

Kachemak Bay Critical Habitat Area Goals and Policies 50-year Report Card evaluation.

PC 100 lists State of Alaska statutes and regulations of overlapping jurisdictions all Alaskans must abide by, ADFG is not exempt.

AS 16.20.580 Fox River Flats Critical Habitat Area Established (1972);

AS 16.20.590 Kachemak Bay Critical Habitat Area Established (1974)

AS 16.05.730 Management of Wild and Enhanced Stocks of Fish

AS 16.20.500 Purpose Critical Habitat – gives clear “primary purpose” to perpetuate wild fish

The purpose of AS 16.20-690 is to protect and preserve habitat areas especially crucial to the perpetuation of fish and wildlife and to restrict all other uses not compatible with that primary purpose.

Outside these windows we overlook 3 Legislatively Designated Areas with statutory primary purpose of **perpetuation of fish.**

Instead of these State Critical Habitats representing a showcase of sustained stellar management, most species of crab, shrimp, miscellaneous shellfish have systematically been removed, replaced or suppressed into closure. Today collectives of wild portfolio salmon populations that provided a much more robust fishery prior to PNP hatcheries, are being sacrificed with hatchery strays and masked in mixed stocks with inaccurate reporting.

The massive “habitat” component critical to perpetuate fish but disregarded, are the microscopic biological living food web interactions missing in management decisions

The Board of Fisheries has regulatory authority in AS 16.20.510. To govern in State Critical Habitat Areas.

The Board of Fisheries ...where appropriate, shall adopt regulations they consider advisable for conservation and protection purposes governing the taking of fish in state fish and game critical habitat areas.

The disconnect of wild fish priority is revealed as unrecognized in department comments RC2 Proposal 35 Wild fish Priority Management Plan:

“There are no management plans in place specific to Kachemak Bay other than the three hatchery management plans for the three LCI hatcheries”

This all that is left of a once diverse wild species critical habitat of robust fisheries after 50 years under department management??

Actually, 5 AAC 95.610 is an additional regulatory Plan the department may not be aware of specific to Kachemak Bay Critical Habitat to perpetuate wild fish. The purpose of this Plan is to

“Provide consistent long-range guidance to the department of Fish and Game and other agencies involved in managing the critical habitat area”.

Proposal 35 requests a professional locally based committee. This committee can use 5 AAC 95.610, Goals and Policies of the State Critical Habitat Management Plan for an independent evaluation to score effectiveness of how these Goals and Policies have provided long range guidance to perpetuate fish.

State focus must be brought back to sustaining dwindling wild bounty of wild fish priority to elevate statutory intent to staunch declines.

Homers wealth of local knowledgeable professional scientists, naturalists, and NGO's is willing and available with over a century of combined expertise studying Kachemak Bays habitat and food web. These organizations have staff, boards, interacting MOUs, revenue, educational structure, to collaborate and synthesize decades of local research to bring the massive missing component of food web to “habitat” critical to perpetuate fish.

A dedicated habitat committee guardian of the Kachemak Bay Critical Habitat Area, can centralize research. then begin to apply ecosystem knowledge using a mosaic of best available science to formulate a plan “to give priority to rehabilitate depressed indigenous stocks including diversity and abundance as 5 AAC 95.610 directs. This committee will report ecosystem-based findings to the Board of Fisheries based on species, life stage histories, reproductive strategies, trophic food web requirements during each life stage, overlapping prey species etc

Organizations include

**Kachemak Bay Estuarine Reserve (NOAA and University of Alaska)
Kachemak Bay Citizens Advisory Board (ADNR and ADPOR)
NOAA's Kachemak Bay Habitat Focus Area
Kasistna Bay Laboratory (NOAA and University of Alaska)
Center For Alaskan Coastal Studies (41 years educational experience)**

**Alaska Maritime Refuge
Kenai Watershed Forum
Kenai Habitat Partnership
Western Hemipheric Shorebird Network**

After 50 years we need to begin to get a holistic picture of what is known and what can be done to aid failed resources of Kachemak Bay.

1st Report Card Evaluation from observation since 1973.

(A) Outstanding indicates management exceeds the Critical Habitat statute by consistently demonstrating an advanced level of understanding and/or the ability to apply knowledge at a higher level to fulfill perpetuation of fish and wildlife of the CHA.

(B) Highly Acceptable indicates management that independently achieves the Critical Habitat statutes and regulations of the CHA and demonstrates proficiency.

(C) Fair indicates management has a limited understanding of the statutes and regulations, in need of additional instruction and/or support.

(D) Deficient indicates evidence of minimal limited understanding of the statute and regulatory purpose and intent of the statutes and regulations.

(F) Unacceptable. Fails to uphold the statutory and regulatory intent. Damage or termination to the resources within the CHA

Thank you for your consideration.

POLICIES page 7

FISH AND WILDLIFE HABITAT AND POPULATION

ENHANCEMENT AND REHABILITATION – as appropriate, allow enhancement and rehabilitation of habitat of indigenous wildlife or fish species and enhancement of fish and wildlife populations where it furthers the management goals of Kachemak Bay and Fox River Flats critical habitat areas, is **not at the expense of existing resource values (including diversity and abundance)** and doesn't interfere with public use and enjoyment. **Priority should be given to encouraging rehabilitation of depleted indigenous**

II. **Public Use** – Manage the critical habitat areas to maintain and enhance public use of fish wildlife and critical habitat lands and water consistent with the other goals of this management plan.

A. Maintain or improve public access to and within the critical habitat areas.

B. Maintain or improve opportunities for hunting and fishing within the critical habitat areas.

C. Maintain or improve opportunities to recreate in the critical habitat areas.

D. Maintain or improve opportunities for viewing, photography, education, and study of fish and wildlife.

E. Provide information about the critical habitat areas to the public.

Explanation of Terms

Minimize: To reduce harmful effects to a level which does not have a significant adverse impact on fish or wildlife populations or their habitats within the critical habitat areas or significantly reduce public opportunity for successful harvest or non-consumptive use of fish and wildlife.

Harmful Disturbance: Activities which displace animals from their natural habitat or interrupt their seasonal activities at a frequency or duration which causes significant impact to fish and wildlife populations. Harmful disturbance does not refer to the legal harvest of fish and wildlife.

A. Wildlife

1. Protect important wildlife habitat including water quality.
2. Minimize harmful disturbance to wildlife, especially to marine mammals and nesting, rearing, feeding, staging, and wintering habitat for resident and migrant waterfowl, shorebirds, and seabirds.
3. Maintain, protect and if appropriate, enhance the quality and the quantity of nesting, rearing, feeding, staging, and wintering habitat for resident and migrant waterfowl, shorebirds, and seabirds.
4. Protect bald eagle nesting, perching, roosting and feeding habitat.

B. Fish

1. Protect natural substrate, aquatic vegetation, water quality and circulation patterns to maintain aquatic habitats.
2. Maintain water quality sufficient for the growth and propagation of fish, shellfish, and other aquatic life in fresh, estuarine, and marine waters.
3. Maintain water quality at a level that would allow for harvest of raw aquatic life for human consumption.

Alaska Statute 16.20.500: Purpose of Kachemak Bay Critical Habitat Area,

“To protect and preserve habitat areas especially crucial to the perpetuation of fish and wildlife, and to restrict all other uses not compatible with that primary purpose”

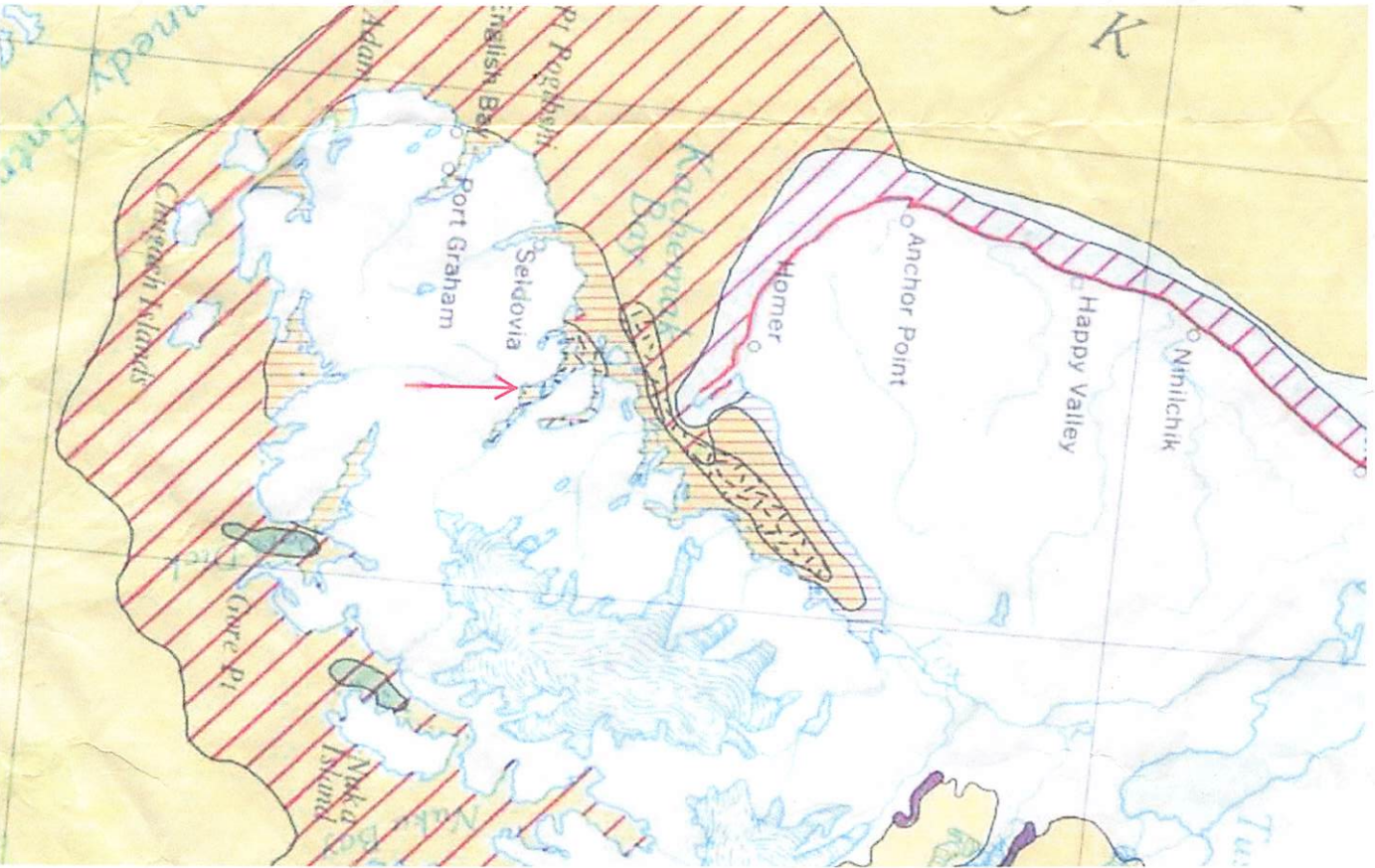
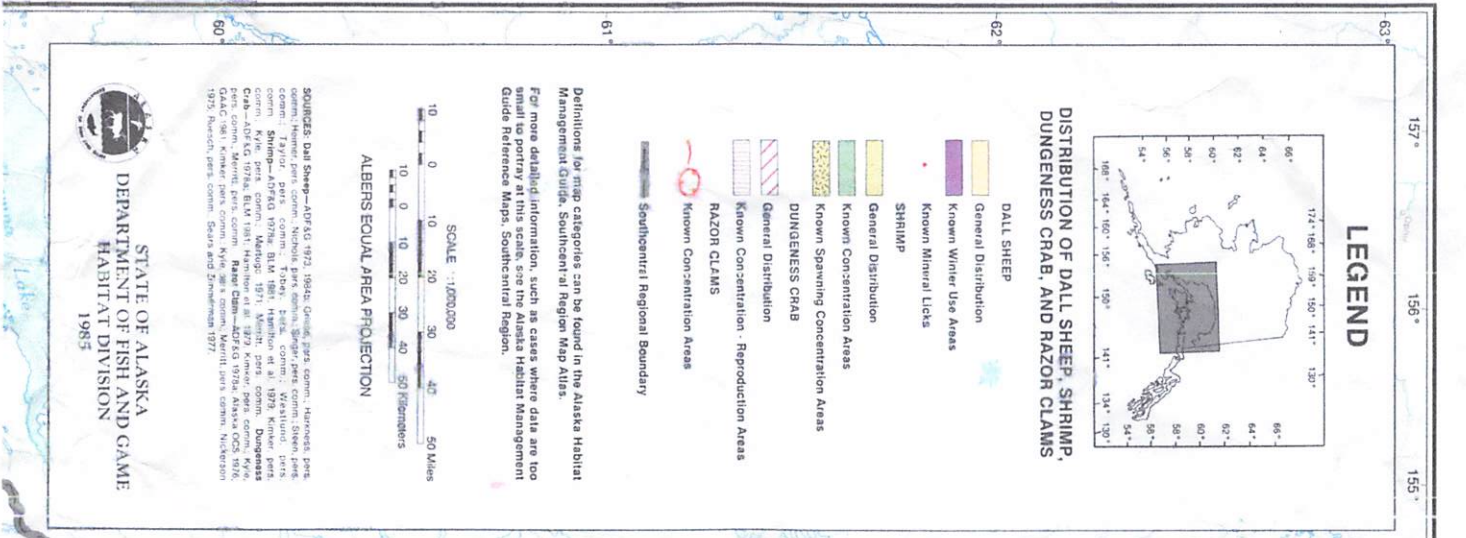
The entire CHA Management Plan with maps can be found here:
<http://www.adfg.alaska.gov/index.cfm?adfg=kachemakbay.managementplan>

Goals (page 5 & 6)

Activities that occur within the Fox River Flats Kachemak Bay Critical Habitat will reflect the following goals in accordance with the purpose for which the areas were established

(AS 16.20.500. All Department **management decisions** in the Kachemak Bay and Fox River Flats Critical Habitat Areas whether affecting activities undertaken by the department, other agencies, or the public, will be in accordance with these goals.

I. Fish and Wildlife Populations and Their Habitat –
Manage the critical habitat areas to **maintain and enhance fish and wildlife populations** and their habitat. Minimize the degradation and loss of habitat values due to habitat fragmentation. **Recognize cumulative impacts when considering effects of small incremental developments and action** affecting critical habitat area resources.



Appendix A4.—Estimated sockeye, pink, and chum salmon escapements for the major spawning systems in the Southern District of the Lower Cook Inlet Management Area, 2012–2022.

Year	Pink salmon							Chum salmon	Sockeye salmon
	Humpy Creek	China Poot Creek	Tutka Lagoon Creek	Barabara Creek	Seldovia River	Port Graham River	Total pink salmon escapement	Port Graham River	English Bay River
2012	67,900	8,400	10,400	1,412	44,700	34,500	167,312	700	8,400
2013	6,749	7,119	9,541	17,377	36,824	11,893	89,503	1,944	7,119
2014	44,369	1,409	10,152	3,558	35,895	32,295	127,678	3,735	1,409
2015	38,025	7,366	81,584	25,203	108,793	82,356	343,327	4,030	7,366
2016	89,673	698	33,242	2,813	15,694	14,629	156,749	2,391	698
2017	71,073	2,379	61,369	25,002	27,025	20,642	207,490	5,765	2,379
2018	54,816	2,280	60,691	7,236	50,827	33,419	209,269	3,725	2,280
2019	25,667	1,575	53,732	9,462	18,337	29,588	138,361	1,074	1,575
2020	232	235	114,986	6,633	39,297	34,784	196,167	660	235
2021	3,125	79	50,911	5,451	21,849	12,824	94,239	1,029	79
Previous 10-year average	40,163	3,154	48,661	10,415	39,924	30,693	173,010	2,505	3,154
2022	2,055	145	22,908	3,492	16,999	9,193	54,792	606	145

Note: Area-under-the-curve escapement indices are derived from periodic ground surveys with a 17.5-day stream-life factor applied.