

STATE OF ALASKA

SARAH PALIN, Governor

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ANILCA IMPLEMENTATION PROGRAM

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Gary Wheeler, Refuge Manager
Kodiak National Wildlife Refuge
1390 Buskin River Road
Kodiak, Alaska 99615-0323

Dear Mr. Wheeler:

The State of Alaska reviewed the Final Environmental Impact Statement and Revised Comprehensive Conservation Plan (CCP) for the Kodiak National Wildlife Refuge. This letter represents the consolidated views of the State's resource agencies. We commend the Refuge and the U.S. Fish and Wildlife Service (Service) for bringing this plan revision to a successful conclusion. At its inception, this plan faced many hurdles and controversies. Through cooperation and diligence on the part of many – including Service planners, state representatives, and the public – a number of very important issues have been resolved, and processes are in place to address ongoing issues. The Final Kodiak CCP also contains some creative solutions that will be useful models for other refuge planning efforts in Alaska.

Our only outstanding CCP issue will be addressed in the upcoming revision of the Commercial Fisheries Management Plan (CFMP). The State remains particularly interested in the judicious allowance of shore-based special use permits in support of commercial fishing activities authorized under ANILCA Section 304(d). The State continues to hear from commercial fishermen who have been denied commercial use permits to relocate closer to their fishing area, thus affecting their ability to participate in the state-managed fishery, even though the overall fishing effort associated with these permit applications has declined below the 1979 use levels allowed under Section 304(d). We request the Record of Decision (ROD) clarify that the Refuge will work with the State to resolve this issue. We urge progress toward a temporary or permanent solution for the 2007 fishing season.

We also request a technical clarification to a sentence in Section 2.2.2 at the bottom of page 2-36: *“Special use permits for research and commercial uses in these waters (below mean high tide) will be issued by the Alaska Maritime Refuge.”* We acknowledge that the Service asserts certain off-shore authorities over marine activities where the boundaries of pre-Statehood withdrawals extend seaward. Setting aside the merits of this assertion, a pre-statehood off-shore refuge boundary does not provide the Service authority to manage all commercial activities in the water column. For example, the State retains general management authority over commercial fishing activities regardless of the land status underlying the marine waters. We therefore request the ROD clarify which commercial activities are not subject to such special use permits or identify under what circumstances the Service's authorities apply.

Thank you for considering these comments. If you have any questions, please contact me.

Sincerely,



Sally Gibert
ANILCA Program Coordinator