

STATE OF ALASKA

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DIVISION OF GOVERNMENTAL COORDINATION

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January 22, 1991

Mr. Cy Jamison
Director
Bureau of Land Management
Room 5555
Main Interior Building
1849 C. Street NW
Washington D.C. 20240

Dear Mr. Jamison:

The State of Alaska has reviewed the Bureau of Land Management (BLM) regulations 43 CFR Parts 2920 and 9230 published in the November 21, 1990 Federal Register. This letter represents the consolidated comments and concerns of the State's resource agencies.

Recognition of ANILCA

The most significant question is whether these draft regulations have been formulated in a manner which recognizes that the Alaska National Interest Lands Conservation Act (ANILCA) specifies unique and sometimes exceptional provisions for uses of federal lands in Alaska. For example, ANILCA Sections 802, 810, 1110, 1303(d), and 1316 contain special provisions for access, facilities, and land uses. The proposed regulations could significantly and unreasonably restrict hunting, fishing and subsistence activities on federal lands in Alaska. We recommend these nationwide regulations be reviewed and revised as necessary to reflect the unique ANILCA provisions for federal lands in Alaska. Another approach would be to exempt federal lands in Alaska from these regulations and promulgate another set of regulations specifically for Alaskan federal lands.

Retroactive Fines

We question the appropriateness of enacting regulations which determine certain activities are illegal then apply fines retroactively [2921.3 (b) (2) and 2921.3 (c) (1)].

Appeal Process

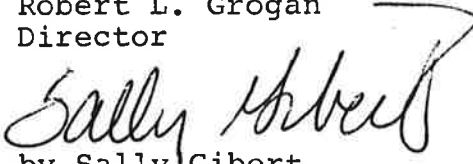
The appeals procedures for permits (2924.1-1) appear too restrictive. We suggest that appeals provisions include opportunities

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for review by officials higher than the immediate supervisor of a field officer or by an administrative law judge.

We appreciate the opportunity to provide comments. If you have questions please contact Sally Gibert at 907-561-6133.

Sincerely,
Robert L. Grogan
Director



by Sally Gibert
State CSU Coordinator

cc: Commissioner, Department of Fish and Game
Harold Heinz, Commissioner, Department of Natural Resources
John Sandor, Commissioner, Department of Environmental
Conservation
Frank Turpin, Commissioner, Department of Transportation and
Public Facilities
Ed Spang, State Director, Bureau of Land Management

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