

State OCT 20 '95 10:43AM REGION 1 907 465 2034
Department of Fish and Game
Nomination for Waters
Important to Anadromous Fish

ANC Volume SE SC SW W AR IN

USGS Quad

Stagney A-2 NE

Anadromous Water Catalog Number of Waterway 10300-2002-3013

Name of Waterway Schmitt Creek tributary

USGS name _____ Local name ✓

Addition _____ Deletion ✓ Correction _____ Backup Information _____

For Office Use

Nomination # <u>95-518</u>	Regional Supervisor _____	Date _____
Revision Year: _____	_____	_____
Revision to: Atlas _____ Catalog _____	_____	_____
Revision Code: <u>F-1</u>	Drafted _____	Date _____

OBSERVATION INFORMATION

Species	Date(s) Observed	Spawning	Rearing	Migration	Anadromous

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 any other information such as: specific stream reaches observed as spawning or rearing habitat; locations, types, and heights of any barriers; etc.

Comments: Applicant as property owner requests deletion of classification from area shown as proposed road north to Constock Road. Request appropriate documentation, process for reclassification/deletion, appeal rights & scientific data from Fish & Game. Please provide copies of previous public notice to property owner on classification.
Darrell Maple, Agent for John Hruska Jr

Name of Observer (please print) _____

Date: 10/27/95

Signature: _____

Darrell Maple

Address: _____

P.O. Box 1163

Heaves, Alaska 99827

John Hruska
Area Habitat Biologist

This certifies that in my best professional judgement and belief the above information is evidence that this waterbody should be included in or deleted from the Catalog of Water Important for Spawning, Rearing or Migration of Anadromous Fishes per AS 16.05.870.

STATE OF ALASKA

TONY KNOWLES,
GOVERNOR

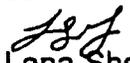
DEPARTMENT OF FISH AND GAME

SOUTHEAST REGIONAL OFFICE HABITAT AND RESTORATION DIVISION

P.O. BOX 240020
DOUGLAS, AK 99824-
0020
PHONE: (907) 465-4290
FAX: (907) 465-4272

MEMORANDUM

TO: Janet Kowalski, Director
Habitat and Restoration Division
Juneau

THRU: 
Lana Shea Flanders, Supervisor
Region I

FROM: John Palmes, Habitat Biologist 

DATE: November 15, 1995

SUBJECT: Need to act on information request, and proposed stream de-classification

On behalf of Haines area landowner, John Floreske, Darrell Maple (October 3, 1995) requested the supporting documentation for classifying eight tributaries to Sawmill Creek in Haines which run through or adjacent to his properties.

Four of these streams run through Mr. Floreske's property south of Comstock Road and Mr. Maple has now requested that they be deleted from the Anadromous Fish Waters Catalog. The appropriate "nomination" forms have been filled out and signed by Mr. Maple and are attached. I have also signed the forms as Area Biologist, though I hereby state that I in no way support the de-classification of these streams. My signature is only intended to allow the administrative process to proceed.

I am sending these materials to you because a recent contact with our Anchorage office revealed that no one is currently assigned to provide the requested information or to process nominations to the Anadromous Fish Waters Catalog. Please advise how and when this information request and request to delete streams from the catalog will be handled so that I can inform Mr. Maple.

Thank you

cc:

L. Trasky, ADFG, Anchorage
D. Maple, Haines

ALASKA DEPT. OF
FISH & GAME

NOV 21 1995

REGION II
HABITAT AND RESTORATION
DIVISION

LYNN CANAL PROFESSIONAL SERVICES

**P.O. Box 1163
Haines, Alaska 99827
Tele/Fax#: (907) 766-3334**

John Palmes
Dept. of Fish and Game
Habitat Division
P.O. Box 240020
Douglas, Alaska 99824
Via Fax#: (907) 465-4272

Re: Reclassifications of Streams

Dear John,

Thank you for sending me the appropriate application forms to request reclassification of several minor tributaries located upon Mr. Floreske's property. Although you indicated that #115-32-10300-2002-4001 has been cataloged, we do not have any evidence of this to date. Tributary #4017 was according to the last information received from your Division, referred to as "probably" having spawning habitat. We have filled out the forms and attached them via this fax for processing, to ensure time parameters are met. We still do not have the documentation that they indeed have been classified as anadromous streams. Please note that Mr. Floreske requested this information almost two years ago from your Anchorage office, whom does the classifications and to date no information was provided.

Please refer to our 10/03/95 correspondence to Mr. Frank Rue, which requests substantial information be provided the property owner on streams in this area. I do know that you are preparing a response, and sending us these forms ahead of time, was to assist us in making the deadline for submission of reclassification. The applicant whom is requesting the declassification is very much at a disadvantage if he does not have the public information on how the streams were classified in the first place, and the scientific data on which the classification is based.

I look forward to your visit at the end of the month wherein we can look at an overall solution which benefits both the property owner and the fisheries habitat upon the property in question.

Sincerely yours,

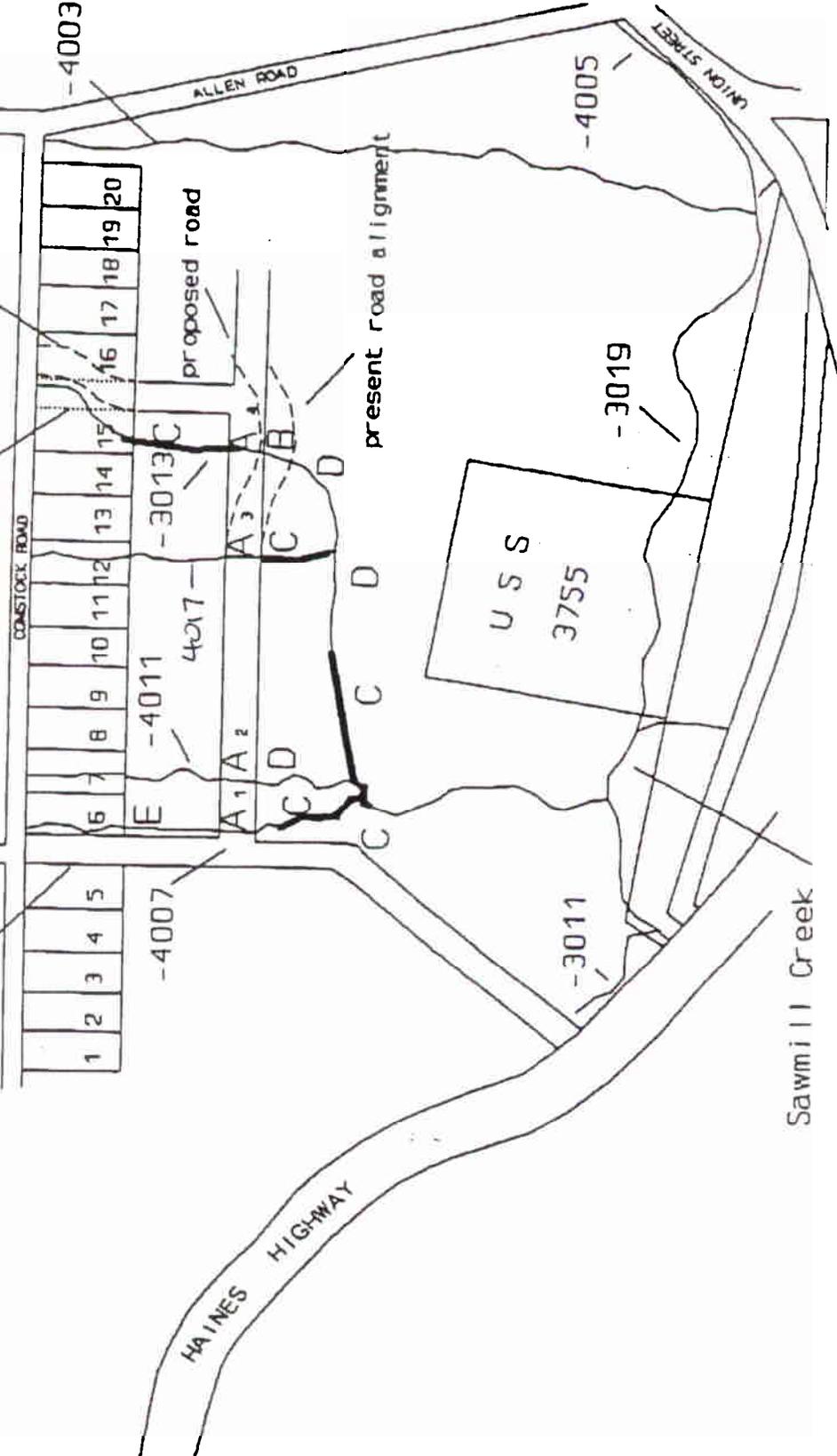


**Darrell Maple
Agent for John Floreske Jr., Owner**

DRAFT

Note: all stream locations are approximate

present access
platted access easement



115-32-10300-2002

Figure 1. Map of the area showing approximate stream locations and impact regions.

ALASKA DEPARTMENT OF FISH AND GAME
HABITAT AND RESTORATION DIVISION
P.O. BOX 25528, JUNEAU, AK 99802-5526
PHONE: (907) 465-4105/4125

FAX: (907) 465-4759

cc
Janet
Don
Ed

FAX COVER SHEET

TO: Lana Flanders,

Date: 12/8/95

Dannell maple, John Palmer,
Lance Trasky, all att

No. of Pages: 2
(following this page)

- R1 R2 - Hab. R2 - Rest. R3 SPCO CACI All Rest. Team All Trustee Council

FROM: Janet Kawalski

MESSAGE:

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

Habitat and Restoration Division

TONY KNOWLES, GOVERNOR

P.O. BOX 25528
JUNEAU, AK 99802-5528
PHONE: (907) 465-4105
FAX: (907) 465-4759

MEMORANDUM

TO: Lana Shea Flanders
Regional Supervisor
Habitat and Restoration

FROM: Janet Kowalski
Director
Habitat and Restoration

DATE: December 8, 1995

SUBJECT: Nomination to Delete Anadromous Waterbodies

I received a memo from John Palmes through you dated November 15, 1995. In the memo, you request that four streams which run through Mr. John Floreske's lands be deleted from the anadromous waters catalog.

I am remanding the request back to your office for action. Our procedure for reviewing nominations to delete waterbodies from the anadromous waters catalog is as follows:

1. Upon receipt of a nomination to delete a specified waterbody, an area biologist conducts a field review during an appropriate timing window to determine whether or not fish are present.
2. The area biologist files a report stating whether or not fish are present, and what obstacles to fish passage, if any, can be observed at the site in question. The biologist then forwards the field report to the Regional Supervisor.
3. The Regional Supervisor reviews the report and makes a finding. If fish are present, our statutes require us to deny the request and the party who nominated the streams is promptly notified of the denial.

4. If fish are not present, the Regional Supervisor determines whether or not: a) repeat sampling is warranted; and/or b) fish passage, if blocked, can be restored to the affected stream. For example, if fish passage was blocked by a cataclysmic event such as an earthquake or landslide, the Regional Supervisor would approve the request for reclassification and forward the regional approval to the Director's office. If blockage was due to a violation of an anadromous stream or other permit or regulatory action, the Regional Supervisor would deny the request and work towards remedial restoration for the stream at issue.

5. All Regional Supervisor approvals to delete *cataloged* streams will be reviewed by the Director's office before being forwarded to the Catalog section for final implementation.

Please review Mr. Florcske's request using the above procedures. Should you have any questions regarding this policy, please call me.

cc: Mr. Darrell Maple
Frank Rue, Commissioner
John Palmes, Habitat Biologist
Lance Trasky, Regional Supervisor
Al Ott, Regional Supervisor

Memo to Lana

DRAFT

DRAFT

I received a memo from John Palmes through you dated November 15, 1995. In the memo, you request the four streams which run through Mr. John Floreske's lands be reclassified as non-anadromous.

I am remanding the request back to your office for action. Our procedure for reclassifying streams is as follows:

1. An area ^{fishery or habitat} biologist conducts a field review during an appropriate timing window to determine whether or not fish are present.
2. The area biologist files a report stating whether or not fish are present, and what obstacles to fish passage, if any, can be observed at the site in question. The biologist then forwards the field report to the Regional Supervisor.
3. The Regional Supervisor reviews the report and makes a finding. If fish are present, our statutes require us to deny the request and the party who nominated the streams is promptly notified of the denial.
4. If fish are not present, the Regional Supervisor determines whether or not: a) repeat sampling is warranted; and/or b) fish passage, if blocked, can be restored to the affected stream. For example, if fish passage was blocked by a cataclysmic event such as an earthquake or landslide, the Regional Supervisor would approve the request for reclassification and forward the regional approval to the Director's office. If blockage was due to a violation of an anadromous stream or other permit or regulatory action, the Regional Supervisor would deny the request and work towards remedial restoration for the stream at issue.
5. All Regional Supervisor approvals to reclassify ^{delete} *cataloged* streams will be reviewed by the Director's office before being forwarded to the Catalog section for final implementation.

Please review Mr. Floreske's request using the above procedures. Should you have any questions regarding this policy, please call me.

cc: Mr. Darrell Maple
Frank Rue, Commissioner
John Palmes, Habitat Biologist
Lance Trasky, Regional Supervisor

AL OH

DRAFT

