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2 **Mitigation**

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5 **Background**

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7 When issuing permits and leases or otherwise authorizing the use or development of state
8 lands, DNR will recognize the requirements of the activity or development and the benefits it
9 may have to uses and habitat when determining stipulations or measures needed to protect
10 fish and wildlife, or their habitats. When an authorization may result in significant adverse
11 impacts to fish and wildlife or their habitats, DNR will consult with ADFG. The costs of
12 mitigation relative to the benefits to be gained will be considered in the implementation of
13 this policy.

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15 The department will enforce stipulations and measures, and will require the responsible party
16 to remedy any significant damage to fish and wildlife, or their habitats that may occur as a
17 direct result of the party's failure to comply with applicable law, regulations, or the
18 conditions of the permit or lease.

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20 **Goal**

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22 Minimize impacts of authorized activities on fish, wildlife and their habitats.

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24 **Management Guidelines**

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26 When determining appropriate stipulations and measures, the department will apply the
27 following steps in order of priority. Mitigation requirements listed in other guidelines in this
28 plan will also follow these steps.

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- 30 1. Avoid anticipated, significant adverse effects on fish and wildlife, or their habitats
31 through siting, timing, or other management options.
- 32 2. When significant adverse effects cannot be avoided by design, siting, timing, or other
33 management options, the adverse effect of the use or development will be minimized.
- 34 3. If significant loss of fish or wildlife habitat occurs, the loss will be rectified, to the
35 extent feasible and prudent, by repairing, rehabilitating, or restoring the affected area
36 to a useful state.
- 37 4. DNR will consider requiring replacement with other areas with like resource values
38 or enhancement of fish and wildlife habitat when steps 1 through 3 cannot avoid
39 substantial and irreversible loss of habitat. ADFG will clearly identify the species
40 affected, the need for replacement or enhancement, and the suggested method for
41 addressing the impact. Replacement with or enhancement of similar habitats of the
42 affected species in the same region is preferable. DNR will consider only those
43 replacement and enhancement techniques that have either been proven to be, or are
44 likely to be, effective and that will result in a benefit to the species impacted by the

1 development. Replacement or enhancement will only be required by DNR if it is
2 determined to be in the best interest of the state either through the Best Interest
3 Finding process AS 38.05.035(e) or permit review process. Replacement may
4 include structural solutions, such as creating spawning or rearing ponds for salmon,
5 creating wetlands for waterfowl; or non-structural measures, such as research or
6 management of the species affected, legislative or administrative allocation of lands
7 to a long-term level of habitat protection that is sufficiently greater than that which
8 they would otherwise receive, or fire management to increase habitat productivity.
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