



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

550 West 7th Avenue, Suite 1430
Anchorage, AK 99501-3561
Main: 907.269-8690
Fax: 907-269-5673

January 17, 2025

Kenai National Wildlife Refuge
Attention: Acting Refuge Manager
P.O. Box 2139
Soldotna, AK 99669

Submitted via email to kenai@fws.gov

Re: Draft Compatibility Determinations for Winter and Water Recreation Activities

Dear Acting Refuge Manager,

The State of Alaska (State) reviewed the two draft Compatibility Determinations (CDs) currently available for public comment. These CDs include a combined CD covering winter public use activities and a combined CD covering water-based/oriented recreational uses. The proposed CDs address management of recreational activities on Refuge lands, such as scuba or swimming (Water Recreation CD) or skiing, dog sledding, snowshoeing, etc. (Winter Recreation CD). These comments incorporate input from the Departments of Natural Resources (DNR) and Fish and Game (ADF&G).

The ANILCA discussion in the Winter Uses CD fails to capture the balancing act Congress enacted with ANILCA, reserving some lands for conservation and ensuring others intended for more intensive use and disposition. The Kenai Refuge itself was assigned the responsibility to balance both conservation and recreation, as recreation is a specific refuge purpose. ANILCA identifies all the activities listed in this CD are traditional recreational activities in Alaska, which the CD's justification section fails to explain. While fish and wildlife-oriented recreation is established as a purpose of the refuge, ANILCA Sec. 101(b) documents Congressional intent that wilderness-related recreational opportunities include, but are not limited to hiking, canoeing, etc. In addition, activities such as cross-country skiing, snowshoeing, and dog sledding are also traditional forms of non-motorized access in Alaska and their use is protected under ANILCA Section 1110(a), unless closed in accordance with ANILCA for resource concerns. The ANILCA 101(b) and 1110(a) context should be referenced in both the Refuge Purposes and Establishing and Acquisition Authorities and the Justification sections.

We appreciate the discussions between Refuge and State staff, and the consideration of our input on draft documents. Thank you for the opportunity to review and comment on these Compatibility Determinations. Please contact me at (907)269-0880 or by email at catherine.heroy@alaska.gov to coordinate any follow up discussions.

Sincerely,

A handwritten signature in blue ink that reads "Catherine Heroy".

Catherine Heroy
Federal Program Manager