

STATE OF ALASKA

SARAH PALIN, Governor

ANILCA IMPLEMENTATION PROGRAM

550 W. 7TH AVENUE, SUITE 705
ANCHORAGE, ALASKA 99501
PH: (907) 269-7470 / FAX: (907) 269-3981
Sally_Gibert@dnr.state.ak.us

June 28, 2007

Dennis E. Bschor, Regional Forester
USDA Forest Service
Alaska Regional Office
P.O. Box 21628
Juneau, AK 99802-1628

Dear Mr. Bschor:

I understand that in March of this year, you, Mark Rey, and Tina Cuning had an informal conversation in Portland, Oregon that included the topic of Alaska National Interest Lands Conservation Act (ANILCA) regulations for the US Forest Service. The growing need for such Forest Service ANILCA regulations was again recognized, specifically to implement the ANILCA access provisions under Title XI. Hence I'm taking this opportunity to formally request and encourage the Alaska Region of the Forest Service to begin this process as soon as possible, if you have not already done so. The lack of Forest Service ANILCA access regulations is increasingly an issue in several forums, most recently through the Wilderness brochure, the Access and Transportation Management Planning, and the proposed expansion of the Angoon Airport, to mention a few. Looking to the 1986 Department of the Interior Title XI regulations at 43 CFR Part 36 becomes the natural starting point since the exact same statutory provisions (ANILCA Sections 1101-1108) apply to both the Departments of Interior and Agriculture. The Interior regulations have also been litigated and upheld by the District Court.

For your convenience, I am attaching the following:

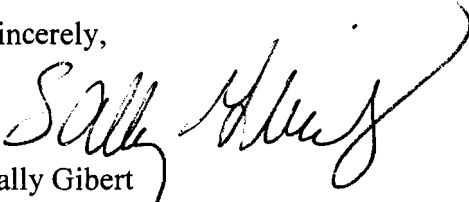
- Final Interior Title XI regulations, with supporting documentation about the final decisions (September 4, 1986).
- Title XI Technical correction (October 8, 1986).
- The amendment to the 43 CFR 36.2 *Definitions* that settled the Trustees for Alaska lawsuit (October 8, 1997).
- A "facility closures and restrictions" rule from the National Park Service at 13.30(h) that simplifies closure procedures for facilities (December 2, 2004).

There are numerous other bits and pieces of supplemental ANILCA regulations adopted by the National Park Service and the US Fish and Wildlife Service since 1980 that would be useful for the Forest Service to eventually consider; but in the interests of meeting the greatest need on the short term, a regulations package that parallels the listed components

above as closely as possible will provide a judicially-tested solution in a timely manner with minimum opportunity for controversy.

If we can be of further assistance in this endeavor, please let me know.

Sincerely,



Sally Gibert
ANILCA Program Coordinator

cc: Mark Rey, Undersecretary for Natural Resources and Environment,
US Department of Agriculture
John Katz, Director of State/Federal Relations, Governor's Office, Wash. D.C.
Joseph Balash, Special Assistant, Governor's Office, Juneau
Tom Irwin, Commissioner, Alaska Department of Natural Resources
Denby Lloyd, Commissioner, Alaska Department of Fish and Game
Tina Cuning, Special Assistant, Alaska Department of Fish and Game

Enclosures