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Glenna Wright-Gallo,
Assistant Secretary for Special Education and Rehabilitative Services.
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DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Office of Subsistence Management

50 CFR Part 100

[Docket No. DOI-2024-0011; 256D0102DM DS61900000 DMSN00000.000000 DX61901]

RIN 1090-AB29

Subsistence Management Regulations for Public Lands in Alaska—2026-27 and 2027-28 Subsistence Taking of Wildlife Regulations

AGENCY: Forest Service, Agriculture; Office of Subsistence Management, Interior.

ACTION: Proposed rule.

SUMMARY: This proposed rule would establish regulations for hunting and trapping seasons, harvest limits, and methods and means related to taking of wildlife for subsistence uses during the 2026-27 and 2027-28 regulatory years. The Federal Subsistence Board (hereafter referred to as “the Board”) is on a schedule of completing the process of revising subsistence taking of wildlife

regulations in even-numbered years and subsistence taking of fish and shellfish regulations in odd-numbered years; public proposal and review processes take place during the preceding year. The Board also addresses customary and traditional use determinations during the applicable cycle. When final, the resulting rulemaking will replace the existing subsistence wildlife taking regulations. This proposed rule could also amend the general regulations on subsistence taking of fish and wildlife.

DATES: *Public meetings:* The Federal Subsistence Regional Advisory Councils (hereafter referred to as “the Councils”) will receive comments and make proposals to change this proposed rule during public meetings held between February 18, 2025, and April 2, 2025. The Councils will hold another round of public meetings to discuss and receive comments on the proposals and make recommendations on the proposals to the Board on several dates between September 16, 2025, and October 30, 2025 (see Alaska Subsistence Regional Advisory Council Meetings for 2025; 89 FR 63962; August 06, 2024). The Board will discuss and evaluate proposed regulatory changes during a public meeting in Anchorage, Alaska, in April 2026. See **SUPPLEMENTARY INFORMATION** for specific information on dates and locations of the public meetings.

Public comments: Comments and proposals to change this proposed rule must be received or postmarked by April 4, 2025.

ADDRESSES:

Public meetings: The Board and the Councils’ public meetings are held at various locations in Alaska. See **SUPPLEMENTARY INFORMATION** for specific information on dates and locations of the public meetings.

Public comments: You may submit comments by one of the following methods:

Electronically: Go to the Federal eRulemaking Portal: <https://www.regulations.gov>. In the Search box, enter Docket number DOI-2024-0011. Then, click on the Search button. On the resulting page, in the Search panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. You may submit a comment by clicking on “Comment.”

By hard copy: Submit by U.S. mail or hand delivery: Regulations, Attn: DOI-2024-0011; Office of Subsistence Management; 1011 E Tudor Road M/S 121, Anchorage AK 99503. If in-person Council meetings are held, you may also deliver a hard copy to the Designated Federal Official attending any of the

Councils’ public meetings. See **SUPPLEMENTARY INFORMATION** for additional information on locations of the public meetings.

We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Public Review Process section below for more information).

FOR FURTHER INFORMATION CONTACT: Chair, Federal Subsistence Board, c/o Office of Subsistence Management, Attention: Crystal Leonetti, Director; (907) 786-3888 or subsistence@ios.doi.gov. For questions specific to National Forest System lands, contact Gregory Risdahl, Regional Subsistence Program Leader, USDA, Forest Service, Alaska Region; (907) 302-7354 or gregory.risdahl@usda.gov. In compliance with the Providing Accountability Through Transparency Act of 2023, please see Docket No. DOI-2024-0011 on <https://www.regulations.gov> for a document that summarizes this proposed rule.

SUPPLEMENTARY INFORMATION:

Background

Under title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111-3126), the Secretary of the Interior and the Secretary of Agriculture (hereafter referred to as “the Secretaries”) jointly implement the Federal Subsistence Management Program (hereafter referred to as “the Program”). The Program provides a preference for take of fish and wildlife resources for subsistence uses on Federal public lands and waters in Alaska. Only Alaska residents of areas identified as rural are eligible to participate in the Program. The Secretaries published temporary regulations to carry out the Program in the **Federal Register** on June 29, 1990 (55 FR 27114), and final regulations on May 29, 1992 (57 FR 22940). Program officials have subsequently amended these regulations a number of times. Because the Program is a joint effort between the Departments of the Interior and Agriculture, these regulations are located in two titles of the Code of Federal Regulations (CFR): The Agriculture regulations are at title 36, “Parks, Forests, and Public Property,” and the Interior regulations are at title 50, “Wildlife and Fisheries,” at 36 CFR 242.1-28 and 50 CFR 100.1-28, respectively. Consequently, to indicate that identical changes are proposed for regulations in both titles 36 and 50, in this document we will present references to specific sections of the

CFR as shown in the following example: § __.24.

The Program regulations contain subparts as follows: Subpart A, General Provisions; Subpart B, Program Structure; Subpart C, Board Determinations; and Subpart D, Subsistence Taking of Fish and Wildlife. Consistent with subpart B of these regulations, the Secretaries established a Federal Subsistence Board (hereafter referred to as “the Board”) to administer the Program. The Board comprises:

- A Chair appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture;
- Five public members appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture;
- The Alaska Regional Director, Bureau of Indian Affairs;

- The Alaska State Director, Bureau of Land Management;
- The Alaska Regional Director, National Park Service;
- The Alaska Regional Director, U.S. Fish and Wildlife Service; and
- The Alaska Regional Forester, U.S. Forest Service.

Through the Board, these agencies and public members participate in the development of regulations for subparts C and D. Subpart C sets forth important Board determinations regarding program eligibility, *i.e.*, which areas of Alaska are considered rural and which species are harvested in those areas as part of a “customary and traditional use” for subsistence purposes. Subpart D sets forth specific seasons, limits, and other harvest parameters and requirements.

In administering the Program, the Secretaries divided Alaska into 10 subsistence resource regions, each of

which is represented by a Federal Subsistence Regional Advisory Council. The Councils provide a forum for rural residents with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal public lands in Alaska. The Council members represent varied geographical, cultural, and user interests within each region.

Public Review Process—Comments, Proposals, and Public Meetings

The Councils have a substantial role in reviewing this proposed rule and making recommendations for the final rule. The Board, through the Councils, will hold public meetings in person and via teleconference on this proposed rule at the following locations in Alaska, on the following dates:

TABLE 1—WINTER 2025 MEETINGS OF THE FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCILS

Regional Advisory Council	Dates	Location
Southeast Alaska—Region 1	March 18–20	Sitka.
Southcentral Alaska—Region 2	March 12–13	Cordova.
Kodiak/Aleutians—Region 3	March 6–7	Kodiak.
Bristol Bay—Region 4	February 18–19	Naknek.
Yukon-Kuskokwim Delta—Region 5	March 4–5	Bethel.
Western Interior—Region 6	February 25–26	Fairbanks.
Seward Peninsula—Region 7	April 1–2	Nome.
Northwest Arctic—Region 8	March 27–28	Kotzebue.
Eastern Interior—Region 9	February 19–20	Fairbanks.
North Slope—Region 10	February 27–28	Utqiagvik.

During April 2025, the written proposals to change the regulations at subpart D, take of wildlife and subpart C, customary and traditional use determinations, will be compiled and distributed for public review. Written public comments will be accepted on

the distributed proposals during a second 30-day public comment period, which will be announced in statewide newspaper and radio ads and posted to the Program web page and social media. The Board, through the Councils, will hold a second series of public meetings

or teleconference meetings in September through October 2025, to receive comments on specific proposals and to develop recommendations to the Board on the following dates:

TABLE 1—FALL 2025 MEETINGS OF THE FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCILS

Regional Advisory Council	Dates	Location
Southeast Alaska—Region 1	October 21–23	Wrangell.
Southcentral Alaska—Region 2	October 14–15	Anchorage.
Kodiak/Aleutians—Region 3	September 17–18	TBD.
Bristol Bay—Region 4	October 29–30	Dillingham.
Yukon-Kuskokwim Delta—Region 5	October 21–23	TBD.
Western Interior—Region 6	October 7–8	Fairbanks.
Seward Peninsula—Region 7	October 14–15	Nome.
Northwest Arctic—Region 8	October 27–28	Kotzebue.
Eastern Interior—Region 9	October 8–10	Tok.
North Slope—Region 10	September 16–17	Utqiagvik.

A public notice of specific dates, times, call-in number(s), and how to participate and provide public testimony will be published in local and statewide newspapers, announced in radio ads, and posted to the Program web page and social media at least 2

weeks prior to each meeting. The amount of work on each Council’s agenda determines the length of each Council’s meeting, but typically the meetings are scheduled to last 2 days. Occasionally a Council will lack information necessary during a

scheduled meeting to make a recommendation to the Board or to provide comments on other matters affecting subsistence in the region. If this situation occurs, the Council may announce on the record a later teleconference to address the specific

issue when the requested information or data is available; it is noted that any follow-up teleconference would be an exception and must be approved, in advance, by the Director of the Office of Subsistence Management. These teleconferences are open to the public, along with opportunities for public comment; the date and time will be announced during the scheduled meeting, and that same information will be announced through news releases and local radio, newspaper, Program web page, and social media ads.

The Board will discuss and evaluate proposed changes to the subsistence management regulations during a public meeting scheduled to be held in Anchorage, Alaska, in April 2026. The Council Chairs, or their designated representatives, will present their respective Councils' recommendations at the Board meeting. Additional oral testimony may be provided on specific proposals before the Board at that time. At that public meeting, the Board will deliberate and take final action on proposals received that request changes to this proposed rule.

Proposals to the Board to modify the general fish and wildlife regulations, wildlife harvest regulations, and customary and traditional use determinations must include the following information:

- a. Name, address, and telephone number of the requestor;
- b. Each section and/or paragraph designation in the current regulations for which changes are suggested, if applicable;
- c. A description of the regulatory change(s) desired;
- d. A statement explaining why each change is necessary;
- e. Proposed wording changes; and
- f. Any additional information that you believe will help the Board in evaluating the proposed change.

The Board will immediately reject proposals that fail to include the above information, or proposals that are beyond the scope of authorities in § 17.24, subpart C (the regulations governing customary and traditional use determinations) and § 17.25 and 17.26 of subpart D (the general and specific regulations governing the subsistence take of wildlife). If a proposal needs clarification, prior to being distributed for public review, the proponent may be contacted, and the proposal could be revised based on their input. Once a proposal is distributed for public review, no additional changes may be made as part of the original submission. During the April 2026 meeting, the Board may defer review and action on some proposals to allow

time for cooperative planning efforts, or to acquire additional needed information. The Board may elect to defer taking action on any given proposal if the workload of staff, Councils, or the Board becomes excessive. These deferrals may be based on recommendations by the affected Council(s) or staff members, or on the basis of the Board's intention to do least harm to the subsistence user and the resource involved. A proponent of a proposal may withdraw the proposal provided it has not been considered, and a recommendation has not been made, by a Council. The Board may consider and act on alternatives that address the intent of a proposal while differing in approach.

You may submit written comments and materials concerning this proposed rule by one of the methods listed in **ADDRESSES**. If you submit a comment via <http://www.regulations.gov>, your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy comments on <http://www.regulations.gov>.

Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, will be available for public inspection on <http://www.regulations.gov> at Docket No. DOI-2024-0011, or by appointment, provided no public health or safety restrictions are in effect, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays, at: Office of Subsistence Management, 1011 East Tudor Road, Anchorage, AK 99503.

Reasonable Accommodations

The Board is committed to providing access to these meetings for all participants. Please direct all requests for sign language interpreting services, closed captioning, or other accommodation needs to Robbin LaVine, 907-786-3888, subsistence@ios.doi.gov, or 800-877-8339 (TTY), 7 business days prior to the meeting you would like to attend.

Tribal Consultation and Comment

As expressed in Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments," the Federal officials that have been delegated authority by the Secretaries are committed to honoring the unique government-to-government political relationship that exists between the

Federal Government and federally recognized Indian Tribes (herein after referred to as "Tribes") as listed in 82 FR 4915 (January 17, 2017). Consultation with Alaska Native corporations is based on Public Law 108-199, div. H, Sec. 161, Jan. 23, 2004, 118 Stat. 452, as amended by Public Law 108-447, div. H, title V, Sec. 518, Dec. 8, 2004, 118 Stat. 3267, which provides that: "The Director of the Office of Management and Budget and all Federal agencies shall hereafter consult with Alaska Native corporations on the same basis as Indian tribes under Executive Order No. 13175."

The Alaska National Interest Lands Conservation Act does not provide specific rights to Tribes for the subsistence taking of wildlife, fish, and shellfish. However, because Tribal members are affected by subsistence fishing, hunting, and trapping regulations, the Secretaries, through the Board, will provide Tribes and Alaska Native corporations an opportunity to consult on this proposed rule.

The Board will engage in outreach efforts for this proposed rule, including a notification letter, to ensure that Tribes and Alaska Native corporations are advised of the mechanisms by which they can participate. The Board provides a variety of opportunities for consultation: proposing changes to the existing rule, commenting on proposed changes to the existing rule, engaging in dialogue at the Regional Council meetings, engaging in dialogue at Board meetings, and providing input in person, by mail, email, or phone at any time during the rulemaking process. The Board will commit to efficiently and adequately providing an opportunity to Tribes and Alaska Native corporations for consultation in regard to subsistence rulemaking.

The Board will consider Tribes' and Alaska Native corporations' information, input, and recommendations, and address their concerns as much as practicable.

Developing the 2026-27 and 2027-28 Wildlife Seasons and Harvest Limit Proposed Regulations

In titles 36 and 50 of the CFR, the subparts C and D regulations are subject to periodic review and revision. The Board currently completes the process of revising subsistence take of wildlife regulations in even-numbered years and fish and shellfish regulations in odd-numbered years; public proposal and review processes take place during the preceding year. The Board also addresses customary and traditional use determinations during the applicable cycle. Nonrural determinations are

taken up during every other fish and shellfish cycle, beginning in 2018. Based on Board policy, the Board reviews each closure to the take of fish/shellfish and wildlife every 4 years, during each applicable cycle. The following table lists the current closures being reviewed for this cycle. In

reviewing a closure, the Board may maintain, modify, or rescind the closure. If a closure is rescinded, the existing regulations apply, or if no regulations are in place, any changes to or the establishment of seasons, methods and means, and harvest limits must go through the full public review

process. The public is encouraged to comment on these closures, and anyone recommending a regulatory change outside the scope of a closure review (*i.e.*, a change not directly affecting the closure) should submit a regulatory proposal.

TABLE 3—WILDLIFE CLOSURES TO BE REVIEWED BY THE FEDERAL SUBSISTENCE BOARD FOR THE 2026–2027 AND 2027–2028 REGULATORY YEARS

Unit and area descriptor	Species	Closure
2	Deer	Closed from Aug. 1–15 to non-federally qualified users. Non-federally qualified users may only harvest up to two bucks.
5A, except Nunatak Bench, east of the Dangerous River	Moose	Closed from Sept. 16–30 to non-federally qualified users.
5A, except Nunatak Bench, west of the Dangerous River	Moose	Closed from Oct. 8–21 to non-federally qualified users.
9C, draining into the Naknek River from the South	Moose	Closed from Dec. 1–31 to non-federally qualified users.
17A, 17C, Nushagak Peninsula	Caribou	Closed to non-federally qualified users unless the population estimate exceeds 900 caribou.
22A, North	Moose	Closed from Sep. 21–Aug. 31 to non-federally qualified users.
22A, Unalakleet	Moose	Closed to non-federally qualified users.
22A remainder	Moose	Closed from Oct. 1–Aug. 31 to non-federally qualified users.
22B, west of the Darby Mountains	Moose	Closed to non-federally qualified users during fall season.
22B, west of the Darby Mountains	Moose	Closed except by residents of White Mountain and Golovin during the winter season.
22D, Kougarak, Kuzitrin, and Pilgrim River drainages	Moose	Closed except by residents of Units 22C and 22D.
22D, west of Tisuk River drainage and Canyon Creek	Moose	Closed except by residents of Units 22C and 22D.
22D remainder	Moose	Closed to non-federally qualified users.
22E	Moose	Closed to non-federally qualified users.
23, Baird Mountains	Sheep	Closed to non-federally qualified users.
23, Noatak River corridor, Squirrel, Eli, and Agashashok River drainages.	Caribou	Closed to non-federally qualified users.
25D west	Moose	Closed except by residents of Unit 25D west and Birch Creek.
26C	Muskox	Closed to non-federally qualified users.

The current subsistence program regulations form the starting point for consideration during each new rulemaking cycle. Consequently, in this rulemaking action pertaining to wildlife, the Board will consider proposals to revise the regulations in any of the following sections of titles 36 and 50 of the CFR:

- § __.24: customary and traditional use determinations;
- § __.25: general provisions governing the subsistence take of wildlife, fish, and shellfish; and
- § __.26: specific provisions governing the subsistence take of wildlife.

As such, the text of the proposed 2026–2028 subparts C and D subsistence regulations in titles 36 and 50 is the combined text of previously issued rules that revised these sections of the regulations. The following **Federal Register** citations show when these CFR sections were last revised. Therefore, the regulations established by these final rules constitute the text of this proposed rule:

The text of the proposed amendments to 36 CFR 242.24 and 242.26 and 50 CFR 100.24 and 100.26 is the final rule for the 2024–2026 regulatory period for wildlife (89 FR 70358, August 29, 2024).

The text of the proposed amendments to 36 CFR 242.25 and 50 CFR 100.25 is the final rule for the 2022–2024 regulatory period for wildlife (87 FR 44858; July 26, 2022).

These regulations will remain in effect until subsequent Board action changes elements as a result of the public review process outlined above in this document and a final rule is published.

Compliance with Statutory and Regulatory Authorities

National Environmental Policy Act

A Draft Environmental Impact Statement that described four alternatives for developing a Federal Subsistence Management Program was distributed for public comment on October 7, 1991. The Final Environmental Impact Statement (FEIS) was published on February 28, 1992. The Record of Decision (ROD) on Subsistence Management for Federal Public Lands in Alaska was signed April 6, 1992. The selected alternative in the FEIS (Alternative IV) defined the administrative framework of an annual regulatory cycle for subsistence regulations.

A 1997 environmental assessment dealt with the expansion of Federal jurisdiction over fisheries and is available at the office listed under **FOR FURTHER INFORMATION CONTACT**. The Secretary of the Interior, with concurrence of the Secretary of Agriculture, determined that expansion of Federal jurisdiction does not constitute a major Federal action significantly affecting the human environment and, therefore, signed a Finding of No Significant Impact.

Section 810 of ANILCA

An ANILCA section 810 analysis was completed as part of the FEIS process on the Federal Subsistence Management Program. The intent of all Federal subsistence regulations is to accord subsistence uses of fish and wildlife on public lands a priority over the taking of fish and wildlife on such lands for other purposes, unless restriction is necessary to conserve healthy fish and wildlife populations. The final section 810 analysis determination appeared in the April 6, 1992, ROD and concluded that the Federal Subsistence Management Program, under Alternative IV with an annual process for setting subsistence regulations, may have some local impacts on subsistence

uses, but will not likely restrict subsistence uses significantly.

During the subsequent environmental assessment process for extending fisheries jurisdiction, an evaluation of the effects of the subsistence program regulations was conducted in accordance with section 810. That evaluation also supported the Secretaries' determination that the regulations will not reach the "may significantly restrict" threshold that would require notice and hearings under ANILCA section 810(a).

Paperwork Reduction Act of 1995 (PRA)

This proposed rule does not contain any new collections of information that require Office of Management and Budget (OMB) approval under the PRA (44 U.S.C. 3501 *et seq.*). OMB has reviewed and approved the collections of information associated with the subsistence regulations at 36 CFR part 242 and 50 CFR part 100, and assigned OMB Control Number 1018-0075, with an expiration date of November 30, 2027. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

Regulatory Planning and Review (Executive Order 12866)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will review all significant rules. OIRA has determined that this proposed rule is not significant.

Executive Order 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this proposed rule in a manner consistent with these requirements.

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) requires preparation of flexibility analyses for rules that will have a significant

economic impact on a substantial number of small entities, which include small businesses, organizations, or governmental jurisdictions. In general, the resources to be harvested under this proposed rule are already being harvested and consumed by the local harvester and do not result in an additional dollar benefit to, or impact on the economy. Therefore, the Departments certify that this rulemaking will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Small Business Regulatory Enforcement Fairness Act

Under the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 801 *et seq.*), this proposed rule is not a major rule. It will not have an effect on the economy of \$100 million or more, will not cause a major increase in costs or prices for consumers, and will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Executive Order 12630

Title VIII of ANILCA requires the Secretaries to administer a subsistence priority on public lands. The scope of this program is limited by definition to certain public lands. Likewise, these proposed regulations have no potential takings of private property implications as defined by Executive Order 12630.

Unfunded Mandates Reform Act

The Secretaries have determined and certify pursuant to the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of \$100 million or more in any given year on local or State governments or private entities. The implementation of this rule is by Federal agencies and there is no cost imposed on any State or local entities or tribal governments.

Executive Order 12988

The Secretaries have determined that these regulations meet the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988, regarding civil justice reform.

Executive Order 13132

In accordance with Executive Order 13132, this proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Title VIII of ANILCA precludes the State from exercising subsistence management authority over

fish and wildlife resources on Federal lands unless it meets certain requirements.

Executive Order 13175

Title VIII of ANILCA does not provide specific rights to Tribes for the subsistence taking of wildlife, fish, and shellfish. However, as described above under *Tribal Consultation and Comment*, the Secretaries, through the Board, will provide federally recognized Tribes and Alaska Native corporations a variety of opportunities for consultation: commenting on proposed changes to the existing rule; engaging in dialogue at the Regional Council meetings; engaging in dialogue at the Board's meetings; and providing input in person, by mail, email, or phone at any time during the rulemaking process.

Executive Order 13211

This Executive Order requires agencies to prepare Statements of Energy Effects when undertaking certain actions. However, this proposed rule is not a significant regulatory action under E.O. 13211, affecting energy supply, distribution, or use, and no Statement of Energy Effects is required.

Drafting Information

Justin Koller drafted this proposed rule under the guidance of Crystal Leonetti of the Office of Subsistence Management, Department of the Interior, Office of the Assistant Secretary for Policy, Management, and Budget, Anchorage, Alaska. Additional assistance was provided by:

- Chris McKee, Alaska State Office, Bureau of Land Management;
- Eva Patton, Alaska Regional Office, National Park Service;
- Dr. Glenn Chen, Alaska Regional Office, Bureau of Indian Affairs;
- Jill Klein, Alaska Regional Office, U.S. Fish and Wildlife Service; and
- Gregory Risdahl, Alaska Regional Office, USDA–Forest Service.

List of Subjects

36 CFR Part 242

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

50 CFR Part 100

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

Proposed Regulation Promulgation

For the reasons set out in the preamble, the Federal Subsistence Board proposes to amend 36 CFR part

242 and 50 CFR part 100 for the 2026–27 and 2027–28 regulatory years:

Proposed amendments to 36 CFR 242.24 and 242.26 and 50 CFR 100.24 and 100.26 last amended by the final rule for the 2024–2026 regulatory period for wildlife (89 FR 70358, August 29, 2024).

Proposed amendments to 36 CFR 242.25 and 50 CFR 100.25 last amended by the final rule for the 2022–2024 regulatory period for wildlife (87 FR 44858; July 26, 2022).

Crystal Leonetti,

Director, DOI – Office of Subsistence Management.

Gregory Risdahl,

Subsistence Program Leader, USDA–Forest Service.

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BILLING CODE 3411–15–P; 4334–13–P

POSTAL REGULATORY COMMISSION

39 CFR Part 3050

[Docket No. RM2025–6; Order No. 8459]

Periodic Reporting

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission is acknowledging a recent Postal Service filing requesting the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports. This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* February 27, 2025.

ADDRESSES: Submit comments electronically via the Commission’s Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Introduction
- II. Proposal
- III. Notice and Comment
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- V. Ordering Paragraphs

I. Introduction

On December 19, 2024, the Postal Service filed a petition pursuant to 39

CFR 3050.11 requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.¹ The Petition presents an updated facility rental analysis used to distribute space provision costs to individual products in the *Annual Compliance Report*. Petition at 1.

II. Proposal

Background. The Postal Service explains that the recent facility rental analysis, which was completed in 1992, was based on Facility Management System (FMS) data. *Id.* Proposal at 1 (citing Docket No. R94–1, USPS LR–G–120, Section IV.). This analysis relied on a sampling approach to estimate rental values for 18 facility groupings over a study period of November 30, 1981, to November 30, 1991. Petition, Proposal at 2. The Postal Service notes that the adjusted results from this analysis were last used to distribute space provision costs in Docket No. ACR2023, Library Reference USPS–FY23–8. *Id.* at 1. The Postal Service explains that there are two analyses in the facility portion of Library Reference USPS–FY23–8. *Id.*

The first consists of the results from an updated Facility Space Usage Study (FSUS), which was approved by the Commission via Proposal Nine in August 2020.² The results from that analysis are used to distribute both space support and space provision costs. Petition, Proposal at 2.

The second analysis concerns rental costs and was listed as a near-term study in response to the Commission’s request for possible data improvements.³ The results from this analysis are used to distribute the space provision costs only. Petition, Proposal at 2. The Postal Service identifies the affected cost segments in Table 1. *Id.*

The Postal Service identifies three key limitations of the 1992 rental value analysis. *Id.* at 4–5. First, the Postal Service observes the apparent absence of a definitive source for nationwide cap rates, which are used to evaluate real estate investments that can be calculated by dividing the net income from a property (*i.e.*, rent) by its current

¹ Petition of the United States Postal Service to Initiate a Proceeding to Change Analytical Principles and Notice of Filing Non-Public Materials, December 19, 2024 (Petition). The proposed change is attached to the Petition (Proposal).

² *Id.* at 1–2 (citing Docket No. RM2020–1, Order on Analytical Principles Used in Periodic Reporting (Proposal Nine), August 17, 2020 (Order No. 5637)).

³ *Id.* (citing Docket No. RM2022–1, Notice and Order of Proposed Rulemaking on Periodic Reporting, October 8, 2021 (Order No. 6004); Docket No. RM2022–1, Initial Comments of the United States Postal Service, March 25, 2022, at 10).

market value. *Id.* at 4. Second, the Postal Service notes that the FMS “building cost” (construction costs for the facility at the time the facility was built or the acquisition costs at the time the facility was acquired) and “land cost” (purchase price for the land at the time the property was acquired) fields contain cost data that were incurred at different points in time. *Id.* at 4–5. Third, the Postal Service explains that the definition of “new” buildings covered a 10-year period (over which fair market value can change significantly) and that “new owned” data were used to impute rental values for “old owned” facilities and were applied to all “old” properties even though some facilities were decades older than other facilities. *Id.* at 5.

Proposal. Based on the discussion above, the Postal Service states that it proposes a simplified and more representative analysis in which the rental cost distribution by operation and function is estimated using Fiscal Year (FY) 2019 eFMS rental cost data for all active facilities included in Proposal Nine. *Id.* This proposal does not use sampling methods. *Id.* The Postal Service describes the proposed data sources, organization of the inputs and outputs, methodology, and modifications to the facility file appearing in Library Reference USPS–FY23–8. *Id.* at 6–10.

Impact. The Postal Service asserts that using postal data rather than sampling would mean that “subjective inputs, such as capitalization rates and rent change factors, are no longer needed.” *Id.* at 1. The Postal Service contends that its proposal would “more accurately represent[] market value rental rates for each operation and function.” *Id.* at 10. The Postal Service states that the “previous methodology may have overstated the market value rental rates for plants.....” *Id.* The Postal Service presents Table 2, which summarizes the 2019 rental cost distribution by operation and function (component) that would be generated by adopting the proposal. *Id.* at 10, 12. The Postal Service presents Table 3, which summarizes the impact that applying this proposal would have had on the overall (*i.e.*, across all cost segments) volume-variable and product-specific costs for each product in FY 2023.⁴ Under the proposal, the Postal Service estimates that attributable costs for Market Dominant products and Competitive products would decrease

⁴ *Id.* at 10, 13. The Postal Service states that a more comprehensive version of Table 3, which includes disaggregated rows for individual Competitive Products, is provided under seal. *Id.* at 11.