

**Alaska Board of Forestry
2013 Annual Report to the Governor**

**A Review of the
Alaska Forest Resources and Practices Act:
Its Implementation and Effectiveness**

May 1, 2014

The Alaska Board of Forestry

The Board of Forestry provides a forum for forest practices issues and management of forests on state land. The Board monitors the implementation and effectiveness of the Forest Resources and Practices Act and reports its findings to the Legislature and Governor. Board members represent the following constituencies:

- ◆ Native Corporations, Ron Wolfe
- ◆ Professional Forester, Wayne Nicolls
- ◆ Recreation, Erin McLarnon
- ◆ Mining, Jeff Foley
- ◆ Timber Industry, Eric Nichols
- ◆ Fishing Industry, Mark Vinsel
- ◆ Environmental Interests, Chris Stark
- ◆ Fish & Wildlife Biologist, Matt Cronin
- ◆ DNR State Forester, Chris Maisch, Chair

**2013 Report from the Board of Forestry to the Governor on the Forest
Resources and Practices Act (FRPA)
May 1, 2014**

Background

The Alaska Forest Resources and Practices Act (FRPA, AS 41.17) governs how commercial timber harvesting, reforestation, and timber access occur on state, private, and municipal land. Forest management standards on federal land must also meet or exceed the standards for state land established by the Act.

The Act is designed to protect fish habitat and water quality and ensure sustainable forest management through prompt reforestation of forest land while providing for a healthy timber industry. The FRPA helps the timber and fishing industries continue to provide long-term jobs.

FRPA balances economic concerns for the timber industry with water quality and habitat protection needs. The FRPA framework provides certainty and credibility for landowners, operators, and the public, and establishes one-stop shopping for forest operation compliance with state and federal clean water and coastal management standards.

FRPA Effectiveness

The Board of Forestry is charged with assessing and reporting on the effectiveness of the Forest Resources and Practices Act. We base our assessment on compliance monitoring, effectiveness monitoring, road condition surveys, field inspections, and reports from the departments of Natural Resources (DNR), Environmental Conservation (DEC), and Fish and Game (ADF&G).

Compliance monitoring. The compliance monitoring program is designed to ensure that FRPA is properly implemented, and to correct any implementation problems through training and, if necessary, enforcement. The Division of Forestry now has eleven years of compliance data for southeast Alaska, ten years for southcentral, and nine years for the interior. This data comprises over 21,000 individual field ratings of best management practices, and has proven to be a valuable tool to identify practices in need of improvement. In 2013, the agencies conducted 211 field inspections on forest operations statewide and compliance monitoring score sheets were part of every inspection. The data shows solid excellent implementation rates in interior and southcentral Alaska. Overall, the southeast and southcentral regions averaged 4.8 and 4.9 respectively out of a perfect score of 5.0 on the ratings.

The average for the interior region was 4.1, a decline from 4.6 last year. The decrease was primarily due to road and bridge maintenance problems on state land near Fairbanks. These roads are mainly silt and receive heavy public use, including increased harvesting of personal use firewood. Road maintenance declined due to a reduction in state road maintenance

funding, and timber values alone are too low to pay for all the maintenance. DOF submitted an FY15 CIP request to replace a problem bridge using timber receipt funds, and include funds for infrastructure repair and replacement in an FY15 deferred maintenance funding request. DOF is required to comply with FRPA road maintenance standards to ensure that erosion does not impair fish habitat or water quality. The Division needs to either repair the roads this year or limit public use.

Road condition surveys. In 2014, the DNR Division of Forestry and ADF&G Habitat Division will finish surveying the 282 miles of forest roads on all ownerships in the Kenai Borough. To date, results show that most of the Kenai roads are in good condition and receive routine maintenance. However, the surveys have identified 18 culverts on fish-bearing streams on public and private land that fail to provide adequate fish passage based on field measurements by DOF and ADF&G. DOF and ADF&G will conduct upstream habitat surveys above these culverts to determine priorities for culvert remediation. Ninilchik Native Association has already replaced one of the identified culverts, which reopened a significant amount of fish habitat. The agencies will also conduct surveys of the Zero Lake and Willer-Kash roads in the Mat-Su area in 2014. The identification of fish passage problems demonstrates the need to continue to conduct these surveys, identify priorities for remediation based on upstream habitat, and provide information on remediation needs to landowners, and potential funding sources.

Effectiveness monitoring. Twenty years of effectiveness monitoring on Native corporation land in southeast Alaska indicate that FRPA is providing adequate protection of fish habitat. This study was led by Sealaska Corporation, with cooperation from state and federal resource agencies, fishermen, the timber industry, and private landowners. The study has tracked pool habitat, woody debris, and streambed substrate in 18 watersheds that are representative of Sealaska lands across Southeast. Pre- and post-harvest data document some changes in stream characteristics over time, but show no identifiable loss of fish habitat after harvesting. A full report on this study is scheduled for release in 2014. This is strong evidence that the current forest practices requirements are effective.

Agency reports. DNR, DEC, and ADF&G all review detailed plans for forest operations on non-state land and forest land use plans for state land, and participate in field inspections for issues in their areas of expertise. DNR and ADF&G also jointly conduct forest road condition surveys. All three agencies report that the Act is effective in protecting fish habitat and water quality from impacts of forest operations. The 2013 reports are attached.

FRPA research, monitoring, and training needs. On all landownerships, timber harvest buffers apply on anadromous waters statewide and on high-value resident fish streams in interior and southcentral Alaska, as well as on public lands in southeast Alaska. The ADF&G has asked the Board to determine whether the lack of buffers upstream of anadromous waters in southeast Alaska affects downstream fish habitat and water quality. In 2014, DNR will convene an effectiveness monitoring working group with representatives from state agencies, landowners, and researchers to review available information and then report to the Board on this subject.

Under the Board's direction, DNR and ADF&G will also convene a Science and Technical Committee in 2014 to review the existing FRPA reforestation standards in interior and southcentral Alaska and make recommendations on changes as needed. New research on reforestation in the boreal forest, climatic change, and two decades of experience with the current standards make this review timely.

Remote communities in Alaska increasingly recognize the benefits of using local wood for heating in public facilities. As use of wood biomass expands, the state agencies need to provide training to local landowners and harvesters about FRPA standards for timber harvest and reforestation, and where possible adapt FRPA processes for small, remote, operations that don't involve road construction. DNR and ADF&G should continue cooperating to determine how to efficiently identify fish habitat in advance of remote forest operations to ensure that fish stream are adequately protected.

The Board supports efforts to improve University of Alaska forestry programs and recognizes a need to improve links between the research institution and the state agencies responsible for forest management. The university should provide training that produces employable graduates – people with professional knowledge and practical skills that are trained to address emerging issues and opportunities. Alaska needs applied forest research that targets current issues and identifies approaching changes.

FRPA effectiveness summary. The Forest Resources & Practices Act has a solid record of protecting public resources and ensuring that the timber and fishing industries can operate efficiently. This success is founded on the commitment of the three state resource agencies to oversee the Act's implementation and maintain an active field presence. The Board strongly supports adequate and specific funding for the agencies to fully implement FRPA. The 2014 reviews of reforestation standards and headwater stream conditions reflect the ongoing commitment by all parties to ensure continued effectiveness.

Timber Industry support

The Board is on record in support of the Timber Jobs Task Force report and its recommendations to address critical needs of the timber industry. The Board regularly reviews progress on implementation of the Task Force recommendations and other initiatives. The Administration is playing a key role in supporting the industry. In particular we would like to recognize the importance of state involvement in the following efforts and emphasize the need for continued state participation.

- Challenges to federal decisions that inappropriately constrain the timber industry. We are heartened by the recent 9th Circuit Court ruling in favor of the state's appeal on the Tongass exemption to the Roadless Rule. However, the Roadless Rule remains controversial and Governor and State support is needed to actually capture the benefits of the Tongass

exemption. Federal decisions to keep silvicultural roads exempt from National Pollution Discharge Elimination Permit requirements are also positive, and a hallmark of support for continued forest industry operations.

- Consideration of state primacy for Section 404 wetlands permitting.
- Resolution of land ownership issues. Ownership issues include Native land entitlements, the proposed Mental Health Trust land exchange with the US Forest Service, and acquisition of additional state forest land in southeast Alaska. The window will soon close for resolving Southeast Alaska Native land entitlement issues in time to help the existing industry survive the gap until young-growth timber is available.
- DNR and ADF&G involvement in national forest planning and timber sale development in the Tongass National Forest, including strong representatives on the federal advisory committee for the Tongass plan update. The Board acknowledges the Southeast Conference's development of an alternative approach to Tongass land use management and encourages continued consideration of this and other innovative approaches.
- Expansion of the state forest system to establish a long-term supply of forest land for timber and multiple uses. We support the proposed Susitna State Forest, and look forward to reviewing proposals for expansion of the Tanana Valley State Forest as recommended by the recently adopted Yukon-Tanana Area Plan.
- Development and maintenance of forest access. We applaud the establishment of a road engineering unit in the Division of Forestry, and the forest road construction projects developed through the Roads to Resources initiative. We also commend DNR, the University of Alaska, and the Mental Health Trust on their cooperation on management in southeast Alaska. Improved state-borough cooperation is needed to efficiently provide forest management access in the Interior and Southeast.
- DCCED development of messaging and marketing materials for Alaskan wood.
- Assistance to individual private and Native corporation forest owners through the Forest Stewardship Program. The program is funded by the US Forest Service and delivered through the DNR Division of Forestry. The program provides assistance for forest planning. Completed plans allow landowners to qualify for federal cost-share funding that has helped replace bridges and culverts, thin young-growth stands, enhance wildlife habitat, and reduce wildfire risks.

Southeast timber and habitat trends.

In the Lower 48, lack of active forest management has exacerbated wildfire hazards. In Southeast Alaska, a parallel issue is developing – lack of active forest management could prolong declines in wildlife habitat on old harvested areas. Southeast is only 20 years away from the arrival of a “wall of wood” – a vast expanse of young growth forests that are reaching maturity, primarily on federal land. Reaping benefits from this wood source depend on the timber remaining available for harvest in future Tongass Forest Plans, and on the Forest Service offering economic timber sales for purchase. These young forests will present challenges for wildlife because the dense stands support little of the understory vegetation needed for

habitat. Commercial thinning accelerates the return to more open forests with larger trees and more abundant forage. However, thinning is expensive unless there is a market for the wood.

Thinning needs will provide an opportunity for timber industry growth if the industry can survive in the interim, and adapt to young-growth harvesting. Preparing for the “wall of wood” will require market development for smaller trees, changes to processing facilities, and workforce training. In the interim, we need to maintain an industry that will be able to conduct thinning operations by retaining and recruiting qualified workers, maintaining roads and log transfer facilities, and providing sufficient timber to meet market demand and keep the industry operating until sufficient young growth is available.

Governor and State support is also needed to prevent an Endangered Species Act (ESA) action for the Alexander Archipelago Wolf. The US Fish and Wildlife Service (USF&WS) recently announced Alaska’s Alexander Archipelago wolves may need ESA protection and they will conduct an in-depth status review. USF&WS ESA actions have the potential for serious consequences for all forest landowners.

Summary

The Forest Resources and Practices Act continues to protect clean water, healthy fish habitat, and abundant timber resources. We appreciate the State’s efforts on behalf of FRPA implementation and your support for the diverse and sustainable uses of Alaska’s forests. We look forward to working with you to ensure that the timber and fisheries industries remain sustainable while protecting Alaska’s clean air and clean water.

Sincerely,

John “Chris” Maisch, State Forester
Chair, Alaska Board of Forestry

Alaska Board of Forestry

Ron Wolfe, Alaska Native Corporations
Eric Nichols, Forest Industry Trade Association
Wayne Nicolls, Non-governmental Professional Foresters
Chris Stark, Environmental Organization
Erin McLarnon, Recreation Organization
Mark Vinsel, Commercial Fisherman’s Organization
Jeff Foley, Mining Organization
Matt Cronin, Non-governmental Professional Fish/Wildlife Biologist

Attachments

- Annual Report to the Board of Forestry: 2013 Forest Practices Effectiveness. DNR Division of Forestry. February 13, 2014
- 2013 Annual Report to the Board of Forestry. DEC Division of Water. March, 2014.
- 2013 Annual Report to the Board of Forestry. ADF&G Habitat Division. March, 2014.
- Alaska Timber Jobs Task Force Recommendations and Status. March 21, 2013.
- Letter from Board of Forestry to House Resources Committee in support of HB 79. March 28, 2013.
- Letter from Board of Forestry to Governor Parnell in support of the Alaska Timber Jobs Task Force final report. January 10, 2013

Distribution

Governor Sean Parnell

State Senators

State Representatives

Senator Lisa Murkowski

Senator Mark Begich

Congressman Don Young

Joe Balash, Commissioner, Dept. of Natural Resources

Larry Hartig, Commissioner, Dept. of Environmental Conservation

Cora Campbell, Commissioner, Dept. of Fish & Game

Ed Fogels, Deputy Commissioner, Dept. of Natural Resources

Michelle Hale, Director, DEC Division of Water

Kevin Hanley, DEC Forest Practices

Randy Bates, Director, ADF&G Habitat Division

Kyle Moselle, DNR Office of Project Management and Permitting

Glenn Haight, Board of Fisheries

Beth Pendleton, U.S. Forest Service, Region 10

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Marty Freeman, DOF Board Liaison