



Community-Led (Environmentally -Focused) FOIA State-by-State

Alaska

Alaska has public records laws that extend to all branches of its state government, and each agency will be responsive to public records requests independently. Basic information about Alaska's public records law and its exemptions can be found here: <https://alaska.staterecords.org/foia>.

1. Some records in Alaska may be deemed inaccessible.

While Alaska's Public Records Act applies broadly across the state government, many records may be rendered inaccessible for various reasons. For example, it is at an agency's discretion whether or not to provide electronic services and products, which includes activities like querying databases, and the timing and extent of providing those electronic services is also at the agency's discretion and does not take priority over other responsibilities agency staff have.

2. Be specific and descriptive in your requests.

Alaska can make things difficult when requests aren't "reasonably described." Further, Alaska state agencies have a high threshold for whether a request "reasonably describes" a record and, therefore, whether the agency needs to be responsive to the request: the agency must be able to perform a search for the records "within the limitations of how its records systems are configured," which may be markedly outdated. What may be considered a public record is also more limited in the Alaska government than in the federal government, particularly

through very broad coverage of records that are deliberative or executive communications, and a more aggressive records retention schedule.

3. For environmental concerns, the Alaska Department of Environmental Conservation (ADEC) is often the main point of contact.

For the Alaska Department of Environmental Conservation (ADEC), the requester will need to fill out this form (<https://dec.alaska.gov/media/11393/public-records-request-form.doc>) and email the completed form to Gary Mendivil, gary.mendivil@alaska.gov. The department requires very specific information in order to fulfill a public records request (from our experience with federal agencies). For example, when requesting email correspondence involving ADEC staff and external personnel (e.g. staff of another agency), the requester must provide the names and email addresses of the ADEC staff of interest and the names and email addresses of the external personnel. It is also important to use the exact same language that ADEC uses for the agency to be responsive to your request. For example, ADEC categorizes types of contaminated sites, and one category is “Military Installation.” Requests using the term “military activity” instead of “military installation” may be denied, no matter the purpose of the request. Once the requester has supplied plenty of specificity for the records, ADEC responds promptly.