

2013 Annual Report to the Board of Forestry

Alaska Department of Fish and Game Division of Habitat



March 2014

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I. OVERVIEW

The Alaska Department of Fish and Game (ADF&G), Division of Habitat (Habitat), submits our 2013 annual report to the Board of Forestry as required by AS 41.17.047(d). This report summarizes the activities of Habitat during the period January 1 – December 31, 2013, to implement the Forest Resources and Practices Act (FRPA). This report also informs the Board of Forestry about the effectiveness of the FRPA, its regulations, and best management practices (BMPs) designed to protect the resources for which Habitat has statutory responsibility.

Alaska Statutes require ADF&G to manage, protect, maintain, improve, and extend the fish, game, and aquatic plant resources of the state in the interest of the economy and general well-being of the State (AS 16.05.020), to ensure the proper protection of anadromous fish habitat (AS 16.05.871), and to provide fish passage (AS 16.05.841). Under FRPA, ADF&G is given due deference on private and public land regarding effects on fish habitat from timber operations including variations to riparian standards, designation of alternative site-specific riparian protection plans, and road location decisions within riparian areas (AS 41.17.098(d)). ADF&G is granted due deference for measures allowing the maintenance of important fish and wildlife habitats on state and municipal lands (AS 41.17.060(c)(7)). Also under FRPA, ADF&G helps identify and protect important wildlife habitats on private lands, and provides educational, technical, and extension services for voluntary management techniques that minimize adverse effects on wildlife habitat (AS 41.17.098(d) and AS 41.17.910(b)(c)).

Funding for ADF&G implementation of FRPA during calendar year 2013 came from State general funds. Additional work to identify and nominate freshwater anadromous fish habitat to the *Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes* (Catalog) related to FRPA activities came from State general funds and the Alaska Sustainable Salmon Funds.

A strong ADF&G field presence helped to ensure the proper protection of anadromous fish habitat and to provide for free fish passage. Habitat biologists were able to work closely with land managers and industry on the ground to identify optimal stream crossing locations, alternative access routes, and road locations.

II. PRIVATE, MUNICIPAL, AND TRUST LAND ACTIVITY

Project staff reviewed all detailed plans of operations (DPO), changes in operations, and renewal notices provided by the Division of Forestry (DOF) for compliance with FRPA and its implementing regulations. We assessed road alignments, drainage structures, the width and integrity of riparian buffers, and erosion control BMPs, particularly with respect to our statutory obligations under AS 41 and AS 16. We assisted contractors for municipal and trust land activities with background and technical information for winter ice and snow crossings of fish-bearing waters. We provided recommendations to maintain or enhance wildlife habitat, pursuant to AS 41.17.910. We reviewed requests

for variations from the FRPA. We issued Fish Habitat Permits that, when fully implemented by permittees, properly protected anadromous fish habitat and provided efficient fish passage. During review or inspection of forestry-related activities, we identified and nominated freshwater anadromous fish habitat to the Catalog, and documented high value resident fish habitat. We accounted for Fish Habitat Permit applications reviewed and denied and for Fish Habitat Permit violations where enforcement action was necessary. We spent the time necessary in the field to support the forestry-related activities listed above on private, municipal, University of Alaska, and Mental Health Trust lands.

SOUTHEAST REGION

Craig Area Office staff reviewed and commented on 9 DPOs, reviewed 1 request for variation, 3 changes in operation requests, processed 6 renewals, and conducted 8 FRPA inspections.

Douglas Regional Office staff reviewed and commented on 3 DPOs, reviewed 1 change in operations request, 1 request for variation, and conducted 4 inspections over 6 field days.

SOUTHCENTRAL REGION

Anchorage Regional Office staff reviewed and commented on 8 DPOs, 4 requests for variation, 8 changes in operation requests, and conducted 15 FRPA inspections and 7 Fish Habitat Permit compliance inspections. Anchorage staff issued 11 Fish Habitat Permits and submitted 59 updates to the Anadromous Waters Catalog.

Kenai Peninsula staff reviewed and commented on 3 DPO's on Municipal and private lands, and conducted 1 FRPA inspection, issued 1 Fish Habitat Permit and conducted 1 compliance inspection.

INTERIOR REGION

Fairbanks Regional Office staff continued coordination with contractors from various Interior villages regarding upcoming proposals for biomass harvests from Native corporation lands, reviewed and commented on a DPO on Gwitchyaa Zhee Corporation lands for biomass harvest in the Fort Yukon area and 3 DPOs on Fairbanks North Star Borough lands for fuel wood harvest. One FRPA-related Fish Habitat permit was issued on Gwitchyaa Zhee lands in 2013 for winter ice crossing of anadromous waters. Staff participated in a FRPA and Title 16 site inspection at the Fort Yukon biomass harvest site.

III. STATE LAND ACTIVITY

Project staff reviewed and commented on Forest Land Use Plans (FLUP) and Five-Year Schedules of Timber Sales (FYSTS) we received from the DOF.

SOUTHEAST REGION

Douglas Regional Office staff conducted 1 inspection for FRPA operations on State land.

SOUTHCENTRAL REGION

Kenai Peninsula staff reviewed and commented on 4 FLUP's for activities proposed on state-managed lands.

INTERIOR REGION

Fairbanks Regional Office staff reviewed and commented on 1 firewood sale and 11 FLUPs in the Fairbanks Area, 1 salvage FLUP in the Delta Area, and 2 salvage FLUPs in the Tok Area. Three Fish Habitat permits were issued for winter ice bridge stream crossings by timber access roads. Staff also reviewed and commented on 2 FYSTS for the Delta and Tok areas. In addition, staff have been reviewing and commenting on various plans for blow down timber salvage and biomass harvest, including the preliminary best interest findings for the Tok 25-year Biomass Harvest and the Eagle Trail Fire/2012 Blowdown Salvage Sale. ADF&G staff provides ongoing coordination with Fairbanks, Delta, Tok, and Valdez/Copper area staffs on a variety of FRPA matters including water body classifications, road locations, and harvest unit layout and prescriptions.

IV. FEDERAL LAND ACTIVITY

Project staff reviewed federal National Environmental Policy Act (NEPA) documents for compliance with the FRPA, its regulations, and the Tongass Land Management Plan (TLMP). We issued the U.S. Forest Service (USFS) applications for concurrences to verify the proper protection of anadromous fish habitat and maintenance of anadromous and resident fish passage during timber-related activities. We continued to collaborate with the USFS to protect fish and wildlife resources and their habitats on federal lands. We field checked our work on federal lands whenever possible.

SOUTHEAST REGION

Craig Area Office staff reviewed and commented on 3 NEPA documents and issued 41 USFS Concurrences.

Douglas Regional Office staff reviewed and commented on 6 NEPA documents and issued 24 USFS Concurrences relating to logging activities.

SOUTHCENTRAL REGION

Anchorage Regional Office, Palmer Area Office, and Kenai Peninsula Area Office reported no activity on federal lands during this reporting period.

INTERIOR REGION

Fairbanks Regional Office staff continued coordination with contractors from various Interior villages regarding upcoming proposals for biomass harvests from federal trust lands. Staff also coordinated with the DOF Delta Area and the Salcha Delta Soil and Water Conservation District on routing for a winter timber access road on the U.S. Army Alaska's Donnelly Training Area and issued a Fish Habitat Permit for winter ice crossing of the Delta River to reach the timber access road from the Richardson Highway.

V. FOREST PRACTICES IMPLEMENTATION OVER ALL LANDS

MONITORING

Project staff continued to participate with DOF in forest practices compliance and effectiveness monitoring efforts.

The DOF monitoring strategy for FRPA BMPs includes documentation of compliance during field inspections conducted by foresters. Habitat Division staff participated in compliance monitoring field inspections.

Habitat Division also participated in federal effectiveness monitoring meetings and field trips.

VI. SPECIAL PROJECTS

TLMP IMPLEMENTATION

Habitat staff met with USFS and DOF staff to continue to work with the USFS and DOF in the development of the Wrangell Island timber sale and Saddle Lakes timber sale. Staff began working with USFS on the Kosciusko timber sale.

ANADROMOUS WATERS CATALOGING

Douglas area staff cataloged anadromous fish streams in Petersburg and Wrangell during 2013, and plan to continue work in Ketchikan in 2014. This project, funded by the Alaska Sustainable Salmon Funds, will correct existing inaccuracies within the Catalog and document uncataloged streams for inclusion in the Catalog.

Beginning in 2012, Anchorage Area staff initiated work to catalog waters on Kodiak and Afognak islands to document the presence/absence of anadromous fish and, where appropriate, submit official nominations for inclusion in the *Catalog of Waters Important for the Spawning, Rearing, or Migration of Anadromous Fishes* and its companion Atlas. This three-year project, funded by the Alaska Sustainable Salmon Funds, will correct existing inaccuracies within the Catalog and document non-cataloged streams for inclusion in the Catalog.

TONGASS FISH PASSAGE PRIORITIZATION

Since 1998, the USFS and ADF&G have worked closely to evaluate fish passage problems across the Tongass National Forest. Project staff continue to work with the USFS, U.S. Fish and Wildlife Service, and other agencies to prioritize fish passage restoration projects.

ROAD CONDITION SURVEYS

Kenai area staff are working with DNR State Forestry to survey crossing structures on forestry roads requiring fish passage and review compliance with FRPA on all State and private lands on the Kenai Peninsula. This was the third year of a four-year project funded in part by the Alaska Sustainable Salmon Fund. Kenai Peninsula staff submitted 4 updates to the Anadromous Waters Catalog as part of Road Conditions Survey.

INTERIOR FORESTRY RSA

Interior/Northern staff provided greater assistance in 2013 with development of best interest findings and FLUPs for large and/or long-term projects such as biomass harvest and salvage associated with wildland fire or blowdown events. Funding for this additional work was provided by DOF under an Interior Forestry RSA, a portion of which will also be used to support ADF&G staff co-chairing with DOF staff the Region II-III Reforestation Science and Technical Committee effort that recently began.

VII. ADMINISTRATION, BUDGET, AND STAFFING

In order to maintain our involvement in FRPA related projects, for Fiscal Year 2013, Habitat requested and received an \$85,000 increase in General Funds as a permanent increment in our budget.

STAFF CHANGES

RESIGNATIONS

Ken Bouwens	Habitat Bio III	HAB – Palmer
Laurie Holt	F&G Program Tech	HAB – Kenai Peninsula
Cindy Satterfield	F&G Program Tech	HAB -- Palmer

NEW HIRES

Bryr Harris	F&G Program Tech	HAB – Kenai Peninsula
Stormy Haught	Habitat Bio III	HAB – Palmer
Samantha Lannet	Admin Asst III	HAB – Fairbanks
Kim Williams	F&G Program Tech	HAB – Palmer
Sarah Wilber	Habitat Bio II	HAB -- Palmer

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

The ADF&G considers the FRPA and its implementing regulations an effective mechanism for maintaining fish habitat within the classified surface water types during forest related activities. The ADF&G works with the DOF, DEC, landowners, and operators to implement FRPA in a manner that protects important fish habitat, water quality, and important wildlife habitat from the adverse effects of timber harvest activities. In addition, ADF&G continues to ensure proper protection of fish under AS 16.05.871 and fish passage under AS 16.05.841.

IX. RESEARCH AND MONITORING NEEDS

The TLMP includes forest-wide standards and guidelines. The Habitat Division is qualitatively assessing the applicability of these standards and guidelines during project planning and implementation, and is participating in annual effectiveness monitoring in the field with USFS staff. Habitat Division will continue to work with other ADF&G divisions regarding the applicability and utility of the standards and guidelines during federal review processes.

As stated in Section VIII, the ADF&G considers the FRPA and its implementing regulations an effective mechanism for maintaining fish habitat within the classified surface water types during forest related activities. We appreciate the Board of Forestry's commitment to ensuring that FRPA is effective and addressing issues when they arise. In that spirit, ADF&G highlights for the Board of Forestry, agencies, and landowners our interest in evaluating impacts from harvesting activities on non-high value resident fish streams and reaches above anadromous water bodies where retention of timber may not be required. ADF&G recommends that the Effectiveness Monitoring Group evaluate and quantify whether these specific water bodies and those downstream are experiencing significant adverse impacts that are compromising the short- and long-term sources of

habitat components identified in AS 41.17.115(a). While ADF&G does not have funding to perform the research and fieldwork, we will work with other agencies and organizations to identify funding to perform the needed research and evaluation.

X. CALENDAR YEAR 2014

In addition to our ongoing FRPA responsibilities detailed elsewhere in this report, Habitat Division will work on the following tasks during calendar year 2014, as funding and staffing allow:

- Participate in road condition surveys on forest roads transiting state and private lands on the Kenai Peninsula funded through the Alaska Sustainable Salmon Fund program.
- Increase our field presence during late winter/early spring to monitor winter road construction, use, and closeout in relation to fish habitat and water quality.
- Provide training describing the department's Fish Habitat Permit Program under the Anadromous Fish Act (AS 16.05.871) and the Fishway Act (AS 16.05.841) to resource agency staff, timber operators, land and resource management planners, and landowners. This training will include strategies to prevent, resolve, and minimize impacts to fish habitat, including fish passage.
- Participate in DOF-sponsored training sessions for agency staff and operators.
- Participate in TLMP implementation and other initiatives.
- Continue to work with other ADF&G divisions and with the DOF on FLUPs, best interest findings, and other documents related to the recent and foreseeable increases in acreage and volumes proposed for fuelwood harvest, biomass harvest, and salvage harvest in the Interior and Northern regions.

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