

Congress of the United States
Washington, DC 20510

December 23, 2009

The Honorable Jane Lubchenco
Administrator
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Dr. Lubchenco:

We write regarding the National Oceanic and Atmospheric Administration's (NOAA) proposed designation of critical habitat for Cook Inlet beluga whale. NOAA's decision to list this stock of beluga whale as endangered under the Endangered Species Act (ESA) remains highly controversial in Alaska and the proposal to establish 3,000 square miles in Cook Inlet as critical habitat for the beluga whale is equally contentious.

We understand NOAA's responsibility to conserve and recover this species and appreciate your work to stay within the statutory time lines for determining critical habitat. In doing so, however, we are concerned about taking such action without adequate analysis of the economic and national security consequences of this designation. This proposal would designate the upper Cook Inlet and the Port of Anchorage as most critical without regard for the discretion of ESA Section 4(b)(2). This area has the highest population density in Alaska and is substantially dependent on the port. It is difficult to understand the conclusion the economic impact associated with this critical habitat determination is less than \$575,000. The 4(b)(2) analysis also appears lacking in a full assessment of the national strategic importance of the Port of Anchorage.

In order to bring all necessary information to bear on this important decision, we request you extend this proposed rule's public comment period by a minimum of 30 days and hold a sufficient number of public hearings to refine the baseline information and analysis. Additionally, we note the present public comment period falls during the seasonal holidays during which the attention of most Alaskans is rightly focused on their families and not issues of public policy. Thank you for your attention to this request.

Sincerely,



Lisa Murkowski
United States Senator



Mark Begich
United States Senator



Don Young
Congressman