

**HB**

**107**

<TARGET><BILL>HB 107</BILL><SUBJECT>HB  
107</SUBJECT><COMM>HFSH30</COMM></TARGET>

# ALASKA STATE HOUSE

**Session:**

State Capitol Building,  
Room 110  
Juneau, AK 99801  
Phone: (907) 465-4936  
Fax: (907) 465-2197



**Interim:**

1292 Sadler Way, Suite 308  
Fairbanks, AK 99701  
Phone: (907) 451-2875  
Fax: (907) 456-3346

## REPRESENTATIVE DAVE TALERICO

### Sponsor Statement for House Bill 107

*"An Act relating to certain fish; and establishing a fisheries enhancement permit."*

HB 107 is a natural fish population enhancement bill, you can't go wrong with more fish for Alaskans in our opinion. Salmon is one of our most precious resources in Alaska and likely our largest natural food source. Although the Dept. of Fish & Game is currently not counting the fish populations in many rivers in our interior district such as the Nenana, Tanana and upper Yukon rivers, the locals can attest that the fish populations are not nearly what they used to be. Fish populations throughout the state especially king salmon runs have been very low in recent years, this bill will help bring more fish to all Alaskans.

HB 107 would allow individuals, Alaskan corporations, school districts or other organizations to apply for a fish enhancement permit through the Dept. Fish & Game. If the commissioner grants a permit, the individuals, Alaskan corporations, school districts or other organizations would be allowed to collect a limited amount of fish, fertilize and hatch the eggs and then place the un-fed natural fish back into the water where they were taken. This will boost the natural fertility rate of the eggs from around 5 percent to roughly 90 percent.

Similar types of fish enhancement permits are already allowed by the department for scientific research or other educational purposes, but these purposes are limited and thus the data collection, fish enhancement projects and fish population information is limited. This bill allows the private sector and the department to work together in a responsible collaborative effort to increase the natural salmon populations and scientific data collection throughout the state.

HB 107 will be one more tool that can be used to ensure that we both today and in the future maximize our resources as stated in our state constitution, and thus benefit from Alaska's natural fish resources and feed our families.

Staff contact: Elijah Verhagen, (907) 465-4936

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## REPRESENTATIVE DAVE TALERICO

### Sectional Analysis – House Bill 107

*"An Act relating to certain fish; and establishing a fisheries enhancement permit."*

#### **Sec. 1 – AS 16.05.855**

Creates a new section in AS 16.05 to create a fisheries enhancement permit. AS 16.05.855 consists of the following subsections:

- (a) Creates a new subsection for the activities that are allowed under the new fisheries enhancement permit:
  - (1) Remove fish from water, collect gametes and milt, fertilize and incubate eggs, and place fertilized eggs or un-fed fry back in the same water
  - (2) Enhance habitat in state water for survival of the fish
- (b) Creates a new subsection that prescribes an application form created by the department that states what type of information must be on the application to obtain a fisheries enhancement permit. This information includes:
  - (1) The applicant's name
  - (2) Reasoning and feasibility of the proposed project
  - (3) Documentation of conditions justifying project, any collaboration with local stakeholders, and any other permits required for the project
  - (4) Locations of water in which applicant will take fish and place fertilized eggs or un-fed fry
  - (5) Species and number of fish taken from water
  - (6) Applicant's management plan for propagation or repopulation in permitted water
  - (7) Applicant's goals, schedule, scope of work, budget, means of data collection, plan for genetics management, plans for project evaluation, and watershed enhancement plan, if applicable
  - (8) Application fee of \$100
- (c) Creates a subsection allowing the Alaska Department of Fish & Game (ADF&G) Commissioner to issue a permit after determining if a project:

- 
- (1) May restore a fish population in a body of water where subsistence and escapement goals have not been met, where there are no established escapement goals and local stakeholders have identified a decline in fish populations, or the species of fish is limited
  - (2) Will result in public benefits
  - (3) Will not harm indigenous wild fish stocks
  - (4) Will not place fertilized eggs or un-fed fry into a body of water if there are enough fish for natural propagation of the species to occur
  - (5) Will not introduce live fertilized eggs, larvae, or fry of nonindigenous fish in violations of AS 16.35.210
- (d) Creates a subsection regarding factors that the commissioner of DF&G shall consider when determining if a permit will be issued, including:
- (1) The department's assessment of the project
  - (2) The capabilities of the applicant
  - (3) The degree of communication that exists between the applicant and individuals affected by the project
  - (4) Comments relating to the project, including those by a regional planning team established under AS 16.10.375.
  - (5) If the project is consistent with the comprehensive salmon plan and constitutional and statutory requirements imposed on the department for the area
  - (6) If the project will increase scientific knowledge and understanding of the natural resources affected by the project
- (e) Creates a new subsection requiring a permittee to collect and provide project data and reports requested by the department and to reasonably communicate with individuals affected by the project..
- (f) Creates a subsection which sets the timeline for when DF&G must act on a permit application. Within 15 days, the department must notify an applicant whether or not their application is complete and can reject an incomplete application if it is not complete within 30 days of the notification. After the notification, DF&G must approve or reject the application with 90 days, otherwise the application is automatically approved.
- (g) Creates a new subsection to enact requirements of a permittee to:
- (1) Collect no more than 500,000 eggs for fertilization.
  - (2) Implement controls to avoid the introduction of nonindigenous pathogens or to increase indigenous pathogens beyond acceptable levels.
- (h) Creates a new subsection to ensure that any fish released in State water with an enhancement project permit under this section will be available for common use in the same way as wild fish are.
- (i) Creates a new subsection to specify the duration of a permit and how to extend a permit
- (j) Creates definitions for the following terms under AS 16.05.855:
- (1) "person" is defined as an individual, any business, governmental agency, or another legal or commercial entity

- 
- (2) “qualified person” is defined as a state resident or a corporation organized under Alaska’s laws
  - (3) “reasonably communicate” is defined as communicating significant information regarding the project by a mode of communication that is likely to notify persons that a reasonable person would know are affected by the project

**Sec. 2 – AS 16.05.871**

Amends this section by adding a new subsection (e)

Subsection (e) states that fisheries enhancement projects under AS 16.05.855 shall be considered by the commissioner as outlined in AS 16.05.871 (d) because precautions in subsection (d) will not damage a fish enhancement project

**Sec. 3 – AS 16.10.375**

Amends this section to allow enhancement projects created through this act to be included in regional comprehensive salmon plans

Staff contact: Elijah Verhagen, (907) 465-4936

30-LS0396\U  
Bullard  
3/4/17

**CS FOR HOUSE BILL NO. 107( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**THIRTIETH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVES TALERICO, Chenault**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to certain fish; and establishing a fisheries rehabilitation permit."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1.** AS 16.05 is amended by adding a new section to read:

4 **Sec. 16.05.855. Fisheries rehabilitation permit.** (a) Subject to restrictions  
5 imposed under this section, the department may issue a fisheries rehabilitation permit  
6 that allows a qualified person

7 (1) to remove anadromous or freshwater finfish from water of the state,  
8 collect gametes and fertilize and incubate eggs taken from the fish, and place the  
9 fertilized or incubated eggs, larvae, or unfed fry in the same water of the state; and

10 (2) to enhance habitat in water of the state to aid the survival of the  
11 fish.

12 (b) An applicant for a permit under this section shall apply on a form  
13 prescribed by the department. The department shall make the application form  
14 available on the department's Internet website and at the department's regional and  
15 local offices. The department shall charge a fee for printing an application form

1 provided by the department's offices. An application for a permit must include

2 (1) the name of the applicant;

3 (2) a statement of the reasons for and feasibility of the proposed  
4 project using historical and current data relating to habitat, the food web, and fish  
5 populations in the project area;

6 (3) documentation of

7 (A) the conditions justifying the project;

8 (B) any communication, or plan for continued communication,  
9 from the applicant with affected persons, relevant organizations with  
10 applicable expertise, and stakeholders in the project area; and

11 (C) any state, local, or federal permits required for the project;

12 (4) the location of the water from which the applicant will take fish  
13 and place fish eggs;

14 (5) the species and number of fish to be taken and, if applicable, the  
15 number to be taken for brood stock;

16 (6) a management plan that demonstrates the ability of the applicant to  
17 carry out and sustain the proposed project, including the applicant's plan for fish  
18 propagation or repopulation in permitted water;

19 (7) the applicant's goals, schedule, planned duration, performance  
20 measures, scope of work, budget, means of collecting data, plan for genetics  
21 management, and watershed habitat rehabilitation plan, if applicable, for the project;  
22 and

23 (8) an application fee of \$100.

24 (c) The department may issue a permit under this section if the commissioner  
25 determines that the project

26 (1) may restore or increase a population of fish in a body of water in  
27 which

28 (A) subsistence and escapement goals have not been met;

29 (B) there are no established escapement goals and local  
30 stakeholders have identified a decline in the number of the species of fish; or

31 (C) the population of the species of fish is limited;

1 (2) will result in public benefits;

2 (3) will not harm indigenous wild fish stocks;

3 (4) will not place eggs, larvae, or unfed fry in a body of water in which  
4 there are sufficient numbers of the same species of fish for natural propagation of the  
5 species to occur;

6 (5) will not introduce live fertilized eggs, larvae, or fry of  
7 nonindigenous fish in violation of AS 16.35.210.

8 (d) In reviewing an application submitted under (b) of this section and  
9 determining whether the department will issue a permit for a proposed project, the  
10 commissioner shall consider

11 (1) the department's assessment of the proposed project;

12 (2) the capabilities of the applicant;

13 (3) the degree to which the applicant has reasonably communicated  
14 with affected persons, including relevant organizations with applicable expertise, and  
15 stakeholders in the project area;

16 (4) if the proposed project is a salmon rehabilitation project, relevant  
17 and applicable comments relating to the proposed project submitted by a regional  
18 planning team established under AS 16.10.375 for the region that encompasses the  
19 project area;

20 (5) the consistency of the proposed project with the comprehensive  
21 salmon plan developed under AS 16.10.375 for the region that encompasses the  
22 project area and with constitutional and statutory requirements and duties imposed on  
23 the department; and

24 (6) whether the proposed project will increase scientific knowledge  
25 and understanding of natural resources affected by the project.

26 (e) A permittee shall

27 (1) collect and provide project data and reports reasonably requested  
28 by the department;

29 (2) reasonably communicate with affected persons, including relevant  
30 organizations with applicable expertise, and stakeholders in the project area.

31 (f) Within 15 days after the department receives an application for a fisheries

1 rehabilitation permit, the commissioner shall notify an applicant that the application is  
2 complete or incomplete. The commissioner may reject an application that is not  
3 completed within 30 days after the commissioner notifies the applicant that the  
4 application is incomplete. Within 90 days after the date the commissioner notifies an  
5 applicant that an application is complete, the commissioner shall approve or reject the  
6 application. If the commissioner fails to act within that period, the application is  
7 approved and the department shall issue a permit.

8 (g) A permit issued under this section shall require that the permittee

9 (1) collect not more than 500,000 eggs for fertilization;

10 (2) implement appropriate controls to avoid the introduction of  
11 nonindigenous or invasive pathogens or the increase of indigenous pathogens beyond  
12 levels acceptable to the department.

13 (h) Fish released into the water of the state under a permit issued under this  
14 section are available to the people for common use and are subject to applicable law in  
15 the same way as fish occurring in their natural state.

16 (i) A permit issued under this section is valid for five years from the date of  
17 issuance and, upon application by the permittee, may be extended by the  
18 commissioner.

19 (j) In this section,

20 (1) "person" means an individual, corporation, business trust, estate,  
21 trust, partnership, limited liability company, association, joint venture, or government;  
22 governmental subdivision, agency, or instrumentality; public corporation; or another  
23 legal or commercial entity;

24 (2) "qualified person" means a state resident under AS 43.23.095 or a  
25 corporation organized under laws of this state;

26 (3) "reasonably communicate" means communicating significant  
27 information by a mode of communication likely to provide notice to persons a  
28 reasonable person would know are affected by a project or proposed project.

29 \* **Sec. 2.** AS 16.05.871 is amended by adding a new subsection to read:

30 (e) In making a finding that the plans and specifications for a proposed  
31 construction, work, or use sufficiently protect fish and game under (d) of this section,

1 the commissioner shall consider related fisheries rehabilitation projects under  
2 AS 16.05.855.

3 \* **Sec. 3.** AS 16.10.375 is amended to read:

4 **Sec. 16.10.375. Regional salmon plans.** The commissioner shall designate  
5 regions of the state for the purpose of salmon production and have developed and  
6 amend as necessary a comprehensive salmon plan for each region, including  
7 provisions for salmon rehabilitation projects conducted under AS 16.05.855 and  
8 both public and private nonprofit hatchery systems. Subject to plan approval by the  
9 commissioner, comprehensive salmon plans shall be developed by regional planning  
10 teams consisting of department personnel and representatives of the appropriate  
11 qualified regional associations formed under AS 16.10.380.

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## REPRESENTATIVE DAVE TALERICO

### Explanation of Changes – CS House Bill 107

*"An Act relating to certain fish; and establishing a fisheries rehabilitation permit."*

**Title**

- Page 1 line 1 changes the title by replacing the word enhancement with the word rehabilitation.

**Sec. 1**

- Page 1 line 4 replaces the word enhancement with the word rehabilitation.
- Page 1 line 5 replaces the word enhancement with the word rehabilitation.
- Page 2 line 21 replaces the word enhancement with the word rehabilitation.
- Page 3 line 16 replaces the word enhancement with the word rehabilitation.
- Page 4 line 1 replaces the word enhancement with the word rehabilitation.
- Page 4 line 16 replaces the word three with the word five, thus extending the period of the permit by two years; enabling permit holders to see results from their efforts.

**Sec. 2**

- Page 5 line 1 replaces the word enhancement with the word rehabilitation.

**Sec. 3**

- Page 5 line 7 replaces the word enhancement with the word rehabilitation.

Staff contact: Elijah Verhagen, (907) 465-4936

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version: HB 107  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB107-DFG-DCF-02-24-17  
Title: FISH ENHANCEMENT PERMITS  
Sponsor: TALERICO  
Requester: (H) FSH

Department: Department of Fish and Game  
Appropriation: Commercial Fisheries  
Allocation: Statewide Fisheries Management  
OMB Component Number: 2171

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018 Appropriation Requested	Included in Governor's FY2018 Request	Out-Year Cost Estimates				
			FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>	<b>FY 2018</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2018) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable; initial version.

Prepared By:	Morgan Foss, Special Assistant to the Commissioner	Phone:	(907)465-6137
Division:	Office of the Commissioner	Date:	01/21/2017 12:00 PM
Approved By:	Carol Petraborg, Division Director	Date:	01/21/17
Agency:	Division of Administrative Services		

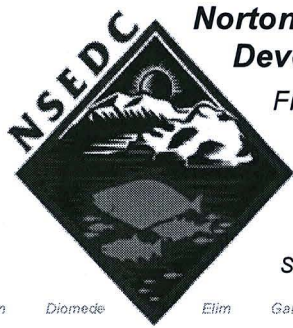
**FISCAL NOTE ANALYSIS**

**STATE OF ALASKA  
2017 LEGISLATIVE SESSION**

**BILL NO.** HB 107

**Analysis**

The permit type described in this legislation is already available through the Division of Commercial Fisheries in another format, and permit applications will receive the same level of scrutiny and review that is already conducted for existing propagative permits. Therefore, a zero fiscal note is submitted.



**Norton Sound Economic  
Development Corporation**

*Fisheries Research  
& Development*

*Serving the fisheries of the Bering Strait Region*

*Brevig Mission Diomedes Elim Gambell Golovin Koyuk Nome Saint Michael Savoonga Shaktoolik Stebbins Teller Unalakleet Wales White Mountain*

March 24, 2010

Ron Josephson

Dear Ron,

I hope that you have seen our mist incubation and eyed egg implant permit applications for the coming summer. Once again our proposals are quite limited in scope and very much focused on the rehabilitation of local depleted stocks of salmon. In the case of the Solomon River chum and the Anvil Creek coho salmon stocks, the projects are intentionally limited due to the limited nature of the habitat within the watershed. In the case of the Snake River chum salmon stock our proposal is larger due to the larger nature of the watershed. You may be aware of the fact we were unable to take any eggs in 2009 and that in 2008 our permit was pulled for the Snake River chum salmon stock. Ironic, in that the Snake River chum are listed as a "Stock of Concern" and as such are a top priority for rehabilitation. I believe our project offers the most viable tool for the stock's recovery. Yet, because this is an experimental project we can only work with the stock when it will attain its escapement goal. When the project was just starting out five years ago this may have been prudent. With the successful returns documented on the 2004 Hastings Creek chum egg plant and the 2005 Anvil Creek coho egg plant, the hard line policy of no egg takes until the escapement goal is attained is short sighted.

NSED has been active in salmon rehabilitation projects since 1996. Our initial participation was in the Salmon Lake fertilization project, cooperating with the Department and BLM. Today we have assumed financial responsibility for the entire project. We had involvement with the Department's early attempts at salmon rehabilitation with in-stream incubation boxes and as a result of that were tapped as a surrogate Aquaculture Association. A group from Elim attempted to establish an Aquaculture Association but could not find sufficient financial support and eventually failed. Again NSED assumed the role of aquaculture association. In 2006, the Regional Planning Team met to update the Regional Comprehensive Management Plan. Three biologists with the Department and three NSED biologists met and seemingly made progress on factual updates of project work in the Regional Comprehensive Management Plan and a work plan for the coming field season. Within the week, the former Regional Supervisor with Commercial Fisheries AYK informed us that all agreements not made with him were null. The RPT has not met again because it no longer has any standing. NSED continues to work with salmon rehabilitation both with lake fertilization and egg planting. We attend Department staff meetings, when invited, but rarely find the expertise to discuss our projects or future plans.

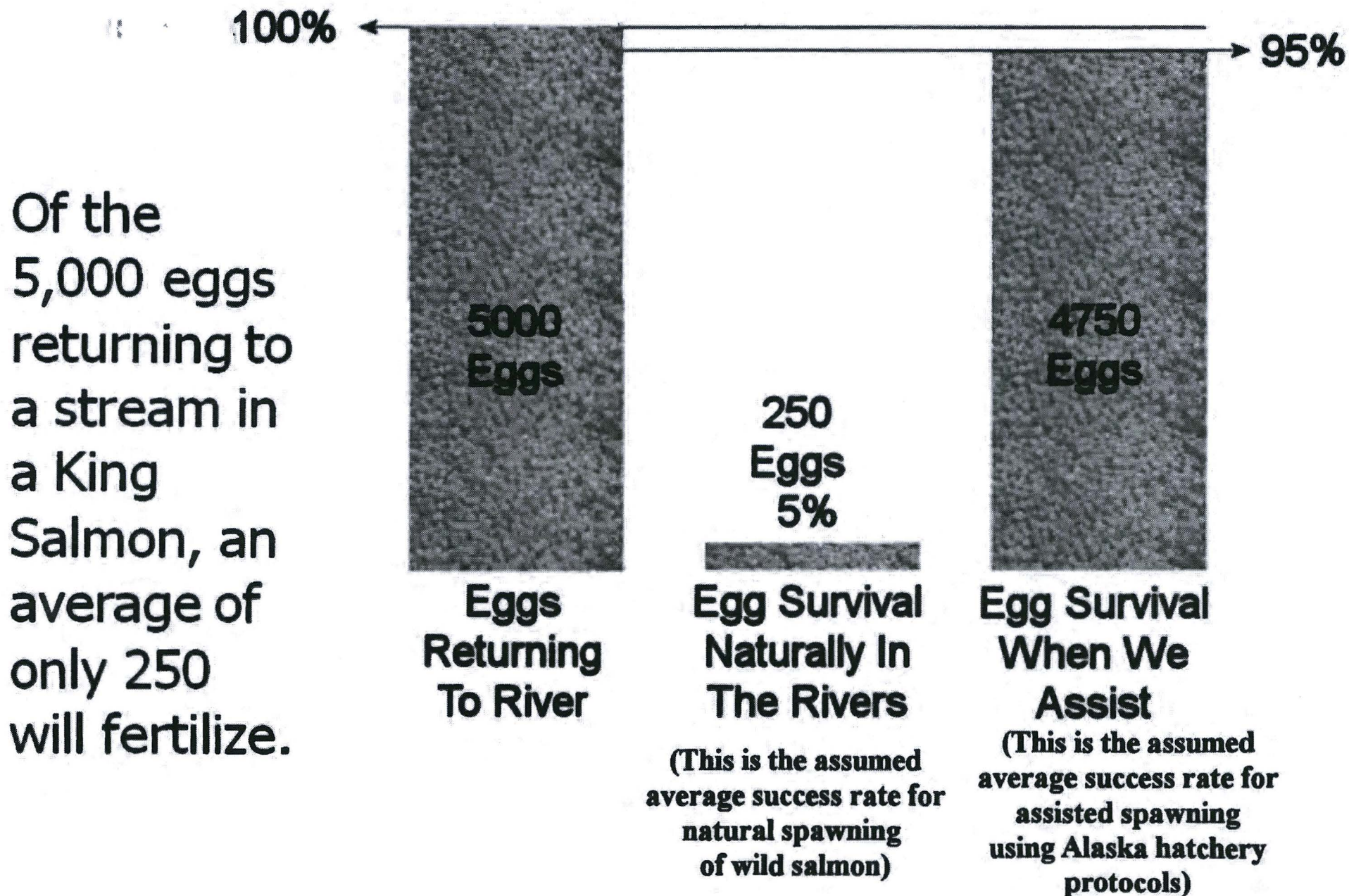
NSED is in the process of preparing a Mist Incubation and Eyed Egg Planting Culture Manual. We intend to follow with an addendum to explain the selection process for selecting suitable stock specific sites for the planting of salmon in this region. We are reviewing options for taking this project to the next step and actually rehabilitate stocks. We believe we could make significant contributions to rehabilitating the Norton Sound Chinook and chum salmon stocks of concern.

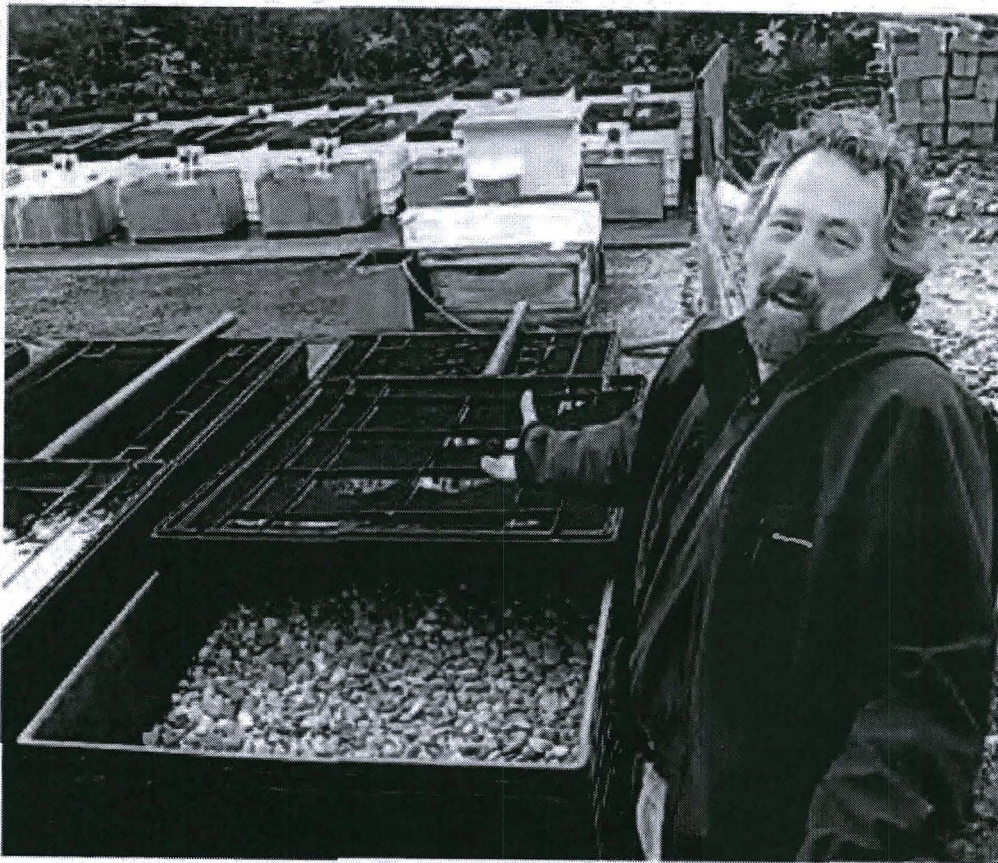
We would also like to investigate formally assuming the role of Regional Aquaculture Association for this region. In addition, we would like to extend an offer to re-engage in a Regional Planning Team process to review the Regional Comprehensive Salmon Plan (as it is up for review this year).

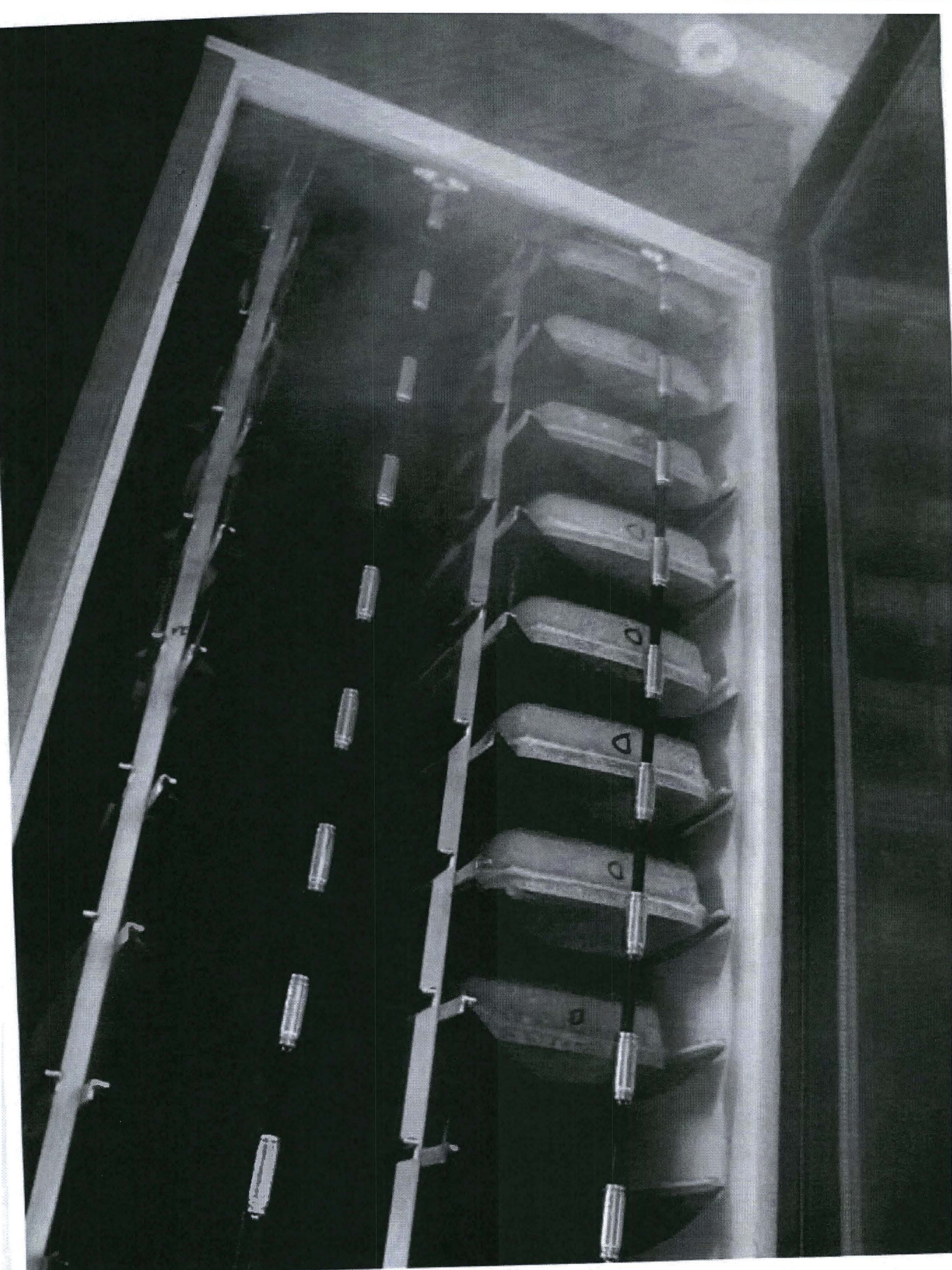
We look forward to a meaningful, productive and collaborative process.

Sincerely, Charles Lean

# Fertility Rate Comparison of Salmon Naturally Spawning Versus Assisted Spawning







**We Alaskans**

## Alaska's mysteriously shrinking Kenai king salmon

✍ Author: Mike Chihuly ⌚ Updated: 1 hour ago 📅 Published 1 day ago



*A king salmon clears the water after being hooked in the Deep Creek marine fishery of upper Cook Inlet. (Mike Chihuly)*

I attended a book signing at a Ninilchik book club meeting in early January of this year and met a bubbly lady by the name of Shirley, who, it turned out, is the stepdaughter of Les Anderson. You may remember that Anderson, fishing with friend Bud Lofstedt, caught the largest king salmon ever taken on rod and reel in North America.

the early run for many years. The finger of blame for the deterioration of the early run could not be pointed at the commercial folks.

Rather, despite our best management efforts to regulate the various fisheries while still protecting the habitat, we loved the river and the resource to death. Today, much like the Columbia River, biologists fear we have diluted the large-fish gene pool of Kenai River kings to the point that it may take decades to recover — if it ever does.

Is this just another sad wildlife story, like that of the passenger pigeons, the Plains buffalo or the Atlantic salmon of the East Coast?

"Water is life," as the Dakota Access pipeline protesters have repeated for months, but "water and salmon are life" in Alaska, too. The book, "Made of Salmon," a product of an advocacy effort called The Salmon Project, chronicles well what salmon mean to Alaska's diverse people, from the salmon troll fishery in Southeast Alaska to the purse seiners in Prince William Sound, from the king salmon derby on Anchorage's Ship Creek to the subsistence sockeye fishery at Batsulnetas on the Copper River.

We need to keep our salmon resources healthy and sustainable. We need to get those big Kenai River kings with their genetic blueprints back in the river and safely on their spawning beds. We need to recapture that genetic diversity that is a bellwether of our health as a people.

So what do we do? Where do we go from here? How do we make it right?

There is no easy solution. Certainly, not all our woes on the Kenai River are locally induced. King salmon productivity and size have suffered statewide for the last decade. Biologists tell us that the age at maturity for kings is decreasing— that is, a higher proportion of kings are coming back after spending one to three years in the marine environment, instead of three to five years. Why? Biologists aren't sure. And there are other factors influencing the health and productivity of our fish runs. But let this not be our excuse or scapegoat. We have a responsibility to be good stewards of the resource and do everything we can to fulfill that obligation and correct past blunders. We must do whatever we can as individual users and harvesters of the resource — including participating in local Fish and Game advisory committees and state Board of Fisheries meetings — to maintain productivity and diversity in our fisheries. Certainly, we can heed our past mistakes and learn from the ongoing research of fisheries scientists, who continue to unlock the secrets of the great Kenai River kings.

For me, I can substitute my kings with canned reds and silvers and make smoked strips out of smaller kings. I like the bigger fish for their oil and I'm not excited about releasing salmon, but if I am trolling for kings on the Miss Shirley this coming summer in the Deep Creek marine fishery, many miles south of the Kenai and Kasilof rivers, and I bring a great king to the boat, I will release it as delicately and judiciously as I can — hoping and praying that it successfully survives the

gauntlet of fishers that await it on its journey to the spawning grounds. Until we find a definitive solution and the health of the Kenai River kings is restored, for me, it's the right thing to do.

Do you have a plan?

If you're a setnetter picking your gillnet on the flood this July at Humpy Point; or a Kenai River dipnetter, chest deep in water, waiting for a hit on your dipnet held hard to the bottom at the mouth of the river; or an angler sitting in the bow of a Willie Predator drifting the Pillars and holding a 9-foot Lamiglas rod with a silver-and-chartreuse Kwikfish on the other end, and you bring in a great Kenai River king, a healthy king worthy of praise even in the heydays of the 1980s, a five- or six-ocean king carrying genes with the potential to make it right again — what will you do?

Will history repeat itself?

*Mike Chihuly is a retired fisheries biologist, sportfishing guide and fire chief, and a former member of the Alaska Board of Fisheries. He lives in Ninilchik with his wife, Shirley, and just finished his first book, titled "Alaska Fish & Fire."*

**Fishing**

**Kenai Peninsula**

**Salmon**

**41 Comments** 

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Blue Apron

## Elijah Verhagen

---

**From:** Bruce Cain <bcain@ahtna.net>  
**Sent:** Monday, February 27, 2017 11:32 AM  
**To:** Rep. David Talerico; Elijah Verhagen  
**Subject:** HB 107 Letter of Support

The Copper Valley Chamber of Commerce is in support of HB107. We have faced reduced salmon runs in many parts of the state. We faced reductions last year on the Copper River on sport and personal use fisheries. This has an adverse impact on Copper River Businesses. We also face potentially even more severe reductions in Chinook salmon this season on the Copper River. HB 107 supports a technology that has worked for many years on the Copper River for Sockeye. This along with sound management practices has kept the Sockeye runs on the Copper River strong and healthy for many years.

It is important that we care for our fisheries using all tools available to us. The small incubation box is a sound practice that can make a substantial improvement in reduced runs and could be a big help in our area as well as the Yukon drainage and other places in the State.

If you have any questions, please give me a call.

Thank you.

Bruce Cain, President

Copper Valley Chamber of Commerce  
Box 469  
Glennallen, Alaska 99588

Chamber Phone 907-822-5555 (message)

Bruce Phone at Work (Ahtna, Incorporated) 907-822-3476 Cell 907-952-2798



LEADER in All We Do

February 14, 2017

Honorable Dave Talerico  
Alaska State Legislature  
State Capital Room 110  
Juneau, Alaska 99801

*Transmitted via email to [Representative.David.Talerico@akleg.gov](mailto:Representative.David.Talerico@akleg.gov)*

Dear Representative Talerico,

Doyon writes in support of HB 107, "An Act relating to fish; and establishing fisheries enhancement permit." Doyon, Limited is the state chartered Alaska Native Claims Settlement Act Regional Native Corporation for Interior Alaska. Doyon's mission is to continually enhance our position as a financially strong Native corporation in order to promote the economic and social well-being of our shareholders and future shareholders, to strengthen our Native way of life, and to protect and enhance our land and resources.

Doyon understands that HB 107 would allow individuals, Alaskan corporations, school districts or other organizations to apply for a fish enhancement permit through the Alaska Department of Fish & Game, and provides another option to manage and boost the survival rates of young salmon.

If the commissioner grants a permit, the individuals, Alaskan corporations, school districts or other organizations would be allowed to collect a limited amount of fish, fertilize and hatch the eggs and then place the un-fed natural fish back into the water where they were taken. This will boost the natural fertility rate of the eggs from around 5 percent to roughly 90 percent.

Doyon supports the intent of HB 107 to enhance the king salmon habitat in the most natural ways. If you have any questions regarding our support, please contact Doyon at (907) 459-2092. Thank you for the work you do in the interest of Alaskans.

Sincerely,

Aaron Schutt  
President and CEO  
Doyon, Limited

## Elijah Verhagen

---

**From:** Bruce Cain <bcain@ahтна.net>  
**Sent:** Monday, February 27, 2017 11:37 AM  
**To:** Elijah Verhagen  
**Subject:** Fwd: Letter of Support for HB 107

Elijah, please forward this email to the committee. From Mentasta council.

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

**Subject:** Re: Letter of Support for HB 107  
**From:** taddy sanford <tedsanford83@yahoo.com>  
**To:** Bruce Cain <bcain@ahтна.net>  
**CC:**

Sent from Yahoo Mail on Android

On Fri, Feb 24, 2017 at 3:13 PM, Bruce Cain  
<bcain@ahтна.would be gre

representative.david.talerico@akleg.gov

Elijah.Verhagen@akleg.gov

content://media/external/file/63991

Representative Talerico:

Mentasta Lake Traditional Council writes to you in support of HB 107. We support the intent of this bill to enhance salmon populations in a natural way. Our Village is located at the headwaters of the Copper River. Our river system enjoys healthy salmon runs in part due to a similar sockeye enhancement program that has operated for years on the Upper Gulkana. We have a similar location at Mentasta Lake which would be ideal for incubation boxes with the water source and habitat to support it. Also our part of the river would greatly benefit from such a program, as we are upstream from the fish that return to the Gulkana. Permits for such a program are difficult if not impossible to obtain. This bill would allow our village, supporting organization and school to collect, fertilize and hatch eggs and release the fry. We are very interested in the long term health and strength of our salmon populations. Our elders traditional knowledge and documented western reports show clearly that we had much stronger runs of salmon prior to statehood. Commercial fishing, and an ever growing in river personal use and

subsistence fishery have taken their toll on returns to our Village. This system of incubation would help restore our runs. This would benefit to our community, other villages along the river and other fishing groups as well.

We strongly support HB 107. If you have any questions, please give me a call.

Sincerely:

Mentasta Lake Traditional Council

Ted Sanford, First Chief

*Nenana City School District*  
*PO Box 10 Nenana, AK 99760*  
*Phone: (907) 832-5464*  
*"A Community of Opportunity – Preparing Students for Life"*

February 15, 2017

Representative Dave Talerico  
State Capitol Building  
Room 110  
Juneau, AK, 99801

Dear Representative Talerico,

On behalf of the Nenana City School District, please accept this letter of support for House Bill 107, "An Act relating to certain fish; and establishing a fisheries enhancement permit."

The Nenana City Public School is in its 6<sup>th</sup> year of our Nenana STEM Initiative. This initiative has enhanced and will continue to enhance and grow relevant, project-based STEM opportunities for our students. We have worked with partners to provide Engineering, Biomedical, Aviation, and many other opportunities to our students, K – 12. Last year, we began conversations with yet another partner in the area of fish biology, and some local tribal experts, with a goal developing and operating a pilot fisheries project that would do exactly what this bill calls for.

HB 107 would allow for many interested parties to become involved in the business enhancing fish populations in an effort to restore salmon runs to levels that would once again allow for harvest and use among the citizens of Alaska. This would be an enhancement to life in rural Alaska. In addition, and the principle interest of the Nenana City Public School, is the educational benefit to students. HB 107 would encourage curriculum development that would meet the educational standards in Science as well as Alaska Cultural Standards, both of which are critical and of interest to many rural Alaskan students.

Since we have already begun discussions with a partner regarding this type of educational project, the Nenana City Public School would be able to gear up quickly and assist others as they begin the planning and development of their projects. The Nenana City School District fully supports HB 107 and looks forward to having a role in its early implementation.

Sincerely,



Eric Gebhart  
Superintendent

*"providing all students with the tools and learning environment necessary to commit to achieving success"*

Subject: Letter of Support for HB 107

Pete Velsko  
P.O. Box 2115  
Homer, Ak. 99303

February 24, 2017

Support For HB 107

My name is Peter Velsko and I live in Homer, Alaska. In 1976 I began a twenty year career as a Fish Culturist/Fisheries Biologist with the Alaska Department Fish & Game's recently established Fisheries, Rehabilitation, Enhancement and Development (FRED) Division. From 1976 until the summer of 1991 I worked at the Tutka Bay state hatchery across the bay from Homer. In July of 1991 after the hatchery was transferred to Cook Inlet Aquaculture Association, I was transferred to Nome. I worked there until I retired 1997.

In 1971 the Alaska Legislature created the FRED division in response to serious declining salmon populations in the state. From a high of almost 130 million salmon in the 1930's the state witnessed a steady decline that hit an all time low in 1974 of under 30 million fish. Bond issues to build public hatchery facilities were passed overwhelmingly. By the mid 1980's Alaska's salmon restoration and enhancement efforts along with the growing number of newly established PNP aquaculture programs made Alaska one of the top salmon producers of the world.

By the late 1980's budget cuts to FRED helped play a roll in the transferring of state hatcheries to the regional aquaculture associations. These PNP hatcheries created by fishermen or transferred from the state to the PNP's now became the state's big producers of millions of salmon mainly directed toward the commercial fishermen.

In 1993/94 FRED Division was combined into the Commercial Fish Division. What remained of on going or planned salmon restoration and enhancement projects once under FRED control pretty much fell out of favor with the new CF Division. FRED personnel were given other duties more directed toward managing salmon as opposed to actually producing more fish. At least that was my experience in Nome.

In 1991 I was transferred to Nome as the FRED Division NW Fisheries Coordinator responsible for developing, coordinating and implementing all fisheries restoration and enhancement activities, including educational projects with local schools. My area of responsibility covered 15 villages in the Norton Sound area and mainly consisted of various small projects, with primary focus on testing the feasibility of using in-stream incubation boxes as a possible way of increasing chum salmon in local area streams. Although we were still in the testing phase, the project was showing good results, but to prove success we needed to go through several life cycles. With the new emphasis now focused more on "traditional" duties of the Commercial Fish Division these kinds of salmon enhancement projects had become low priority and mostly discontinued. We never got to fully evaluate this project because we barely completed one life cycle (3-4 yrs.) of a chum salmon before I was assigned other duties that was given a higher priority. Many of the village people I worked with were disappointed that I no longer would be working on salmon restoration or enhancement projects planned for their areas. How do you explain that to the local folks who were so supportive and encouraged with the salmon restoration projects ADF&G was doing? In 1996 ADF&G drew up the Norton Sound/Bering Strait Regional Comprehensive Salmon plan for the years 1996-2010. This plan outlined all the existing projects (very few) in addition to future projects. Very little of these projects to say the least was ever implemented.

The disappearance of the FRED division has (I believe) over time left a void not readily filled by the PNP aquaculture associations which are

focused more on producing large numbers of fish for their constituents, primarily the commercial fishermen. Who's out there to assist the more rural villages who might want help increasing fishing opportunities in those outlying areas? HB 107 might just be a step in the right direction toward that end.

In summary, I believe that HB 107 would be of benefit to the rural villages and its people by allowing them the opportunity to develop and implement small scale salmon restoration and enhancement projects in their local area.

Please feel free to contact me if you have any additional question or concerns.

Pete Velsko  
Box 2115  
Homer, Ak. 99603

(907) 399-4709 or 4710  
velskopeaa@hotmail.com

## Considerations for Salmon Restoration Planning

1. Statement of Need – Why are you doing this?
2. Historical Data – Plan for mining historical data
  - a. Habitat
    - i. What was the habitat like?
  - b. Food Web
    - i. What was the food web like?
  - c. Species
    - i. What species were present?
  - d. Run size
    - i. What was the run size and timing?
  - e. User Groups
    - i. Who used the resources in question?
3. Current Conditions – Plan for collecting current conditions
  - a. Habitat
    - i. What is the current condition of the spawning/rearing Habitat?
  - b. Food Web
    - i. What is the current condition of the food web?
  - c. Species
    - i. Are species still there?
  - d. Run Size
    - i. Current status in relation to historical run size and timing
  - e. User Groups
    - i. Have user groups changed?
    - ii. How will this impact restoration
4. Goals/Expectations – Restoration Plans - Based on historical and current conditions
  - a. Habitat
    - i. Can it sustain the current goals?
    - ii. Does it need restoration/reclamation?
  - b. Food Web
    - i. Can it sustain the goals?
    - ii. Does it need recovery?
  - c. Species
    - i. Do stocks need Enhancement?
      1. Egg planting?
      2. Fry planting?
    - ii. Genetic considerations
    - iii. If species no longer present, where will you obtain brood stock?
  - d. Weather considerations for operations
    1. Example: Will you be planting eggs in sub-zero temperatures?
5. Assessment – How will you assess outcome of operations?

Yakutat Regional Aquaculture Association, Inc  
PO Box 153  
Yakutat, AK 99689

April 6, 2017

House Fisheries Committee  
Alaska State Legislature  
Representative Louise Stutes, Chair  
Juneau, AK 99811

RE: Support for HB 107

The Yakutat Regional Aquaculture Association supports HB 107 for establishing a fisheries enhancement permit. This permit will allow for the restoration/enhancement of fish populations where escapement goals and subsistence needs haven't been met. Unfortunately there are several systems within the Yakutat region that meet the permit subsection (c) which is added under AS 16.05.855. Having a clear permitting process, criteria, and methods for this type of restoration will help in those areas that are suffering from declining escapements below sustainable levels.

The Yakutat Regional Aquaculture Association is relatively new having just been formed and recognized as the regional aquaculture association in 2011. This action of support was taken at their annual board meeting April 3, 2017.

Sincerely,

Larry Bemis, President

A handwritten signature in black ink, appearing to read "Kathy Hansen", followed by a long horizontal line extending to the right.

p.p.

Kathy Hansen

Stosh Anderson

██████████  
Kodiak, AK 99615  
██████████

21 April 2017

Rep. Tarr and Josepheson  
Co-Chairs House Resources

Re: CS HB 107

Dear Representatives,

This letter is a request to hold CS HB 107 in committee and not move it this first year of the session. I believe there are a few problems that need to be examined and resolve before the legislation is moved out of committee. With reduced funding available in government the department is stretched to do existing services so we need to provide a funding source to add additional services and monitoring. Two outstanding issues of several are:

The possibility of disease in hatchery populations not being detected and being introduced in wild stocks due to no outside monitoring of hatchery facilities is problematic.

The time line for review on permit application is not adequate for review by the Department and the public to determine if the application is consistent with Regional Plane Team policy.

Thank you for your consideration,



Stosh Anderson

April 23, 2017

To: Representative Geran Tarr  
Representative Andy Josephson

Dear Ms. Tarr and Mr. Josephson,

As a professional fisheries biologist with a Ph.D. from UAF's Cooperative Fisheries and Wildlife Unit and 17 years' experience researching Alaskan salmon and their habitats, I'm writing to urge rejection of HB 107 in favor of the more cautious approach that marks Alaska's current policy. I recognize that poor salmon runs bring hardship to people and communities throughout Alaska, but rolling back safeguards and streamlining hatchery supplementation carry substantial risks to the long-term viability and productivity of Alaska's salmon populations.

One such risk is genetic changes that may reduce the fitness of salmon populations. Captive rearing disrupts the evolutionary processes that adapt salmon to their natural (and changing) environments. In essence, genes that favor survival in hatcheries are often disadvantageous in the wild, and the scientific literature is replete with examples of hatchery-induced changes such as altered developmental and growth rates, altered timing of spawning, reduced territoriality, and reduced predator avoidance. In the supplemental production schemes allowed under HB 107, hatchery fish will be free to spawn with wild fish and to spread maladaptive traits such as these within their populations.

Another risk is that fishing effort on hatchery salmon may overexploit the weakened wild portion of the run. This has potential to exacerbate population declines and further the risk of genetic changes.

The environmental and ecological processes that regulate salmon abundance and productivity are complicated and poorly understood. Periodic decreases in productivity are a hallmark of salmon populations, but so is resilience, and as long as habitat and genetic diversity remain intact salmon will bounce back.

Daniel Rinella  
Anchorage, Alaska

Apr. 25, 2017

To: House Resources Committees

Hon. Geran Tarr  
Hon. Andy Josephson  
Hon. Dean Westlake  
Hon. Justin Parrish Johnson  
Hon. Harriet Drummond  
Hon. Chris Birch  
Hon. DeLena Johnson  
Hon. George Rauscher  
Hon. David Talerico

From: Milo D. Adkison, Ph.D.

Re: HB107

I'm a professor of fisheries with a long history of research on and involvement in Alaska's fisheries. I'm writing to oppose the draft of House Bill 107 "An Act relating to fish; and establishing a fisheries rehabilitation permit", which is a revision of the HB220 introduced in the previous legislative session. While I understand the desire of Alaskans to do something to help fish stocks on which they depend recover more quickly, this approach is misguided. In my professional opinion, the small-scale fish enhancement efforts motivating this bill will do more harm than good. They are not a sensible strategy for responding to current weak productivity in some of our salmon stocks.

When enhancement works, the enhanced stock can sustain higher harvest rates. Unfortunately, when the enhanced fish are mixed with other stocks on the fishing grounds, harvesting at this higher rate will overharvest the other fish, driving their populations lower. This is a serious problem in gauntlet fisheries such as we have on the Yukon and Kuskokwim rivers, where mixed stocks of salmon are subject to several fisheries in different parts of the rivers. The problems resulting from mixing enhanced fish with wild fish is why Alaska's salmon hatcheries are required to release fish in areas away from wild stocks.

Genetic problems also arise when enhancement works. Domestication can happen rapidly, and reduce survival in the wild. Enhancement increases the number of offspring of the broodstock used, so that the population ends up with a high number of closely related individuals. Successive generations of enhancement results in the majority of the population being highly related; this inbreeding can manifest genetic defects, and the loss of genetic diversity makes the population less able to adapt to environmental changes. To prevent these problems, ADF&G has strict breeding protocols requiring large broodstock numbers for hatchery facilities. Small-scale projects are unlikely to be able to follow these protocols.

Finally, there are obvious problems if enhancement fails; fish taken for broodstock or incidentally disturbed during egg takes reduce the natural reproductive potential of the population.

In addition to these general problems, I'll highlight several specifics of this bill:

The language "...place the incubated and fertilized eggs or hatched fish in the same waters" is a significant improvement over the bill from the previous session that would have allowed transplanting fish among watersheds, which is for good reason prohibited in Alaska's fisheries genetics policies.

The language "local stakeholders have identified a decline in the number of the species of fish" is unchanged from the previous bill, and seems to set a very low bar to justifying an enhancement project. However, other conditions necessary for the commissioner to issue a project, such as only permitting a project when "subsistence and escapement goals have not been met" and requiring that a project "will not harm indigenous wild fish stocks" are reassuring.

The requirement that a complete application be judged within 90 days, although better than the 60 days in the previous bill, still does not ensure a thorough review of the potential benefits and risks.

Despite these significant improvements in language, I do not support this legislation. The best response to lows in the cycles of fish productivity is to reduce fishing pressure and maintain the integrity of the habitat. This strategy has proven successful in the past, and entails little risk to our fish stocks. Should significant conservation concerns arise where supplementation efforts would be useful, ADF&G has the expertise and internal oversight capabilities to best accomplish this. I urge you not to proceed with well-intentioned but misguided private enhancement efforts.

## Resources Committee Members

Here are my comments regarding Mr. Gease's opposition to HB107. First and foremost, the Gulkana Hatchery is an all-natural stock in both adult returns and fry releases. Ricky's comment on Gulkana not being licensed today is not correct. We go through Annual Reviews as well as Annual Management Plans with Alaska Department of Fish & Game (ADFG) to assure we meet all the criteria before taking any eggs or releasing any fry.

The mixing of wild and hatchery is a touchy subject. We have shown that it can be done with the one hundred and thirty-six stocks of wild sockeye in the Copper River and a very large hatchery component. Conservative management by ADFG is always going to be the first order of business with the Department when dealing with any salmon of concern. In my opinion, if we don't step up to the plate some of these stocks will be lost forever. The proposed enhanced juvenile salmon can be marked by simple fin clips, coded wire tagging or otolith marking to establish return timing through the various fisheries and to their final spawning sites.

Mixing of stocks is more dependent on species. We participated in a straying study with "Ecotrust" on the possibility of Gulkana Sockeye straying; the outcome of that study was that 100% of the Gulkana stocks returned to the location that were stocked in as fry.

The genetic policy that ADFG follows is very stringent unlike what Washington State started out with years ago where 25% of all chinook stocks came from the same place. I highly recommend the committee speak with ADFG Genetics staff regarding this issue.

Yes, there are very strict breeding protocols at the hatcheries for very good reasons. This would continue with the passage of HB107 and I'm sure ADFG is willing to work with the various groups to make sure that protocols are followed.

Benchmarks and effectiveness will most definitely have to be scrutinized to see if a particular program is successful. It will not come overnight per my experience. There will be successful and failed projects, but given Alaska's poor economic climate, being able to get assistance from the private sector would create beneficial partnerships.

Gary Martinek



April 21, 2017

Representative Tarr  
State Capital Room 126  
Juneau AK, 99801  
Rep.geran.tarr@akleg.gov

Representative Josephson  
State Capital Room 102  
Juneau AK, 99801  
rep.andy.josephson@akleg.gov

**RE: Opposition to H.B. 107, Fish Enhancement Permits**

Dear Representative Tarr and Representative Josephson,

Please accept this letter on behalf of Trout Unlimited (TU) and its more than 1,000 Alaskan members. As discussed in greater detail below, TU has serious concerns with H.B 107 and encourage you to not allow it to move forward.

TU is the nation's largest sportsman's organization dedicated to coldwater conservation with more than 1,000 members in Alaska. TU members own and operate businesses—including sport-fishing lodges, air taxi services and commercial fishing operations—that depend on Alaska's world-class wild salmon fisheries and productive salmon systems. In addition to our members in more remote parts of the state, TU has active chapters in Fairbanks, Anchorage and the Mat-Su, on the Kenai Peninsula, and in Southeast Alaska.

One of the key characteristics that makes Alaska stand out among the rest of the world is that, with rare exception, our salmon populations remain strong and wild. This is because we have carefully avoided wide-spread deleterious impacts to our valuable salmon habitat; have carefully and sustainably managed our commercial, sport and subsistence fisheries; and have maintained the genetic diversity of our salmon stocks by avoiding careless and indiscriminate hatchery practices. We have largely avoided the many pitfalls that plague salmon fisheries in the Pacific Northwest and throughout much of the rest of the globe.

H.B. 107 risks irreversible and unforeseeable harm to our wild salmon fisheries. Alaska's existing hatcheries are heavily regulated, sited at locations that help to isolate hatchery-produced salmon from wild-spawned fish, and are managed specifically to avoid harm to natural stocks. H.B. 107 departs from existing hatchery practices by providing very little oversight or regulation, explicitly encouraging the mixing of native and hatchery fish, and by targeting natural stocks that are most vulnerable to negative impacts from hatcheries. While the Alaska Department of Fish and Game has done quite well managing Alaska's existing hatcheries under current laws and regulations to avoid impacts to wild salmon populations, H.B. 107 would set a dangerous precedent by circumventing this existing regulatory structure to create a whole new type of enhancement program without adequate safeguards.

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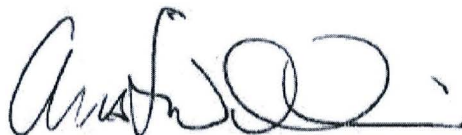
***Trout Unlimited: America's Leading Coldwater Fisheries Conservation Organization***

Alaska Office: 3105 Lake Shore Dr. Suite 102B, Anchorage, AK 99517

(907) 227-1590 • [www.tu.org](http://www.tu.org)

For these reasons, we encourage you to not allow H.B. 107 to move forward. Maintaining the natural reproduction of our salmon populations is central to Alaska's identity and to the well-being of its residents. Our wild salmon fisheries provide a robust economic foundation for many Alaska communities, provide once-in-a-lifetime recreation opportunities for residents and visitors, are an important food source for many, and are the cultural underpinning for many Alaskans of all walks of life. Thank you for your careful consideration of these concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Austin Williams". The signature is fluid and cursive, with a long horizontal stroke at the end.

Austin Williams  
Alaska Director of Law and Policy  
awilliams@tu.org

4/20/17

Dear Louise and Staff

I am writing to you in opposition to HB107, The "weak stock enhancement" legislation.

As a 35 yr veteran fisher of Alaska Salmon, I am profoundly aware of the robust management program for all of the significant salmon runs that occur in our state. These programs are executed/overseen by well trained and proficient professional career staffers and field operatives in almost all circumstances. It would create unnecessary risk to pass any measures that might jeopardize what has been proven to be a sustainable and world class management system, by permitting amateur and individual participants impact wild salmon populations.

- HB 107 endangers Alaska's wild salmon stocks by eliminating important checks and balances that ensure wild fish are not out-numbered and out-competed by hatchery fish.
- This bill would undo our careful planning and risk the wild Alaskan salmon upon which our jobs and culture depend by allowing unqualified people to raise fish and release them into Alaskan waters.
- Alaska has a responsible hatchery program that supplements and reinforces our fisheries. The current checks and balances are how our state, for the most part, has ensured bountiful wild salmon for Alaskans to harvest for recreation, business and as a source of food.
- The current permitting process works and provides the necessary oversight

Please consider this a written submission of testimony in opposition to HB107  
Thanks for all you do.

Respectfully Submitted,  
Mike and Gina Friccero

Michael Friccero  
Rainy Dawn Services  
F/V Miss Gina  
Kodiak, Alaska

**HB 107 Letters of Opposition  
INDEX**

1. Mike Friccero
2. Dave Kubiak
3. Nancy Hillstrand
4. Nancy Hillstrand
5. Alexis Kwachka

**From:** Mike Friccero

**Sent:** Wednesday, April 26, 2017 8:43 AM

**To:** Louie Flora <louie@akcenter.org>; Rep. Andy Josephson <Rep.Andy.Josephson@akleg.gov>; Rep. Geran Tarr <Rep.Geran.Tarr@akleg.gov>

**Subject:** Re: House Resources Tomorrow - HB 197 and HB 107 - Documents

Rep. Tarr and Josephson, House Resources Committee

Dear Sirs:

I oppose HB 107

My request is that you keep this bill in committee for further review, testimony and discussion, to be considered in the next regular legislative session. I believe this bill is well-intentioned, but could have many unforeseen consequences and damages the long term viability of our robust wild salmon stocks. In the current regime of austerity measures in regards to the ADFG budget, there are no funds available for the increased managing costs that this bill would incur. It is counter intuitive to consider or pass a reduced (when compared to the long term average) budget for the ADFG, and allow this bill to move ahead. Until the related cost of administering this measure is established and funded, it would be irresponsible to move this ahead.

I am sending you below a previously transmitted email sent to Rep. Stutes, (Fisheries)

Please add this to the testimony in opposition to HB 107

*Rep. Stutes:*

*I am writing to you in opposition to HB107, The "weak stock enhancement" legislation.*

*As a 35 yr veteran fisher of Alaska Salmon, I am profoundly aware of the robust management program for all of the significant salmon runs that occur in our state. These programs are executed/overseen by well trained and proficient professional career staffers and field operatives in almost all circumstances. It would create unnecessary risk to pass any measures that might jeopardize what has been proven to be a sustainable and world class management system, by permitting amateur and individual participants impact wild salmon populations.*

- *HB 107 endangers Alaska's wild salmon stocks by eliminating important checks and balances that ensure wild fish are not out-numbered and out-competed by hatchery fish.*
- *This bill would undo our careful planning and risk the wild Alaskan salmon upon which our jobs and culture depend by allowing unqualified people to raise fish and release them into Alaskan waters.*
- *Alaska has a responsible hatchery program that supplements and reinforces our fisheries. The current checks and balances are how our state, for the most part, has ensured bountiful wild salmon for Alaskans to harvest for recreation, business and as a source of food.*

- *The current permitting process works and provides the necessary oversight*

*Please consider this a written submission of testimony in opposition to HB107*

*Thanks for all you do.*

Respectfully Submitted,  
Mike and Gina Friccero

**From:** Dave Kubiak [  
**Sent:** Wednesday, April 26, 2017 8:38 AM  
**To:** Rep. Andy Josephson <[Rep.Andy.Josephson@akleg.gov](mailto:Rep.Andy.Josephson@akleg.gov)>; Rep. Geran Tarr  
<[Rep.Geran.Tarr@akleg.gov](mailto:Rep.Geran.Tarr@akleg.gov)>  
**Cc:** Rep. Louise Stutes <[Rep.Louise.Stutes@akleg.gov](mailto:Rep.Louise.Stutes@akleg.gov)>  
**Subject:** Re: CS HB 107

I served at least ten years on the Kodiak Regional Aquaculture Association Board, during which time I became familiar with the safeguard policies of the ADFG in regard to salmon stocks. The Biology In A Bucket proposal is not good science and not good policy.

Please kill CS HB 107.

Dave Kubiak  
Kodiak Salmon Seiner

**From:** Nancy Hillstrand

**Sent:** Tuesday, April 25, 2017 4:07 PM

**To:** Rep. Geran Tarr <[Rep.Geran.Tarr@akleg.gov](mailto:Rep.Geran.Tarr@akleg.gov)>; Rep. Andy Josephson <[Rep.Andy.Josephson@akleg.gov](mailto:Rep.Andy.Josephson@akleg.gov)>; Rep. Justin Parish <[Rep.Justin.Parish@akleg.gov](mailto:Rep.Justin.Parish@akleg.gov)>; Rep. Paul Seaton <[Rep.Paul.Seaton@akleg.gov](mailto:Rep.Paul.Seaton@akleg.gov)>; Rep. Louise Stutes <[Rep.Louise.Stutes@akleg.gov](mailto:Rep.Louise.Stutes@akleg.gov)>; Rep. George Rauscher <[Rep.George.Rauscher@akleg.gov](mailto:Rep.George.Rauscher@akleg.gov)>; Rep. Chris Birch <[Rep.Chris.Birch@akleg.gov](mailto:Rep.Chris.Birch@akleg.gov)>; Rep. Harriet Drummond <[Rep.Harriet.Drummond@akleg.gov](mailto:Rep.Harriet.Drummond@akleg.gov)>; Rep. Dean Westlake <[Rep.Dean.Westlake@akleg.gov](mailto:Rep.Dean.Westlake@akleg.gov)>; Rep. DeLena Johnson <[Representative.DeLena.Johnson@akleg.gov](mailto:Representative.DeLena.Johnson@akleg.gov)>; Rep. Chris Tuck <[Rep.Chris.Tuck@akleg.gov](mailto:Rep.Chris.Tuck@akleg.gov)>

**Subject:** Fwd: Please Hold HB 107 and 128 Enhancement runs contrary to wild fish law

Please hold HB 107 and HB 128

We first need indepth review of the abundance of research at our disposal. Just adding fish may sound like a solution but can have far reaching consequences to our wild salmon belonging to all Alaskans.

Below are some of the Alaska Statutes and regulations pertaining to enhancement and hatcheries and the protection of wild salmon. There are likely others that I did not include and this list does not include internal policies such as the genetics policy and sustainable salmon policy.

Bearing repeating is The Hatchery Act of 1974:

**"The program shall be operated without adversely affecting natural stocks of fish in the state and under a policy of management which allows reasonable segregation of returning hatchery-reared salmon from naturally occurring stocks."**

HB 107 places fish directly on top of wild naturally spawning and rearing fish. This runs contrary to law. This activity has been well documented as especially dangerous when performed on depleted or depressed stocks even with considered "expert" oversight.

There is no mention of the burden of proof to ensure no adverse affects and who pays for adverse affects? The science over the last decade is heavily weighted showing stress, out competition, genetic introgression. and has shown to draw in other predator fish causing further depletion unwittingly causing further degradation

**"Enhancement" is the very last resort of aid to depressed stocks of fish.**

Populations rise and fall in fluctuating manner. There are many recent efforts already ongoing in the state that need to be considered. These are the first line of defense!

- ADFG, with habitat and food web experience and expertise has ongoing projects piecing the components of habitat, food web and population dynamics.
- The North Pacific Management Council after lengthy public meetings have created bycatch caps on our important salmon resource creating the first level for solution to lowered salmon returns.
- Comprehensive projects and surveys designed to monitor aid depleted areas of fish such as the King salmon juvenile salmon project on the Yukon are in the process of major oversight.
- The Board of Fish needs to be continually alerted to any areas of subsistence failure in upper tributaries to ensure escapements and possible weir placement that residents can help monitor.

Results of these projects are already showing increase. Enhancement confounds these admirable comprehensive first defenses.

The RPT (Regional Planning Teams) mentioned in these bills have been recently restructured that imbalance the ADFG makeup of these important teams. Depending on region they are not made up of ecologists or food web and habitat specialists required to make critical decisions pertaining to our wild valuable fish resources.

Please hold these bills

We need indepth review of the abundance of research at our disposal. Just adding fish may sound good but can have far reaching consequences to our wild salmon belonging to all Alaskans

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Applicable Statutes:

SEC. 01, Chapter 111, Session Laws of Alaska, provides: "It is the intent of this Act to authorize the private ownership of salmon hatcheries by qualified nonprofit corporations for the purpose of contributing, by artificial means, to the rehabilitation of the state's depleted and depressed salmon fishery. **The program shall be operated without adversely affecting natural stocks of fish in the state and under a policy of management which allows reasonable segregation of returning hatchery-reared salmon from naturally occurring stocks.**"

SEC. 16.05.730. MANAGEMENT OF WILD AND ENHANCED STOCKS OF FISH.

(a) Fish stocks in the state **shall be managed consistent with sustained yield of wild fish stocks** and may be managed consistent with sustained yield of enhanced fish stocks.

(b) In allocating enhanced fish stocks, the board shall consider the need of fish enhancement projects to obtain brood stock. The board may direct the department to manage fisheries in the state to achieve an adequate return of fish from enhanced stocks to enhancement projects for brood stock; **however, management to achieve an adequate return of fish to enhancement projects for brood stock shall be consistent with sustained yield of wild stocks.**

(c) The board may consider the need of enhancement projects authorized under AS 16.10.400 and contractors who operate state-owned enhancement projects under AS 16.10.480 to harvest and sell fish produced by the enhancement project that are not needed for brood stock to obtain funds for the purposes allowed under AS 16.10.450 or 16.10.480(d). The board may exercise its authority under this title as it considers necessary to direct the department to provide a reasonable harvest of fish, in addition to the fish needed for brood stock, to an enhancement project to obtain funds for the enhancement project **if the harvest is consistent with sustained yield of wild stocks**. The board may adopt a fishery management plan to provide fish to an enhancement project to obtain funds for the purposes allowed under AS 16.10.450 or 16.10.480(d).

**SEC. 16.10.750. FINDINGS AND PURPOSE.** (a) **The legislature finds that**

(2) **the state is committed to maintaining and enhancing its wild stocks of salmon by careful management**, by initiating a 20-year rebuilding program, and by investing in the fishing industry;

Applicable Regulations:

## **ARTICLE 2. SALMON FISHERY.**

**5 AAC 39.220. POLICY FOR THE MANAGEMENT OF MIXED STOCK SALMON FISHERIES.** (a) **In applying this statewide mixed stock salmon policy for all users, conservation of wild salmon stocks consistent with sustained yield shall be accorded the highest priority.** Allocation of salmon resources under this policy will be consistent with the subsistence preference in AS 16.05.258, and the allocation criteria set out in 5 AAC 39.205, 5 AAC 75.017, and 5 AAC 77.007.

(d) Most wild Alaska salmon stocks are fully allocated to fisheries capable of harvesting available surpluses. **Consequently, the board will restrict new or expanding mixed stock fisheries unless otherwise provided for by management plans or by application of the board's allocation criteria.** Natural fluctuations in the abundance of stocks harvested in a fishery will not be the single factor that identifies a fishery as expanding or new.

**5 AAC 39.222. POLICY FOR THE MANAGEMENT OF SUSTAINABLE SALMON FISHERIES.** (a) The Board of Fisheries (board) and Department of Fish and Game (department) recognize that

(3) **to effectively assure sustained yield and habitat projection for wild salmon stocks, fishery management plans and programs require specific guiding principles and criteria,** and the framework for their application contained in this policy.

(c) Management of salmon fisheries by the state should be based on the following principles and criteria:

(1) **wild salmon stocks and the salmon's habitats should be maintained at levels of resource productivity that assure sustained yields as follows:**

(A) salmon spawning, rearing, and migratory habitats should be protected as follows:

(i) **salmon habitats should not be perturbed beyond natural boundaries of variation;**

(ii) **scientific assessments of possible adverse ecological effects of proposed habitat alterations and the impacts of the alterations on salmon populations should be conducted before approval of a proposal;**

(iii) **adverse environmental impacts on wild salmon stocks and the salmon's habitats should be assessed;**

(D) **effects and interactions of introduced or enhanced salmon stocks on wild salmon stocks should be assessed; wild salmon stocks and fisheries on those stocks should be protected from adverse impacts from artificial propagation and enhancement efforts;**

(G) **depleted salmon stocks should be allowed to recover or, where appropriate, should be actively restored; diversity should be maintained to the maximum extent possible, at the genetic, population, species, and ecosystem levels;**

(3) **effective management systems should be established and applied to regulate human activities that affect salmon as follows:**

(C) **when wild salmon stocks are fully allocated, new fisheries or expanding fisheries should be restricted, unless provided for by management plans or by application of the board's allocation criteria;**

(J) **proposals for salmon fisheries development or expansion and artificial propagation and enhancement should include assessments required for sustainable management of existing salmon fisheries and wild salmon stocks;**

(K) **plans and proposals for development or expansion of salmon fisheries and enhancement programs should effectively document resource assessments, potential impacts, and other information needed to assure sustainable management of wild salmon stocks;**

**(5) in the face of uncertainty, salmon stocks, fisheries, artificial propagation, and essential habitats shall be managed conservatively as follows:**

**(A) a precautionary approach, involving the application of prudent foresight that takes into account the uncertainties in salmon fisheries and habitat management, the biological, social, cultural, and economic risks, and the need to take action with incomplete knowledge, should be applied to the regulation and control of harvest and other human-induced sources of salmon mortality; a precautionary approach requires**

**(i) consideration of the needs of future generations and avoidance of potentially irreversible changes;**

**(ii) prior identification of undesirable outcomes and of measures that will avoid undesirable outcomes or correct them promptly;**

**(iii) initiation of any necessary corrective measure without delay and prompt achievement of the measure's purpose, on a time scale not exceeding five years, which is approximately the generation time of most salmon species;**

**(iv) that where the impact of resource use is uncertain, but likely presents a measurable risk to sustained yield, priority should be given to conserving the productive capacity of the resources;**

**(v) appropriate placement of the burden of proof, of adherence to the requirements of this subparagraph, on those plans or ongoing activities that pose a risk or hazard to salmon habitat or production;**

**(d) The principles and criteria for sustainable salmon fisheries shall be applied, by the department and the board using the best available information, as follows:**

**(4) in association with the appropriate management plan, the department and the board will, as appropriate, collaborate in the development and periodic review of an action plan for any new or expanding salmon fisheries, or stocks of concern; action plans should contain goals, measurable and implementable objectives, and provisions, including**

**(C) fishery management actions needed to achieve rebuilding goals and objectives, in proportion to each fishery's use of, and hazards posed to, a salmon stock;**

**(D) descriptions of new or expanding salmon fisheries, management concern, yield concern, or conservation concern; and**

**From:** Nancy Hillstrand [

**Sent:** Tuesday, April 25, 2017 4:38 PM

**To:** Rep. Andy Josephson <[Rep.Andy.Josephson@akleg.gov](mailto:Rep.Andy.Josephson@akleg.gov)>; Rep. Geran Tarr <[Rep.Geran.Tarr@akleg.gov](mailto:Rep.Geran.Tarr@akleg.gov)>; Rep. Dean Westlake <[Rep.Dean.Westlake@akleg.gov](mailto:Rep.Dean.Westlake@akleg.gov)>; Rep. Chris Birch <[Rep.Chris.Birch@akleg.gov](mailto:Rep.Chris.Birch@akleg.gov)>; Rep. Chris Tuck <[Rep.Chris.Tuck@akleg.gov](mailto:Rep.Chris.Tuck@akleg.gov)>; Rep. DeLena Johnson <[Representative.DeLena.Johnson@akleg.gov](mailto:Representative.DeLena.Johnson@akleg.gov)>; Rep. Harriet Drummond <[Rep.Harriet.Drummond@akleg.gov](mailto:Rep.Harriet.Drummond@akleg.gov)>; Rep. Justin Parish <[Rep.Justin.Parish@akleg.gov](mailto:Rep.Justin.Parish@akleg.gov)>; Rep. George Rauscher <[Rep.George.Rauscher@akleg.gov](mailto:Rep.George.Rauscher@akleg.gov)>; Rep. David Talerico <[Rep.David.Talerico@akleg.gov](mailto:Rep.David.Talerico@akleg.gov)>; Rep. Paul Seaton <[Rep.Paul.Seaton@akleg.gov](mailto:Rep.Paul.Seaton@akleg.gov)>

**Subject:** ADFG and Aquaculture Associations admit enhancement damage to wild spawning salmon

We are blessed with an abundance of wild salmon resources of five species of salmon. Please don't jeopardize this bounty.

Hold HB 107 and HB 128. Enhancement is not to be taken lightly. These activities especially with no revenue for critical oversight or monitoring cause damage. Who is responsible for this damage, harm, and costly rehabilitation?

1. Otilith studies have shown 87% Prince William Sound straying of man made hatchery fish (Barabara Creek) all the way to Lower Cook Inlet River systems 200 miles away.
2. Please see Attached paper showing local damage to sockeye on the Kenai river system , this important paper that was paid for with Alaska State general funds, called

### **Homing of Sockeye Salmon within Hidden Lake Alaska.**

They clearly state:

***“These hatchery programs currently produce large numbers of fish that may pose ecological and genetic risks to wild populations. (Reisenbichler and McIntyre 1977; Campton 1995; Naish et al. 2007; Grant 2012).***

ADFG and CIAA continue:

***“Recent studies show that hatchery rearing can reduce fitness in the wild (Kostow 2004; Araki et al. 2007, 2008) and that hybridization between hatchery and wild fish can lower the overall fitness of wild populations. (Ford 2002).***

There are many papers like this one. Please lets not jeopardize our wild natural Alaskan salmon further. We need a public review

Nancy

Nancy Hillstrand

Pioneer Alaskan Fisheries Inc.

Coal Point Seafoods

Homer, Alaska 99603

Representative Tarr,

My name is Alexis Kwachka I would like to express my opposition to HB107. Alaska has a hatchery program in place and I feel like this bill is not needed. Even on a small scale, reintroduction of fish back into any system can have detrimental effects. Disease and introduced fish out competing wild fish are only a few of the issues. These lessons have been learned over and over again. We need to keep Alaska strong and our permitting process is already in place.

I do not support HB 107 and would like to see it stay in committee.

Sincerely,

Alexis Kwachka

Kodiak , Alaska

AMENDMENT

#7

OFFERED IN THE HOUSE  
TO: CSHB 107(FSH)

BY REPRESENTATIVE TALERICO

1 Page 4, line 16:

2 Delete "A"

3 Insert "The commissioner may modify, suspend, or revoke a permit issued under this  
4 section for good cause. If a permittee violates this section, a regulation adopted under this  
5 section, or a condition of a permit issued under this section, the commissioner may, after  
6 giving the permittee notice and an opportunity to be heard, suspend or revoke a permit issued  
7 under this section.

8 (j) Subject to (i) of this section, a"  
9

10 Reletter the following subsection accordingly.

AMENDMENT

#2

OFFERED IN THE HOUSE

TO: CSHB 107(FSH)

- 1 Page 4, line 29, through page 5, line 2:
- 2 Delete all material.
- 3
- 4 Renumber the following bill section accordingly.