



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

## Citizens' Advisory Commission on Federal Areas

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January 12, 2016

Geoffrey Haskett  
Alaska Regional Director  
1011 East Tudor Road  
Anchorage, AK 99503

Re: Public Comment Period for Proposed Rulemaking and Draft Environmental Assessment

Director Haskett:

The Commission was sincerely disappointed on finding the January 8, 2016 *Federal Register* publication of the proposed rulemaking regarding the non-subsistence take of wildlife and public participation and closure procedures only provides for a 60-day public comment period. This newly reduced comment period must accommodate both comments on the proposed rulemaking and the associated draft environmental assessment. The Commission would like to request the public comment period be extended to 121 days, consistent with the comment period provided (and extolled) by the National Park Service for its similarly focused proposed rule in 2014/2015.

The inexplicable reduction of the opportunity for public review and comment to 60 days is unexpected, concerning and inconsistent with prior outreach on the rulemaking effort. In fact, the draft environmental assessment *still* provides for a 90-day public comment period. Multiple versions of public informational documents on the proposed rule consistently provided for a 90-day public comment period. The June 2015 version (and earlier versions) of the "FAQs" on the proposed rule specifically noted:

*Public input is very important to us and in order to allow additional time for folks to provide input, we will be offering a 90 day comment period, as opposed to the traditional duration of 30 days.*

Presentations before numerous user groups, including Subsistence Regional Advisory Councils, referenced a 90-day comment period on the proposed rule. This is possibly the most unsettling aspect of this unexpected change, since many of those promised groups will not be able to provide comments on the proposed rule without a comment period extension. For example, Subsistence Regional Advisory Councils generally meet in February or March to engage in deliberations and make recommendations as a body. Allowing for a 121-day public comment period, as provided by the National Park Service, would also allow the Federal Subsistence Board to meaningfully entertain and discuss those recommendations at its April meeting.

While the proposed rule explicitly does not relate to or revise federal subsistence regulations, the perspectives of advisory council members and other subsistence users would add significant value to the Service's deliberation, potentially including the identification of unperceived impacts to subsistence users and creative alternatives in conformance with Service mandates.

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An extension to the comment period would also allow the Alaska Board of Game to consider the proposed rule at its March meeting. As you know, the Board was created “[f]or purposes of the conservation and development of the game resources of the state,” AS 16.05.221, and it is the Board’s lawfully enacted authorizations which the Service specifically proposes to preempt on Alaska refuges. As the Board has extensive expertise in these matters, and as its authorities are inarguably impacted by the proposals, its relevant views and experiences certainly merit consideration by the Service in this highly significant rulemaking effort.

To accommodate the many knowledgeable groups who would otherwise be precluded from providing input, consistent with public review opportunities provided by sister agencies for pointedly similar efforts in Alaska, lacking any apparent justification for the comment period reduction, and in consideration of draft environmental assessment language, prior assurances and outreach by the Service, the Commission requests the public comment period on the proposed rule and associated environmental impact statement be extended to 121 days in duration.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Sara Taylor', with a long horizontal flourish extending to the right.

Sara Taylor  
Executive Director

cc: The Honorable Lisa Murkowski, U.S. Senate  
The Honorable Dan Sullivan, U.S. Senate  
The Honorable Don Young, U.S. House of Representatives  
Michael Johnson, Special Assistant for Alaska, Office of the Secretary of the Interior  
Nathan Butzlaff, State/Federal Relations, D.C. Office of the Governor of Alaska  
Sue Magee, ANILCA Implementation Program, State of Alaska