THE STATE of ALASKA
GOVERNOR BILL WALKER

ANILCA Implementation Program
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July 24, 2017

Michael D. Nedd, Acting Director
Bureau of Land Management
1849 C Street NW, Rm. 5665
Washington DC 20240

Dear Director Nedd:

The State of Alaska is responding to the Bureau of Land Management's (BLM) July 3, 2017 request for comments on how to streamline BLM's planning process and ensure responsiveness to local needs. Recommended solutions may include changes to BLM policy (e.g. Bureau manuals, handbooks, etc.); changes to regulations; and/or changes to laws. BLM is seeking input on the following specific issues.

- **Focused Analysis**: How can the BLM reduce duplicative and disproportionate analyses?
- **User-friendly Planning**: How can the BLM help state and local governments, tribal partners, and other stakeholders understand and participate in the planning process?
- **Transparency**: How can BLM foster greater transparency in the NEPA Process?
- **Being Good Neighbors**: How can the BLM build trust and better integrate the needs of state and local governments, tribal partners, and other stakeholders?
- **Reducing Litigation**: How can the BLM create legally defensible documents and avoid the delays associated with legal challenges?
- **"Right-sized" Environmental Analysis**: How can the BLM more closely match the level of NEPA analysis to the scale of the action being analyzed?

The following comments represent the consolidated views of State of Alaska resource agencies and address these and other planning-related issues. Many of these points are specific to various federal laws that shaped the State of Alaska's unique history and led to the complex management framework that exists in Alaska today, which distinguishes BLM's Alaska land management planning obligations from BLM-managed land in other parts of the country.

1. **ANCSA d-1 Withdrawals and State Land Entitlement**: In Alaska, current planning areas are immense and encompass large swaths of state, private (primarily Alaska Native regional and village corporation lands) and federal conservation system units (CSUs) managed under the mandates of the Alaska National Interest Lands Conservation Act (ANILCA), which are distinctively different from BLM's multiple-use mandate under FLPMA applicable to general (non-CSU) BLM managed lands.

   The Alaska Native Claims Settlement Act (ANCSA), which was enacted to resolve the aboriginal lands claims of Alaska Natives and to withdraw over 80 million acres for conservation purposes, was supplemented with over 100 million acres of designated CSUs in Alaska with the

passage of ANILCA. In recognition of the state's resource-based economy, limited infrastructure, and Alaskan rural residents' subsistence way-of-life, ANILCA balanced the national conservation interests fulfilled by these CSUs with special protections for the economic and social needs of Alaska and its citizens. To preserve that balance, Congress specifically relied on the availability of other public lands in Alaska - managed by BLM - for more intensive use and disposition.

Most of the ANCSA withdrawals (often referred to as "ANCSA d-1" withdrawals) underlying BLM managed land remain in place today, and in areas where they do not coincide with Native land selections or ANILCA's CSU designations, they continue to foreclose opportunities for resource exploration and development and interfere with the State's ability to prioritize its final land selections under the Alaska Statehood Act. In the Alaska Land Transfer Acceleration Act 2006 Report to Congress, BLM stated that there was no reason to retain the majority of these withdrawals, and furthermore the extensive federal and state environmental laws and regulations applicable to resource development today that protect environmental values on these lands were not in place when the withdrawals were first put into place. BLM also committed to using the land use planning process to analyze and make final recommendations on lifting the underlying withdrawals. Over 10 years and multiple planning processes later, none of BLM's planning recommendations have been acted upon by the Secretary of Interior. As a result, BLM has fallen short on its commitment to Congress to lift the withdrawals and the State of Alaska's economic interests have been unjustly penalized.

- **Recommendation**: Request the Department of Interior prioritize acting on all of BLM's previous planning recommendations to lift ANCSA d-1 withdrawals and expedite recommendations on remaining withdrawals not superseded by ANILCA designations.

2. **"Right-sized" Planning Areas:** In the recently completed Eastern Interior Resource Management Plan (EIRMP), BLM combined four large subunits into one plan, all with individual components addressing multiple alternatives. This approach resulted in a duplicative format with repetitive content, which made the plan exceedingly difficult to comprehend – especially for anyone with an interest in more than one subunit. Further complicating the plan, three of the subunits contained lands managed under the mandates of ANILCA, rather than FLPMA's multiple use mandate. Lack of resource data also resulted in a cursory and general environmental analysis and decisions that did not take existing conditions or use into consideration. Cooperating agencies and the public were then expected to review what was essentially four separate plans under the same procedures and timeframes established for one resource management plan. The recently Congressionally-rejected planning rule, "Planning 2.0," encouraged such large planning areas to accommodate landscape-level planning and other climate change-related initiatives. However, the diverse legal mandates and BLM obligations involved in such a large planning area caused great frustration for reviewers and proved untenable, and Congress's recent resolution has amplified questions about the legal validity of elements of the Plan. Unfortunately, two other RMPs underway in Alaska have equally large planning areas (Bering Sea-Western Interior RMP and Central Yukon RMP). While BLM does not currently plan to issue separate Records of Decision for individual subunits, diverse issues and limited resource information for these large and remote areas will challenge these planning efforts, similar to the EIRMP.

- **Recommendation**: The current Land Use Planning Handbook (H-1601-1, page 14) allows for flexibility in determining the size of the planning area for an RMP; however, typically the planning area is comprised of the geographic area associated with a field office. We support retaining this flexibility but encourage BLM to consider the diversity of issues relative to large areas in Alaska, the different mandates associated with BLM-managed lands (FLPMA multiple use vs. ANILCA enabling legislation), State and private land ownership, and the availability of resource data and other information needed to support planning decisions, when determining the size of Alaska planning areas. In particular, we request that BLM consider the ability of the affected public to review and meaningfully comment on such large and exceedingly complex planning documents.

  In some circumstances, such as where enabling legislation provides specific management direction (e.g. CSUs and national recreation and conservation areas designated by ANILCA), developing smaller, more focused plans separate from an RMP that would have limited applicability to BLM multiple use lands may make more sense and result in less controversial planning decisions. If our additional suggestions for improving the planning process are adopted (such as lifting outdated ANCSA withdrawals, and exempting Alaska from policies that conflict with ANILCA), many of the complicating factors in RMP planning in Alaska may be eliminated, making plans covering larger geographic areas more digestible and user-friendly. Regardless of the approach taken, planning areas must be "right-sized" to properly consider the needs and interests of the people who depend on the area's resources as well as the State's resource-based economy and overall economic interests, as addressed in ANILCA.

3. **Areas of Critical Environmental Concern (ACECs)**: ACEC regulations at 43 CFR 1610.7-2 state that ACECs will be identified and considered throughout the resource management planning process. This has recently been interpreted by BLM as a *requirement* to consider, evaluate and incorporate "nominations" for potential ACECs whenever a nomination is received, at *any* stage of the planning process. This creates additional workload for BLM staff who are required to evaluate the merits of nominations and incorporate qualifying ACECs into one or more plan alternatives, interrupting the planning process and causing unnecessary delays. In addition, ACEC nominations have also been proposed during on-going planning processes, targeting proposed resource development projects (e.g. the Sheefish ACEC nominated after the public scoping period for the Bering Sea/Western Interior RMP specifically prohibited burying underground utilities, impacting the Donlin Gold Project's proposal for a buried pipeline across BLM lands). This creates an unfavorable and unpredictable business environment and is procedurally unsound.

   - **Recommendation**: Revise planning handbook and ACEC Manual 1613 to establish a clear and specific nomination period for evaluating and proposing ACECs at the front end of the planning process. As with other issues addressed in a plan, data gathered with cooperating agencies for the preliminary analysis of the management situation and public scoping comments should be adequate for identifying and evaluating existing and new ACEC nominations to be addressed within the planning process. BLM policy should

clarify that nominations received after the established nomination period will not be addressed in the RMP. If a nomination received outside the planning process is determined essential and would not be addressed by management prescriptions identified in the current plan or other regulatory authorities, they can be addressed in a plan amendment.

4. **Integrated Activity Planning**: In the absence of specific regulations and guidance with which to direct integrated activity planning, BLM RMP planning regulations and other land management policies (e.g. Secretarial Order 3310 Wild Lands, and BLM Manual 6400 Wild and Scenic Rivers) have been used as guidance for developing the Integrated Activity Plan (IAP) for the National Petroleum Reserve Alaska (NPR-A). In doing so, BLM ignored the statutory direction in FLPMA and the National Petroleum Reserve Production Act (Production Act) that limits the scope of land use planning for the NPR-A.[1] For additional discussion, see the attached State of Alaska's comments on the NPR-A Draft IAP and EIS dated June 13, 2012.

    - **Recommendation**: To ensure that revisions to the NPR-A IAP are consistent with FLPMA and the Production Act, promulgate regulations for integrated activity planning or revise BLM polices to exempt integrated activity plans from RMP planning regulations and directives.

5. **Secretarial Order 3310 Wild Lands Policy and IM 2011-154 dated 7/25/11** – Secretarial Order (SO) 3310 and related guidance materials direct BLM to inventory, designate as "Wild Lands," and manage qualifying lands to protect wilderness characteristics on BLM multiple-use lands, including land that is not congressionally designated Wilderness. In response to congressional action, the Secretary affirmed that BLM would not designate "Wild Lands," but that land with wilderness characteristics would nevertheless be managed to preserve its wilderness character.[2] SO 3310 has to-date not been rescinded despite these congressional concerns. In Alaska, non-impairment management of land with wilderness characteristics absent a congressional designation directly conflicts with ANILCA Section 1320. That law authorizes wilderness reviews on BLM lands in Alaska with the caveat that BLM is prohibited from managing to the non-impairment standard in FLPMA in the interim while waiting for congressional action. This policy is also inconsistent with ANILCA Section 1326 (referred to as the "no more" clause), which requires congressional approval to initiate reviews for the purpose of designating new CSUs *or for other similar purposes*. Designated wilderness is defined by ANILCA as a CSU and BLM's Wild Lands Policy guidance relies on the definition of wilderness character in the Wilderness Act. Therefore, application of the policy in Alaska conflicts with ANILCA. This policy also sets up a conflict with numerous other provisions in ANILCA established as exceptions to Wilderness Act prohibitions in designated wilderness, which would *not* apply to BLM multiple use lands being managed administratively to protect

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[1] FLPMA Sections 202 and 603 do not apply to the NPR-A (43 U.S.C.A. §6506(c)); therefore, authority to conduct wilderness reviews in ANILCA Section 1320 and direction to implement SO 3310 Wild Lands Order, which relies on authority in FLPMA Section 202, do not apply to the NPR-A.

[2] Memorandum re: Wilderness Policy from Ken Salazar, Secretary of the Interior, to Director, Bureau of Land Management (June 11, 2011).

wilderness characteristics (*e.g.*, motorized access, cabins and other structures, the Title XI transportation and utility system process, etc.). The result is that BLM land being administratively managed to protect wilderness character would be managed more restrictively in Alaska than congressionally designated Wilderness. The policy has far reaching impacts in Alaska as the vast majority of BLM multiple-use lands qualify under the policy as "lands with wilderness characteristics."

- **Recommendation**: To eliminate this time-consuming and labor-intensive analysis that complicates planning and implementation decisions and conflicts with ANILCA, revoke SO 3310 in its entirety or specifically exempt Alaska. Additionally, direct BLM to comply with the wilderness review limits in ANILCA Section 1320, and reinstate former Interior Secretary Gale Norton's Alaska Wilderness Review Policy, which authorized wilderness reviews in Alaska only when there is broad support by the State and Federal elected officials representing Alaska.[3]

6. **Manual 6400 Wild and Scenic Rivers, Policy and Program Direction for Identification, Evaluation, Planning, and Management (Public) and Planning Handbook, Appendix C, III. Special Designations, subpart B. Administrative Designations** – In the 1993 *American Rivers v. Lujan* settlement agreement, BLM agreed to rescind BLM policy excepting Alaska from wild and scenic river studies conducted as part of the RMP process.[4] Therefore, current BLM policy requires all land use plans to include wild and scenic river reviews pursuant to Section 5(d)(1) of the Wild and Scenic Rivers Act of 1968 (WSRA), with the Alaska specific requirement that "[p]ursuant to section 1326(b) of the Alaska National Interest Lands Conservation Act, 16 U.S.C. §3213(b), no study shall be conducted for the single purpose of considering eligibility for wild and scenic river designation in Alaska."[5] While the WSRA reviews are being incorporated into RMPs to obfuscate their purpose and avoid compliance with ANILCA Section 1326(b), they are in fact conducted for the single purpose of determining eligibility and suitability for designation as Wild and Scenic Rivers. Wild and Scenic Rivers are defined by ANILCA as CSUs. Further, the Order dismissing the complaint clarifies that the Court did not rule on the Settlement Agreement itself nor did it prohibit BLM from taking a different action in the future.[6] ANILCA, the later and more specific Statute, explicitly prohibits such reviews unless authorized

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[3] Secretary of Interior Gale Norton's April 2003 Memorandum regarding Bureau of Land Management Wilderness Review in Alaska.

[4] Settlement Agreement ¶¶ 1-4, *American Rivers v. Babbit*, No. J91-023 (D. Alaska Aug. 30, 1993). *See also* Memorandum from Deputy Regional Solicitor Alaska Region to the Alaska State Director, dated 11/10/93.

[5] Memorandum from Deputy Regional Solicitor, Alaska Region regarding *American Rivers v. Lujan*, dated 11/10/93, page 2.

[6] Settlement Agreement ¶ 14, *American Rivers v. Babbit*, No. J91-023 (D. Alaska Aug. 30, 1993). *See also* Order from Chambers, *American Rivers v. Babbitt*, No. J91-023 (D. Alaska Nov. 5, 1993) at 2 ("Yet the settlement agreement does not purport to compel any actions which [Interior] might determine to be appropriate or required by future [authoritative action]"), 3("The proposed settlement agreement is not before the court for approval or rejection.").

in ANILCA or a future Act of Congress (Section 1326(b)). Unlike Section 1320,[7] which gives BLM authority to conduct wilderness reviews "from time to time," there is **NO** continuing authority in ANILCA for any federal land management agency to conduct wild and scenic river reviews absent subsequent direction from Congress. Congress also expressly concluded that ANILCA obviated the need for more conservation system units or similar designations in Alaska.[8]

- **Recommendation** – To eliminate these legally questionable, time-consuming and labor-intensive reviews from RMP planning processes in Alaska (e.g. over 400 river segments were inventoried for the Central Yukon wild and scenic river review), update BLM policy guidance through appropriate administrative process to fully exempt Alaska from the requirement to conduct wild and scenic river reviews in RMP planning, thereby affirming that ANILCA Section 1326(b) allows only congressionally authorized wild and scenic river reviews.

7. **Incorporating Newly Introduced Policies**: Based on the State of Alaska's experience with the Eastern Interior RMP, delays in the planning process resulted partially from requiring new policies, such as Secretarial Order 3310 Wild Lands, be integrated into the plan mid-way through the planning process. Because the Order did not receive public review and was opposed by many western states, members of the public, and Congress, policy directives to implement the Order were revised, and the planning process was again interrupted to implement the revised guidance.

   - **Recommendation:** Revise planning regulations and related guidance to allow RMPs that are currently underway to continue without implementation of significant new or revised policy directives that have not been publicly-vetted prior to implementation.

8. **Special Administrative Designations and Interactive Mapping**: Existing guidance in H-1601-1 for making land use decisions regarding natural, biological and cultural resources (with the exception for conducting wild and scenic river reviews - see above discussion), and direction for administrative special designations (Appendix C, III. B) is appropriately limited. Recent planning efforts in Alaska and early implementation of "Planning 2.0" resulted in multiple new special administrative designations (*e.g.*, riparian conservation areas, critical fish and wildlife habitat, high priority restoration watersheds, backcountry management areas) not contemplated or implemented in previous RMPs. These designations cover large areas and some were inappropriately used in the Eastern Interior RMP as justification to retain outdated ANCSA d-1 withdrawals[9] and to apply unjustified and legally questionable buffer zones to adjacent federal CSUs. Where appropriately justified, legally permitted, and discreetly applied, special

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[7] 43 U.S.C. § 1784.

[8] "…the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent the proper balance between reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition….believes that the need for future legislation designating new conservation system units…has been obviated thereby." 16 U.S.C. 3101(d).

[9] 43 U.S.C. § 1616(d)(1).

designations can be a useful management tool. However, the additional layers of special designations, along with other planning decisions, such as travel management, make the plans overly complex and unclear, negatively impacting the public's ability to review the plan and BLM's ability to implement it. According to the preamble to the "Planning 2.0" regulations, guidance for identifying and implementing new designations would be included in the new accompanying planning handbook, which was never released because the new planning rule was rescinded under the Congressional Review Act. Therefore, there is still no guidance nor justification for similar designations that are under consideration in two other on-going Alaska planning efforts (Bering Sea-Western Interior RMP and Central Yukon RMP).

- **Recommendation**: Establish and release guidance materials that pertain to new special area designations not listed in BLM H-1601-1 Land Use Planning Handbook for public review and comment. Limit proposals for special designations to only those resources and values that would not already be addressed under the general plan guidance. To aid in understanding how the various planning layers interact and effect on-the-ground use, develop and apply interactive mapping tools to RMP planning for the public's use.

9. **Consistency Requirements (43 CFR 1510.3-2):** Section 202(c)(9) of FLPMA[10] directs BLM to coordinate the land use inventory, planning, and management activities with the land use planning and management programs of other Federal departments and State and local government agencies, including considering the policies of approved State and tribal land resource management programs. BLM is also tasked with resolving, to the extent practical, inconsistencies between Federal and non-Federal Government plans and providing for meaningful engagement with State and local government officials. FLPMA further requires that BLM land use plans are consistent with state and local plans "to the maximum extent. . . consistent with Federal law and the purposes of this Act." The consistency requirements in 43 CFR 1610.3-2 afford affected State Governor(s) with a 60-day review period to write to the State Director to identify inconsistencies and make recommendations for resolution. Appeals of the State Director's final decision are submitted to BLM's National Director.

   The ability to participate in the planning process as a cooperating agency, including opportunities to engage in meaningful dialogue, should typically provide adequate opportunities to resolve inconsistencies in advance of the Governor's Consistency Review. However, from what appeared to be an early application of BLMs new "Planning 2.0" rule, final planning decisions affecting Alaska were largely being made by officials in Washington DC. Consistency with local knowledge of resource conditions and uses, and other unique circumstances, including complex details of unique enabling legislation applicable to lands within the planning area, such as ANILCA, need to be considered in all federal land use planning decisions. Therefore, we support retaining the current regulatory and policy guidance (Land Use Planning Handbook H-1602-1) on consistency reviews. However, the existing guidance is not clear about how consistency is evaluated and achieved by BLM, especially when distinctly different laws and mandates apply to different federal and state lands within planning areas. This is especially important in Alaska, where recent federal planning proposals and decisions have been more focused on establishing consistency with adjacent federal CSUs, favoring resource protection over the multiple-use mandate in FLPMA, which is more closely aligned with management of

[10] 43 U.S.C. §

adjacent state lands. As a result, large areas of BLM lands are being managed as protective buffers for CSUs, even though existing state and federal environmental laws and regulatory authorities are in place to conserve CSU resources and values. Administratively expanding CSU boundaries in this manner also conflicts with the balance Congress achieved through the disposition of public lands in section 101(d) of ANILCA.[11]

- **Recommendation:** Clarify in policy and regulation how consistency with other federal and state lands is evaluated and achieved, including taking into consideration direction in FLPMA to ensure consistency with State and local plans "to the maximum extent he finds consistent with Federal law and purposes of this Act." Also, for Alaska specifically, clarify that direction in 43 CFR 1610.3-1 for considering whether a State Director's consistency decision represents a "reasonable balance between the national interest and the State's interest" includes recognition of the balance that Congress already achieved in Alaska with the passage of ANILCA, as stated in ANILCA Section 101(d), and other applicable statutory provisions.

10. **Travel Management Step-down Plans:** Current BLM national and regional travel management guidance requires BLM to integrate travel management decisions into RMPs but allows for inventory and use data to be collected after the RMP is finalized. If not available during the RMP process, subsequent step down travel management plans must then be completed within five years. RMP decisions that place interim limits on travel management without the benefit of inventory or use data could negatively impact use for more than five years until new informed decisions are made in a step-down plan. RMP allocation and use decisions also result in sideboards that limit the agency's discretion in a step-down plan and make it difficult for the State to assess whether the RMP impacts access onto adjacent state lands, which is essential to the Governor's consistency review finding. In addition, in Alaska, ANILCA's "open until closed" access provisions prevent BLM from arbitrarily curtailing access to or across lands they administer. Site-specific justification that considers impacts to on-the ground use is required to restrict or close protected methods of access under ANILCA sections 1110(a) and 811(b).[12] Therefore, inventory and use data is essential in making travel management decisions in Alaska, and cannot be deferred during the planning process.

    - **Recommendation:** Revise the BLM Alaska Travel Management Guide (September 2009) to require inventory and use data be available for RMP travel management decisions. If travel management must be deferred to a step-down plan, clarify that RMP decisions cannot place limits on future step-down planning decisions that take inventory and use data, not available for the RMP decisions, into consideration.

11. **Identification and Selection of Preferred and Final Alternative:** 43 CFR 1610.4-7 and H-1601-1, BLM's Land Use Planning Handbook, require BLM to identify a preferred alternative in a draft RMP. The public is well served by this requirement; however, recent planning efforts in Alaska, not entirely limited to BLM RMPs, have either not identified a preferred alternative in the draft plan, and/or selected a final alternative that combines elements from all the proposed alternatives, without providing the public with an additional opportunity for review of what is

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11 16 U.S.C. § 3101(d).

12 16 U.S.C. §§ 3170(a) & 3121(b).

essentially a new "hybrid" alternative. BLM has asserted that as long as the combined elements were within the range of draft alternatives, the new hybrid alternative does not require additional public review. This leaves the public with the sense that they have been subject to a "bait and switch" operation, eroding the public trust in BLM as an institution. Further, the public is only provided a 30-day protest period, which is far too short a time to evaluate an entirely new alternative, especially considering the size and complexity of BLM's RMPs. For example, the EIRMP was comprised of four separate plans with individual Records of Decision, and included over 1,800 pages of text and 130 maps. Further, given the size and complexity of the EI RMP, two years lapsed between issuance of the draft and final plans. A thirty-day opportunity to both review and file a protest on an RMP of that magnitude after that length of time is entirely inadequate and a disservice to the public.

- **Recommendation:** Revise planning regulations and handbook to require re-release of a draft RMP (or supplemental, as appropriate) for public review and comment when the proposed final is measurably different from the preferred alternative identified in the draft RMP, regardless of whether the hybrid alternative's combined elements were within the draft range of alternatives. This review would be separate from the protest period and should provide 60-90 days, depending on complexity, for public comment. Such guidance is consistent with existing guidance in H-1601-1 Land Use Planning Handbook for significant changes following a Governor's Consistency Review (Page 25, #13).

12. **Regional Guidance:** Broad national regulations and policies cannot be expected to apply to all areas under BLM management equally, especially where environmental conditions and lifestyles are significantly different, such as Alaska, or lands are subject to unique enabling legislation, such as ANILCA. Regional policies are essential to provide guidance where exceptions are necessary or warranted, especially since BLM does not have ANILCA implementing regulations similar to the National Park Service and US Fish and Wildlife Service (with the exception of Department of Interior Title XI regulations at 43 CFR 36). While some regional guidance exists for Alaska (e.g. Alaska Travel Management Guide and IM-AK-2011-008 Compliance with ANILCA Section 810), the State of Alaska has repeatedly requested BLM develop comprehensive ANILCA regional guidance to ensure plans and management actions are consistent with ANILCA and work for Alaskans and visitors alike. To date, no such regional guidance has been developed and planning efforts are unnecessarily complicated by inconsistent interpretation and implementation of ANILCA provisions unique to Alaska.

    - **Recommendation**: To ensure accurate and consistent interpretation and implementation of ANILCA, work cooperatively with the State of Alaska to develop comprehensive regional guidance for Alaska that can be applied to planning efforts and other management actions.

13. **Handbooks and Manuals**: BLM manuals, handbooks and instruction memorandums are routinely prepared and revised without any public review or consultation with affected states, and frequently without any announcement of their release. BLM staff are also expected to implement guidance materials that are in draft for extensive periods or have long expired. This approach results in unclear and inconsistent application of policy guidance, national policies that are inconsistent with state-specific enabling legislation or authorities, and policies that are often

tested out on the public and states for extensive periods without the benefit of their input or recourse (e.g. Regional Mitigation Manual - IM 2013-142 was in draft from June 2013 until it was finalized in December 2016). This approach negatively impacts public uses, project permitting, and state and local economic interests, and further erodes the public trust in BLM as an institution.

- **Recommendation:** Establish a system for policy guidance development that includes opportunities for public review and comment, including for interim guidance. Extend or update guidance upon expiration so that it is clear that the direction is considered current and appropriate for implementation.

Thank you for this opportunity to comment. Please contact me at (907) 269-7529 if you have any questions or for follow-up discussions with appropriate state staff on the issues raised in this letter.

Sincerely,

Susan Magee
State BLM Planning Coordinator

Enclosures

cc: Stephen Wackowski, Special Advisor, Office of the Secretary, Department of the Interior
Jim Cason, Associate Deputy Secretary, Office of the Secretary, Department of the Interior