

MEMORANDUM

State of Alaska¹⁹⁸⁸

DEPARTMENT OF FISH AND GAME

TO: Ms. Patti Wightman
Division of Governmental
Coordination

DATE: June 18, 1988

FILE NO.:

TELEPHONE NO.: 451-6192

SUBJECT: Norton Sound 53
SID AK88052413/F

FROM: 
Alvin G. Ott, Regional Supervisor
Habitat Division
Department of Fish and Game

The Alaska Department of Fish and Game (ADF&G) has completed its coastal consistency review of the Alaska Department of Transportation and Public Facilities (ADOT&PF) subject application for after-the-fact authorization (for 1988 activities) and new authorization (for subsequent years) to construct new dikes and to maintain existing protective and diversionary dikes and roadway embankments at several locations on the Nome, Pilgrim, Sinuk, and Tisuk Rivers near Nome. Proposed fill material consists of cobbles and boulders obtained from river gravel bars in the vicinity of the proposed diking and totals approximately 72,362 cubic yards. It is anticipated that yearly diking and material extraction may be necessary at the identified locations where severe icing and subsequent breakup flooding sever or destroy roadway embankment.

The Nome, Pilgrim and Sinuk Rivers have been specified as being important for the spawning, rearing or migration of anadromous fishes in accordance with AS 16.05.870(a). Chum and pink salmon occur in each river system. In addition, coho salmon, Arctic char, and whitefish are present in the Sinuk River and chinook salmon, Arctic char and whitefish occur in the Pilgrim River. Documentation exists for spawning and rearing within these stream systems within or adjacent to the proposed work areas.

Most of the proposed diking has been in place for several years (decades in certain instances) and totals approximately 37,000 feet in length (7+ miles). An unquantified amount of fish habitat is believed to have been lost as a result of the diking and yearly material extraction and rebuilding of the dikes. A conservative estimate of the current habitat loss is that an equivalent distance of stream channel is presently unavailable for fish habitat as the total linear length of diking currently in place (7+ miles). The unavailable habitat consists of blocked side channels, upwelling areas, covered (filled) side channels, and riparian cover. Much of the disturbed habitat would be suitable for use by rearing coho, chinook

and Arctic char if restoration of the channels, water flow, and riparian vegetation was completed.

The ADF&G has identified the existing diking as a fishery habitat concern and formally requested in a memorandum dated April 28, 1988 (Enclosure 1) that the ADOT&PF develop a plan and schedule to construct permanent roadway erosion protection facilities that would eliminate the need for yearly mining of streambed gravels and reconstruction of the protective berms and facilitate restoration of the impacted fish habitat. Notwithstanding this request, the ADF&G issued emergency authorization pursuant to AS 16.05.840 and AS 16.05.870 on April 29, 1988 (Enclosure 2) for the ADOT&PF to repair existing diking in anticipation of the Spring 1988 breakup. The emergency authorization granted by this permit expired June 1, 1988.

Based upon our review, we find the subject application not consistent with the Standards of the Alaska Coastal Management Program (ACMP). Specifically, the proposed activity will adversely affect fish habitat (6 AAC 80.130(b), wetlands (6 AAC 80.130(c)(2), and the natural water flow (6 AAC 80.130(c)(7). Nonetheless, with respect to the ADOT&PF's request for after-the-fact authorization for the Spring 1988 emergency diking, we find that the completed activity satisfies the requirements of 6 AAC 130(d) for approval of a non-consistent activity. Inasmuch as other feasible and prudent alternatives to continued yearly diking may be identified by the ADOT&PF pursuant to the ADF&G's April 28 request, we do not similarly find that future authorization for this activity satisfies the requirements of 6 AAC 80.130(d). Accordingly, we recommend that future authorization be found not consistent until the ADOT&PF has completed an assessment of all possible alternatives and developed a plan for construction of permanent roadway erosion protective structures.

Enclosures (2)

cc: **Pete McGee**, ADEC
Jerry Brossia, ADNR
Bryan MacLean, BSCRSA
Mike Tinker, ADOT&PF

AGO:BM