



Comments in reference Ballot Measure 1, the Stand for Salmon voter initiative

Initiative number: Original - 17FSHB, Revised - 17FSH2

The following information is provided by a group of electric utility members of Alaska Power Association who own and operate hydropower assets. It is an impact statement for hydropower development in Alaska that has the potential to be affected by Ballot Measure 1, the Stand for Salmon voter initiative 17FSH2, on which Alaskans will vote November 6, 2018. **Alaska Power Association, the statewide electric utility trade association, is opposed to Ballot Measure 1.**

Hydropower is a renewable energy that comes under the jurisdiction of the Federal Energy Regulatory Commission (FERC) any time federal lands, navigable waters or interstate commerce are involved. FERC requires a stringent National Environmental Policy Act (NEPA) review, with input from all local, state and federal agencies before issuing a license to a new or existing hydropower project. Fishery impacts are a major part of any hydropower license permitting process, with the Alaska Department of Fish and Game, National Marine Fisheries Service and the U.S. Fish and Wildlife Service actively participating on any licensing efforts regardless of land ownership.

After a license is issued, the license terms require active participation by state and federal resource agencies before and during construction, and the project developer must supply an independent, full-time environmental compliance monitor (ECM) throughout construction. The ECM reports directly to the resource agencies and has full authority to stop work in the event that the project developer is not complying with all environmental regulations. Typically, once built, a FERC-licensed project requires a report to federal and state resource agencies for any deviation in water flows established by the FERC License Order. Hydropower projects not under FERC jurisdiction are also subject to a comprehensive and rigorous permitting process involving state and federal agencies.



If Ballot Measure 1 (17FSH2) is approved by the voters, the following list describes the impact to Alaska hydropower.

Key Points: These are more than points - they are undisputed facts.



1. The regulations will have a negative, long-term impact on Alaska's hydropower resources.
2. The regulations will duplicate processes already required in FERC hydropower licensing and relicensing.
3. The regulations add a new layer to hydropower licensing that does not exist today.
4. The regulations will increase costs for licensing new and existing hydropower projects.
5. The regulations will stop some development of hydropower in Alaska.
6. The initiative is in direct conflict with Senator Lisa Murkowski's legislation to streamline hydro licensing.

Secondary Points: These are highly probable to happen.

1. The Alaska Department of Fish and Game will not be able to enforce the initiative without increasing staff; thereby, growing government to solve a problem that currently does not exist.
2. The regulations will discourage or even prevent efforts to advance hydropower development in Alaska.
3. The regulations will raise electric rates in Alaska by increasing the costs of regulatory burden on hydropower project developers and delaying the development of economically beneficial hydro projects.
4. The regulations will impede and create barriers to the development of renewable energy in Alaska.
5. The initiative will likely see many legal challenges.





Problems with the initiative from an electric utility point of view:

1. The definition of anadromous fish habitat is vague enough to include nearly every water body in the state.
2. The initiative gives no consideration to economic impacts to Alaska.
3. The initiative ignores the Anadromous Waters Catalogue created and used by the Alaska Department of Fish and Game.
4. The initiative has the potential to negatively impact the permitting of future salmon hatcheries.
5. The initiative impacts all "surface water" use because any withdrawal can be stated to have adverse effects on fish.
6. The initiative impedes all water uses for even non-anadromous streams requiring a permit request.
7. This initiative is meant to protect anadromous fish, therefore, the word "wildlife" should be removed from throughout the initiative. Even though the Alaska Department of Fish and Game has wildlife responsibilities, wildlife is not and should not be a part of a fish permit initiative
8. The initiative duplicates responsibilities of the Alaska Department of Fish and Game Commissioner and FERC.

Recent arguments made in favor of Stand for Salmon, but are not based with factual backup or data to prove the claims:

1. *The current statutes for protecting fisheries are outdated.* **Reality:** Fishery statutes are constantly being updated. The responsibilities under the initiative description are already assigned to the Commissioner of Fish and Game in Alaska Statute. The Commissioner is required to review fishery protection at least annually (Sec. 16.05.010). The initiative, if approved by voters, will be duplicative of processes set by FERC and the Alaska Department of Fish and Game.
2. *The opposing group, "Stand for Alaska," is made up of out-of-state, big oil or big mining companies.* **Reality:** The Stand for Alaska coalition comprises more than 400 Alaska businesses, trade associations and organizations including the Alaska Chamber of Commerce, Alaska Native corporations, the Alaska Telecom Association, labor unions, financial institutions, and a vast number of Alaska citizens. Many Alaska hydropower owners are not in favor of this legislation.

3. *Salmon populations are already dwindling from poor management of Alaska waters.*

Reality: There is no evidence that shows Alaska salmon populations are declining from fresh water difficulties. Data does show that in certain regions in recent years, portions of the runs of returning salmon are markedly below long-term averages, which many scientists attribute to ocean conditions or issues. Other areas are experiencing record high returns including Prince William Sound wild and hatchery stocks, and Bristol Bay wild salmon stocks.



4. *Alaska protections of anadromous fish are lacking.* **Reality:** Protection of anadromous fish is well-defined in Alaska and has worked. There is a rigorous and time-proven process for assuring that salmon are adequately protected in Alaskan waters by existing regulations. The Alaska Department of Fish and Game maintains an Anadromous Waters Catalogue that defines where anadromous fish habitat is located. This voter initiative ignores the catalogue and declares that all water bodies are anadromous, even if not listed in the established resource inventory. The Anadromous Waters Catalogue is continually updated to compensate for changing waterways and fish movements.

Bottom line: If you use hydropower or are planning to develop a hydro resource, you need to know the implications of Ballot Measure 1, the Stand for Salmon voter initiative, on your utility and your electric rates.



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