

# MATANUSKA-SUSITNA BOROUGH Fish & Wildlife Commission

350 E Dahlia Ave., Palmer, Alaska 99645

## CHAIRPERSON

Andy Couch

## VICE CHAIR

Peter Probasco

## MSB STAFF

Maija DiSalvo



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Howard Delo

Larry Engel

Tim Hale

Gabe Kitter

Bill Gamble

Kendra Zamzow

*Ex officio:* Jim Sykes

## Special Meeting

January 30, 2024

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**Physical Location of Meeting:** Conference Room 203, DSJ Bldg, 350 E. Dahlia Ave., Palmer

**Remote Participation:** See attached agenda on p. 1

**Planning and Land Use Department - Planning Division**

<http://www.matsugov.us> • [planning@matsugov.us](mailto:planning@matsugov.us)

**MATANUSKA-SUSITNA BOROUGH**  
**MSB Fish and Wildlife Commission**  
**AGENDA**

Edna Devries, Mayor

Andy Couch – Chair  
 Peter Probasco – Vice Chair  
 Gabriel Kitter  
 Howard Delo  
 Larry Engel  
 Tim Hale  
 Bill Gamble  
 Kendra Zamzow  
 Jim Sykes – Ex officio member

Maija DiSalvo – Staff



Michael Brown, Borough Manager

PLANNING & LAND USE DEPARTMENT  
 Alex Strawn, Planning & Land Use Director  
 Kim Sollien, Planning Services Manager  
 Jason Ortiz, Development Services Manager  
 Fred Wagner, Platting Officer

*Conference Room 203  
 Dorothy Swanda Jones Building  
 350 E. Dahlia Avenue, Palmer*

**January 30, 2024**  
**SPECIAL MEETING**  
 2:30 p.m.

Ways to participate in MSB Fish and Wildlife Commission meetings:

IN-PERSON: Conference Room 203, DSJ Building

REMOTE PARTICIPATION VIA MICROSOFT TEAMS:

Join on your computer:

[Click here to join the meeting](#)

Meeting ID: 294 571 420 812

Passcode: nmCM8n

Or call in (audio only):

1-907-290-7880

Phone Conference ID: 477 156 148#

- I. CALL TO ORDER
- II. ROLL CALL – DETERMINATION OF QUORUM
- III. LAND ACKNOWLEDGEMENT

*"We acknowledge that we are meeting on traditional lands of the Dene people, and we are grateful for their continued stewardship of the land, fish, and wildlife throughout time immemorial."*

- IV. APPROVAL OF AGENDA
- V. PLEDGE OF ALLEGIANCE
- VI. AUDIENCE PARTICIPATION (*three minutes per person*)

VII. STAFF/AGENCY REPORTS & PRESENTATIONS

- A. Staff Report
- B. Chair's Report

VIII. UNFINISHED BUSINESS

- A. Board of Fisheries Planning
  - i. Priority Proposals
  - ii. [UCI Finfish Meeting Feb 23-Mar 6](#) – Feb 8 Comment Deadline
- B. North Pacific Fishery Management Council
  - i. [Cook Inlet Stock Assessment and Fishery Eval. \(SAFE\) Report](#)
  - ii. SSC, AP, and Council Meetings – Seattle, WA – Feb 5-12
    - 1. Comment Deadline – Feb 2/Oral Testimony during meetings
- C. [Susitna Basin Recreational Rivers Plan Update](#)
  - i. Executive Order 134

IX. NEW BUSINESS

- A. Island Lake Float Plane Development
  - i. Comment Deadline extended to January 31st

X. MEMBER COMMENTS

XI. NEXT MEETING DATE: Thursday, February 8 @ 4:00 pm – Assembly Chambers

XII. ADJOURNMENT

**Disabled persons needing reasonable accommodation in order to participate at a MSB Fish and Wildlife Commission Meeting should contact the borough ADA Coordinator at 861-8432 at least one week in advance of the meeting.**

**From:** [Nelson, Arthur N \(DFG\)](#)  
**To:** [Maija DiSalvo](#)  
**Subject:** RE: Upper Cook Inlet BOF Meeting  
**Date:** Friday, January 12, 2024 2:05:30 PM

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**[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]**

Hi Maija...the board just finished the Kodiak meeting, but now we're in the middle of breaking down and packing up all out gear.

Streaming: yes, we livestream every meeting as long as our internet is stable enough(via youtube; which comes with maybe a 20 second delay). Every day comes with a new youtube URL, however and we can't plan those ahead or pick them...so every morning, we update the youtube window we put on the BOF's home page---that's probably the best place to direct people to watch <https://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main>

I think the board may have done some remote testimony during Covid but has returned to in-person only. We will be allowing people to sign up for testimony in morning and afternoon time blocks so they don't have to wait around for days for their name to be called. The agenda will be coming out in a few days and there will be some more information in there about that.

Thanks! Let me know if there's anything else I can do to help

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**From:** Maija DiSalvo <Maija.DiSalvo@matsugov.us>  
**Sent:** Friday, January 12, 2024 11:46 AM  
**To:** Nelson, Arthur N (DFG) <art.nelson@alaska.gov>  
**Subject:** Upper Cook Inlet BOF Meeting

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Art,

I hope you're doing well! I understand you're likely caught up with the Kodiak meeting right now, so this is not a huge rush. The MSB Fish & Wildlife Commission met last night and they had a couple of technology questions for our upcoming UCI Finfish meeting. The first is about livestreaming. It's my understanding that during the last cycle our Public Affairs team was doing our own livestreaming of the event, but it looks like that is something ADFG is now doing. Can we expect that for the UCI meeting in February?

The second question is about virtual testimony. I see that members of the public can submit a Record Copy during the meeting, but will there/can there be any additional option for remote participants to provide oral testimony, either by phone or video? One of the commissioners remembered a time during covid that this was allowed. I imagine it's another challenge to manage from the meeting execution perspective, but wanted to at least make the ask. Many community

members don't have the flexibility to miss full work days to travel to Anchorage, making it difficult to participate, especially over multiple days. Our Assembly meetings utilize a phone system that an IT staff operates during the meetings and it's been a really effective way to engage community members who can't make it to Palmer. I'm sure you're familiar with those options, and again, I totally understand there have to be limitations, just wanted to make sure it wasn't a possibility.

Cheers,

Maija

**Maija DiSalvo**

Long Range Planner – Planning & Land Use Division

Matanuska-Susitna Borough

[maija.disalvo@matsugov.us](mailto:maija.disalvo@matsugov.us)

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 Board of Fisheries  
 PO Box 115526  
 Juneau, AK 99811-5526  
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 www.adfg.alaska.gov

**ALASKA BOARD OF FISHERIES  
 UPPER COOK INLET FINFISH  
 February 23–March 5, 2024**

**TENTATIVE COMMITTEE ROADMAP (186 Proposals)**

**COMMITTEE OF THE WHOLE–GROUP 1: Northern Cook Inlet Subsistence, Northern District Commercial, Smelt, and Susitna River Sport and Personal Use Fisheries (29 Proposals, Chair: Stan Zuray)**

***Northern Cook Inlet Subsistence (1 proposal)***

- 204 Allow hook and line attached to a rod or pole as subsistence gear to take king salmon in the Yentna River drainage

***Northern District Commercial Salmon (12 Proposals)***

- 205 Increase waters closed to commercial fishing for salmon in the *Northern District King Salmon Management Plan*
- 206 Reduce the number of king salmon that may be commercially harvested in the Northern District of Upper Cook Inlet
- 207 Adopt additional restrictions in the *Northern District King Salmon Management Plan*
- 208 Restrict the commercial king salmon fishery in the Northern District
- 209 Close the commercial king salmon fishery in the Northern District
- 210 Modify the *Northern District Salmon Management Plan* and *Northern District King Salmon Management Plan*
- 211 Repeal certain restrictive provisions of *Northern District Salmon Management Plan*
- 212 Adopt additional restrictions in the *Northern District Salmon Management Plan*
- 213 Adopt new ‘paired restrictive’ management measures for the Northern District commercial salmon set gillnet fishery
- 214 Adopt new ‘paired restrictive’ management measures for the commercial salmon set gillnet fishery within the *Northern District Salmon Management Plan*
- 215 Provide additional commercial fishing opportunity for salmon within the *Northern District Salmon Management Plan*
- 131 Modify Northern District weekly commercial fishing periods

***Cook Inlet Smelt (2 Proposal)***

- 216 Reduce the commercial smelt guideline harvest level in Upper Cook Inlet
- 217 Repeal the *Cook Inlet Smelt Fishery Management Plan*

***Susitna River Sport Fisheries (10 Proposals)***

- 218 Allow harvest of king salmon between 20 and 24 inches in Unit 4 of the Susitna River Drainage Area.
- 219 Close fishing for all species within the confluence of Unit 2 waters when sport fishing for king salmon is closed
- 220 Open additional waters in the Big River drainage to sport fishing for coho salmon
- 221 Create a bag and possession limit of 3 coho salmon in the Susitna River Drainage
- 222 Increase the Susitna River drainage sport fish limits for pink salmon



**Alaska Board of Fisheries**  
2024 Upper Cook Inlet Finfish Meeting Roadmap

- 223 Redefine the special management areas for rainbow trout in the Susitna Drainage Area
- 224 Extend the special management areas for rainbow trout to include the portion of Willow Creek upstream of the Parks Highway.
- 225 Open rainbow trout fishing in Unit 4 of the Susitna River drainage year-round with a bag limit of 5 fish, 10 in possession
- 226 Allow anglers to use two artificial lures in tandem in the Susitna River Drainage waters
- 227 Remove the length restriction on Dolly Varden in Unit 4

***Susitna River Personal Use Fisheries (4 Proposals)***

- 228 Close dipnetting in the vicinity of Anderson Creek during the personal use fishery on the lower Susitna River
- 229 Increase the number of days the Susitna River dipnet fishery is open
- 230 Increase the open season of the Susitna River dipnet fishery
- 231 Modify dates of the Susitna River dipnet fishery

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**COMMITTEE OF THE WHOLE—GROUP 2: Cook Inlet Areawide Sport Fisheries, Knik River Area Sport Fisheries, and Anchorage Area Sport and Personal Use Fisheries (24 Proposals, Chair: Tom Carpenter)**

***Cook Inlet – Areawide Sport Fisheries (2 Proposal)***

- 232 Allow Alaska residents to sport fish additional gear and take multiple limits in UCI
- 233 Establish sport fishing derby approval process

***Knik River Area Sport Fisheries (16 Proposals)***

- 234 Clarify the boundary of the Knik Arm management area and the Palmer-Wasilla Zone
- 235 Reduce the size of the Palmer-Wasilla Zone
- 236 Update the stocked lakes list for the Knik Arm drainage area
- 237 Allow bow and spear as legal gear for northern pike and Alaska blackfish year round in the Palmer/Wasilla Zone.
- 238 Establish a motor size restriction for the Little Susitna River
- 239 Establish a large king salmon escapement goal for the Little Susitna River
- 240 Increase the number of days bait is allowed in the Little Susitna River drainage.
- 241 Allow use of bait in the Little Susitna sport fishery based on location of commercial fishery openings
- 242 Prohibit anglers from releasing coho salmon the Little Susitna River
- 243 Create a bag and possession limit of 3 coho salmon in the Knik Arm Drainages
- 244 Define the mouth of Fish Creek
- 245 Allow sport fishing in the Fish Creek drainage 7 days a week
- 246 Update the lists of lakes where anglers may use 5 lines while fishing for northern pike through the ice in designated Northern Cook Inlet waters
- 247 Prohibit chumming in Big, Mirror, and Flat Lakes
- 248 Restrict Big Lake Arctic char to catch-and-release in the Fish Creek drainage
- 249 Remove the effective date of regulation pertaining to sport fishing from a motor driven boat

***Anchorage Area Sport and Personal Use Fisheries (6 Proposals)***

- 250 Modify the closure date for the Ship Creek king salmon fishery
- 251 Modify the Eklutna River drainage salmon bag and possession limits
- 252 Increase the bag and possession limit for salmon, other than king salmon



- 253 Allow anglers to use two artificial flies in tandem in a portion of Campbell Creek  
 254 Add portion of Chester Creek to Anchorage Bowl special management areas for trout  
 255 Create a personal use dip net fishery for salmon in the 20-Mile and Placer Rivers
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**COMMITTEE OF THE WHOLE—GROUP 3: Stock of Concern- Kenai River Late-Run King Salmon Action Plan, Kenai River Late-Run King Salmon Management Plan, Kenai River King Salmon, and Upper Cook Inlet Salt Water King Salmon Sport Fishery Plan (46 Proposals, Chair: Greg Svendsen)**

***Kenai River Late-Run King Salmon Action Plan***

***Kenai River Late-Run King Salmon (38 Proposals)***

- 80 Modify the *Kenai River Late-Run King Salmon Management Plan*  
 83 Modify the *Kenai River Late-Run King Salmon Management Plan*  
 85 Prohibit use of motorized vessels in the Kenai River if the sport fishery is closed  
 86 Prohibit bait in the Kenai River through Oct 31 if the king salmon sport fishery is closed  
 87 Prohibit guided sport fishing on the Kenai and Kasilof Rivers when sport fishing for king salmon is closed  
 88 Prohibit nonresidents fishing from a guided vessel on the Kenai River if the king salmon sport fishery is closed  
  
 90 Expand weekly time-period “windows” where the commercial salmon fishery is closed  
 91 Amend criteria for commercial set gillnet fishing periods, in the Upper Subdistrict, after August 1  
 92 Exempt the East Foreland Section from ‘paired restriction’ measures in the *Kenai River Late-Run King Salmon Management Plan*  
 93 Exempt the East Foreland Section from paired restriction management measures within the *Kenai River Late-Run King Salmon Management Plan*  
 94 Modify allowable gear when the set gillnet commercial fishery is restricted to achieve the Kenai River late-run king salmon optimal escapement goal  
 95 Modify the amount of set gillnet gear that can be used in the Upper Subdistrict set gillnet fishery when restricted to achieve the Kenai River late-run king salmon OEG  
 96 Modify operation of set gillnet gear in the Upper Subdistrict  
  
 97 Amend the *Kenai Late-Run King Salmon Management Plan* to provide additional fishing opportunity in the sport and set gillnet commercial fisheries  
 98 Modify the commercial set gillnet fishery in the Upper Subdistrict when restricted to achieve the Kenai River late-run king salmon optimal escapement goal  
 99 Make numerous changes to the *Kenai River Late-Run King Salmon Management Plan*  
 100 Allow a 600-foot set gillnet commercial fishery when Kenai River late-run large king salmon escapements exceed 13,500 fish  
 101 Remove paired restrictive time and gear exemption from the 600-foot commercial set gillnet fishery in the Upper Subdistrict  
 102 Provide additional commercial salmon fishing opportunity with set gillnet gear in the Upper Subdistrict  
 103 Allow use of dipnets in the Upper Subdistrict commercial salmon fishery  
 104 Adopt a new Kenai River late-run king salmon management plan for the Upper Subdistrict set gillnet fishery  
 105 Allow a 600-foot set gillnet commercial fishery when the Upper Subdistrict would be closed to conserve Kenai River late-run king salmon





**Alaska Board of Fisheries**  
2024 Upper Cook Inlet Finfish Meeting Roadmap

- 106 Restrict legal set gillnet gear when the Upper Subdistrict commercial salmon fishery is open within 600 feet of shore
- 107 Repeal the 600-foot Upper Subdistrict set gillnet fishery and create a new opportunity with shallow set gillnet gear more than one half mile offshore
- 108 Exempt the 600-foot set gillnet fishery from fishing time and gear restrictions in the *Kenai River Late-Run King Salmon Management Plan*
- 110 Provide additional commercial fishing opportunity for set gillnet gear within the *Kenai River Late-Run King Salmon Management Plan*
- 116 Repeal mandatory weekly closures in the commercial set gillnet fishery
- 117 Repeal paired restrictions from Upper Cook Inlet salmon management plans
- 109 Create new set gillnet commercial salmon fishing opportunity based on Kasilof River sockeye salmon escapement
- 75 Remove the Kenai River Late-Run King Salmon OEG
- 76 Remove the Kenai River Late-Run King Salmon OEG
- 77 Modify the Kenai River Late-Run King Salmon OEG
- 78 Modify the Kenai River Late-Run King Salmon OEG
- 79 Create additional step-down measures to the *KRLRK SMP*
- 81 Modify the *Kenai River Late-Run King Salmon Management Plan*
- 82 Repeal portions of the *KRLRK SMP* and shorten plan duration
- 84 Close fishing for Kenai River late-run king salmon when forecast is below 20,000
- 89 Prohibit nonresidents participating in the Kenai River Late Run king salmon fishery

***Kenai River King Salmon (4 Proposals)***

- 146 Align the Kenai River Drainage Area method and means provisions with the season dates for Kenai River king salmon
- 147 Modify Kenai River king salmon annual limit
- 148 Prohibit fishing for king salmon from a motorized vessel in the Kenai River
- 149 Require mandatory retention of Kenai River king salmon

***Upper Cook Inlet Salt Water King Salmon Sport Fishery Plan (4 Proposal)***

- 1 Amend the *Upper Cook Inlet Summer Salt Water King Salmon Sport Fishery Management Plan*. (This proposal will be heard and public testimony will be taken at both the LCI and UCI meetings and deliberated at the UCI meeting).
- 2 Amend the *Upper Cook Inlet Summer Salt Water King Salmon Management Plan*. (This proposal will be heard and public testimony will be taken at both the LCI and UCI meetings and deliberated at the UCI meeting).
- 3 Amend the management plans for the Upper Cook Inlet Summer and Kenai River late-run king salmon fisheries. (This proposal will be heard and public testimony will be taken at both the LCI and UCI meetings and deliberated at the UCI meeting).
- 4 Redefine the boundaries of the Upper Cook Inlet Area. (This proposal will be heard and public testimony will be taken at both the LCI and UCI meetings and deliberated at the UCI meeting).

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**COMMITTEE OF THE WHOLE—GROUP 4: Sockeye Salmon Management Plans (8 Proposals, Chair: Märít Carlson-Van Dort)**

***Kenai River Late-Run Sockeye Salmon Management Plan (5 Proposals)***

- 111 Adopt a Kenai River late-run sockeye salmon optimal escapement goal



- 112 Increase the upper bound of the Kenai River late-run sockeye salmon inriver goal
- 113 Adopt an optimal escapement goal for Kenai River late-run sockeye salmon
- 114 Adopt an optimal escapement goal for Kenai River late-run sockeye salmon
- 115 Modify intent of the Kenai River Late-Run Sockeye Salmon Management Plan

***Kasilof River Salmon Management Plan (3 Proposals)***

- 118 Reduce the Kasilof River sockeye salmon optimal escapement goal
- 119 Allow the Kasilof River SHA to remain open when the remainder of the commercial set gillnet fishery in the Upper Subdistrict is closed
- 120 Repeal portions of intent language within the *Kasilof River Salmon Management Plan*

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**COMMITTEE OF THE WHOLE–GROUP 5: Central District Drift Gillnet Fishery Management Plan, Fishing Districts and Gillnet Specifications and Operations, Pink Salmon Management Plan, Hatchery Production, Upper Cook Inlet Management Plan, West Cook Inlet Salmon (25 Proposals, Chair: Märit Carlson Van-Dort)**

***Central District Drift Gillnet Fishery Management Plan (7 Proposals)***

- 121 Modify intent language within the Central District Drift Gillnet Management Plan
- 122 Repeal the ‘one percent rule’ in the Central District drift gillnet fishery
- 123 Repeal the “one percent rule” from Upper Cook Inlet commercial salmon fishery management plans
- 124 Repeal the “one percent rule” from Upper Cook Inlet commercial salmon fishery management plans
- 125 Repeal sections of the Central District Drift Gillnet Fishery Management Plan to provide additional commercial salmon fishing opportunity with drift gillnet gear
- 126 Increase drift gillnet fishing opportunity in Drift Gillnet Area 2
- 127 Modify weekly fishing periods in the *Central District Drift Gillnet Fishery Management Plan*

***Fishing Seasons, Weekly Periods, Set Gillnet Gear, and Registration (15 Proposals)***

- 128 Provide additional fishing opportunity with set gillnet gear in the Upper Subdistrict
- 129 Increase Upper Subdistrict set gillnet commercial salmon fishing opportunity
- 130 Lengthen Upper Subdistrict set gillnet commercial salmon fishing season
- 132 Provide additional commercial salmon fishing opportunity in Upper Cook Inlet based on salmon escapement
- 133 Modify weekly fishing periods in the Upper Subdistrict and adopt new ‘paired restrictive’ management measures
- 134 Modify weekly fishing periods
- 135 Close the Chinitna Bay Subdistrict to commercial fishing for salmon
- 136 Increase waters closed to commercial fishing for salmon
- 137 Increase waters closed to commercial fishing in Upper Cook Inlet
- 138 Allow use of a seine lead in the set gillnet fishery and define minimum distance between gear
- 139 Allow use of reef nets in the Upper Cook Inlet commercial salmon fishery
- 140 Allow use of reef nets in the Upper Cook Inlet commercial salmon fishery
- 141 Restrict set gillnet gear in the Upper Subdistrict
- 142 Establish commercial fishery reporting requirements in Upper Cook Inlet
- 143 Allow Upper Cook Inlet set gillnet permit holders to fish in more than one registration area per year

***Hatchery Production (1 Proposal)***

- 43 Amend Basic Management Plans *Cook Inlet Salmon Enhancement Allocation Plan* (This proposal will



*be heard and public testimony will be taken at both the LCI and UCI meetings and deliberated at the UCI meeting)*

***Pink Salmon Management Plan (2 Proposals)***

- 144 Amend the *Cook Inlet Pink Salmon Management Plan*  
145 Increase commercial fishing opportunity in the Cook Inlet Pink Salmon Plan

**COMMITTEE OF THE WHOLE–GROUP 6: Kasilof River King Salmon Sport Fisheries, Vessel and Habitat Restrictions, and Guides (15 Proposals, Chair: Mike Wood )**

***Kasilof River King Salmon Sport Fisheries (1 Proposals)***

- 150 Create a *Kasilof River Late-Run King Salmon Management Plan*

***Kenai River Vessels and Habitat Restrictions (2 Proposals)***

- 151 Add days and area to the nonmotorized restrictions on the Kenai River  
152 Prohibit motorized vessels on the Kenai River

***Guides - Kenai and Kasilof Rivers (12 Proposals)***

- 153 Allow guiding on the Kenai River on Sundays and Mondays  
154 Allow guiding on the Kenai River without restrictions if king salmon fishery is closed  
155 Allow guiding on the Kenai River Sundays and Mondays if king salmon fishery closed  
156 Allow fishing from a guided nonmotorized vessel on Mondays during May – July  
157 Allow anglers to fish on the Kenai River on Mondays in August and September from a guided vessel  
158 Allow sport fishing from a guide vessel on Sundays and Mondays no hour restrictions  
159 Allow sport fishing from a guide vessel on the Kenai River on Mondays from Aug 1–Nov 30  
160 Limit guided activities on the Kenai River from May 1–July 31  
161 Restrict guided shoreline anglers on Kenai River to 6 a.m. to 6 p.m. July 1 to Aug 15  
162 Allow guiding on the Kenai River prior to 6:00 a.m and after 6:00 p.m.  
163 Reduce the time fishing from and anchoring a guided vessel in the Kasilof River  
164 Limit sport fish guiding in the Kasilof River

**COMMITTEE OF THE WHOLE–GROUP 7 : Kenai, Kasilof and Russian River–Sport and Personal Use (39 Proposals, Chair: Gerad Godfrey)**

***Kenai, Kasilof, and Russian Rivers (24 Proposals)***

- 165 Allow sport fishing in the Kenai River with only one unbaited, single-hook, artificial lure from January – July  
166 Expand time and area waters of the Kenai River are limited to only one unbaited, single-hook, artificial lure and redefine “artificial fly”  
167 Expand time and area waters of the Kenai River are limited to only one unbaited, single-hook, artificial lure  
168 Allow anglers to use two artificial flies in tandem on the Kenai River  
169 Change the definition of “bag limit” for sockeye salmon in Kenai and Kasilof Rivers  
170 Allow backtrolling in a section of the Kenai River  
171 Allow anglers to fish downstream of Soldotna Bridge after taking limit of coho salmon  
172 Allow fishing from a vessel after retention of a limit of coho salmon on the Kenai River



- 173 Modify regulations for the Kenai River August coho salmon fishery
- 174 Regulate the use of bait in the Kenai River in August
- 175 Reduce the coho salmon limits in the Kenai River to 2 fish after August 30
- 176 Reduce the coho salmon limit on Kenai River after September 1
- 177 Modify Kenai River coho salmon season and bag limits
- 178 Reduce the season for the Kenai River coho salmon sport fishery
- 179 Close additional waters to sport fishing in the upper Kenai River
- 180 Close waters of the Kenai River to sportfishing from January 1 – April 1
- 181 Close waters of the Kenai River to sportfishing from January 1 – June 10
- 182 Prohibit nonresident sport fishing on the Kenai River
- 183 Allow the department to react to large Russian River sockeye salmon runs
- 184 Move 3-mile boundary marker to Old Kasilof Landing (RM4)
- 185 Allow only unbaited, single-hook, artificial lures in the Kasilof River
- 186 Update the stocked lakes list for the Kenai Peninsula Area
- 187 Close Hidden Lake to fishing for lake trout from Sept 15 - Nov 30
- 188 Prohibit bait and multiple hooks in Hidden Lake

***Kenai/Kasilof River Personal Use (15 Proposals)***

- 189 Require PU guides in Cook Inlet to adhere to sport guiding requirements
- 190 Establish requirements to guide in Upper Cook Inlet personal use fisheries
- 191 Adjust limits in Cook Inlet Personal Use fisheries based on abundance
- 192 Close personal use fisheries based on commercial openings
- 193 Require king salmon caught and released in Cook Inlet PU fisheries not be removed from the water
- 194 Allow retention of Dolly Varden in Kenai/Kasilof PU dipnet fisheries
- 195 Restrict EO authority to only the shore-based fishery in the Kenai River PU fishery
- 196 Prohibit personal use fishing on the Kenai River from an anchored vessel
- 197 Prohibit retention of king salmon in the Kenai River PU fishery
- 198 Prohibit transport of Kenai PU fish by motorized vessel
- 199 Prohibit transport of Kasilof PU fish by motorized vessel
- 200 Close the Kasilof PU gillnet fishery when Kenai or Kasilof sport fisheries are closed
- 201 Close the Kenai River PU use fishery when drift fishery is restricted
- 202 Reduce the legal mesh size of a set gillnet in the UCI PU fisheries
- 203 Move the regulatory markers for the Kasilof River PU dip net fishery



# MATANUSKA-SUSITNA BOROUGH

## Planning and Land Use Department

### Planning Division

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Ms. Gretchen Harrington  
Assistant Regional Administrator  
Sustainable Fisheries Division  
Alaska Region, National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668

Re: Fisheries of the Exclusive Economic Zone Off Alaska; Cook Inlet Salmon; Amendment 16

Dear Ms. Harrington,

After careful consideration of the National Marine Fisheries Service's (NMFS) proposed Amendment 16 establishing a Federal managed fishery for all salmon fishing which occurs in the Cook Inlet Exclusive Economic Zone (EEZ), the Matanuska-Susitna Borough (MSB) Fish and Wildlife Commission (FWC) finds the proposed Fisheries Management Plan (FMP) seriously deficient for a variety of reasons and unanimously opposes the proposal.

The MSB FWC represents the interests of the Borough in the conservation and allocation of fish, wildlife and habitat. Specifically, the FWC advises borough officials, state or federal agencies and other organizations with interests that may affect conservation of fish, wildlife, and habitat across an area encompassing 25,258 square miles an area slightly larger than West Virginia. Approximately half of Alaska's human population resides near the shores of UCI. This includes the city of Anchorage (288,121 in 2021) and an additional 110,000+ residing in the MSB. Within this area, there are commercial and sport fisheries, residents use dipnets for a personal use fishery and four indigenous communities —Tyonek, Knik, Eklutna and Chickaloon – engage in subsistence, educational, or personal use fisheries. These many fisheries are already fully allocated among the many user groups, but with careful conservative management and sustainable salmon populations there can be fair opportunity for people to access fisheries resources. The members of the FWC combined bring well over 100 years of experience managing fish and wildlife resources within Alaska, working to make good decisions guided by scientific data and evaluation.

Cook Inlet is one of the longest marine inlets in the United States where salmon management is difficult and complex. The State of Alaska has developed large amounts of data, real-time analysis of various salmon runs, and maintains the ability to implement timely emergency closures or openings as the situation demands. Perhaps a change in the Magnuson-Stevens Act by Congress can provide the needed ability to make timely and critical decisions that are absent in the current proposed plan.

Specifically, the FWC believes the proposed fish management falls well short of providing the necessary fishery management objectives which have been established through the State of Alaska Board of Fish (BOF) process. The Central District Drift Gillnet Fishery Management Plan developed through the BOF process provides crucial time and area restrictions to harvest the abundant Kenai and Kasilof Rivers sockeye salmon, while still allowing for area restrictions which move smaller and less abundant migrating salmon stocks into the Northern District and the Northern Cook Inlet rivers and streams.

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*

MSB streams and rivers are part of the Upper Cook Inlet system, and all salmon bound for the MSB move through Cook Inlet. The “Conservation Corridor” as outlined in the Central District Drift Gillnet Fishery Management Plan has proven to be a key element in moving fish bound for the Northern Cook Inlet through the Central District. Recognizing the fact that these Northern Cook Inlet stocks are much smaller and in many cases are currently not meeting escapement objectives, necessitates there is a need to maximize the protections offered through the management plan and the subsequent “conservation corridor.”

The ability of the drift gill net fleet fishing in the EEZ to harvest large numbers of salmon, e.g., potentially harvesting 300,000 salmon per opening as noted in Amendment 16, causes concern. Especially when this potential could be realized during the critical period (July 16 to August 15) of moving fish through the Central District. Amendment 16 proposes two 12-hour periods each week on Monday from 7 a.m. until 7 p.m. and Thursday from 7 a.m. until 7 p.m. As stated in the proposed Amendment 16,

*“Fishing at a rate to fully harvest the most abundant stocks would likely result in overfishing on these weaker or less abundant salmon stocks...the State has reduced the number of drift gillnet fishing periods in Cook Inlet EEZ waters after July 15 to minimize mixed stock harvests.” Page - 72323*

The proposed two 12-hour fishing periods per week after July 15 would actually increase fishing time during the critical period as earlier described and could result in a greater harvest of northern bound salmon, resulting in fewer fish reaching this area. In addition, the proposed amendment also increases the length of legal drift gillnet gear from 150 fathoms to 200 fathoms, which by itself could dramatically increase the catch per unit of effort (CPUE).

The FWC recommends for the period from July 16 to August 15 to allow only one 12-hour fishing period per week and maintain the current drift gillnet length of 150 fathoms. This strategy recognizes a number of factors stated in the proposed amendment:

- 1) Annual catch limits (ACLs) cannot be reliably determined for each stock or stock complex due to the scientific and management uncertainty for the weaker and less abundant salmon stocks, especially those stocks bound for Northern Cook Inlet, therefore Total Allowable Catch (TAC) is to be the management target. Determining a Total Allowable Catch (TAC) for the EEZ waters would be skewed more towards the more abundant and stronger salmon stocks and potentially allow for an over harvest of the smaller and weaker stocks.
- 2) Because of the mixed-stock nature of the fishery, stocks would be harvested after the TAC has been reached. Therefore, a TAC for EEZ waters for the first 5-6 years must be established conservatively due to the fact that the existing data on harvests in the EEZ are estimates based on data that never differentiated between salmon harvested in State waters and those harvested in the EEZ.
- 3) Timely inseason escapement data for Northern Cook Inlet salmon stocks are not possible. This is due to the fact that enumerating fish migrating into these rivers and streams occurs well after fish being harvested in EEZ waters.
- 4) In order to establish a reliable TAC based on the proportional contribution of each stock to this fishery, better data must first be established which would include in-season genetic data and more robust escapement data for salmon stocks of Northern Cook Inlet. Test fisheries need to take place where Northern bound fish are most easily differentiated from Kenai bound fish. Using averages of previous years to establish the TAC is no substitute for timely in-season management.
- 5) NMFS abilities to make timely inseason management decisions is severely hampered by the process they are required to adhere to. The State of Alaska, Alaska Department of Fish and Game (ADF&G) has proven since statehood, that salmon inseason management requires quick and timely management decisions. As is currently required, to implement an inseason adjustment NMFS must publish a temporary rule in the Federal Register,

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*

requiring a public comment period. This process does not allow NMFS to make timely daily management decisions often required to manage commercial salmon fisheries.

- 6) The NMFS recognizes that it will take time to refine application of their existing management tools as it develops management expertise and collects better data over time. Because of this a more conservative management approach must be implemented in order to restore sustainable salmon populations that are now weak. Weak stocks may not be able to survive the experimentation of the current proposed plan.

The FWC recognizes that due to the rulings from the U.S. Court of Appeals for the Ninth Circuit and the U.S. District Court for the District of Alaska, the NMFS must establish a Fishery Management Plan for the EEZ waters of Cook Inlet. The FWC also recognizes that this fishery would be best managed by ADF&G and not divided by two separate agencies. However, based on decisions made in the past this may not be possible.

The FWC is committed to working with both ADF&G and NMFS in the development of the best Fishery Management Plan for the EEZ waters. It is imperative to realize that the development of a new Fishery Management Plan in one of Alaska's most complex salmon fisheries requires from the onset a very conservative approach.

The FWC encourages the NMFS and the NPFMC to find an effective and scientifically justifiable management process before implementing the proposed plan. The complexity of the situation must be recognized and already weak stocks cannot be allowed to be overfished.

Sincerely,



Peter Probasco, Vice Chair  
Mat-Su Borough Fish and Wildlife Commission

Enclosure: 2024 It Takes Fish To Make Fish, Matanuska-Susitna Borough Fish & Wildlife Commission

CC: Edna Devries, Mayor, Matanuska Susitna Borough  
Mike Dunleavy, Governor, State of Alaska  
Doug Vincent-Lang, Commissioner, State of Alaska, ADF&G  
Dan Sullivan, Senator, State of Alaska  
Lisa Murkowski, Senator, State of Alaska  
Mike Shower, Senator, State of Alaska  
David Wilson, Senator, State of Alaska  
Shelley Hughes, Senator, State of Alaska  
Kelly Merrick, Senator, State of Alaska  
Mary Peltola, Representative, State of Alaska  
David Eastman, Representative, State of Alaska  
George Rauscher, Representative, State of Alaska  
Kevin McCabe, Representative, State of Alaska  
DeLena Johnson, Representative, State of Alaska  
Jesse Sumner, Representative, State of Alaska  
Cathy Tilton, Representative, State of Alaska  
Dan Saddler, Representative, State of Alaska  
Jamie Allard, Representative, State of Alaska

*Providing Outstanding Borough Services to the Matanuska-Susitna Community.*



# Susitna Basin Recreation Rivers Management Plan

## Public Review Draft – Summary of Changes

January 2024

This document is a summary of the major plan changes but is not inclusive of all of the changes to the plan. Please consult the plan text for details.

## CHAPTER 1: Introduction & Background

### Description of the Planning Area

- Figures updated.

### Resources and Uses in the Area

- Removed this section because it was duplicative of information contained in Chapters 2 & 3.

### Why this Plan was Developed

- Text updated to reflect current conditions.

### How this Plan was Developed

- Updated text to reflect current planning effort.
- Clarified planning process outline.

### Planning for State & Borough Land

- Removed section. Information contained elsewhere in plan.

### Summary of Plan Implementation & Modification

- Removed section. Information contained elsewhere in plan.

### Summary of Changes to Major Plan Proposals

- Removed section. This section was developed as part of the original planning effort to address issues relevant to creating the original plan.





# Susitna Basin Recreation Rivers Management Plan

## Public Review Draft – Summary of Changes

January 2024

## CHAPTER 2: Areawide Land & Water Management Policies

### Regulations

- Updated to include current regulations.

### Public Use Sites & Special Management Areas

- Updated figures.

### Riparian Management Areas

- Clarified language on Water Quality.

### Upland Development

- Updated language under Unauthorized Cabins to meet current DNR practices.
- Updated language under Utilities to meet modern best management practices.

### Shoreline Development

- Updated Management Guidelines to meet modern best management practices.
- Updated Types of Development to meet modern best management practices.
- Updated the Floating Docks section to allow for specific lake conditions (such as low water levels) to be considered when permitting docks. Also updated section to meet modern best management practices.
- Removed existing Erosion Control Projects, Docks, Ladders, Walkways... section on developments that existed before the original 1991 was adopted.
- Updated Stream Crossings section to meet modern best management practices.

### Recreation

- Updated Management Guidelines to include promulgated regulations.
- Updated Volunteers section to include more potential volunteer opportunities.
- Updated Crowding and Use Limits section to reflect current conditions.



# Susitna Basin Recreation Rivers Management Plan

## Public Review Draft – Summary of Changes

January 2024

### Fish & Wildlife Habitat

- Updated Management Guidelines to include current language on U.S. Fish & Wildlife Service guidance on bald eagles.
- Added a section on Invasive Species Concerns to address issues with the aquatic invasive plant Elodea and invasive northern pike.
- Removed the section on Grazing to reflect current conditions.

### Commercial

- Updated Management Guidelines to include promulgated regulations.
- Removed In-kind Services & Accounting for Revenues sections to reflect current DNR practices.
- Updated the Lodges section to reflect current conditions.
- Updated Commercial Camps section to include promulgated regulations and to reflect current DNR practices.

### General Access

- Updated Management Guidelines to include promulgated regulations and to reflect current DNR practices.

### Boat Access

- Updated Erosion and Other Environment Impacts section to reflect recent studies on the effects of jetboats on fish.
- Updated Regulations and Personal Watercraft sections to include promulgated regulations.

### Upland Access

- Updated Management Guidelines section on Large Vehicle Use in Winter to include promulgated regulations.
- Updated Roads and Both Types of Vehicular Trails section on Protection of Hydrologic Systems to reflect modern best management practices and minimize slope instability.
- Updated Trails section to reflect the current route of the Iditarod Race Trail.
- Updated the Off-Road Vehicles section to reflect language of promulgated regulations.



# Susitna Basin Recreation Rivers Management Plan

## Public Review Draft – Summary of Changes

January 2024

- Removed mention of the Coastal Management Program from the section on Access to Private Land and Mining Locations. This program no longer exists.

### Air Access

- Updated Management Guidelines to reflect current conditions.

### Water & Solid Waste

- Included additional language in the Litter section on signage at access points for educational purposes.
- Updated Wastewater Disposal Systems section to reflect current regulations.
- Updated Fuel Storage section to meet modern best management practices.
- Updated Instream Flow section to reflect current conditions and DNR practices. Instream Flow Reservations have been established for all river corridors except the Talachulitna River and Alexander Creek. Recommendations to file reservations for these two rivers are included.
- The Water Discharge from Mining Operations section was updated to meet current Alaska Department of Environmental Conservation requirements.

### Forestry

- Updated Management Guidelines to include promulgated regulations and to reflect current DNR practices.

### Subsurface Resources

- Updated Management Guidelines – Mining to reflect current Mineral Closing Orders and a Leasehold Location Order within the corridors. Also updated information on permitting to reflect current DNR practices.
- Map updated.
- Removed Reclamation of Mine Sites section. Not needed. Already regulated by statute.

### Materials

- Updated Existing ADOT/PF Pits section to reflect current materials sites.

### Land Status

- Updated Land Acquisition section to reflect current Proposed Additions.



# Susitna Basin Recreation Rivers Management Plan

## Public Review Draft – Summary of Changes

January 2024

- The Classifications, Mental Health Trust Lands and University Lands sections were all updated to reflect current conditions.

### Heritage Resources

- Updated Management Guidelines to reflect promulgated regulations.
- Updated route of Iditarod National Historic Trail.

### Education

- No major updates needed.

### Enforcement

- Updated to reflect promulgated regulations.

## CHAPTER 3: Land & Water Management Policies for Each Management Unit

### Changes throughout the Chapter

- Updated data to reflect current conditions. Examples include: land status, river characteristics, fisheries, sport fishing, special regulations, wildlife, camping, access, development, public use sites, special management areas, among others.
- Technical changes to align management direction with current regulations.
- Removed section on Borough Land classifications. This plan only applies to state land.
- Added sections on subsistence for river corridors.
- Updated all maps.

### Little Susitna River Management Unit

- Updated Boating Restrictions section to remove the proposed South Big Lake Road no-wake area since this extension did not occur.



# Susitna Basin Recreation Rivers Management Plan

## Public Review Draft – Summary of Changes

January 2024

### 1a. Lower Little Susitna River Subunit

- Updated Boating Restrictions section to remove the proposed South Big Lake Road no-wake area since this extension did not occur.
- Removed section on Big Lake Road Extension since this extension did not occur.
- Renamed and updated the Additions and Deletions from Recreation Rivers section to Overlap between Management Unit & Nancy Lake State Rec Area section.
- Removed the Nancy Lake Creek Bridge public use site. This is no longer a proposed addition.
- Removed the Special Management Area for the proposed South Big Lake Road Extension since this did not occur.

### 1c. Upper Little Susitna River Subunit

- Removed section on grazing to reflect current use in the subunit.

## Deshka River Management Unit

- Added information on warming water trends.

### 2i. Upper Moose Creek Subunit

- Updated subunit information to reflect the removal of the Upper Moose Creek proposed addition. This includes the K'da Lake Special Management Area.

## Talkeetna River Management Unit

### 3a. Lower Talkeetna River Subunit

- Removed Boat Launch and Campground Public Use Site and Sheep River Public Use Site.

## Lake Creek Management Unit

- Added information on the migration of the mouth of Lake Creek due to a large flood event.
- Updated information on Special Regulations for rainbow trout fishing.



# Susitna Basin Recreation Rivers Management Plan

## Public Review Draft – Summary of Changes

January 2024

### 4a. Lake Creek Mouth Subunit

- Added information on the migration of the mouth of Lake Creek due to a large flood event.

### 4e. Chelatna Lake Subunit

- Added a Public Use Site at Snowslide Creek.

## Talachulitna River Management Unit

### 5e. Judd Lake Subunit

- Updated Judd Lake Public Use Site to contain shorelands and water column only. Most of the land is now in private or borough ownership.

## Alexander Creek Management Unit

- Added a Special Regulations section. Alexander Creek has been designated special management waters.
- Added a section on Invasive Species to address issues in the corridor with Elodea and northern pike.
- Removed Boating Restriction related to the proposed addition at the mouth of Alexander Creek. Land ownership has changed and this is no longer a proposed addition.

### 6a. Lower Alexander Creek Subunit

- Updated Management Intent to reflect the closure in the Chinook salmon fishery due to impacts from northern pike. Removed information on the proposed addition to the mouth of Alexander Creek. No longer a proposed addition.
- Updated Management Guidelines to remove section on Addition to the Recreation River. No longer a proposed addition due to change in land ownership.
- Removed Alexander Creek Mouth and Granite Creek Public Use Sites. These were within the removed proposed addition.

### 6b. Upper Alexander Creek Subunit



# Susitna Basin Recreation Rivers Management Plan

## Public Review Draft – Summary of Changes

January 2024

- Updated Management Intent to reflect the closure in the Chinook salmon fishery due to impacts from northern pike.

### 6d. Sucker Creek Subunit

- Added a section on Invasive Species Concerns to address issues in the corridor with Elodea and northern pike.

## CHAPTER 4: Implementation

### Areas Recommended for Designation as Recreation Rivers

- Removed some proposed additions due to changes in land ownership and use. Retained recommendations to:
  - Correct overlap between Nancy Lake State Rec Area and the Recreation Rivers Corridor.
  - Proposed addition at Mouth of Prairie Creek.

### Procedures for Plan Review, Modification, & Amendment

- Technical changes to align management direction with current regulations.

### Other Recommendations

- Removed recommendations for Susitna Area Plan Update and Statewide Boating Safety Legislation. These recommendations were completed.

### Future Additions

- Removed some proposed additions due to changes in land ownership and use. Retained recommendation for proposed addition at Mouth of Prairie Creek.

### Fishing Regulations

- Removed section on Fishing Regulations. No longer a recommendation by Alaska Department of Fish & Game.

### Agency Implementation Responsibilities

- Updated implementation responsibilities for each agency based on current and future actions. Added a section for Alaska Department of Environmental Conservation.



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources  
DIVISION OF MINING, LAND & WATER  
Resource Assessment & Development Section

550 West 7<sup>th</sup> Avenue, Suite 1050  
Anchorage, AK 99501-3579  
Main: 907.269-8534  
TTYL 711 or 800-770-8973  
Fax: 907-269-8915

January 5, 2024

Subject: Susitna Basin Recreation Rivers Management Plan Issued for Public Review and Comment.

Dear Interested Community Members and Organizations,

The Department of Natural Resources (DNR) has released the Public Review Draft (PRD) of the Susitna Basin Recreation Rivers Management Plan for public review and comment. Following the public review period, DNR intends to adopt the plan with any changes that may result from the input received. Once adopted, this plan will serve as the basis for the management of these recreation rivers for the next 20 years. This plan affects approximately 241,000 acres of state-owned land and waters designated in 1988 by the Alaska legislature as recreation rivers under the Recreation Rivers Act (AS 41.23.400-41.23.510). The primary purpose for the establishment of the six recreation rivers is their maintenance and enhancement for recreation. The six rivers are:

- ❖ Little Susitna River
- ❖ Deshka River (Kroto Creek / Moose Creek)
- ❖ Talkeetna River
- ❖ Lake Creek
- ❖ Talachulitna River
- ❖ Alexander Creek

The original Susitna Basin Recreation Rivers Management Plan was completed in August of 1991. Much has changed in the 30+ years since the original plan was adopted that needs to be recognized and addressed. In response, DNR initiated a plan revision process. Through this planning process, DNR is working to find alternatives with the greatest benefits for all Alaskans. Public involvement is essential to ensure that future actions are not only consistent with the agency mission and the enabling legislation, but also present a shared vision for the future of the Susitna Basin Recreation Rivers. Your written comments are encouraged during this public comment period. The PRD is available online; on USB flash drive by request; and reference copies will be available in print format at public libraries in Talkeetna and Wasilla. **Comments on the PRD must be received by March 5, 2024 by mail, email or through the website provided below.**

To review or download an electronic version of the PRD or to submit comments online, visit: <https://dnr.alaska.gov/mlw/planning/mgtplans/susitna-revision/>. Comments can also be emailed to [recreationrivers@alaska.gov](mailto:recreationrivers@alaska.gov) or mailed to:

Recreation Rivers Management Planning  
550 West 7th Ave, Suite 1050  
Anchorage, Alaska 99501-3579



To facilitate your review, public meetings have been scheduled in the communities indicated below and virtually during this comment period. Representatives from the Division of Mining, Land & Water will be present at these meetings to answer questions you may have about the plan. You are welcome to attend any of the scheduled meetings.

<u>Location</u>	<u>Date</u>	<u>Time</u>
Talkeetna Public Library 24645 Talkeetna Spur Road Talkeetna, AK 99676	Tuesday, January 30, 2024	5:00 - 7:00 PM
Robert Atwood Conference Room (104) Robert B. Atwood Building 550 West 7 <sup>th</sup> Avenue Anchorage, AK 99501	Wednesday, January 31, 2024	12:00 - 2:00 PM
Virtual Meeting via Microsoft Teams (see project webpage for info on how to join)	Wednesday, January 31, 2024	5:30 - 7:00 PM
Wasilla Library Large Multi-Purpose Room 500 North Crusey Street Wasilla, AK 99654	Thursday, February 1, 2024	5:15 - 6:45 PM

For additional information or to request a USB flash drive, contact:

Rob Earl, Land Use Planner  
 Email: [recreationrivers@alaska.gov](mailto:recreationrivers@alaska.gov)  
 Phone: 907-269-8533

Scan the QR code to be taken to the Susitna Basin Recreation Rivers Management Plan webpage:



*The State of Alaska, Department of Natural Resources, complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aides, services, or special modifications to submit a comment or participate in a meeting, should contact a person indicated above or contact the state TDD number (907)269-8411 seven days (7) in advance of meetings to arrange accommodations.*

33-GS2476\A

Received in the Senate: 1/15/24; Introduced: 1/16/24  
Referred: Resources

Received in the House: 1/15/24; Introduced: 1/16/24  
Referred: Resources

### EXECUTIVE ORDER NO. 134

1 Under the authority of art. III, sec. 23, of the Alaska Constitution, and in accordance  
2 with AS 24.08.210, I order the following:

3 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
4 to read:

5 FINDINGS. As governor, I find that it is in the best interests of efficient  
6 administration to transfer the functions of the Recreation Rivers Advisory Board to the  
7 Department of Natural Resources. Additionally, with the transfer of these functions, I find  
8 that there is no longer a need for the Recreation Rivers Advisory Board and its elimination is  
9 in the best interests of efficient administration.

10 \* **Sec. 2.** AS 41.23.440(a) is amended to read:

11 (a) The commissioner, in consultation with representatives of affected  
12 municipalities, shall prepare and adopt and may revise a management plan for each of  
13 the six recreation rivers and their recreation river corridors. In preparing or revising  
14 the plan, the commissioner and each affected municipality shall consult with the  
15 public and state agencies, including the commissioner of fish and game [AND THE  
16 ADVISORY BOARD ESTABLISHED UNDER AS 41.23.430]. In preparation or  
17 revision of the plan, the commissioner shall comply with the notice requirements of  
18 AS 38.05.945 and provide written notice by first-class mail to private property owners  
19 in the recreation river corridors and shall hold at least two public hearings in  
20 municipalities and communities near the recreation river and the recreation river  
21 corridor. The management plan shall establish long-range guidelines and management  
22 practices consistent with AS 41.23.400 to

23 (1) establish guidelines and restrictions, if necessary, for an activity  
24 occurring under AS 41.23.410 to implement the purposes of AS 41.23.400;

25 (2) protect, maintain, or enhance the fish and wildlife habitat and the  
26 free-flowing nature of the river;

1 (3) identify special recreation values and manage the level of intensity  
2 and types of recreation uses;

3 (4) designate management guidelines for development activities;

4 (5) designate management guidelines for commercial recreation  
5 activities or development, including recreation services;

6 (6) provide for necessary public services, such as transportation and  
7 utility corridors, crossing or fording corridors, public safety, and law enforcement;

8 (7) allow reasonable access to public land and private inholdings,  
9 including municipal land that is offered for sale or lease, and to land beyond or  
10 adjacent to the recreation river and the recreation river corridor;

11 (8) establish criteria and expedient timelines to review future proposed  
12 uses for compatibility with AS 41.23.400.

13 \* **Sec. 3.** AS 41.23.430 is repealed.

14 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
15 read:

16 TRANSITION. (a) The terms of the members of the Recreation Rivers Advisory  
17 Board established under AS 41.23.430 terminate on the effective date of this Order.

18 (b) Litigation, hearings, investigations, and other proceedings pending under a law  
19 repealed or amended by this Order, or in connection with a function transferred by this Order,  
20 continue in effect and may be completed notwithstanding a transfer, repeal, or amendment  
21 provided for in this Order.

22 (c) Contracts, rights, liabilities, and obligations created by or under a law repealed or  
23 affected by this Order, and in effect on the effective date of this Order, remain in effect  
24 notwithstanding this Order's taking effect.

25 (d) Certificates, orders, and regulations in effect on the effective date of this Order that  
26 were issued or adopted under the authority of a law amended or repealed by this Order, or in  
27 connection with a function transferred by this Order, remain in effect for the term issued and  
28 shall be enforced by the agency to which the function is transferred under this Order until  
29 revoked, vacated, or amended by the agency to which the function is transferred.

30 (e) Records, equipment, appropriations, and other property of an agency of the state  
31 whose functions are transferred under this Order shall be transferred to implement the

- 1 provisions of this Order.
- 2 \* **Sec. 5.** This Order takes effect July 1, 2024.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Mike Dunleavy  
Governor



US Army Corps  
of Engineers  
Alaska District

ANCHORAGE  
Regulatory Division (1145)  
CEPOA-RD  
Post Office Box 6898  
JBER, Alaska 99506-0898

# Public Notice of Application for Permit

<b>PUBLIC NOTICE DATE:</b>	<b>15 December 2023</b>
<b>EXPIRATION DATE:</b>	<b>15 January 2024</b>
<b>REFERENCE NUMBER:</b>	<b>POA-2023-00398</b>
<b>WATERWAY:</b>	<b>Little Meadow Creek</b>

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

All comments regarding this public notice should be sent to the address noted above. If you desire to submit your comments by email, you should send it to the project manager's email as listed below or to [regpagemaster@usace.army.mil](mailto:regpagemaster@usace.army.mil). All comments should include the public notice reference number listed above.

All comments should reach this office no later than the expiration date of this public notice to become part of the record and be considered in the decision. Please contact Estrella Campellone at (907) 753-2518, toll free from within Alaska at (800) 478-2712, or by email at [estrella.f.campellone@usace.army.mil](mailto:estrella.f.campellone@usace.army.mil) if further information is desired concerning this public notice.

**APPLICANT:** Sterling Cook, 4051 E. Brenda Avenue; Wasilla, Alaska, 99654. Telephone: (907) 841-5771. Email: [sscook78@yahoo.com](mailto:sscook78@yahoo.com)

**LOCATION:** The project site is located within Section 27, T. 18 N., R. 2 W., Seward Meridian; USGS Quad Anchorage C-7; Latitude 61.623021° N., Longitude 149.622168° W.; Matsu Borough Account Number 57331000L004 (Lot 4-Parcel ID 523619) and Account Number 57331000L003 (Lot 3-Parcel ID 523619), MooseyBou Properties, in Wasilla, Alaska.

**PURPOSE:** The applicant's stated purpose is to provide the much-needed space for private seaplane operations in the Matanuska-Susitna valley. Currently there are only few locations that do provide floatplane slips, and all are backlogged with over a seven (7) year waiting

period for an opportunity to obtain a floatplane use space. The proposed project would relieve existent demand for floatplane slips on local lakes that support anadromous fish species, which are already congested with recreational boat traffic.

**PROPOSED WORK:** The applicant is proposing to construct a seaplane base by building 31 floatplane slips, each 25-foot wide by 30-feet long deep. Each floatplane slip would be connected to Island Lake through three (3) 75-foot-wide access channels and one (1) 150-foot-wide main channel. To maintain water flows in Meadow Creek, the applicant proposes to reroute a section of Meadow Creek through the seaplane base. Hydrology would be directed through a trench into a 60-foot long by 12-inch diameter culvert under existing runway. The proposed project would require the excavation of 13,398 cubic yards of organics from 3.11 acres of palustrine wetlands to create the seaplane base basin and filling and/or modifying at most 3.30 acres of palustrine wetlands around the excavated area to provide access and operate seaplane base activities. All work would be performed in accordance with the enclosed plan (sheets 1, 2, and 4 dated December 7, 2023, sheet 3 dated August 23, 2023, and sheet 5 dated August 29, 2023).

**ADDITIONAL INFORMATION:** The applicant would be contacting the following State and local agencies: Alaska Department of Fish and Game and the Matanuska Susitna Borough.

**APPLICANT PROPOSED MITIGATION:** The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

a. Avoidance: The applicant would minimize impacts on wetlands as much as possible by designing the project to fill only wetland areas needed for accessing and operating the seaplane base.

b. Minimization: The seaplane base channels would only be dug out 3-4 feet to minimize the amount of excavated material proposed for discharge on the sides of floatplane slips and on the edges of channels. Banks and edges of the channels and slips would be planted with grass to stop the erosion process and stabilize the edges of the seaplane base perimeter. Seeding of slip sides would occur during the first growing season after construction and would continue during two more growing seasons or as necessary until disturbed ground has been stabilized. All construction and excavation work would take place in winter, while peat is frozen. The seaplane basin would be connected to Island Lake once construction of slips and connecting channels are completed to minimize sediment transport outside project footprint and/or downstream to reaches that provide habitat to salmon. Excavated peat material that is not used to create access areas would be discharged in uplands. Hydrology would be maintained by constructing an outbound trench connected to a culvert underneath existing runway; this for the purpose of allowing water flows from Island Lake to move freely through the seaplane basin and into Little Meadow Creek's lower reaches.

c. Compensatory Mitigation: The applicant did not propose compensatory mitigation.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation (ADEC). On October 19, 2023, the Corps provided information to the applicant regarding the process required to obtain a Water Quality Certification from ADEC.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no cultural resources in the permit area or within the vicinity of the permit area. The permit area has been determined to be the area of wetlands and uplands within Lot 3 and Lot 4 as shown in Sheet 3 attached. Consultation of the AHRs constitutes the extent of cultural resource investigations by the U.S. Army Corps of Engineers (Corps) at this time, and we are otherwise unaware of the presence of such resources. The Corps has made a No Potential to Cause Effects determination for the proposed project. Consultation with the State Historic Preservation Office (SHPO), Federally recognized Tribes, and other consulting parties is not required. However, any comments SHPO, Federally recognized Tribes, and other consulting parties may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

We have determined the described activity would have no effect on any listed or proposed threatened or endangered species and would have no effect on any designated or proposed critical habitat, under the Endangered Species Act of 1973 (87 Stat. 844). Therefore, no consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service (NMFS) is required. However, any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

Although the proposed project site is not within mapped EFH, Little Meadow Creek is an anadromous creek (AWC Code: 247-50-10330-2050-3050-4027-5061) and provides rearing habitat to coho salmon (*Oncorhynchus kisutch*) up to the culvert across Pitman Road (approximately 550 feet downstream from the project site).

We have determined the described activity would not adversely affect EFH in the project area.

TRIBAL CONSULTATION: The Corps fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government.

Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Corps, Alaska District, on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This public notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal rights or resources. Consultation may be initiated by the affected Tribe upon written request to the District Commander. This application is being coordinated with federally recognized tribes and other consulting parties. Any comments federal recognized tribes and other consulting parties may have concerning presently unknown archeological or historic data that may be lost or destroyed by the work under the requested permit will be considered in the Corps final assessment of the described work.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act.



Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

AUTHORITY: This permit will be issued or denied under the following authorities:  
(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

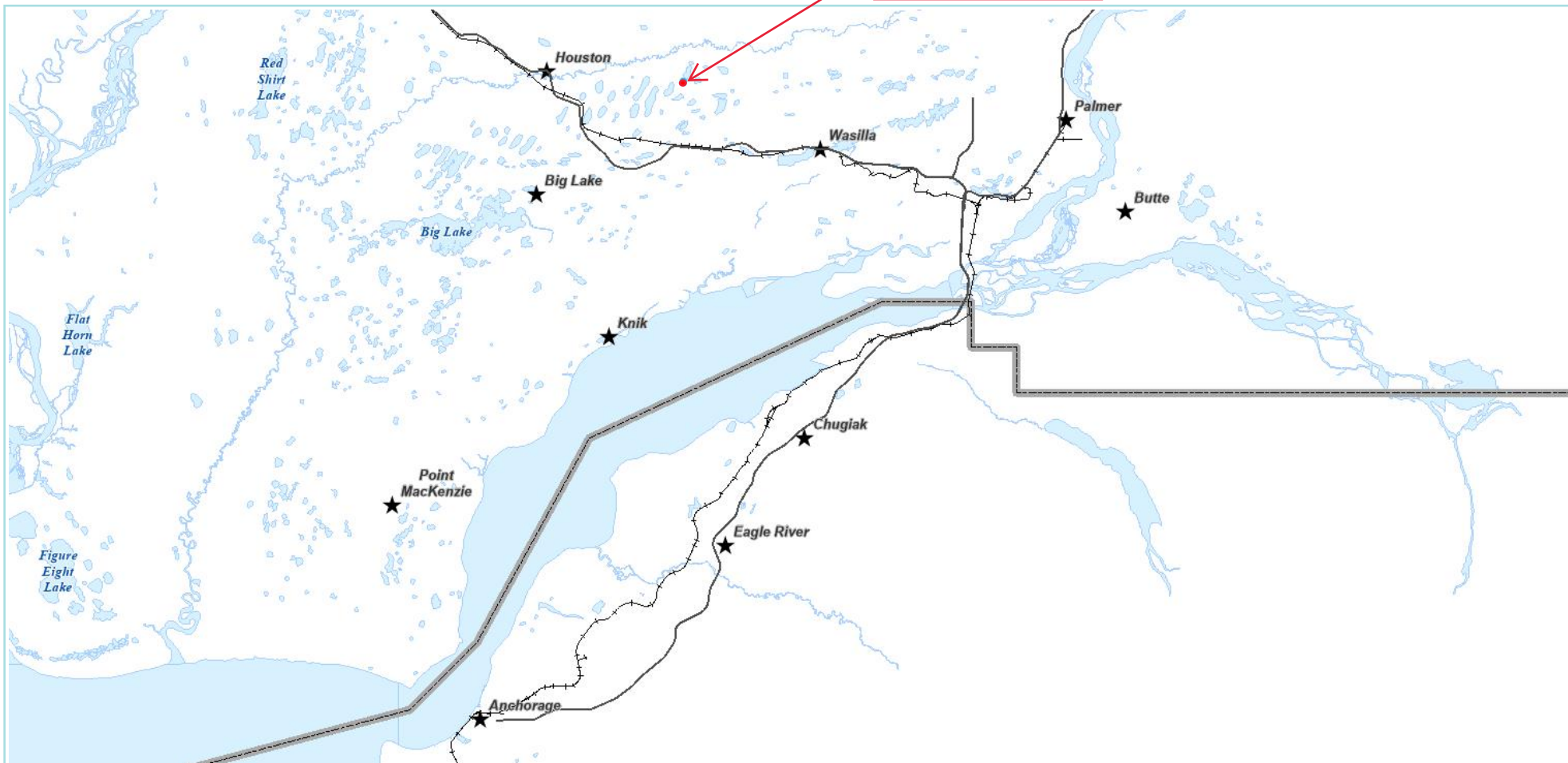
Project drawings are enclosed with this public notice.

District Commander  
U.S. Army, Corps

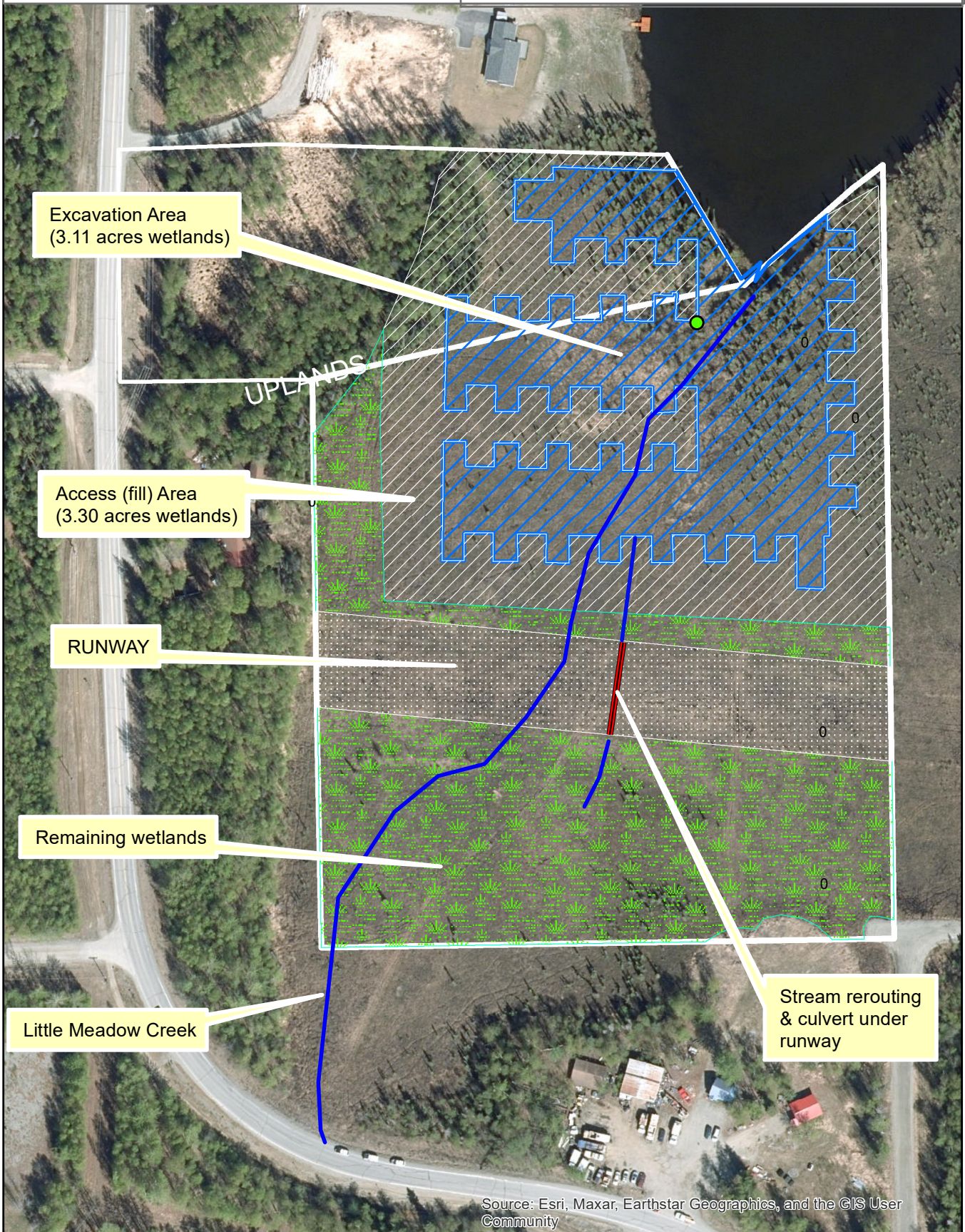
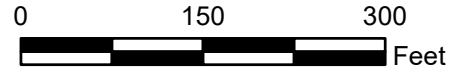
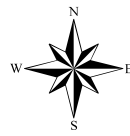
Enclosures

Meeting POA-2023-00398  
 Waterway: Little Middle Creek  
 Project: Floatplane Base  
 Applicant: Sterling Cook  
 Date: December 7, 2023  
 Sheet 1 of 5

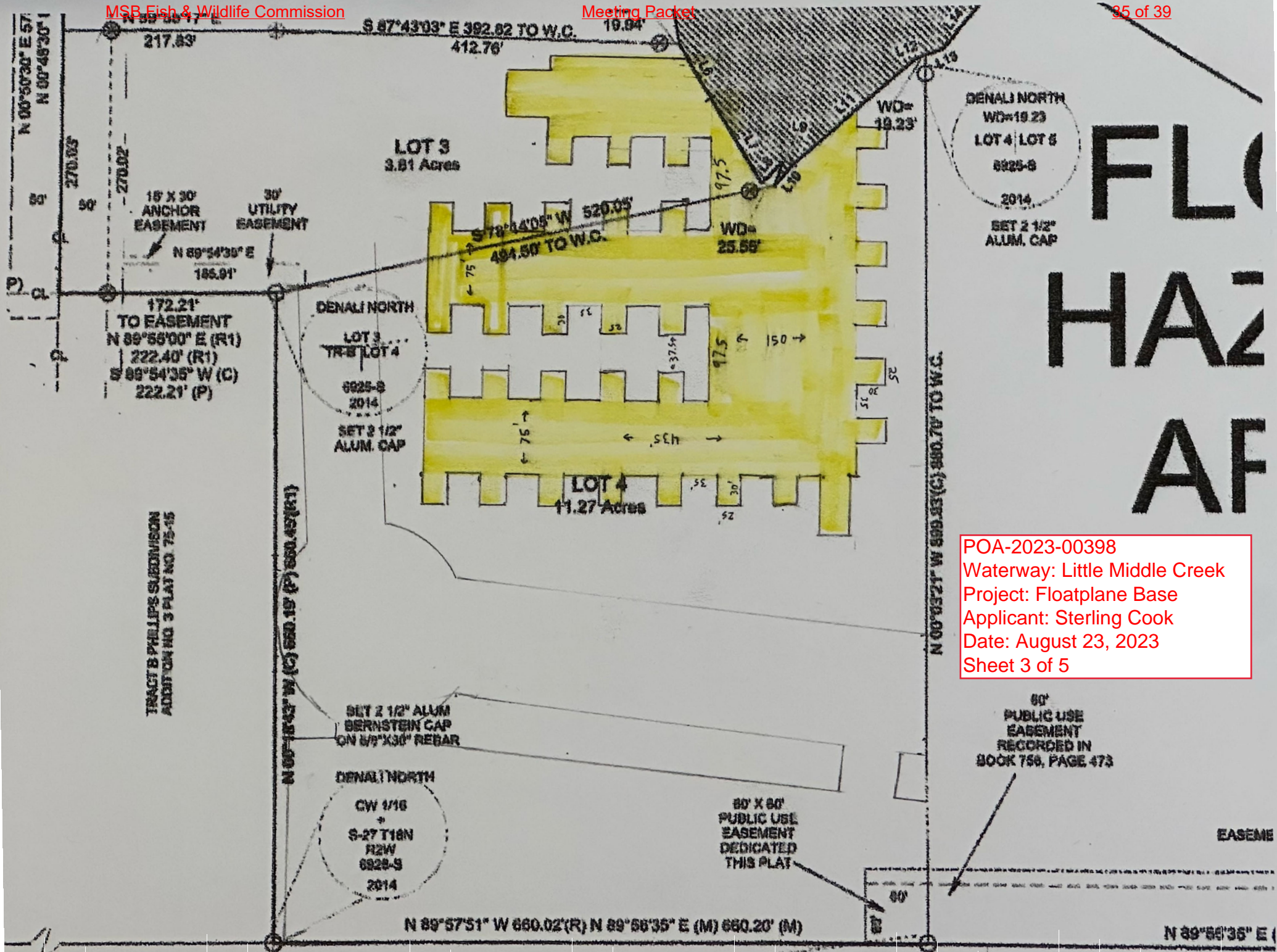
Project Location



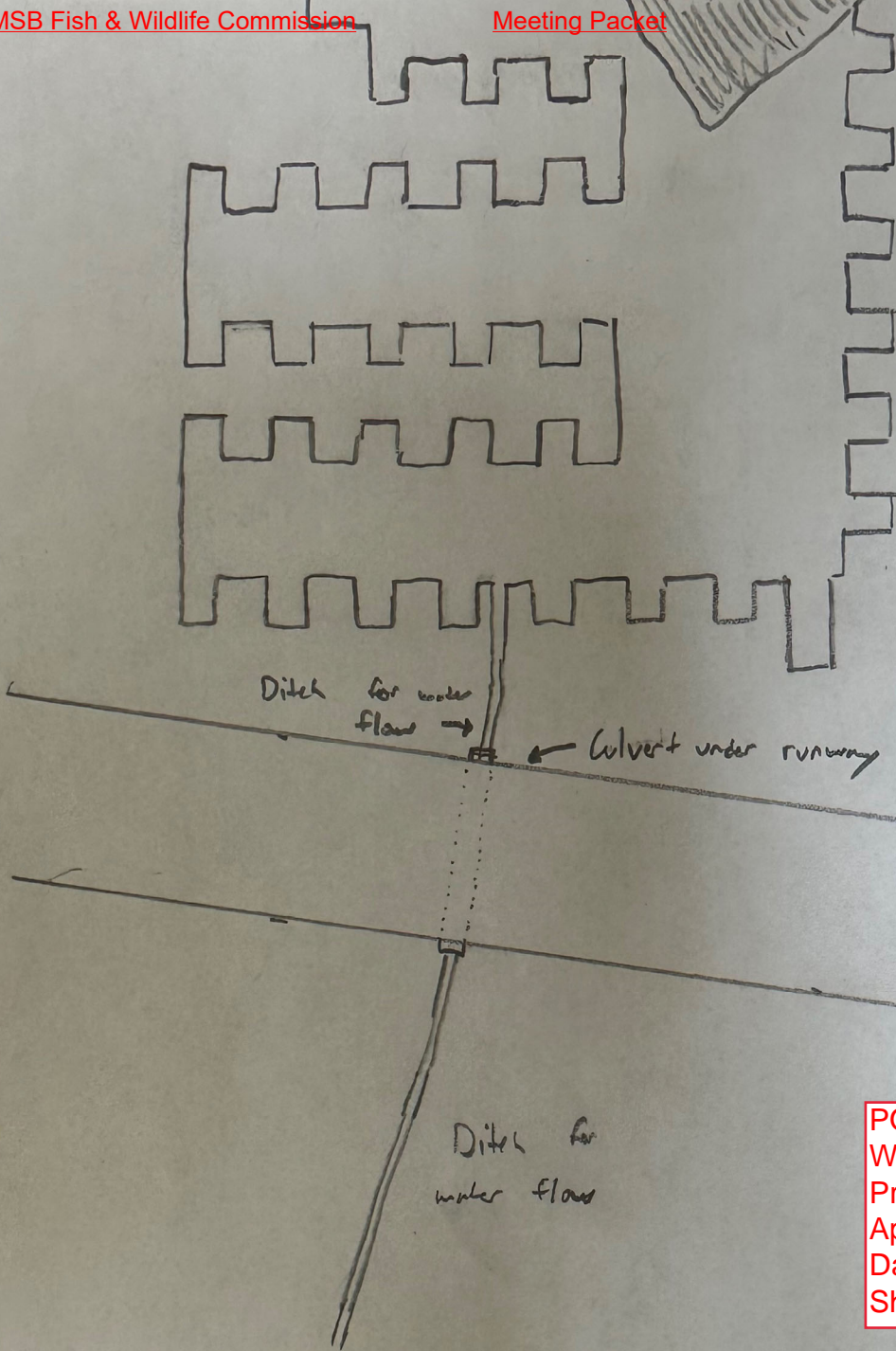
POA-2023-00398  
Waterway: Little Middle Creek  
Project: Seaplane Base (31 floatplane slips)  
December 7, 2023  
Sheet 2 of 5



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



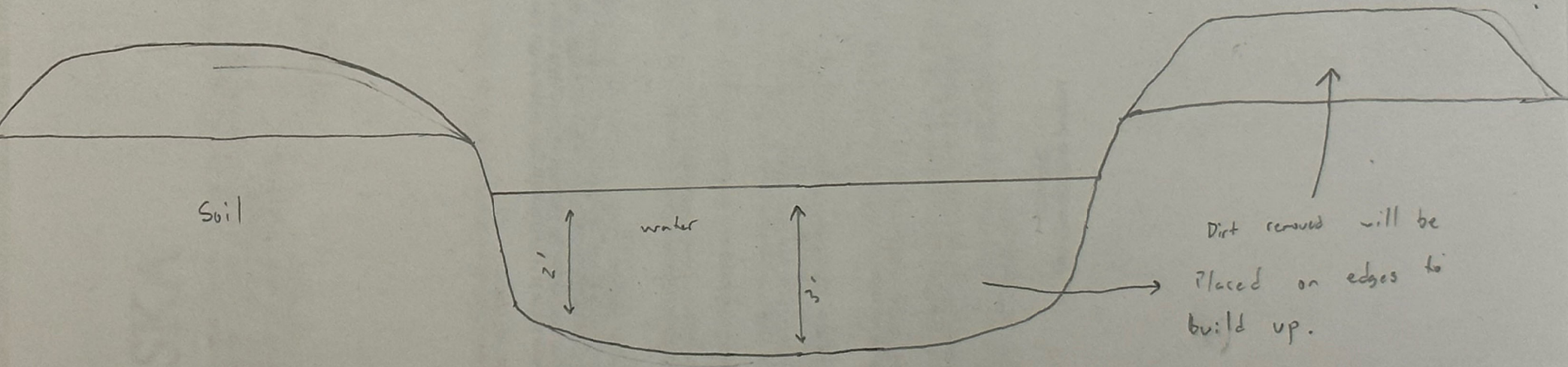
POA-2023-00398  
 Waterway: Little Middle Creek  
 Project: Floatplane Base  
 Applicant: Sterling Cook  
 Date: August 23, 2023  
 Sheet 3 of 5



POA-2023-00398  
Waterway: Little Middle Creek  
Project: Floatplane Base  
Applicant: Sterling Cook  
Date: December 7, 2023  
Sheet 4 of 5

Island Lake float plane base

POA-2023-00398  
Waterway: Little Middle Creek  
Project: Floatplane Base  
Applicant: Sterling Cook  
Date: August 29, 2023  
Sheet 5 of 5



12 January 2024

Estrella Campellone  
Army Corps of Engineers, Regulatory Division, CEPOA-RD  
PO Box 6898  
JBER, Alaska 99506-0898  
estrella.f.campellone@usace.army.mil

Re: POA-2023-00398

Dear Ms. Campellone:

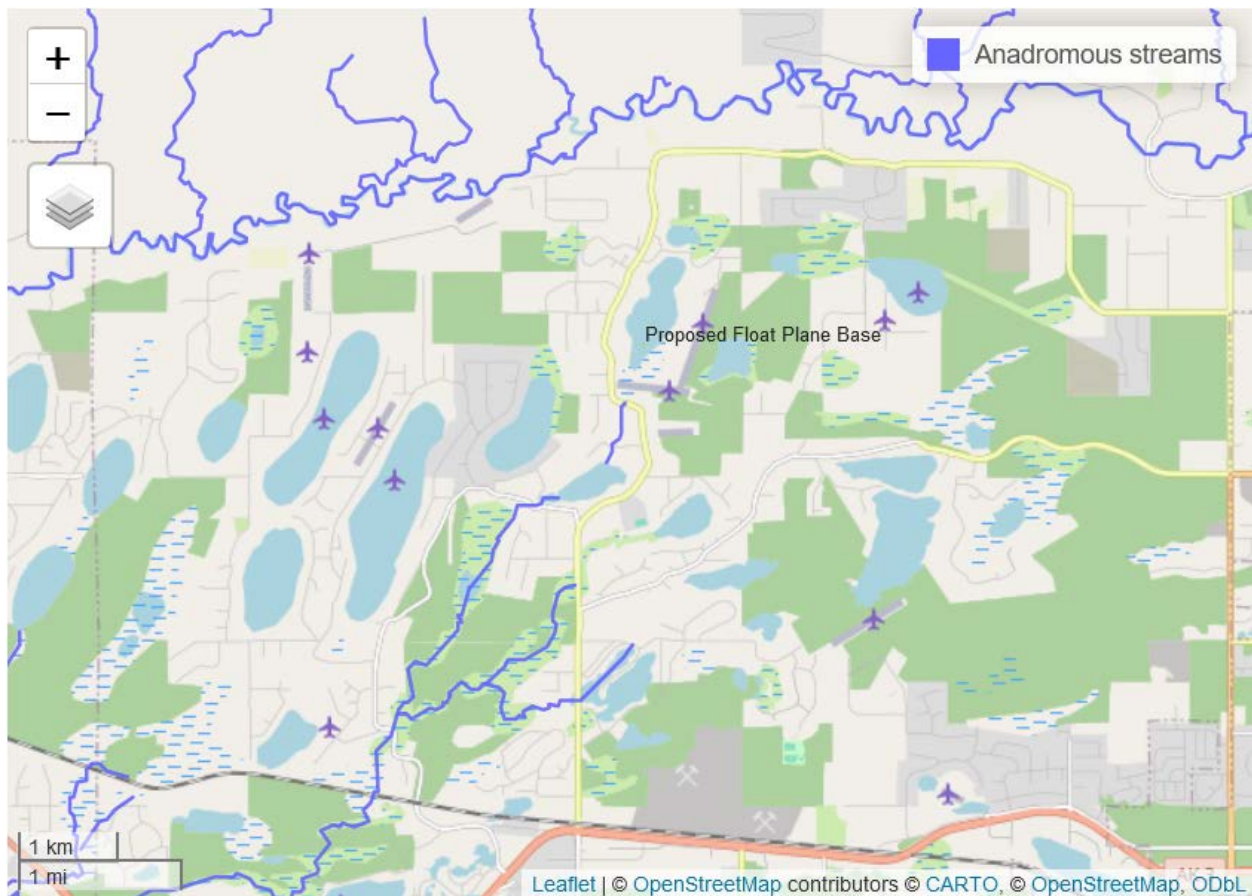
I request that you deny the permit for the float plane dock in the current planned location. Island Lake, where this facility is to be located is at the headwaters of Little Meadow Creek, which has coho rearing in it (AWC # 247-50-10330-2050-3050-4027-5061). The stream appears to originate from the south end of the lake with coho known to be as far up as North Pittman Road, where the wetlands between the lake and anadromous section of the stream exist. It is this wetland that the permit requests to dredge and fill for access to the proposed float plane dock. It is likely that there are coho all the way to Island Lake, and that the 550 feet between the road and lake simply have not been documented yet.

I object on the following grounds:

1. The project would dredge and fill wetlands that are necessary for an anadromous stream. Wetlands generally play important roles in filtering sediment and pollutants out of waters, provide habitat for the insects fish feed on, provide nutrients, allow flood waters to infiltrate so that fish habitat downstream is subject to fewer extremes in flood flow (that can scour fish habitat) and low flow (that can lower the oxygen and raise the temperature in streams). Simply routing water through a culvert will not fulfill any of these wetland functions.
2. Placing a large number of float planes on the lake will increase the pollution from gas and oil. This will not only increase pollution in the lake, but by removing wetlands, there will be a much smaller wetland area to help filter pollutants from the south end of the lake and the access road before they reach coho habitat.
3. There does not appear to be any plan to ensure that *Elodea* does not become established in Island Lake and surrounding lakes. *Elodea* is already a large problem that the Mat-Su Borough and partners have been trying to reduce for several years.
4. There are numerous seaplane bases within 10 miles, several within two miles of the proposed location. NONE of them are next to anadromous streams. A few of the closest ones are:
  - June Lake, with an associated Airpark, less than half a mile away with room for 30 aircraft. It is unclear whether this is a public seaplane base (<https://www.alaskahandbook.com/places/june-lake-seaplane-base-2/>) or private (<https://www.airnav.com/airport/66AK>).
  - Seymore Lake seaplane base, public, with room for 22 planes (<https://www.airnav.com/airport/3A3>)
  - Visnaw Lake seaplane base, public, with room for 22 planes (<https://www.airnav.com/airport/T66>)

- Wallis Lake seaplane base, private, room for 5 aircraft  
(<https://www.airnav.com/airport/62AK>)
5. If the existing seaplane bases are not sufficient for the need, there are other lakes in the area that are not associated with anadromous streams, such as Scott and Lalen Lakes.

Below is a screenshot of an interactive map I made of the area. The proposed float plane base is the lake that the “P” in “proposed” is on, with runways to the south and east. The full interactive map is available on request.



I urge you to deny this permit application, and request that one be submitted that does not put anadromous streams, and especially a stream with associated wetlands, at risk.

Thank you,

Kendra Zamzow  
PO Box 1250  
Chickaloon, AK 99674