



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Natural Resources**  
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

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December 16, 2025

U.S. Fish and Wildlife Service  
Kodiak National Wildlife Refuge  
Attention: Danielle Fujii-Doe, Refuge Manager  
1390 Buskin River Road  
Kodiak, AK 99615

Submitted via email to [kodiak@fws.gov](mailto:kodiak@fws.gov)

Re: Draft Compatibility Determination for Old Harbor Hydroelectric on Kodiak National Wildlife Refuge

Dear Ms. Fujii-Doe,

The State of Alaska (State) reviewed the U.S. Fish and Wildlife Service (USFWS) Draft Compatibility Determination (CD) for the Old Harbor Hydroelectric Project Right of Way (ROW) permit. The proposed hydroelectric project involves the construction and operation of a 525 kilowatt (kW) hydroelectric project on the East Fork of Mountain Creek which would transfer water into a powerhouse on the Lagoon Creek Tributary, near the town of Old Harbor. The USFWS Draft CD considers a possible ROW permit for roughly 95 acres of Refuge lands for the duration of a related Federal Energy Regulatory Commission (FERC) permit.

The State supports the finding that granting a right-of-way permit to allow for the construction and operation of the Old Harbor Hydroelectric Project (Project) is compatible with the purpose of Kodiak National Wildlife Refuge and will not detract from the Refuge's ability to meet its legally mandated purpose. The Project's goal of reducing the community's reliance on fossil fuels aligns with long-term conservation by reducing the risk of catastrophic fuel spills.

The following comments on the Draft CD incorporate input from the Departments of Natural Resources (DNR) and Fish and Game (ADF&G).

**ANILCA**

The Project was originally approved by FERC through the Alaska National Interest Lands Conservation Act (ANILCA) Title XI process in 2015 (FERC Project No. P-13272). The Project supports meeting Congressional direction in ANILCA to protect the environmental values on the public lands in Alaska while satisfying the social and economic needs of the State of Alaska and its people.

The State requests the addition of the following underlined language to the section "What is the use?":

... The FERC permit was authorized through the ANILCA Title XI process in 2015. The term of the Refuge ROW permit is aligned with the FERC permit term.

Staff reviewed the ANILCA Section 810 Summary Evaluation (810 Evaluation) of the effect the ROW permit will have on subsistence uses and needs. The 810 Evaluation appropriately considered the effects the project will have on subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and if other alternatives were available that would reduce or eliminate the FWS public lands needed for subsistence purposes.

**Fisheries**

The analysis within the Draft CD is accurate regarding the minimal expected impacts to the Refuge and the potential positive benefits to the community. The lagoon in Old Harbor supports pink, chum, and coho runs and gets a fair amount of sport and subsistence effort. This Project seems like a miniature version of the Terror Lake project, which has worked well for about 40 years in terms of fish habitat. The proposed Project could provide more stable water flows for the drainage versus the natural swings seen in the smaller drainages on the island.

**Wildlife**

The Draft CD does not explicitly mention blasting or similar high-impact activities for the project that may disturb denning bears, but if those types of activities are necessary, the State recommends those activities do not occur during the brown bear denning period (roughly December 1 - April 30).

**DNR Water Section**

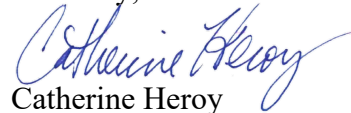
The Project has obtained the necessary permits from DNR to continue. There is a pending water right under LAS 22628 that was transferred to the Alutiiq Tribe in 2024 for a diversion/intake structure located in a powerhouse on land leased by the Alaska Village Electric Cooperative, Inc., from the Natives of Old Harbor Corporation.

DNR's Water Section has been actively coordinating with consultants on this project and will continue to monitor the project as it moves forward. If there are any changes to the scope or the timeline of the project, the point of contact within DNR will be Clint Gundelfinger; [clint.gundelfinger@alaska.gov](mailto:clint.gundelfinger@alaska.gov), 907-465-6363.

**Closing**

Thank you for the opportunity to review and comment on this Draft Compatibility Determination. Please contact me at (907)269-0880 or by email at [catherine.heroy@alaska.gov](mailto:catherine.heroy@alaska.gov) to coordinate any follow up discussions.

Sincerely,



Catherine Heroy  
Federal Program Manager