



Non-Regulatory Proposals

1. List of non-regulatory proposals
 - a. James Pryor, Alitak District Salmon Management Plan (EF-F16-013)
 - b. James Pryor, Westside Kodiak Salmon Management Plan (EF-F16-014)
 - c. Mat-Su Borough Fish and Wildlife Commission, Shell Lake sockeye conservation concern (EF-F16-037)
 - d. Mat-Su Borough Fish and Wildlife Commission, Susitna River sockeye stock of concern (EF-F16-039)
 - e. Mat-Su Borough Fish and Wildlife Commission, Susitna River and West Cook Inlet stock of concern recovery plan (EF-F16-040)
 - f. Mat-Su Borough Fish and Wildlife Commission, Susitna River sockeye stock of concern (EF-F16-060)
 - g. Matanuska Valley Fish and Game Advisory Committee, Multiple king salmon stock of concern designations (EF-F16-061)
 - h. Andy Couch, Various (EF-F16-100)
 - i. Central Peninsula Fish and Game Advisory Committee, Susitna River sockeye stock of concern (EF-F16-138)
 - j. Chad Lipse, Big River Sockeye Salmon Management Plan (EF-F16-147)
 - k. United Cook Inlet Drift Association, form a task force (HQ-F16-016)
 - l. United Cook Inlet Drift Association, Susitna River sockeye stock of concern (HQ-F16-061)
 - m. Cook Inletkeeper, requested action related to Chuitna Coal Mine (HQ-F16-082)
 - n. Marc Lamoreaux, PhD., Joel Cooper, Benjamin Jackinsky, Rob Ernst, Willow King, Heidi Wild, Mike Wood, Israel Mahay, Steve Harrison, Jr., Dave Atcheson, Bruce King, Dave Athons, incorporate portions of the Sustainable Salmon Fisheries Policy into Alaska Statute 16 (HQ-F16-084)

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PROPOSAL XXX - 5 AAC 18.361 Alitak District Salmon Management Plan.

Solutions, at this time, would be premature pending the release of the genetic stock identification project. When data from the I.D. project are published and available, possible solutions will be submitted by RC (record comments) and PC (public comments) to assist the board in moving forward in altering the current Alitak District Management Plan to reflect the impact of the genetic data on the local sockeye stocks, and stakeholders

What is the issue you would like the board to address and why? This proposal is a placeholder to open the Alitak District Management Plan for potential regulatory actions pending the release of the results of the Kodiak Area Salmon Stock Identification Project. The availability of the genetic data may provide new information on the migratory pathways of sockeye in the Kodiak Island area. This data may alter the way sockeye stock management are currently being managed by the Alitak District Management Plan.

PROPOSED BY: James Pryor (EF-F16-013)

PROPOSAL XXX - 5 AAC 18.362 Westside Kodiak Salmon Management Plan.

Solutions, at this time, would be premature pending the release of the genetic stock identification project. When data from the I.D. project becomes available, possible solutions will be submitted by RC (record comments) and PC (public comments) to assist the board in moving forward in altering the current Westside Salmon Management Plan to reflect the impact of the genetic data on the local sockeye stocks, sockeye stocks in other districts, and stakeholders.

What is the issue you would like the board to address and why? This proposal is a placeholder to open the Westside Salmon Management Plan for potential regulatory actions pending the release of the results of the Kodiak Area Salmon Stock Identification Project. The availability of the genetic data may provide new information on the migratory pathways of sockeye in the Kodiak Island area. This data may alter the way sockeye stocks are currently being managed by the Westside Salmon Management Plan.

PROPOSED BY: James Pryor (EF-F16-014)

PROPOSAL XXX - 5 AAC 39.22.

Establish Shell Lake sockeye salmon as a conservation concern and provide regulations that will provide harvest restrictions to all user groups.

What is the issue you would like the board to address and why? This proposal will establish Shell Lake sockeye as a conservation concern per Sustainable Salmon Fisheries Policy, (5 AAC 39.222). Based upon euphotic volume, the estimated adult sockeye salmon potential production in Shell Lake is 10.3% of the entire Susitna River drainage production. From historical data, (1968-1982), the estimated escapement of sockeye salmon to the Susitna River drainage ranged from 41,346 to 338,542 individual fish with an average return of 135,242 fish. From 2006-2011 shell Lake adult sockeye escapements averaged 17,900 fish., which is approximately 7% of the ADFG in-river abundance estimates for those years. But since 2010 Shell Lake escapement has not exceeded 937 sockeye salmon. The latest data from 2014 show 6 (six) adult sockeye salmon counted at Shell Lake.

Shell Lake needs to be managed as a conservation concern with all user groups participating in harvest restrictions.

PROPOSED BY: Mat-Su Borough Fish and Wildlife Commission (EF-F16-037)

PROPOSAL XXX - 5 AAC 61 and 62.

5AAC 39.222 Designate Susitna River sockeye salmon as a Stock of Management Concern.

What is the issue you would like the board to address and why? In 2008 Susitna River sockeye salmon were designated a Stock of Yield Concern. This classification was warranted because harvests from both drift and Northern District set gill net fisheries had declined significantly from historical yields ;e.g. most recent five year average(2003-2007) compared to 10 year and 20 year averages. Sonar escapement estimates of sockeye salmon into the Yentna River had also fallen below the SEG during 5 of the 7 previous years. An Action Plan containing research and regulatory needs was developed. Enumeration of sockeye salmon by sonar was replaced in 2009 by escapement weirs located at Chelatna, Judd and Larsen lakes.

Minimum annual escapements into all three systems have only been achieved once during the past 7 years. Harvests of sockeye salmon by the drift and Northern District set gill net fisheries have similarly failed to show meaningful improvement since 2008. Sockeye salmon production from major systems such as Shell lake has declined rather than improved. In 2006 and 2007 Shell lake had escapements of 69,800 and 26,900 sockeye salmon, respectively. During the past five years fewer than 1,000 spawners have returned annually. The lake's smolt production has dropped catastrophically during the same time. The potential sockeye salmon production from Shell lake according to ADF&G is estimated to be 10 % of the entire Susitna River drainage production.

Classification of Susitna River sockeye salmon as a Stock of Yield Concern has clearly not produced desired results. The sustainability of this stock remains questionable and this uncertainty is contrary to the precautionary approach of the Sustainable Salmon Fisheries Policy. Susitna sockeye salmon must be elevated to a Management Stock of Concern or the present Action Plan governing the stock must be revised to include stronger conservation elements.

PROPOSED BY: Mat-Su Borough Fish and Wildlife Commission (EF-F16-039)

PROPOSAL XXX - 5 AAC 61 and 62.

5AAC 61 and 62. SUSITNA RIVER AND WEST COOK INLET STOCK OF CONCERN RECOVERY PLAN

The purpose of this plan is to identify rebuilding goals, objectives and delisting criteria for stock of concern salmon within the Susitna and West Cook Inlet regulatory units. Recovery is defined to be “improvement in the status of a salmon stock to a level where SOC listing is no longer appropriate”. Measures required to evaluate stock restoration may include but are not limited to:

1. Escapement abundance
2. Yield
3. Biological and habitat
4. Other (stocking, enhancement, etc).

(Measures to be developed by BOF and ADF&G with public input for each SOC)

What is the issue you would like the board to address and why? The Northern District of Cook Inlet presently has 8 of 14 statewide designated salmon Stocks of Concern (SOC). One sockeye and 7 Chinook salmon stocks are included in these SOC classifications. Susitna River sockeye salmon have been listed since 2007 and most Chinook salmon since 2010. The Sustainable Salmon Fisheries Policy (5AAC 39.222 (SSFP) specifies, among other considerations, what criteria must be met for a stock to be nominated for SOC status and the level of concern: yield, management or conservation. However, there’s nothing in regulation to guide when a stock has recovered sufficiently to be removed from the SOC list.

The absence of recovery standards is causing anxiety and confusion among stakeholders that depend on these resources. Is there a strong connection between listing and delisting criteria many ask? Some say no and have reasonable reasons why listing and delisting values may not always be the identical. Lowering “the bar” rather than assuring strong productivity is preferred by others; particularly stakeholders that are severely impacted by harvest restrictions. Undefined stock recovery criteria are also exacerbating allocation tension between users groups competing (often in mixed stock waters) for Upper Cook Inlet’s fully allocated salmon.

Development of SOC recovery plans that contain measurable delisting standards would be expected to help reduce or eliminate public confusion or uncertainties regarding the 8 northern SOC’s. Clear and concise delisting criteria would be expected to increase public support for and meaningful involvement with actions needed for full recovery. Recovery plans will also allow the public to “track” a stocks progress toward recovery/delisting. An informed and involved public is a basic element in the successful management of Alaska’s fisheries.

An alternative to placing SOC recovery standards in regulation would be to insure that the Action Plans required for all SOC include delisting standards. The SSFP currently requires (5AAC 39.222 (d) (4) (B)) that: “action plans should contain goals, measurable and implementable objectives, and provisions, including: (B) identification of salmon stock or population rebuilding goals and objectives”. Northern Cook Inlet SOC action plans do not identify such delisting standards or recovery goals.

PROPOSED BY: Mat-Su Borough Fish and Wildlife Commission

(EF-F16-040)

PROPOSAL XXX - 5 AAC 39.222.

5AAC 39.222

Designate Susitna River sockeye salmon as a Stock of Management Concern.

What is the issue you would like the board to address and why? ~~In 2008 Susitna River sockeye salmon were designated a Stock of Yield Concern. This classification was warranted because harvests from both drift and Northern District set gill net fisheries had declined significantly from historical yields ;e.g. most recent five year average(2003-2007) compared to 10 year and 20 year averages. Sonar escapement estimates of sockeye salmon into the Yentna River had also fallen below the SEG during 5 of the 7 previous years. An Action Plan containing research and regulatory needs was developed. The Board of Fisheries also revised the Central District drift gillnet management plan to increase Susitna sockeye escapements by the use of a “conservation corridor”.

A stock of Management Concern is defined as “a concern arising from a chronic inability, despite the use of specific management measures, to maintain escapements for a salmon stock within the bounds of the SEG, BEG, OEG, or other specified management objectives for the fishery” (5 AAC 39.222(f)(21)). A chronic inability means the continuing or anticipated inability to meet escapement thresholds over a four to five year period.

In 2009, the Yentna sonar sockeye escapement goal was replaced by goals established for weirs located at Chelatna, Judd and Larsen lakes. A sockeye goal also exists for Fish Lake. Escapement goals for all Susitna sockeye systems have been met only once in the last seven years (2015). Escapements have consistently failed to reach goals in both pike and non-pike systems.

Harvests of sockeye salmon by the drift and Northern District set gill net fisheries have similarly failed to show meaningful improvement since 2008. Sockeye salmon production from major systems such as Shell lake has declined rather than improved. In 2006 and 2007 Shell lake had escapements of 69,800 and 26,900 sockeye salmon, respectively. During the past five years fewer than 1,000 spawners have returned annually. The lake’s smolt production has dropped catastrophically during the same time. The potential sockeye salmon production from Shell lake according to ADF&G is estimated to be 10 % of the entire Susitna River drainage production.

The sustainability of Susitna sockeye remains questionable and this uncertainty is contrary to the precautionary approach of the Sustainable Salmon Fisheries Policy. Susitna sockeye salmon must be elevated to a Management Stock of Concern or the present Action Plan governing the stock must be revised to include stronger conservation elements.

PROPOSED BY: Mat-Su Borough Fish and Wildlife Commission (EF-F16-060)

PROPOSAL XXX - 5 AAC 5AAC 72.XXX.

Adopt: Stock of Yield Concern status for the following king salmon stocks:

Talachultna River* (only closed to all king salmon fishing from 2013 - 2016)

Little Willow Creek

Montana Creek

Clear Creek

Prairie Creek (no harvest in Unit 2 and Talkeetna River - creek previously closed)

Chulitna River

What is the issue you would like the board to address and why? In 2012, 2013, 2014, 2015, and 2016 the department started the sport king salmon fishing season with no harvest whatsoever allowed in the following locations where the department had established escapement goals and where sport fishing was previously allowed; *Talachultna River, Little Willow Creek, Montana Creek, Clear Creek, Prairie Creek (lost harvest in Unit 2 and Unit 5), Chulitna River. If no harvest changes are made in season this will be 5 years with management based on allowing zero harvest within these drainage streams which should easily meet the standard for Stock of Yield Concern.

Action plans should be developed for each stock which include standards for when to start allowing instream sport harvests with additional standards of when to delist these salmon stocks.

PROPOSED BY: Matanuska Valley Fish and Game Advisory Committee (EF-F16-061)

PROPOSAL XXX - 5 AAC 72.XXX.

In light of the pending release of the department's genetic king salmon studies consider changes to Upper Cook Inlet king salmon seasons, methods and means, gear, fishing / conservations areas, bag limit, and annual limit.

What is the issue you would like the board to address and why? Pending results from the department's king salmon genetic studies, due in fall 2016, this is a place holder proposal to adjust saltwater king salmon regulations for areas North of the Anchor Point Light. This provides an opportunity for the department, public, and user groups to develop king salmon regulation changes based on the latest science in preparation for the upcoming Cook Inlet Board of Fisheries meeting.

PROPOSED BY: Andy Couch

(EF-F16-100)

PROPOSAL XXX - 5AAC 39.222 ???.

Repeal the stock of yield concern designation for Susitna sockeye salmon

What is the issue you would like the board to address and why? Repeal the stock of yield concern designation for Susitna River sockeye salmon.

Since the designation was put into regulation the department has incorporated studies and reviews to reveal that the designation was developed on a faulty sonar counting system. The data was invalid. Scientific data in 2009 proved that the Susitna River sockeye were never a stock of yield concern and in fact the escapements were not only being met but grossly exceeded. Large harvestable surpluses were and are still being forgone. The commercial fishery continues to be restricted because of the invalid stock of yield concern designation and surplus salmon continue to go unharvested by anyone. This is not sustainable and is not being a good steward of the resource. It is also in violation of 5 AAC 39.222. Policy for the management of sustainable salmon fisheries, State fisheries policy, Article 8 of the Constitution and the Magnuson Stevens Act all of which require the best scientific information available in formulating fishery management plans designed to achieve maximum or optimum salmon production. The stock of yield concern designation has not and does not meet the criteria or definition as defined in 5AAC 39.222 Policy for the management of sustainable salmon fisheries. It is troublesome and alarming that the stock of yield concern designation and commercial fishing restrictions have remained (and even increased), since the yield concern was scientifically proven invalid seven years ago in 2009. It is suspect that the designation for stock of yield concern remains solely for the purpose of special interest allocation agendas to keep the invalid commercial fishing restrictions.

PROPOSED BY: Central Peninsula Advisory Committee

(EF-F16-138)

PROPOSAL XXX - 5 AAC 72.XXX.

Adjust point (g) of the Big River Sockeye Salmon Management Plan to provide burden sharing in conservation efforts for stock of concern Northern District / Western king salmon stocks.

What is the issue you would like the board to address and why? Since Theodore River, Lewis River, and Chuitna River king salmon stocks have all been designated as stocks of concern, and sport fishing has been closed for king salmon on these rivers and other waters west of the Susitna River, and since the Northern District set net fishery has had their fishing area reduced in response to this situation, and since there still has not be a recovery of these stocks, some adjustment in the king salmon harvest allowed under the Big River Sockeye Salmon Management Plan seems appropriate. King salmon genetic studies to be released before the 2017 Upper Cook Inlet Board of Fisheries meeting should be used to develop an informed adjustment. Too keep individual permit holders busting the king cap for all users of Big River sockeye it may be appropriate to develop a seasonal per permit limit on this fishery.

PROPOSED BY: Chad Lipse

(EF-F16-147)

PROPOSAL XXX - 5 AAC 39.780

Form a working group or task force with BOF members, ADF&G and interested members of the public to develop an action plan, goals, gear types, methods and regulations for a commercial freshwater pike fishery in northern Cook Inlet drainages.

What is the issue you would like the board to address and why? Article 7. Commercial Freshwater Fishery

The BOF should facilitate the development of a commercial freshwater pike fishery in Northern Cook Inlet drainages. Northern pike are an invasive species in the Cook Inlet basin, yet instead of trying to eradicate them, both the BOF and ADF&G Sport Fish Division, for years, considered them a sport fish, limiting the harvest through the use of closed seasons, gear limits, time limits, slot limits and bag limits. As a result, the invasive northern pike proliferated and spread throughout much of the Mat-Su watershed and other drainages. At least 140 different waterways in the northern Cook Inlet region are now infested with pike and the result has been devastating to the salmon populations. Salmon have been extirpated in at least 6 to 8 lake systems by northern pike predation on juvenile salmonids, and overall salmon production in the region has been reduced by about 50 percent. Sockeye, coho and Chinook populations are affected by pike the most as they spend more time in freshwater as compared to pink and chum salmon. Limiting commercial fisheries in saltwater has never killed a single pike, however, a directed commercial freshwater fishery on northern pike would provide immediate and long term benefits.

The Alexander Creek Chinook fishery once supported 9 fishing lodges and over 26,000 angler days per year until the sport fishery was closed in 2008 due to northern pike predation on juvenile salmonids. ADF&G initiated a gillnetting program in Alexander Creek in 2010 and by the fall of 2014 had killed and removed 15,000 pike just from that system. Salmon populations are now starting to increase in Alexander Creek, however, to remain effective this gillnetting project must continue at some level. In addition, this type of effort needs to occur wherever pike are found throughout the northern Cook Inlet region. The Alexander Creek Pike Removal Project has cost well in excess of a million dollars. Due to the current economic circumstance, it is unlikely the State of Alaska will have funding for pike mitigation efforts in the future.

Developing a commercial pike fishery will create an economic incentive (by allowing the sale of harvested pike) for the private sector to accomplish what the ADF&G is unable to do on a large scale – reduce pike populations enough to allow salmon populations to recover. This would benefit the local residents of the Mat-Su region in multiple ways.

PROPOSED BY: United Cook Inlet Drift Association (HQ-F16-016)

PROPOSAL XXX - 5 AAC 39.222

Repeal the stock of yield concern designation for Susitna sockeye salmon

What is the issue you would like the board to address and why? Repeal the stock of yield concern designation for Susitna River sockeye salmon. The basis for this designation has been scientifically proven to be invalid, by two different ADF&G studies.

According to the Sustainable Salmon Fishery Policy (5AAC 39.222) a stock of yield concern is defined as *“a concern arising from a chronic inability, despite the use of specific management measures, to maintain expected yields, or harvestable surpluses, above a stock’s escapement needs...”*

In 2008, the BOF designated Susitna sockeye a stock of yield concern due to a chronic inability to meet the Yentna SEG (range 90-160,000) as measured by sonar. In 2009 that sonar system was determined by the department to be grossly underestimating the number of sockeye returning to the Susitna River system. The 2006-09 ADF&G escapement goal review (FMS 09-01) for the Susitna River revealed that for the prior 27 years (since 1982) the Susitna River escapement goal had been met 100 percent of the time and exceeded 96 percent of the time. In other words, for 26 of the 27 years, there were large harvestable surpluses above the stock’s escapement needs.

As a result of the escapement goal review, the system wide goal for Susitna sockeye was eliminated and a sustainable escapement goal (SEG) was adopted for three individual lakes in the watershed based on the Percentile Approach to the data set for each lake. From 2010 to 2015 these goals were met or exceeded 67 percent of the time. However, these three goals have recently been determined to be excessive and may actually be at unsustainably high levels.

The most recent ADF&G review (FMS 14-06) of escapement goals states that *“SEGs based on the current Percentile Approach, especially the upper bounds, may actually be unsustainable in that they may specify a spawning escapement that is close to or exceeds the carrying capacity of the stock where there is the expectation of no sustainable yields.”*

Therefore, based on the latest and best available science, the stock of yield concern designation for Susitna sockeye salmon should be repealed.

PROPOSED BY: United Cook Inlet Drift Association (HQ-F16-061)

PROPOSAL XXX - 5 AAC 39.222(d)(6)

This proposal requests the Board of Fisheries take action pursuant to 5 AAC 39.222(d)(6). That rule states that “where actions needed to regulate human activities that affect salmon and salmon's habitat that are outside the authority of the department or the board, the department or board shall correspond with the relevant authority, including the governor, relevant boards and commissions, commissioners, and chairs of appropriate legislative committees, to describe the issue and recommend appropriate action.” Id. Accordingly, this proposal requests the Board of Fish to (1) hold one or more public hearings where ADFG and other biologists testify on the baseline studies and anticipated fish habitat impacts related to the Chuitna coal strip mine;(2) correspond with the Commissioners of the Alaska Department of Natural Resources and Alaska Department of Fish & Game, and ensure that permits for the proposed Chuitna Coal Mine truly protect fish and fish habitat; and (3) oppose the proposed Chuitna coal strip mine if relevant agencies and the project proponent cannot show that wild fish and wild fish habitat will be adequately protected in the long term from coal strip mine development.

What is the issue you would like the board to address and why? The purpose of the Alaska Board Fisheries Policy for the Management of Sustainable Salmon Fisheries is “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). Under this policy, “salmon habitats should not be perturbed beyond natural boundaries of variation; ... all essential salmon habitat in marine, estuarine, and freshwater ecosystems ... should be protected; ...[and] salmon habitat in fresh water should be protected on a watershed basis, including appropriate management of riparian zones, water quality, and water quantity.” 5 AAC 39.222(c). Finally, in the face of uncertainty, the Board of Fish policies embrace a conservative precautionary approach toward salmon habitat management and protection. 5 AAC 39.222(c)(5).

The Chuitna River flows from the base of the Alaska Range into Upper Cook Inlet, and supports all five species of Pacific wild salmon in addition to resident fish. A Delaware corporation, PacRim Coal LLC, is now seeking permits to strip up to 30 square miles of the Chuitna River watershed to produce coal for export to Asian countries. Some salmon-bearing tributaries to the Chuitna River will be mined directly, and according to PacRim's Clean Water Act permit application, the proposed Chuitna coal strip mine will discharge an average of seven (7) million gallons of mine waste and run off to the Chuitna River drainage each day. Wide-scale wetlands destruction will irreparably alter the local hydrologic system, compromising its capacity to support adequate in-stream flow for fish and fish habitat.

In 2010, the Board of Fisheries designated the Chuitna River a “stock of concern” for King salmon. Unfortunately, the proposed permits and regulatory mechanisms currently available for the Chuitna coal mine will not protect Alaska fishery resources. For example, PacRim Coal's current plans call for mining directly through over a dozen miles of salmon habitat – down to depths of 350 feet or more. PacRim claims it can build new salmon streams when it's done, but no one has ever succeeded reclaiming wild salmon streams after such large-scale impacts. The draft Environmental Impact Statement for the project is due out in June 2016, with associated permits and authorizations occurring through 2017.

PROPOSED BY: Cook Inletkeeper

(HQ-F16-082)

PROPOSAL XXX - 5 AAC 39.XXX

The Board of Fish 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). This policy specifically identifies the importance of conserving fish habitat to maintain healthy salmon populations and recognizes that habitat related permitting decisions may impact the sustainability of the state’s strong salmon fisheries.

Elements of this body’s Sustainable Salmon Policy should be incorporated into Title 16 and applied to ADF&G permitting decisions. We propose that the Board of Fish recommends that the Alaska Legislature amend Title 16 to require the Alaska Department of Fish and Game to comply with the principles and criteria in the Board of Fish’s Sustainable Salmon Policy whenever it issues a Fish Habitat Permit pursuant to AS 16.05.871.

What is the issue you would like the board to address and why? Cook Inlet includes both the most populated and heavily developed watersheds in Alaska as well as some of the state’s largest intact salmon producing fresh water systems. As the Board of Fish Policy for the Management of Sustainable Salmon Fisheries has recognized, “in the aggregate, Alaska's salmon fisheries are healthy and sustainable largely because of abundant pristine habitat and the application of sound, precautionary, conservation management practices" 5 AAC 39.222(a)(1).

But the habitat of Cook Inlet faces combined impacts that require clearer regulation criteria to ensure continued access for Alaskans to Cook Inlet fisheries. As the state’s economic hub, Cook Inlet drainages are subject to a variety of impacts to salmon habitat stemming from urbanization, non-renewable resource extraction and climate change. Operating under the precautionary principle, when specific criteria are guaranteed and planned for, development authorization should be encouraged, predictable, fair, simple, and reviewable.

Currently, Alaska’s fish habitat permitting process (AS 16.05.871) lacks criteria necessary to determine whether permitting decisions will adequately protect salmon populations and related fish habitat from these threats in Cook Inlet. By law, an activity that will “use, divert, obstruct, or change the natural flow or bed of a specified river, lake or stream” requires a Fish Habitat Permit. AS 16.05.871(a). The Commissioner of the Department of Fish and Game is directed to issue the permit unless the plans for the proposed construction work are “insufficient for the proper protection of fish and game.” AS 16.05.871(a). The problem is: neither the law nor regulation defines what is sufficient for the proper protection of fish and game and no review criteria exists to ensure that permitting decisions will protect resident and anadromous fish species and related fish-dependent habitat processes. We propose that the Board of Fish address this problem.

PROPOSED BY: Lindsay Bloom (insert authors if approved) (HQ-F16-084)
