



THE STATE  
of **ALASKA**

GOVERNOR SEAN PARNELL

RC9  
Alaska Board of Game

1255 West 8th Street  
P.O. Box 115526  
Juneau, Alaska 99811-5526  
Main: 907.465.4110  
Fax: 907.465.6094

December 5, 2013

*Deb*  
Ms. Debora Cooper, Associate Regional Director  
National Park Service  
240 West 5<sup>th</sup> Avenue  
Anchorage, AK 99501

Dear Ms. Cooper:

The National Park Service submitted an Agenda Change Request (ACR) to the Alaska Board of Game (board) requesting to change 5 AAC 85.056, 5 AAC 85.060, 5 AAC 92.080 (7) (c) (iv), 5 AAC 92.044 (b) (1) and 5 AAC 92.260 (1). Under section (a) of the board's ACR policy, the board will accept an ACR only:

- A) for a conservation purpose or reason;
- B) to correct an error in a regulation; or,
- C) to correct an effect on a hunt that was unforeseen when a regulation was adopted.

The board will not accept an ACR that is predominantly allocative in nature in the absence of new information that is found by the board to be compelling.

With respect to these criteria, the Department of Fish and Game (department) intends to relay to the board that there are not any conservation concerns presented by the NPS in the ACR that warrant the board considering this action out of cycle. The department can use its Emergency Order authority to address any conservation concerns that may arise. The department also does not see this as addressing an error in regulation. Finally, the department does not believe that there were any effects that were unforeseen when the regulations were adopted. Given this, the department believes that the ACR does not meet the criteria specified above. However, this is a determination for the board to make and the department has no recommendation.

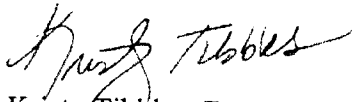
However, under paragraph (b) of the ACR policy the board may change the board's schedule for consideration of proposed regulatory changes as reasonably necessary for coordination of state regulatory actions with federal agencies, programs, or laws. This gives the board an additional criterion for allowing an agenda change request. What is "reasonably necessary for coordination" is within the board's power to decide and the department has no recommendation.

December 5, 2013

At the request of the board Chairman, we would like to offer you an opportunity to discuss your request and rationale with the board at our scheduled January 10-13, 2014 Arctic/Westward Region meeting in Kotzebue. After this discussion the board will vote on whether to accept the ACR for scheduling at their March 14-18, 2014 Statewide Regulations meeting in Anchorage.

Information the board will be looking for to assess whether to accept the ACR is similar to that requested by the department in various letters to your agency over the past year. These questions are key to assessing whether action is "reasonably necessary for coordination" under paragraph (b) of the ACR policy. These letters are attached for your reference.

Sincerely,



Kristy Tibbles, Executive Director  
Alaska Board of Game

cc: Commissioner Cora Campbell, ADF&G  
Chairman Ted Spraker, Alaska Board of Game

Enclosures