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## **My Turn: Alaska salmon need protection from the mixing zone loophole**

By Bob Shavelson

Gov. Sarah Palin should be applauded for moving Alaska's habitat biologists from the Department of Natural Resources to their rightful place in the Department of Fish and Game.

Regardless where the biologists are located, however, there needs to be enough of them to review the many projects coming down the pike, and they need to have the independent authority to play a meaningful role in project oversight.

But Governor Palin did the right thing in response to strong public support for fisheries and habitat protection.

The damage wrought by former Gov. Frank Murkowski's single term in office, however, remains sweeping. For example, the Alaska Coastal Management Program remains in tatters, with coastal communities and local citizens effectively cut out of decisions on large projects affecting their homes, families and fisheries.

DNR recently announced a desire to revisit many of the worst ACMP rollbacks, and that's a positive step, though many warned of these shortcomings as they were rushed into law.

Now, Alaska has one of the weakest coastal management programs in the nation, and it will take a strong and committed effort by the Palin administration to return trust and legitimacy to this once-proud program.

But the most glaring rollback from the Murkowski administration remains the loophole that allows polluting "mixing zones" in Alaska's prized salmon spawning areas.

Mixing zones embrace the long-discounted notion that dilution is the solution to pollution, and they had been rightly banned in areas where Alaska salmon and other fish spawn. Thousands of Alaskans spoke out against the Murkowski mixing zone rollback, to no avail.

Now, there's a legislative compromise (House Bill 74/Senate Bill 238) that balances the needs of local communities, including mom-and-pop placer mining operations, but it's been held up by Rep. Craig Johnson, Sen. Charlie Huggins and other lawmakers who refuse to hold hearings.

To understand why we need to ban mixing zones in sensitive freshwater spawning areas, we need look no further than Cook Inlet, where mixing zones in marine habitat areas have been allowed for decades.

Last year, the state signed off on a Clean Water Act permit that allows oil and gas corporations to triple the amount of toxic pollution they dump into Cook Inlet fisheries each year. The technology exists to re-inject the billions of gallons of toxic wastes dumped annually, and Cook Inlets' major producer, Chevron, just announced net profits of \$18.7 billion for 2007.

But it's cheaper for Chevron to avoid the cost of proper pollution treatment by passing those costs to Alaskans in the form of toxic pollution dumped into our public fisheries. And that's no surprise. We expect the corporate lawyers and accountants in California to maximize their profits any way they can.

But we also expect the state to protect the public interest by enforcing the water quality standards designed to protect our fisheries. And that's the problem; when regulators have too much discretion, they get squeezed by wealthy corporations to bend the rules.

How can Alaskans continue to successfully market our wild, fresh salmon amid the glut of farmed fish on world markets if our agencies allow corporations to dump billions of gallons of toxic waste into our fisheries each year?

That's why the Palin administration should urge the Legislature to pass HB 74, so there's a bright line standard that makes business decisions more predictable, and ensures that Alaska's sport, commercial and subsistence fisheries remain healthy and resilient. And if our lawmakers continue to oppose common-sense fish habitat protections, there is a ballot initiative - already certified by the lieutenant governor - that will give Alaskans a chance to decide whether pollution mixing zones in fish spawning areas should be state policy.

While it's always unfortunate when Alaskans have to do the work we pay our politicians to do, a ballot measure would be a small price to pay to ensure we can enjoy healthy, wild salmon for generations to come. And if the Palin administration is listening, there's a golden opportunity to ride a tidal wave of public opinion that supports clean, healthy salmon over polluted spawning habitat.

- Bob Shavelson is executive director of Cook Inlet Keeper, a community-based nonprofit organization formed in 1995 to protect the Cook Inlet watershed and the life it sustains.

