

PROPOSAL 23

5 AAC 40.005. General.

Suspend, revoke, or alter the Tutka Bay hatchery permit to reduce capacity, as follows:

The Tutka Bay Lagoon Hatchery permit has failed to comply with the conditions and terms of the permit and requires

1. an audit and to be placed on notice for Alteration, Suspension, or Revocation of the Permit (AS 16.10.430).
2. lower capacity to 20,000,000 to fit the carrying capacity of this lagoon

Twenty seven years is beyond a reasonable period to allow this boondoggle to continue putting fisherman in debt with a continual future promise.

What is the issue you would like the board to address and why? The 1992 arbitrarily permitted capacity of 125,000,000 pink salmon eggs in a State facility contracted by CIAA is mismatched with the carrying capacity of the functioning ecosystem. This egg capacity failed to consider allotted water capacity, water quality, ecosystem functioning, public access, allocation of users and a realistic cost analysis of funding capability.

It also failed to consider the management authority on the land the hatchery occupies. This has caused grave conflict.

The Tutka Hatchery is not suited to the multiple jurisdictions of authority of laws, policies, goals and Management Plans requiring compliance. All of these are being ignored creating grave conflict with local residents, between agencies and the fisherman themselves.

CIAA is attempting to force multiple agencies to comply with their business plan, as an entitlement, costing the state in time energy and money. This has gone on for years in Kachemak Bay when this hatchery reopened, a continuation of conflict from Resurrection Bay's concerns.

The motive of a "small efficient rehabilitation incubation facility" to contribute to depressed salmon stocks as originally allowed in this State park and Critical Habitat Area is completely opposite from what has morphed into an industrial capacity incessantly expanding cost recovery salmon ranch designed for revenue that provides little public benefit.

This facility is contaminating this area with long term records showing revenue generation goes to the aquaculture association, an exclusive use with feeble access for the common property fisheries. This hatchery is located in Kachemak Bay State Park so there is no room for CIAA to expand anywhere close by. CIAA has bullied the park and wasted valuable time, money, and energy strong arming park authorities and the park board to break the law in a constitutional Special Purpose Site. This Site, a State Park and Critical Habitat Area is reserved from the public domain for the people of the state of Alaska.

It is time for CIAA to lower their capacity or remove their equipment to the Port Graham Hatchery which they own. The hatchery has exceeded its carrying capacity to function at the arbitrary

number of 125,000,000 in the Lagoon. It is an infrastructure that takes millions from the General Fund yet has not contributed adequately to the common property fishery for 27 years.

This lagoon has become heavily contaminated and there are major problems with dissolved oxygen as they try to force what is only damaging the essential habitat more. Instead of lowering their capacity they push to spread this contamination further into the Park without first cleaning up the mess they have made in the lagoon. This will not be allowed to happen.

The hatchery has a physical capacity for barely 80,000,000. But the arbitrary 125,000,000 is forced to fit as they try to mimic hatcheries in PWS that have 25 times the surface area. Even at 50,000,000 they have had major problems with oxygen and silt in the water and major straying of 75% in the head of Tutka Head End Creeks, creating a glut of fish to contaminate and suffocate anadromous waters of the State of Alaska.

Tutka Bay and Lagoon was once a very prolific crab shrimp and herring habitat. The Tutka Hatchery releases of hatchery fish purposely onto these preferred zooplankton of our future fisheries. Standing stocks of preferred crab and shrimp larvae as fodder for a pink salmon ranch is not consistent with the management authority of these designated areas.

When this hatchery closed in 2004 the area breathed a sigh of relief from the predator pit removed and the Dungeness crab and tanner crab began to rebound into substantial numbers when ADFG did a survey. Is this a coincidence?

Tutka Bay is a silled fjord recognized for its high productivity located in the essential habitats of a: constitutional Special Purpose Site; legislatively designated Kachemak Bay Critical Habitat Area' State Park lands and waters; NOAA Habitat Focus Area; and National Estuarine Reserve. Art VIII Sec 7; AS 38.04.070; AS 41.21.131; AS 41.21.990; AS 16.20.590; AS 16.21.500; AS 16.20.580; AS 16.05.020; AS 16.05.050; AS 16.05.255; AS 16.20.520: AS 16.20.530; 5AAC 95.610

The ADFG Habitat Management Atlas and CHA Management Plan designated Tutka Bay as a Dungeness crab reproductive concentration area, shrimp spawning concentration area, clam concentration area, and herring spawning concentration area.

The constitutional and statutory mandates on these waters provide the strongest resource conservation protection afforded by legislative action from the State of Alaska. However all statutes, regulations, policies and goals have been disregarded by this industrial hatchery being placed here. This noncompliance must cease.

PROPOSED BY: Jeffrey Lee

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