

MEMORANDUM OF AGREEMENT

BETWEEN

**ALASKA DEPARTMENT OF FISH AND GAME
AND
ALASKA DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES**

FOR

**IMPLEMENTING SAFE PASSAGE OF ANADROMOUS AND RESIDENT
FISH WHILE
MAINTAINING AND IMPROVING STATE TRANSPORTATION
INFRASTRUCTURE**

This MEMORANDUM OF AGREEMENT (MOA) is made and entered into between the Alaska Department of Fish and Game, P.O. Box 25526, Juneau, AK., 99802-5526, hereafter referred to as the ADF&G, and the Alaska Department of Transportation and Public Facilities, 3132 Channel Drive, Juneau, AK., 99801-7898, hereafter referred to as ADOT&PF. ADF&G enters into this agreement under the authority of AS 16.05.050(13), 16.05.840-16.05.860, 16.05.870-16.05.900, 16.20.050-16.20.060, 16.20.520, 16.20.530 and 5 AAC 95. ADOT&PF enters into this agreement under the authority of AS 19.05.040.

I. BACKGROUND AND PURPOSE OF THE MEMORANDUM OF AGREEMENT

Alaska is fortunate that we are one of the few areas in the world where fish species and habitats are generally intact. Our fisheries resources improve the life of every Alaskan. Industries based on fish harvests are the largest employers in the state and provide revenues second only to the sale of the state's oil and gas. Subsistence and personal-use fisheries are a main source of food for many Alaskans. Our world-class sport fishery is a major contributor to our economy and our quality of life.

Anadromous and resident fish populations depend on safe, reliable passage when migrating to spawning, rearing, and over-wintering grounds. Barriers to safe fish passage caused by dams, culverts, tide gates, dikes, and other in-stream structures are one of the major factors in the decline of salmon and trout throughout the Pacific Northwest. Many salmon and trout populations in Washington, Idaho, and Oregon have declined to "threatened" levels under the Threatened and Endangered Species Act. The adverse effect of this listing on those states' economies is just now being fully realized.

Unlike many of the major salmon-producing rivers in the Pacific Northwest, we do not have hydroelectric dams that affect the migration in the major salmon-producing rivers in the Pacific Northwest. Yet, like the Pacific Northwest, there are culverts along our highway system that are barriers to fish migration. Perched culverts and velocity barriers resulting from past design, construction, or maintenance practices account for most of the fish passage problems.

Statutes charge the Commissioner of Fish and Game with the duty to review and authorize construction and other activities that are planned for water bodies supporting anadromous fish. This permitting

authority is intended to ensure that culverts, bridges, and other transportation projects will not interfere with Alaska's fish populations.

Therefore, in keeping with Alaska's statutes and safe passage promise to British Columbia, Washington, and Oregon for the Pacific Salmon Treaty, the State of Alaska is committed to safe fish passage in all Alaskan waters.

II. APPLICATION

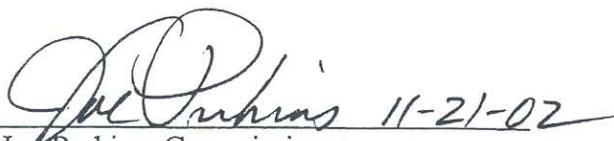
This agreement applies to each agency as a whole and specifically to all headquarters, regional, and area personnel within ADF&G and ADOT&PF.

III. ADF&G and ADOT&PF mutually agree:

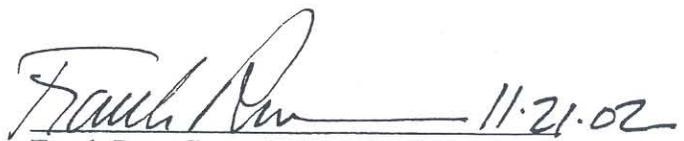
1. When funding or authorizing capital improvement projects and maintenance activities that affect safe fish passage, the agencies will ensure that safe fish passage to spawning, rearing and over-wintering habitat is maintained.
2. The agencies will work cooperatively to process in a timely manner all necessary permits and approvals required for transportation projects.
3. The agencies will ensure that technical resource information regarding safe fish passage is made available on the state website for use by local governments, other state and federal agencies, consultants and other entities. Agencies will explore other opportunities for cooperation with local, federal, and private entities regarding research, monitoring, and information sharing in the fields of transportation engineering and habitat science.
4. The agencies will meet annually to prioritize corrective actions to remove barriers to safe fish passage. At that time, agencies will agree to a schedule for corrective actions.
5. The agencies will work cooperatively and continually to assess the effectiveness of standards, construction techniques, and mitigation strategies for Alaska's safe fish passage and will use this information to test, refine, and apply new techniques to improve the program's success. The agencies will jointly report on the implementation and effectiveness of this policy within five years and will make recommendations for any corrective actions if current strategies are failing to provide for adequate safe fish passage.

This MOA directs the state's fish habitat and transportation experts to continue their cooperative efforts regarding safe fish passage as Alaska develops its transportation infrastructure into the 21st century. At its core is a belief that in Alaska we can have quality transportation infrastructure and abundant fisheries resources. Both are vital for Alaska to retain its economic vitality, its wonder, and its desirability as a home to cherish and a preeminent destination for visitors.

SIGNATURES



Joe Perkins, Commissioner
Alaska Department of Transportation
and Public Facilities



Frank Rue, Commissioner
Alaska Department of Fish and Game