

**Topic: State of Alaska Roadless Petition – Process, Staffing, and Funding**

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**Issue Summary:** If the Secretary initiates rulemaking to regarding the 2001 Roadless Rule in Alaska, the agency will undertake a considerable amount of work. Close national coordination, adequate funding, and staffing will be required.

**Background:** The Chief has indicated that if rulemaking is undertaken, the agency would work as Co-Leads with the State of Alaska. In practical terms, the State would be defined as a cooperating agency, but all decision-making authority would be held by the Secretary. The State has indicated that it would need around \$750,000 in grant funding to help play this role.

**Role of the State of Alaska:** As a cooperating agency, the State would attend and staff all team meetings, provide specialists as needed, and help conduct public meetings. The State has also indicated a willingness to form a working group, made of up of a variety of interests, to provide the Secretary an alternative for consideration.

**Process:** Depending on the option chosen, rulemaking would likely ensue. This would require the agency to develop a regulatory workplan, create a team designate an executive lead, and develop a Memorandum of Understanding with the State of Alaska. The team would release a Notice of Proposed Rule Making, initiate public engagement, release a proposed rule, take formal comment, and release a final rule. Another option is to forgo the proposed rule and issue an interim final rule immediately after the public engagement. The agency would take formal comments after the rule is enacted. A final rule would need to be issued within five years.

Options for public engagement include forming a FACA committee to provide recommendations to the Secretary, holding public hearings, having the state convene a working group and present the Secretary an alternative for consideration, or to simply offer a comment period. The governor has indicated that he would like us to do more than just offer a comment period. Based on the present read of public support, the agency recommends a series of public hearings in Southeast Alaska and providing the state an opportunity to submit an alternative.

**Staffing:** The team would be composed of both national and regional assets. We recommend a team including a national team lead, project manager, and an attorney from WO OGC. Regional public affairs, technical specialists, and OGC attorneys would make up the rest of the team. Given the national nature of this rulemaking and that the Regional Forester position for Alaska may not be filled right away, we recommend that an Associate Deputy Chief or an SES Director be assigned as executive lead. A contractor should be hired to complete the supporting Environmental Impact Statement and other supporting analyses.

**Funding:** Dedicated funding is required to support any option that includes rulemaking. Generally it would include:

- Staffing and travel - \$750,000 per year
- Contracting - \$1.2 million (rule and amendments)
- Public Meetings/State of AK – \$750, 000
- Publishing, materials etc – \$100,000

**PRE-DECISIONAL, DELIBERATIVE**

