

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 227
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HERRON, Neuman

Introduced: 1/19/10

Referred: House Special Committee on Fisheries, Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the establishment of state fish and game reserves; creating the**
2 **Holitna River Basin Hunting, Fishing, and Trapping Reserve; and providing for an**
3 **effective date."**

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

5 * **Section 1.** AS 16.20 is amended by adding new sections to read:

6 **Article 6. Fish and Game Reserves.**

7 **Sec. 16.20.700. Purpose.** The purpose of establishing a fish and game reserve
8 is to promote management activities to rebuild or enhance fish and wildlife
9 populations and habitats to maintain historical and sustainable harvest levels for
10 continued high levels of human consumptive use of these resources.

11 **Sec. 16.20.710. Regulations.** The Board of Fisheries or the Board of Game,
12 where appropriate, shall adopt regulations each considers advisable for conservation
13 and protection of fish and game to carry out the purposes of AS 16.20.700 and
14 16.20.720.

1 **Sec. 16.20.720. Holitna River Basin Hunting, Fishing, and Trapping**
2 **Reserve established.** (a) All state-owned land and water and all land acquired in the
3 future by the state within the watershed of the Holitna River and Hoholitna River is
4 designated as the Holitna River Basin Hunting, Fishing, and Trapping Reserve.

5 (b) The Holitna River Basin Hunting, Fishing, and Trapping Reserve is
6 established to

7 (1) ensure management and protection of fish and wildlife populations
8 and habitat to perpetuate subsistence use, commercial use, and other consumptive uses
9 of the area's fish and wildlife;

10 (2) implement maximum use and benefit, sustained yield, and common
11 use principles by using effective management techniques for conserving and
12 developing the area's fish and wildlife resources to regain or maintain historical
13 harvest levels with human consumptive use of these resources as a priority;

14 (3) maintain and enhance healthy and abundant fish and wildlife
15 populations commonly used for consumption by humans to provide high levels of
16 human consumptive use in keeping with amounts determined by the Board of
17 Fisheries and the Board of Game to be reasonably necessary to provide for subsistence
18 uses and with other population and use goals or objectives set by the appropriate
19 board;

20 (4) allow for long-term scientific research and management study areas
21 to determine the effectiveness of management activities under this section in providing
22 for current and future human harvest needs.

23 (c) To fulfill the purposes of this section, the Department of Fish and Game,
24 the Board of Fisheries, and the Board of Game shall manage the fish and game
25 resources of the area to provide for high levels of human harvest and, subject to
26 priorities among areas in which intensive management actions are carried out as
27 determined by the Department of Fish and Game, the Board of Fisheries, and the
28 Board of Game, shall

29 (1) control predation and adjust predator and prey population ratios
30 through whatever methods or means are considered appropriate to particular
31 circumstances;

1 (2) conduct management actions designed to further the purposes of
2 this section so long as the appropriate board has not found, based on substantial
3 evidence, that the challenged management actions are counterproductive or ineffective
4 in maintaining or enhancing healthy and abundant fish or wildlife populations
5 commonly used for consumption by humans for food to provide for high levels of
6 human consumptive use;

7 (3) consider scientific evidence augmented by historical and local
8 environmental knowledge when evaluating management activities.

9 (d) The Department of Natural Resources may not acquire by eminent domain
10 privately owned land within the Holitna River Basin Hunting, Fishing, and Trapping
11 Reserve but may acquire privately owned land by purchase, exchange, or other means
12 for inclusion in the reserve.

13 (e) Public access to the Holitna River Basin Hunting, Fishing, and Trapping
14 Reserve by boat, aircraft, dog team, snow machine, all-terrain vehicle, or other means
15 consistent with the purposes of this section may be regulated by the Department of
16 Natural Resources, in consultation with the Department of Fish and Game, as
17 necessary to meet the purposes of this section and to protect access to and
18 development of other natural resources within the reserve.

19 (f) Access to and from private property within the Holitna River Basin
20 Hunting, Fishing, and Trapping Reserve shall be guaranteed through access corridors
21 established by the Department of Natural Resources, in consultation with the
22 Department of Fish and Game and a private property owner.

23 (g) Entry upon the Holitna River Basin Hunting, Fishing, and Trapping
24 Reserve for purposes of exploration and development of nonrenewable resources is
25 subject to approval by the Department of Natural Resources, in consultation with the
26 Department of Fish and Game. Exploration and development activities must be
27 conducted in a manner that is compatible with the purpose of this section.

28 (h) Except as otherwise provided in this section, the Department of Fish and
29 Game and the Department of Natural Resources shall exercise each department's
30 respective authority over the Holitna River Basin Hunting, Fishing, and Trapping
31 Reserve through a fish and game management plan prepared by the Department of

1 Fish and Game in consultation with the Department of Natural Resources.

2 (i) All state-owned surface and subsurface land and water within the parcels
3 described in this subsection are established as the Holitna River Basin Hunting,
4 Fishing, and Trapping Reserve:

5 (1) Township 4 North, Range 48 West, Seward Meridian

6 Sections 2 - 5

7 Sections 9 - 10;

8 (2) Township 4 North, Range 51 West, Seward Meridian

9 Sections 1 - 6

10 Sections 9 - 12;

11 (3) Township 4 North, Range 52 West, Seward Meridian

12 Sections 1 - 18

13 Sections 20 - 29

14 Sections 32 - 36;

15 (4) Township 4 North, Range 53 West, Seward Meridian;

16 (5) Township 5 North, Range 37 West, Seward Meridian

17 Sections 4 - 6

18 Sections 8 - 9;

19 (6) Township 5 North, Range 47 West, Seward Meridian

20 Sections 1 - 5

21 Sections 7 - 17

22 Sections 20 - 28

23 Sections 35 - 36;

24 (7) Township 5 North, Range 48 West, Seward Meridian

25 Sections 1 - 24

26 Sections 28 - 33;

27 (8) Township 5 North, Range 49 West, Seward Meridian

28 Sections 1 - 30

29 Sections 34 - 36;

30 (9) Township 5 North, Range 50 - 54 West, Seward Meridian;

31 (10) Township 6 North, Range 35 West, Seward Meridian

- 1 Sections 1 - 3
- 2 Sections 10 - 12;
- 3 (11) Township 6 North, Range 36 West, Seward Meridian
- 4 Sections 1 - 15
- 5 Section 18
- 6 Sections 22 - 26
- 7 Sections 35 - 36;
- 8 (12) Township 6 North, Range 38 West, Seward Meridian
- 9 Sections 1 - 18
- 10 Sections 23 - 24;
- 11 (13) Township 6 North, Range 39 West, Seward Meridian
- 12 Sections 6 - 7
- 13 Sections 18 - 19;
- 14 (14) Township 6 North, Range 42 West, Seward Meridian
- 15 Sections 1 - 3
- 16 Section 11;
- 17 (15) Township 6 North, Range 43 West, Seward Meridian
- 18 Sections 5 - 6;
- 19 (16) Township 6 North, Range 44 West, Seward Meridian
- 20 Sections 2 - 6;
- 21 (17) Township 6 North, Range 47 West, Seward Meridian
- 22 Section 13
- 23 Sections 24 - 26
- 24 Sections 34 - 36;
- 25 (18) Township 6 North, Ranges 48 - 55 West, Seward Meridian;
- 26 (19) Township 7 North, Range 35 West, Seward Meridian
- 27 Section 1
- 28 Sections 12 - 13
- 29 Sections 24 - 25
- 30 Section 36;
- 31 (20) Township 7 North, Ranges 36 - 38 West, Seward Meridian;

- 1 (21) Township 7 North, Range 39 West, Seward Meridian
 2 Sections 1 - 22
 3 Sections 30 - 31;
 4 (22) Township 7 North, Range 40 West, Seward Meridian
 5 Sections 1 - 18
 6 Sections 22 - 24;
 7 (23) Township 7 North, Range 41 West, Seward Meridian
 8 Sections 1 - 14
 9 Sections 17 - 19;
 10 (24) Township 7 North, Range 42 West, Seward Meridian
 11 Sections 1 - 18
 12 Sections 20 - 27
 13 Sections 34 - 36;
 14 (25) Township 7 North, Range 43 West, Seward Meridian
 15 Sections 1 - 26
 16 Sections 28 - 33;
 17 (26) Township 7 North, Range 44 West, Seward Meridian;
 18 (27) Township 7 North, Range 45 West, Seward Meridian
 19 Sections 5 - 7
 20 Sections 18 - 19
 21 Sections 30;
 22 (28) Township 7 North, Range 47 West, Seward Meridian
 23 Section 1
 24 Sections 12 - 13;
 25 (29) Township 7 North, Ranges 48 - 54 West, Seward Meridian;
 26 (30) Township 7 North, Range 55 West, Seward Meridian
 27 Sections 5 - 8
 28 Sections 17 - 20
 29 Sections 29 - 35;
 30 (31) Township 8 North, Range 34 West, Seward Meridian
 31 Section 24;

- 1 (32) Township 8 North, Range 35 West, Seward Meridian
2 Sections 1 - 5
3 Sections 7 - 30
4 Sections 35 - 36;
5 (33) Township 8 North, Ranges 36 - 44 West, Seward Meridian;
6 (34) Township 8 North, Range 45 West, Seward Meridian
7 Sections 1 - 24
8 Sections 26 - 32;
9 (35) Township 8 North, Range 46 West, Seward Meridian
10 Sections 1 - 26;
11 (36) Township 8 North, Range 47 West, Seward Meridian
12 Sections 1 - 30
13 Sections 35 - 36;
14 (37) Township 8 North, Ranges 48 - 53 West, Seward Meridian;
15 (38) Township 8 North, Range 54 West, Seward Meridian
16 Sections 5 - 8
17 Sections 13 - 36;
18 (39) Township 8 North, Range 55 West, Seward Meridian
19 Sections 17 - 20
20 Sections 29 - 32;
21 (40) Township 9 North, Range 30 West, Seward Meridian
22 Sections 2 - 6;
23 (41) Township 9 North, Range 32 West, Seward Meridian
24 Sections 1 - 4
25 Sections 10 - 15
26 Sections 22 - 24;
27 (42) Township 9 North, Range 33 West, Seward Meridian
28 Sections 1 - 30
29 Sections 32 - 36;
30 (43) Township 9 North, Ranges 34 - 52 West, Seward Meridian;
31 (44) Township 9 North, Range 53 West, Seward Meridian

- 1 Sections 2 - 11
- 2 Sections 14 - 23
- 3 Sections 26 - 35;
- 4 (45) Township 10 North, Range 30 West, Seward Meridian
- 5 Sections 7 - 36;
- 6 (46) Township 10 North, Ranges 31 - 52 West, Seward Meridian;
- 7 (47) Township 10 North, Range 53 West, Seward Meridian
- 8 Sections 19 - 21
- 9 Sections 26 - 35;
- 10 (48) Township 11 North, Range 31 West, Seward Meridian
- 11 Section 36;
- 12 (49) Township 11 North, Range 32 West, Seward Meridian
- 13 Section 13
- 14 Sections 24 - 26
- 15 Sections 31 - 36;
- 16 (50) Township 11 North, Range 33 West, Seward Meridian
- 17 Sections 1 - 5
- 18 Sections 8 - 36;
- 19 (51) Township 11 North, Ranges 34 - 50 West, Seward Meridian;
- 20 (52) Township 11 North, Range 51 West, Seward Meridian
- 21 Sections 1 - 4
- 22 Sections 7 - 36;
- 23 (53) Township 11 North, Range 52 West, Seward Meridian
- 24 Sections 6 - 8
- 25 Sections 17 - 20
- 26 Sections 29 - 34;
- 27 (54) Township 12 North, Range 37 West, Seward Meridian
- 28 Sections 22 - 27
- 29 Sections 31 - 36;
- 30 (55) Township 12 North, Range 38 West, Seward Meridian
- 31 Sections 1 - 4

1 Sections 9 - 16
2 Sections 19 - 36;
3 (56) Township 12 North, Ranges 39 - 49 West, Seward Meridian;
4 (57) Township 12 North, Range 50 West, Seward Meridian
5 Sections 3 - 10
6 Sections 15 - 22
7 Sections 27 - 36;
8 (58) Township 12 North, Range 51 West, Seward Meridian
9 Sections 33 - 34;
10 (59) Township 13 North, Range 37 West, Seward Meridian
11 Section 1
12 Section 12;
13 (60) Township 13 North, Ranges 38 - 48 West, Seward Meridian;
14 (61) Township 13 North, Range 49 West, Seward Meridian
15 Sections 6 - 8
16 Sections 15 - 36;
17 (62) Township 13 North, Range 50 West, Seward Meridian
18 Sections 30 - 31;
19 (63) Township 14 North, Range 39 West, Seward Meridian
20 Sections 1 - 2
21 Sections 10 - 15
22 Sections 20 - 36;
23 (64) Township 14 North, Ranges 40 - 47 West, Seward Meridian;
24 (65) Township 14 North, Range 48 West, Seward Meridian
25 Sections 1 - 2
26 Sections 10 - 36;
27 (66) Township 14 North, Range 49 West, Seward Meridian
28 Sections 18 - 19
29 Sections 30 - 31;
30 (67) Township 15 North, Range 39 West, Seward Meridian
31 Sections 1 - 3

1 Sections 10 - 13
2 Sections 24 - 25
3 Section 36;
4 (68) Township 15 North, Ranges 40 - 46 West, Seward Meridian;
5 (69) Township 15 North, Range 47 West, Seward Meridian
6 Section 7
7 Sections 17 - 36;
8 (70) Township 16 North, Range 39 West, Seward Meridian
9 Sections 13 - 15
10 Sections 22 - 27
11 Sections 34 - 36;
12 (71) Township 16 North, Range 40 West, Seward Meridian
13 Sections 1 - 4
14 Sections 9 - 36;
15 (72) Township 16 North, Ranges 41 - 45 West, Seward Meridian;
16 (73) Township 17 North, Range 40 West, Seward Meridian
17 Sections 13 - 14
18 Sections 21 - 28
19 Sections 33 - 36;
20 (74) Township 17 North, Ranges 41 - 42 West, Seward Meridian;
21 (75) Township 17 North, Range 43 West, Seward Meridian
22 Sections 1 - 3
23 Sections 10 - 15
24 Sections 22 - 25
25 Section 36;
26 (76) Township 17 North, Range 44 West, Seward Meridian
27 Sections 3 - 10
28 Sections 13 - 36;
29 (77) Township 18 North, Range 40 West, Seward Meridian
30 Sections 13 - 14
31 Sections 21 - 28

- 1 Sections 33 - 36;
- 2 (78) Township 18 North, Range 41 West, Seward Meridian
- 3 Sections 1 - 5
- 4 Sections 8 - 36;
- 5 (79) Township 18 North, Range 42 West, Seward Meridian
- 6 Sections 4 - 36;
- 7 (80) Township 18 North, Range 43 West, Seward Meridian
- 8 Section 31
- 9 Section 36;
- 10 (81) Township 18 North, Range 44 West, Seward Meridian
- 11 Sections 30 - 31;
- 12 (82) Township 19 North, Range 41 West, Seward Meridian
- 13 Sections 22 - 28
- 14 Sections 33 - 36;
- 15 (83) Township 19 North, Range 42 West, Seward Meridian
- 16 Sections 4 - 36;
- 17 (84) Township 19 North, Range 43 West, Seward Meridian
- 18 Section 1
- 19 Sections 3 - 4
- 20 Sections 9 - 23
- 21 Sections 26 - 30
- 22 Sections 33 - 34.
- 23 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).