

Introduced by: Martin
Date: 12/06/05
Action: Adopted
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
RESOLUTION 2005-106**

**A RESOLUTION OPPOSING THE ALASKA DEPARTMENT OF ENVIRONMENTAL
CONSERVATION'S PROPOSAL TO ALLOW INCREASED MIXING ZONES IN
SPAWNING AREAS AND SUPPORTING AN ALTERNATIVE AS SUPPORTED BY
THE CITY OF SOLDOTNA IN ITS RESOLUTION 2005-074**

- WHEREAS,** the Alaska Department of Environmental Conservation recently proposed new rules to allow "mixing zones" in Alaska fish streams and freshwater lakes where existing regulations currently prohibit them; and
- WHEREAS,** mixing zones allow pollution at levels that violate water quality standards designed to protect fish and fish consumers; and
- WHEREAS,** Alaska's wild salmon are renowned worldwide for being clean, fresh, and healthy, and Alaska salmon require clean water and healthy habitats to thrive and reproduce; and
- WHEREAS,** Alaska salmon fisheries support countless families and communities throughout the state and form part of the cultural fabric which makes Alaska unique; and
- WHEREAS,** wild salmon and other freshwater marine life support numerous jobs and subsistence resources for the residents of the Kenai Peninsula Borough; and
- WHEREAS,** allowing industrial mixing zones in salmon lakes and streams may impair the efforts of commercial fishers in the borough, processors and sport fishing lodges to promote Alaska wild salmon as healthy, wild, and organic; and
- WHEREAS,** in some cases National Pollutant Discharge Elimination System ("NPDES") permits have been issued and infrastructure established in areas shown not to support salmon spawning, but where salmon are later found to have developed spawning beds within the previously spawning-free areas; and
- WHEREAS,** prohibiting the renewal of NPDES permits in such areas would not necessarily further the goal of protecting fish and could be detrimental to the salmon spawning areas as it could cause the stream to dry up; and

WHEREAS, in some cases existing municipal mixing zone permit holders have faced permit revocation or costly upgrades when seeking a renewal because salmon have started spawning in the area delineated as the wastewater treatment plant's approved mixing zone.

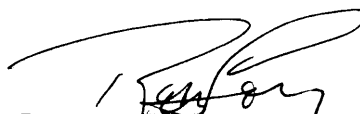
NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough Assembly opposes the Alaska Department of Environmental Conservation's proposal to allow increased mixing zones in spawning areas. However, it supports the alternative proposal submitted by the City of Soldotna in its Resolution 2005-074, which allows for the renewal of mixing zone permits in areas for which mixing zone permits have already been issued and where spawning beds have developed after issuance of the initial permit.

SECTION 2. That copies of this resolution be sent to Governor Frank H. Murkowski; Commissioner Kurt Fredriksson, Alaska Department of Environmental Conservation; Commissioner McKie Campbell, Department of Fish & Game; Commissioner Michael Menge, Department of Natural Resources; Representatives Mike Chenault, Kurt Olson, Paul Seaton, Mike Hawker, Woodie Salmon; and Senators Tom Wagoner, Gary Stevens, Con Bunde and Albert Kookesh.

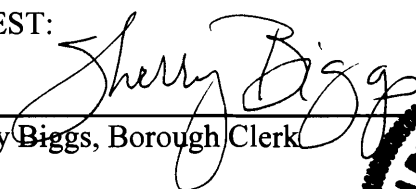
SECTION 3. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF DECEMBER, 2005.



Ron Long, Assembly President

ATTEST:


Sherry Biggs, Borough Clerk