

Alaska Trollers Association

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March 27, 2011

Representative Steve Thompson, Co-Chair
Representative Craig Johnson, Co-Chair
House Fisheries Committee
Juneau, AK 99811

Dear Chairmen Thompson & Johnson and Committee Members:

The Alaska Trollers Association (ATA) supports HB 85, which, in part, seeks to prohibit the discharge of pollutants into any freshwater system that is documented as a spawning stream or that houses resident fish.

Our organization supports cost savings for industries and municipalities across the region and state, but not at the expense of salmon and their habitat. ATA is strongly opposed to mixing zones in spawning streams, due to the risks posed for both the fisheries resource and Alaska's seafood marketing efforts.

The commercial fishing industry is the largest employer and second largest revenue generator for the state and its citizens. Salmon is the cornerstone of Alaska's seafood industry. It goes without saying that clean water is essential for maintaining viable salmon stocks.

From a marketing perspective, the public's confidence in our ability to deliver wild, wholesome products born, raised, and harvested in pristine waters has been Alaska's ace in the hole. Allowing potentially hazardous chemicals to make their way into our waterways could be devastating for both salmon and the marketing of our product.

The concern that mixing zones could degrade water quality and threaten both salmon and public perception of Alaska's seafood is not unfounded. A few years ago Alaska DEC surveyed 21 states about mixing zones; 20 which allowed mixing zones in fish bearing waters. ***Following routine monitoring, fish consumption warnings had been issued in each of those 20 states!***

Alaska is obligated to uphold the terms of the Clean Water Act and the associated anti-degradation policy, which is intended to, "...restore and maintain the chemical, physical and biological integrity of the Nation's waters" 33 U.S.C. § 1251(a). It is difficult to see how, in most cases, Alaska can safeguard the biological integrity of spawning streams and also allow mixing zones.

The previous prohibition on mixing zones in spawning streams was put in place specifically to protect Alaska's fisheries and helped implement the state's constitutional mandate to protect and conserve fish and game resources in a sustainable manner.

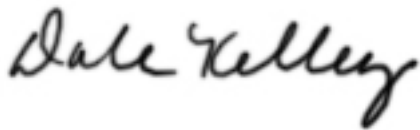
DEC now attempts to alleviate potential problems by approving mixing zones only during periods when fish aren't spawning. The trouble is that salmon and other fishes have a variety of in-river timing needs. There is very little information about what various chemicals or pathogens do to fish at different stages of growth. However, it stands to reason that eggs in redds are just as susceptible to pollutants as juvenile fish and their food sources; all of which are certainly more vulnerable than adults who have come to spawn and die.

Some species of salmon go out to sea as juveniles several months after they are spawned. Others, like coho, live in streams for several years before going out to sea. There are a variety of other fishes and important flora and fauna with different timing, or that never leave freshwater. Therefore, with an array of different stream-dwellers and a variety of timing issues, it is unclear how we can adequately safeguard them all from short and long term effects of industrial pollutants by merely timing the release; particularly without a significantly expanded program of research, data collection, sampling, monitoring, and enforcement.

To date there have been very few examples cited that necessitate mixing zones in fish bearing streams. However, HB 85 specifically provides the latitude to address unique situations and permit specific types of mixing zones. This seems perfectly reasonable and provides a compromise we hope will work for all.

We encourage you to vote to in support of HB 85.

Best regards,

A handwritten signature in dark ink, reading "Dale Kelley". The signature is written in a cursive, flowing style.

Dale Kelley
Executive Director