



Protecting Alaska's Cook Inlet watershed and the life it sustains

VIA FACSIMILE ONLY
(907) 465-3532

March 28, 2005

Governor Frank Murkowski
State of Alaska
P.O. Box 110001
Juneau, AK 99811-0001

Dear Governor:

You started your Administration with several sweeping changes to habitat oversight and permitting throughout Alaska, and I am writing now to emphasize the pitfalls of your current approach to the proposed Alaska Coastal Management Program revisions:

- 1. Casting away a federally-approved coastal management program will deal a serious blow to Alaska's states' rights.** As you plainly know from your many years in the U.S. Senate, the federal Coastal Zone Management Act confers important expanded rights to states possessing federally-approved coastal management programs. Last year California successfully relied on these enhanced states' right to challenge a federal decision in offshore waters. If Alaska casts away its federally-approved program, you will have diminished Alaska's ability to influence in a legally-enforceable manner federal decisions affecting our coastal resources and communities. With federal issues such as offshore fish farming and oil and gas on the front burner in Washington, DC, it remains unclear why you would hamstring Alaska's states' rights by discarding a program that has served Alaskans well.
- 2. Local control has been an important plank in the Alaska and National Republican Parties, and has played a critical role in balanced coastal development under the ACMP.** Since before the Alaska Constitutional Convention, Alaskans have prided themselves on promoting local control over decisions affecting local communities. Local control has similarly been heralded by Republicans at the national level to thwart intrusive meddling from the federal government. Yet in the process to revise the ACMP, your Administration has virtually eliminated coastal citizens and communities from meaningful participation in decisions that will affect their every-day lives and economies. It remains unclear why your Administration would so vehemently oppose a more inclusive process, but the top-down, command-and-control flavor of your proposed changes runs contrary to the views and opinions of a majority of Alaskans.
- 3. Discarding a federally-approved coastal management program will deny millions of dollars to coastal communities already suffering under cuts to state revenue sharing.** Local coastal communities already are suffering under the effects of revenue sharing cuts, and your

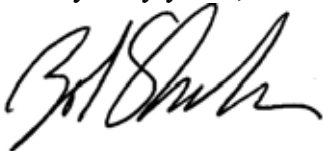
proposal to eliminate federal coastal zone management funds to these hard-hit areas will only aggravate the problem. Nowhere in your recent pronouncements have you recommended funding to replace federal CZMA funding, and with pressing state budget issues such as education, health care, road maintenance and law enforcement, it's alarming your Administration would toss away federal funding to coastal communities with no plan to replace it.

4. Without a federally-approved coastal management program, business interests and economic development will suffer confusion and permitting inefficiencies in coastal decisions. One of the ACMP's historic strengths has been its ability to centralize and coordinate permitting decisions in the coastal zone. Yet your Administration has frequently touted "permit streamlining" as a central rationale for overhauling the ACMP. Without a federally-approved ACMP, however, each coastal community with rulemaking authority will craft and implement its own separate rules regarding coastal development. It is difficult to understand how different rules in different jurisdictions will promote more efficient permitting decisions for statewide industries such as oil and gas, mining and timber interests.

Recently, your Department of Natural Resources had a fiscal note attached to SB 102, the bill that would extend the deadline for coastal districts to complete revisions to their coastal management plans. Plainly, the intent behind this move is to slow and perhaps halt the bill's progress through a legislature rightly concerned about state budget costs. Yet not surprisingly, no fiscal note accompanied HB 191, the bill you signed that heralded sweeping changes to the ACMP – changes that already have cost the state hundreds of thousands of dollars to implement.

Alaskans deserve leadership that recognizes the value of states' rights, local control and adequate funding in coastal decision making. I urge you to carefully consider your options regarding the future of the Alaska Coastal Management Program.

Very truly yours,



Bob Shavelson
Executive Director

Cc: (VIA EMAIL ONLY)
Jim Clark, Governor's Office
Eldon Hout, NOAA/OCRM
Alaska Coastal District Association
Select Alaska Coastal Mayors, Districts & Legislators