

Citizens Advisory Commission on Federal Areas Sunset Audit Summary

Prepared for the Senate Resources Committee by
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The Division of Legislative Audit conducted a sunset audit of the Citizens Advisory Commission on Federal Areas (CACFA) dated April 2020. This sunset audit reviews the period from Feb 2015 through June 2017 at which point the Commission was defunded. The purpose of a sunset audit is to determine whether a board or Commission is serving the public's interest and whether it should be extended. The prior sunset audit of CACFA was issued in 2015.

Background Information begins on Page 3 of the audit report. CACFA is responsible for identifying and reducing potential negative impacts from federal actions on any of the over 200 million acres of federal land in the state. Per state statute, the Commission shall consider, research, and hold hearings on the consistency with federal law and congressional intent on management, operation, planning, development, and additions to federal management areas in the state. The Commission may request the attorney general file suit against a federal official or agency if the Commission determines that the federal official or agency is acting in violation of an Act of Congress, congressional intent, or the best interest of the state.

The Commission was active from 1981 until 1999, at which time funding was eliminated. CACFA was reestablished in 2007 and operated from FY08 through FY17, at which point its funding was again eliminated.

Federal management of land in Alaska has been widely criticized. Concerns with federal overreach and unfulfilled commitments led to the reestablishment of CACFA. The Commission was reestablished to advocate on behalf of Alaska citizens on issues related to federal management of Alaska land.

Report Conclusions begin on Page 7 of the audit report.

The audit found that beginning in FY17, funding CACFA has not been a priority. While not a consistent priority for either the Governor or the legislature, both entities supported the Commission at separate times. The legislature approved funding for the Commission in FY17; however, the Governor vetoed the appropriation. Funding for the Commission in FY18 and FY19 was not included in the Governor's request, nor the final operating bills passed by the legislature. The legislature approved funding in FY20, but the Governor vetoed the appropriation. The Governor's amended FY21 budget included funds to restore CACFA but the proposed funding was not included in the legislature's approved budget.

Overall, the audit concluded that, from the date of our prior sunset audit in February 2015 through the time CACFA was defunded in June 2017, the Commission operated effectively and did not significantly duplicate the efforts of other entities. The audit also concluded that there is a continuing public need for the Commission. We recommend an 8-year extension.

We found that while CACFA was active, the Executive Director monitored the Federal Register for new information related to CACFA's mission, provided comments on proposed changes, and brought relevant information to the Commission's attention. If determined necessary, CACFA sent a comment letter to the applicable federal agency. Comment letters formally summarized CACFA's concerns with proposed management plans and changes to regulations and laws. The Commission sent 14 comment letters and provided testimony four times from February 2015 through August 2016. Letters and testimony were directed to federal agencies and congressional subcommittees.

Additionally, CACFA invited federal agencies to present information and discuss federal plans and policies via panel discussions to help facilitate communication between the public, state, and federal agencies. Meetings generally lasted for one or two days and included multiple presentations from individuals representing federal agencies such as the U.S. National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management, and State agencies such as Department of Natural Resources (DNR) and Department of Fish and Game.

Per the CACFA Executive Director, the director and staff assisted between 15 and 20 Alaska citizens at a time with issues related to federal land management by helping write complaints and requests for information, and guiding citizens to the appropriate agencies. In addition, staff accompanied citizens to permit and informational meetings to provide support and expertise.

The report makes no recommendations for improvement. Responses to the audit begin on Page 21. The Department of Natural Resources Commissioner concurs with the recommended 8-year extension.