

Annual Report to the Board of Forestry: 2017 Forest Practices Act Effectiveness



Department of Natural Resources
Division of Forestry



February 5, 2018

Table of Contents

I.	Overview	2
II.	Forest Practices Implementation on Private, State, Municipal, and Trust Land	2
	A. Summary of forest practices activities	2
	B. Monitoring	3
	C. Reforestation	4
	D. Training	4
III.	Resource Management Activity on State Land	5
	A. Statewide summary	5
	B. Resource management activity on state land in FY17	6
	C. Forest inventory	8
	D. Beach log salvage and log brands	9
	E. Forest planning	9
IV.	Federal Land Activity	9
	A. Tongass timber sales	9
	B. Challenge Cost Share Grant	9
	C. Good Neighbor Agreement	10
V.	Special Projects	11
	A. Statutory changes	11
	B. Regulatory changes	11
VI.	Budget and Staffing	12
	A. FY18 total forest practices funding	12
	B. Projected 2018 FRPA activity	13
	C. Staff and organizational changes	13
VII.	Statement of FRPA effectiveness and recommendations for changes	14
VIII.	Research and Monitoring Priorities for 2018	14
IX.	Additional Tasks and Initiatives for 2018	14
Appendix A	FRPA activities on private, municipal, trust, and state land 2008-2017	16
Appendix B	Summary of 2017 enforcement actions	22
Tables and Figures		
Table 1	2017 compliance monitoring summary by region	3
Table 2	State FY17 timber sales on state land	5
Figure 1	Key forest practices indicators, 2008-2017	15
Figure 2.	Funding for core FRPA work FY08-18, adjusted for inflation to \$1994	12

**DNR Division of Forestry
Annual Report to the Board of Forestry:
2017 Forest Practices Act Effectiveness
February 5, 2018**

I. OVERVIEW

The Department of Natural Resources (DNR) Division of Forestry (DOF) is pleased to submit its annual report on the Forest Resources and Practices Act (FRPA) and regulations to the Board of Forestry. DOF is the lead agency for implementation of the Forest Resources and Practices Act. Primary activities include coordinating interagency review of Detailed Plans of Operation (DPOs) for activities on private, municipal, and trust land; field inspections, implementation monitoring, and enforcement actions on these lands; and incorporating the standards of the Act and regulations into state timber sales. Forest practices related work on federal land is conducted by the Alaska Department of Environmental Conservation (DEC) and the Alaska Department of Fish and Game (ADF&G) Habitat Division based on their authorities for water quality and fish habitat protection.

Notable activities, conditions, and trends.

- The State forest practices program budget was static this year, and the Governor’s FY18 budget for forest practices remains level.
- Forest operations remained low on non-state. Activity increased somewhat in Southern Southeast and declined in the Kodiak-Afognak archipelago. Given the low level of forest activity, DOF provided sufficient field presence to ensure that FRPA was effective in protecting water quality and fish habitat in 2017.
- Southern Southeast forest practices inspections focused on state operations this year; next year there will be renewed emphasis on non-state operations if activity increases.
- Compliance monitoring scores remain strong and increased slightly in all three regions. Region III scores averaged 5.0 – the first perfect record since monitoring began in 2003.
- DOF sold 11.3 MMBF of timber, an increase from last year, particularly in Southeast.
- The forest practices reforestation regulation amendments went into effect in March.
- DOF continue three major cooperative efforts with the US Forest Service – Forest Inventory and Analysis (FIA) in Interior Alaska, a cost-share agreement covering young-growth inventory and work force development in Southeast Alaska, and a Good Neighbor Authority (GNA) agreement to provide forest management services on national forest land. The 29 MMBF young-growth timber sale on Kosciusko Island was the first sale sold under the GNA in the Tongass National Forest.

II. FOREST PRACTICES IMPLEMENTATION ON PRIVATE, MUNICIPAL, AND TRUST LAND

A. Summary of forest practices activities

Notifications and inspections. In 2017, DOF received and reviewed 24 new harvest DPOs, seven new reforestation/timber stand improvement DPOs, two new road work DPOs, two voluntary plans of operations, and 26 renewals for private, municipal, and state trust lands (see Appendix A, p.16 and

Figure 1, p. 15).¹ New DPOs covered 4,528 acres and 29 miles of road. The Division conducted 17 inspections (including variation inspections) on private, municipal and trust land and 125 inspections on state timber sales.

Overall, the number and acreage of new DPOs remained at the low level of recent years. The Southeast Area saw some increase in forest practices activity on private land due to new Sealaska operations on their recently-acquired land selections and University timber sale activity in Edna Bay. Southeast inspections on state land increased markedly to cover the Coffman Cove sale which adjoins a municipal watershed on Prince of Wales Island, and significant new road construction activity on Gravina Island. Operations on non-state land this year were in lower-risk areas, and the number of inspections decreased. Notifications and acreage notified decreased in the Kodiak-Afognak area; inspections decreased accordingly. There was little FRPA activity on non-state land in other areas.

Variations. The Southeast Area received two requests for variations for harvesting in riparian buffers and approved 48 of the 56 trees requested.

Enforcement. Enforcement actions are summarized in Appendix B (p. 22). One notice of violation was issued in 2017 by the DOF Southeast Office for a 2016 operation on 15 acres without prior notice under a DPO. Thirty-one trees were cut in the riparian area of a known anadromous stream, including 24 trees within 25 feet of the stream. The case was settled with a fine of \$17,000. No directives or stop work orders were issued in 2017.

B. Monitoring

Compliance monitoring. During 2017, DOF conducted compliance monitoring on all FRPA inspections. A rating of 5 means the BMP was consistently and effectively implemented where applicable; a rating of 1 means the BMP was rarely implemented where applicable or was implemented ineffectively. The data shows solid implementation rates in all regions (see Table 1, below). Overall, Region I averaged 4.57 out of 5.0 on the ratings, Region II averaged 4.51, and Region III scored a perfect 5. In Region I, 97% of all scores exceeded 4.0, as did 93% and 100% in Regions II and III.

Table 1. Calendar year 2017 compliance monitoring scoresheet counts, number of BMP ratings, BMP mean scores, and overall BMP implementation percentage by region and state

Region	# Score sheets		# BMP ratings	Mean score for all BMPs	Percentage of all BMPs rated ≥ 4
	State	Private/Other Public			
Region I	81	11	1,636	4.57	97%
Region II	16	4	121	4.51	93%
Region III	24	0	232	5.00	100%
Total	121	15	1,989	4.61	97%

¹ Note: FRPA data is reported on a calendar year basis because 11AAC95.220 requires Region I DPOs to be submitted by calendar year. Data on state forest management (e.g., state timber sale volumes) are reported by fiscal year to be consistent with state budget documents.

In Region I, overall compliance was excellent, however there were individual BMP's which required remediation throughout the region. Operators were quick to rectify most deficiencies. An adequate number of drainage structures during road construction would be an asset to some Southeast operations rather than to add them later when their need becomes obvious. On Afognak, wet weather and above normal temperatures in winter and early spring caused early season maintenance issues, which improved throughout the operating season. In Region II, Mat Su operations showed some compliance issues in road construction and maintenance but overall compliance was good. On the Kenai peninsula, there were no BMP issues in 2017. Region III had the highest ratings reported since the program began in 2003. For the first year ever, 100% of the BMP's rated, received a score of 5. The previous year's emphasis on road reconstruction, the availability of DOF's equipment operator due to the low fire season, high quality work by that operator on road maintenance, logging contractors doing excellent work, and DOF oversight made for an excellent operating season. Concerns for Region III are heavy public use and the warming weather trends for road maintenance and ice bridge construction.

Effectiveness Monitoring. DOF works with agencies and affected interests to prioritize effectiveness monitoring and research needs, and seek funding for high priority projects. Funding for effectiveness research is exceedingly difficult to find and recent operating budget cuts have made it impossible for the DOF to come up with the matching funds that are commonly required. No new effectiveness monitoring projects were undertaken in 2017.

Road condition surveys and remediation. DOF, with the assistance of ADF&G performed a road condition survey on 2.5 miles of forest road in the Southeast State Forest on Wrangell Island. This is a former USFS road with non-compliance issues under FRPA. As a result of the survey, this road will be closed in 2018, with crossing structures removed and natural drainage re-established.

Design work was completed in 2017 for a culvert replacement in Tyonek as a result of the 2012 RCS. With assistance from the Sustainable Salmon Fund (SSF), this culvert will be replaced in 2018. Also in Tyonek under the SSF, two miles of forest road were closed in 2017, with culverts removed and natural stream courses reestablished. This restored four miles of salmon habitat.

C. Reforestation

Reforestation exemptions. Harvests that are significantly composed of dead or dying trees may request exemption from the FRPA reforestation requirements. DOF received and approved one new request for a reforestation exemption on 60 acres of Native corporation land on the Kenai Peninsula in 2017.

D. Training

Landowner/operator training. Training for landowners and operators is provided by DOF area office and regional office staff. Sessions vary from formal classroom presentations to more informal "tailgate" sessions conducted during field inspections. DOF also provides training in the form of DPO reviews and inspection reports that recommend ways to conduct operations to implement the BMPs. In 2017, DOF conducted two training sessions in Southeast, one FRPA training session for five people, and a compliance monitoring session for three people.

FRPA 101. The Division of Forestry is developing a series of FRPA training modules using PowerPoint. The full series will have 20 modules covering Purpose, Applicability, DPOs, Stream Classification, riparian standards, road construction and maintenance, stream crossings, reforestation, timber harvesting, inspections and compliance monitoring, enforcement, mass wasting, prosecution coordination, and hearing officer duties. Seven modules are complete; the rest are scheduled for completion in 2018.

III. RESOURCE MANAGEMENT ACTIVITY ON STATE LAND

A. Statewide summary

State timber sales. FY17 timber sale offerings on state land are summarized by area in Table 2 below. In FY17, DOF sold 38 sales on 1,820 acres of land for a total of approximately 11.3 million board feet. Compared to FY16, timber sale volume sold increased in the Coastal Region with most of the increase being in Southern Southeast. There was a decrease in the Northern Region, but the number of sales remained steady. After an extended period of difficult recruitment efforts in Southern Southeast, two Forester II vacancies were filled. Administrative appeals in the Southeast Area continue to cause delays in selling timber.

Table 2. FY17 Timber Sales Sold on State Land.

Note: some sales are offered in cords, green tons or cubic feet rather than board feet. For comparison in this chart, all volumes have been converted to thousand board feet (MBF). Therefore, the total volumes are approximate.

Area	Total sales sold		
	# sales	Acres	Vol. (MBF)
SSE	2	435	7,909
NSE	7	82	287
Kenai-Kodiak	5	70	145
Mat-Su/SW	7	66	233
Coastal Total	21	653	8,574
Fairbanks	4	161	795
Delta	8	155	493
Tok	5	851	1,461
Copper River	0	0	0
Northern Total	17	1,167	2,749
State Total	38	1,820	11,323

Reforestation and stand improvement. Regeneration of harvested or naturally disturbed areas is an essential part of forest management on state land. In areas where planting is desirable, the DOF collects cones for seed extraction, contracts for seedling production, and plants seedlings to improve reforestation. In many areas, natural regeneration, with or without scarification, provides sufficient regeneration to meet reforestation standards. In 2017, the DOF surveyed 126 acres for regeneration and

scarified 126 acres for natural regeneration in the Fairbanks Area. Four acres were pre-commercially thinned in the Tok Area.

B. FY17 Resource management activity by area

Fairbanks & Delta Area. Commercial timber sales occur on State, Borough, University of Alaska, and Native Corporation lands throughout the area. On state-managed lands there are more than 130 active timber contracts with more than 40 operators. Demand for saw logs remains stable. Northland Wood Products continues to be the primary purchaser processing approximately 3 MMBF annually. Superior Pellet Fuels is the largest purchaser of pole timber and fuelwood, producing approximately 3,000 tons of pellets annually. Personal use fuelwood sales have stabilized in the last few years. Fairbanks Area sold 336 permits for a total of 1,177 cords in 2017; Delta Area sold 51 permits for a total of 199 cords.

The Area conducts regeneration surveys every spring. There was no planting in 2017 but 40,000 seedlings have been ordered for the summer of 2018. Scarification continues to be a common post-harvest treatment in the Fairbanks-Delta area, and DOF continues to test different applications to determine what method achieves the best results. Current scarification methods include roller chopping, blade scarification, ripper plowing, and disk trenching.

Road work and maintenance continue to be a necessity in the Fairbanks-Delta area. Above average rain the last two years has damaged roads and numerous small repair projects were required. Projects included

- a cooperative agreement with the Salcha-Delta Soil and Water Conservation District to extend the Delta West logging road 2.5 miles,
- three small contracts to repair and gravel the Bonanza Creek logging road apron and approach to the Parks Highway,
- repair of two miles of a severely washed out portion of the Nenana Ridge road, and
- repair and gravel on the Rainbow Lakes road at the Whitestone winter road crossing.

Fire management for 2017 was slow. The Fairbanks office managed 39 fires totaling 8,422 acres; the largest was the South Fork Chena Fire. The Delta office managed only 10 fires totaling 29 acres. The areas supported state and federal agencies in Alaska, Canada, and the Lower 48 with initial attack fire fighters, operations staff, dispatchers and support functions.

Tok & Copper River Area. The Tok Area continues to have a consistent demand for fuel wood, logs, and biomass. Nine operators currently have twenty-one active sales in the Tok Area. Most of the volume harvested in 2017 was fire and blowdown salvage. The forest products industry in Tok is heavily dependent on standing dead wood and there will need to be an effort in the future to educate and transition operations to utilize green wood. One local mill is capable of kiln drying their product and another is working on a densified wood (“presto log”) operation that could use green wood. The densified wood operation has seen multiple set-backs and there is uncertainty in their timeline for full production. Personal use wood is in high demand in Tok. Beginning in 2018, the Tok area will resume charging for personal use wood permits at a rate of \$10/cord. Some community resistance is likely as firewood permits have been free for over ten years.

The Tok area maintains and develops access to timber resources for personal use and commercial sales. In 2017, we maintained 20 miles of winter road and established ice crossings on the Tanana River and Moon Lake. We will monitor the crossings throughout the season.

The Tok public school installed a low-pressure steam generator in conjunction with their high-pressure system. The new system has increased the efficiency and capacity for heating and electricity generation. The low-pressure system can operate at a greater range of outdoor temperatures and allows the school to produce electricity most of the school year. The projected annual consumption of biomass for this system is 2,000 green tons. To date, the school has relied heavily on biomass from hazardous fuel mitigation projects, which is not expected to meet this increased demand. Options are being considered that could provide an adequate supply.

Demand for personal use firewood remains high in the Copper River area, and there is some demand for commercial sales. The area collaborated with The Alaska Department of Transportation and Public Facilities to develop a prospective timber sale at the Cordova airport. The airport lease was amended to allow for a commercial timber sale to utilize timber that was cut to comply with FAA requirements.

Mat-Su and Southwest Area. Three purchasers have five active state commercial timber sales on 403 acres in the Mat-Su with another 138 acres available for over-the-counter purchase. The area also sold 546 cords of personal use firewood under 147 online permits with an additional 22 negotiated personal use contracts for remote landowners in the Mat-Su valley and Southwest Alaska.

The Area maintains over 12 miles of roads and was awarded \$251,155 of Pittman-Robertson funding to repair the most heavily used portions of these roads. These roads primarily provide access for the commercial timber sale program, personal use timber sales, and the online firewood program.

The wet summer of 2017 resulted in fewer fires with most staff deploying to the Lower 48 by mid-July. The Mat-Su had 58 fires this year on 2,281 acres with no significant fires in the wildland-urban interface. The Southwest had 25 fires on 68,837 acres. Early in the year, Mat-Su fire crews conducted prescribed burns on military lands as a prevention measure against a larger fire in the Anchorage urban interface.

Kenai & Kodiak Area. The Area sold five timber sales this year. Timber is marketed as firewood, round logs for dimensional milling, and house logs. Multiple small mill operators on the Kenai Peninsula rely on timber harvest on State lands as a material source, producing dimensional lumber, cabin kits, and dunnage. Firewood demand from the public remains high, land management agencies coordinate to provide public access for gathering firewood.

Forest operations on non-state land on Kodiak and Afognak Islands harvested approximately 50 million board feet in the past year. Operations on Kodiak Island ended in March of 2017, as the operator completed six years of operations that harvested 100 million board feet of timber on approximately 8,000 acres. Ongoing timber harvest operations on Afognak Island will continue into 2018 and beyond. The DOF will continue to process DPOs, and conduct field inspections on Kodiak and Afognak Islands, ensuring reforestation and ongoing operations meet the FRPA requirements. After routine Forest Practices inspections during the 2017 field season the Division is not aware of any reforestation compliance deficiencies on Kodiak or Afognak Islands, this is due to post harvest planting.

The State maintains eight miles of forest road on the Kenai Peninsula, providing access for the public, future commercial timber sales and personal use firewood gathering. Two bridge crossings on this road system will be load-rated by an independent firm during the 2018 field season.

The return of “average” seasonal temperatures during the winter of 2016-2017 resulted in a drastic reduction of spruce aphids (*Elatobium abietinum*) in Homer and across Kachemak Bay. Thus far tree mortality has been very low, however some trees impacted by aphids in successive years (2015, 2016) appear mostly defoliated and may succumb to other damaging agents.

DOF seasonal staff worked on projects funded by a US Forest Service (USFS) grant to thin and remove black spruce within frequently used state park units on the central Kenai Peninsula. Work consisted of felling and limbing to a desired stem spacing of approximately 10 feet.

The Kenai-Kodiak Area had 21 fires this year totaling 1,113 acres, including the lightning-caused East Fork Fire on the Kenai National Wildlife Refuge (KNWR). Working in conjunction with KNWR staff, DOF contained a portion of the fire and managed the remainder for resource benefits. Nearly all the fires in the Kenai-Kodiak Area are human caused. The Area has a robust prevention and education program investigating human-caused fires, and educating the public on safe burning practices.

Southeast Area. In 2017, the Southeast Area administered the 8 MMBF Coffman Cove timber sale which adjoins the city of Coffman Cove and its municipal watershed. Forest operations were subject to close public observation and operations successfully protected water quality.

The Area also managed a public works contract for construction of the 7.7-mile Vallenar Bay Road on Gravina Island, including reconditioning 1.1 miles of USFS road and installing of six bridges. The new road provides access to 2,400 acres of the Southeast State Forest and other large public ownerships. The Vallenar Bay Timber Sale FLUP was adopted late in 2017 and DOF is preparing a state timber sale on Gravina for offer in 2018. The USFS and University of Alaska are also working on Gravina sales that will use the new infrastructure.

Two appeals of the best interest finding for the Edna Bay Parlay Timber Sale await final decision by the DNR Commissioner.

In the Haines State Forest, DOF developed a Forest Use Plan for the Baby Brown timber sale (20 MMBF) in the Haines State Forest.

C. Forest inventory

Forest Inventory and Analysis (FIA). DOF continues to implement the Forest Inventory and Analysis program within interior Alaska. The 2017 Joint Venture Agreement with the U.S. Forest Service (USFS) Pacific Northwest Research Station increased to \$1.6 million. Twelve temporary employees together with two full-time field project foresters installed 240 permanent sample plots and aerially inspected 88 plots for the 2018 field season. Plots were installed near Fairbanks and Delta; most required helicopter access. DOF will remeasured the plots every ten years. Plot data will provide a comprehensive permanent sample plot grid to assess timber and wood product resources, vegetation

structure, carbon and biomass accounting, and disturbance and change over time. With DOF's successful second field season behind it, one more season remains where DOF will rely partially on Forest Service support during this "ramp up phase". After next field season, DOF will wholly take over field activities in support of the USFS project mission. The intent is to install plots on a 30,000-acre grid across the entire forested portion of interior Alaska. It will take about eight years to complete the initial plot installation.

Inventory on state land. DOF worked on timber typing work on state lands in the Aniak area of roughly 10,000 acres. The Division is also processing data from 2004 Native allotment inventory plots conducted by Tanana Chiefs Conference in the middle Kuskokwim area. DOF will apply the information to the timber typing work to estimate volumes. When complete, the project will have timber typing on 165,000 acres of state land in the area.

E. Beach Log Salvage and Log Brands

The Southeast Area office issued one beach log salvage license renewal in the Craig area and renewed 21 log brands.

F. Forest Planning

Division of Forestry staff reviews and comments on a wide range other state and federal agency land-use plans to help ensure the Division and the public have continued access to forest resources on state lands and the salvage of timber when forested land is cleared for rights-of-way or other purposes.

IV. FEDERAL LAND ACTIVITY

A. Tongass timber sales. Data on 2017 Tongass Timber Sales was not available before the report deadline. DOF will provide this information to the Board as soon as we receive it.

B. Challenge Cost Share Grant. In 2013, the Secretary of Agriculture issued Memorandum 1044-09, addressing sustainable forestry in Southeast Alaska and directing the Tongass National Forest "to speed the transition away from old-growth timber harvesting and towards a forest industry that utilizes second growth – or young growth – forests." The Secretary emphasized that the transition must take place "in a way that preserves a viable timber industry that provides jobs and opportunities for residents of Southeast Alaska." DOF and the U.S. Forest Service are working collaboratively with communities, and other partners through a Challenge Cost Share Agreement signed in June 2015, to improve existing young growth information and increase economic opportunities for local communities in both the short- and long-term. DOF is the lead partner in this effort coordinating over \$5 million in federally funded activities.

Tongass Young-Growth Inventory. DOF is also conducting inventory for the second year under the Challenge Cost Share Agreement. DOF's primary task is to inventory 35,000 acres of second growth timber in the Tongass National Forest. The information will be used to aid the Forest Service in its transition from an old-growth dependent timber sale program to a program based on young growth, while maintaining a viable forest products industry. During the 2017 field season DOF, completed

4,475 timber cruise plots (13,850 acres) on Prince of Wales and Revilla Islands. Data collected includes variables that will allow projections of forest growth for the stands. DOF also examines the inventory stands for accessibility and applicable logging systems. Some stands may be inoperable due to stream buffers or other obstacles; DOF will categorize stands as feasible or infeasible. This data will further refine the final inventory volume estimate.

Workforce development. Workforce development. One branch of the Challenge Cost Share Agreement provides technical forestry training for Alaskans. The Dept. of Commerce and Economic Development leads this effort in coordination with DOF and other agencies. Program graduates are candidates for forest technician jobs on groups on inventory projects and stand exams with the forestry agencies, and restoration work with non-governmental organizations. The project will also provide internships for college students and career information for high school students in resource management and support fields. The program is reaching out to Southeast communities to get as many local people as possible into the training.

Thirty people from Skagway to Metlakatla applied for the second Forestry Academy that was held on Prince of Wales Island in March 2017. DOF and USFS staff trained 12 people to work on inventory efforts. Nine of the twelve graduates of the program were employed within one month of completing the course. As of the end of 2017 one graduate was in a full-time position with Sealaska Timber and two were working term positions with the USFS in Thorne Bay. There is interest in southern Southeast Alaska for a third resource academy around stream survey skills and protocol. A defined program and delivery plan have yet to be confirmed.

The pilot season of Training Rural Alaska Youth Leaders and Students (TRAYLS) took place in the summer field season of 2017. Eight 14- to 23-year-old crew members participated in this three-month workforce development program. The program introduced the crew to resource management opportunities in the Tongass Forest. This program was in Kake for one month then Prince of Wales Island for two months. Experiences and project work included introductions to archeology, forestry, biology, hydrology, trail building, and maintenance. Six government and non-government organizations supported the pilot season of this youth workforce development project. Twenty organizations have committed to supporting a second year of this program for the 2018 field season.

C. Good Neighbor agreement. The federal Good Neighbor Authority (GNA) program allows states to perform forest management and other services on National Forest or Bureau of Land Management lands. In November 2016, DOF entered into a master GNA agreement with the USFS to complete work on the Tongass. The master agreement provides the overall intent and administrative process, while individual projects are governed by a Supplemental Project Agreement (SPA).

The first project SPA was for the Kosciusko Vegetation Management and Watershed Improvement Project. A key aspect of this effort is a 29 million board foot young-growth timber sale that sold in September for \$2.6 million in federal revenue. Joint infrastructure was developed and a new log transfer facility and road upgrades have been done as part of the coordinated project that can benefit state and University forest projects on Kosciusko Island. The GNA sale constituted most of the 31 MMBF total volume that the Tongass National Forest sold last fiscal year. Expected volume from the Tongass next year is also slim. Gravina and Heceta are the most likely sites for new GNA projects. Future projects depend on requests from the USFS and completion of the National Environment Policy Act (NEPA) process for candidate areas.

V. SPECIAL PROJECTS

A. Statutory changes. There were no changes to forestry statutes in 2017.

B. Regulatory changes

State timber sale regulations. DOF is working on regulation changes to lengthen the allowed duration for small negotiated sales from one to two years, and to conform to statutory changes to AS 38.05.118 that broaden the options for negotiated sales to local manufacturers.

Material sale regulations. Regulation amendments to separate the 11 AAC 71 regulations on state timber sales from those on material sales are still in development. The amendments would place the material sale regulations in a new section and update material sale requirements. The Division of Mining, Land, and Water (DMLW) is the lead on this project.

Fee regulations. The DNR Commissioner signed updated fee regulations in September 2017. The portion of the fee regulations dealing with the DNR Division of Geological and Geophysical Surveys has been filed by the Lt. Governor and became effective on November 9. The Department of Law is reviewing the remainder of the regulation package.

FRPA reforestation regulations. Amendments to the FRPA reforestation regulations went into effect on March 9. Changes to the regulations have been incorporate into the FRPA regulations fieldbook and posted on the DOF website. The Detailed Plan of Operations forms have been updated to match the amendments and are available on the DOF website. For regions II and III, the updated forms have check-boxes for the season of harvesting and indicators of likely natural regeneration success. The DOF templates for state Forest Land Use Plans have been updated to incorporate the same changes.

In Regions II and III, the changes:

- Add criteria for evaluating a request for a variation to reforestation stocking standards;
- Consider all size classes of trees in determining whether reforestation standards are met;
- Allow an extended period for natural regeneration to meet the reforestation standards where site conditions indicate that natural regeneration is likely to succeed;
- Increase the percentage of a harvest area that may be below the stocking standard. This corresponds to natural variation in stocking and wildlife habitat benefits from patchiness in forest cover.
- Allow landowners to include a mix of seed from native tree species grown up to 10 degrees latitude south of the planting area.
- Prohibit planting known invasive trees species on commercial forest operations regulated by the Forest Resources and Practices Act.
- Clarify that paragraph (a) applies specifically to natural regeneration from seed.
- Allow forest landowners to use various methods approved by DOF to document compliance with the reforestation standards. This reflects rapid development of remote sensing technologies since adoption of the original regulation requiring ground-based surveys; and
- Require regeneration reports after five years and at the end of the reforestation period for sites where an extended period is allowed for natural regeneration.

In all regions, the amendments allow applicants for reforestation exemptions to use various methods other than field surveys to document areas of dead and dying trees when approved by DOF.

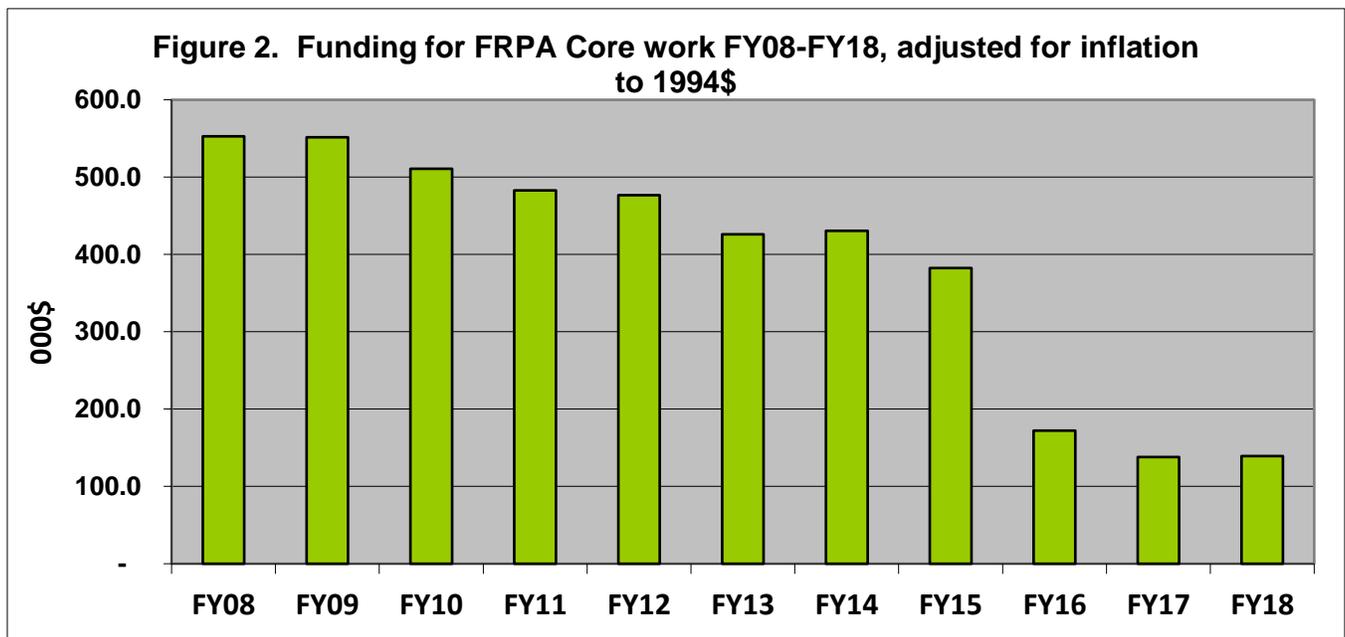
BMP implementation fieldbook. DOF updated and reprinted the fieldbook titled “Implementing Best Management Practices for Timber Harvest Operations.” The fieldbook is also posted on the DOF website. Updates include:

- a chart for converting the board-foot based FRPA applicability standards to other measures,
- information on commercial tree species for reforestation,
- information on invasive tree species identification,
- indicators of unstable slopes with respect to mass wasting best management practices (BMPs),
- the updated Region II stream classification system, and
- new rating criteria for:
 - 11 AAC 95.290(f). Winter road construction, water quality, and drainage
 - 11 AAC 95.290(h). Protect winter road bed from rutting and ground disturbance
 - 11 AAC 95.300(a)(5). Snow ramp and ice bridge construction
 - 11 AAC 95.315(b)(5). Grading non-rock-decked bridges
 - 11 AAC 95.365(c). Remove debris from winter roads prior to thaw

VI. BUDGET AND STAFFING

FY18 total funding

FY18 funding for core FRPA work remained at the same low level as FY17. Figure 2, below, shows the decline in funding over the last ten years. This funding for core forest practices work applies to forest practices field work, clerical support, and program management. DOF staff coordinate forest practices work among the resource agencies, review notifications, conduct field inspections and compliance monitoring, and enforcement actions, perform compliance monitoring, provide training, and lead review and development of FRPA standards and regulations on all non-federal land. Since FY12, all funding for core forest practices work has been from the state General Fund.



B. Projected FRPA activity and funding

Projected 2018 FRPA activity.

- In Southeast, activity will increase on state, private and trust lands. Sealaska has the required infrastructure in place to access its newly acquired land, the Mental Health Land Trust plans to sell the first sale on their newly acquired exchange lands, and DOF will offer increased state timber sales in the Haines and Southern Southeast areas in response to a downward trend of timber available on federal land.
- Early in 2017 active logging operations on Kodiak Island came to a close, with the completing of the Endurance Timber Sale. This sale logged 100 million board feet on approximately 8,000 contiguous acres over the course of six years. DOF will continue to conduct forest practices inspections on Kodiak Island to check active road condition and track reforestation. Active harvest operations on Afognak Island will continue into 2018 and beyond. Depending on fire activity and weather delays the Division typically makes six Forest Practices Inspections from March to November.
- FRPA activity in Regions II and III is projected to remain stable. If borough sales at Fish Creek and Chijuk Creek proceed, there would be some increase in activity in the Mat-Su area. There is a small operation planned in McGrath.

FY19 projected funding. The Governor's proposed FY19 budget for FRPA implementation is flat for FY19. For forest resource management, the proposed budget includes a \$102.0 increment for a Forester II position in Haines. This position was reinstated for a single year in the FY18 budget; the FY19 increment would put the position in the ongoing base budget for the division.

C. Staff and organizational changes

In 2017, DOF

- Hired John Tapley and Peter Lucas to fill two Forester II positions in the Southeast Area that had been vacant for the prior year.
- Hired Derek Nellis as the Area Forester for the Tok-Copper River Area.
- Hired Rafael Rodriguez as a Forester II in the Fairbanks Area.
- Moved Ed Soto from the Roads, Infrastructure, and Bridges Section to take over as MatSu-Southwest Area Forester
- Hired Jim Renkert as the Community Forestry Program Coordinator.

Recruiting to fill vacant positions remains challenging. A combination of issues is leading to low numbers of applicants and low job acceptance rates when an offer is made. The Lower 48 economy is good relative to Alaska's. The pool of experienced field foresters and fire management officers is tighter due to demographics in the potential workforce. Tier IV benefits are not competitive relative to other employers. Applicants are hesitant to accept employment offers due to the current contraction of the state budget and workforce.

VII. STATEMENT OF FRPA EFFECTIVENESS AND RECOMMENDATIONS FOR CHANGES TO CORRECT PROCEDURAL OR SUBSTANTIVE PROBLEMS

Overall, the FRPA was effective in protecting water quality and fish habitat, while providing for continued timber and fishing industry opportunities. DOF maintained sufficient field presence to implement the Act, and to conduct compliance monitoring on the low level of FRPA activity in 2017. DOF conducted 17 field inspections on private, municipal, and trust land this year, and issued no one notice of violation. Strong results from the compliance score sheets in all three regions indicate a high degree of compliance with the Act, and show continued success in preventing problems through DPO review, training, and field consultations with the operators. DEC listed no impaired waters under Section 303(d) of the Clean Water Act due to forestry activities on private, state, or other public lands regulated by the FRPA. Culverts were removed and natural stream courses reestablished on two miles of old forest road near Tyonek, restoring four miles of salmon habitat.

At current levels of funding, the effectiveness of the Act depends on a low level of current activity, experienced landowners and operators, and a high level of compliance. Potential increases in state timber sales and activity on new Sealaska and Mental Health Trust land, are likely to increase FRPA activity. If the level of FRPA activity increases, if new operators that require additional training begin work, or if violations increase, effectiveness will be compromised at current staffing levels.

VIII. RESEARCH AND MONITORING PRIORITIES FOR 2018

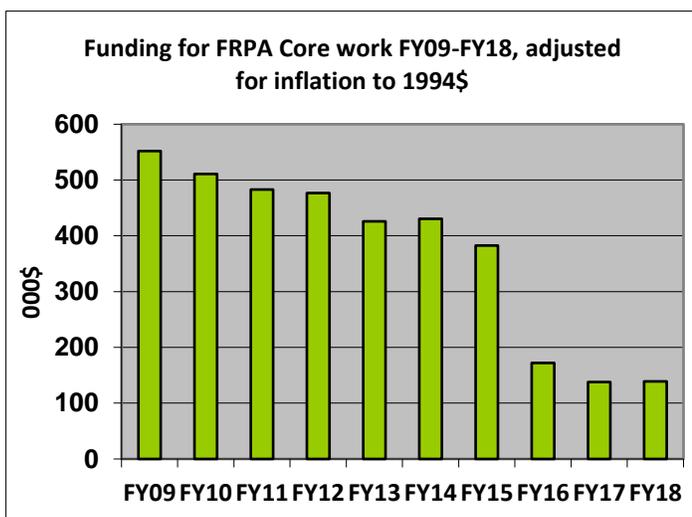
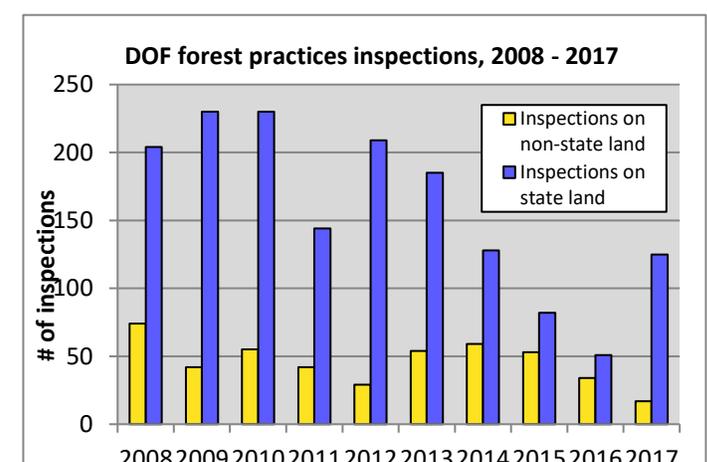
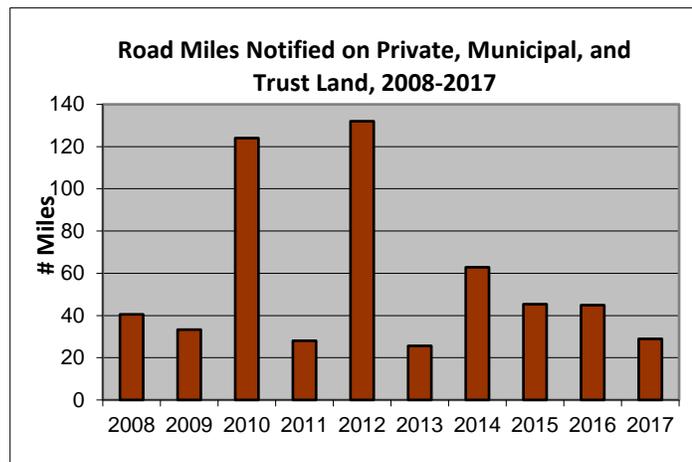
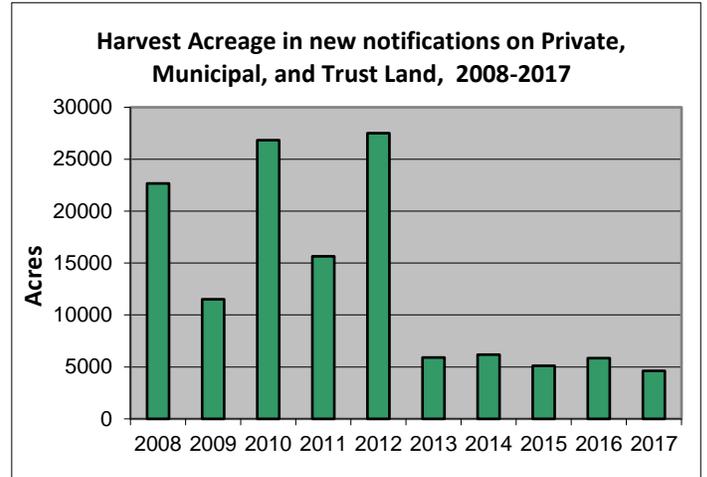
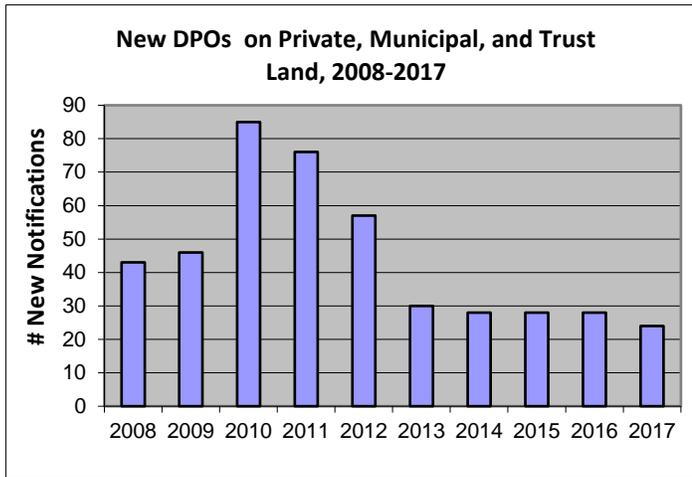
The priority for 2018 is continued compliance monitoring in all three FRPA Regions and compliance monitoring training for new agency staff. For effectiveness monitoring, the agencies and landowners should cooperatively determine priorities for the next five years and work jointly to fund top priority monitoring work.

IX. ADDITIONAL TASKS AND INITIATIVES FOR 2018

In addition to ongoing FRPA implementation and enforcement work, and the items listed in section VII and VIII, specific DOF tasks for 2018 include the following:

- Recruit and train to fill staff vacancies as they occur.
- Implement the Challenge Cost Share Agreement for young-growth inventory and work force development in Southeast.
- Implement the Good Neighbor Agreement to provide forest management services on Tongass National Forest.
- Continue Forest Inventory and Analysis work in Interior Alaska.
- Adopt revised regulations for negotiated timber sales on state land.
- Complete “FRPA 101” training modules; compile and post FRPA training materials.
- Train DOF staff on scoring and completing BMP compliance score sheets for every FRPA inspection on private or State land, and provide FRPA training to other agencies, and operators.

Figure 1. Key Forest Practices Indicators, 2008-2017



Funding for core work includes state General Fund and CIP receipts, federal Section 319 and Section 6217 funding. Core work includes DPO reviews, inspections, compliance monitoring, reporting, enforcement, and FRPA reviews and updates. Special projects such as road condition surveys or effectiveness monitoring projects depend on additional funding. In FY18 all funding for core work was from the state General Fund.

**APPENDIX A: FRPA ACTIVITIES ON PRIVATE, MUNICIPAL, TRUST, AND STATE
LAND 2008-2017**

All Forest Practices activity is reported on a calendar year basis.

NOTE: Forest practices actions are reported on a **calendar year** basis

Number of New Notifications (DPOs)

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	27	32	61	54	32	14	14	16	19	19
NSE	2	8	8	6	3	3	0	0	0	1
Mat-Su/SW	1	0	0	0	0	2	2	1	0	0
Kenai-Kodiak	12	6	15	11	13	7	8	6	7	2
COASTAL	42	46	84	71	48	26	24	23	26	22
Fairbanks	0	0	1	0	5	4	4	5	2	2
Delta	1	0	0	0	0	0	0	0	0	0
Tok	0	0	0	4	4	0	0	0	0	0
Copper R.	0	0	0	1	0	0	0	0	0	0
NORTHERN	1	0	1	5	9	4	4	5	2	2
TOTAL	43	46	85	76	57	30	28	28	28	24

Number of Notification Renewals

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	27	35	24	27	9	11	12	11	10	20
NSE	0	2	1	0	1	1	3	1	1	0
Mat-Su/SW	1	0	0	0	0	1	1	2	1	2
Kenai-Kodiak	6	6	2	6	4	8	4	0	4	4
COASTAL	34	43	27	33	14	21	20	14	16	26
Fairbanks	0	0	0	0	0	0	1	0	0	0
Delta	0	0	0	0	0	0	0	0	0	0
Tok	0	0	0	0	0	0	4	0	0	0
Copper R.	1	0	0	0	0	0	0	0	0	0
NORTHERN	1	0	0	0	0	0	5	0	0	0
TOTAL	35	43	27	33	14	21	25	14	16	26

Harvest Acreage in New Notifications Received

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	18,988	7,752	17,532	5,577	8,373	4,717	1724	1,820	3,341	3,758
NSE	211	1,858	1,740	2,241	6,379	40	0	0	0	0
Mat-Su/SW	160	0	0	0	0	131	154	160	0	0
Kenai-Kodiak	2,949	1,894	7,389	4,684	8,918	836	3826	2,831	2,387	691
COASTAL	22,308	11,504	26,661	12,502	23,670	5,724	5,704	4,811	5,728	4,389
Fairbanks	0	0	168	0	161	174	269	299	128	79
Delta	360	0	0	0	0	0	0	0	0	0
Tok	0	0	0	2,940	3,685	0	208	0	0	0
Copper R.	0	0	0	205	0	0	0	0	0	0
NORTHERN	360	0	168	3,145	3,846	174	477	299	128	79
TOTAL	22,668	11,504	26,829	15,647	27,516	5,897	6,181	5,110	5,856	4,528

Road Miles Notified

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	23	30	55	28	15	15	16	18	28	20
NSE	0	0	0	10	16	0.3	0	0	0	1
Mat-Su/SW	1	0	0	61	64	0	0	0	0	0
Kenai-Kodiak	16	3	66	0	0	6	44	25	15	6
COASTAL	40	33	122	99	95	21	60	43	43	27
Fairbanks	0	0	3	0	6	4	2	2	2	2
Delta	1	0	0	0	0	0	0	0	0	0
Tok	0	0	0	27	31	0	1	0	0	0
Copper R.	0	0	0	1	0	0	0	0	0	0
NORTHERN	1	0	3	28	37	4	3	2	2	2
TOTAL	41	33	124	127	132	26	63	45	45	29

FRPA Inspections Conducted on forest operations on private, municipal, and trust land - DOF

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	42	29	37	18	6	20	31	24	11	9
NSE	5	3	1	2	1	3	3	0	0	0
Mat-Su/SW	5	0	0	0	0	0	5	5	1	1
Kenai-Kodiak	11	10	17	21	21	29	20	21	16	7
COASTAL	63	42	55	41	28	52	59	50	28	17
Fairbanks	0	0	0	0	0	2	0	3	1	0
Delta	2	0	0	0	0	0	0	0	0	0
Tok	0	0	0	0	0	0	0	0	0	0
Copper R.	9	0	0	1	1	0	0	0	0	0
NORTHERN	11	0	0	1	1	2	0	3	1	0
				2						
TOTAL	74	42	55	42	29	54	59	53	29	17

Note: Inspections include regular FRPA inspections + variation inspections + reforestation inspections

FRPA Inspections Conducted on forest operations on private, municipal, and trust land - ADF&G

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Fairbanks	0	0	0	0	0	1	0	0	0	0
Anchorage	17	8	9	16	12	15	15	15	11	10
Prince of Wales	15	26	25	14	19	8	8	7	10	4
Petersburg	0	N/A								
Juneau/Douglas	0	1	7	4	2	6	2	1	2	1
Soldotna	0	0	0	3	10	1	2	1	0	1
Mat-Su	0	0	0	1	0	0	0	0	0	1
TOTAL	32	35	41	38	43	31	27	24	23	17

Note: For data on other ADF&G forestry-related field work, including fish habitat inspections under AS 16.05.841 and .871, road condition surveys, and other effectiveness monitoring, see ADF&G annual report text.

Note: This table does not include field work for the SE Road Condition Survey.

Note: The number of inspections is different than the number of field days spent by the agencies. Some inspections, such as those at Icy Bay, take more than a single day. In other cases, multiple operations can be inspected on a single day. An inspection is counted for each inspection report that is filed. Each report covers a single operating area. .

FRPA Inspections Conducted on forest operations on private, municipal, and trust land - DEC

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SE Region	6	0	0	0	0	0	0	0	0	0
SC Region	3	12	14	10	12	18	18	3	3	0
Interior Region	0	0	0	0	0	0	0	0	0	0
TOTAL	9	12	14	10	12	18	18	3	3	0

FRPA Inspections Conducted on forest operations on STATE land - DOF

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	44	36	15	26	27	16	19	21	4	78
NSE	25	11	15	8	7	9	8	11	3	3
Mat-Su/SW	29	23	21	52	70	13	6	4	12	13
Kenai-Kodiak	7	13	19	29	24	9	18	8	1	3
COASTAL	105	83	70	115	128	47	51	44	20	97
Fairbanks	42	46	40	27	21	82	30	19	15	16
Delta	7	57	21	25	18	26	24	10	5	7
Tok	37	20	20	7	7	2	16	6	11	5
Copper R.	13	24	23	39	10	0	7	3	0	0
NORTHERN	99	147	104	98	56	110	77	38	31	28
TOTAL	204	230	174	213	184	157	128	82	51	125

Note: Inspections include regular FRPA inspections + variation inspections + reforestation inspections

FRPA Inspections Conducted on forest operations on STATE land - ADF&G

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Fairbanks	0	3	0	2	0	0	0	2	0	0
Anchorage	0	0	0	0	0	0	15	0	0	0
Prince of Wales	4	1	0	2	3	0	7	1	1	3
Petersburg	0	N/A	N/A	N/A		N/A		N/A		
Juneau/Douglas	65	3	2	3	0	0	0	0	0	2
Soldotna	0	0	1	1	3	1	0	0	0	0
Mat-Su	1	0	0	0	0	0	3	0	0	0
TOTAL	70	7	3	8	6	1	25	3	1	5

Note: For data on other ADF&G forestry-related field work, including fish habitat inspections under AS 16.05.841 and .871, road condition surveys, and other effectiveness monitoring, see ADF&G annual report text.

FRPA Inspections Conducted on forest operations on STATE land - DEC

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SE Region	0	0	0	0	0	0	0	0	0	0
SC Region	0	0	0	0	0	0	0	0	0	0
Interior Region	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0

Note: This table does not include field work for the SE Road Condition Survey.

Variation requests received

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	26	10	2	1	1	4	5	3	3	2
NSE	0	0	0	0	0	1	0	0	0	0
MS/SW	1	0	0	0	0	0	0	0	0	0
Kenai-Kodiak	3	1	2	3	3	1	1	6	2	0
COASTAL	30	11	4	4	4	6	6	9	5	2
Fairbanks	0	0	0	0	0	0	0	0	0	0
Delta	0	0	0	0	0	0	0	0	0	0
Tok	0	0	0	0	0	0	0	0	0	0
Copper R.	0	0	0	0	0	0	0	0	0	0
NORTHERN	0	0	0	0	0	0	0	0	0	0
TOTAL	30	11	4	4	4	6	6	9	5	2

Note: One of the Kenai-Kodiak Area 2006 variation requests was for a provision other than harvesting in buffers.



Variation Trees Reviewed (approved, denied, and other)* in site-specific variations

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	538	222	14	6	46	312	202	266	304	56
NSE	0	0	0	0	0	243	0	0	0	0
Mat-Su/SW	7	0	0	0	0	0	0	0	0	0
Kenai-Kodiak	327	361	160	294	678	41	80	458	4,353	0
COASTAL	872	583	174	300	724	596	282	724	4,657	56
Fairbanks	0	0	0	0	0	0	0	0	0	0
Delta	0	0	0	0	0	0	0	0	0	0
Tok	0	0	0	0	0	0	0	0	0	0
Copper R.	0	0	0	0	0	0	0	0	0	0
NORTHERN	0	0	0	0	0	0	0	0	0	0
TOTAL	872	583	174	300	724	596	282	724	4,657	56

*Variation trees reviewed covers all trees inspected on site in site-specific variations. This includes trees approved or denied for harvest, plus "other" trees such as those that are withdrawn from the variation request or that are found to be outside the riparian buffer. It does not include trees harvested in small streamside zones under 11 AAC 95.240

**Variations in the Tok Area were for groups of small trees rather than individual large trees. See report text for description.

Variation Trees Approved

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	531	222	14	6	46	272	195	239	286	48
NSE	0	0	0	0	0	237	0	0	0	0
Mat-Su/SW	7	0	0	0	0	0	0	0	0	0
Kenai-Kodiak	321	361	160	295	640	38	64	450	4,327	0
COASTAL	859	583	174	301	686	547	259	689	4,613	48
Fairbanks	0	0	0	0	0	0	0	0	0	0
Delta	0	0	0	0	0	0	0	0	0	0
Tok	0	0	0	0	0	0	0	0	0	0
Copper R.	0	0	0	0	0	0	0	0	0	0
NORTHERN	0	0	0	0	0	0	0	0	0	0
TOTAL	859	583	174	301	686	547	259	689	4,613	48
% approved	99%	100%	100%	100%	95%	92%	92%	95%	99%	86%

FRPA Notices of Violation Issued

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
SSE	0	0	0	0	0	0	0	1	0	1
NSE	0	0	0	0	0	0	0	0	0	0
Mat-Su/SW	0	0	0	0	0	0	0	0	0	0
Kenai-Kodiak	0	1	0	0	0	1	0	0	0	0
COASTAL	0	1	0	0	0	1	0	1	0	0
Fairbanks	0	0	0	0	0	0	0	0	0	0
Delta	0	0	0	0	0	0	0	0	0	0
Tok	0	0	0	0	0	0	0	0	0	0
Copper R.	0	0	0	0	0	0	0	0	0	0
NORTHERN	0	0	0	0	0	0	0	0	0	0
TOTAL	0	1	0	0	0	1	0	1	0	1

APPENDIX B: SUMMARY OF 2017 ENFORCEMENT ACTIONS

CARRY-OVER ACTIONS INITIATED PRIOR TO 2017

NONE

ACTIONS INITIATED IN 2017

AS 41.17.136 Directives

NONE

AS 41.17 Charging documents for violations

Case #	Date initiated	Location	Issued by	Date of compliance
SSE-17-01V	June 2016	Election Cr. Sealaska	Greg Staunton	August 4, 2017

In June 2016, Sealaska Timber Corporation conducted helicopter harvest operations on 15 acres in and adjacent to Election Creek on without prior notice under a DPO or Change of Operations. Thirty-one trees were cut in the riparian area, including 24 trees within 25 feet of the stream. The stream reach was upstream of a known anadromous stream with no intervening blockage. Because the cutting area was not notified, the agencies did not inspect the stream for anadromy. An NOV was issued in June, 2017. The Prosecution Coordinator and Respondent agreed to a proposed settlement. The Hearing Officer approved the settlement and the Respondent paid a fine of \$17,000.

AS 41.17.131 Stop Work Orders

NONE