



State of Alaska
Department of Fish and Game
Sportfish Division

Nomination Form
Anadromous Waters Catalog

M

Region Southeastern USGS Quad(s) Skagway B1

Anadromous Waters Catalog Number of Waterway 115-34-10230-2011 10228

Name of Waterway Nelson Creek USGS Name Local Name

Addition Deletion Correction Backup Information

For Office Use

Nomination #	<u>09-1085</u>	<u>[Signature]</u>	<u>10/30/09</u>
		Fisheries Scientist	Date
Revision Year:	<u>2010</u>	<u>[Signature]</u>	<u>10/30/09</u>
Revision to:	Atlas _____	Habitat Operations Manager	Date
	Both <u>X</u>	<u>[Signature]</u>	<u>5 OCT 09</u>
		AWC Project Biologist	Date
Revision Code:	<u>3-1</u>	<u>[Signature]</u>	<u>12/1/09</u>
		Cartographer	Date

OBSERVATION INFORMATION

Species	Date(s) Observed	Spawning	Rearing	Present	Anadromous
pink salmon	09/09/2009	✓			

IMPORTANT: Provide all supporting documentation that this water body is important for the spawning, rearing or migration of anadromous fish, including: number of fish and life stages observed; sampling methods, sampling duration and area sampled; copies of field notes; etc. Attach a copy of a map showing location of mouth and observed upper extent of each species, as well as other information such as: specific stream reaches observed as spawning or rearing habitat; locations, types, and heights of any barriers; etc.

Comments:
See Attached
Spawning pink salmon observed while inspecting a violation at 59.4973; -135.3610. Pink salmon most likely continue upstream - this should be revisited next year to verify upper extent.
Coordinates (Lat,Long): (59.4973,-135.361)
Stream Re-numbered as 115-34-10228
Add pink salmon spawning Refer to 09-1016

Name of Observer (please print): Sheila Cameron
Signature: 146.63.139.112 (Web Nomination) Date: 09/25/2009
Agency: ADFG - HAB
Address: ADF&G Habitat Division ADF&G Habitat Division
Douglas, AK 99811

This certifies that in my best professional judgment and belief the above information is evidence that this waterbody should be included in or deleted from the Anadromous Waters Catalog.

Signature of Area Biologist: _____ Date: _____ Revision 02/08
Name of Area Biologist (please print): _____

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME DIVISION OF HABITAT

SEAN PARNELL, GOVERNOR

Douglas Island Center Building
802 W. 3rd Street, Douglas
P.O. BOX 110024
JUNEAU, AK 99811-0024
PHONE: (907) 465-4105
FAX: (907) 465-4759

MEMORANDUM

TO: Jackie Timothy

DATE: September 11, 2009

FROM: Sheila Cameron
Habitat Biologist



SUBJECT: Nelson Creek Crossing
Site Visit 9/4/09

TELEPHONE NO: 465-4182

Background:

On May 22, 2009, I received an email from Rich Chapell (ADF&G Sport Fish Haines Area Management Biologist), reporting vehicles crossing Nelson Creek (anadromous stream no: 115-34-10230-2011) by a Mr. Robert Murphy. Mr. Murphy owns property on the west side of Nelson Creek. I did not find any record of a Fish Habitat Permit issued to anyone for fording Nelson Creek. A few weeks later, I received a message from Alicia Wendlandt of the Taiya Inlet Watershed Council that they were working with Mr. Murphy to install a bridge at the crossing, and she asked if ADF&G would partner with the Council for the project. I informed her that we generally do not partner in such a project, but that we would assist in designing the project during permitting. I have not heard from Rich or Alicia since June about this crossing.

Observations:

On Friday, September 9, 2009, I visited Skagway, Alaska for several site inspections. Marj Harris of the Municipality of Skagway accompanied me during the inspections as we were looking primarily at Municipality projects. During the course of our inspections, we arrived on the Dyea flats and observed Nelson Slough. While in the area, I looked at the reported crossing location.

There is a small pedestrian bridge across the creek just upstream of the crossing location. The crossing is visibly rutted (photos 1 & 2) and I observed adult pink salmon at the crossing footprint as well as up and down stream (photo 3). I did not observe any spawning behavior or redds. The crossing is located at latitude 59.4973° N, longitude 135.3610° W (NAD 83).



Photo 1: Nelson Creek Crossing Location

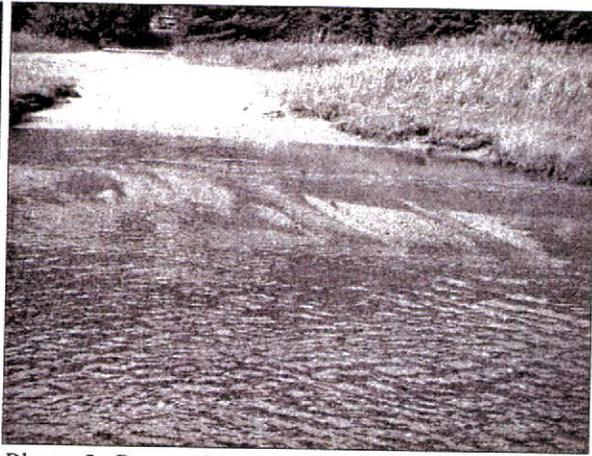


Photo 2: Ruts midstream in Nelson Creek

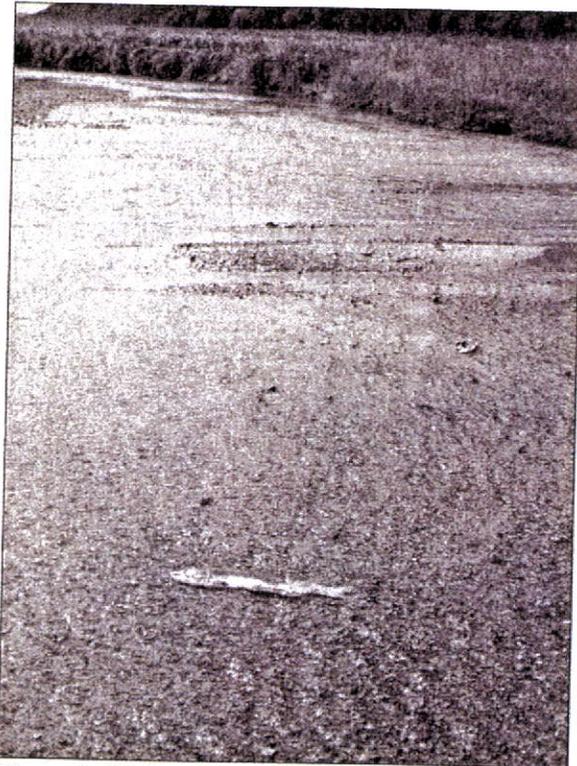


Photo 3: Pink salmon upstream of rutted crossing

Follow up actions:

After returning to Juneau, I reviewed the *Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes* (Catalog) to identify the stream number and identify the crossing location. The Catalog shows Nelson Creek as a tributary to the Taiya River flowing east/west, however this is not what I observed onsite, which was a stream flowing north/south. I researched the historical nominations for both Nelson Creek (Stream no: 115-34-10230-2011). The nomination for Nelson Creek in 1985 shows the creek as a separate system (not a tributary of the Taiya River) and even says in the narrative that "this creek meanders through the flats of the Taiya River, but is a separate system" (attachment 1). I contacted J Johnson (ADF&G SF) about this Catalog discrepancy and he will correct the stream location in the Catalog. I will also submit a nomination for this stream to include pink salmon presence.

On September 11, 2009, I spoke with Trooper Rick Merritt in Haines about the unauthorized crossing and I am providing him additional information by way of this trip report for his investigation. I will attempt to contact the land owner (Robert Murphy) per Trooper Merritt's suggestion and discuss the unauthorized vehicle crossings with him. Any further action will be done by or at the request of Trooper Merritt.

After speaking with Trooper Merritt, I found a file from 2002 with a Notice of Violation (NOV) and a letter to Mr. Murphy about this crossing (attachment 2). The NOV required him to install a bridge on Nelson Creek for accessing his property and restore the streambanks by June 1, 2003. Unfortunately, this is the only historical information we have regarding the unauthorized crossing activity, and it appears Habitat staff did not follow-up with Mr. Murphy following issuance of the NOV.

Enclosures:

Attachment 1: Nomination 85-314

Attachment 2: Notice of Violation and letter to R. Murphy 2002

CC Via email:

Al Ott, ADF&G Habitat, Fairbanks

Rich Chapell, ADF&G SF, Haines

Randy Bachman, ADF&G CF, Haines

Rick Merritt, DPS, Haines

Marj Harris, Skagway Coastal District Coordinator

Alicia Wendlandt, Taiya Inlet Watershed Council, Skagway

Carrie Bohan, DNR DCOM, Juneau

Johnson, J D (DFG)

From: OnlineFDDNominations@state.ak.us

Sent: Friday, September 25, 2009 9:19 AM

To: Johnson, J D (DFG)

Subject: Online Nomination Sumbitted at {ts '2009-09-25 09:18:29'}... Saving Nomination to Database

You have the following new nominations.

UserID - 1027

UserName - Sheila Cameron

**Thank You for submitting your nomination.
Your Nomination was successfully saved.**

This is the nomination number for your submitted nomination:

09-1085

Please write these numbers down or print this page for your records.

If you have further questions please feel free to email j.johnson@alaska.gov .
Thank you for your time.



26

-135.361, 59.4973

PROSPECT 36

Barrow
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

add pink salmon & mussels
SP 102 28

115-54-102 28

33

REF # 1016

DYE

33