

AK LEGISLATURE SPECIAL COMMITTEE FILES SCOMM 147 3189

HB 134



Good morning and thank you for hearing my testimony, I am Nanci Morris Lyon, owner and operator of Katmai Fishing Adventures, a commercial sport fishing operation, vice chair of the Bristol Bay regional subsistence advisory council, board member of the Bristol Bay Chamber of commerce, Board member of the South West Alaska Conservation Coalition, local King Salmon resident, subsistence user and concerned citizen. I would like to speak on my own behalf in favor of the Wild Salmon Protection Act.

The Wild Salmon Protection Act would protect Alaska's greatest fishery resources by prohibiting the withdrawal, obstruction, pumping, or pollution of surface water in any Bristol Bay drainages that support our numerous, pristine, trophy fisheries. These fisheries have become known world wide for the legendary sport fish opportunities they offer to residents and visitors a like. The recent study funded by Trout Unlimited showed that our recreational and commercial fisheries have a multimillion dollar value. That value is a sustainable resource value, something that I like to call the gift that keeps on giving. The information it contained even surprised most of us locals. Quite frankly I'm not sure we were giving enough value to our fishery before this study was published.

This legislation also prohibits the destruction of salmon habitat, creates a fining schedule for violating these protections, and protects existing water uses including the historic uses we have enjoyed for more years than we can count. I think that it will be a positive step in the right direction to insure that anybody coming into our back yard to remove a non-sustainable resource, be held accountable. Most of the resource development I have heard about plans to leave very little in the area to support us financially after they leave or with promises of the ability to feed our families in future years. Because of that I find it extremely important that we offer protection to the resources that have been our past, present and I hope will be our future, the out standing fisheries and clean environment.

I would like to add that it is not my purpose nor do I believe that it is this Bill's purpose to preclude development in Bristol Bay. We need economic development and help for our villages on the Alaska Peninsula. I firmly believe that the purpose of this bill is to create standards of protection for the fisheries and environment in Bristol Bay! Something that has

been recognized in the past and I feel that it is again warranted the highest priority to ensure future use of our precious resources.

There is currently tremendous growth in the Bristol Bay commercial sport fishery. We are seeing more Native Corporations and area Villages taking advantage of the opportunities available from owning and operating lodges to offering support services for visitors to our area. Our local Southwest Alaska Vocational and Educational Center here in King Salmon in conjunction with UAF just completed freshwater and saltwater Coast Guard Licensing Classes. They had 10 students in the Freshwater class of which 7 were Alaskan Natives. They have held these courses successfully for the past several years. In addition, last year they offered a class on sport fish guiding, graduating a total of 10 students of which over half were Alaskan natives. These classes were all fully funded from BBEDC, a TRIO grant and UAF itself, so the cost was not a factor. My operation hired one of last year's graduates and we were looking for 2 others, but none of the students were available, they all had commitments. The class is scheduled to be held again this year and we will again be looking for graduates. I know this isn't the forum for job search, but I listened on Wednesday and heard about several locals who couldn't find work in the sport fish industry, I encourage them to send us a resume, we love hiring local and are always looking for more Alaskans to add to our staff.

The sport fish and commercial fish industries have worked hard, for decades on bringing a message about Bristol Bay, a message that not only states that we have the largest abundance and size of fresh water fish and salmon available on earth, we also have the most pristine, crystal clear, clean water and environment available. Users of our precious resource all across the globe, give our markets sustainability because of the pure environment we can and do guarantee. Once again testimony to the gift that keeps on giving.

In closing I feel, The wild Salmon Protection Act, along with the Jay Hammond State Game Refuge bill will offer immeasurable help to the fisheries by enhancing the pure, pristine, contaminant free image of Wild Bristol Bay and will help to protect our renewable resources far into the future by ensuring that habitat protection standards are carefully designed and implemented.

Again, I thank you for this opportunity to testify and I urge you on behalf of my home, my business, my family and protection of my way of life to pass House Bill 134.

Louie Flora

From: Kelly Burnett
Sent: Monday, March 12, 2007 4:10 PM
To: Louie Flora
Subject: FW: notes on HB 134

Got another one!

From: Pam Brodie [mailto:pbrodie@gci.net]
Sent: Monday, March 12, 2007 1:37 PM
To: Kelly Burnett
Subject: Re: notes on HB 134

Kelly, here it is, to the best of my reconstruction efforts. -- Pam

Testimony in support of House Bill 134

by Pamela Brodie March 2, 2007

Thank you Mr. Chairman, and members of the Committee.

I am Pamela Brodie. I live in Homer. I am a partner in a small family construction company. I am not a commercial fisherman, and my livelihood does not directly depend on the health of the Bristol Bay drainage, although I do eat a lot of salmon. Nonetheless, I am here to support House Bill 134 because protection of Bristol Bay drainage is essential to the well being of so many other Alaskans and, I think, to the rest of the country and the world, as the source of the world's largest remaining wild salmon run.

This area now faces unprecedented levels of industrial development, offering short term gain and long term pain. Meanwhile, Alaska's regulatory protection of salmon streams has been weakened. Alaskans need the Legislature to act to safeguard the health of our salmon streams, especially those that feed Bristol Bay.

Earlier this morning someone testified that gold and copper are to be found in almost everything we use. This is very very far from being accurate. Over the course of history, vast numbers of people have died because of the pursuit of gold, most of them indigenous people of the American continents. Yet there is actually very little practical need for gold. Most of what has already been dug out of the ground is kept in vaults, and it is more than adequate to fill any real needs for this resource. Copper is another matter. Copper is necessary to modern life (although certainly not in everything we use). We do use copper when we build houses, but I am happy to say that we use much less per house than we used to, thanks to the development of such synthetic products as pex, ABS and PVC. Substitutes, technological advances, conservation and recycling can make up for much of the demand. The demand for copper is not nearly a sufficient reason to endanger Bristol Bay salmon runs by allowing pollution or excessive withdrawal of the pure waters of its salmon streams. Please pass HB 134. Thank you.

[Chairman Seaton asked whether, as a builder, I was opposed all development in the Bristol Bay drainage. I replied as follows:]

I do not oppose all development in the Bristol Bay drainage. I support strong protection of salmon habitat, and habitat for other fish and wildlife in the area. I do not ask or expect that HB 134 be passed without any changes whatsoever. In fact, I particularly support the approach taken in Senate Bill 67 by Senator Gary Stevens.

----- Original Message -----

From: Kelly Burnett

To: Pam Brodie

Sent: Monday, March 12, 2007 11:11 AM

Subject: RE: notes on HB 134

Thank you so much. I'll look forward to getting whatever you can provide.

Kelly Burnett
Secretary
House Special Committee on Fisheries
Alaska State Legislature
Juneau, Alaska

From: Pam Brodie [mailto:pbrodie@gci.net]

Sent: Monday, March 12, 2007 9:57 AM

To: Kelly Burnett

Subject: notes on HB 134

Kelly Burnett: Yes, I found my scratchings. I'll type them up and send them later today. You caught me just in time before heading to dump to recycle! -- Pam Brodie

Louie Flora

From: Shawn Dochtermann [drdrmann@hotmail.com]
Sent: Monday, March 12, 2007 3:27 PM
To: Rep. Paul Seaton; Rep. Bryce Edgmon; Rep. Lindsey Holmes; Rep. Kyle Johansen; Rep. Craig Johnson; Rep. Gabrielle LeDoux; Rep. Peggy Wilson
Cc: Sen. Gary Stevens; governor@gov.state.ak.us
Subject: HB 134 necessary provision for future processing interests in CS

March 11, 2007

Honorable Representatives Seaton, Edgmon, Holmes, Johansen, Johnson, LeDoux and Wilson of the House Special Committee on Fisheries,

My name is Shawn Dochtermann and I live in Kodiak. I'm a commercial fisherman that has spent the last 30 years fishing for salmon, crab, cod, and pollock from the Gulf of Alaska to the Western Aleutians. I depend on the Bristol Bay region for about 75-90% of my annual income. I have fished Bristol Bay for over 20 years for salmon and presently own my own vessel and driftpermit. I've been involved in fishery policy advocacy for the past 2 years, and have sought the best solutions for the protection of coastal communities and it's fishermen.

I'm writing to the committee to request a necessary provision be included in the final CS for HB 134. I'm for HB134, as the Bristol Bay watershed, fish, game, fauna, and it's residents need the protections from any future mine that would probably wreck Alaska's name for it pristine wilderness and wild fresh seafood products.

My concern is with water rights for future processing interests that may want to start up to process Bristol Bay salmon. I sit on the board of Alaska Independent Fishermen's Marketing Association (AIFMA) and many of the member of our organization think that a fishermen's co-op will be the necessary future for Bristol Bay fishers. This bill, as it reads, leaves no room for future processing abilities. It will be necessary to have a provision that allows for new processors water rights in the future, otherwise the ability to improve economic condition would be greatly diminished.

I'm making a special trip to Juneau just to work on HB134. I'll be in town March 26th and 27th and would like to have scheduled meetings with all members of the committee. Please respond to me by email or I will be available by phone at 253-905-8777 cell.

I appreciate the committees concerns with the protection of water, habitat and salmon in Bristol Bay. I look forward to helping resolve the issue of future water rights for those that may help promote the building blocks for economic stability in the region.

Sincerely,

Shawn C. Dochtermann
F/V Isanotski
PO Box 3886
Kodiak, AK 99615

Louie Flora

From: RAdki1841@aol.com
Sent: Monday, March 12, 2007 4:28 PM
To: Rep. Carl Gatto; Rep. Paul Seaton; Rep. Craig Johnson
Cc: TomA1841@aol.com
Subject: I support HB 134

RE: HB 134: The Alaska Wild Salmon Protection Act

I strongly urge you to **support HB 134**, and protect wild salmon throughout the Bristol Bay watershed, including the five major river systems that flow into Bristol Bay, home to the world's largest sockeye salmon runs,

Rep. Bryce Edgmon (D-Dillingham) bill would add common sense safeguards to legislation championed 35 years ago by Alaska's late Governor Jay Hammond during his time in the Alaska State Senate. The Wild Salmon Protection Act would protect Alaska's greatest salmon fishery by prohibiting the withdrawal, obstruction, pumping or pollution of surface or subsurface water in any Bristol Bay drainages that support salmon. The legislation also prohibits the destruction of salmon habitat, creates a fining schedule for violating these protections, and protects existing water uses authorized prior to the passage of the bill.

In commenting on the Bill, Representative Edgmon noted, *"As a legislator, Jay Hammond saw fit to add protections to this valuable area in 1972 before allowing oil exploration. HB 134 adds protections to the same area at a time when mining on a massive scale is being proposed. If mining is to eventually take place in our watershed, I want to make sure that our clear-running salmon streams and rivers are not put at risk."*

The pristine lakes and rivers that empty into Bristol Bay support world-renowned spawning and harvesting of all five species of Pacific salmon -- king, sockeye, silver, chum, and pink -- as well as rainbow trout, arctic char, grayling, northern pike, lake trout and Dolly Varden. Beluga whales and Orcas (killer whales) can be seen following the salmon runs. The area is home to caribou, moose, bear, and walrus, as well as small game such as beaver, porcupine, otter, and fox, and varied waterfowl.

I urge you to be a good steward of the Alaska land and wildlife -- and **support HB 134**.

Thank you.

Respectfully,
Rosemary C. Adkisson
1841 Country Club Drive
High Point, NC 27262

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3/12/07

To: Kelly Burnett (House Fisheries Committee)



**MARINE SAFETY INSTRUCTOR-EMT-METT INSTRUCTOR- EMT-IVACLS/PALS-
AHA CPR INSTRUCTOR-EMP FIRST AID INSTRUCTOR-ONGUARD FIRE ATTACK
INSTRUCTOR- MEDEVAC ESCORT INSTRUCTOR**

**RON BOWERS
P.O. BOX 6
DILLINGHAM, ALASKA 99576
907-842-4186
Email: ronmarieiris@yahoo.com**

CELL# (907) 439-3711

TO: House Fisheries Committee

REF: HB#134

Friday March 2, 2007

Good morning Bryce and other members of the Fisheries Resource Committee, thank you for permitting more testimony on HB#134. I have been an Alaskan resident since 1979 and have lived in Bristol Bay or on the Alaska Peninsula since 1983. My wife and daughter are lifelong residents of this region. My wife setnetted commercially for Salmon many years in Ekuk and South Naknek. My daughter spent many Summers in fish camp and has worked on fisheries research projects both along the Nushagak and around Lake Clark. While I no longer consider myself a commercial fisherman, I have fished for Halibut and Salmon in Port Graham, Chignik and Dillingham quite a few years ago.

As a family we participate almost year round in subsistence activities and benefit from what God has blessed our Bristol Bay region with. From hunting Moose/Caribou/Ducks to berry picking, to catching our share of Salmon/smelts and Halibut. We fully support efforts to protect our region's natural resources.

But we are not in favor of HB# 134. We realize that many of our region's residents are being forced to leave the land they love for less costly urban areas in our state such as Anchorage and the Mat-Su Valley. While these communities offer much, they are a long way from the subsistence resources and rural lifestyle we so dearly cherish. The main reason residents are being forced to leave our region, is for an honest job. House Bill #134 will only serve to decrease economic opportunities for our residents and cause more to have to move out.

March 5, 2007

To: Committee on House Bill 134

Mr. Chairman and Members of the Committee:

Today, I had missed my opportunity to participate with my commentary; regarding the above reference bill: HB 134. And for the record; providing my commentary on my own behalf and my name is: John D. Nelson Jr. from the Village of Kokhanok, Alaska, located on the south; southeast shores of Iliamna Lake with a population of approximately 150; with a student enrollment of 49, consisting both high school and elementary.

I have been an avid commercial fisherman, at Bristol Bay and still continue to do so today; as well, as an avid subsistence user. And I am in support of this HB 134; because it will protect the river and drainage systems of the Bristol Bay region and most importantly; the Iliamna Lake; which produces, as we all know, the Kvichak bound fish returning to Bristol Bay to spawn at the headwaters; which is a part of; Iliamna Lake.

Iliamna Lake plays an important and integral role; for the return of the Bristol Bay sockeye, as well, as other areas of the Bristol Bay rivers and streams and with it; produces; natural renewable resource; which is the Bristol Bay sockeye. Also, in addition; it plays another important and integral role of the Bristol Bay region; subsistence; of which; we all villages of Bristol Bay, as well, as the state; depend on for the livelihood of its inhabitants. Subsistence plays an important role to our culture and tradition; of which, we inhabitants of the area, has survived; since its inception and still continues to do so today. And relating to subsistence; pristine clear crystal clear waters from the mountainous streams; plays in integral part of the eco-system, as well, as our community for utilization of drinking and cooking for human consumption.

In addition; I have participated with this conference; and numerous times; it is noted; that it will provide jobs and opportunities. There is an alternative: Bristol Bay region; comprises of 32-34 villages and each village has a corporation; under ANILCA and with these villages; there needs to be an initiative to work together as a region; to produce opportunities. Reason, why I include this; is that our Regional Corporation who is Bristol Bay Native Corporation, is earning millions of dollars annually, which produces a dividend for me, as a shareholder. If we can work together for the common region; certainly we can achieve an opportunity for work for us; as well, as working with it. Eco-tourism is on the rise; Sport fishing opportunities; Recreational opportunities; river rafting; sight seeing by boating and hiking of important and new areas; recreational hunting; investing in good business practices that provide opportunities; such as the stock market; portfolios and good business incentives and opportunities. And the time is now; to plan; instead of taking the easy way in. A good business plan by its people will work and if we can compromise by coming together; it can work.

Thank you for your opportunity for me to participate.

*Thank you John Nelson
Kokhanok*

Louie Flora

From: LEO LAURIE LANTZ [lanl1965@msn.com]
Sent: Thursday, March 08, 2007 7:29 PM
To: Rep. Paul Seaton
Subject: HB 134

Dear Mr. Seaton,

I am writing to implore you to support HB 134, a bill which would protect the Bristol Bay watershed from the massive damage that any proposed mining would surely do. This area is one of the last great unspoiled fisheries and is a national treasure in need of protection. Like Teddy Roosevelt did with great foresight a century ago you can do the same by protecting Bristol Bay for the long term, just as Pres. T. Roosevelt did with the first of the national parks in the lower 48 states.

I have traveled to Alaska and plan to do so again to fish this area with my sons but if the current proposals allow massive mining this area will be lost forever. You need look no farther than the problems in the lower 48 states where heavy metal pollution from mining slag has contaminated surface and ground water, decimating fisheries and drinking water almost 100% of the time.

Don't let this happen in Alaska-the last Great Place on earth!

Sincerely,
l.james lantz
2915 maple st.
fargo,nd 58102-1720
17012322723

Gina M. Pope
PO Box 1235
12 East Street
Dillingham Ak 99576
(907)842-4138
bsgmp@uaf.edu

March 2nd, 2007

Chairman Seaton and Committee members,

I am here to speak in favor of House Bill 134 and the revisions/amendments and sponsors of the bill.

I've grown up in the Iliamna/Lake Clark area, specifically Pope-Vannoy Landing in the Intricate Bay area between Pedro Bay and Kokhanok Bay. Pope-Vannoy Landing borders Alaska Peninsula Corporation Land and sits a mile and a half away from Copper River, a world class trophy rainbow river prized by fly fishermen. My mother owns a Native Allotment of 160 acres between Copper River and Pope-Vannoy Landing.

The last census counted about 7,520 people in the Bristol Bay region (according to a report by the Alaska Department of Fish and Game). If you count the people who visit as fishing/hunting clients or as summer visitors, my guess is that the population may rise to approximately 10,000 – 15,000 over the months of June, July, and August. I would guess it does not rise cumulatively much above that.

In addition to the current scant population I have listened to the radio news and determined that if a community rises in residency to over 6,000 people, that community may lose subsistence priority. Right now our communities are much below that figure, but large-scale development in the

future looms (Think of what 60,00 people injected into the region would do to the social structure).

By supporting this bill, people are asking that some assurance be made that changes will not wipe our region of the salmon that it has taken eons to establish. Social changes of population increase are one thing, but we all seem to have agreed to sustain the salmon.

I am surprised that the public support of HB 134 is not unanimous. What will our region look like 60 years from now if we protect the river systems? What if we don't allow obstructions and pollution to the lakes and drainages? Will we suffer economically because we kept our renewable resource in a natural, wild state?

Besides eating salmon for subsistence, I have gained meaningful employment because of the valuable sport fishing area we have right next to the water bodies. My first job at age 16 was at a lodge near my home. My six older brothers and sisters, all of Alaska Native descent, worked there before me. I earned enough tips and wages at the lodge to buy lumber and build a house by the age of 17. I did not feel like I was living in poverty, nor do I today.

The label of poverty is put on us not by ourselves but is a label designed to further ideas of those who overlook cultural richness and understand not the value put on an untainted food source. Even berries benefit from the nutrients which are present because of salmon returns.

I really truly thank each of you for your hard work and endurance and hope you each have a good day today.

LIO Dillingham

ATTN: REP. PAUL SEITON, CHAIRMAN

From: Jacquelyn Wilson [quenluk@yahoo.com]
Sent: Friday, March 02, 2007 10:42 AM
To: LIO Dillingham
Subject: POM from Quenluk

I am Quenluk, English name Jacquelyn Stor Wilson. I am a teacher at Dillingham. I love my culture, traditions, and lifestyle as a first Alaskan. It has been interesting to see changes in Alaska from territorial days to statehood. Since European contact, first Alaskan cultures were looked down on. Educational system worked at throwing away my culture and language. I fought my way through school and discrimination. I love my culture too much.

Culture and environment go hand in hand. My husband Verner Stor 11 and I are commerical and subsistence fishermen, as so many Native people in Bristol Bay. Please protect our lifestyle and enviroment by passing HB 134. I plead to this committee and legislature to do what is right for Bristol Bay Natives and the rest of Alaska. We are the last frontier, so let us work on preserving the cultures and environment. Thank you for your attention.

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842 - 1052

Box 905

2847 Squaw Creek Rd

Louie Flora

From: Rep. Paul Seaton
Sent: Friday, March 02, 2007 1:02 PM
To: louie.flora@legis.state.ak.us
Subject: FW: Suppoprt for Bristol Bay Refuge and Jay Hammond State Game Refuge

From: Nell Gustafson [mailto:starfish@xyz.net]
Sent: Friday, March 02, 2007 6:30 AM
To: Sen. Gary Stevens; Rep. Paul Seaton
Subject: Suppoprt for Bristol Bay Refuge and Jay Hammond State Game Refuge

Senator Stevens and Representative Seaton,

Thank you Senator Stevens for sponsoring the Jay Hammond Game Refuge Bill. I think it is a good idea! Please keep in the water quality protection necessary to insure that this area is protected for generations to come.

I strongly support giving Bristol Bay the protection of it's current high water quality that allows it to have the world's largest sockeye salmon run in the world and world class sport's fishing. That is their true proven gold reserve with fisheries that have sustained the area for years. To allow pollution of the important resource is short sighted. Representative Bryce Edgmon's Bill 134 deserves your suport.

Sincerely Richard L. Gustafson

**Alaska State Legislature – House bill 134 Testimony
March 2, 2007**

My name is Thomas Pebler. I am a concerned Alaskan.

It is not unreasonable that Alaska would take measure to protect its world class fisheries and renowned water quality.

It is most reasonable that those who would develop Alaska's mineral wealth afford the effort to maintain these standards for the sake of mutual prosperity.

We have heard the claims that mining operations and world class fisheries can functionally coexist. There should be no hesitation but, only encouragement at the suggestion that we take serious precaution.

I offer my support to Representative Edgmon's House Bill 134.

Thank you very much for your attention.

A handwritten signature in black ink, appearing to read 'Thomas Pebler', with a stylized, flowing script.

Thomas Pebler
1903 Stonegate Circle
Anchorage, AK 99515



Dear Mr. Paul Seaton,

We strongly support bill HB 134: "The Alaska Wild Salmon Protection Act" and our purpose for writing you, is to explain how crucial it is for you to support this bill as well!

We make our livelihood working at a fishing lodge on the beautiful Alagnak river, which flows into the Bristol Bay drainage. (See picture of part of the river above.) Living on the Alagnak four months of the year, we experience first-hand and understand how important the health of Bristol Bay is for the millions of wild salmon and other marine life that habituates this fragile ecosystem. Even if we were not directly

dependent on the fantastic salmon runs of Bristol Bay, we would still strongly support this bill, since the health of the Bristol Bay environment affect the whole state of Alaska, and even greater; the world! Being the host of the world's largest wild salmon runs, the Bristol Bay salmon does not only generate hundreds of million dollars and thousands of jobs to the state of Alaska and its population, but it also affects the wellbeing of the world's salmon and other fish species that come here to spawn.

In supporting this act, you will prohibit diverting, damming, or polluting ANY surface or subsurface water in any of the Bristol Bay drainages that support salmon. When you support this act you will also legislate the prohibition of destroying salmon habitats, protecting existing water uses which was authorized prior to this bill, and authorize a fining schedule if anyone should violate these protections.

We urge you, Mr. Senator to understand
the importance in keeping the waters of Bristol
Bay clean & protecting the world famous
Bristol Bay wild salmon by supporting
bill HB 134: "The Alaska Wild Salmon
Protection Act"!

Respectfully Yours,

Therese J. J. J.

Kevin Bonasera

alaska.kevin@gmail.com

Good Morning Mr. Chairman, Committee members,
CS for House Bill 134.....in which I support...strongly.

My name is Bruce Johnson from Dillingham.

I represent myself, and all the people in Bristol Bay that are opposed to the development of Pebble Mine.

I live along the Nushagak river system in Bristol Bay. I support House Bill 134 because it is geared towards protecting our water shed in the two river systems, the Nushagak & the Kvichak rivers, and all the waters in the region.

To me, no fine to any company who pollutes these rivers is big enough to punish them in regards to the potential damage that could and will happen once the Pebble Mine is developed and built. Any mining development in this region where the proposed mine is to be built, has a definite possibility of altering our pristine waterways in the whole Bristol Bay region. The rivers that are going to be effected, feed the entire regions caribou and moose populations with water to drink and rear their young. The rivers would also be polluted to the point of not being able to sustain our rich salmon stocks that are born in these rivers and lakes in this region. They cannot be replaced, once they are killed off by the pollution this proposed mine development.

The residents and people of Montana state have a tv commercial out, that is a direct reflection of the damage already done there. The people on this commercial talk about how the mining company talk about & even promise not to damage the waters there, or the environment, and they do the exact opposite. Damage and destruction there have occurred and they are saying, "That the people of Alaska ought not make the same mistake we did by allowing this mine to be developed here. They made promises and broke them. Our lands and waters are polluted and dead." To me, that is a prime example of these mining companies doing what they want, taking the resource from the land, polluting it, then leaving. The profits these companies would make are NOT going to spent on rebuilding any of the damaged lands they pollute and destroy. Of course their putting a few people to work is good in this economically depressed region, but at the cost of our subsistence lifestyle, and our commercial & sports fisheries that thrive here annually.

The subsistence fisheries and sports fisheries are at stake here. I have commercially fished in the Nushagak river since I was a young child. That would be gone. I have lived off of subsistence foods for most of my adult life, that would be gone too. My children and their children will not have the opportunity that I have, to live the subsistence way of life because of polluted rivers and poisoned lands, that the proposed Pebble Mine will do to our lands and river systems. They plan to take the natural rich resources, minerals and precious metals, and leave! They (mining companies) have that reputation of doing just that, time after time.

I cannot believe the State of Alaska and the legislators that support these mining companies, have actually gone this far and gave the Northern Dynasty mining company the rights and subsurface rights to our rich resource to begin with! That is appalling! That is going against all the tribal councils in the state, and it's people.

So with me, any House Bill that has the necessary language in it to protecting our waterways in the Bristol Bay region, is strongly supported.

Despite our economically depressed region, any development of a mine so close to draining into these two river systems, that would provide just a few jobs temporarily, is most definitely is not the answer. Certainly not at the cost of so many people's livelihoods, subsistence lifestyles, and generations to come will see what our elected State Officials have done to it's people. That is not favorable to the many generations of people to come, that will see what they have to live with after it is all over, dead rivers and lakes polluted, and no subsistence foods to live off of. The land and it's subsistence foods provide well for me and my family. This land and it's animals are my REFRIDGERATOR, so to speak. My grand parents, my children have lived this way for many, many generations. That would be gone!

This would take away, from so many people, the rich natural resources we have in this region.

Northern Dynasty mines does not have plans to support generations to come with subsistence foods, and jobs related to the fishing industry, both sports and commercial. They plan to taker our resources, and leave us with the mess of polluted waters, and lands created by their mining operations that will make them, as a company, rich in resource & precious metals and minerals.

Look at the other mines that were created around the U.S., are they in good condition? No ! Their lands are polluted and dead...leaving it's residents in despair. That is what is going to happen here.

I strongly support this HouseBill 134. I commend Representative Paul Seaton and Representative Bryce Edgemon for putting this important legislation out on the table for everyone to have input on.....thank you.

Bruce E. Johnson *Bruce E. Johnson* 2/28/07
Dillingham/Bristol Bay resident.
Commercial & Sports fisherman.
Subsistence user..(lifetime)

PO Box 1331
Petersburg, AK 99833
March 2, 2007

Alaska State Legislature
House Fisheries Committee
Juneau, AK 99801-1182

RE: House Bill 134

Dear House Fisheries Committee:

We are both Bristol Bay Resident Salmon Driftnet Permit Holders and are in support of HB 134: Protection Of Salmon Spawning Water. We urge you to pass this bill out of committee and do not let it die. Our family has been fishing the Bay since 1990 and we have invested in Bay permits with an eye to the future. Although we are attending college at Western Washington State University in Bellingham we intend to return to the State to continue to fish commercially as a livelihood. The negative impacts of large scale development projects in Bristol Bay will be felt statewide not just in the Bay region.

We understand that the bill pertains to the five Bristol Bay drainages, specifically the Nushagak, Kvichak, Egegik, Ugashik, and Naknek Rivers. It would prohibit "withdrawal, obstruction, diversion injection, pollution, or pumping, either temporarily or permanently, any subsurface or surface water in drainages supporting salmon or any water hydrologically interrelated or connected to those drainages; or altering, destroying, displacing, relocating, channeling, damming, converting to dry land, or otherwise adversely affect any portion of a river, stream, lake, bog, tributary, or any other water body, including the beds of water bodies, in drainages supporting salmon" and would levy a fine schedule for violation. We also understand that exceptions would be made for preexisting uses such as for drinking water, municipal uses etc.

The provisions outlined in the bill are not extraordinary or unreasonable. Some slight tweaking may in order to allow DNR to issue permits for normal uses similar to the exceptions mentioned above but not if the intent of the bill is negated. If an industry, whether it be the Pebble Mine or any other industry, claims that adoption of the bill would prevent development, then obviously that industry does not have the best of intentions for the salmon habitat in Bristol Bay from the get-go. In our minds such opposition amounts to an outright admission that industry fully intends to degrade the fishery with impunity.

As you are probably aware, many Bay fishermen lost their vessels and permits in recent years due to record low prices and the inability to make their payments. Bristol Bay however is now on the verge of a total recovery from the recent market lows. If Bristol Bay salmon habitat were degraded there would likely be a total collapse of the industry not temporarily as from low prices but permanently. Fish prices can be restored,

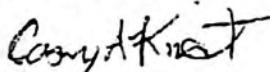
habitat cannot.

Even the restoration of fish prices is largely dependent on the integrity of the habitat. Recent increases in the price of salmon are largely attributable to marketing that emphasizes the purity of Alaskan wild salmon. Pollution and degradation of the waters in which these salmon breed could largely negate the benefits of such marketing. Fish prices, and subsequently the subsistence of Bristol Bay fishermen, hinges on the integrity of the salmon habitat.

It is no secret that the Murkowski administration stacked the regulatory process in favor of the mining industry via several premeditated steps such as transferring the ADFG Habitat Division to DNR, dismantling ACMP, eliminating the Office of Governmental Coordination and other major steps as outlined in Lance Trasky's¹ *"The Myth of the Rigorous Permitting Process"*. It is also clear that ADF&G does not have, nor will it have any time in the near future, the expertise to evaluate the effects of the world's largest open pit mine. Whether or not this bill passes the State should show a realm commitment to habitat protection by reversing Murkowski's actions and further beefing up scientific expertise within the various Departments concerned with permitting.

Finally, according to the U.S. EPA's Abandoned Mine Land Team², the cost of remediation of mine sites on the National Priorities List (NPL) in the United States is on the order of \$20 billion. There is no doubt that that reclamation will be required following any development like that proposed for the Pebble Mine. The long-term costs are not worth the short-term benefits.

Thank you,



Casey A Knight
FV Starship



Kyle J. Knight
FV Starship

¹ Lance Trasky Testimony before Alaska Board of Fish, *"The Myth of the Rigorous Permitting Process"*, Dec. 4, 2006.

² Ann S. Maest Buka Environmental, Boulder, Colorado & James R. Kuipers Kuipers & Associates Butte, Montana, *"Predicting Water Quality at Hardrock Mines Methods and Models, Uncertainties, and State-of-the-Art"*, 2005.

From: Marjorie & Dan Dunaway [mwdnt@nushtel.com]
Sent: Monday, March 05, 2007 10:00 PM
To: Sen. Lyman Hoffman; Rep. Mary Nelson; Rep. Mike Hawker; Rep. Bryce Edgmon; Rep. Gabrielle LeDoux; Rep. Jay Ramras; Rep. Les Gara; Rep. Paul Seaton; Rep. Ralph Samuels
Subject: I support HB 134

I am in full support of HB 134 and its intent.

I am a retired Fisheries Biologist with over half of my 24 + year career spent in Bristol Bay. We must do everything possible to protect and assure the long term viability of the wild fish populations of Bristol Bay - and all the rest of Alaska for that matter.

During my career I had occasion to correspond with biologists from the Pacific Northwest. The declines of many of those great salmon runs were not due only to mis management or over fishing. It was directly related to the degradation and loss of spawning and rearing habitat.

I often thought how fortunate I was to have a healthy habitat backing up the fish populations I researched and managed. I knew that the unpolluted, unaltered habitat assured the fish populations could withstand allocation arguments, moderate management mistakes or natural environmental changes. Pollute and degrade that habitat and we lose the resiliency of the systems to rebound.

Please add HB 134 to Alaska law to more fully protect Bristol Bay fish habitat.

Bristol Bay means natural wild salmon to the world. It means many of the best natural wild recreational fisheries in the world. That translates to renewable clean dollars for all Alaska for the future - for as long as we maintain it.

For those of us who live here, healthy natural fish populations mean food on our tables, continuing treasured traditions, life styles and a sustainable long term economy.

Please support HB 134. Please share with any other Legislators as you see fit.

Thank you

Dan Dunaway
PO Box 1490
Dillingham, Alaska 99576

907-842-2636

Louie Flora

From: Rep. Paul Seaton
Sent: Monday, February 26, 2007 8:22 AM
To: louie.flora@legis.state.ak.us
Subject: FW: SB134

-----Original Message-----

From: Rocky Harrison [mailto:rockyh5@hotmail.com]
Sent: Sunday, February 25, 2007 8:21 PM
To: Rep. Paul Seaton
Subject: SB134

Dear Representative Seaton,

I am a resident of the Bristol Bay region and I am very concerned about the possible impact from the proposed Pebble Mine. My family and I make our living in this region and depend on the natural recourses, including the salmon fishery, to do so. We are strongly in support of the proposed SB134 and very much hope you will support this bill and help to protect our valued, sustainable natural recourses.
Thanks you for your time.

Sincerely,
Rochelle Harrison

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Louie Flora

From: Rep. Paul Seaton
Sent: Monday, February 26, 2007 8:22 AM
To: louie.flora@legis.state.ak.us
Subject: FW: HB 134

From: Yvonne Cole [mailto:YvonneC@ppsf.com]
Sent: Monday, February 26, 2007 7:54 AM
To: Rep. Paul Seaton
Subject: HB 134

February 26, 2007

Dear Representative,

Please support HB 134, "The Alaska Wild Salmon Protection Act". We must do anything and everything necessary to protect this immense renewable resource. I have worked in the commercial fishing industry for 16 years now and have an idea of the immensity of the impact of any damage to this resource on my Alaskan friends and co-workers. Please do everything necessary to protect this resource – a true jewel for Alaska.

Sincerely,
Yvonne Cole

February 26, 2007

In Support of HB 134

The possibility of an open pit mine near Lake Illiama has the potential of causing an ecological catastrophe for all of Bristol Bay. For hundreds upon hundreds of years, Native Alaskans have lived on the banks of rivers that flow into Bristol Bay. Many of these rivers have head waters that flow through the area, where Northern Dynasty proposes the largest open pit mine on our continent. The ever present possibility of toxic chemicals leaching into this water system is very real.

If this Northern Dynasty Open Pitt Mine is allowed, the negative impact on the Salmon Industry of Bristol Bay would very likely worsen with each passing year. The Salmon runs of Bristol Bay are a sustainable resource, but only if the overall eco-system of the entire area are protected. I fear that once any part of this eco-system is altered, it will have a direct negative impact on the entire eco-system of Bristol Bay.

There is an increasing demand on the World Market for the high quality Salmon caught and processed in Bristol Bay. This provides employment to thousands of Alaskans and jobs in the industry across the globe.

I want to share a few fish facts taken from the article "Wild Alaska Seafood" by Wesley Loy published in the Alaska Airline Magazine, November 2005 issue (pgs. 25-40).

- Commercial Operations Harvested 5.4 million pounds of fish and shell fish worth \$1.2 billion at the dock. (Loy pg. 31)
- The fishing industry generates more than \$53 million in revenue for the state each year. (Loy pg. 31)
- The fishing industry is Alaska's largest privet-sector employer, employing more than 30,000 people a year full-time or seasonal. (Loy, pg 31)

In the fall of 2006 Washington State Health Department recommended consuming only one serving per week of Salmon caught in Washington's Puget Sound, due to the high level of Toxic Chemicals found in the fish. It would be a tragedy to see the same thing happen to the pristine waters of Bristol Bay.

I am asking you to support HB 134 to protect this wonderful sustainable resource for the State of Alaska.

Daniel C. Thomas
Dannyt01@msn.com
509-607-1737

Louie Flora

From: Daniel Schrock [des73@yahoo.com]
Sent: Monday, February 26, 2007 12:33 PM
To: Rep. Paul Seaton
Subject: HB 134

Dear Representative Paul Seaton:

My name is Dan Schrock and I am a proud Alaskan with great respect for our world-class fisheries. This of course includes the greatest sockeye run in the world that occurs each year in Bristol Bay. Simply put, I am writing to champion House Bill 134. The language and scope of the bill is vital to protecting Alaska's greatest resource... its fisheries and the many Alaskans who make their living off of this great renewable resource.

I believe the time is at hand to establish regulations and safeguards to ensure our greatest resource is protected from activities that would endanger the waters of the Bristol Bay area. As a former resident of Montana, I know what the nation's largest superfund site looks like(the Berkley copper mine pit in Butte, MT) and I hope that the regulations the legislature establishes will protect the wildness and uniqueness of the watersheds in Bristol Bay from mines and other known polluters. I thank you for your consideration and time regarding my beliefs in regards to HB 134. The time is at hand to stand up for our state and what makes it Alaska.

Respectfully,
Dan Schrock

Louie Flora

From: Tina Seaton [pseaton@gci.net]
Sent: Monday, February 26, 2007 6:11 PM
To: Rep. Paul Seaton
Subject: *****SPAM***** Bears and clean water

Roger and Denice Clyne [rdclyne@xyz.net]

Dear Paul,

Like many of your constituents, we are very concerned about the contamination of the Bristol Bay headwaters that will undoubtedly occur if the Pebble Mine is allowed to contaminate the environment as mines from Pitcher, OK to Kellogg, ID have and ALWAYS leaving "locals" to suffer the consequences of their self serving interests and the tax payers to clean up the mess. I am neither a charter nor commercial fisherman since I suffer from "terminal seasickness" but our salmon streams are far too valuable to allow them to be destroyed as has been the case for many streams for more than a century across the West. Also, when the minerals of Pebble Mine area are owned by the citizens of Alaska, why are they literally being given away for less than 3 cents on the dollar as we are told? You and the legislature MUST pass legislation that will provide certainty that this mine will do no damage to that pristine area as well as insuring that the state receives a FAIR return for its resources.

In regard to HB 127, we feel that pure economics mandate that the McNeil bears be protected from hunting in this area if for no other reason than sheer economics since the data that I have seen indicates that far more revenue is generated by bear watchers than from the few macho hunters who are only after a trophy for their wall. This from a hunter your age who has hunted big game for 50+ years! There are many reasons including the bears' habituation to humans that seems to make it unreasonable to allow them to be shot, especially since their numbers are down in recent years, since there are so many other places in the state where bears can be hunted that are truly wild and fearful of humans.

Your serious attention to these issues will be greatly appreciated and hopefully you will be able to help pass measures that are in the best interest of the state and your constituents rather than special interests which has far too often been the case in the past.

Yours truly,

Roger and Denice Clyne

Homer

Paul Seaton
Alaskan Representative

Greetings from Homer Alaska;

I hope your year has started out well.

I am writing to express my interest to protect the Bristol Bay Watershed.

I feel I have been blessed to have been given the basic skills of fly-fishing;
it would be hard to put into words the true joy of being in a remote stream
and maybe even catching a fish.

I have worked in Bristol Bay and would hate to see it torn apart.

Not just for its worldclass fisheries, but also for its incredible beauty which
can bring calm and contentment to anyone who is fortunate to travel to such
a special place.

please consider and support the CS for HB 134

this will make Bristol Bay available for future generations for fishing and wilderness
adventure. That's important for me as well as the state;

thank you for your time and consideration,

sincerely;

Thomas F. Meyers

thomas@yahoo.com
907 321 1050

Never miss an email again!
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Louie Flora

From: Gina M. Pope [bsgmp@UAF.EDU]
Sent: Tuesday, February 27, 2007 10:40 AM
To: Rep. Paul Seaton
Subject: Support for HB 134 from subsistence resident

Support for HB 134

My name is Gina Marie Pope, and I have spent 33 years in the Bristol Bay Region. 27 of those years as a resident in five Iliamna/Lake Clark communities including Nondalton, Pope-Vannoy Landing, and Kokhanok. I am a lifelong Alaskan-born resident, age 41.

I support HB 134, a bill that would serve to protect the subsistence use of the varied and essential wildlife which give this unusual and beautiful place its uniqueness.

The Intricate Bay area is home to me and many others. The area sets the stage for the food we have lived on. We have relied on these sources to support the abundance of plants and animals and have trusted without question the purity of the freshwater in the lakes. We have used the fish scraps to fertilize our vegetable gardens. We soak out our salt fish in the streams. We trade our locally gathered foods for other uniquely prepared foods that are not local to our area, such as roe on kelp, smelt, and nudlvi (freeze-dried red salmon).

Freshwater streams support highly edible plants, birds, and fish. Every summer the yearly migration of smolt herald the arrival of species such as the arctic tern and Franklin's gull, both of which nest on the many small rocky islands of Lake Iliamna and its surrounding beaches. Three species of swallows show up on almost the same day that the mosquito larvae hatch.

As the salmon return, activity intensifies. Fledgling shorebirds eat freshwater shrimp, minature sculpin, lamprey, water boatmen, fresh water snails and a myriad of winged insects which live underwater for all or most of their short and productive lives. We of course do not eat all these aforementioned species, but they play an essential part in supporting the plant and animal foods we do eat.

Many species are here only because of the healthy condition of the environment. Certain species are extremely sensitive to even the slightest changes in nutrients and sedimentation. Changes in water quality and stream hydrology can critically endanger supportive species in a heartbeat, and can cause lasting misfortune. Here I would also mention the berry-pickers realm of the tundra, another productive environment full of vitamins, highly susceptible to pollutants as well.

According to the University of Alaska's Environment and Natural Resources Institute, "It is generally understood that human health and welfare are directly tied to our water resources and environmental quality."

If HB 134 becomes law, these resources that rely on healthy streams and water become protected for the foreseeable future, and the bill sets a precedent of responsibility to the land which enriches life for all those who pass through it, both animal and man. Thank you for considering my comments.

Sincerely,
Gina M. Pope
PO Box 1235
Dillingham AK 99576
(907) 842-4138

From: tibayan [tibayan@gci.net]
Sent: Friday, February 23, 2007 4:21 PM
To: Rep. Paul Seaton
Follow Up Flag: Follow up
Flag Status: Blue

DEAR SIR,
I EMAIL YOU TO EXPRESS MY SUPPORT FOR HOUSE BILL 134- A BILL TO PROTECT OUR WILD SALMON.
I ENJOY FISHING AND THE GREAT ALASKA OUTDOORS. I ALWAYS MENTION TO FRIENDS AND RELATIVES FROM THE LOWER 48 AND PEOPLE FROM OTHER COUNTRIES I HAVE VISITED HOW WONDERFUL OUR NATURAL RESOURCES ARE... PLEASE, PLEASE HELP PROTECT THEM.
YOURS SINCERELY,
FERNANDO N. TIBAYAN, MD

From: leigh pinkston [leighpinkston@hotmail.com]
Int: Friday, February 23, 2007 11:09 PM
To: Paul_Seaton@legis.state.ak.us; Carl_Gatto@legis.state.ak.us;
Craig_Johnson@legis.state.ak.us
Subject: CS for HB 134

Follow Up Flag: Follow up
Flag Status: Red

Dear Sirs,

Please consider CS for HB 134 in a positive light and support it to the fullest. It would be a shame not to reach out and protect a state as well as a national treasure for all generations.

Leigh Pinkston
525 W 3rd ave #507
Anchorage AK 99501

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From: Flavio Cardoso [fhcardoso81@hotmail.com]
Sent: Saturday, February 24, 2007 2:43 PM
To: Rep. Paul Seaton
Subject: HB 134 protect our renewable resource

Representative Paul Seaton,

My name is Flavio Henrique Cardoso and I am an Bristol Bay drift gillnet boat owner and Alaskan fisherman. There is great speculation as to how the proposed Pebble Mine would affect the Bristol Bay fishery, the largest spawning grounds for salmon in the world. Previous legislation during the 1970's set a precedent that focused on protecting one of our most valuable resources; fishing. The idea of protecting a resource that is guaranteed forever, if we take care of the renewable resource, is one that the previous generations believed was a necessity for the good of all Alaskans. In recent times our society has switched its focus from preserving our resource for the good of our world as a whole, to the monetarily driven view that we can make a profit, regardless of how we affect our environment. We are not here on this earth only for ourselves, but must also protect the future of our children and all those who come after us. I ask you to consider the truthful choice in regards to the protection act concerning not only Bristol Bay, but all of our watersheds. The future of our world depends on the actions that we as human beings first, and political or financial individuals second, make today. My concern is that if we allow for the degregation of our prestine watersheds, it will set a precedent for our children to disrespect the very earth that sustains our people and our lives. I am originally from Brasil and have lived in Alaska since I was 9 years old. I consider myself an Alaskan at heart, for the simple fact that we as a people have always acted kindly to one another; we as a state have protected our environment and realize that we depend on this land for our very futures. My culture and the Alaskan culture are one in the same in this aspect. So I ask you and challenge you to make a truthful decision regarding our future, not based on monetary value but value for the future human value of life. Thank you for your time and consideration.

Sincerely,
Flavio Henrique Cardoso
P.O.Box 111354
Anchorage, AK 99511

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From: Rep. Paul Seaton
Sent: Tuesday, February 20, 2007 2:26 PM
To: louie.flora@legis.state.ak.us
Subject: FW: Fisheries legislation

From: Tyler Dann [mailto:tylerdann@gmail.com]
Sent: Thursday, February 15, 2007 2:27 PM
To: Sen. Gene Theriault; Sen. Gary Stevens; Sen. Hollis French; Sen. Lyda Green; Rep. John Harris; Rep. Ralph Samuels; Rep. Beth Kerttula; Rep. Les Gara; Rep. Richard Foster; Rep. Andrea Doll; Rep. Bryce Edgmon; Rep. Lindsey Holmes; Rep. Woodie Salmon; Rep. Paul Seaton; Rep. Kyle Johansen; Rep. Craig Johnson; Rep. Gabrielle LeDoux; Rep. Peggy Wilson
Subject: Fisheries legislation

Good afternoon legislators,

My name is Tyler Dann and I'm writing to express my opinions regarding fisheries in our state and your influence on some fisheries-specific legislation. My opinions are mine and don't represent those of anyone else.

I am interested in fisheries issues for a few reasons. I was born in Nome and moved to the westside of Anchorage when I was six. My family commercial fished off the beach south of South Naknek in the mid-80's to early 90's. I worked for a summer at a sport fishing lodge in the Bristol Bay area before spending four as a seasonal fish technician with our ADF&G. I'm now working towards a masters in fisheries science here in Juneau and intend to pursue a career as a biologist, most likely with the state. I'd like to be involved with the management of healthy salmon fisheries.

My life history is irrelevant except for describing the nature of my interest and my "hold" on a "stake." I understand how important our subsistence, commercial and sport fisheries are, and how our renewable fisheries resources are to the ecology of Alaska. There's many arguments to be made for protecting our fisheries but we are all busy so here are three.

1. Our fish resources are an invaluable component to the economy, culture and health of Alaska and Alaskans.

The preliminary 2006 estimate of the total exvessel value of our salmon harvest is 308 million dollars with an expected increase in catch for 2007 (Eggers, 2007). Subsistence fisheries don't fit into economic models as well but are incredibly important in many parts of the state. Beyond economics, these resources have been a keystone component to our society, notably helping to spur statehood, and will likely continue to play such a role in our state's culture.

2. These resources are renewable and future Alaskans will depend on them when non-renewable resources are gone.

In contrast to many extractive industries commercial fisheries pay their fair share. Through borough fish taxes (most notable in the Aleutians East, Bristol Bay, Lake and Pen boroughs and communities in that

region) commercial fisheries contribute directly to local economies. Commercial fisheries employ a vastly greater number of people than most non-renewable extractive industries, whose income ripples out into the rest of society. Managed wisely these positive influences can continue to provide for the Alaskan economy and culture.

3. Alaska has the opportunity to get it right.

Due to our relatively nascent state, we have excellent habitat resources. These benefits aren't calculated into many economic models, but the quality and quantity of our habitat is incredible when compared to down south. Being a salmon researcher that's my focus and Lower 48 freshwater habitat just can't compare with Alaska's. There is a gargantuan industry of restoration down there while we have the world's largest run of salmon. While the diversity of their populations dwindles our abundance of healthy, genetically diverse populations will only become more important.

We have the opportunity to get it right and provide for the future of this resource and future Alaskans. Our leaders can make that future more certain.

So I support the following bills and thank you for taking my opinions into consideration when they come before you.

I support House Bill 41, which seeks to restore the Habitat Division to the ADF&G.

I support House Bill 74, which seeks to tidy up loopholes in the definition of spawning habitat in regards to mixing zone permitting. I was surprised to be the only person testifying in person, what was everyone else doing there? Being my first time testifying, and with a time crunch, I got a bit nervous, but I hope you understood my position.

I support House Bill 134, which seeks to protect habitat in Bristol Bay.

I support Senate Bill 67 which would create a game refuge in honor of Jay Hammond. This area is incredibly important not only for sockeye and other salmon, but the Mulchatna caribou herd which was recently described as a declining population, prompting the Board of Game to restrict hunting regulations.

Sincerely,
Tyler Dann

--
Tyler Dann
PO Box 211576
Auke Bay, AK 99821
(907) 230-3964
tylerdann@gmail.com

From: Sonny Petersen [sonny@katmailand.com]
Sent: Thursday, February 22, 2007 4:57 PM
To: Rep. Paul Seaton
Subject: HB 134

February 22, 2007

Rep Paul Seaton
State Capitol, Rm 102
Juneau AK 99801-1182

Dear Representative Seaton,

This letter is to express my support for HB 134, "The Alaska Wild Salmon Protection Act". We all know that this bill is intended to protect the Bristol Bay fisheries from the Pebble Mine.

I am no fan of Pebble Mine, but I am no bunny-hugger either. If it were oil development at the pebble site, I would welcome it as a project worth the risk. With oil, pollution only happens if the valuable product itself is spilled by accident. Open pit mines create pollution as an inevitable byproduct that must be forever contained. This is a significant difference.

If Northern dynasty says they promise "no net loss of fish", then why do they oppose HB 134? You just have to wonder.

I will support Pebble when it can be developed without a polluted tailings pond that will inevitably leak into the watersheds. In order to do this, the tailings would have to be disposed of elsewhere, very expensive. This will probably never happen. Let's pass HB 134.

Raymond F. Petersen

From: Rep. Paul Seaton
Sent: Tuesday, February 20, 2007 2:02 PM
To: louie.flora@legis.state.ak.us
Subject: FW: Support for the Wild Salmon Protection Act

-----Original Message-----

From: Mark Luttrell [mailto:prufrock@arctic.net]
Sent: Friday, February 16, 2007 11:01 AM
To: Rep. Craig Johnson; Rep. Paul Seaton; Rep. Carl Gatto
Subject: Support for the Wild Salmon Protection Act

Representatives Seaton, Johnson and Gatto:

I fully support HB 134.

Here's why:

Salmon is a healthy alternative to store-bought red meat.
Subsistence users and their lifestyle depend on it.
Bristol Bay fisheries depend on it. The fishery is already suffering plus is threatened by oil and gas development.
Mining proposals in the area present the largest threat to a single ecosystem ever considered in Alaska.
Big Mine and big industry in general has a horrible track record.
There is zero reason to think they won't rape ruin and run.
Finally, protect the ecosystem for its own sake, regardless of how it benefits us.

Thank you

Mark Luttrell
Seward

From: Doralee Stancil [doralee@skywagons.com]
Sent: Monday, February 19, 2007 1:21 PM
To: Rep. Craig Johnson; Rep. Carl Gatto; Rep. Paul Seaton
Subject: Bill HB 134

Rep. Bryce Edgmon (D-Dillingham) introduced a Bill to Protect Wild Salmon in Bristol Bay. This bill, HB 134: "The Alaska Wild Salmon Protection Act," protects wild salmon throughout the Bristol Bay watershed, including the five major river systems that flow into Bristol Bay, home to the world's largest sockeye salmon runs. Edgmon's bill would add common sense safeguards to legislation championed 35 years ago by Alaska's late Governor Jay Hammond during his time in the Alaska State Senate.

The Wild Salmon Protection Act would protect Alaska's greatest salmon fishery by prohibiting the withdrawal, obstruction, pumping or pollution of surface or subsurface water in any Bristol Bay drainages that support salmon. The legislation also prohibits the destruction of salmon habitat, creates a fining schedule for violating these protections, and protects existing water uses authorized prior to the passage of the bill.

Commenting on the Bill, Representative Edgmon noted, "As a legislator, Jay Hammond saw fit to add protections to this valuable area in 1972 before allowing oil exploration. HB 134 adds protections to the same area at a time when mining on a massive scale is being proposed. If mining is to eventually take place in our watershed, I want to make sure that our clear-running salmon streams and rivers are not put at risk."

My husband and I live in Eagle River and have a wilderness cabin out at Lake Clark. PLEASE PASS HB 134!

We are very concerned that any mining done does not affect our wild salmon, trout and therefore all other wildlife in the Bristol Bay Area.

Sincerely, Doralee A. Stancil

From: MSandberg@aol.com
Sent: Friday, February 16, 2007 4:13 PM
To: Rep. Paul Seaton; Rep. Carl Gatto; Rep. Craig Johnson
Subject: Support for HB 134

Dear Rep. Seaton, Gatto, and Johnson:

I urge you to support HB 134 to protect one of the most important natural resource industries Alaska has--wild salmon. The commercial fishery and sports fishery of the Bristol Bay region is critical to the economic health of the state.

The salmon, as you know, drive the ecosystem, and without the healthy stock, the entire ecosystem will fail.
Kate Sandberg, Girdwood

From: Jce&Berda's [joeberda@gci.net]
Sent: Thursday, February 15, 2007 9:03 PM
To: Rep. Paul Seaton
Subject: HB 134

Please support HB 134 to protect Bristol Bay watershed now! It is important for my families life, we live and fish there every year! NO PEBBLE MINE EVER!
Thank you for hearing our voices,
Roberta Webb

February 16, 2007

Dear Representative Paul Seaton,

Subject: HB 134

I would like to express my strong support for HB 134: "The Alaska Wild Salmon Protection Act". The Bristol Bay Watershed; a renewable, healthy, and clean economic engine deserves our strongest protections. This common sense Legislation is a necessary safeguard that will protect the Bristol Bay watershed and all those who depend on the Greatest Fishery in the World.

Respectfully,

Dennis D Gann

To: Rep Paul Seaton
Rep. Craig Johnson
Rep. Carl Gatto

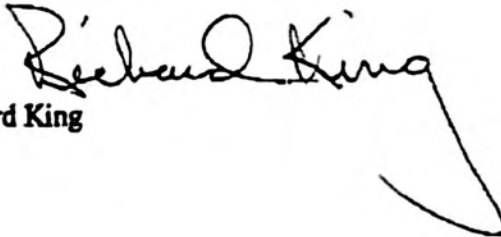
From: Richard King

Date: February 22, 2007

Dear Sirs

My name is Richard King I live on the Nushagak River. I would appreciate it if you would support HB 134. Allot of people who live in the bush rely on fish just to live. I support you in your effort on 134. Please stay the course and don't listen to an education that says we can pollute our watershed. It takes men & woman of character to stand up and be counted.

Sincerely

A handwritten signature in cursive script that reads "Richard King". The signature is written in dark ink and has a long, sweeping underline that extends to the right.

Richard King

From: Rep. Paul Seaton
Sent: Wednesday, February 21, 2007 8:01 AM
To: louie.flora@legis.state.ak.us
Subject: FW: HB 134

From: Brenton Alexander [mailto:bjalexanderak@yahoo.com]
Sent: Tuesday, February 20, 2007 8:49 PM
To: Rep. Paul Seaton
Subject: HB 134

The Honorable Paul Seaton:

My name is Brenton Alexander. I am a 29 year resident of Alaska, I have a B.S. in Civil Engineering from Stanford University, and I work on environmental remediation projects throughout the state. I am writing to express my full support for HB 134. I believe the passage of this bill is crucial to ensuring the continued protection of the Bristol Bay anadromous fisheries resource in the face of the growing Alaska hard rock mining industry. We Alaskans would be naive to simply rely on the purported goodwill of the mining industry to protect our wild salmon. It is an economic reality, that there is practically no incentive for the mining industry to avoid significant and irreparable harm to the Bristol Bay watershed, in light of potentially billions of dollars of profit they stand to extract from Alaska lands. We must implement strict parameters on industry practices that are backed by significant punitive measures to ensure that harming wild salmon is not an acceptable, affordable cost of conducting mining operations in Bristol Bay. HB 134 is to the benefit of all Alaskans, and I urge you to promote its passage.

Thank you,
Brenton J. Alexander
22747 McManus Dr.
Chugiak, AK 99567
688-2271

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To: Rep Paul Seaton
Rep. Craig Johnson
Rep. Carl Gatto

From: Joshua King

Date: February 22, 2007

Dear Sirs

My name is Joshua King I live on the Nushagak River. I hunt and fish on the Kaktuli River, I would appreciate it if you would support HB 134. Allot of people who live in the bush rely on fish like me. I support you in your effort on 134. Please pass 134 I am 11 years old. I have two sisters that are older then me I have one younger brother and sister. Zecharia is two and Quinn is 6 months old. If they turn this area into a mining district what will we do for food. Please pass 134

Joshua King *Joshua King*

From: Cody McCanna [cmccanna@swrds.org]
Sent: Friday, February 16, 2007 8:09 AM
To: Rep. Paul Seaton
Subject: HB 134

Dear Mr. Seaton,

I live in Southwest Alaska in the small village of Koliganek. I personally use the Nushagak River, Mulchatna River, Nuyakuk River and various creeks in the Bristol Bay area for fishing and hunting. Call it subsistence if you'd like, but I simply call it my lifestyle.

The five species of Pacific salmon that use the Bristol Bay watershed are the most important resource in our area. Not only are they the number one commercial industry. These salmon support the entire ecosystem as a keystone species.

In short, please consider HB 134. Bristol Bay salmon spawning beds need to be protected and the only way to protect them is to ensure high water quality in the area.

Thank you for your time,

Cody S. McCanna

From: Dale [dalegus@earthlink.net]
Int: Friday, February 16, 2007 2:21 AM
To: Rep. Paul Seaton
Subject: HB 134

Dear Representative Seaton,

I am a resident of Minnesota and have traveled many times to the Bristol Bay watershed to fish for the awesome sockeye and king salmon in that area. I have been following the mining issues in this area and agree with the provisions of HB 134 as a means to protect that Alaskan asset.

Protecting the unique wildness and preserving the existing pristine habitat is truly worth fighting for. I encourage you to support HB 134 to protect what will continue to bring me to Alaska. The tourism dollars will continue to come to Alaska long after the dollars from minerals have dried up.

Dale A. Gustafson
1845 Wisconsin Ave N
Golden Valley, MN 55427
dalegus@earthlink.net

From: charles gregory [visionati@ca.rr.com]
Sent: Friday, February 16, 2007 8:05 AM
To: Rep. Paul Seaton
Subject: Yes on HB 1134!!!

Dear Representative Seaton:

Support This bill, HB 134: "The Alaska Wild Salmon Protection Act,"
This bill protects wild salmon throughout the Bristol Bay watershed, including
the five major river systems that flow into Bristol Bay, which is home to the world's
largest sockeye salmon runs. The rest of the country needs and is watching this closely,
Help secure a future for this great asset of Alaska.

Thank You,
Charles Gregory

From: kimbrough mauney [kimbroughred@yahoo.com]
Sent: Friday, February 16, 2007 11:51 AM
To: Rep. Carl Gatto; Rep. Paul Seaton; Rep. Craig Johnson
Subject: Support HB 134 please!

Hello Representatives,

I lived in Anchorage from December 2004 to August 2006. I am away now for graduate school, but plan on returning to Alaska within 2 years to work and live. My partner, who fishes commercially out of Pilot Point, joins me in encouraging you to support the passage of HB 134. This is necessary now perhaps more than ever to protect the resources of the Bristol Bay watershed. Please do not let such an opportunity to protect and conserve fall by the wayside. Vote in support of this bill please.

Thank you very much, Kimbrough Mauney

Any questions? Get answers on any topic at [Yahoo! Answers](#). Try it now.

From: Ruben Guetschow [guetschow@gmail.com]
Sent: Friday, February 16, 2007 11:31 AM
To: Rep. Paul Seaton
Subject: HB 134

Representative Seaton,

I am writing to express my strong support for HB 134. Having spent most of my life in Alaska and working in the restaurant industry in Homer, I have developed the strongest appreciation for wild Alaskan salmon, which are today facing a grave threat from mining.

Sincerely,
Ruben Guetschow

From: John Conner [oldbuffalo@etcmail.com]
Sent: Monday, February 19, 2007 4:39 AM
To: Rep. Paul Seaton
Subject: Support HB134

Rep Seaton--I'm writing to urge you to SUPPORT HB134.

The potential for disaster to Bristol Bay and it's fisheries and watershed (and the Alaskans who depend on it for a living and recreation) is just TOO GREAT. When added to the damage to the land and wildlife at and around the mine siite, this is just simply too much. There is nothing worth the damage and risk the mine would create. This should be a NO BRAINER. Please SUPPORT HB134.

John R. Conner, Palmer, AK

From: Leah Elwell [conserve@fedflyfishers.org]
Sent: Friday, February 23, 2007 2:30 PM
To: Rep. Paul Seaton
Subject: letter supporting wild salmon legislation

Please find below a letter supporting wild salmon legislation.

Leah C. Elwell
Conservation Coordinator
Federation of Fly Fishers
215 East Lewis St.
Livingston, MT 59047
406-222-9369 X102
406-222-5823 fax
conserve@fedflyfishers.org



FEDERATION OF FLY FISHERS™
Conserving – Restoring – Educating Through Fly Fishing

215 East Lewis Street
Livingston, MT 59047
(406) 222-9369
(406) 222-5823 fax

February 23, 2007

Rep. Paul Seaton
Fisheries Chair
State Capitol, Rm 102
Juneau, AK 99801-1182

Dear Representative Seaton

The Federation of Fly Fishers is a national organization, which represents conservation interests of thousands of fly fishers nationwide. In addition to our members in Alaska, our constituents recognize and appreciate the significant value of wild fish and preserving their legacy. Additionally, the Federation of Fly Fishers has a long history of working with diverse groups to achieve conservation goals that benefit wildlife. On behalf of our members, the Federation of Fly Fishers is pleased to support HB 134, a Bill to protect Wild Salmon in Bristol Bay.

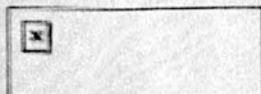
The Wild Salmon Protection Act would protect Alaska's greatest salmon fishery by prohibiting the withdrawal, obstruction, pumping or pollution of surface or subsurface water in any Bristol Bay drainages that support salmon. The legislation also prohibits the destruction of salmon habitat, creates a fining schedule for violating these protections, and protects existing water uses authorized prior to the passage of the bill.

The Federation of Fly Fishers has been a vocal advocate for protecting the Bristol Bay area and the

irreplaceable wild salmon fisheries of Alaska. We believe the protection of wild salmon will benefit not only the legacy of salmon, but the economy of Alaska.

Thank you for your support of fisheries conservation.

Sincerely,



R.P. VanGytenbeek
CEO/President
Federation of Fly Fishers

LAW OFFICES OF BRUCE F. STANFORD, LLC

Signature Building
745 West Fourth Avenue, Suite 230
Anchorage, Alaska 99501
United States of America
Tel. (907) 272-4114 Fax (907) 272-4116
stanlaw@alaska.net

February 16, 2007

Rep. Paul Seaton
Fisheries Chair
State Capitol, Rm 102
Juneau, AK 99801-1182

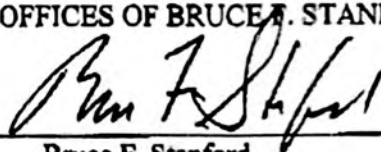
Re: HB NO. 134: "An Act relating to conservation and protection of wild salmon production in drainages affecting the Bristol Bay Fisheries Reserve; and providing for an effective date"

Dear Representative Paul Seaton:

My name is Bruce F. Stanford and I vigorously support HB NO. 134 to protect the Bristol Bay drainage from harm due to the proposed Pebble Mine. I cannot think of a more asinine project than the Pebble Mine. We all have a duty to protect our natural resources, the Bristol Bay sockeye salmon fishery is a world class resource. I fished in Bristol Bay for over 20 seasons. My children Jay and Lauren still commercial fish with their mother in Naknek and spend time with Bella out at Lake Clark. I had the privilege to hunt and fish in the proposed site for the Jay S. Hammond reserve. I recall Jay took my father and I out some years ago on a caribou hunt nearly right smack dab in the area were the proposed mine is supposed to be excavated. I believe that HB No. 134 will aid in the protection of the region. I RESPECTFULLY REQUEST YOUR SUPPORT FOR THIS LEGISLATION NOW. Thank you.

Regards,

LAW OFFICES OF BRUCE F. STANFORD

By: 

Bruce F. Stanford

Ben Nygren's testimony on HB 134, 3/5/07

My name is Ben Nygren, and I am here representing myself. I support the aim of HB 134, which is the protection of the waters which nourish Bristol Bay's prodigious and lucrative salmon runs. These local salmon populations are a renewable economic and cultural treasure. Industrial scale removal of water from the streams in which this treasured resource rears would be just like sucking part of the air out of someone's home.

I was reared in Portland, Oregon, a short distance from the mighty Columbia River. This river was formerly home to one of the world's greatest salmon populations. Careless development has slashed this stock to a shadow of its former self. Billions of dollars have been spent to restore the Columbia watershed's salmon to their pre-development levels, with the successful outcome still far from certain. With wild salmon taking hits all over the world, what a great feeling it is that our Bristol Bay stocks are still in relative good health.

If the waters of our salmon streams are diverted for the purposes of extracting, transporting or storing sulfide bearing mineral ore, there would be in my opinion an unacceptable risk that these once pristine waters would come back to haunt us in the form of sulfuric acid, dissolved heavy metals and other toxins.

I don't see this bill as favoring one industry over another. When an industry pollutes, or otherwise damages our environment, without incurring a cost, that industry is not paying the full true cost for their activities. If denying mining companies these salmon bearing waters for their industrial use adds to their cost of doing business, then that added cost is only bringing them closer to paying the true overall cost for their activities.

My family has a heritage in the mining industry. My father and two generations before him worked part of most of their lives in the Montana mining industry. I am not opposed to mining and recognize its importance in our world. The headwaters of Bristol Bay's important salmon streams are however the wrong place for industrial scale mining.

Illustrations of environmental detriment incurred elsewhere in our country, which may be analogous to future industry caused problems in the Bristol Bay watershed include:

- 1) The Berkley pit in Butte, Montana. This now closed open pit copper mine is over one mile in diameter and 1800 feet deep. After mining operations ceased, it filled with toxic stew of arsenic and heavy metals so thick that the water itself is mined, and is now the nation's largest body of contaminated water. Though ARCO, the sites owners, deny this poses any risk to human or wildlife health, a 1995 incident where 342 snow geese died after landing on the site may lead one to question ARCO's credibility when speaking to their sites safety. The estimated total cost for cleanup and control at the pit is \$110 million.
- 2) On June 5, 1976 an earthen dam, the Teton Dam, in Idaho failed spectacularly. Downstream communities were severely damaged, and the government was liable for \$322 million dollars in claims. A few hours of advanced warning afforded many the chance to flee to safety, but 11 lives were still lost.

Thank you for the opportunity to testify.

Post-it Fax Note	7671	Date	3/5/07	# of pages	2
To	Rep. Paul Seaton	From	Mike McCarthy		
Co./Dept.	Chair - Fisheries	Co.			
Phone #	465-2689	Phone #	235-5597		
Fax #	465-3472	Fax #	11		

P.O. Box 957
Homer, AK 99603
March 2, 2007

Representative Paul Seaton, Chair Fisheries Committee
State Capitol, Juneau, AK 9980-1182

Re: House Bill 134

Dear Representative Seaton and Committee Members:

I am in support of the intent of HB134, providing some modifications be made to allow for limited development under more stringent standards than are presently in place. Thank you for hearing my testimony today.

I reside in Homer and have been an Alaskan resident since 1987. My background includes being a retired Registered Geologist, (Oregon # 611), with experience in exploration hard rock mining of gold, silver, copper, lead, zinc and barite deposits as well as environmental geology. I have done geologic work in Alaska, Arizona, Idaho, Montana, Nevada and Oregon.

It is gratifying that HB 134 is a bipartisan effort because it will take the best efforts of all minds, not just those of Democrats or Republicans to resolve this issue in a manner that best protects Alaska's future. My focus is a pragmatic one. The passage of this good idea made into law would save much calamity, litigation and money. HB 134 can be likened to an insurance policy. We don't plan on a fire or a car accident but just in case we buy insurance protection. It is there in case something happens.

What could happen in the Bristol Bay watershed without the safe guards of HB 134? Perhaps another Butte, Montana Berkeley Pit one of America's largest Superfund clean up sites. Originally a series of underground mines that began in the 1870's and ran until 1972 when underground mining was no longer economically feasible, the workings included 42 miles of vertical shafts and 2,700 miles of other passageways. The pit first operated in 1955 and closed in 1982 after approximately 1 billion tons of material was mined. The pit measures 1.5 miles east to west, 1 mile north to south and is approximately 1,780 feet deep. The pit is presently flooded to a depth of 900 feet and contains 30 billion gallons of water with a pH of 2.5. There is an inflow into the pit of both surface and ground water that measures approximately 5,000 gallons per minute or 7.2 million gallons per day.

This 30 billion gallons of highly acidic water contains high concentrations of arsenic, copper, cadmium, cobalt, iron, manganese zinc and sulfate. In 1995 a large flock of migrating snow geese landed on the Berkeley Pit and were killed, most likely by the high concentration of acid. There were 342 carcasses recovered. Their livers and kidneys had bloated and many had an eroded esophagus. (wikipedia/Berkeley Pit). These contaminated mine waters require constant costly mitigation efforts to protect the areas' surface and ground water supplies.

I have personal knowledge of two additional contaminated mine areas that merit consideration. The first is Cobalt, Idaho which I last visited in 2005. The mine waters flowing out of the abandoned mine adits are thick with brown ooze which coats everything it contacts including the ground and rocks adjacent to the stream bed of Black Bird Creek. Approximately three miles down stream from the nearest adit is a warning sign posted next to the creek. The sign reads, "BLACKBIRD CREEK IS UNSAFE FOR DRINKING WATER". It should be noted that the water in the creek here is no longer the ugly brown ooze but yet is still unsafe. I have attached photos of this because they have reference value for the next area, the South Fork of the Coeur d'Alene River by Kellogg, Idaho.

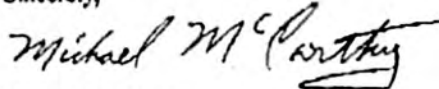
It was 1955 when I first saw this river which is approximately the same width as the Kaslof River where the Sterling Highway crosses it, or about 150 feet wide. The South Fork of the Coeur d'Alene River was very nearly the same color and clarity as Blackbird Creek only it was 15 times wider. More than fifty years later this river and the Coeur d'Alene mining district are another Superfund clean up site. The same potential for contaminated mine water run off exists for the Bristol Bay Fisheries Reserve unless the safeguards of HB 134 are enacted.

The 1872 mining law as it currently exists contains no protections from mining pollution; it gives preferential treatment to mining over other land uses; it grants special tax breaks to the mining industry and it allows the sale of public lands for less than \$5.00 an acre. Perhaps HB134 could be modified to incorporate some features of the Federal Mineral Development Act of 2005. This Act was not passed into law but it was designed to help protect water resources. Please contact Montana Environmental Information Center for details, phone (406) 443-2520 or meic@meic.org

I am faxing a 2006 report titled: Predicting Water Quality Problems At Hard rock Mines by Ann Maest, PhD and Jim Kuipers, P.E. This report shows that a review of 104 Environmental Impact Statements for 71 major hard rock mines in the United States produced a startling finding. The reports for these mines were evaluated for predictions related to surface water, ground water, and mine drainage quality during and after mining. These predictions were then compared with actual water quality conditions during and after mining. A shocking 76% of mines polluted groundwater or surface water severely enough to exceed water quality standards. Of the sites that did develop acid drainage, 89% predicted that they would not. In short there is a universal vast discrepancy between predictions and reality. The Bristol Bay Fisheries Reserve is too critical a resource to risk on the imperfect science of mine water quality prediction.

Thank you again for the opportunity to comment.

Sincerely,



Michael McCarthy



Lake and Peninsula Borough

P.O. Box 495
King Salmon, Alaska 99613

Telephone: (907) 246-3421
Fax: (907) 246-6602



April 2, 2007

The Honorable Representative Paul Seaton
State Capitol, Room 102
Juneau, AK 99811-1182

Dear Representative Seaton:

I am writing you about HB 134, the proposed Bristol Bay Fisheries Reserve. A reading of the bill shows a number of significant concerns, and I would like take this opportunity to describe them.

Concerns Outlined by Bristol Bay Native Corporation. Jason C. Metrokin, a Director of the Bristol Bay Native Corporation, outlined the Corporation's concerns with the bill. The Borough concurs with the concerns expressed by BBNC, but would add the additional concerns expressed below.

An Admission that Environmental Protection and Economic Opportunity cannot Co-exist.

We are concerned about the philosophy that environmental protection and economic opportunity cannot co-exist. The Lake and Peninsula Borough Assembly has previously stated by resolution that with appropriate regulation and permitting by federal, state, and local governments, we can find ways to develop our region and still maintain the resources we rely on. The Assembly has further stated that if a "project is not shown to adequately protect Borough fisheries, water quality, natural resources, and social and cultural values, we will oppose it." The proposed fisheries reserve takes a different approach: it prohibits any activity — no matter how well planned and environmentally compatible — that does not fall on a pre-determined list of legislatively approved uses.

Such an approach is an admission that nothing outside of the approved list in the bill can be environmentally appropriate. It is an admission that economic development and environmental protection cannot mutually co-exist. We disagree.

The Bill Treats Identical Activities Differently. Two activities that have an identical impact on the environment are treated differently under the bill. Impacts that support a use that are not included on the legislatively approved list are prohibited. Identical impacts that support a use on the list are allowed.

For example, a community dock in the river that requires minor alteration of the bed of the river is apparently allowed; the same dock for a lodge is prohibited. A simple powerline that requires a minor amount of wetland fill is prohibited if it goes to a small dwelling to be used for a business. If it is used for a municipal use, it is allowed. Indeed, the number of comparisons of this type is close to endless.

If an activity's impacts cannot protect our environment, it should be prohibited. If it can protect the environment, it should be allowed. It is inappropriate to treat similar impacts differently, independent on their environmental impact or public need.

If the Permitting Process is Broken, We Should Fix it — not

pre-empt it. The bill would effectively prohibit agencies from issuing authorizations for activities not on the legislative "approved" list. Below is a *partial* list of agencies and permits that the bill would pre-empt for activities not on the legislative "approved" list.

- Alaska Water Use Act. DNR's temporary water use permit and water right.
- Clean Water Act — Section 404. Corps of Engineers "wetlands permit."
- Clean Water Act — Section 402. EPA water discharge permit (eliminated in most cases).
- Clean Water Act — Section 402. EPA Stormwater discharge permit.
- Clean Water Act — Other Sections. EPA underground injection permit.
- Clean Water Act — Other Sections. EPA Stormwater discharge permit.
- Alaska 401 Certifications. DEC certification of federal Clean Water Act Permit (eliminated in most cases).
- Alaska Solid Waste Permit. DEC permit for solid waste (eliminated in many instances, such as tailings, because it typically requires discharge or alteration of hydrology).
- Alaska Dam Safety Statutes — DNR certificate to build or operate a dam.
- Fish Habitat Permit — DNR permit activities affecting fish habitat of anadromous fish streams.
- Fish Passage Permit — DNR permit for activities affecting passage for non-anadromous fish.

If these permit process are inadequate to protect our resources for activities outside the "approved list", we should amend the processes — not pre-empt them by legislative fiat. If these processes are *not* adequate for some activities, we see no reason why they *are* adequate for energy projects, seafood processing, or other activities on the legislative list. In general, if there is a problem with Alaska's permitting processes, we should fix the problem — not pre-empt it. And especially not pre-empt it for some uses but not others.

It makes Some of Our Citizens into Criminals. There are many of our citizens who operate businesses and activities within the Borough that probably do not have all of their authorizations up to date. For example, a brief review of fishing lodges shows that many lack the required water rights. If this bill passes, the owners would be liable for fines up to \$1 million per day. And they would have no opportunity to get the authorizations they lack — even if their business created no significant environmental impact.

The Death of Our Villages. To prohibit agency permitting for anything not on some list we think of today could eliminate the possibility of economic activity on federal, state, and private lands tomorrow. Our citizens are industrious, creative, and innovative. If we set the rules, we can determine methods of creating lives for ourselves in a manner that protects the environment. I fear that eliminating the economic opportunities for our citizens will lead to eventual elimination of our villages, as well.

Our communities desire to be vibrant producers for the State and not condemned to perpetual poverty by carte blanche application of a mindset that basically concedes that humankind is not intelligent enough to engineer ironclad solutions to whatever thorny problems face us.

The communities in the Borough are losing population. The Lake and Peninsula communities lost 13% of its population between 2000 and 2004. Our 2000 population was over 1,800 people. Four years later it was less than 1,600. This is a big change for our small communities. Our communities need economic development opportunities. There is no question that we must develop those opportunities in a way that protects the environment. However, limiting economic development only to a list approved by today's legislature is not the answer.

I hope this information is helpful. After explanation and discussion, we may find that some of the concerns are unwarranted. It is also possible that we may identify others. One important way to do so is to ensure that our citizens get a fair opportunity to participate. For that reason, I would request that if this bill is advanced for further hearing, that you ask the committee to hold hearings in each of the affected villages. Clearly our future is at stake, and we need to be heard. In any case, we look forward to continued discussion with you about the proposal.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Glen Alsworth", with a stylized flourish at the end.

Glen Alsworth
Mayor

Written Testimony for House Special Committee on Fisheries

Prepared and given by Jason Metrokin on behalf of Bristol Bay Native Corporation and Board of Directors

Re: HB 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."

Mr. Chairman and Committee Members:

My name is Jason Metrokin. I am a shareholder and Board Member of BBNC. I am speaking today on behalf of Bristol Bay Native Corporation's Board of Directors and our shareholders.

We disagree with the blanket legislation outlined in HB-134 because it impedes economic and community development.

First, let me clarify that we do not question the need to protect our valuable fish. Wild salmon is the past, present, and future of our Bristol Bay resources. We support the preservation and protection of our region's cultural and commercial mainstay.

But, BBNC believes that carefully considered development can take place in our region without threatening our fish. In fact, many communities in Bristol Bay are relying on development projects:

- to enhance existing infrastructure,
- create diverse business opportunities,
- help lower energy costs,
- improve transportation,
- and allow for safe and healthy livelihoods.

The nature of HB-134 could make these necessary community projects cost-prohibitive, if not legally impossible. We strongly feel that planned and future development in our region should not be at the mercy of legislation designed to single-out one controversial project.

BBNC requests the authors of HB-134 to consider the far-reaching impact of their work and the multitudes of people and communities it has the potential to affect. We suggest that the authors go back to the drawing board and be surgical with their intentions.

I appreciate the opportunity to speak on behalf of Bristol Bay Native Corporation.