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October 1, 1996

James P. Terry
Deputy Director
Office of Hearings and Appeals
U.S. Department of the Interior
4015 Wilson Boulevard
Arlington, Virginia 22203

Dear Mr. Terry:

The State of Alaska has reviewed the Department of the Interior's final Alternative Dispute Resolution Policy published in the Federal Register on August 2, 1996. This letter represents the consolidated comments of the State's resource agencies.

The State appreciates that the Department of the Interior is entertaining increasing use of alternative dispute resolution techniques. In this age of complex resource decision making, multiple interests, and an increasing tendency to rush to the judicial system for remedy, the use of methods that break down traditional barriers between interests and facilitate mutually acceptable solutions has great potential.

In Alaska we have had little experience with the techniques contemplated by the Department of the Interior, so have no detailed comments on the policy itself. We perceive, however, that the goals appear to be sound.

In the last year, state resource agencies have been working with the National Park Service, commercial fishing interests, conservationists, and local Natives to work out an acceptable solution regarding the future of commercial fishing in the area of Glacier Bay National Park. This has been a difficult and long standing issue. There have been several previous good faith attempts to tackle this issue in the past 15 years, but none have succeeded to date. The negotiated rulemaking option appears to be technique which could successfully be used to finally bring this issue to closure, in that it embodies implementation, not just intent.

We look forward to learning more about alternative dispute resolution, including negotiated rulemaking, and encourage the Department of the Interior to consider its use at Glacier Bay, and perhaps elsewhere in Alaska if it proves successful.

Thank you for the opportunity to provide these comments. If you have any questions, please call me at 907-269-7477.

Sincerely,



Sally Gibert
State CSU Coordinator

cc: John Katz, Governor's Office, Washington, D.C.
Diane Mayer, Director, Division of Governmental Coordination
John Shively, Commissioner, Department of Natural Resources
Frank Rue, Commissioner, Department of Fish and Game
Joseph Perkins, Commissioner, Department of Transportation and Public Facilities
Michele Brown, Commissioner, Department of Environmental Conservation
William Hensley, Commissioner, Department of Commerce and Economic
Development
Molly Ross, Special Assistant, Department of the Interior
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