



Consider producing a publication on the evolution of the legal framework for fish protection in Alaska.

Need to incorporate a watershed level approach versus just focusing on the stream miles identified as containing anadromous fish. We understand as scientists that what happens upstream has a large effect downstream. Not everyone understands this. authority currently does not apply on watershed level.

NGOs may be good source for who could perform review of statutes. Current BOF Habitat Proposal could address also.

3. Need to identify a vision of what Alaskans want for the future of their salmon populations?

Need to identify who should be making the decisions and who should be involved?

Does Alaska know what it wants for its future? Is what we want incorporated in the sustainable yield policy?

The Salmon Project may be a resource for this? We also want to know what the governor and elected officials envision on this topic.

4. Need to revisit the Coastal Zone Management Program to identify benefits of local input and coordination. Currently there are communication challenges and fragmentation throughout the permitting and land management process - including limited public notice. There needs to be progress on how people and agencies are notified of actions.

5. Need review of broad scale geographic changes in land use happening across Alaska and an assessment of how ownership impacts habitat use and may impact salmon. Many lands adjacent to anadromous waters in western Alaska are privately owned, including by tribes and native corporations. As a result, effective conservation requires an interest by these land owners in protecting and maintaining salmon habitat in their area. A mechanism or process for dialog on this topic is needed. Tribal partners, Fish Habitat Partnerships and the university may play a role here.

6. Need to educate the public on the importance of the watershed and role floodplains play on the function of the aquatic ecosystem

- Permitting process is designed to get to a yes, we need a no option
- Permitting transparency what is efficiency and what is cutting corners?
- Limitations of AWC (many waters not protected, need fish in hand/part of defensible requirements for court proceedings, expensive program, state has the burden of proof)
- Complications of federal and state management authorities
- Challenges of reduced state budgets
- Concern with the ACOE not requiring wetlands mitigation
- Is there a pathway for Coastal Zone Management in Alaska?

Restoration is more expensive than conservation in the long run

Hatcheries do not mitigate lost habitat

Enforcement of habitat protection violations needs to be reviewed







- number that should be in the catalogue that have not been sampled due to the costs. Not much money causes reliance on people in the community.
- The point that streams should be assumed anadromous until proven otherwise is hard to defend in legal system. Courts likely to throw out cases.
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  - resource users versus the state?
  - Catalogue used to determine Essential Fish Habitat under federal designations.

After lunch the group reconvened.

Group recognition that we are lacking developers in the conservation. Moving forward future discussions need to incorporate the opinions of developers.

#### NEXT STEPS

Identify 5 actions to discuss for moving forward. We want to come out of the workgroup with ideas of what we should do next.

1. Communicating information on importance of stream habitat on a person by person basis can make a difference. (share examples of why protecting salmon habitat is important, provide context of salmon life cycle, etc...)
2. Review and assess current regulatory and legal framework of existing Fish Habitat related statutes, regulations and enforcement (Title 16, Fish Way Act, Anadromous Fish Act). Review and identification of statutes and regulations that need to be further defined or re-defined. Or maybe just define interpretation more clearly.

#### Need

Look at what other states have done for ideas. California does not distinguish between anadromous and resident fish for regulatory purposes.

Consider publication on the evolution of the legal framework for fish protection on Alaska? Accessible book format.

NGOs may be good source for who could perform review of statutes. Current BOF Habitat Proposal could address also.

We have awareness of the value of our resources and how to protect them. This awareness does not necessarily translate to effective action.

3. Identify a vision of what Alaskans want for the future of their Salmon populations?

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4. Revisit the Coastal Zone Management Program to identify benefits of local input and coordination.

Currently there are communication challenges and fragmentation - including limited public notice.

There needs to be progress on how people and agencies are notified of actions.

5. Review broad scale geographic changes in land use and ownership effects and the effects on salmon habitat.

Many lands in western Alaska have moved from private or tribal ownership to native corporations. Change in motivations.

6. Educate the public on the importance of the watershed/floodplains on the function of the aquatic ecosystem.

Reach out to community councils.

Land trusts, soil and watershed conservation districts.

out info about salmon habitat.