with Canada to allow fish to reach their country. Conversely, [Canada] has proposed to build a commercial hatchery on the Yukon River. He maintained that local knowledge is essential for input with this program.

[1:34:52 PM](#)

CHAIR MCKAY said he was reminded by Representative Rauscher that the Alaska Constitution requires a sustainable yield principle with regard to fish and game. He said reducing stocks would violate the constitution.

[1:35:41 PM](#)

REPRESENTATIVE BAKER said it would severely impact the Northwest and North Slope communities in regard to subsistence fishing. He reported that the communities he represents have not yet been affected but global warming, algae blooms, and other factors that could eventually affect the fisheries in his district. He voiced his support for CSHB 169(FSH) as a step in the right direction.

[1:36:29 PM](#)

REPRESENTATIVE DIBERT asked Representative Cronk how Canada feels about fish processing and revitalizing fish.

[1:36:54 PM](#)

REPRESENTATIVE CRONK responded that Canada has reached the extreme of building commercial fish hatcheries to enhance their fish. He provided an example from 2017 when he went to Eagle, Alaska, on the Yukon River, when chum/dog salmon were plentiful, but it's not that way anymore; he insisted upriver has been totally impacted. He imparted that fishermen from Yukon [River communities] now have to fish in other rivers, such as the Copper River which will begin to deplete that fishery as well.

[1:38:29 PM](#)

CHAIR MCKAY said he sensed support from the committee on CSHB 169(FSH) and reminded the committee that the House Special Committee on Fisheries heard the legislation last session and passed it.

[1:39:15 PM](#)

REPRESENTATIVE RAUSCHER moved to report CSHB 169(FSH) out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 169(FSH) was reported out of the House Resources Standing Committee.

[1:39:55 PM](#)

The committee took an at-ease from 1:40 p.m. to 1:43 p.m.

**HB 177-CRITICAL NATURAL MINERALS PLAN AND REPORT**

[1:43:42 PM](#)

CHAIR MCKAY announced that the final order of business would be HOUSE BILL NO. 177, "An Act relating to critical and essential minerals and the global energy transition."

[1:44:07 PM](#)

CHAIR MCKAY opened public testimony on HB 177. After ascertaining no one wished to testify, he closed public testimony.

1:44:21 PM

CHAIR MCKAY announced that HB 177 was held over.

1:45:00 PM

**ADJOURNMENT**

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 1:45 p.m.