

STATE OF ALASKA

SEAN PARNELL, Governor

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

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December 7, 2009

Gary Wheeler, Kodiak Refuge Manager
c/o Division of Policy and Directives Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, Suite 222
Arlington, VA 22203

Dear Mr. Wheeler:

The State of Alaska reviewed the October 8, 2009 Federal Register Notice regarding proposed refuge-specific public use regulations for the Kodiak National Wildlife Refuge. We understand the purpose of the proposed regulation package is to implement decisions made in the Refuge's 2007 Revised Comprehensive Conservation Plan (CCP). The following comments represent the consolidated views of the State's resource agencies.

We appreciate the proposed O'Malley River Bear Viewing Program regulation closely follows the intent of the CCP to develop the program in cooperation with the Alaska Department of Fish and Game. When fully implemented, the program will provide for both conservation of bears and seasonal opportunities for compatible public bear viewing.

While we support the intent of the proposed camping restriction within the vicinity of federal and state public-use and administrative cabins and facilities to reduce trespass and user conflicts, we request the consideration of exceptions for good cause. The proposed one-size-fits-all separation of one-quarter mile may, in some instances, unnecessarily restrict public use. For example, there may be seasonal administrative sites that could accommodate nearby camping during the off-season. Other areas may have limited opportunities for camping beyond one-quarter mile, or may contain vegetation or terrain that provides adequate separation within a closer range. We therefore request the regulation include some flexibility to adjust the separation distance based on site-specific circumstances. For example, a provision could be added to allow the Refuge Manager to issue a special use permit for camping within one-quarter mile if the intent of the regulation can still be met. The added permit requirement would maintain Refuge discretion and control over any authorized exceptions and would deter casual requests.

We understand the acreage for the Den Mountain snowmachine closure area was incorrectly identified as 2,820 acres in the CCP. In addition, a minor boundary adjustment was subsequently made to make it easier for the public to identify the closure area on-the-ground and for enforcement purposes. As a result, the Federal Register

Notice correctly identifies the affected area as approximately 4,972 acres. We agree with the decision to adjust the boundary and the need to cite the correct acreage, and request the Notice for the final regulation explain the basis for the modified acreage figure.

Thank you for this opportunity to comment. Please contact me at (907) 269-7529 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "S. E. Magee". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Susan E. Magee
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator
Brian Glaspell, Kodiak NWR