

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.

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