



USIBELLI COAL MINE, INC.

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February 19, 2010

Attn: Kaja Brix
Assistant Regional Administrator
Protected Resources Division, Alaska Region NMFS
PO Box 21668
Juneau, Alaska 99802

Re: RIN 0648-XT72
Proposed Critical Habitat Designation for Cook Inlet Beluga Whales

Thank you for the opportunity to comment on the above referenced proposed critical habitat designation. In general, the proposed critical habitat designation is far too broad and encompasses an area much larger than would seem to be necessary for protection of Cook Inlet Beluga whales.

First, it is worth commenting that the endangerment finding was flawed in the first place because indications are that the Beluga population in Cook Inlet is increasing. It is well documented that over harvest was the cause of the decline in population and recent curtailment of harvest has already reversed the trend. It would appear that existing marine related activity, such as shipping and energy development, that utilize the proposed critical habitat area is not a significant factor in past decline of the population.

Having boated recreationally in upper Cook Inlet for over 40 years, I have observed Beluga whales on many occasions. My observations is that the mouths and lower reaches of major rivers, such as the Little Susitna, Susitna and Beluga experience concentrations of Beluga whales, especially during salmon runs. The upper reaches of Turnagain Arm also attract significant numbers during times of hooligan and salmon migration. Otherwise, the whales seem to be fairly widely dispersed in the broader areas of the Inlet. If critical habitat designation is needed, it seems like it should be limited to such areas of high use and concentration. The fact that Belugas transit the larger parts of the Inlet does not justify critical habitat protection.

Usibelli Coal Mine, Inc. holds coal leases in the Palmer area and there is increasing demand for coal in Pacific Rim countries. After many years of lackluster demand in the export coal market, prospects are looking better for development of a coal export business and Cook Inlet could play a key role in that development. Critical habitat designation in the Port Mackenzie area and for

the shipping lanes through upper Cook Inlet could be a serious impediment to coal and other export opportunities. Clearly, there are many opponents to coal development and critical habitat designation would provide them with a powerful tool to hamper and potentially stop coal and other bulk commodity exports, with no corresponding benefit to the Beluga whales.

Alaskan's pay some of the highest energy costs in America. Development of our energy, mineral and other natural resources always has been, and will continue to be, vital to maintaining a healthy economy and good jobs for our citizens. The Cook Inlet Region in particular is vital to the economic health of Alaska's largest population concentration and is the gateway for products shipped to a majority of the State. Hampering resource development and the flow of commerce in and around Cook Inlet will have far reaching detrimental effects for most Alaskan's.

Cook Inlet is the most densely developed and heavily used region in Alaska with respect to resource development, human population and recreational activity. At the same time, it remains one of the biologically most productive regions in the State. Well developed management programs and diligent attention to environmental protection by industry have demonstrated that the marine environment and people can flourish in Cook Inlet. There is no reason the Beluga whales cannot recover and flourish again as well, without the harsh restrictions imposed by the proposed critical habitat designations.

In conclusion, no real Alaskan would approve of activities that truly endanger the Cook Inlet Beluga whales. Many, like me, have experienced the pleasure of watching these unique animals as part of our enjoyment of Cook Inlet. However, the proposal to place half of Cook Inlet in critical habitat designation will do nothing to protect the whales and has the potential to cripple future economic development in the region. I have 5 grandchildren and if Alaska's economy does not grow, they will be forced to leave to find gainful employment when they grow up. I want them to have the opportunity to enjoy Alaska's natural wonders as residents, not visitors.

Thank you for your consideration of my comments.

Sincerely,



Steve W. Denton

VP Business Development