

From: [Aase Dane](#)
To: [Regulation, DNR Water \(DNR sponsored\)](#)
Subject: Alaskans deserve to be part of the process
Date: Monday, March 7, 2016 8:59:15 AM

When it comes to in-stream flow reservations, Alaskans need to be involved at every step of the review and approval process. Currently, not even the Department of Fish and Game has the chance to review DNR permits for water to be taken out of a salmon stream -- and everyday Alaskans are entirely cut out of the process.

Governor Walker's transition team recommended that his administration put Fish First. If the DNR hopes to put Fish First in its review of standing water regulations -- then it needs to listen to more Alaskans and involve those who hunt, fish, and depend on our resources in the process.

Aase Dane
PO Box 108
Cantwell, AK 99729

From: [aimee chartrand](#)
To: [Regulation, DNR Water \(DNR sponsored\)](#)
Subject: Please Implement "Fish First" Regulations in Alaska
Date: Friday, March 11, 2016 10:13:28 AM

Dear David Schade,

I am writing in support of keeping water in streams for salmon and shifting the burden of proof to protect salmon streams from Alaskans to the corporations that seek to operate in our state.

Alaska needs a fish first policy to protect our fishing livelihood and heritage. As the Owner State, DNR should give Alaskans the right to know and be involved in what's happening with our streams and fisheries.

Despite everyday Alaskans working for over nine years, spending hundreds of thousands of dollars in studies, and submitting over 7500 comments supporting three Instream Flow Reservation Applications for Chuitna River tributaries, DNR recently denied two. This process leaves the Chuitna River at risk of PacRim Coal's proposal to fully remove 13.7 miles of salmon stream and demonstrates the inefficiency and inefficacy of current policies to protect Alaska's Wild Salmon Runs.

The mining industry frequently touts its ability to "co-exist" with Alaska's world-class fisheries. If that's truly the case, we need to put fish first by keeping enough water for them in our streams and lakes, and let the mining industry develop our non-renewable resources responsibly.

The burden of proof should be shifted so responsible companies that develop our resources prove they will protect our wild salmon runs. Alaskans shouldn't have to bear the burden and cost to prove streams must be protected; instead it should be up to the company that seeks to operate in our state.

Please make improvements to the Instream Flow Reservation system to make it easier for Alaskans to protect the wild salmon streams they rely on. The specific regulation DNR should address is 11 AAC 93.040 Application for a Water Right and a specific fix would be to add a section that says an application must include "a statement from ADFG confirming the water appropriation will not harm resident or anadromous fish.

Sincerely,

aimee chartrand
12500 e norman ave
palmer, AK 99645

From: [Adam Currier](#)
To: [Regulation, DNR Water \(DNR sponsored\)](#)
Subject: 11 AAC Chapter 93 Scoping Comments
Date: Tuesday, March 15, 2016 11:03:20 AM

Mr. David W. Schade

Thank you for the opportunity to comment on the ways DNR might improve Alaska's Water Use Act regulations. As DNR reviews its approach to regulating the use of water, it is important for DNR to consider the communities and economies that depend on the state's vast water resources to sustain Alaska's world-class fisheries.

When it comes to fisheries, the lifeblood of our economy, the current system for managing water in Alaska is broken. The Department of Natural Resources (DNR), with no mandate to consult with the Department of Fish and Game, decides whether to allow an applicant to take water out of our streams or reserve water to protect fish and wildlife. See 11 AAC 93.120; 11 AAC 93.146; 11 AAC 93.220.

The Alaska Constitution states, "[w]henever occurring in their natural state, fish, wildlife and waters are reserved to the people for common use." To develop responsibly in Alaska, Corporations should be held to a high standard consistent with the protections provided in the Alaska Constitution. If a Corporation wants to do business in Alaska and use water from our rivers, lakes and streams to do so, the burden should be on the developer to prove it can operate without harming our salmon, water quality, and other shared resources. 11 AAC 93.040; 11 AAC 93.220. Alaskans should not have to fight the state to keep enough water in our streams to protect fish. 11 AAC 93.141-145.

In Southeast Alaska, where there is a complex mix of users from commercial fishermen, sportsmen, hunters, and countless other businesses and industries, DNR should ensure that all decisions about how water is used involves the public (11 AAC 93.220) and fairly administers how water rights are established 11 AAC 93.040; 11 AAC 93.120; 11 AAC 93.141-145.

Sincerely,

Adam Currier
12020 Cross st
Juneau, AK 99801

From: [Abigail Flynn](#)
To: [Regulation, DNR Water \(DNR sponsored\)](#)
Subject: Comments on Possible Update and Revisions of DNR Regulations
Date: Friday, March 11, 2016 9:47:37 PM

Mr. David W. Schade

Alaska's world-class fisheries are the foundation of Bristol Bay's communities, cultures and economy. Salmon fishing, which accounts for 14,000 jobs and \$1.5 billion in annual economic contribution to the Bay, in turn, depends on the region's many clean, naturally flowing rivers and streams for spawning, rearing and migration. Decisions about how public waters are allocated, reserved, or otherwise appropriated for use can greatly affect salmon populations and their dependent communities, cultures and economy.

The Alaska Constitution states that "[w]henver occurring in their natural state, fish, wildlife and waters are reserved to the people for common use." Yet, despite the overwhelming importance of Alaska's fisheries and its fish-producing waters, the Department of Natural Resources (DNR) often makes decisions regarding water use without sufficient input from the Alaska Department of Fish and Game (ADFG), and without public notice or the opportunity for public participation. See 11 AAC 93.120; 11 AAC 93.146; 11 AAC 93.220; AS 46.14.155.

In order for the DNR to make informed decisions regarding the public interest and manage our state's waters in a way that protects our valuable fisheries, regulations implementing Alaska's Water Use Act must be changed to require public notice and the opportunity for public input, along with consultation with the ADFG, even in instances where the proposed water use is temporary. Ensuring adequate water quality and quantity in our state's fish-producing waters to maintain our thriving fisheries is of utmost importance to Alaskans. I urge the DNR to end its opaque decision making and adopt regulations that provide for public notice and participation and that require the DNR to consult with the ADFG and ensure water use decisions will not threaten the productivity and viability of our world-class fisheries.

Sincerely,

Abigail Flynn
314 1st Ave
Dillingham, AK 99576

From: [Ben Foss](#)
To: [Regulation, DNR Water \(DNR sponsored\)](#)
Subject: Alaskans deserve to be part of the process
Date: Friday, March 18, 2016 10:27:03 AM

When it comes to how water is used, Alaskans deserve to participate in all decisions, including decisions related to the “temporary” use of water, whenever an applicant wants to take a large amount of water out of a stream that may impact our fisheries. AS 46.15.133; 11 AAC 93.220. Currently, DNR issues temporary water use permits that allow corporations to take large amounts of water out of our rivers, lakes and streams for up to five years without public notice.

Governor Walker’s transition team recommended that his administration put Fish First . If the DNR hopes to put Fish First in its review of Alaska’s Water Use Act Regulations -- then it needs to listen to more Alaskans and involve those who hunt, fish, and depend on our shared water resources in the process.

Ben Foss
2516 Mt. Circle
Pedro Bay, AK 99647

From: [A Granger](#)
To: [Regulation, DNR Water \(DNR sponsored\)](#)
Subject: Please improve Alaska's Water Use Act regulations
Date: Thursday, March 10, 2016 8:14:59 PM

Mr. David W. Schade

Thank you for the opportunity to comment on ways to improve Alaska's Water Use Act regulations. A year ago the Walker Administration's transition team recommended that the state maintain water levels in all anadromous waters to protect our fisheries. Yet, the State of Alaska's pursuit of a project like the proposed Susitna Dam points to a broken water management system.

Under the current system, the Department of Natural Resources (DNR), with no mandate to consult with the Department of Fish and Game, decides whether to allow applicants to take water out of our streams or reserve water to protect fish and wildlife. See 11 AAC 93.120; 11 AAC 93.220. In the case of the Susitna dam, DNR accepted the Alaska Energy Authority's application to secure a water right to store the majority of the water from the Susitna River behind the dam without considering what water should be reserved to protect fish and wildlife or the recreational and tourism based businesses that depend on a free flowing Susitna River.

Alaska needs water use regulations that protect our fisheries, water quality, heritage and economies. DNR has the opportunity to provide much needed leadership in Alaska's water resource management practices to bring the system back to balance, predictability and efficiency. Like many Alaskans I believe that this is the time to return to a water use system that truly protects the fish, wildlife and water resources that we collectively depend on.

Please take this opportunity to make improvements to the Water Use Act regulations by creating a mandate to consult with Fish and Game whenever a water use decision may adversely impact fisheries (11 AAC 93.040; 11 AAC 93.120; 11 AAC 93.220) and make it more efficient for Alaskans to reserve water to protect the wild salmon streams they depend on (11 AAC 93.141-145).

Sincerely,

A Granger
837 Amanita Rd, 99712
Fairbanks, AK 99712

From: [Ariel Heron](#)
To: [Regulation, DNR Water \(DNR sponsored\)](#)
Subject: DNR: Give developers the burden of harm
Date: Sunday, March 6, 2016 3:42:24 PM

In order to truly follow through on the recommendations of Governor Walker's transition team, DNR needs to implement a Fish First policy when it comes to all development decisions that impact our state's waterways and the fish that run through them.

Under current DNR regulations, would-be developers do not have to prove that their actions won't harm fish when they remove water from Alaskan streams. This needs to change.

Our Alaskan constitution guarantees all fish, wildlife, and waters to the people for common use -- that means any developers who wish to dewater a salmon stream are doing so at all Alaskans' expense. Governor Walker -- guarantee adequate water flow for salmon passage!

Ariel Heron
2891 W International Airport rd
Anchorage, AK 99502

From: [Alexander Tallekpalek](#)
To: [Regulation, DNR Water \(DNR sponsored\)](#)
Subject: Make water reservations fair for all Alaskans
Date: Friday, March 18, 2016 11:15:23 AM

If DNR wants to critically review its water regulations then making the water use regulations fair for all Alaskans needs to be at the top its list.

In the current system, DNR accepts water rights applications from big industry users giving them priority to use water over all others before making them collect any data on water flow or impacts to fish. 11 AAC 93.040; 11 AAC 93.120. Meanwhile, the Department of Fish & Game and Alaskans have to provide DNR with 5 years of data to even be eligible to submit an application to keep water in a stream. 11 AAC 93.141-145.

DNR's water use regulations need to be updated to give fair treatment to all Alaskan user groups. This change in DNR's water regulations can be the first step necessary to put Fish First!

Alexander Tallekpalek
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From: [Aaron Timian](#)
To: [Regulation, DNR Water \(DNR sponsored\)](#)
Subject: Please make improvements to Water Use Act regulations
Date: Thursday, March 17, 2016 9:42:56 AM

Dear David Schade,

Alaskans depend on the state's vast water resources to sustain Alaska's world class fisheries and the communities, culture and economies that depend on them. To develop responsibly in Alaska, Corporations should be held to a high standard consistent with the protections provided in the Alaska Constitution. The Alaska Constitution states, "[w]henver occurring in their natural state, fish, wildlife and waters are reserved to the people for common use." If a Corporation wants to do business in Alaska and use water from our rivers, lakes and streams to do so, the burden should be on the developer to prove it can operate without harming our salmon, water quality, and other shared resources.

The current system for managing water in Alaska is broken. The Department of Natural Resources (DNR), with no mandate to consult with the Department of Fish and Game, decides whether to allow an applicant to take water out of our streams or reserve water to protect fish and wildlife. See 11 AAC 93.120; 11 AAC 93.146; 11 AAC 93.220. Alaska needs Fish First regulations to implement the Water Use Act to protect our fisheries, livelihoods and heritage.

Alaskans have the right to know and participate in all DNR decisions about our water resources and how it may impact our streams and fisheries. 11 AAC 93.220; AS 46.14.155. Alaskans should not have to beg the state to keep enough water in our streams to protect fish. 11 AAC 93.141-145. For example, for the last nine years, everyday Alaskans spent hundreds of thousands of dollars to collect scientific data and submitted over 7500 public comments in support of three applications to reserve water in the Chuitna River tributaries to protect fish. 11 AAC 93.142. DNR refused to consider the applications until ordered to do so by a judge and then denied two in favor of a potential future water right for letting PacRim Coal if it moves forward in the permitting process. This decision leaves the Chuitna River at risk from PacRim Coal's proposal to fully remove 13.7 miles of salmon stream and demonstrates the inefficiency and inefficacy of current regulations to protect Alaska's Wild Salmon Runs.

Please make improvements to the Water Use Act regulations to fairly administer water use decisions (compare 11 AAC 93.142 to 11 AAC 93.040), create a mandate to consult with Fish and Game whenever a decision may adversely impact fisheries (11 AAC 040; 11 AAC 120; 11 AAC 93.220) and make it easier for Alaskans to protect the wild salmon streams they rely on (11 AAC 141-145).

Sincerely,

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