

FINAL MINUTES
Board of Forestry Meeting
Tuesday, December 9, 2014

Teleconference/Webinar sites: Anchorage, Fairbanks, Juneau, Ketchikan, Delta Jct.

Call to Order and Roll Call. Chris Maisch, State Forester, called the meeting to order at 8:10 am. from Fairbanks. The Anchorage, Juneau, Ketchikan, and Delta sites were connected by teleconference and Bridgit software. Matt Cronin, Denise Herzog, Erin McLarnon, Eric Nichols, Chris Stark, Mark Vinsel, and Ron Wolfe were present. A quorum was established. Wayne Nicolls was excused.

Approval of agenda. (*See handout*) The agenda was unanimously approved with a shift of timing for the report from Paul Slenkamp and addition of an update from Maisch on the administration transition.

Public Meeting Notice. The meeting was noticed by issuing public service announcements and press releases, mailing announcements to interested parties, and posting a notice on the state and Department of Natural Resources (DNR) website. (*See handout*)

Approval of Minutes. The Board reviewed and unanimously approved the August 12-13, 2014 minutes with one typographical correction. (*See handout*)

Announcements.

- The Governor's Open House is tonight in Juneau.
- The comment period for reauthorization of the General Permit for log transfer facilities is open.

Transition update. Maisch reported that Mark Myers is the new DNR Commissioner, and Marty Rutherford is the Deputy Commissioner. Both have prior experience in DNR. Ed Fogels continues to serve at the second Deputy Commissioner at this time. There has not been a decision yet on the State Forester position; Maisch hopes to continue. If a new State Forester is needed, the Board and the Alaska Fire Chiefs have roles in the process for nominating and recommending candidates. Maisch will extend an invitation to the new DNR Commissioner and Deputy Commissioner to attend the spring 2015 Board of Forestry meeting, as appropriate with protocol.

FRPA budgets and funding. Maisch: Walker submitted the Parnell budget without endorsement and will submit an amended budget. The agencies will be working aggressively on the new budget. Under the Parnell budget, the Division of Forestry (DOF) has a cut with a 1 FTE reduction; additional cuts are likely when the new budget is submitted. DOF is updating the division's strategic plan and considering options for downsizing if budgets decline further. The goal is to keep boots on the ground for fire and forest management. DOF intends to maintain FRPA implementation appropriate to the level of activity. Stark noted the loss of a Delta forester position and emphasized the need to maintain field people.

Randy Bates, Alaska Department of Fish and Game (ADF&G) Habitat Division, reported that Sam Cotten is the acting commissioner. He has experience with the legislature, fisheries management, and the North Pacific Fisheries Management Council. The boards of Fish and Game have to put three names forward and the Governor will select the commissioner from that list, then move through the confirmation process. Kevin Brooks is still the ADF&G deputy commissioner. Randy Bates reported that Doug Vincent-Lang was released from the Wildlife Conservation Division; Bruce Dale is acting director. Other directors remain in place at this time.

ADF&G will see a 25\$MM reduction in the Parnell FY16 budget. Habitat and FRPA implementation have level funding. ADF&G will continue to implement FRPA as a priority. Bates expects modifications to the Parnell budget. Additional reductions are likely and could affect the Habitat Division staffing.

Kevin Hanley, Department of Environmental Conservation (DEC) Division of Water reported that the one FRPA position in DEC will continue – it is 60% funded from the Performance Partnership Grant. The DEC commitment to FRPA will continue. At this point the DEC leadership is all still in place, including Larry Hartig as Commissioner.

Mental Health Trust exchange: Paul Slenkamp, Mental Health Trust (MHT) Land Office reported that the MHT–US Forest Service (USFS) land exchange feasibility analysis is complete. It includes a draft agreement to initiate an exchange and has been forwarded to D.C. for review. MHT hope the parties will sign the agreement in February. Completion of an exchange would probably take at least three years. The USFS early entry option doesn't apply to MHT land.

MHT has an active 4.5 MMBF timber sale at Control Lake.

Slenkamp said that Sealaska, the trusts, and other Native corporations receive a lot of input about access for subsistence and other activities. Road maintenance has to meet FRPA standards, or the owners must close the roads. Interest in shorter rotations and public land use between harvests is increasing. Easier access also reduces land management costs and facilitates monitoring. Practices to allow continuing road use while protecting water quality and fish habitat should be considered, such as the USFS road storage standards. For example, use of techniques such as drive-through water bars, out-sloping, and creating paths for traffic could allow limited access for firewood salvage, recreation, and subsistence uses. Landowners depend on timber receipts for road maintenance. Current road closures are coupled with closure of commercial timber sales, but non-merchantable timber is left and could be used by the public for fuelwood.

Slenkamp also commented that field inspections need to be coordinated with presence of equipment. Nichols agreed that this is an issue – some inspections have required repeated site visits.

Legislation and regulations.

Legislation. Maisch reported that all prior bill files were closed; the new administration is reviewing future legislative proposals. DOF is considering legislation to continue implementation of the Timber Jobs Task Force recommendations on timber sale statutes and new state forests, and housekeeping changes for the statute that provide discretionary immunity for fire operations. All proposals are on hold pending discussion with new administration.

DOF intends to proceed with regulation amendments for small negotiated sales under AS 38.05.115. The changes would allow operators two years to complete these sales; they are currently limited to one year. This will provide more flexibility for small operators on sales that are ≤ 500 MBF. The proposal won't affect the proposed sale to Superior Pellets which would be offered under the AS 38.05.123 authority for value-added sales.

Region II-III Reforestation standards review. Marty Freeman, DOF, reported that the Reforestation Science & Technical Committee is wrapping up the first phase of the review -- compiling and synthesizing information on reforestation in boreal and transitional forests, and the factors that influence it. The annotated bibliography contains over 300 references. The bibliography shows that more research has occurred in Region III than Region II, and there is more information about regeneration of white spruce than hardwoods. The bibliography, including section summaries, will be complete in January. A copy of the working draft and cross-reference index is posted on the DOF website.

The S&TC also held two webinars comprising 14 presentations on reforestation results and factors that influence regeneration.

The S&TC will complete the information-gathering phase and start review of the existing reforestation standards at the next meeting, tentatively scheduled for late January.

Considerations emerging from the discussions so far include:

- A need to ensure that standards have flexibility to adapt to changing climates and to reflect the variability between and within regions
- A need to have a reasonable time frame to achieve regeneration standards after harvest while recognizing that natural regeneration infill continues for a couple of decades post-harvest.
- Recognition of regeneration challenges under specific site conditions such as e.g., root-rot fungus or grass competition. Grass competition is an expanding issue. It has delayed regeneration following spruce bark beetle infestation on the Kenai and hardwood harvests in the interior. Climate modeling suggests that grass challenges will increase as fire regimes change, particularly with cool spring fires in southcentral and more frequent fires in the interior.

Public outreach continues; all meeting minutes are provided to the mail list of 350 individuals, organizations, local governments, agencies, and landowners. Webinar presentations, the draft bibliography and cross-reference index are all posted on the DOF website. The co-chairs also have a "technical experts" list of 50 scientists and land managers who were invited to review and contribute to the bibliography, and to attend the webinars, and over 20 participated in one or more of the webinars.

Cronin asked whether the S&TC is looking at a particular climate model prediction. Models and scenarios vary. Freeman said that the S&TC has emphasized the variability within and

between the regions, and that variability will affect how specific sites respond to climate change. The Committee also recognizes that reforestation standards need to be flexible to adapt to climate change as it evolves. The discussions have raised the concept that there are various strategies for mitigating risks associated with uncertainty. Freeman noted that the Committee may also consider identifying sub-regions for the standards.

Vinsel and Wolfe stressed the value of the Board's field trip to Kodiak. Wolfe suggested that the Kodiak area should have been included in the reforestation review, although it is in Region I. Reforestation is a serious issue, as discussed during the Board's field trip. Much of what is learned in the Region II-III review will be relevant to Kodiak and should be synthesized to consider applicability to that or other areas. Freeman concurred with the need to consider applicability to the Kodiak area at the end of the process.

Stark asked whether the State believes climate change is real? Maisch responded that DOF has seen climate change first-hand, particularly changes in the fire regime. Alaska now has larger and more severe fires.

Stark asked whether there is a suggestion that reforestation should not be required after harvesting. Freeman replied that she hasn't heard anyone propose that reforestation not be required, but there is a lot of discussion about how long we should allow for natural regeneration to occur. In general trees come in even after grass if you wait long enough. Al Edgren (DOF Delta Area) applauded the committee's recognition of the continued influx of natural regeneration over time.

Vinsel asked whether reforestation requirements can be included in Detailed Plans of Operation (DPOs). Jim Eleazer (DOF) explained that DPOs and state Forest Land Use Plans (FLUPs) include sections for harvest types and reforestation and site preparation plans. Jim Durst, ADF&G Habitat Division, added that ADF&G reviews the reforestation sections carefully for interactions with wildlife management.

Effectiveness monitoring. Jim Eleazer, reported that DOF and ADF&G finished road condition surveys on Native corporation lands south of Kachemak Bay last summer. The draft report and database will be completed by Dec. 31, 2014, with the final out by March 1st. The Kenai peninsula and Kachemak Bay portions were funded by the Sustainable Salmon Fund while Tyonek was funded by the Kenai Peninsula Borough. DOF plans to survey Mat-Su roads next summer on state and Montana Creek Native Association land, including Zero Lake and Willer-Kash roads. This is a smaller project and will be accomplished within the DOF budget. DOF also plans to submit a proposal to the Sustainable Salmon Fund for 2016 surveys on Kodiak and Afognak. DOF will obtain imagery and map roads for that area in 2015. The islands have an extensive road system.

Eleazer also recounted that the Tyonek road survey found a number of red and gray culverts. Some work has been done to remediate culverts and replace bridges. The low-rated culverts on State and MHT land were installed prior to FRPA. DOF wrote a grant proposal to replace the problem culverts that was denied funding in USFS State and Private Forest grants, state capital improvement (CIP) funds, and the Sustainable Salmon Fund. Surprisingly, the Salmon Fund

denied the proposal based in part on concerns that opening fish habitat on low-velocity streams would result in pike introductions. They also said that the upstream habitat mapping done by ADF&G doesn't fit the Fund's new criteria. One reviewer said the proposal needed a post-placement monitoring plan. DOF had tried to keep the grant cost low. Another wanted more design detail upfront rather than a design-build proposal. Funding is not available to do detailed culvert design in advance. DOF will try to revise and resubmit the proposal in 2015.

Vinsel said that the comments on pike are ironic. If water is flowing, rotenone is probably not usable for pike control. The AD&G comments are making a choice to keep salmon blocked rather than risk spreading pike. Eleazer said that DOF will contact the pike specialist at ADF&G in the Mat-Su and see if we can modify the proposal. DOF has no solution at this point.

Stark stated that pike are a significant issue and ADF&G doesn't have a long history on this topic. ADF&G has already spent a lot of money dealing with pike. He would like to talk with the ADF&G pike person.

Eleazer said that pike can travel through brackish salt water in Cook Inlet. One of the culverts proposed for remediation would open habitat to a lake with sockeye. Stark said that if the pike can't get there, the salmon can't get there either. Vinsel suggested that there could perhaps be a culvert design that salmon could pass but not pike.

Cronin commented that ADF&G needs to define the management objectives for salmon passage. Maisch agreed, and noted that we might need to modify FRPA best management practices (BMPs) to be consistent—perched culverts are out of compliance with FRPA.

Eleazer noted that DOF has also prepared a Willer-Kash post-harvest monitoring proposal. The Aquatic Restoration and Research Institute (ARRI) would be the investigator. Pre-harvest monitoring was conducted in the mid-2000s, and the plan has been to do post-harvest monitoring. DOF submitted the proposal to the Mat-Su Salmon Partnership and will hear results in mid-May 2015. Some reviewers said it would be a long shot—the Partnership focuses on restoration rather than research/monitoring projects.

Eleazer announced that DOF will host a December 11 session on FRPA regulations in Region III and hear from public, operators, land owners, agencies on how the regulations are working. The meeting is coordinated with the Tanana Valley Citizens Advisory Committee meeting.

State consideration of 404 program assumption. Michelle Hale, DEC, reported that DEC is working on the wetlands program plan for the state. That will position DEC well for obtaining future EPA grants for further strategic wetlands program planning. DEC staff have been working with the Army Corps on a placer mining General Permit (GP) and exploring a transportation GP with the Alaska Department of Transportation (DOT) and the Corps. There has been lots of turnover at the Corps; the current staff is very interested in working with DEC, and setting up a state work group for general permits. Ben White at DEC previously worked for DOT obtaining Corps permits and is an excellent asset to the 404 work at DEC. He has worked on getting checklists into permits to streamline them and make understanding compliance easier. The state

can administer permits issued by the Corps without assuming authority for the whole program. DEC is working with the Corps to lay the groundwork for that option.

DEC and DNR are also exploring mitigation options for Corps permits. The FY16 Governor's budget has been released with caveats. It includes a CIP request for wetland permit work to make 404 permitting more streamlined with GPs and mitigation options. Mitigation is almost at a crisis point now – private land is scarce already without tying up more for mitigation. Funding will depend on the final state budget.

Maisch commented that DOF has explored using the Southeast State Forest (SESF) itself for mitigation at Edna Bay. Eleazer explained that DOF floated the concept of the SESF as a mitigating factor because it won't be subdivided, developed for agriculture, etc. The Corps hasn't approved or disapproved the concept, but is moving forward on the permit without fees. Hale and Eleazer will discuss.

Cronin asked whether a private landowner is compensated if not allowed to develop a piece of private property with wetlands. Hale said that wetland values differ and the mitigation requirements differ and that the Corps does not typically refuse development but rather require mitigation which can be cost-prohibitive. Cronin stated that if mitigation is required to develop wetlands, the Board should raise the question of a "taking" with the Governor. States can disagree with a federal mandate. Hale replied that there's a lot of case law around this, and the Attorney General is knowledgeable about the topic. Maisch said the Governor will have to decide how to engage on federal overreach issues. There could be interaction with other takings issues. The state is currently defending a suit regarding eminent domain and/takings issues related to fire management actions that protected structures but led to burning on undeveloped property. The Board may not be best venue to push on the issue of wetlands takings. Other venues would be more productive for this discussion, including Endangered Species Act (ESA) issues. Wolfe concurred that this is a higher-level policy decision, despite sympathy on this issue. Cronin said that if ESA listings occur in Southeast Alaska, they will apply to state and private land without proper compensation. Maisch said he expects some action on these issues at a national level; it will take federal legislation rather than agency action. Wolfe noted that the petition to list Alaska yellow-cedar under ESA has policy implications that the Board needs to monitor. Maisch commented that Alaska state agencies did respond on that issue.

Wolfe asked about Rivers and Harbors (Section 10) permitting authorities. He is pleased that DEC is exploring options – it will benefit many entities. He hopes that the agency looks at the permitting issues holistically from the applicant's viewpoint. Hale replied that the federal language on assumability of waters is unclear, and DEC wants maximum assumability – that could expand the number of permits administered by the State and narrow the number of projects that need Corps-administered 404 and Section 10 permits.

Alaska Energy Authority (AEA) Wood Energy project updates. Devany Plentovich (AEA) reported that there have been no changes to the regulations in the last few months.

- Renewable Energy Fund Round 8 applications are largely small hydro and biomass proposals -- biomass comprises an increasing proportion of the applications and most of the proposals are pretty good. AEA receive applications for projects in Craig, Tazlina, Angoon, Klawock,

Ambler, Huslia, Nikolai, Lake and Pen Borough, Hydaburg, Kotzebue, Ketchikan Gateway Borough, Fairbanks, Nenana, Hoonah, Port Graham, the Southeast Island School District, and Akiachak. Many applications came in from Southeast.

- The Alaska Wood Energy Development Task Group completed pre-feasibility studies for 12 statements of interest, and 10 new statements of interest being accepted.
- The USFS is accepting applications for Wood Innovations Grants until Jan. 23, 2015.
- The Mentasta chip system is operational – it is a small Portage & Main system that may have applicability for other small sites
- The Kenny Lake School pellet system is operational using fuel from Superior Pellets. They will host an open house in January. The system is not saving a lot of money, but the school is happy.
- Projects in progress include:
 - Community Biomass Handbook volume 2.
 - Case studies/lessons learned from the Ketchikan Library, Nenana Community Buildings, and Haines Senior Center
 - Community capability development for operating wood systems – e.g., how to manage supply, administration, and operations and maintenance planning
 - A standardized outline for project business/operating plans.
 - Formal fuel supply/harvest equipment grant requirements
 - Work on getting combustibles out of municipal solid waste landfills. It requires appropriate pellet machines and boilers to handle the mix of materials.

Plentovich will send the link for the Community Biomass Handbook Volume 1. Volume 1 is not unique to AK.

Plentovich added that Gulkana is 75% of the way to having a small pellet facility operational. They are building the dryer locally. Gulkana got funding through the USDA for the pellet mill. It will be about a 1-ton/day system at full capacity. It should be able to meet the pellet needs for Kenny Lake, and local pellets could reduce Kenny Lake costs.

Nichols expressed concern with government grants that displace private businesses like the Superior Pellet mill with production from a government supported operation. Existing private facilities are probably underutilized. Grants for other facilities create competition.

Wolfe commented that many projects on the AEA list follow the Sealaska model. There needs to be enough demand for wood pellets to support Alaska production and AEA has assisted with that. AEA should keep that up, but shouldn't compete with private investment on other projects that produce raw materials for sale to produce energy from wood. AEA doesn't fund pellet facilities – that has come primarily through the USFS. AEA funds heating systems which build the demand for pellet production. Plentovich noted that a lot of private projects are also occurring and the hope is to accelerate that transition.

Stark stated that AEA has created most of the customers for the private entity. It is surprising that foresters are saying that the government shouldn't help the forest industry out -- that's how a lot of enterprises get started. We're doing that for a common good.

Maisch agreed with Eric's comments and recognized the inherent obstacles in Alaska.

Division of Forestry Updates. Tim Dabney, reported that the Large Project Team is based in Fairbanks to serve primarily the northern region. The team has helped with timber sale preparation in Delta, the Galena forest inventory, a biomass tree weight study, and the best interest finding for Superior Pellets high-value added timber sale, and is working with the University on timber sale projects on University land. Paul Keech is the team leader and Kevin Meany is moving up to the Forester II position on the team. DOF is recruiting for the vacant Fairbanks Area Forester position – recruitment closes Dec. 26. Paul Maki is the acting area forester in the interim. DOF is also recruiting for the Delta and Tok fire management officer positions.

The Fairbanks Area held an auction in October. Four of the six sales sold, including sawlogs and firewood. Two unsold mixed species sales are now available over-the-counter. A total of 15 sales are available over-the-counter – 4 all-season, and 11 winter-only sales. The best interest finding for Salcha area salvage is complete. Twelve public firewood areas are open, and Fairbanks Area issued 172 firewood permits from July through September. Standard Creek Bridge repair work is underway. The Area planted spruce seedlings and collected white spruce cones which got media coverage. A project is underway to install fuel breaks in hazardous fuel areas. The wet summer created maintenance needs on forest roads in Fairbanks and Delta.

The Delta Area built 1.5 miles of new road and extended the Quartz Lake Road. The road accesses fuelwood lots and timber sales and provides a fuel break. Fuelwood sales are popular – people compete to be first in line. Gilles Cr. Fire salvage and Mississippi fire salvage sales to be auctioned December 17.

In Tok, the Alaska Dispatch News picked up a story about salvage operations from the Eagle Trail fire and 2012 blowdown. The preliminary best interest finding is out for public review. The sale will add about 10.7 to existing wood resources and it will reduce fire hazards. Tok continues to partner with the Tok school to provide fuel from hazardous fuel reduction and safe passage projects. An Interior Alaska forest biomass research project is cutting and weighing trees.

The Copper River Area Five-year Schedule of Timber Sales includes 25 timber sales. Area operators are building about 10 miles of winter road for white spruce access in two areas. DOF also has 18 personal use wood cutting areas available, with plowed access to three areas. The Area developed a new Cordova personal use area.

Stark wants to make sure local dimensional wood industries are not priced out of wood supply by fuelwood purchases. Eleazer said that commercial timber sales include sawtimber and fuelwood.

Rick Jandreau, Acting Coastal Region Forester, reported that Clarence Clark will be coordinating Southeast timber sales for DOF, the University and the Mental Health Trust.

The Southern Southeast Area has six active operations on University and Trust lands, and four on state lands. The Area received bids for four of the six sales offered at the last auction. The

preliminary best interest finding (PBIF) for Edna Bay covers about 26 MMBF. A PBIF for about 12 MMBF in Coffman Cove is due out for review next week. The Southeast areas only deal with 24-30 personal use permits per year.

The Northern Southeast Area is working on a 20 MMBF sale near Glacier Creek. The Area sold 15 small state sales. The office is also working on MHT sales and sold two. This year the Area planted 25 acres with 8000 seedlings. A mining group has built 1-1/4 miles of road on the Haines State Forest.

The Kenai-Kodiak Area has seven MMBF of active sales; one PBIF is out for review. The January 2015 auction will offer four sales. FRPA work continues on Native land on Kodiak and Afognak islands. The Kodiak operation has about a year left. Demand for personal use permits is down this year. The Kodiak Island Borough is making road-accessible fuelwood available.

The Mat-Su Area has 10 active sales with 4.5 MMBF of spruce and birch. Operators are plugged with timber and have extended their contracts on state sales. The Area recently offered three sales and received no bids. The borough, one Native corporation, and land use conversions are providing timber for the small operators in the area. DOF is planning a prescribed fire for wildlife habitat. The Division will begin a forest management plan for the area when the Southeast State Forest Management Plan is complete. The Area issues about 186 permits per year.

The Southwest District has one active operator on Native corporation land downriver from Kalskag (Napaimiut). The operation is providing firewood for Yukon-Kuskokwim delta villages. There are numerous personal use wood permits in the district.

DOF roads office, (*see handout*) 2014 is the first full year for which DOF has had two engineers in the roads office. Major projects include access planning for Vallenar Bay on Gravina Island; planning, surveying, and permitting for an Edna Bay log storage and transfer site; and construction of the 6.7-mile Little Susitna winter road. DOF hired non-permanent position to expedite permitting for log transfer facilities, log rafting grounds, and ship mooring locations in Southeast. In the Fairbanks Area, repair of the Goldstream bridge is complete and a Standard Creek road repair project is in design. The roads office is working on a proposal for statewide road standards. DOF solicited regional contracts for engineering design to increase efficiency and reduce costs. DOF engineers completed training that will reduce our need to contract for external services.

Southeast State Forest Management Plan (SESFMP). Jim Schwarber (DOF) reported that the review period for the agency review draft closed in September. DOF received eight sets of comments from five departments and the BOF. The public review draft is nearing completion. In response to comments, DOF revised the following items; commenters are shown in parentheses. The public review draft will:

- Recognized watersheds for Thorne Bay and Coffman Cove and karst water systems (DEC)
- Include uses of fish and wildlife as well as habitat resource descriptions (ADF&G)
- Drop the paragraph on cumulative impact assessment (ADF&G and others)
- Correct references to streams in the Anadromous Waters Catalog (ADF&G)

- Reference the Southeast Alaska master transportation plan (ADF&G)
- Make technical corrections and add definitions in the review and appeal section (Dept. of Law)
- Add known mineral prospects, add management intent to reduce rotation length on highly productive sites; and consider how best to address road closure policies in the SESF and value a permanent road system (Board members)
- Describe the review process for historic resources (OHA)
- Add a Land Classification Order appendix to change land classifications to Forest Land or Forest Land/Water Resources (in community watersheds)
- Provide information on generally allowed uses;
- Include an intent to share facilities agreement with DNR, the University, and MHT;
- Add a timber sale process description and maps.

Public comment

Glen Holt, Eastern Alaska field forester for the Cooperative Extension Service through the University School of Natural Resources and Extension. Holt's work is partly funded by DOF and ADF&G for grouse projects in Tok and Forest Stewardship program work. He has four forest stewardship plans in progress. There's increasing interest in forest management and biomass. Holt is working with Ahtna on forest technician training, and there are similar opportunities in Tanana and Fort Yukon and with Toghothele. He issues a newsletter twice a year and provides workshops on forest management, forest stewardship, and biomass management.

In response to a question, Holt said that Sharp-tailed grouse are in the Tok, Delta, and Fairbanks area. They are seasonally migratory into higher elevations in the winter. They summer in muskies and along the waterways around Delta and in other areas.

Holt commented that initial reports on the progress toward a Gulkana pellet mill are promising, and the landowners have abundant wood resources. AEA and the Alaska Center for Energy and Power are doing good work on wood biomass opportunities.

Southeast forest management issues

Sealaska entitlement legislation. Wolfe reported that there is progress on the Sealaska entitlement legislation – the legislation has been attached to a national defense appropriations bill which has already passed the House. Sealaska hopes the Senate will take up the bill before Congress adjourns and are hopeful it will pass. There have been no substantive changes since it was amended in Senate committee. The bill would finalize the Sealaska land entitlement. There are other unresolved Native land claims in Southeast, but they are not Sealaska claims.

Roadless Rule update. Maisch reported on the ongoing cases. The State appealed the Alaska District Court ruling that invalidated the Tongass National Forest exemption from the Roadless Rule. The three-judge panel of the Ninth Circuit Court of Appeals reversed the District court and held that the Rule Exempting the Tongass from Roadless Rule is valid. The village of Kake

filed a petition seeking a rehearing of the matter by the full court, which was granted. A panel of eleven Ninth Circuit judges will hear arguments on the case on December 15.

The State also filed suit in the District of Columbia on the legality of the Roadless Rule in Alaska. This case was dismissed on the grounds that Alaska failed to file within the statute of limitation. The State has appealed the dismissal to the Federal Court of Appeals for D.C. Oral argument was held on September 18 on the “tolling issue” of whether the State’s was filed timely. If the State loses this decision, the case will be dismissed; if it prevails, the case will be returned to the District court for briefing on the merits of the Roadless Rule would proceed. The State is aggressively pursuing both cases.

Tongass plan advisory committee (TAC). Maisch explained that the TAC was appointed by the USDA Secretary to advise the USFS on the Tongass Forest Plan revision process, particularly the transition from old growth to young growth management. Direction from the Secretary included maintaining the viability of the current forest industry. The Tongass Timber Reform Act also requires the USFS to seek to meet timber demand. The USFS is updating their demand calculation. The TAC started meeting in August and meets roughly once a month. The Committee is trying to identify how much young-growth is available in Tongass based on the land use designations that are open to timber and the standards and guidelines governing timber management activities. It take-years about 55 years to grow marketable trees on high site classes in the Tongass National Forest. The TAC wants to project how much is available in each 5-year period for the next 25 years. The TAC will compare available young-growth timber volume to timber demand and identify how much old-growth wood is needed to close the gap and maintain the timber industry. January is the target for a TAC recommendation. It will be hard to meet that deadline.

Nichols added that the decision to transition to young-growth was made for political, not management or economic reasons. Timber gets the leftovers after other resources are protected. Nicole Grewe did a 2012 study that showed the industry was using 109 MMBF/year. Conservationists target 30-40 MMBF/year, and it will be challenging to reach consensus. Without consensus, the USFS will move forward. This is a transformation, not a transition. All the operators say that transitioning isn’t just changing machines – they would have to tear down mills and start over. If only 30-40 MMBF is made available, some producers will have to go away. 2015 will determine who will be left in the timber industry in Alaska until Native land young-growth becomes available in 20-30 years. The TAC is a FACA group with stringent rules. Five categories -- government, industry, Native corporations, non-governmental organizations, and other users -- each have three representatives on the TAC. Two of the three members in a category have to agree in order to move something forward to the full body. A full body decision requires approval by 2/3 of the members in all five groups. It’s hard to find much young-growth that will be ready in the next 5-10 years. Sealaska is also selecting some of the older young-growth stands under its entitlement bill.

Cronin stated that if the wolf is listed under ESA, it could counteract all the TAC work. He asked whether a total transition to young-growth is a given. Nichols replied that the conservation community is open to small amount of old-growth for microsalses – maybe 15 MBF/year.

Timber Jobs Task Force implementation. (*see handout*) Maisch reviewed updates since August.

- The draft Eastern Tanana Area Plan identifies approximately 480,000 acres of forest lands for legislative consideration as additions to the Tanana Valley State Forest. Public review concluded in November. Once adopted, DOF will talk to the new administration about adding land to the TVSF.
- Proposed legislation for the Susitna State Forest was tabled after it did not get through the Legislature last year. The Alaska Outdoor Council fall newsletter strongly supports establishment of a Susitna State Forest to include habitat-classified lands to prevent future land disposals on those lands. No new bill is likely this session unless a local legislator initiates it.
- DOF prepared a proposal for an Icy Bay State Forest and will review it with the new administration.
- Proposed changes to the criteria for negotiated timber sales under AS 38.05.118 were included in the State Forest legislation last year. That part of the bill had wide support. DOF is considering proposing the .118 changes as separate legislation.
- There is wide interest nationally in changing management of federal forest lands. DOF has not yet discussed this issue with the new administration.
- Alaska has intervened on behalf of the USFS Big Thorne sale; it is working its way through court. Challenges to the sale are based on wolf, deer, and Tongass Forest Plan concerns. The nexus is the NEPA assessment on federal land.
- ADF&G in continuing wolf research in response to ESA petition and has determined...

Road management options after operations: (*see handout on road regulations*) Eleazer reviewed the FRPA regulations for active, inactive, and closed roads. On inactive roads, commercial timber hauling has ceased which reduces maintenance needs. Landowners can keep roads open for silvicultural management as inactive roads. In the absence of road maintenance, road closures leave roads in a condition that prevents harm to water quality and fish habitat and prohibits road vehicle use by removing culverts and bridges. Road closures allow use other than highway vehicles. If an inactive road is opened for other resource use (e.g., oil and gas extraction) without commercial forest activity, there is a question on how long DOF has road management authority under FRPA.

Maisch noted that Slenkamp asked that closure inspections be done just once so the landowner doesn't have to re-mobilize equipment. Eleazer will find out where multiple inspections have been required – it hasn't been an issue in the past. DOF tries to go out at the beginning of closeout to make sure the operators know what is required; then walk some closed areas to check afterwards. Nichols recounted that repeat inspections have happened twice to them and suggested that the issue reflects some turnover in DOF. He said that Brian Kleinhenz brought up the issue. Owners want to be sure they aren't subject to liability on roads when operations are done – that's why they do closures, but having access is desirable for management purposes. The USFS has a "stored road" category – crossings are left in place, and drivable water bars added. Owners don't want residual liability.

Wolfe proposed that we review this issue and address it at the next meeting. He wants to know more about the "inactive road" category. DOF will review the USFS "stored road" standard. Stark is interested in information on options used in other states. Some places actually rip roads

out. Maisch commented that the USFS aggressively decommissions roads in some areas. Nichols stated that road-building costs \$200,000 mile in Southeast where drilling and shooting are needed. The cost of construction prevents reopening roads for silvicultural purposes. Eleazer said that there are options to leave roads in place as inactive roads where frequent, near-term forest vehicle use is not expected. Maisch suggested that training may be needed for owners and operators. Nichols added that DOF may need to train state inspectors on what is expected on inactive roads. Wolfe recommended that prior to the spring BOF meeting, all parties need to review existing policies and address any actions or changes needed. Stark would like a description of what the landowner liabilities are. Vinsel would like to know more about what the demand for access is. All-terrain vehicle crossings of fish streams are detrimental. Eleazer noted that sport hunting on forest roads is a big demand across the state each fall.

Nichols recounted an example where Alcan worked hard to locate a road well on Wrangell, but closed it out to avoid liability. The community wanted to keep firewood access and Alcan had to go back repeatedly to re-close the road.

Southeast Alaska Fish Habitat Partnership (SEAKFHP). Debbie Hart (SEAKFHP Coordinator) explained that the Partnership is a collection of tribal, state, federal, municipal, and non-governmental organizations working together to address fish habitat issues in Southeast. DEC and ADF&G are both involved. SEAKFHP is part of a national framework and recently joined as the 18th National Fish Habitat Partnership, it was officially recognized in March 2014. Official FHP recognition may help to provide new funding for conservation actions in the region. A national fish habitat assessment was done in 2010.

SEAKFHP is designed to promote regional and interagency communication and discussions. It helped host the American Fisheries Society meeting, including the Fish-Forestry session. The interdisciplinary conference, including the mixture of crossover sessions, was very well received. The Partnership also can provide project endorsement and technical review on project proposals and controversial topics. SEAKFHP is not eligible for funding for new projects yet, but that could change at any time. SEAKFHP extends across all ownerships, and both fresh and marine waters. The Partnership has recently focused effort on developing near-shore marine priorities. A lot of the emphasis is on the Tongass National Forest because it is the biggest land ownership. Hart said that other fish habitat partnerships can be set up elsewhere and there are interested groups in Fairbanks and Prince William Sound.

Maisch noted that states are required to do a forest action plan (DNR) and a wildlife action plan (ADF&G). ADF&G also list fish populations of concern, but none are in Southeast. Hart added that the SEAKFHP used the wildlife action plan heavily in developing its strategic plan.

Vinsel asked whether sea otters are a concern for the SEAKFHP and if there are concerns for *Didemnum vexillum* (an invasive marine colonial tunicate found in Whiting Harbor in Sitka) ? Hart said that *D. vexillum* is on the radar for the partnership and is included in the strategic plan as part of invasive species concerns. Sea otters have not been specifically addressed to date; however, the SEAKFHP may be able to help provide a forum for addressing controversial sea otter issues in the region. Vinsel asked about USFS blasting a waterfall to open Coho habitat. Hart responded that the SEAKFHP is aware of this project and helps to foster communication on

the issue among its partners and other interest groups – its partners have a variety of viewpoints and SEAKFHP works to share information on the project and encourage discussions to help gain greater understanding of the differing viewpoints. Often misunderstandings are a result of incorrect information or misperceptions festering among interest groups. A service SEAKFHP provides is creating a forum where groups can come together to share concerns and improve communication and understanding on topics of interest.

Tongass Collaborative Stewardship Group (TCSG). Sarah Campen (TCSG Coordinator) explained that the group had its inception through the Tongass Futures Roundtable’s restoration subcommittee in about 2008. It is an informal working group with about 40-50 participants and is open to new participants. TCSG holds quarterly teleconferences and an annual conference to share information and implement work. The focus is on Tongass National Forest land. About a third of the participants are Tongass staff. The group looks at both instream and upland work, with an emphasis on uplands (e.g., deer habitat) and freshwater systems.

TCSG held a meeting yesterday with 40 people from state and federal agencies, Hoonah and Sealaska representatives and conservation groups from Prince of Wales Island. There is broad interest in working on watershed assessment in areas of mixed ownership. The Hoonah Native Forest Partnership is generating a lot of excitement. Its vision is: “Collaborate to achieve a measurable and resilient blend of timber, salmon and deer production, local economic diversification and improved watershed health.” Participants include Sealaska, Huna Totem, Natural Resources Conservation Service, The Nature Conservancy, ADF&G, and the Hoonah Indian Association. The watershed assessment project is both a workforce development and resource inventory project. Collaboration through the Hoonah partnership provides opportunities for participants to make a difference on their own lands with greater effect and efficiency. The Hoonah model could be applicable in other Southeast communities. At the meeting, Julianne Thompson (USFS) shared an overview of the USFS watershed condition framework. The USFS uses the assessment to prioritize restoration work across the region. They will be repeating the assessment on the Tongass and are interested in incorporating information from other landowners. Interested parties could discuss opportunities to include nonfederal data through the TCSG. The Tongass National Forest is inviting input to help identify a short list of priority watersheds for the next five-year program of work. The 2011 assessment did not include data from any non-national forest lands so non-federal watersheds are not included on the priority list for restoration work.

The Working Forest Group (TWFG) update. McLarnon reported that TWFG is working on a future industry report under a USFS grant, and doing strategic planning. It should be up on the website next month. TWFG officers are: president – Clare Doig, secretary – Paul Slenkamp, board – Patrick Kelly, Clarence Clark, and Wade Zammit. The Resource Development Council, Prince of Wales Island Chamber of Commerce, University of Alaska, MHT, and Sealaska are new members; <http://akworkingforest.org/> is the website. McLarnon is the interim executive director. TWFG is a statewide organization promoting active forest management that emerged from the Juneau cluster group.

Next meeting date and agenda. March 3-4 in Juneau

- Annual compliance monitoring report
- Road condition survey report and effectiveness monitoring updates
- Annual agency reports and Board report to Governor
- Dept. of Commerce forest products marketing update (Joe Jacobson)
- Sustainability certification and legal procurement. – requests from operators for purchaser assurance of lawful procurement and sustainability. Wolfe noted that DOF has been timely in getting certificates of procurement to Sealaska when needed. Maisch said that southern states report issues with timber purchasers from the United Kingdom.
- Road management options
- Invite the DNR Commissioner and Deputy Commissioner to the next BOF meeting in Juneau.
- Overview of American Fisheries Society meeting and Fish-Forestry session
- Historic review of Leisnoi operations, how we got there, and how we avoid future problems. Stark said that Nicolls, Wolfe, and Nichols expressed disapproval of the operations. Wolfe volunteered to compile a list of issues based on what we saw.
- Proposed FY16 forestry, forest practices, and monitoring budgets
- Proposed 2015 legislation related to forestry
- Reforestation standards review process for Interior and Southcentral Alaska
- State consideration of assumption of authority for Section 404 permitting in wetlands
- Wood energy in Alaska and state timber sales for wood energy projects
- Southeast State Forest Management Plan
- Federal forest management in Alaska including national forest planning, Roadless Rule implementation, Southeast land ownership initiatives, Alexander Archipelago wolf status, and old growth availability, TAC and Tongass plan update, Working Forest Group update
- Update on MHT Icy Bay operations (Slenkamp)
- Alaska Timber Jobs Task Force recommendations and implementation, and
- Division of Forestry program updates.
- Status report of the petition filed to list Alaska Yellow Cedar for protection under the Endangered Species Act

Board comments.

- Cronin: His study on wolves shows that the wolf in Southeast is not a good subspecies and should not be listed on ESA.
- Wolfe: The webinar is pretty effective as a tool for some meetings while allowing the Board to do some valuable field trips.
- Nichols: The Kodiak trip was very worthwhile for those not in the industry. A teleconference is not as effective – we lose non-verbal communications.
- Herzog: Prefers face-to-face meetings but understands tight budgets and webinars can be useful. The Board needs at least one face-to-face each year. The field trip was very useful. Consider adding webcam to the webinar.
- McLarnon: The Kodiak trip very worthwhile, and the teleconference not as painful as expected. Webinar presentations were informative.
- Stark: Is not a fan of webinars, but other groups are also switching to them part-time. The Kodiak trip was way worth it. Webinars do lose non-verbal input.

- Vinsel: Agrees that the Kodiak trip was really valuable and offsetting the cost with a teleconference was a good tradeoff. Presenters on the computer worked well –people were prepared with the technology at the teleconference sites. The material on the Science & Tech Committee was well done. It helped getting the webinar done in one day.
- Maisch: This meeting was widespread – participants were in Hawaii, D.C., and across Alaska. The technology allowed us to carry off a meeting effectively.

Adjourn. 3:55 pm.

Attendees

- Greg Albrecht, ADF&G
- Randy Bates, ADF&G-Habitat, speaker
- Sarah Campen, TCSG, speaker
- Clarence Clark, DOF, speaker
- Tim Dabney, DOF, speaker
- Jim Durst, ADF&G
- Jim Eleazer, DOF, speaker
- Marty Freeman, DOF, speaker
- Dara Glass, CIRI
- Michelle Hale, DEC, speaker (phone)
- Kevin Hanley, DEC, speaker
- Doug Hanson, DOF
- Glen Holt, UAF-SNRE-CES
- Deborah Hart, SEAKFHP, speaker
- Rick Jandreau, DOF, speaker
- Patrick Kelly, UA Land Mgmt.
- Cal Kerr, Northern Economics
- Brian Kleinhenz, Sealaska
- Paul Maki, DOF
- Kyle Moselle, DNR-OPMP
- Will Murray, NRCS
- Joel Nudelman, DOF
- Devany Plentovich, AEA, speaker
- Jim Schwarber, DOF, speaker
- Paul Slenkamp, MHTLO, speaker
- Greg Staunton, DOF
- Charlie Streuli, USFS

Handouts

- Agenda
- Public notice
- Aug. 12-13, 2014 Draft BOF minutes
- Alaska Timber Jobs Task Force update
- Minutes #3 from Reforestation S&TC
- Southeast Alaska Fish Habitat Partnership
- Taking an All-Lands Approach in Southeast Alaska: Watershed Condition Assessment/Prioritization/Project Implementation
- Tongass Collaborative Stewardship Group
- E-mail from Paul Slenkamp to Marty Freeman, Dec. 8, 2014, re BOF meeting
- Roads Office CY 2014 Accomplishments
- 11 AAC 95.315-.320
- Alaska Timber Jobs Task Force Recommendation and Status, December 2, 2014