

Alaska Salmon Hatchery and Enhancement Regulations

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5 AAC 40.830. Hatchery inspection

The permit holder shall notify the PNP coordinator when construction of the hatchery has been completed and the facility is ready for operation. The facility must be inspected and approved by the department before the permit holder may start operations.

5 AAC 40.840. Annual management plans

(a) Beginning with the first year of operation of the hatchery, and on an annual basis after that, the department will prepare, in conjunction with the permit holder, an annual management plan to guide and condition hatchery operations.

(b) An annual management plan must organize and guide the hatchery's operations regarding production goals, broodstock management, and harvest management of hatchery returns. The plan must be developed with consideration of the hatchery's production cycle. The production cycle begins with adult returns, that lead to egg takes and end with fish releases. Action may be taken outside of the management plan if allowed under the hatchery permit or modified by emergency order.

(c) The PNP coordinator shall organize the appropriate department staff and the permit holder in preparing a draft annual management plan. The appropriate regional planning team and the Department of Commerce, Community, and Economic Development may also review the plan. The operator shall submit a draft plan to the department not later than April 1 of each year.

5 AAC 40.850. Notice of permit alteration

(a) A hatchery permit holder may propose alteration of the permit, based on accumulated experience and changing conditions. The permit holder shall request, on a form provided by the PNP coordinator, a permit alteration for a proposed modification to the permit or change in the basic management plan for the hatchery.

(b) Requests for permit alterations must be received by the PNP coordinator, on the prescribed form, no later than February 15 of the calendar year that the proposed alteration is to occur. The commissioner will, in his or her discretion, extend the deadline for submittal of a permit alteration request, on a case-by-case basis, if the request is justified by extraordinary circumstances or emergency.

(c) The regional planning team may, if the commissioner so requests, review and make a recommendation to the commissioner on the permit alteration request.

(d) In reviewing the request, the commissioner will, in his or her discretion, consider past management practices and fish culture procedures associated with the request, the past performance of the hatchery, the recommendation of the regional planning team, and any additional information deemed necessary.

(e) Issuance of a notice of permit alteration by the department modifies the hatchery permit.

5 AAC 40.860. Performance review

(a) Based upon a department internal review, the PNP coordinator will notify the commissioner if a hatchery operator's performance is inadequate, according to the conditions under which the permit was granted.

(b) The commissioner will, in his or her discretion, consider a permit alteration, suspension, or revocation in accordance with AS 16.10.430. If the commissioner decides to consider a permit alteration, suspension, or revocation, the coordinator will notify the appropriate regional planning team. The regional planning team may make a written recommendation to the commissioner on the proposed alteration, suspension, or revocation. The regional planning team shall use the following performance standards in their review, evaluation, and recommendation to the commissioner, including whether:

- (1) survivals in the hatchery are more than the minimum standards described in (c) of this section for a period of greater than four years;
- (2) the transport of broodstock from wild sources does not continue for longer than one cycle of the particular species without reevaluation of hatchery operations;
- (3) the hatchery contributes to the common property fishery;
- (4) the hatchery does not significantly impact wild stocks in a negative manner;
- (5) the hatchery fulfills the production objectives described in the terms of the hatchery permit; and
- (6) there are any mitigating circumstances which were beyond the control of the hatchery operator.

(c) Minimum hatchery survival standards are as follows:

	Survival for this stage	Cumulative Survival
Captured broodstock to egg take	70%	
Green egg to eyed egg	80%	80%
Eyed egg to emergent fry	85%	68%
Emergent to fed fry ¹	90%	61%
Fed fry to fingerling ²	90%	55%
Fingerling to smolt	75%	41%

¹ Fry achieving up to 25% weight gain from swim-up.

² Fry achieving substantially more than 25% weight gain from swim-up.

(Eff. 3/31/85, Register 93)

5 AAC 40.870. Reporting of mortality

(a) If, in any of the hatchery operations during the year, an event occurs which results in fish or egg mortalities above the minimum hatchery survival standards defined in 5 AAC 40.860, the operator shall inform the PNP coordinator immediately and shall submit an incident report, which must include

- (1) a description of the nature of the incident;
- (2) the cause of the incident;
- (3) the time of the incident;
- (4) the effect on the stocks;
- (5) corrective action taken and proposed measures to eradicate future problems; and
- (6) an assessment of the general impact on the program.

(b) The operator shall complete and submit the mortality incident report to the PNP coordinator within 15 days after the incident occurs.