

Comments for Proposal HQ-F16-084

The following comments were submitted as comments/record copies on Proposal HQ-F16-084 prior to and during the 2016 Alaska Board of Fisheries Work Session Meeting. Some comments or minutes have been truncated for relevance.

Submitted By
Laura Wright
Submitted On
10/17/2016 9:02:51 PM
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Greetings,

All Alaskans depend on salmon and I have found that in recent years the protection of this FREE resource that comes back every year... is being undermined by various extraction resources (mining, dams). Salmon need more protection. In Title 16 there needs to be a review criteria to ensure that permitting decisions will protect salmon and the habitat they depend on. I am writing to ask the Board of Fisheries to recommend that the Legislature amend Title 16 by adding elements of the Sustainable Salmon Policy. This carefully thought out and sensible document needs to be a part of Title 16. Thank you.

Submitted By
Michael Opheim
Submitted On
10/13/2016 1:33:29 PM
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Seldovia AC

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Members of the Alaska Board of Fisheries,

We, are writing to support the intent of the salmon habitat proposal, which is item “n” on the list of non-regulatory proposals being considered at your work session, and we ask the Board to recommend that the legislature update Alaska’s fish habitat permitting laws under Title 16. At our Advisory Committee meeting on October 11, 2016, the AC discussed this proposal after receiving a copy of the proposal from one of the group members. This group is made up of Alaskans who practice subsistence, personal use, commercial, and sport fishing – and who are all in support of the proposal.

Title 16 gives the Department of Fish and Game its authority to issue permits for development projects that may impact fish habitat, but it lacks specific criteria that defines what is or isn’t an acceptable level of development activity in Alaska’s anadromous fish habitat. The Board of Fish specifically developed the Policy for the Management of Sustainable Salmon Fisheries, to “[...] *ensure conservation of salmon and salmon’s required marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska’s fishing communities.*” (5 AAC 39.222(b))

Over the last decade, significant stakeholder concern has been raised about several development projects that could significantly impact salmon habitat. Much of that public concern seems based on a lack of trust that the permitting process will adequately consider and prevent significant impacts to fish and their habitats. Strengthening the habitat considerations in the permitting process can help restore that public faith, while still allowing potential developers a fair shake in that same process.

While these changes are under the authority of the Legislature, we feel it is important for the Board of Fisheries to urge the Legislature to examine and address these issues. Many parts of these laws have changed little over the years and recent criticisms of the permitting process have highlighted a significant need for improvements to adequately protect salmon habitat and restore the public’s faith in the process.

Michael Opheim
Seldovia Advisory Committee

Submitted By
Dave Lyon
Submitted On
10/19/2016 2:06:36 PM
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To the member of the Alaska Board of Fisheries,

On behalf of the Homer fish and game advisory committee I am writing to ask you to support updates to to Alaska's fish habitat permitting laws, item "N" on your list of non regulatory proposal considered at your work session.

Though on paper Alaska appears to have a significant system of permitting, it is painfully obvious that it is not enough. We believe the state is beholden to its citizens to pursue threats to salmon habitat with due diligence, and that there are not stringent enough deterrents to those that attempt to circumvent the intent of the regulatory process.

Salmon habitat is the most crucial part of our states greatest renewable resource, and as such should have clear and concise protections granted by legislation.

We urge you to take this into consideration when the BOF makes recommendations to the legislature.

Sincerely,
Dave Lyon
Chair
Homer F&G AC



Submitted By
Anchorage Advisory Committee
Submitted On
9/28/2016 2:42:46 PM
Affiliation

Members of the Alaska Board of Fisheries,

We, are writing to support the intent of the salmon habitat proposal, which is item "n" on the list of non-regulatory proposals being considered at your worksession, and we ask the Board to recommend that the legislature update Alaska's fish habitat permitting laws under Title 16. At our Advisory Committee meeting on September 27, 2016, the AC discussed this proposal after receiving a presentation from its author and testimony from a diverse group of Alaskans who practice subsistence, personal use, commercial, and sport fishing – all in support of the proposal.

Title 16 gives the Department of Fish and Game its authority to issue permits for development projects that may impact fish habitat, but it lacks specific criteria that defines what is or isn't an acceptable level of development activity in Alaska's anadromous fish habitat. The Board of Fish specifically developed the Policy for the Management of Sustainable Salmon Fisheries, to "[...] *ensure conservation of salmon and salmon's required marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska's fishing communities.*" (5 AAC 39.222(b))

Over the last decade, significant stakeholder concern has been raised about several development projects that could significantly impact salmon habitat. Much of that public concern seems based on a lack of trust that the permitting process will adequately consider and prevent significant impacts to fish and their habitats. Strengthening the habitat considerations in the permitting process can help restore that public faith, while still allowing potential developers a fair shake in that same process.

While these changes are under the authority of the Legislature, we feel it is important for the Board of Fisheries to urge the Legislature to examine and address these issues. Many parts of these laws have changed little over the years and recent criticisms of the permitting process have highlighted a significant need for improvements to adequately protect salmon habitat and restore the public's faith in the process.

Joel Doner, Chair

Anchorage Advisory Committee



Submitted By
Joel Doner
Submitted On
9/28/2016 7:47:06 AM
Affiliation
Anchorage Advisory Committee

~~Members of the Alaska Board of Fisheries,

We, the Anchorage Fish and Game Advisory Committee, are writing to support the salmon habitat proposal that seeks Board of Fish action to recommend that the legislature update Alaska's fish habitat permitting law under Title 16. It is notable to our committee that this proposal was brought forward by a diverse group of Alaskans who practice subsistence, personal use, commercial, and sport fishing. It is not often that a proposal comes before our body or yours that is supported by representatives from all of the fisheries user groups.

AS 16.05.871, which gives the Department of Fish and Game its authority to issue permits for development projects that may impact fish habitat, lacks specific criteria that defines what is or isn't an acceptable level of development activity in Alaska's anadromous fish habitat. The Board of Fish specifically developed the Sustainable Salmon Policy to "ensure conservation of salmon and salmon's required marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska's fishing communities." 5 AAC 39.222(b). As Alaska faces an ever increasing number of applications for both large and small development projects, we think all Alaskans will agree that ensuring development is done in a responsible manner that truly protects the sustainability of our fisheries resources is critical.

Thus, it is time for Alaska to revisit one of its oldest laws in order to ensure it contains the appropriate sideboards to assist the Alaska Department of Fish and Game in clarifying how development should be permitted in anadromous fish habitat. Thank you very much for your careful consideration of this matter.

Joel Doner, Chair
Anchorage Fish & Game Advisory Committee



Submitted By
Linda Fisch
Submitted On
9/27/2016 10:10:19 PM
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I commercial fished in Cook Inlet for over 10 years and I am a long time Alaska resident living in Wasilla for 29 years Kenai peninsula for 5 and Fbks for the 10 years as I was a young 20 yr old. My Husband is born and raised in Palmer third generation. I SUPPORT AND STAND FOR THE SALMON PROPOSAL TO STRENGTHEN ALASKA'S fish habitat permits through a revision of and an update to Title 16. As board of fish members it makes sense to support this proposal and keep Alaska thriving. I reside along Paradise Lake in Wasilla. I have experienced first-hand how the non-specific and broad language in Title 16 has many loopholes which allow projects to continue that degrade and reduce the abundance of our salmon. The State of Alaska is facing a budget crisis and the economy is unlikely to improve in the new few years-- Our State Constitution was drafted with salmon as a key focus. I implore you- do not lose focus now. Salmon employ thousands of Alaskans and attract ten more thousands of tourists. As Members of Board of Fish you have the ability to recommend changes to Title 16 that protect Salmon habitat and ecosystems in the Cook Inlet Watersheds. Please do this Please otherwise Alaska will go down the tubes.

Sincerely

Linda Fisch



Submitted By
Patricia Scudder
Submitted On
9/27/2016 2:39:27 PM
Affiliation

I have been fortunate to spend about half my time in Alaska each year, visiting my family, who have made Alaska their home since 2005. One of the things about your great state that has both impressed and appalled me at the same time are the abundant salmon resources. My time in Alaska has been spent fishing throughout South Central from Homer to the Denali Hwy, in Prince William Sound and in almost any stream that I can find in between. Alaska is unique in the protections that have been given to salmon, but more needs to be done. As members of the Board of Fish please update Title 16 and listen to the people – both in Alaska, and from consumers and tourists of other states that spent upward of \$30 a pound for fresh, Wild Alaska Salmon at the start of each summer. Alaska is the “last frontier” for certain, but you should learn from the mistakes made in New England and the Pacific Northwest and ensure that Alaska’s salmon remains abundant through enhanced habitat protection. Thank you for putting this proposal on the agenda for your work session in October 2016.

Thank you -

Patricia Scudder



Submitted By
Emily Leak
Submitted On
9/28/2016 2:05:52 PM
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Emily Leak's Public Testimony: 9/27/16

My name is Emily Leak, I am currently a student at UAA and I would like to give testimony on the resolution to title 16.

-I was raised on wild fish and game, my parents were adamant that it was the healthiest way to raise and feed their children

-My parents are hunters and fisherman and I was raised hunting, fishing, hiking and camping and was taught to appreciate the outdoors and its capacity to feed our family.

- My first summer in Alaska, before I had decided to live here forever, I ate salmon everyday. At every social event, every meal I shared with family and friends we ate moose and salmon.

-And it became clear to me immediately the abundance of our wild fish and game here in Alaska.

-I grew up in CO and left because of the growth of the state

-huge influxes of people, hundreds of people per day and I felt it was losing its feeling of being a resource rich rural area

-My decision to stay in Alaska indefinitely has been strongly driven by the prospect of continuing to live in the way I was raised and the potentiality of raising a family the way I was fed on wild fish and game

-for these reasons I feel strongly that our salmon populations and salmon habitat need to be protected and preserved for the future so that this way of life can remain a possibility for future generations

-That is why I support the resolution to title 16 and I encourage you to support the resolution as well



Submitted By
Satchel Pondolfino
Submitted On
9/28/2016 7:55:03 PM
Affiliation

I am a lifelong Alaskan, born and raised here in Anchorage. Like most Alaskans I have grown up with the luxury of having salmon as a staple at the dinner table. I never realized what a gift this was until I moved to Oregon to attend university. I quickly discovered that most people go fishing at the local Costco and salmon especially, is saved for special occasions. Well thankfully after a few dismayed phone calls to my dad, my Alaskan roots provided for me and a cooler full of salmon soon arrived on my doorstep and my dinner table quickly became a popular one.

Now that I am back living in Alaska again, I am so happy the days of the cooler are over and I have returned to a state with abundant salmon runs and deep freezers. I studied environmental policy in university. It is clear to me when legal language is too vague to serve the purpose it is intended for. It is also clear to me that the culture around salmon in Alaska is unique to our state, and is dependent upon sustaining strong runs so that we have the resources to maintain this way of life. Title 16 is long overdue for an update, I urge you to do what you can within your power to make sure we protect this amazing resource by adopting the resolution to upgrade title 16.



Submitted By
Lorraine Crawford
Submitted On
9/29/2016 11:01:21 AM
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Citizen

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I would like the Board of Fish to strengthen the sustainable salmon policy (Prop N, Title 16). It is fundamental to protect fish habitat for the sustainability of all user groups and all fish species. I would urge the BOF to vote on this proposal and strengthen state law to protect all fish habitat.



Submitted By
Matthew Koenig
Submitted On
9/29/2016 1:31:36 PM
Affiliation

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Dear Board of Fish members -

First up I want to thank the Anchorage AC for hosting this meeting and opportunity to provide input.

My name is Matt Koenig - and I'm writing to support the proposed changes to Title 16. I did not have the good fortune to be born and raised here, but I felt drawn here because Alaska is rich in natural resources - including abundant fishing opportunities, and that is something that is increasingly rare in the world.

Before I was here I lived in Los Angeles. There were kings there once, or so I'm told, good luck finding any now. I lived in the Pacific Northwest for a time - there are salmon, but due to a lack of information and foresight the runs are not historic levels. Overfishing and harmful fishing practices, habitat loss through dams, hatcheries, pollution and the effects warming streams have caused a death by a thousand cuts situation. The lower 48 is playing a game of habitat recovery and remediation - spending millions of dollars to revert impacts as best they can to restore runs to a portion of what they once were. We've seen what can happen.

I don't want to see this in my new home in Alaska.

In my mind this is a no brainer, we have to learn from the mistakes made in the Lower 48 and do a better job in Alaska to protect our wild salmon. It all comes back to habitat. Without habitat, there are no salmon. It's crucial that title 16 is updated to give ADF&G clear guidelines and enforceable language for when a permit should be approved or denied, to give them the tools that they need to ensure salmon habitat is protected for future generations.

Thanks for your time.



Submitted By
Rebecca Long
Submitted On
9/29/2016 2:19:58 PM
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self

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~~Upper Cook Inlet Area All Finfish Meeting
Rebecca Long Comments Supporting Habitat Protection Proposal

September 22, 2016

I support the Proposal that the Board of Fish recommend to the Alaska Legislature to clarify the criteria for fish habitat permitting to better protect Cook Inlet Fisheries.

My family has made its living as commercial fish tenderers and fishers and in the tourism industry in Southcentral Alaska. We are also personal use fishers.

I have had personal experience with at least 10 Habitat Permits in Southcentral Alaska. My experience has shown that fish habitat has been jeopardized by some of these permit approvals

Lack of Public Transparency

There is no public notice of applicants for Fish Habitat (FH) permits. Thus, there is no way for the public to even know about the existence of the permit application or even commenting on these permits. Many times the public finds out about the existence of a FH permit only when the applicant applies for a state Land Use Permit. The Department is losing valuable local knowledge of the waterway and area involved in the permit without a mechanism for prior public knowledge of a permit application.

Inconsistent Permit Terms

Some FH permits restrict crossing of anadromous streams only to the winter months when the ice/snow conditions can support the equipment crossing being permitted. But then you get FH permits like the last two years at the mouth of Larson Creek near Talkeetna that are allowing crossing of an important anadromous stream with heavy equipment over 10,000 pounds right in the middle of sockeye salmon migration and spawning. There seems to be no rhyme or reason to the permit terms.

I believe that the Board of Fish's enacted Sustainable Salmon Policy should become part of Title 16. This would strengthen the Alaska Department of Fish and Game's Habitat Permits and address the above-mentioned weaknesses of the current policies...

This Sustainable Salmon Proposal in front of you is supported by sport, commercial, personal use and subsistence fishers, business owners, tribal entities and the scientific community. It would be a habitat protection measure that will ensure our anadromous fisheries continue to be sustainable. The 61 year old Title 16 regulates our fisheries and is unique among the state governments. But changes are necessary in order to keep pace with the modern world. Regulatory streamlining by Alaskan administrations since 2000 has eroded habitat protections and the public's ability to sufficiently protect anadromous fish habitat. Degradation has occurred. Our salmon fisheries were Alaska's first economic engine. We want it to continue to be important economically especially in the low state budgetary years.

What is at risk:

- 10,840 seafood industry jobs in Southcentral, of which are 7660 jobs held by Southcentral residents,
- An estimate of \$247 million in direct labor income. With the multiplier impact generation of another \$164 million for a total of \$411 million,
- Total economic input to Southcentral of \$1.2 billion considering the wholesale value and the gross value through secondary impacts. (All 3 bullet points are 2013 data from The Economic Impact of the Seafood Industry in Southcentral Alaska, June 2015 by the McDowell group for the Alaska Salmon Alliance.)

Because there is no regulations in Title 16 that define protection of fish populations and their habitat, the HB permits are issued with few restrictions. I believe the habitat criteria in the Board of Fish Sustainable Salmon Policy could be used to define those protections and strengthen Title 16.

I urge you to act in support of this current proposal before you.

Rebecca Long



Submitted By
Denis Ransy
Submitted On
9/29/2016 2:31:43 PM
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myself only

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~~Denis Ransy Comments to Upper Cook Inlet Area All Finfish 2016 Meeting In Support of Sustainable Salmon Proposal by Lindsey Bloom et al

Our Board of Fisheries would do us a great service if it recommended to the legislature changes to the Fish Habitat Permit system to completely enforce the Sustainable Salmon Policy. This action would go a long way toward maintaining Cook Inlet's valuable salmon runs for all users.

I have fished for personal use for 40 years and commercial fished for 15 years so I know how important anadromous fisheries are. Alaska's salmon fisheries are without a doubt one of the world's few remaining truly sustainable anadromous fisheries. Where else can a fishery supply food for: all residents who desire it, a viable commercial fishery, and thousands of residents and non-residents jobs. Alaska's Sustainable Salmon Policy's is currently not being implemented in the Alaska Department of Fish and Game's Fish Habitat permits. Permitting practices for heavy equipment moves, construction projects, mining and other potentially habitat and waterway damaging activities are very loose. Oversight inspections and penalties for infractions are rare. Waivers of requirements are commonly allowed. All these problems endanger our world class fisheries, and many long-held livelihoods. I have witnessed these situations in my home neighborhood of Larson Creek regarding Fish Habitat Permits; and I am aware of other situations.



Submitted By
Allison Haines
Submitted On
9/30/2016 10:34:08 AM
Affiliation

To the Board of Fish members -

My name is Allison Haines, and I am a student at UAA and a lifelong Alaskan. In the twenty years I've lived here, I have spent a significant amount of time outdoors. The beauty of our state is unparalleled, and our unique landscape allows the state to be international leaders in markets such as seafood. The seafood industry is Alaska's largest private sector employer, and creates over 63,000 direct jobs throughout the state. And we love catching and eating fish! We have the right as residents to have a say in how decisions - which could adversely affect our environment and economy - are made.

That is why I am writing in support of the proposal to give Title 16 a much needed update. The ambiguous nature of Title 16 is overdue for a change that will let Alaskans have some control in protecting salmon habitats. People like my uncle and his family heavily depend on subsistence fishing. Please listen to the chorus of Alaskans calling for change. We want to be a part of decisions which shape the future of our state and our lives. I implore you to approve the proposed revisions to Title 16, for the good of Alaskans, fisheries, and the world.

Thank you for your time and service,

Allison Haines



Submitted By
Ashley Plante
Submitted On
9/30/2016 3:24:43 PM
Affiliation

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Dear Board of Fish members -

My name is Ashley. I started my relationship with Alaska about 12 years ago as a freshman at APU. I came here from Connecticut and had never tried salmon. I didn't try it my freshman year, but before long I came to love wild salmon as any other Alaskan does. I have enjoyed it in all its culinary varieties, teaching my camp kids about them and watching salmon bring people together.

In the state that our country is in, we need more things that bring people together. We need to make changes to title 16, that has seen limited updates since statehood. We need to make these changes more specific, and detailed so the permitting process is clear and has improved criteria. We need to protect salmon for future generations, for our industry and the people of Alaska of all backgrounds.

Thank you for your time.

Ashley Plante



Submitted By
Lyn Franks
Submitted On
9/30/2016 2:09:27 PM
Affiliation

Dear Alaska Board of Fisheries,

As an Alaskan resident of over thirty years and an avid sport fisherman, I am writing to support your implementation of the Sustainable Salmon proposal, and the proposed changes to title 16. I believe that this proposal will help to strengthen Alaska's fish habitat and protect this habitat for generations to come. I am concerned how the current title 16 does not solidly define the nature of fish protection.

Alaska natural resources should be kept healthy for Alaskans and not traded for outside interests. I believe that updating title 16 will help accomplish this task! Alaskans deserve a law that states clear intent to protect fish and fish habitat.

Thank you for your time and attention to this important issue - please let the state legislature know my comments.

Sincerely,

Lyn Frank



Submitted By
Christopher Tobias
Submitted On
9/30/2016 4:28:37 PM
Affiliation
Sport Fishing Guide

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Dear Board Members of the Alaska Board of Fisheries,

I am writing to you in hopes that you would support the common sense proposal to strengthen Alaska's fish habitat permitting for the future of sustainable salmon. As a sport fishing guide, I whole heartedly support the diverse Alaskan authors who have put this request before you. The importance of this proposal can be seen by the array and background of the individuals that united around a common solution. From sport fishers, to commercial fishers, business owners, tribal representatives and scientists, one unanimous conclusion was reached. Title 16 needs to be strengthened to provide the ADF&G the necessary tools to protect and preserve our salmon stocks for current and future generations.

My wife, Hillery, and I own Roe Hard Guide Service, which operates on the Susitna River Drainage. We make a large portion of our living guiding clients for all five species of Salmon. Without a healthy fishery and depleted resources we would not be able to operate in any way shape or form that would be beneficial to us and our clients. A healthy fisher is not only important for us as Alaskans economically, but it is imperative we maintain a healthy fishery so future generations can enjoy and prosper off of our natural resources.

The issue at hand is that Title 16, the Alaska Statute that deals with all things fish and game, has not been amended since statehood. Although the statute contains statements for how the State of Alaska will plan or development of important salmon habitat, it lacks clear criteria and specificity for the ADF&G to determine whether habitat permit applications should be approved or denied.



The Alaska Board of Fisheries should listen to the people of this great state, and the authors of the proposal, and use its authority to recommend that Title 16 be updated to incorporate principles and criteria from the Sustainable Salmon Policy, which were specifically developed to “ensure conservation of salmon and salmon’s require marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska’s fishing communities.” 5 AAC 39.22(b). Such a recommendation is consistent with the Board’s statutory duties to conserve fish and game and assure that their use continues to be available on a sustained yield basis.

The State of Alaska’s first industry was fishing, and the need for the conservation based management was a primary impetus for statehood. In economically tough times, Alaska’s fishing industry remains a reliable economic engine for countless Alaskan families and communities. Thousands of Alaskans, such as myself, are employed as fishing guides, tourism operators, commercial fishers, seafood processors, marine mechanics, and so on. Given the grave importance and long-term potential of Alaska’s salmon fisheries to sustain many more generations of fishing families, we must ensure that our laws and development decisions are stringent an concise when it comes to protecting salmon habitat. Thank you for your service on our state Board of Fisheries. Please forward the need for action to update our fish habitat law onto the state legislature.

Sincerely,

Christopher and Hillery Tobias

Owners

Roe Hard Guide Service



Submitted By
Joshua Cress
Submitted On
10/1/2016 12:56:38 PM
Affiliation

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Dear members of the Board,

My name is Joshua Cress and I am writing regarding the proposed changes to Title 16 of the Alaska State Constitution and ensuring sustainable salmon habitats are preserved. I am an Alaskan of 11 years, and a lifelong Alaskan in spirit. I have lived on the Kenai Peninsula for the entirety of my residence and have worked in the fisheries industry first-hand both as a deckhand and as a seasonal employee for the Department of Fish and Game.

Salmon are very important to me and to our state as you are very well aware of since you are tasked with regulating our salmon and making the difficult decisions for salmon fisheries. It is my opinion that the proposed changes to the Alaska State Constitution, Title 16, are reasonable, but more importantly necessary. The fact that this section of the constitution has not been updated since its original ratification is downright negligent, both to Alaskans and the salmon they so value. Considering that 1 in 7 Alaskans are employed by the seafood industry (1), and that industry totals an export value of 3.27 billion dollars annually (2) the future of Alaskan's and Alaska's economy are at stake. Consider also the lower-48's salmon fisheries. In 1999, 40% of historic spawning ranges were unoccupied by salmon in Oregon, Washington, Idaho, and California (3). We do not make further definitions to Title 16, or manage our salmon in a sustainable and biological manner, our future may look similar.

I urge you to consider Alaskans and their salmon, and would like to urge you once again to make this necessary change to Title 16 and send it to the senate. Implementing the Sustainable Salmon plan that was created by the Department of Fish and Game would be a very wise decision.

I thank you for taking your much valued time to review this plea.

Sincerely,

Joshua J. Cress

References:

1. Alaska Seafood Marketing Institute 2014 Annual Report – http://ebooks.alaskaseafood.org/ASMI_Annual_Report/
2. Alaska Seafood Market Institute Economic Value Report – <http://www.alaskaseafood.org/industry/seafood-market-info/economic-value-reports/>
3. Climate Change Impacts on the United States - Foundation Report: The Potential Consequences of Climate Variability and Change - National Assessment Synthesis Team (U.S.)



Submitted By
Nyangath Diew
Submitted On
10/1/2016 6:10:29 PM
Affiliation

My name is Nyangath K Diew. I'm a student at UAA and I'm writing today because of how important salmon is to me and my family, as it is to so many Alaskans, especially the Native families. They depend on salmon and that's how they feed their families.

I'm writing in support of the proposed update to Alaska's fish habitat permitting process.

I strongly support the proposal because most of my family members work in the fishing industry - that is how they make a living and take care of their families. Please consider this and make the right decision for us and for everyone that will be affected by this including our future generations.



Submitted By
Summer Kerr
Submitted On
10/2/2016 10:45:25 AM
Affiliation

Dear Board of Fisheries members -

I am a lifelong Alaskan born just 2 months after Alaska became a state. I live in Anchorage, and have lived in the Mat-Su where for years I have fished recreationally and eaten wild salmon.

Part of being an Alaskan is salmon. Before the Trans-Alaska pipeline was built much of our economy and social activity centered around salmon, other local fish and wild game. Alaska fish and game connected us as one people, no matter what race, religion, education level each of us had. We cared more about being stewards of our state than becoming rich off things that would change our way of life.

Teaching kids and teens how to catch, prepare and cook salmon teaches many skills and as a mother of two sons is a drug-free activity that encourages healthy lifestyles and builds a sense of community, which in turn encourages our youth to protect our environment and keeps them out of activity that leads to delinquency.

I respectfully request the Board of Fisheries define what is undefined in Title 16 so our fisheries are protected from harm and salmon will thrive. I also ask the Board to include a provision which mandates public notice be made and public input be strongly considered for any permits for construction that may impact salmon streams.

Salmon are a true and proven renewable resource - if we protect our salmon then future generations will be able to continue our way of life.



Submitted By
Monika Carhart
Submitted On
10/2/2016 7:04:57 PM
Affiliation

Board of Fish Directors,

I am relatively new to Alaska, and I have been awed by her many treasures. Coming from the lower 48 I have seen the ravages of man throughout the states and my concern for Alaska's treasures is mainly toward sustainability. These salmon resources can be around for many generations to come - this is needed for all creatures in Alaska, from the trees to top predators, man included. I urge you to adopt the proposed changes to Title 16, so that this magnificent state can remain so for generations to come.

Thank you,

Monika Corhart



Submitted By
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Submitted On
10/3/2016 9:40:33 AM
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Letter of Support for HQ-F16-084 Incorporate Portions of the Sustainable Salmon Policy into Alaska Statute 16

Dear Board of Fisheries members,

On behalf of the Matanuska-Susitna Borough Fish & Wildlife Commission, I support in concept proposal HQ-F16-084-to Incorporate Portions of the Sustainable Salmon Fisheries Policy, (SSFP), AAC 39.222, into Alaska Statue 16. The Alaska fish habitat permitting process currently lacks criteria necessary to determine whether permitting decisions will adequately protect salmon populations and related fish habitat. The Board of Fisheries developed the SSFP to “ensure conservation of salmon and salmon’s required marine and aquatic habitat”. As referenced in the proposal, “elements of the SSFP should be incorporated in Title 16 and applied to ADF&G permitting decisions”.

I respectfully request the Board of Fisheries to formally request the legislature to incorporate portions of the SSFP into Title 16.

Sincerely,

John Moosey, Borough Manager



Submitted By
Tawni Neeser
Submitted On
10/3/2016 10:52:50 AM
Affiliation

Dear Board Fishery members,

My name is Tawni Neeser. I was born and have lived in Alaska my entire life. Fishing has been a family tradition for generations, and something we not only enjoy but we rely on. I'm writing to you in support of the proposed Title 16 amendments. I urge you to push for the legislature to adopt these changes.

As Alaskans, it is our responsibility to speak on behalf of the salmon and to protect them and their habitat. Additionally, we need to protect our environment. Fishing is a crucial source of income for the state, and one day I look forward to fishing our pristine Alaskan waters with my children and grand-children, and that they can do the same. Please consider these amendments for future generations of Alaskans.

Thank you for your time.



Submitted By
 Ryanne Tyler
Submitted On
 10/3/2016 1:39:13 PM
Affiliation

Phone
 (907) 696-1837

Email
 ryanne.tyler@hotmail.com

Address
 20231 Paul Revere Cir
 Eagle River, Alaska 99577

My name is Ryanne Tyler and as an Alaskan, salmon are important to my community as well as myself and the environment. Why are salmon important? They provide clean, healthy stream ecosystems even when we pollute them. They are also important as a food resource for several communities throughout the state, some even surviving off of them. In my community, the Eagle River runs straight through the town and was populated by many salmon in the past. However, over the years I have noticed a decline in salmon and not many people venture down to the river any more. People have to travel to far off rivers, such as the Kenai, in order to get their supply of salmon. We are blessed to live in a state that has such an abundance of salmon. But as our population grows, the salmon population decreases especially with people illegally fishing or polluting our rivers. What can we do about this? It's simple, really. Amend Title 16 with the Sustainable Salmon Policy as a guide for permitting projects in fish habitat. This could be a positive change to ensure healthy salmon habitat for generations to come.



Submitted By
Alexis
Submitted On
10/3/2016 2:33:06 PM
Affiliation
Lucassen

Phone
(509) 993-6852
Email
alucassen@zagmail.gonzaga.edu
Address
1601 Nelchina St
Anchorage, Alaska 99501

Dear Alaska Board of Fisheries -

I am writing to encourage your recommendation of the proposed title 16 changes to the legislature. As a recent graduate of Gonzaga University in biology and environmental studies, I studied fisheries management and completed a summer internship doing salmon and ecosystem monitoring and research within the Wood-Tikchik watershed of Alaska. It is my belief that the attached proposal is necessary to preserve Alaska's pristine salmon runs, and prevent further damage.

In my hometown of Spokane, WA, tribes are fighting to return salmon to the area, but sadly, I believe this is a dream that will never come true due to dams and development that Washington state has become so reliant upon. As a new resident of Alaska, I love having a culture strongly rooted in fish and pristine habitat, and I don't want to see our salmon runs become what they are in Washington and elsewhere in the lower 48.

As an Alaskan resident and someone who has worked hands-on with Alaskan fisheries, I have a lot rooted in the success of this proposal, just as everyone else who lives and visits this state does. I hope that the Board of Fish accepts this proposal that will increase public awareness, define what "proper protection of fish and game" is and assume that all waters have fish habitat until proven otherwise.

Thank you for taking the time to hear what I have to say, and for your work to protect salmon.

Sincerely,

Lexi Lucassen



Submitted By
Eric Booton
Submitted On
10/3/2016 3:08:14 PM
Affiliation

Phone
3039814366

Email
eric.booton@westernalum.org

Address
1510 Nunaka Dr.
Anchorage, Alaska 99504

Hello Board of Fish members,

My name is Eric Booton, I live in Anchorage, and like many Alaskans, spend my spare time with a fly rod in my hand, chasing wild salmon and trophy trout. The river is where I find my peace and fishing is a cornerstone to my identity.

I am writing to urge you to support the resolution to update Title 16. Alaska stands alone as the last remaining salmon stronghold in the United States, featuring strong salmon runs and pristine habitat. Being the final frontier for salmon, we have the luxury of looking back on the costly mistakes that have been made throughout the Lower 48 and learn from them.

Habitat loss is the greatest contributing factor to the loss of anadromous fish runs and in Alaska it is imperative that we set high standards for protecting fish habitat.

Each year the State of Alaska issues thousands of permits for projects in critical fish habitat, without opportunity for public notice - being that the fish, wildlife and waters are reserved for the people of Alaska, it is only fair that the people should have the opportunity to weigh in on projects that will have a large impact on fish habitat and clean water.

To ensure our salmon runs are protected for the future, it is important that we update Title 16 to ensure Alaskans like you and me have a voice in permitting decisions and the Alaska Department of Fish and Game has the tools it needs to protect anadromous waters.

Under current fish habitat permitting law, only waters in the Anadromous Waters Catalog require a fish habitat permit for development - but seeing that Anadromous Waters Catalog is woefully incomplete since less than 50% of the waters in the state has been catalog - a wise improvement would be to assume that all waters are anadromous unless proven otherwise.

A strong and reliable fish habitat permitting process that carefully balances development and salmon, is critical the future of salmon in Southcentral Alaska, our economy that relies heavily on the fishing industry, and all Alaskans.

As an Alaskan angler, I support the Alaska Board of Fish's use of its authority to recommend to the Alaska Legislature that fish habitat permitting laws be strengthened as outlined in the resolution to update Title 16 and request that you take action at this work session.

Thank you for your time and consideration.

Eric Booton



Submitted By
Ryan Astalos
Submitted On
10/4/2016 12:34:27 PM
Affiliation

Phone
4407088147

Email
ryanasto1@gmail.com

Address
540 Irwin
Anchorage, Alaska 99508

My name is Ryan and I live in Anchorage but travel across the state to find great fishing spots and to have the ability to fill my freezer with wild salmon. I love being able to find these fishing spots in the Cook Inlet Watershed, whether it be dipnetting on the Kasilof or fly fishing on the West Cook Inlet. My favorite fish that I ever caught was a silver on the Chuitna and seeing that fish jump out of the water with a purple fly hanging out of it's mouth was just the biggest adrenaline rush. Because I care about these great opportunities, I felt passionate enough to share these stories with you. And beyond my love of fishing, I also have a biology degree and have the understanding that if we don't conserve salmon habitat then we run the risk of not being able to enjoy the fishing experiences that I shared. I also want to make sure that someday my kids can fish on the Chuitna like I have.

And for these reasons I support your action on the Stand for Salmon Proposal to strengthen Alaska's Fish Habitat Permitting. Title 16 surrounding fish habitat permitting has not been updated since statehood and as times change and bigger threats come to light, the state should adapt and strengthen this law. I would like the board to take into account the following requests; to ensure that public voice is heard when fish habitat permits are issued on a larger scale, such as the Chuitna coal mine or the Susitna Dam. I would like clear definitions of what a company has to do in terms of mitigation if they are to even think about disrupting salmon rearing habitat. I would also like the board to ensure that there are clear definitions of what it means to protect salmon habitat and what sufficient protections actually means. I would also like the board to make it so that it is assumed that every stream has anadromous fish unless otherwise noted, not the other way around. I would like to see these concerns brought to light to the legislature so that the vision of protecting salmon habitat is reflected in our laws. We have a huge culture in Alaska surrounding salmon through subsistence, sport and commercial fishing, let's make sure that our current and future generations can continue to eat, fish and enjoy salmon by protecting their rearing habitat.



Submitted By
Samantha Russell
Submitted On
10/4/2016 12:25:52 PM
Affiliation

Phone
907-232-6668

Email
russell.rabbits@gmail.com

Address
2650 N. Snowshoe Lane
Wasilla, Alaska 99654

Cook Inlet Salmon put food on my table, provide recreation and create thousands of jobs for Alaskans around the inlet. These annual salmon runs generate hundreds of millions of dollars in economic activity every year and sustain our unique Alaskan way of life. They really are what make Alaska great.

Alaska's constitution and Sustainable Salmon Policy were meant to provide strong protections for our state's unrivaled fisheries and guarantee residents a voice in the decision-making process. Despite these protections, our system fails to provide protections for our fisheries and often leaves Alaskan voices out of the process.

Please do everything in your power to protect Cook Inlet Salmon (and all other salmon) as well as MY voice and my children's voices when it comes to the future of Alaska's fish, water, and habitat.



Submitted By
James Tunnell
Submitted On
10/4/2016 11:33:09 AM
Affiliation
Chase Commuinty

Phone
907-733-1246
Email
tunnell_james@hotmail.com
Address
P.O. Box 143
Talkeetna, Alaska 99676

Chase Community Council

Po box 205

Talkeetna AK. 99676

chasetrail45@gmail.com

To: Alaska Board of Fish
From: Chase Community Council
Date: October 3, 2016
Subject: Support for the Sustainable Salmon Proposal

Dear Members of the Alaska Board of Fish:

The Chase Community Council is the northern most-recognized community council in the Matanuska-Susitna Borough. The western boundary is the Susitna River from Talkeetna to Gold creek and our south and east boundary is the Talkeetna River to Disappointment Creek. We are affected by many permitting and development issues that impact Alaska fisheries in Cook Inlet. The Alaska railroad travels along the entire western boundary of our council area along the Susitna River and regularly proposes herbicide spraying along the tracks. We are the first community downstream of the proposed 730 foot Susitna –Watana dam. At the same time, our community includes prized hunting, fishing and recreational areas for Alaskans. For example, we include Clear Creek king salmon fishing and we are in GMU 13E. The value of these resources to our residents and to Alaskans has put us on the frontline of protecting our fisheries and wildlife habitat. We have found Alaska's permitting process to favor development interest over protection of the natural resources and services that support our community and our neighbors. The Susitna and Talkeetna Rivers provide food and transportation that support a lifestyle for this "off-the-road" community. The Susitna supports the 4th largest King salmon run in Alaska and we strongly support efforts to prioritize and protect this valuable resource.

The Sustainable Salmon Proposal is a step toward strengthening our ability to protect these valuable resources for our community and for Alaska. Please support passing this along to the legislature so we can discuss the merits of strengthening the visionary Sustainable Salmon Policy at a time when Alaskans will rely upon our constitutionally protected resource now more than ever in the state's history.

Sincerely,

James Tunnell

James Tunnell

Chair of the Chase Community Council



Submitted By
Alec Valdez
Submitted On
10/3/2016 5:22:00 PM
Affiliation

Hello -

My name is Alec Valdez. My weekends growing up were spent on the water fishing all the salmon Alaska has to offer. For Alaskans salmon is much more than just a food source or a natural resource - it's a way of life. Without salmon Alaska won't be the same.

We need to take proactive steps now, to invest in something that once it is lost, won't come back. If it is lost we won't be able to supply others with an important food source, our tourism will be slashed and it just won't be the same.

When projects are offered that pose a 20-30 year solution, we need to remember that those solutions are short term. The salmon we have run for as long as the world as been around - please remember that when I have a son I can take him to enjoy the same fun I have, with enough fish to fill the freezer. Please take a look at modifying title 16, to preserve Alaska's fish.



Submitted By
Robert Barnwell
Submitted On
10/3/2016 9:46:44 PM
Affiliation
Business

Phone
907-362-7763
Email
rbarnwell55@gmail.com
Address
PO Box 2611
Seward, Alaska 99664

Hi, my name is Bob Barnwell and I own Alaska Fjord Charters in Seward. We specialize in salmon charters and glacier and whale watching. I have been involved with salmon my entire life, including working with the Alaska Department of Fish and Game as a fisheries technician for 5 seasons, to commercial salmon fishing for 20 years in Western Alaska. I have a strong, and vested interest in preserving our invaluable salmon runs.

We absolutely must make our decisions about salmon habitat based on current science, and minimize the political or business interests that often have unmerited influence on our decisions. The Sustainable Salmon Policy makes sense to me. It was drawn up in good faith by professionals that understand the complexity of managing and protecting our resource. Our constitution protects our salmon, but our laws must reflect that same commitment.



Submitted By
Kristen
Submitted On
10/4/2016 3:00:00 PM
Affiliation

Phone
9312177923

Email
kristen@akcenter.org

Address
430 w 15th Ave Apt B
Anchorage, Alaska 99501

Dear Board and Fish Members,

With our state's unstable economic future we should take proactive steps towards ensuring our fisheries, one of our largest economic drivers, are protected. Between the commercial fishing industry, the huge amount of revenue sport fishing and tourism bring in, and the value of having a stocked freezer, it's more important than ever to protect this resource.

My name is Kristen Collins. I am a resident of Anchorage and a subsistence user. I support the amendment to Title 16 and the adoption of the Sustainable Salmon Policy and urge your support too. With defined fish habitat criteria and including public notice, this positive change could ensure that Alaskans have the resource we depend on for generations to come.

Thanks,

Kristen



Submitted By
Patrick Malone
Submitted On
10/4/2016 4:52:59 PM
Affiliation
President - Alaska Fly Fishers

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1131 Lalande Pl, Unit A
Anchorage, Alaska 99504

A RESOLUTION TO ENSURE SUSTAINABLE SPORT FISHING BY UPDATING ALASKA'S FISH HABITAT PERMITTING LAWS

WHEREAS, Alaska boasts 3,000 rivers, 3 million lakes and 6,640 miles of coastline and stands alone as the last state in the United States with robust salmon runs and habitat;

WHEREAS, Alaska's original industry, fishing, remains a reliable economic engine for countless Alaskan families, communities, and businesses, including fishing guides, local businesses, and tourism operators, driving billions of dollars in economic activity and revenue for the state of Alaska;

WHEREAS, more than 450,000 Alaska residents and visitors annually participate in

Alaska's sport fisheries; Alaska supports over 1,150 sportfishing businesses and licensed over 2,788 sport fishing guide businesses, with 87% reporting Alaska residency, and generates roughly \$1.4 billion in angler related expenditures annually;

WHEREAS, an annual average of 300,000 anglers a year or 81% of Alaska's freshwater sportfishing - for all five species of salmon, rainbow trout, arctic char, dolly varden and grayling - occurs in Southcentral Alaska;

WHEREAS, in Alaska, anglers recognize salmon as a renewable resource for both food and employment; and filling our freezers with salmon or catching prized resident fish on a pristine river are integral to the Alaskan identity.

WHEREAS, Alaska Fly Fishers represents over 440 members and has a mission of: "to preserve the sport of fly fishing, advance the principles of fair chase and fair catch, educate members and the public in the necessity of preserving our outdoor heritage, promote the ethical utilization of all the resources of our woods and waters, and to organize and unite the fly fishers of Alaska for mutual and community benefit."

WHEREAS, Article VIII of the Alaska Constitution reserves fish, wildlife and water for the people of Alaska and directs the state to sustainably manage and maintain our wild salmon resources for future generations;

WHEREAS, the State of Alaska issues several thousand permits annually to develop projects in fish habitat;

WHEREAS, Alaska's Title 16 is the Alaska statute that guides how the State of Alaska issues permits for development projects that may impact salmon habitat;

WHEREAS, Alaska's Fish Habitat Permitting law has not been updated since statehood and lacks explicit directives to protect Alaska

salmon consistent with the Alaska Constitution;



WHEREAS, The Board of Fish Sustainable Salmon Policy states that to maintain sustained yield in Alaska fisheries, "salmon habitats should not be perturbed beyond natural boundaries of variation; . . . all essential salmon habitat in marine, estuarine, and freshwater ecosystems and access of salmon to these habitats should be protected; ... [and] salmon habitat in fresh water should be protected on a watershed basis;"

WHEREAS, the Alaska Board of Fisheries was created to for the "*conservation* and development of the fishery resources of the state" on a sustained yield basis;

WHEREAS, at their October 18, 2016 Work Session in Soldotna, the Alaska Board of Fisheries will consider recommending to the Legislature that the salmon habitat protection provisions from the Board of Fish Sustainable Salmon Policy be added to the fish habitat permitting provision of Title 16;

WHEREAS, a reliable and certain fish habitat permitting process balances responsible development and the protection of Alaska's salmon stocks in Southcentral Alaska and throughout the state;

NOW, THEREFORE, BE IT RESOLVED BY ALASKA FLY FISHERS

That Alaska Fly Fishers supports the Alaska Board of Fisheries using its authority to recommend to the Alaska Legislature that Title 16 be updated to incorporate the salmon habitat protection principles from Alaska's Sustainable Salmon Policy.

Patrick J. Malone,

President, Alaska Fly Fishers



Submitted By
Trout Unlimited Southcentral Alaska Chapter
Submitted On
10/4/2016 8:07:07 PM
Affiliation

Phone
9072978654
Email
AlaskaTUchapter@gmail.com
Address
3105 Lakeshore Dr.
#102B
Anchorage, Alaska 99517

A RESOLUTION TO ENSURE A FUTURE OF SUSTAINABLE SPORTFISHING IN ALASKA BY UPDATING FISH HABITAT PERMITTING LAWS

WHEREAS, Alaska contains an astounding 12,000 rivers, 3 million lakes and over 6,640 miles of coastline and truly is the final frontier in the United States in regards to robust salmon runs and pristine habitat;

WHEREAS, the sport and commercial fishing industries remain the most reliable economic sector and supports thousands of Alaskan families, dozens of communities, and hundreds of businesses, contributing billions of dollars in critical economic activity and revenue for the state;

WHEREAS, 450,000 Alaska residents and visitors annually enjoy Alaska's sport fisheries; Alaska is home to over thousands of sportfishing businesses, guide operations, and outfitters that generate approximately \$1.4 billion in fishing related expenditures every year;

WHEREAS, each year 81% of Alaska's freshwater sportfishing occurs in Southcentral Alaska where anglers can fish for all five species of salmon, rainbow trout, arctic char, dolly varden and grayling;

WHEREAS, in Alaska, salmon are a powerful renewable resource for food, income, and employment; whether it's filling our freezers with salmon for winter or cashing trophy trout on a pristine river, our robust fisheries integral to the identity of the Alaskan angler;

WHEREAS, the Southcentral Alaska Trout Unlimited Chapter represents 450 members and operates throughout Southcentral Alaska to protect and conserve cold water fish and their habitat;

WHEREAS, Article VIII of the Alaska Constitution reserves the fish, wildlife and water for the people of Alaska and directs the state to sustainably manage and maintain our wild salmon resources for future generations;

WHEREAS, the State of Alaska issues thousands of permits annually to develop projects in habitat critical to anadromous fish;

WHEREAS, Alaska's Title 16 is the Alaska statute that guides how the State of Alaska issues permits for development projects that may impact salmon habitat;

WHEREAS, Alaska's Fish Habitat Permitting law has not been updated since statehood and lacks explicit directives to protect Alaska salmon consistent with the Alaska Constitution;

WHEREAS, The Board of Fish Sustainable Salmon Policy states that to maintain sustained yield in Alaska fisheries, "salmon habitats should not be perturbed beyond natural boundaries of variation; . . . all essential salmon habitat in marine, estuarine, and freshwater ecosystems and access of salmon to these habitats should be protected; . . . [and] salmon habitat in fresh water should be protected on a watershed basis;"

WHEREAS, at their October 18, 2016 Work Session in Soldotna, the Alaska Board of Fisheries will consider recommending to the Legislature that the salmon habitat protection provisions from the Board of Fish Sustainable Salmon Policy be added to the fish habitat permitting provision of Title 16;

WHEREAS, an improved fish habitat permitting process, that is reliable and carefully balances responsible development while protecting Alaska's salmon stocks, is crucial for the future of salmon stocks in Southcentral Alaska and throughout the state;

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTHCENTRAL ALASKA TROUT UNLIMITED CHAPTER

That the Southcentral Alaska Trout Unlimited Chapter fully supports the Alaska Board of Fisheries use of its authority to recommend to the Alaska Legislature that Title 16 be updated to encompass the salmon habitat protection principles contained in Alaska's Sustainable Salmon Policy.



From: [Cecilia Kleinkauf](#)
To: [DFG, BOF Comments \(DFG sponsored\)](#)
Subject: Improvement in Title 16
Date: Tuesday, October 04, 2016 5:08:36 PM

10/4/16

To the Alaska Board of Fish;

I want to add my support to the proposal asking the Board of Fish to recommend that the legislature improve Title 16 and use the habitat criteria in the Sustainable Salmon Policy to define what constitutes the "proper protection of Fish & Game. Thank you for your attention to this proposal.

Sincerely,

Cecilia "Pudge" Kleinkauf

Cecilia "Pudge" Kleinkauf

Patagonia Fly Fishing Ambassador

Sage Fly Rods Elite Pro

Women's Flyfishing®

A Trout Unlimited Endorsed Business

P.O. Box 243963

Anchorage, AK 99524

phone/fax [\(907\) 274-7113](tel:9072747113)

www.womensflyfishing.net

pudge@womensflyfishing.net



Author:

-Rookie No More: The Fly Fishing Novice Gets Guidance from a Pro, Epicenter Press 2016

-Pacific Salmon Flies: New Ties & Old Standbys, Frank Amato Publications, 2012

-Fly Fishing for Alaska's Arctic Grayling: Sailfish of the North, Frank Amato Publications, 2009

Benjamin Franklin Award-winning Books

-River Girls: Fly Fishing for Young Women, Johnson Books, 2006

-Fly Fishing Women Explore Alaska, Epicenter Press, 2003

UNITED FISHERMEN OF ALASKA



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Physical Address: 410 Calhoun Ave Ste 101, Juneau AK 99801

Phone: (907) 586-2820 **Fax:** (907) 463-2545

Email: ufa@ufafish.org **Website:** www.ufafish.org

October 11, 2016

John Jensen, Chairman
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526

Dear Chairman Jensen and Members of the Alaska Board of Fisheries,

United Fishermen of Alaska (UFA) is a statewide commercial fishing trade association representing 33 commercial fishing organizations participating in fisheries throughout the state and its offshore federal waters. The UFA board has discussed the request for action submitted by 13 Alaskan fisheries participants seeking your recommendation to update Fish Habitat Permitting language in Title 16 of Alaska Statute

UFA has consistently worked with the Alaska Department of Fish and Game and other state resource agencies discussing strategies to clarify or improve fish habitat protection measures in the permitting process.

As Alaska's population, economic opportunities and development pressures continue to grow, UFA supports measures that clarify the framework for habitat protection in title 16 to ensure that the constitutional mandate for sustained yield is fulfilled.

While valuable for guidance, direct language from the Alaska's Sustainable Salmon Policy 5AAC 39.222, may not be an ideal option for adding to Title 16. Nonetheless we are supportive of any efforts to review and potentially update Title 16 with regard to fish habitat. Given that this law was established shortly after statehood, a modern review and possible update is warranted.

We appreciate your effort to take this topic under consideration and look forward to working with your body as well as other state decision makers as the discussion moves forward.

Sincerely,

Jerry McCune
President

Mark Vinsel
Executive Administrator

The Ninilchik Traditional Council respectfully would like to address the Non-regulatory Proposal listed as item "N" ~~on the agenda~~ ^{under} Non Regulatory Proposals.

The council has consistently supported the position that the health and stocks of the Cook Inlet fisheries are a primary concern to management decisions, cultural sustainability, and sustainable opportunities for the tribe as well as a variety of other user groups. In fact the Ninilchik Tribe has engaged in several efforts to repair and enhance fish habitat associated with the Ninilchik and Deep Creek River systems in our local community.

The regulatory permitting process on the Kenai Peninsula has provided a proven method to review and provide substantive permitting decisions by incorporating the Alaska Department of Fish and Game, Alaska State Parks, the Kenai Watershed Forum, and Borough divisions such as Habitat Protection, the Kenai Peninsula Borough coastal Program, and The Kenai Peninsula Borough Flood Plain management Program, centrally located at the Donald E. Gillman Center. This local effort provides a local level of oversight that is sensitive to local issues based on local knowledge.

According to the Alaska Department of Fish and Game sonar estimates, the cumulative return of Chinook Salmon has increased by approximately 33% since 2014. The ADF&G has also determined that the number of Chinook Salmon harvested by sport fishermen, below Soldotna, is estimated to have increased by nearly 6,000 Chinook since 2014.

This information makes us think that the permitting processes that are being reviewed and implemented on the Kenai Peninsula have not been a victim to a lack of regulation or authority provided to the Alaska Department of Fish and Game or to the Commissioner.

Previous efforts to expand the permitting authority through the Alaska Coastal Management Program (ACMP) reached a sunset in 2011 and the Legislature did not pass legislation to continue the effort. According to the election results on Ballot Measure 2, in 2012 that moved to reinstate the Alaska Coastal Management Question based on requiring additional standards and permitting; was defeated with a 62% majority.

Considering the present economic status in the State of Alaska we also have to question if the State has the capacity to adequately engage the additional burden of increased state oversight when local oversight has demonstrated that it has effectively met these needs.

^{RAC:} 5 Alaska Administrative Code 39.222 (a) (1) provides the policy for the management of sustainable salmon fisheries and provides a comprehensive policy to address the management of sustainable Salmon fisheries to the Board of fish and the Alaska Department of Fish and Game. And the duties of the commissioner are outlined in Alaska Statute 16.05.871(a). It is unclear how this combination will provide the supporting criteria desired in this proposal. While there are references to the Alaska Constitution in the flyers that were delivered to seek support for the process; we also have to remember that Article 8 of the Alaska constitution encourages "the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest."

Considering the vague language, large framework, and ambiguous supporting information provided in this proposal we cannot, in good faith, support an action that is undefined and has the possibility of placing an undue burden on the State; the Ninilchik Traditional Council formally opposes this proposal.

Contact info: Ivan Z. Encelawski, Executive Director ivan@nirilchiktribe-nsn.gov
Darrel Williams, Resource Director darrel@nirilchiktribe-nsn.gov



NATIVE VILLAGE OF EKLUTNA

DRAFT RESOLUTION 2016 –23
Fish Habitat Permitting Proposal

Native Village of Eklutna Traditional Tribal Council support for the Alaska Board of Fisheries to recommend the Alaska State Legislature clarify criteria for protective fish habitat permitting.

WHEREAS, Native Village of Eklutna is a distinct, independent political community, and as such is qualified and exercises powers of self-government by reason of its original tribal sovereignty as passed down from its ancestors since time immemorial; and

WHEREAS, Native Village of Eklutna's Traditional Tribal Council is the governing body of Eklutna as recognized by the Eklutna Tribe and the Federal Government of the United States; and

WHEREAS, salmon have provided nutritional and cultural benefit to the Upper Inlet Dena'ina throughout time immemorial; and

WHEREAS, Eklutna people suffer from diminution of a traditional diet rich in salmon that helps protect against increasing levels of diabetes, heart disease and gastrointestinal disorders; and

WHEREAS, Native Village of Eklutna strives to protect and restore native fish populations and habitat for inherent values, including subsistence, without unnecessarily impeding sustainable development; and

WHEREAS, Alaska's fish habitat permitting process (AS 16.05.871) lacks specific criteria to determine whether permitting decisions that allow development activities will adequately protect fish habitat; and

WHEREAS; The Board of Fish Sustainable Salmon Policy recognizes the importance of conserving fish habitat to maintain healthy salmon populations and protect customary and traditional subsistence uses; and

WHEREAS, The Sustainable Salmon Policy contains specific habitat protection criteria that Fish and Game should consider when making fish habitat permitting decisions; and

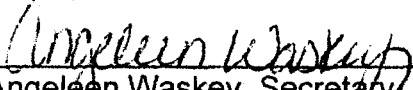
WHEREAS; a pending proposal requests that the Board of Fish recommend that the Alaska Legislature take action to amend the fish habitat permitting law in Title 16 to accord with the principles and habitat protection criteria in the Board of Fish Sustainable Salmon Policy, to direct Alaska Department of Fish and Game Fish Habitat Permitting decisions under AS 16.05.871.

NOW THEREFORE BE IT RESOLVED, Native Village of Eklutna Traditional Tribal Council endorses the intent of said pending proposal that the Alaska Board of Fisheries recommend that the Alaska Legislature incorporate elements of the Alaska Board of Fisheries Sustainable Salmon Policy fish habitat protection criteria, or similarly effective criteria, into Alaska Statutes Title 16 to be applied by Alaska Department of Fish and Game in development permitting decisions.

By a vote of 10 for, 0 against, 0 abstained, and absent, this resolution was duly approved on this 28th day of September, 2016, by phone and e-mail poll.



Lee Stephan, President



Angeleen Waskey, Secretary



Talkeetna Community Council, Inc.

A non-profit, community service organization

October 10, 2016

RE - Update to Alaska's Fish Habitat Permitting under Title 16

Dear Chairman Jensen and Board of Fish Members,

At the Talkeetna Community Council, Inc. (TCCI) Oct. 3rd meeting, the board voted unanimously to support the salmon habitat proposal seeking Board of Fish action to recommend a legislative update to Alaska's fish habitat permitting under Title 16 (AS 16.05.871)

As a community that depends on healthy rivers and salmon populations, we believe that Title 16 should be updated to ensure that development is done in a responsible manner that protects the sustainability of our fisheries resources and our regional economy. Ensuring healthy Mat Su salmon habitat is a key factor in the continued vitality of river based recreation businesses and local tourism which host over 300,000 tourists each year - creating 5400 jobs and generating \$200 million annually.

TCCI has been involved in the review of many projects in the Susitna and Talkeetna River basins which require the Alaska Department of Fish and Game to issue permits for uses which may impact fish habitat. While the intent of Title 16, is sound, it lacks specific criteria that define how fish habitat will be protected and the level of development activity that should be allowed. TCCI respects the work the Board of Fish has undertaken in developing strong habitat provisions in its Sustainable Salmon Policy. These provisions should be incorporated in decision making when issuing permits within anadromous fish habitat.

*Talkeetna Community Council, Inc.
P.O. Box 608, Talkeetna AK 99676*

As the state faces an ever increasing number of applications to develop projects in fish habitat, we support a Board of Fish action recommending that the habitat protection provisions of the Sustainable Salmon Policy be added to Title 16 (AS 16. 05. 871)

Thank you for your consideration of this matter.

Sincerely,

Whitney Wolff
Chair / TCCI

Talkeetna Community Council, Inc.
P.O. Box 608, Talkeetna AK 99676

RC34 - Mike Wood

Board of Fisheries,

Following yesterday's testimony on non-regulatory proposal N, we have taken the time to draft up a sample letter that might serve as a model for the letter that the Board of Fisheries might draft and send to the Alaska State Legislature, following this October work session.

Thank You,

Mike Wood

RC34 - Mike Wood

Alaska State Legislature

This week, during our Board of Fisheries Work Session, we received and heard considerable testimony on a non-regulatory proposal. We are writing to you in support of this proposal and requesting that the Alaska State Legislature amend Title 16 of the Alaska Statutes (AS 16.05.871) to strengthen the Department of Fish and Game's ability to protect fish habitat by strengthening ADF&G's authority and ability to enforce the law and increase public awareness and participation in fish habitat permit decisions.

The challenge is that Title 16, the Alaska Statute that deals with all things fish and game, has not been updated since statehood. While the statute contains guiding statements for how the State of Alaska will plan for development in important salmon habitats, it lacks specificity or clear criteria for ADF&G to determine whether habitat permit applications should be approved or denied.

In addition, the fish habitat permit process in Title 16 does not require public notice or participation in ADF&G habitat permit decisions. We heard continually throughout this board meeting about the importance of public notice for the issuance of fish habitat permits.

Because the Alaska Board of Fisheries (BOF) was established by the Alaska Legislature for "purposes of the conservation and development of the fishery resources of the state," (AS 16.05.221(a)), and has the authority to adopt regulations it considers important for "watershed and habitat improvement" (AS 16.05.251(a)(7)), and because we have heard from many interested and affected stakeholders, we believe that it is necessary to update Title 16 for the first time since its inception at statehood.

We recommend that Title 16 be updated to incorporate principles and criteria from the Sustainable Salmon Policy, which was specifically developed to "ensure conservation of salmon and salmon's required marine and aquatic habitats, protection of customary and traditional subsistence uses and other uses, and the sustained economic health of Alaska's fishing communities." 5 AAC 39.222(b). Such a recommendation is consistent with the Board's statutory duties to conserve fish and game and assure that their use continues to be available on a sustained yield basis.

Sincerely,

Alaska Board of Fisheries