

Kenai River Special Management Area Advisory Board

*** Meeting Minutes***

Thursday, October 08, 2015,
5:30 p.m. Gilman River Center
Soldotna, AK

I. CALL TO ORDER

- A. **Roll Call:** Joe Connors, Ricky Gease, Brendyn Shiflea, Clayton Holland, Dwight Kramer, Ted Wellman, Branden Bornemann, Brent Johnson, Matt Connor, Robert Begich, Jack Blackwell and Jeanne Swartz.
- B. **Minutes Approval:** Approved as written.
- C. **Agenda:** Approved as written.

II. Public Comments/Presentations

III. REPORTS

1. Agency and Government Reports:

A. State Parks-Jack Blackwell provided the board members with the following report:

- State Parks is currently working with Kenai Peninsula Borough in developing a Memorandum of Understanding (MOU) for providing park rangers with law enforcement dispatch services through the Soldotna dispatch center. The Kenai Peninsula Borough assembly has approved the concept and is working to finalize that MOU. State Parks will be providing funding for the position.
- All of the State Parks floating docks have been removed from the river.
- Eagle Rock boat launch is currently closed due to low water. Pillars gate is still open.
- Pam Russell provided the Commercial Operators trends and numbers for the 2015 season. Currently, guided fishing numbers are down nine from 2014 and four overall for total number of commercial operators on the Kenai River.
- Blackwell provided the board with a 2015 report that summarizes the citations issued on the river that included fishing, parking and boating violations.
- The board previously asked for additional information about possible use restrictions along the Kenai River. Director Ben Ellis has asked the Department of Law to provide us with some information about this issue. This should be available at the November meeting. A Department of Law representative and Director Ben Ellis will be attending the December meeting and available for questions.

B. DEC-Jeanne Swartz provided the board members with the following report:

- DEC has finished their methodology policy on turbidity. They are currently waiting for final approval by the DEC director. The monitoring data that has been performed on the Kenai for the past several years will be compared with the new listing methodology to see if turbidity is an impairing condition on the lower Kenai River. The Kenai Watershed report for 2000 to 2014 sample collection and analysis on many parameters and may issue some determination based on the information.
- Aqua Grants recipients will be announced in December of January.

C. ADF&G-Robert Begich provided the board members with the following report:

- A review meeting is scheduled for November 16, 2015 at the Gilman River Center to look at the Alaska Department of Fish and Game Guide licensing procedure.

D. USF&WS- Matt Conner provided the board members with the following report:

- The Refuge has some salary savings from position vacancies. This money is going to be used to extend the current elevated walkway from the Russian River ferry downstream to the bend in the river.

E. USFS/Chugach-No Report

F. City of Kenai-No Report



Kenai Area Office, PO Box 1247, Soldotna, AK 99669, 907-262-5581
Kenai Peninsula Borough, 144 N. Binkley, Soldotna, AK 99669 907-262-4441
Gilman River Center 514 Funny River Road, Soldotna, AK 99669, 907-260-4882
Alaska Division of Parks and Outdoor Recreation, Department of Natural Resources, in cooperation with the Kenai Peninsula Borough



- G. City of Soldotna- No Report
- H. Kenai Peninsula Borough-No report.

2. Committee Reports

a. President's Report-Ted Wellman provided the board with the following report:

- Please let Pam Russell if you will be attending meetings as we need to know if we will have a quorum.
- We need the people on the committees to attend. If you can't commit to participating, take yourself off of the committee.
- Ted found a letter from his father in law from 30 years ago that was addressed to the KRSMA board that stated the Kenai River is managed for special interest groups and not the general public. It is interesting that this situation is the same the same today that was then. . The board needs to be active in getting something big done. Some of the items should include addressing the lack of enforcement, habitat issues, guide limits and boating safety. We need to get serious about these issues.

b. Guide Advisory –Joe Connors provided the board members with the following report:

- There has been less participation on this committee than he has seen in years. There was a lack of guide representation at the meeting and he is concerned.
- There are guide concerns that need to be address.
- Kasilof take out will be discussed at next month meeting.
- Guide college academy, how will it work? Is there enough guide participation to help? Can we put this on line? Where will we find the money?

c. Habitat –No Report

d. River Use – Dwight Kramer provided the board members with the following report:

EVOS Trustee Council / Parks Restoration Proposals – Jack provided us with an overview of five riverbank restoration proposals Parks would be submitting to the EVOS Trustee Council for funding considerations. He asked for our consideration of these projects and if we approved to submit a motion to the KRSMA Board requesting a letter of support. After his review of the projects Ricky moved and Jeanne seconded a motion to request a letter of support from the KRSMA Board itself. The motion passed unanimously. The KRSMA Board then acted on our request and unanimously passed a motion to write a letter of support for these projects.

Questions we would like to ask of the Director and DNR legal staff – Jack indicated that the Dept. of Law would be compiling some legal opinions on what would be legal for Parks to do as far as limiting use on the river. This is supposed to be forwarded the KRSMA Board in time for our Nov. meeting. Then in December, Parks Director Ellis and a Dept. of Law representative are planning on attending our meeting for a briefing and discussion of these issues.
The issues we are requesting clarification on;

1. What information or legal requirements might be necessary for consideration of a reasonable standard for limiting public access or opportunity if resources or habitat are burdened or threatened?
2. Did the Whitaker study satisfy the legal requirements for DNR to consider a fair and acceptable method of limiting the number of guides on the river?
3. Does Parks have the authority to limit boating if crowding or safety become an issue on certain segments of the river in the future?

Discussion of "Closed" riverbank areas on the River – Ricky brought up a discussion on the possibility of evaluating current closed riverbank areas for re-opening to help ease some of the crowding aspects we are dealing with during the red fishery. Jack indicated that the agencies are also looking at some of the closed areas for evaluation. He noted that Parks and ADF&G are considering an experimental project to place boardwalks on a closed area to see if that would satisfy need and still offer the necessary habitat protection. In the long run this might prove to be an acceptable method of reopening some rehabilitated riverbank areas.

We did not get around to identifying areas we want to focus on this year so this will be a priority item for the Nov. meeting. Hope to see you there.

Jack Blackwell commented that State Parks was looking at opening some of these areas to protect resource. So if Parks could provide some basic infrastructure. Parks is looking at developing test

areas, Fish and Game will purchase four elevated walkway, four feet wide, twelve feet long in areas for public use.

- e. Legislative/Government Activities- Ricky Gease commented that Ted Wellman, Keith Baxter and himself need to decide on a meeting time.

IV. OLD BUSINESS

V. NEW BUSINESS

A. What issues the board would like to see the States Attorney General office to address:

- What information or legal requirements might be necessary for consideration of a reasonable standard for limiting public access or opportunity if resources or habitat are burdened or threatened?
- Did the Whitaker study satisfy the legal requirements for DNR to consider a fair and acceptable method of limiting the number of guides on the river? What are the legal requirements or formula to determine the optimal number of commercial operators on the Kenai?
- Does Parks have the authority to limit boating if crowding or safety become an issue on certain segments of the river in the future?
- What are the legal requirements to vacate a public section line easement or road right of way?
- Does DNR have the authority to enact a temporary moratorium on guide numbers while it develops a method for setting a numeric limitation?

B. Proposed Exxon Valdez Oil Spill Trustee Council Projects- Jack Blackwell provided the board members with the following report:

Alaska State Parks has proposed the following projects for funding through the EVOSTC:

- Kenai River Flats Riverbank Protection- Low profile Elevated Light Penetrating walkway, approximately 900 feet with access points.
- Pipeline Crossing Riverbank Restoration – Elevated light penetrating walkway with access points.
- Eagle Rock Riverbank Restoration – Restore the banks
- Crooked Creek Riverbank Restoration – Continue bank restoration
- Anchor River Bank Restoration-Bank restoration

Dwight motioned that the KRSMA send a letter of support to Exxon Valdez Oil Spill Trustee Council in support for the five restoration project.

Joe Connors second the motion.

Passed unanimously.

VI. CORRESPONDENCE –PUBLIC COMMENT-Ted provided the board with his response to Mark Lutrell as to why the board voted to support the Grant Lake Hydro project.

VII. Public Comment- Representatives from Alaska EPSCoR attended the KRSMA meeting and provided the board with a brief update.-Alaska EPSCoR conducts biological, physical and social research into the *adaptive capacity* of Alaskan communities: the mechanisms that enable communities to effectively respond to environmental and social changes. Research includes new sensors and mapping (in collaboration with the Geographic Information Network of Alaska) to monitor biophysical changes, coupled with social science approaches to measure community responses. EPSCoR research is organized around three regional test cases. The Southeast Test Case focuses on changes to ecosystem services brought on by glacial recession in Berners Bay, near Juneau. The Southcentral Test Case examines the effects of hydrological and landscape changes on communities in the Kenai River watershed. The Northern Test Case studies how permafrost thaw and land cover change affect subsistence resources around the North Slope village of Nuiqsut.

Results from the test cases are used by a statewide Coordination, Integration and Synthesis (CIS) Working Group to answer larger scientific questions about adaptation and to create decision-support tools for land and resource



managers. An Education, Outreach and Diversity (EOD) Group works to involve students and the public in EPSCoR research and to keep them apprised of results.

Project data acquired by Alaska EPSCoR, as well as relevant data compiled from other agencies and organizations, can be accessed at Alaska EPSCoR's statewide data portal.

VIII. ADJOURNMENT

- a. **Board Comments**-Brent Johnson gave a brief explanation about his new set nets.