

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

Habitat and Restoration Division

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April 25, 2002

Mayor Tim Bourcy
City of Skagway
P.O. Box 415
Skagway, Alaska 99840

Dear Mayor Bourcy:

RE: Skagway Flood Control Project

The Alaska Department of Fish and Game (ADF&G) has been involved with the Skagway Flood Control project for several years. We feel the department has worked with the City of Skagway and various agencies and individuals in a good faith effort to provide adequate flood control protection for the City of Skagway, while protecting the fish and wildlife resources of the Skagway River and its tributaries. This has been a drawn out process for various reasons, but we would like to move forward with this important project.

ADF&G supports the Department of Natural Resources (DNR) assertion of state ownership of land below ordinary high water (OHW) in the Skagway River. ADF&G participation in review of the recent survey was limited to ensuring that OHW is located to protect the fish and wildlife resources of the Skagway River. ADF&G permit authority extends across public and private property boundaries and we respect the difference between public and private property. A final resolution of the land ownership issue is not required for ADF&G to make its recommendations and determine permit conditions.

The dike design for the east side of the Skagway River has had unanimous agency support for several years. ADF&G and DNR has encouraged the City of Skagway to split the application and proceed with this portion of the project, while continuing to resolve issues surrounding the west side of the Skagway River. This would provide protection for the downtown business district and most residential areas threatened by flooding from the Skagway River, but not bias or restrict options for the west side of the river.

The dike design for the west side of the Skagway River has been more problematic. The proposed location of the dike on the west side of the Skagway River has been an issue of concern for ADF&G since the original proposal. The current proposal to place the dike within the active

floodplain of the Skagway River would diminish available fish habitat as well as change the hydraulic nature of the Skagway River in the project area and is not something we are willing to permit. ADFG supports DNR's request that the proposed west dike be relocated at the existing OHW, as recently surveyed by the City of Skagway. It is unfortunate ownership of land in the project area was not resolved earlier, this would have clarified the project purpose and need in the process.

One additional issue that still needs final resolution is fish passage into Dairy Creek, (ADF&G Stream # 115-34-10300-2017), which is one of only a couple clear water tributaries to the Skagway River that provides anadromous fish habitat. The surface water connection between Dairy Creek and the Skagway River is not continuous because of the nature of the Skagway River, but must not be compromised further by construction of this project. A design was proposed by the City of Skagway's agent and conceptually accepted by ADF&G to improve fish passage and habitat in Dairy Creek as mitigation for impacts to the Skagway River as the result of this flood control project. Further work will be required for final resolution of this issue.

We look forward to working with the City of Skagway and other agencies in moving forward with this important project.

Sincerely,

Chip Dennerlein, Director
Habitat and Restoration Division

cc: Bob Loeffler, DNR, Anchorage*
Ron Schonenbach, DNR, Juneau*
Bill Hanson, ADF&G, Douglas*
Ben Kirkpatrick, ADF&G, Douglas*
Senator Alan Austerman, Juneau*
Representative Albert Kookesh, Juneau*
Lorraine Marshall, DGC, Juneau*
John Klutz, COE, Anchorage*
Bob Ward, City Manager, Skagway*
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* = email distribution