

Chapter 071. Timber and Material Sales.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

11 AAC 71.045(e) is amended to read:

(e) A negotiated timber sale **under AS 38.05.115**, [OTHER THAN A TIMBER SALE NEGOTIATED UNDER AS 38.05.118,] is for a period of time that may not exceed **two years** [ONE YEAR]. The division will not grant an extension of time under this subsection. (Eff. 7/2/82, Register 83; am 8/23/87, Register 103; 8/16/89, Register 111; am 8/6/94, Register 131; am 6/21/98, Register 146, am 2/8/2001, Register 157; am __/__/____, Register ____)

Authority:	AS 38.05.020	AS 38.05.120	AS 38.05.860
	AS 38.05.115	AS 38.05.850	AS 38.35.020

11 AAC 71.055(a) is amended to read:

(a) **Upon a finding that the sale under AS 38.05.118 is in the best interest of the state,** **the** [THE] division may negotiate **a sale of timber to** [WITH] a local manufacturer **of wood products or a user of wood fiber at appraised value.** [FOR A TIMBER SALE UNDER AS 38.05.118 IF THE DIRECTOR DETERMINES THAT

(1) THE RATE OF UNEMPLOYMENT IN THE AREA IN WHICH THE TIMBER IS LOCATED IS AT LEAST 135 PERCENT OF THE STATEWIDE AVERAGE RATE OF UNEMPLOYMENT FOR THE PRECEDING 12-MONTH PERIOD FOR WHICH A STATISTICAL COMPARISON IS AVAILABLE, OR THE RATE OF UNEMPLOYMENT IS

EXPECTED TO EXCEED 135 PERCENT OF THE STATEWIDE AVERAGE WITHIN TWO YEARS;

(2) A PERMANENT MANUFACTURING FACILITY EXISTS IN THE AREA IN WHICH THE TIMBER IS LOCATED WITH THE CAPACITY TO PROCESS AT LEAST 50 PERCENT MORE ON A BOARD-FOOT-PER-DAY BASIS THAN THE AVERAGE DAILY PRODUCTION OF THE MANUFACTURING FACILITY DURING THE THREE-YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF THE SALE OR SUCH A FACILITY IS EXPECTED TO EXIST WITHIN TWO YEARS; AND

(3) AN ECONOMICALLY OPERABLE STATE TIMBER RESOURCE EXISTS IN THE AREA IN WHICH THE TIMBER IS LOCATED AND THE STATE TIMBER RESOURCE HAS THE CAPACITY TO SUSTAIN A LEVEL OF HARVEST ON A SUSTAINED-YIELD BASIS WHICH IS AT LEAST 20 PERCENT GREATER THAN THE LEVEL OF HARVEST OF THE STATE TIMBER RESOURCE ON THE DATE OF THE SALE.]

(Eff. 7/2/82, Register 83; am 9/6/96, Register 139; am 7/6/2006, Register 179; am __/__/____, Register ____)

Authority: AS 38.05.020 AS 38.05.118 AS 38.05.120
AS 38.05.115