

**STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF FORESTRY**



**SOUTHERN SOUTHEAST AREA FORESTRY**

**FINAL BEST INTEREST FINDING AND  
DECISION FOR  
EDNA BAY PARLAY TIMBER SALE  
SSE-1342-K**

**OCTOBER, 2015**

## **I. PROPOSED ACTION**

The Division of Forestry (DOF) is proposing to offer for sale approximately 1,225 acres of mixed mature second growth and old growth forest composed of western hemlock, Sitka spruce, western red cedar and yellow cedar from state lands near Edna Bay on Kosciusko Island. The proposed timber sale(s) is on lands within the Southeast State Forest (SESF) and on lands designated within the Prince of Wales Island Area Plan (POWIAP) as Settlement Lands. The sale(s) within the SESF meet the management intent of the POWIAP and the proposed management intent of the Public Review Draft of the Southeast State Forest Management Plan (SESFMP). The SESF Management Plan has not been adopted by the Commissioner of the Department of Natural Resources. Operations within land designated as Settlement lands will follow the management intent of the POWIAP. Timber harvest and construction operations on Settlement lands will only occur within the area covered by the Interagency Land Management Authorization (ILMA), ADL 108253, that is issued to DOF by the Division of Mining, Land and Water. The volume to be offered totals approximately 24,500 thousand board feet (MBF). DOF would sell the timber as one large sale under AS 38.05.120 or as a series of smaller sales under AS 38.05.115, AS 38.05.118 and AS 38.05.120 for commercial use with harvest unit and road layout and design completed by the purchaser. Acreage and volumes included in this Best Interest Finding may be combined with acreage and volume from other Best Interest Findings to create a long term negotiated timber sale (ten years or longer) under AS 38.05.118.

The management objectives for the proposed timber sales are:

1. To follow the Department of Natural Resources' (DNR or Division) constitutional mandate to encourage the development of the State's renewable resources, making them available for maximum use consistent with the public interest.
2. To help the State's economy by providing royalties to the State in the form of stumpage receipts, as well as contributions to the State and local economy through wages, purchases, jobs, and business.
3. To improve forest growth and vigor by harvesting and replacing mature and over-mature stands with new healthy regenerating stands, while protecting and maintaining other resource values. The actions authorized under this decision will follow the constitutional mandate of sustained yield and shall adhere to multiple use management principles.

## **II. STATUTORY AND REGULATORY AUTHORITY**

The Division is taking this action under the authority of

- AS 38.05.035(e) Best Interest Finding;
- AS 38.05.110-120 and 11 AAC 71, Timber Sale Statutes and Regulations; and
- AS 41.17.010-950 and 11 AAC 95 Forest Resources and Practices Statutes and Regulations.

### **III. ADMINISTRATIVE RECORD**

The Division will maintain an administrative record regarding the decision of whether or not to proceed with the action as proposed. This record will be maintained at the DOF's Southern Southeast Area Office filed as SSE-1342-K.

### **IV. SCOPE OF DECISION**

This Final Best Interest Finding (BIF) is step three of a six-step process to design, sell, and administer timber sales. This BIF covers the sale of approximately 1,225 acres of mixed mature second growth and old growth forest composed of western hemlock, Sitka spruce, western red cedar and yellow cedar on state lands within the perimeter of the 2,340 acre project area (see Appendix A map). Under this BIF, the timber sale purchaser(s) will perform harvest unit and road layout within the sale area and if necessary negotiate an agreement to share use of the Log Transfer Facility (LTF) and sortyard within Section 34 Township 68 South Range 76 East CRM with the purchaser of the University of Alaska Edna Bay Timber Sale.

The sequence of the second and third steps is interchangeable and not mandated by law. Since DOF must prepare a five-year schedule at least every two years, a proposed sale may likely occur on schedules both before and after the BIF is issued. Under AS 38.05.113, a particular sale must only appear in the five year sale schedule before it is actually sold – not necessarily before or after the administrative steps reviewing the sale are initiated or completed.

The following list summarizes the overall timber sale process:

Step 1: Regional Planning. The Department of Natural Resources develops area plans and state forest management plans to designate appropriate uses for state land, classify the land accordingly, and establish management guidelines for multiple use. These plans determine where timber sales are an allowed use, and what other uses must be considered when designing and implementing sales. Subsequent land use decisions must be consistent with the area plans.

The area in this BIF is covered by the POWIAP on lands designated as Settlement. On lands within the SESF, the area is covered by the POWIAP until adoption of the SESFMP. The finding also considers the Interagency Wildland Fire Management Plan. There are no Community Wildfire Protection Plans in this area. 983 acres of the proposed harvest area is within the second class city of Edna Bay, the remaining 242 acres of the proposed harvest area are outside the city limits of Edna Bay.

Step 2: Five-year Schedule of Timber Sales (AS 38.05.113). The Southern Southeast Area office prepares a Five-year Schedule of Timber Sales (FYSTS) every other year. The Schedule identifies proposed sales, including their location, volume, and main access routes. The FYSTS is a scoping document that provides an opportunity for public, agency, and industry to identify potential issues and areas of interest for further consideration in the Forest Land Use Plan. Proposed timber sales within the area covered by this BIF must appear in at least one of the two FYSTS preceding the sale.

The sale area is included within the 2015-2019 FYSTS and portions of the sale area were within the 2013-2017 FYSTS and 2011-2015 FYSTS.

Step 3: Best Interest Finding. The DOF must adopt a final BIF before selling timber. A best interest finding is the decision document that:

- Establishes the overall area within which the timber sale may occur,
- Determines the amount of timber that will be offered for sale and the duration of the sale,
- Sets the overall harvest and reforestation strategy for the sale area,
- Determines whether the sale proposal complies with the Constitutional requirement to manage for sustained yield by evaluating the amount of timber in the sale and the annual allowable cut for the affected area,
- Selects the appropriate method of sale (i.e., competitive or negotiated sale), and
- Determines the appraisal method that will be used to determine the sale price.

In December 2014, the DOF issued a Preliminary Best Interest Finding covering the decision to sell approximately 1383 acres of mixed mature second growth and old growth forest composed of western hemlock, Sitka spruce, western red cedar and yellow cedar from state lands on Kosciusko Island. Of these 1,383 acres, 1,230 are on lands designated within the SESF, and 113 are on land designated as Settlement and 40 acres are on land designated as Unclassified. Additionally, the DOF proposed to construct a Log Transfer Facility (LTF) and sort yard in section 34 Township 68 south, Range 76 east CRM. The DOF considered all written comments received during the extended review period. Responses to the comments are listed in Appendix D.

This Final Best Interest Finding (BIF) reduces the acres of harvest from 1383 acres to 1225. Of these 1,225 acres, 1,191 are on lands designated within the SESF, and 34 are on land designated as Settlement. The reduction of 158 acres of proposed harvest was done to address comments received during the public comment period for the Preliminary Best Interest Finding and correspondence received from the Alaska Department of Fish and Game's Division of Wildlife Conservation from a request by the DOF to provide input on site specific comments received from the public. One hundred and fifty three (153) of the acres dropped are outside the SESF and are located on lands designated as settlement by the POWIAP or unclassified.

The proposed construction of a LTF and sortyard in section 34 Township 68 South, Range 76 East CRM has also been eliminated from this FBIF. The construction of the LTF, sortyard and access road is being performed by the University of Alaska under their existing timber sale contract and the Statement of Intent (SOI) between the DOF, University of Alaska and the Alaska Mental Health Trust signed in October 2014.

This document is the final BIF for the Edna Bay Parlay Timber Sale. A person affected by the final decision who provided timely written comment or public hearing testimony on the preliminary decision may appeal it, in accordance with 11 AAC 02. See Appendix C, Appeal & Request for Reconsideration.

Step 4: Forest Land Use Plans (AS 38.05.112). Prior to authorizing harvest of timber on any area greater than 10 acres, the DOF must adopt a site-specific Forest Land Use Plan (FLUP) for the harvest area. The DOF will ensure a FLUP(s) completion for the harvest area within the overall sale area

covered by this BIF. FLUPs specify the site, size, timing, and harvest methods for harvest unit within the sale area. FLUPs also address site-specific requirements for access construction and maintenance, reforestation, and multiple use management. FLUPs are based on additional field work, agency and community consultation, and site-specific analyses by the DOF, and are subject to public and agency review.

The FLUP(s) for all lands within the timber sale project area, those designated Settlement by the POWIAP and lands within the SESF, will incorporate the POWIAP management intent. Only SESF lands included in FLUP(s) developed after the approval of the SESF Management Plan will meet the management intent of that forest management plan.

Step 5: Timber sales and contracts. Following adoption of the final BIF, the DOF will offer the timber for sale by competitive bid (AS 38.05.120) or by a negotiated sale(s) (AS 38.05.115 or AS 38.05.118) and sign a contract with the winning bidder. The contract will include stipulations to ensure compliance with the BIF, completion of FLUP(s) prior to beginning harvest, and harvest unit design based on applicable State statutory and regulatory requirements.

A timber sale sold under AS 38.05.115 will have a contract period of no more than one year. Contract length for timber sales sold under AS 38.05.118 or AS 38.05.120 will range between five years and twenty five years. Sales over five years in length will have stumpage rates redetermined every five years.

Step 6: Sale administration. The DOF administers timber sales and conducts field inspections to ensure compliance with the final BIF, FLUP, timber sale contract, and applicable laws, including the Alaska Forest Resources and Practices Act (AFRPA) and regulations (AS 41.17 and 11 AAC 95), and forest management statutes and regulations in AS 38.05 and 11 AAC 71.

## **V. PROJECT LOCATION, LAND STATUS, AND DESCRIPTION**

### **A. Location**

The timber sale area is within sections 1, 2 of T 69 S, R 76 E and sections 31, 32, 33, 34 of T 68 S R 76 E, Copper River Meridian. The sale area is locatable on USGS quadrangle maps, Craig D-5 and D-6. See attached map titled Appendix A SSE-1342-K Edna Bay Parlay Timber Sale Area Map

### **B. Title status**

The sale area lands were granted to the State through National Forest Community Grants 129 and 232.

### **C. Land use planning, classification, and management intent**

Portions of this area are within the City of Edna Bay. Specifically, 983 acres are within the City of Edna Bay and 242 acres are not within the City of Edna Bay.

1,191 acres of the proposed harvest area is within the SESF. 34 acres of the proposed harvest area is on lands designated as Settlement lands by the POWIAP. The whole harvest area is within the geographic region covered by the POWIAP. The POWIAP is the managing document for all lands within the project area until the SESFMP is adopted. The POWIAP is the managing document on State lands designated as Settlement. Consultation with Alaska Department of Fish and Game (ADF&G) and Department of Environmental Conservation (DEC) has occurred within the sale area and will continue to occur prior to the sales and while sales occur.

The land proposed for harvest within the SESF is open to mineral entry. The lands classified as Settlement are closed to mineral entry.

The Interagency Fire Management Plan includes these lands in the modified or full protection category.

#### **D. Current access and land use:**

The main access for this sale area is through the LTF located within section 34 of T68S, R76E, CRM. From this LTF a forest management road runs southwest approximately 3500 feet before entering the SESF. After crossing a portion of the SESF this road ties into a forest management road located on University of Alaska (UA) lands. This BIF does not cover the construction of roads on UA lands. An agreement between the UA and the DOF (Statement of Intent signed 10-21-14) provides for the mutual use of infrastructure owned by either party. This mutual use road system ties into an existing road system located on both UA and DOF managed lands and will provide access to United States Forest Service (USFS) forest system road 1520000 located on State owned lands within the SESF.

The primary purpose of State Forests is, “timber management that provides for the production, utilization, and replenishment of timber resources while allowing other beneficial uses of public land and resources” (AS 41.17.200(a)). The adjacent public landowners including the UA, the Alaska Mental Health Trust (AMHT) and the USFS have conducted and are currently conducting or planning both selective and clear cut timber harvest operations on their lands. Adjacent private lands are owned by private entities; selective and clearcut harvest has occurred in the past on those lands.

#### **E. Background and description of proposal**

##### **1. Background:**

The Edna Bay Parlay Timber Sale area is located primarily within the SESF. The primary purpose of State Forests is, “timber management that provides for the production, utilization, and replenishment of timber resources while allowing other beneficial uses of public land and resources” (AS 41.17.200(a)).

A diversified economy is important to southeast Alaska. By direction from the Governor and Legislature, the DOF manages a timber sale program that makes timber

volume available to help sustain the region's timber industry and economy. The State's land base cannot solely support the timber industry in its present form. However, it is the DOF intent to provide a supply of timber equal to the calculated annual allowable cut for southern southeast on a regular basis.

2. Timber volume and sustained yield:

The total estimated sawlog volume for this sale area is 24,500 MBF on 1,225 acres. This volume is based on aerial photography interpretation and ground reconnaissance.

The DOF is required to manage its timber harvest on a sustained yield basis (AS 38.05.065(b) (1)). "Sustained Yield" means the "achievement and maintenance in perpetuity of an annual or regular periodic output of the various renewable resources of the State land consistent with multiple use" (AS 38.04.910). The Division's policy is to define "regular periodic output" as output over a ten-year period. Based on 2005-2014 harvest data, sales through 2014 were within the "sustained yield" management objective.

The annual allowable cut calculation is determined by using the area regulation method, a method that best utilizes existing forest stand information. The area regulation method involves determining the net-forested acres available for harvest and dividing that number by the rotation period. The rotation period is the time it takes to grow a commercial stand of trees. A 100-year rotation has been the established standard for Southeast and is currently being used by the DOF. This rotation age could be adjusted in the future as more information on growth patterns of even-aged timber stands become available. Initial studies indicate that a rotation age as low as 60 to 80 years may be feasible on managed lands in Southern Southeast Alaska. A shorter rotation length will generate a higher allowable cut under the sustained yield basis.

The Prince of Wales Island Area Plan and when adopted the SESFMP are the governing source for gross available acreage. The DOF has estimated that within the area plans there is estimated 24,956 acres on General Use (GU) lands that can be considered for timber harvest. The SESF has an estimated 48,472 acres that can be considered for timber harvest. As a result of this a gross total of 73,428 acres, can be considered for timber harvest. The gross total acreage is further refined through reductions in acreage for such things as vegetative cover that is capable of growing commercial timber, known resident high value and anadromous stream retention areas, and exclusion zones listed in the area plans. This further refinement of acreage is called the operable timber base (OTB) and as a result of these refinements the DOF estimates the OTB to be 46,673 acres. The Division will continue to adjust and refine the OTB acreage based on fieldwork dependent upon staff availability and travel funds. When the total OTB acreage (46,673 acres) is divided by the 100-year rotation period, an annual allowable cut of 467 acres is derived. Based on DOF experience with the land, and the best forest stand information an average volume of 26 MBF per acre was applied yielding an allowable cut of 12,135 MBF (12.135 MMBF) per year. This average volume per acre (26MBF) equals ninety three percent of the average

volume per acre (28MBF) from the last eleven DOF scaled sales in southern southeast.

When the annual allowable cut is put into decadal terms, it results in DOF being allowed to harvest 121,350 MBF (121.35 MMBF) per every 10 year time period or 4,670 acres within the Southern Southeast Area. Within the time period between January 1, 2005 until December 31, 2014 the DOF has harvested 82,620 MBF (82.620 MMBF). Only harvesting 82.620 MMBF results in an available surplus of 38,730 MBF (38.730 MMBF) available for harvest from that time period. The estimated volume to be offered under this BIF, 24.5 MMBF, is less than the remaining decadal allowable cut of 38.7MMBF.

3. Harvest unit design:

Harvest unit layout and design within the sale area will be performed by the purchaser(s). Preference will be for clearcut harvesting using conventional harvest methods (ground based or cable).

Purchaser(s) layout will be approved by the DOF prior to any harvest activities occurring and evaluated through the FLUP(s) process.

- a. Reforestation and site preparation: The sale area will be reforested in compliance with the Forest Resources and Practices regulations (11 AAC 95.375-.390).

Natural regeneration is the preferred regeneration method for this sale and it is anticipated that adequate stocking levels will be achieved within five years after harvest.

Consideration will be given to planting Sitka spruce on slopes under 30% to shorten rotation time and increase the percentage of Sitka spruce, which is an economically desirable species. Planting will not produce a mono-cultural forest.

- b. Road Access - design and construction: Road access design, construction, and maintenance will comply with the Forest Resources and Practices regulations (11 AAC 95.285-.355).

Road and harvest unit layout and design will be completed by the purchaser within this sale area. Purchaser layout will be approved by the DOF prior to any harvest activities including road construction occurring and evaluated through the FLUP(s) process.

The *Atlas to the Catalog of Waters Important for Spawning, Rearing, and Migration of Anadromous Fishes* was used as a reference guide to indicate the potential for fish habitat issues in the timber sale area. Cataloged anadromous streams 103-90-10510, 103-90-10530 and 103-90-10550 were identified within the sale area.

Crossing of cataloged streams will be accomplished through either bridging methods or culverts. In crossing cataloged streams timing restrictions will be applied and fish passage will be provided for. In all fish bearing stream crossings the entrance and exit of culverts will match the natural course of the stream. No changes in courses or channels will be made to anadromous streams. Additionally, within the harvest unit and road layout and design process and the FLUP(s) process the entire sale area will be evaluated for any uncatalogued anadromous streams or fish streams and the appropriate state statute or regulation will be applied to such stream.

General water quality streams will be crossed by proposed roads within the sale area and the entire sale area will be evaluated for unknown streams within the design, layout and FLUP(s) process. To maintain water quality during road construction, the Division of Forestry will mandate implementation of Alaska Forest Resource Practice Act (AFRPA) and Best Management Practices (BMP).

To keep the potential for soil erosion to a minimum, the amount of road construction will be minimized. The roads will be designed to follow the natural contours and benches in the area and will be located on flat or moderate slopes. Keeping roads off steeper slopes and located on flat benches not only minimizes soil erosion from road construction, but also minimizes erosion due to logging. The DOF will require full or partial suspension for any cable logging that occurs in the harvest units and ground based mechanical yarding will be suspended in times of saturated soil conditions. To minimize the potential for erosion, AFRPA slope stability standards and yarding BMPs will be adhered to at all times, as well as the BMPs for road construction and maintenance. The DOF timber sale administrator will ensure, with frequent field inspections, compliance with the timber sale contract and AFRPA.

The access road from the project's sortyard/LTF to the easement for USFS forest system road #1520000 located on State lands will be left open and maintained. This may be modified in the future, if due to budgetary constraints there are insufficient funds to adequately maintain the road system.

- c. Appraisal method: The DOF will appraise the timber value in compliance with 11 AAC 71.092.

The sale are will be appraised by using a residual value appraisal method. Selling values and extraction cost numbers are obtained from industry sources, previous operations and the USFS. Appraisals are an ongoing process as costs and selling values are not static.

## **F. Resources and management**

### 1. Timber

#### a. Timber stand composition and structure:

The proposed harvest area has the characteristics of mature second growth and in some locations mature old growth composed primarily of western hemlock, Sitka spruce, western red cedar and yellow cedar. Within existing old growth timber stands, selective harvest has occurred in the past, specifically Sitka spruce has been removed during times of high demand.

#### b. Stand silvics:

The silvicultural prescription for the Edna Bay Parlay Timber Sale area is clearcut harvest with natural regeneration. Planting of Sitka spruce may occur on slopes under 30%.

#### c. Topography and Soils:

The timber sale occupies an area of gradual hills with varied topography ranging from gentle to moderate slopes; aspect varies throughout the sale area. Elevation ranges from 0 to 800 feet within the sale area. The majority of the sale area has slopes of less than 35%. Soils characteristics range from well drained to muskeg soil type.

The proposed sale will be designed and managed to prevent significant impairment of the land and water with respect to renewable resources (AS 41.17.060(c) (5)).

### 2. Agriculture.

No agricultural use or grazing is known to occur within the area.

### 3. Wildlife Habitat and Harvest.

The Edna Bay Parlay Timber Sale meets the guidelines and management intent from the POWIAP, AFRPA and Alaska forest management statutes and regulations. The sale area is not identified as Crucial Habitat (Ha) or prime habitat (Hb) in the POWIAP.

The ADF&G has been consulted and will continue to be consulted throughout the sale process. No specific areas of wildlife concern were identified by the ADF&G in their comments for the 2013-2017 FYSTS, the 2015-2019 FYSTS or their comments during the comment period for the Preliminary Best Interest Finding for the Edna Bay Parlay Timber Sale.

The DOF requested input from the ADF&G Division of Wildlife Conservation in regards to a public comment about old growth habitat west of Survey Creek in Sec 31. On June 5, 2015, the DOF received comments from the Division of Wildlife which included information regarding the DOF's request for input on Survey Creek.

“The proposed sale areas in sections 31, 32, the NW corner of 33, 1 and 2 are composed of older stem excluded 2<sup>nd</sup> growth. There is little understory vegetation and forested lands in these sections currently have minimal value as deer habitat in general. It is not currently suitable deer winter range. This includes the area west of Survey Creek for which DNR previously received comments. In our assessment the forests in these sections have minimal deer winter range value.”

Also in the June 5, 2015 letter were comments regarding wildlife habitat in sections 33 and 34; the Division of Wildlife Conservation recommended retention of these areas as “important old growth wildlife habitat” for deer and black bear and “categorizes the proposed timber sale area in sections 33 & 34 as critical deer winter habitat.”

The term critical habitat is associated with the Endangered Species Act and is a designation that only the US Secretary of the Interior can make. Since there is no threatened or endangered terrestrial species in southeast, the use of the word critical is inappropriate. The Prince of Wales Island Area Plan uses Crucial Habitat as a land use designation and the Plan designates several areas surrounding the City of Edna Bay as Crucial Habitat. However that designation is not made for any lands within Sections 33 and 34, Township 68S, Range 76E, CRM, the area mentioned in the ADF&G's comments. The lands within those sections are designated General Use and Settlement. A change in land use designation requires an amendment to the Area Plan.

AS 38.04.910(5)(A) implies that multiple use management means the “use of some land for less than all of the resources.” Section 41.17.060(c)(7) of the Alaska Forest Resources and Practices Act (AS 41.17) states that “allowance shall be made for important fish and wildlife habitat.” Section 41.17.200(a) of the same act states in part; “the primary purpose in the establishment of a state forest is timber management that provides for the production, utilization, and replenishment of timber resources”. The majority of the lands in Section 33 are within the legislatively created Southeast State Forest.

Based on the Alaska statutes mentioned above, the management intent of the POWIAP, the creation of the Southeast State Forest by the 2010 Alaska Legislature, public comments received during the PBIF comment period and the June 5 letter from the Division of Wildlife Conservation; this Best Interest Finding drops the proposed harvest of 158 acres of timber in sections 33 and 34. Additional acres may be deferred from harvest during the development of the FLUP due to on the ground conditions and input from the public and state agencies.

As required by AFRPA 22 AAC 95.340 (c), a buffer of at least 330 feet in radius around each bald eagle nesting tree will be created. The attached map depicts only one eagle nest tree within the sale area. This map is not conclusive and in the FLUP(s) process and the design and layout process the proposed sale area will be evaluated for any additional nesting sites. If additional eagle nest trees are located, the United States Fish and Wildlife Service will be notified of the tree and a 330 foot radius buffer will be left surrounding the tree.

#### 4. Fish Habitat, Water Resources, and Water Quality.

The proposed sale will be designed and managed to protect fish habitat and water quality in compliance with the Forest Resources and Practices Act and regulations (AS 41.17 and 11 AAC 95).

Cataloged streams 103-90-10510, 103-90-10530, 103-90-550 are the only cataloged anadromous water bodies within the timber sale area. There will be no harvest within 100 feet on each side of these anadromous water bodies and for streams 103-90-10530 and 103-90-550 harvest within 100 to 300 feet of these water bodies will only occur if it consistent with the maintenance of important fish and wildlife habitat. No harvest will occur within 300 feet of either side of stream # 103-90-10510 (Survey Creek) in Section 31 T68S, R76E, CRM.

Harvest is deferred in the northwest quarter of Section 33, T68S, R76E CRM between the two non-cataloged anadromous streams that flow northeast into Edna Bay. The deferred area includes begins 300 feet to the east of the eastern most creek and extends 300 feet to the west of the farthest west creek.

There will be no harvest within 100 feet on each side of any additional anadromous stream found during timber sale planning or harvest. Harvest within 100 to 300 feet of such streams will only occur if consistent with the maintenance of important fish and wildlife habitat. These buffers function as wildlife movement corridors.

In addition to providing the buffers along these anadromous water bodies, AFRPA will be implemented to maintain bank and soil stability, and in turn water quality. Due deference will be given to ADF&G and ADEC in regard to habitat mitigation to ensure important fish, wildlife, and water quality issues are adequately addressed by the proposed timber sale design. No other anadromous or high value resident streams were identified adjacent to or within the sale area. However, during the FLUP(s) process and design and layout process any additional anadromous or high value resident streams will be evaluated for and appropriate statute and regulation requirements will be placed on them.

To protect water quality of non-fish bearing water bodies a combination of retention areas, directional felling, partial suspension of logs, split-yarding, and removal of logging debris from stream channels will be required. Due to the location of the units and the topography in relation to significant surface water bodies, the timber sale is

anticipated to have minimal adverse impact on water quality. Additional unforeseen non-fish bearing water bodies will be evaluated for during the FLUP(s) process and design and layout process and appropriate statute and regulation requirements will be placed on them.

In addition, low value and non-merchantable timber will be left along the streams that are not identified as anadromous or high value resident fish streams. Due to varied gradient of the streams and moderate topography of the sale area, any turbidity generated by the operations should settle out within the unit.

Monitoring has demonstrated that timber sales designed and implemented in compliance with the FRPA and its regulations protect fish habitat and water quality from significant adverse impacts.

5. Recreation, Tourism, and Scenic Resources.

This timber sale is expected to result in no adverse changes to recreational use of the area. Past timber sales have provided road access for dispersed recreational opportunities and this timber sale will provide additional access. Due to topography and the location of the timber sale, portions of the sale will be visible to the community of Edna Bay. A visual buffer has been left between the shoreline and the northwest portion of the sortyard to minimize the visual impact of that development on the community's viewshed.

6. Cultural Resources.

The DOF works with the State Historic Preservation Office (SHPO) to identify and avoid known cultural, historic or prehistoric sites in planning the proposed access routes and salvage areas. If additional archaeological sites are identified, proposed salvage areas and road locations will be appropriately adjusted to avoid conflicts. If any historic or archaeological sites are encountered during road construction or harvest activities, DOF will immediately inform SHPO and take action to protect the findings.

Based on the January 2014 Resource Report titled "Cultural Resource Investigations associated with State Division of Forestry Roads to Resources Projects and Timber Sales on Gravina and Kosciusko Islands, Southeast Alaska," by Alan DePew, Archaeologist for the Alaska Office of History and Archaeology, "No historic properties will be affected by the Edna Bay undertakings." During the Preliminary Best Interest Finding and Decision process for the Edna Bay Parlay timber sale the Alaska Office of History and Archaeology stated that they agree with the report's findings.

7. Subsurface Resources.

There is no known current mining activity in the immediate area. Other than sharing some of the same access roads, this sale should have no impact on the potential mining resources or mining activity in this area. Karst features found within sale area

will be taken into consideration and avoided were feasible. Additionally, Karst will be evaluated for during the design, layout and FLUP(s) process.

#### **G. Costs and benefits**

Timber sales have traditionally created economic benefits to the communities of Southeast Alaska. The business communities will receive direct economic benefits by providing timber operators with support services such as fuel, food, housing, medical and miscellaneous supplies. The residents of the communities in Southeast Alaska will receive both direct and indirect benefits through employment opportunities and wages paid by the operator during the course of the timber harvest and milling operations.

The 2005 McDowell Group report, "Southeast Timber Harvest Employment Impact Analysis" concludes that logging, sawmilling and stevedoring activities create between 4.3 and 4.5 jobs per million board feet (MMBF) harvested. "Southeast Alaska by the Numbers 2015" published by Southeast Conference in September 2015 reports that in 2014, 328 timber jobs in southeast Alaska produced earnings of \$17.2 million which equates to an average annual salary of just under \$52,500. Based on these two reports, the volume scheduled for harvest under this final BIF could produce approximately 105 jobs and total wage earnings in the 5.5 million dollar range.

Recent stumpage returns on State timber sales in southern Southeast have ranged from \$7.00 per mbf to \$157.00 per mbf. Based on current market conditions it is estimated that the volume scheduled for harvest under this final BIF could generate approximately \$75.00 per mbf. Based on the estimated total volume of 24.5 MMBF, the estimated rate per mbf would generate a return to the State of approximately \$1.8 million dollars.

## **VI. PUBLIC NOTICE**

The preliminary best interest finding and decision was publicly noticed in compliance with AS 38.05.945. Notice was posted on the Alaska Online Public Notice System, and at the Ketchikan Public Library, the Petersburg Library, the Wrangell Library, the Craig Library, the Coffman post office, the Naukati Post Office, the Metlakatla Post Office, the Wrangell Post Office, the Petersburg Post Office, the Klawock Post office, the Thorne Bay Post Office, the Ward Cove Post Office, the Ketchikan Post Office, the Craig Post Office; within the Wrangell Sentinel, Petersburg Pilot, Alaska Dispatch News, Ketchikan Daily News and by the Southern Southeast Area distribution list. Attempts were made to post notices at the Edna Bay Post Office/store, however the DOF was notified that no notice was received. A subsequent notice was mailed to the Edna Bay Post Office/store December 29, 2014, and the public comment period was extended to January 29, 2015. Notification was emailed to the City of Edna Bay's mayor, council and clerk. The DOF also met with the Edna Bay City Council and local residents on January 27, 2015.

**VII. PUBLIC COMMENT AND RESPONSE**

The DOF received comments on the preliminary best interest finding from 17 individuals and 9 organizations. See Appendix D for a table of the issues raised and the DOF’s responses.

**VIII. DISCUSSION AND FINAL FINDING AND DECISION**

It has been found that the Edna Bay Parlay Timber Sale meets its objectives of

1. Following the Department of Natural Resources’ (DNR or Division) constitutional mandate to encourage the development of the State’s renewable resources, making them available for maximum use consistent with the public interest;
2. Helping the State’s economy by providing royalties to the State in the form of Stumpage receipts, plus adding to the State’s economy through wages, purchases, jobs, and business activity; and
3. Helping the local economy of the communities within southern Southeast Alaska.

After due consideration of all pertinent information and alternatives, the DNR has reached the following decision: to offer for sale approximately 1225 acres of mixed mature second growth and old growth forest composed of western hemlock, Sitka spruce, western red cedar and yellow cedar from state lands on Kosciusko Island, surrounding the community of Edna Bay. Harvest activities within the SESF will follow the management intent of the POWIAP. Harvest activities within Settlement lands will be subject to the management intent of the POWIAP. Public notice was accomplished in accordance with AS 38.05.945. The case file has been found to be complete and the requirements of all applicable statutes have been satisfied. The DOF finds that this decision satisfies the objectives stated in this document and it is in the best interest of the State to proceed with this action under its authority of AS 38.05.035(e) (Powers and Duties of the Director) & AS 38.05.110-120; 11 AAC 71 (Timber Sale Statutes and Regulations; and AS 41.17.010-.950 and 11 AAC 95 (Forest Resources and Practices Statutes and Regulations).

**IX. SIGNATURE**

\_\_\_\_\_*signature on file*\_\_\_\_\_

\_\_\_\_\_**October 29, 2015**\_\_\_\_\_

John C. Maisch  
State Forester  
Alaska Division of Forestry

Date

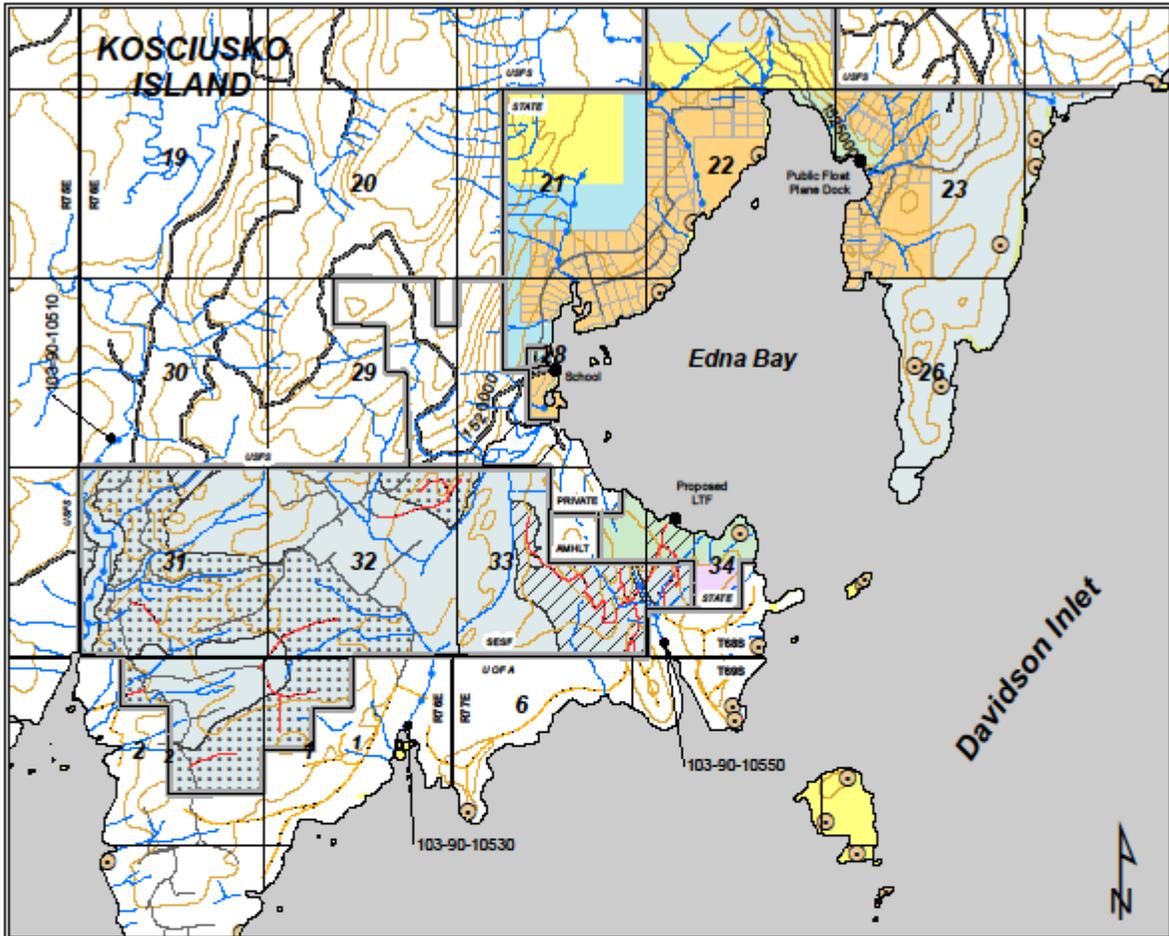
## **X. APPEALS FOR RECONSIDERATION**

A person affected by this decision who provided timely written comment or public hearing testimony on this decision may appeal it, in accordance with 11 AAC 02. Any appeal must be received by November 19, 2015 and may be mailed or delivered to Mark Myers Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to: [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov). If no appeal is filed by that date, this decision goes into effect as a final order and decision on November 19, 2015. An eligible person must first appeal this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 is enclosed.

If you have any questions, please contact Michael Curran, Coastal Regional Forester, [michael.curran@alaska.gov](mailto:michael.curran@alaska.gov), 907-225-3070.

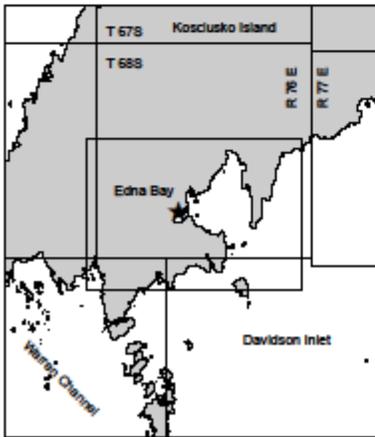
## **XI. APPENDICES**

<b>Appendix A</b>	SSE-1342-K Edna Bay Parlay Timber Sale Area Map
<b>Appendix B</b>	References
<b>Appendix C</b>	Appeal and Request for Reconsideration
<b>Appendix D</b>	SSE-1342-K, Edna Bay Parlay Timber Sale Comments & Responses



1 inch = 4,000 feet

Contour Interval = 100 feet



Vicinity Map  
1 inch = 4 miles



**APPENDIX A  
SSE-1342K  
EDNA BAY PARLAY  
TIMBER SALE,  
AREA MAP**



**DIVISION OF FORESTRY**

Date: 6/4/2015 CW

## Appendix B References

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USDA Forest Service, Kosciusko Vegetation Management and Watershed Improvement Project Draft Environmental Assessment, R10-MB-762(a), USDA Forest Service, Tongass National Forest, August 2015.

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[http://www.adfg.alaska.gov/index.cfm?adfg=wildlifeneews.view\\_article&articles\\_id=447](http://www.adfg.alaska.gov/index.cfm?adfg=wildlifeneews.view_article&articles_id=447)

**APPENDIX C. APPEAL AND REQUEST FOR RECONSIDERATION REGULATIONS**

Note: "Appeal" means a request to the commissioner to review a decision that the commissioner did not sign or cosign. "Request for reconsideration" means a petition or request to the commissioner to review an original decision that the commissioner signed or cosigned.

**TITLE 11. NATURAL RESOURCES.**

**CHAPTER 02. APPEALS.**

**11 AAC 02.010. APPLICABILITY AND ELIGIBILITY.** (a) This chapter sets out the administrative review procedure available to a person affected by a decision of the department. If a statute or a provision of this title prescribes a different procedure with respect to a particular decision, that procedure must be followed when it conflicts with this chapter.

(b) Unless a statute does not permit an appeal, an applicant is eligible to appeal or request reconsideration of the department's decision on the application. An applicant is eligible to participate in any appeal or request for reconsideration filed by any other eligible party.

(c) If a statute restricts eligibility to appeal or request reconsideration of a decision to those who have provided timely written comment or public hearing testimony on the decision, the department will give notice of that eligibility restriction as part of its public notice announcing the opportunity to comment.

(d) If the department gives public notice and allows a public comment period of at least 30 days on a proposed action, and if no statute requires opportunity for public comment, the department may restrict eligibility to appeal or request reconsideration to those who have provided timely written comment or public hearing testimony on the proposed action by including notice of the restriction as part of its public notice announcing the opportunity to comment.

(e) An eligible person affected by a decision of the department that the commissioner did not sign or cosign may appeal the decision to the commissioner within the period set by 11 AAC 02.040.

(f) An eligible person affected by a decision of the department that the commissioner signed or cosigned may request the commissioner's reconsideration within the period set by 11 AAC 02.040.

(g) A person may not both appeal and request reconsideration of a decision. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

**Authority:**

AS 03.05.010	AS 38.05.020	AS 38.50.160	AS 44.37.011
AS 29.65.050	AS 38.05.035	AS 41.15.020	AS 46.15.020
AS 29.65.120	AS 38.08.110	AS 41.17.055	AS 46.17.030
AS 38.04.900	AS 38.09.110	AS 41.21.020	

**11 AAC 02.015. COMBINED DECISIONS** (a) When the department issues a combined decision that is both a final disposal decision under [AS 38.05.035](#)(e) and any other decision, including a disposal decision combined with a land use plan decision, or a disposal decision to grant certain applications combined with a decision to deny others, the appeal process set out for a disposal decision in [AS 38.05.035](#)(i) - (m) and this chapter applies to the combined decision.

(b) Repealed 12/27/2012.

**Authority:**

AS 29.65.050	AS 38.04.900	AS 38.05.035	AS 38.09.110
AS 29.65.120	AS 38.05.020	AS 38.08.110	AS 38.50.160

**11 AAC 02.020. FINALITY OF A DECISION FOR PURPOSES OF APPEAL TO COURT.** (a)

Unless otherwise provided in a statute or a provision of this title, an eligible person must first either appeal or request reconsideration of a decision in accordance with this chapter before appealing a decision to superior court.

(b) The commissioner's decision on appeal is the final administrative order and decision of the department for purposes of appeal to the superior court.

(c) The commissioner may order or deny a request for reconsideration within 30 calendar days after issuance of the decision, as determined under 11 AAC 02.040(c)-(e). If the commissioner takes no action during the 30-day period, the request for reconsideration is considered denied. Denial of a request for reconsideration is the final administrative order and decision of the department for purposes of appeal to the superior court.

(d) If the commissioner timely orders reconsideration of the decision, the commissioner may affirm the decision, issue a new or modified decision, or remand the matter to the director for further proceedings. The commissioner's decision, other than a remand decision, is the final administrative order and decision of the department for purposes of appeal to the superior court. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

**Authority:**

AS 03.05.010	AS 44.37.011	AS 38.05.035	AS 41.21.020
AS 38.04.900	AS 29.65.050	AS 38.09.110	AS 46.15.020
AS 38.08.110	AS 29.65.120	AS 38.50.160	AS 46.17.030
AS 41.15.020	AS 38.05.020	AS 41.17.055	

**11 AAC 02.030. FILING AN APPEAL OR REQUEST FOR RECONSIDERATION.** (a) An appeal or request for reconsideration under this chapter must

- (1) be in writing;
- (2) be filed by personal service, mail, fax, or electronic mail;
- (3) be signed by the appellant or the appellant's attorney, unless filed by electronic mail; an appeal or request for reconsideration filed by electronic mail must state the name of the person appealing or requesting reconsideration and a single point of contact to which any notice or decision concerning the appeal or request for reconsideration is to be sent;
- (4) be correctly addressed;
- (5) be timely filed in accordance with 11 AAC 02.040;
- (6) specify the case reference number used by the department, if any;
- (7) specify the decision being appealed or for which reconsideration is being requested;
- (8) specify the basis upon which the decision is challenged;
- (9) specify any material facts disputed by the appellant;
- (10) specify the remedy requested by the appellant;
- (11) state the address to which any notice or decision concerning the appeal or request for reconsideration is to be mailed; an appellant may also provide a telephone number where the appellant can be reached during the day or an electronic mail address; an appeal or request for reconsideration filed electronically must state a single address to which any notice or decision concerning the appeal or request for reconsideration is to be mailed;
- (12) identify any other affected agreement, contract, lease, permit, or application by case reference number, if any; and
- (13) include a request for an oral hearing, if desired; in the appeal or request for reconsideration, the appellant may include a request for any special procedures to be used at the hearing;

the appeal or request for reconsideration must describe the factual issues to be considered at the hearing.

(b) At the time an appeal is filed, and up until the deadline set out in 11 AAC 02.040(a) to file the appeal, an appellant may submit additional written material in support of the appeal, including evidence or legal argument.

(c) If public notice announcing a comment period of at least 30 days was given before the decision, an appellant may not submit additional written material after the deadline for filing the appeal, unless the appeal meets the requirement of (a) of this section and includes a request for an extension of time, and the department determines that the appellant has shown good cause for an extension. In considering whether the appellant has shown good cause, the department will consider factors including one or more of the following:

- (1) comments already received from the appellant and others;
- (2) whether the additional material is likely to affect the outcome of the appeal;
- (3) whether the additional material could reasonably have been submitted without an extension;
- (4) the length of the extension requested;
- (5) the potential effect of delay if an extension is granted.

(d) If public notice announcing a comment period of at least 30 days was not given before the decision, an appellant may submit additional written material after the deadline for filing the appeal, if the appeal meets the requirements of (a) of this section and includes a notice of intent to file the additional written material. The department must receive the additional written material within 20 days after the deadline for filing the appeal, unless the appeal also includes a request for an extension of time, and the department determines that the appellant has shown good cause for an extension. In considering whether the appellant has shown good cause, the department will consider factors including one or more of the following:

- (1) comments already received from the appellant and others;
- (2) whether the additional material is likely to affect the outcome of the appeal;
- (3) whether the additional material could reasonably have been submitted without an extension;
- (4) the length of the extension requested;
- (5) the potential effect of delay if an extension is granted.

(e) At the time a request for reconsideration is filed, and up until the deadline to file a request for reconsideration, an appellant may submit additional written material in support of the request for reconsideration, including evidence or legal argument. No additional written material may be submitted after the deadline for filing the request for reconsideration.

(f) If the decision is one described in 11 AAC 02.060(c), an appellant who believes a stay of the decision is justified may ask for a stay as part of the appeal or request for reconsideration. The appellant must include an argument as to why the public interest requires a stay. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

**Authority:**

AS 03.05.010	AS 38.05.020	AS 38.50.160	AS 44.37.011
AS 29.65.050	AS 38.05.035	AS 41.15.020	AS 46.15.020
AS 29.65.120	AS 38.08.110	AS 41.17.055	AS 46.17.030
AS 38.04.900	AS 38.09.110	AS 41.21.020	

**Editor's note:** The address for an appeal or request for reconsideration by personal service and by mail is: Department of Natural Resources, Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501-3561. The number for an appeal or request for reconsideration by fax is: 1-

907-269-8918. The electronic mailing address for an appeal or request for reconsideration by electronic mail is: [dnr.appeals@alaska.gov](mailto:dnr.appeals@alaska.gov) .

- 11 AAC 02.040. TIMELY FILING; ISSUANCE OF DECISION.** (a) To be timely filed, an appeal or request for reconsideration must be received by the commissioner's office within 20 calendar days after issuance of the decision, as determined under (c) or (d) of this section, unless another period is set by statute, regulation, or existing contract. If the 20th day falls on a day when the department is officially closed, the appeal or request for reconsideration must be filed by the next working day.
- (b) An appeal or request for reconsideration will not be accepted if it is not timely filed.
- (c) If the appellant is a person to whom the department delivers a decision by personal service or by certified mail, return receipt requested, issuance occurs when the addressee or the addressee's agent signs for the decision. If the addressee or the addressee's agent neglects or refuses to sign for the certified mail, or if the address that the addressee provided to the department is not correct, issuance by certified mail occurs when the decision is deposited in a United States general or branch post office, enclosed in a postage-paid wrapper or envelope, addressed to the person's current address of record with the department, or to the address specified by the appellant under 11 AAC 02.030(a)(11).
- (d) If the appellant is a person to whom the department did not deliver a decision by personal service or certified mail, issuance occurs
- (1) when the department gives public notice of the decision; or
  - (2) if no public notice is given, when the decision is signed; however, the department may state in the decision a later date of issuance and the corresponding due date for any appeal or request for reconsideration.
- (e) The date of issuance constitutes delivery or mailing for purposes of a reconsideration request under AS 44.37.011(d) or AS 44.62.540(a). (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

**Authority:**

AS 03.05.010	AS 38.05.020	AS 38.50.160	AS 44.37.011
AS 29.65.050	AS 38.05.035	AS 41.15.020	AS 46.15.020
AS 29.65.120	AS 38.08.110	AS 41.17.055	AS 46.17.030
AS 38.04.900	AS 38.09.110	AS 41.21.020	

- 11 AAC 02.050. HEARINGS.** (a) The department will, in its discretion, hold a hearing when questions of fact must be resolved.
- (b) The hearing procedure will be determined by the department on a case-by-case basis. As provided in 11 AAC 02.030(a) (13), any request for special procedures must be included with the request for a hearing.
- (c) In a hearing held under this section
- (1) formal rules of evidence need not apply; and
  - (2) the hearing will be recorded, and may be transcribed at the request and expense of the party requesting the transcript. (Eff. 11/7/90, Register 116)

**Authority:**

AS 03.05.010	AS 38.05.020	AS 41.15.020	AS 46.17.030
AS 29.65.050	AS 38.08.110	AS 41.17.055	
AS 29.65.120	AS 38.09.110	AS 41.21.020	
AS 38.04.900	AS 38.50.160	AS 46.15.020	

**11 AAC 02.060. STAYS; EXCEPTIONS.** (a) Except as provided in (c) and (d) of this section, timely appealing or requesting reconsideration of a decision in accordance with this chapter stays the decision during the commissioner's consideration of the appeal or request for reconsideration. If the commissioner determines that the public interest requires removal of the stay, the commissioner will remove the stay and allow all or part of the decision to take effect on the date set in the decision or a date set by the commissioner.

(b) Repealed 9/19/2001.

(c) Unless otherwise provided, in a statute or a provision of this title, a decision takes effect immediately if it is a decision to

- (1) issue a permit, that is revocable at will;
- (2) approve surface operations for a disposal that has already occurred or a property right that has already vested; or
- (3) administer an issued oil and gas lease or license, or an oil and gas unit agreement.

(d) Timely appealing or requesting reconsideration of a decision described in (c) of this section does not automatically stay the decision. However, the commissioner will impose a stay, on the commissioner's own motion or at the request of an appellant, if the commissioner determines that the public interest requires it.

(e) A decision takes effect immediately if no party is eligible to appeal or request reconsideration and the commissioner waives the commissioner's right to review or reconsider the decision. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

**Authority:**

AS 03.05.010	AS 38.05.020	AS 38.50.160	AS 46.15.020
AS 29.65.050	AS 38.05.035	AS 41.15.020	AS 46.17.030
AS 29.65.120	AS 38.08.110	AS 41.17.055	
AS 38.04.900	AS 38.09.110	AS 41.21.020	

**11 AAC 02.070. WAIVER OF PROCEDURAL VIOLATIONS.** The commissioner may, to the extent allowed by applicable law, waive a requirement of this chapter if the public interest or the interests of justice so require. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

**Authority:**

AS 03.05.010	AS 41.21.020	AS 38.05.020	AS 41.17.055
AS 29.65.120	AS 03.10.020	AS 38.08.110	AS 46.15.020
AS 38.05.035	AS 29.65.050	AS 38.09.110	AS 46.17.030
AS 38.50.160	AS 38.04.900	AS 41.15.020	

**11 AAC 02.900. DEFINITIONS.** In this chapter,

- (1) "appeal" means a request to the commissioner to review a decision that the commissioner did not sign or cosign;
- (2) "appellant" means a person who files an appeal or a request for reconsideration.
- (3) "commissioner" means the commissioner of natural resources;
- (4) "decision" means a written discretionary or factual determination by the department specifying the details of the action to be allowed or taken;

(5) "department" means, depending of the particular context in which the term is used, the Department of Natural Resources, the commissioner, the director of a division within the Department of Natural Resources, or an authorized employee of the Department of Natural Resources;

(6) "request for reconsideration" means a petition or request to the commissioner to review an original decision that the commissioner signed or cosigned. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

**Authority:**

AS 03.05.010

AS 29.65.050

AS 29.65.120

AS 38.04.900

AS 38.05.020

AS 38.05.035

AS 38.08.110

AS 38.09.110

AS 38.50.160

AS 41.15.020

AS 41.17.055

AS 41.21.020

AS 44.37.011

AS 44.62.540

AS 46.15.020

AS 46.17.030

## Appendix D

# SSE- 1342K, Edna Bay Parlay Timber Sale Comments & Responses

Department of Natural Resources, Division of Forestry  
October 2015

The following comments were received during the public comment period on the Edna Bay Parlay Timber.

<b>Organization</b>	<b>Author</b>	<b>Location</b>
Alaska Office of History & Archaeology (OHA)	McKenzie S. Johnson	Anchorage
Alaska Department of Environmental Conservation	Kevin J. Hanley	Juneau
Alaska Mental Health Trust Land Office	Paul Slenkamp	Ketchikan
Individual	Pat Richter	Edna Bay
Alaska Department of Fish and Game	Mark Minnillo	Craig
Individual	Michael Williams	Edna Bay
Council Member City of Edna Bay	Karen Williams	Edna Bay
Individual	Lee Greif	Edna Bay
Individual	Carleigh Fairchild	Edna Bay
Individual	Heather Richter	Edna Bay
Council Member City of Edna Bay	Myla Poelstra	Edna Bay
Individual	Tyler Poelstra	Edna Bay
City of Edna Bay	Heather Richter	Edna Bay
Cascadia Wildlands, Greenpeace, Greater Southeast Alaska Conservation Community, Center for Biological Diversity	Gabriel Scott, Larry Edwards, David Beebe, Rebecca Noblin	Alaska

A copy of the submitted comments are attached

Commenter	Comment	Response
	<b>Process</b>	
Carleigh Fairchild	“I object to the Preliminary Best Interest Finding and Decision for the Edna Bay Parlay Timber Sale, and request this PBIF be redacted and presented for an additional 30-day public comment period.”	The comment period for the Preliminary Best Interest Finding and Decision for Edna Bay Parlay Timber Sale SSE-1342-K was initially from November 26, 2014 until December 29, 2014.
Carleigh Fairchild	“There was no notice received by the post office, and therefore myself and fellow residents had inadequate notice from the Alaska Division of Forestry of the comment period. The City of Edna Bay should have been directly notified considering the large amount of acreage within the city’s boundaries 38.05.945.”	Under Chapter 5 of the Alaska Land Act Section 38.05.945 the Division of Forestry must give notice on the Online Public Notice System for at least 30 consecutive days. The Edna Bay Parlay Timber Sale should have been initially placed on the Notice system on November 26, 2014, however due to a DOF mistake it was not. When the DOF became aware of this miscue, the Edna Bay Parlay Timber Sale notice was uploaded onto the Online Public Notice System on December 24, 2014 with a closure date of January 29, 2015; a timeframe of 37 days.
Heather Richter	“I do not believe adequate notice was provided to the city council in order for them to participate in the comment period and to my knowledge the city did not receive formal correspondence from office regarding this proposal.”	AS 38.05.945 also dictates notice must also be given by one or more of the following six methods.
Tyler Poelstra	“The City of Edna Bay was not formally notified of this decision or the right to comment despite the fact that the majority of the proposed activity resides with the legal boundaries of the City.”	1) Publication of a notice in a newspaper of statewide circulation and in newspapers in circulation in the vicinity of the proposed action if available
Tyler Poelstra	“The City of Edna Bay and residents only became aware of this comment period at large within the last 6 hours, since notice was not received via any mediums that were noticed by the public at large or the local Government who could issue additional notices.” Also, section VII does not satisfy statutory requirement of AS38.05.945 (C)(1)	2) Notice through public service announcements on electronic media servicing the area 3) Notice in a conspicuous location in the vicinity of the action 4) Notification of parties known or likely to be affected by the action
Myla Poelstra	“As the Postmaster for Edna Bay, I can verify that no public notice was received by this office. This severely limited resident’s opportunity to participate in the public comment period.”	5) Publication of legal notice at least 30 days before action in newspaper of statewide circulation and in newspapers of general circulation in the proposed action if available 6) Another method calculated to reach affected persons.
Myla Poelstra	“In consideration of the circumstances and concerns surrounding the limited opportunity for residents of Edna Bay to comment of this proposal, I request your office extend the public comment period by another 30 days, and schedule a meeting with the City Council to establish a mutually productive working relationship moving forward.”	The DOF elected to publish a legal notice in Petersburg Pilot, Wrangell Sentinel and Ketchikan Daily News and publisher’s affidavit have been received from all and are available for review at the Ketchikan office.

Commenter	Comment	Response
Myla Poelstra  Tyler Poelstra	<p>“The Council and Public should have had ample notice to comment on this proposal. The State of Alaska should have come to Edna Bay and held a meeting with the City regarding this activity. The way this has taken place is simply unjust and underhanded by appearance.”</p> <p>“The public process for this sale has been virtually non-existent. Why was the Community (City) not engaged during the development of this proposal?”</p>	<p>Notices were also mailed to Post Offices in Ketchikan, Ward Cove, Thorne Bay, Craig, Naukati, Petersburg, Wrangell, Metlakalta, Klawock and Edna Bay on November 26, 2014 and again on December 29, 2014. The Edna Bay Post Office informed the DOF that it did not receive the notice mailed on November 26, 2014.</p> <p>AS 38.05.945 (c) (1) states in part that “notice of at least 30 days before any action takes place shall be given to a municipality if the land is within the boundaries of the municipality...”</p> <p>On December 29, 2014, after confirmation of desired delivery method, notification was sent to the following email addresses <a href="mailto:mayor@cityofednabay.org">mayor@cityofednabay.org</a> , <a href="mailto:council@cityofednabay.org">council@cityofednabay.org</a> and <a href="mailto:clerk@cityofednabay.org">clerk@cityofednabay.org</a> and confirmation of receiving them was received by the DOF.</p>
Tyler Poelstra	<p>“I am requesting in writing the point of contact, place, and time period for the appeal of this decision.”</p>	<p>Section X and Appendix C of the Best Interest Finding for Edna Bay Parlay Timber Sale provide specific information on the appeal process including contact information.</p>
<b>Contract Operations</b>		
Michael Williams	<p>In regards to operators currently active in the area and potential work taking place in the area</p> <p>“It is our experience that Alcan is a very fair company to deal with as they are more than willing to hire local contractors to perform as much as possible which in turn greatly benefits our community because it keeps the money here in our bay.”</p>	<p>The DOF recognizes the commenter’s appreciation of the operator.</p>
Lee Greif	<p>“I encourage the state forestry department to sell this sale to the highest bidder with the provision that successful bidder utilize local business if available to harvest timber and build roads. This is being done at the present time on the mental health timber sale purchased by Alcan.”</p>	<p>There is no sale mechanism in state statute/regulations that allows the DOF to require utilization of local businesses.</p> <p>For clarification purposes Alcan is operating on University of Alaska lands at Edna Bay. The Alaska Mental Health Trust has no active operations at Edna Bay.</p>

Commenter	Comment	Response
Lee Greif	“This community has been blessed with an improved economy since Alcan started the job on University of Alaska lands. In your management objectives for the proposed timber sale you state to help the local economy of the communities within Southeast Alaska. This is a great idea, and if you could consider local labor and business in the sale of state timber production it would benefit the economy of the City of Edna Bay exponentially.”	<p>See response above regarding local labor and business.</p> <p>The DOF recognizes that Alcan has utilized local resources in operating on University of Alaska lands that has benefited the community of Edna Bay. The DOF agrees that timber harvest provides both local and regional economic benefits .The Edna Bay Parlay Timber Sale will provide both direct and indirect economic benefits to the City of Edna Bay.</p>
Gabriel Scott et al.	The purchaser of the Edna Bay Parlay Timber sale and University of Alaska timber sale would be most likely one and the same, Viking, If the purchaser was the same they would not likely have the capacity to mill all the wood if combined with USFS as a result large amounts exporting will occur.	<p>The University of Alaska timber sale is under contract to Alcan Forest Products LLC.</p> <p>At this time the DOF has no way on knowing who the purchaser of the Edna Bay Parlay Timber Sale might be.</p> <p>The DOF intends to sell the timber resources within the Edna Bay Parlay Harvest Area using a competitive bid process (AS 38.05.120) or as a negotiated sale (AS 38.05.118 or AS 38.05.123) using a request for proposal process.</p> <p>Small amounts of volume, under 500 thousand board feet (MBF) per sale, may be sold under AS 38.05.115</p>
Gabriel Scott et al.	It is unrealistic for a logging company to know about nest sites, fish streams, mitigation corridors and a logging company cannot balance concerns.	<p>Logging companies throughout Alaska have been conducting timber sale layout and preparing Detailed Plans of Operation since the adoption of the Alaska Forest Resource and Practices Act (FRPA).</p> <p>These activities included the identifying of stream types, applying appropriate retention and riparian areas to the specific stream types, identifying and applying retention areas to eagle nest sites, and applying retention areas for coastal buffers when required. In completing these activities logging companies are required to notify the DOF, DEC and ADF&amp;G for review of the planned activities. These proposed activities are reviewed by applicable state entities to ensure they meet state regulations and statues.</p> <p>The Prince of Wales Island Area Plan (POWIAP), the Best Interest Finding and provisions in the timber sale contract provide content to help balance concerns.</p>
	<b>City</b>	

Commenter	Comment	Response
Myla Poelstra	“As a Council Member and Deputy Clerk for the City of Edna Bay, I feel the potential impact to the future development of our City raises some concerns; specifically, the area in Section V.c of this proposal identifies 113 acres of settlement land available to the city to fulfill its municipal land entitlement. This area is the only one designated by DNR as industrial. During the formation of the city petition to incorporate this area was specially included for its important potential to future development. I request this area be excluded from the proposed sale.”	The proposed harvest areas as portrayed within the preliminary Best Interest Finding have been modified to address the City of Edna Bay’s concerns regarding harvest on potential municipal lands. Within the final Best Interest Finding only the 36 acres included in the Interagency Land Management Agreement (ILMA) is being proposed for harvest.
Heather Richter	“At this time, the City of Edna Bay is starting the process of selecting lands for its municipal land entitlement. These lands selections will come from State lands encompassed within the boundaries of the city. The 133 acres list as proposed harvest on lands classified as Settlement Land and other selected areas listed in sections 31-34 is an area that is selectable for the city’s land entitlement and is in fact the only areas available for industrial development. Due to the limited amount of state lands left within the boundaries of the city that have not been converted to Forestry lands, I would ask that the state give the community an opportunity to comment after its regular city meeting on January 12, 2015.”	See response above regarding proposed municipal entitlement lands.  The comment period for the Preliminary Best Interest Finding and Decision for Edna Bay Parlay Timber Sale SSE-1342-K was extended for 30 days until January 29, 2015 which allowed the city to comment past its January 12, 2015 meeting.
Tyler Poelstra	“All State of Alaska lands within sections 31, 32, 33 and 34 are available to the City of Edna Bay for their 10% municipal entitlement selection... At bare minimum the 113 identified acres be left unlogged and available for selection by the City of Edna Bay.”	The final Best Interest Finding proposes to harvest only the 36 acres included in the ILMA between the Division of Mining, Land and Water (DMLW) and the DOF.
Myla Poelstra	“Considering the scope of the proposal and potential effect it could have on the City, a meeting with the residents and the City Council should have been scheduled.”	The DOF held a meeting with residents and the Edna Bay City Council on January 27, 2015.
Tyler Poelstra	The activities stand to impact the view shed of the city, offer potential wind volume increase to the public facilities and waterways... There is reason to be concerned for potential property value loss if section 34 is logged to the extent proposed, and I would request that this area be removed from the proposal.”	Proposed harvest in Section 34, T68S, R77E, CRM outside of the Southeast State Forest (SESF) has been reduced.
Gabriel Scott et al.	The PBIF makes not mention of any consultation with the City of Edna Bay or any of its relevant City ordinances, plans, or other directions. The proposed action will have major impacts to that community. Please solicit and carefully consider the views of the City of Edna bay before taking action.	Consultation with the City of Edna Bay is an ongoing process and will continue through the multi-step timber sale process.
Pat Richter	“The 133 acres of settlement lands should not be harvested at this time other than the LTF are. The city of Edna Bay has a very limited area to pick from their entitlement selection.”	All operations connected with the proposed timber sale(s) outside of the SESF will occur within the 36 acres of uplands included in the ILMA obtained by DOF from DMLW.
Michael Williams	“I would hope that you would not log the 113 acres that it is part of Edna Bay’s settlement land as it is the only industry zoned property.”	See comment above.

Commenter	Comment	Response
Karen Williams	The 133 acres of settlement lands should not be harvested now excluding the LTF; the City of Edna Bay has limited area to choose from for their entitlement selection.	See comment above.
Lee Greif	“The City of Edna Bay has a very limited area to pick our entitlement selection. I would encourage the state to exclude approximately 130 acres surrounding the proposed LTF area. This would provide the necessary acreage for the city to make its selection as provided by AS 29.65.040.”	See comment above.
City of Edna Bay	“The City of Edna Bay formally requests the State of Alaska Department of Natural Resources Division of Mining, Land & Water, and the Division of Forestry excludes the 113 acres of land identified as Settlement in the Edna Bay Parlay Timber Sale. However, the City of Edna Bay is not opposed to the construction and or use of a log transfer facility, log sorting yard on this acreage for the support of the Edna Bay Parlay Timber Sale.”	All operations connected with the proposed timber sale(s) on lands designated Settlement under the POWIAP will only occur within the 36 acres of uplands included in the ILMA obtained by DOF from DMLW.
<b>General</b>		
Department of Fish and Game (DFG) Mark Minnillo	“We look forward to working cooperatively with the DOF on any issues raised in the comments.”	The Department of Fish and Game will be consulted cooperatively throughout the sale process.
The Trust Land Office Paul Slenkamp	“In review of the Edna Bay Parlay Timber Sale, (SSE-1342-K) the TLO concurs and supports the stated objectives of the proposed action.”	Comment Noted
The Trust Land Office Paul Slenkamp	“The TLO supports the development of new infrastructure including the log transfer facility located in section 34, Township 68S, Range 76 E, CRM as presented.”	Comment Noted
The Trust Land Office Paul Slenkamp	“The identified harvest methodology is consistent with the Alaska Forest Practices Act and required for regeneration, silvicultural prescriptions, and economical operations.”	Comment Noted
The Trust Land Office Paul Slenkamp	“The proposed harvest will provide revenue to the State of Alaska, payroll to the local economy, infrastructure for future development, recreation and subsistence.”	Comment Noted
Department of Fish and Game (DFG)	“The Forest Land Use Plan (FLUP) should contain a colored map of a scale large enough to see in detail unit boundaries, stream courses, road locations and contour lines.”	The FLUP(s) will contain a vicinity map and individual unit maps with scales large enough to see in detail unit boundaries, stream courses, road locations and contour lines. At a minimum the maps

Commenter	Comment	Response
Mark Minnillo		will meet the requirements of 11 AAC 95.220 Detailed Plan of Operations.
Lee Greif	“I would also encourage you keep up the good work. We are in favor of sound timber management which includes timber harvest.”	Comment noted
Myla Poelstra	“There is a large discrepancy between the acreage listed in the proposal, and what actually exists. Page 2 of the proposal state, ‘of the 1,383 acres; 426 of the proposed area is within the second class city of Edna Bay, 957 acres of the proposed harvest is not within the city of Edna Bay.”	The total acres listed are correct. The PBIF did inaccurately state the acres inside and outside the city limits of Edna Bay. The correct acreage within the City of Edna Bay is 1,141 acres. The correct acreage outside the City of Edna Bay is 242 acres. This correction has been made within the Final Best Interest Finding.
Myla Poelstra	“The extensive proposed logging activities scheduled by both the University of Alaska and State Forestry will likely result in the clearcutting of the entire southern boundary of Edna Bay. This will expose the State harbor at the Northwest end of the bay to an increasing amount of wind damage.”	Proposed harvest in Sections 33 and 34, T68S, R77E, CRM outside of the Southeast State Forest (SESF) has been reduced in part to address this concern.
Tyler Poelstra	“Due to the recent passage of Sealaska Lands Legislation that consumes nearly 13K acres of timber lands on Kosciusko, and the volume of old growth habitat decimated by those activities what little remains should have as much impact mitigation as possible. For this reason I request that the areas to the west of Survey Creek within Section 31 be removed from this proposal.”	<p>The Alaska Forest Resources and Practices Act states that DOF will “recognize the expertise of the Department of Fish and Game with regard to fish and wildlife habitat” (AS 41.17.098(d)) and “allowance shall be made for important fish and wildlife habitat” (AS 41.17.060(c) (6)).</p> <p>The DOF has consulted with ADF&amp;G regarding the importance of the lands within the SESF west of Survey Creek to fish and wildlife habitat and have considered their recommendations during the preparation of the final Best Interest Finding.</p>
Tyler Poelstra	“The passive involvement of the ADF&G regarding this sale appears to be dubious, since at least 1 identified Eagle Tree stands to have nearly all supportive forest around it logged (it should be assumed even the tree itself may also be logged, since nothing in the document states to the contrary).”	<p>Alaska Forest Resource and Practices Regulations 11 AAC 95.340 (c) states; “On state and municipal forest land, an operator conducting timber harvest, road construction or a related activity shall, where feasible retain a buffer of not less than 330 feet in radius around each bald eagle nesting tree.”</p> <p>The Edna Bay Parlay Timber Sale Map only depicts one bald eagle nest within the harvest area. This is based on U.S. Fish and Wildlife Service data, and should not be considered conclusive. If additional nesting sites are found within the project area, a 330 foot radius no harvest buffer will be marked around them.</p>
Tyler Poelstra	“I am opposed to the decision as reached, but not in opposition of logging activities in general and would request that consideration be given to bidders who will entertain local hire and mutual engagement with residents of the area.”	There is no sale mechanism in state statute/regulations that allows the DOF to require utilization of local businesses.

Commenter	Comment	Response
Tyler Poelstra	“I would request, like the University of Alaska is voluntarily offering, that the State reserve 100’-150’ sea line buffers wherever possible within Sections 33 and 34.	<p>No timber harvest will occur adjacent to the shoreline in Section 33 of Township 68 South Range 76 East Copper River Meridian under this Best Interest Finding.</p> <p>Within Section 34 of Township 68 South, Range 86 East, CRM: harvest along the shoreline will be in connection with the development of the sortyard and log transfer facility located within the ILMA.</p>
Gabriel Scott et al.	“In sum, the proposed action is misguided, and we urge you to select either a no-action alternative, or adopt a significantly scaled back project limited to small gaps and thinning in second growth, designed to facilitate wildlife habitat. Please drop the old growth component of the offering, and do not construct any new roads.	<p>The primary purpose of a state forest is “timber management that provides for the production, utilization, and replenishment of timber resources while allowing other beneficial uses of public lands and resources.” (AS 41.17.200(a))</p> <p>Based on the primary purpose of a State Forest, the proposed action is appropriate.</p>
Gabriel Scott et al.	“We are very concerned about the cumulative effects of this project, in combination with logging also planned on USFS, Sealaska and UA lands. Cumulative effects should be considered carefully and discussed explicitly in the PBIF. Logging on UA, Mental Health, USFS and Sealaska land at the same time changes the nature of this decision.”	<p>The Alaska Mental Health Trust has no plans to harvest timber on Kosciusko Island.</p> <p>The USFS has been conducting NEPA analysis for a timber sale(s) in the Edna Bay area for almost 25 years without issuing a decision document; it is unknown when or if the current process will produce a final decision.</p> <p>Conversations with Sealaska, since the closure of the comment period for the PBIF, indicate they have no plans to harvest timber from their recently acquired lands on Kosciusko.</p> <p>There is an ongoing University of Alaska timber sale to the southwest of the community of Edna Bay</p>
Gabriel Scott et al.	The PBIF does not acknowledge that the operator would share the LTF and portions of the University of Alaska road (UA) with UA timber sale purchaser. This operation appears to be designed to coincide with other operations	The DOF does acknowledge that the LTF and University of Alaska roads will be used by both the University of Alaska and DOF timber sale purchasers and such use could occur simultaneously.
Gabriel Scott et al.	The forest is severely compromised due to past clearcuts	Clearcutting is an appropriate regeneration method for the forest.

Commenter	Comment	Response
Gabriel Scott et al.	In adopting a FLUP, the commissioner is to use the "best available data." Additionally, under due process principles decisions must be documented. This PBIF does neither.	This document is a Best Interest Finding and not a FLUP. A FLUP(s) will be completed prior to any harvest activity taking place.
Gabriel Scott et al.	Actions can not take place on State Forest lands until a management plan is in place and if no management plan is in place then a FLUP must be developed.	The Prince of Wales Island Area Plan is the management plan for the Edna Bay South unit of SESF until adoption of the Southeast Forest Management Plan.
Gabriel Scott et al.	ADF&G and DEC have not been involved in the planning process, and the decision can not rely on deference to them.	ADF&G and DEC have been involved in the planning process and will continue to be. This is documented through inspection reports and comments on file that can be reviewed at the DOF Ketchikan office. Specifically, see inspection report dated June 13, 2014 from ADF&G, where streams 103-90-105530 and 103-90-105550, were evaluated for their stream type, gradient and potential crossing locations. Additionally, ADF&G and DEC provided comments to the Preliminary Best Interest Finding and Decision for the Edna Bay Parlay Timber Sale which comments can be found summarized in this document and reviewed in their entirety at the DOF Ketchikan office.
Gabriel Scott et al.	This PBIF does not complete analysis of silviculture prescription.	The silviculture prescription for the project is clearcut with natural regeneration.
Gabriel Scott et al	This PBIF doesn't discuss any consultation with the local community	Consultation with the community has been an ongoing process.
Gabriel Scott et al	The complete lack of or discussion of karst is worrisome.	Prescriptive measures to protect major karst features will be included in the FLUP(s)
Carleigh Fairchild	The PBIF inaccurate states the 426 proposed harvest acres are within city of Edna Bay and 957 acres not within the City of Edna Bay.	The PBIF did inaccurately state the acres within the City of Edna Bay and not within the City of Edna Bay. The correct acreage within the City of Edna Bay is 1,141 acres. Acreage outside the City of Edna Bay is 242 acres. This correction is made in the Final Best Interest Finding.

Commenter	Comment	Response
Carleigh Fairchild	The PBIF inaccurately states that 113 proposed harvest acre are on lands classified as Settlement lands. “The city gets to decide on where their settlement lands are and gets to choose 10% of unincorporated and unaccounted for state lands within the city boundaries.”	The PBIF accurately stated the acres of proposed harvest on Settlement lands. The term, Settlement Lands, refers to a type of land use classification within the Prince of Wales Island Area Plan. The term’s use in the PBIF is not connected to the City of Edna Bay’s municipal entitlement.
Tyler Poelstra	“I would like to see some joint authored agreement with the City for road access to the settlement lands with the idea that the City of Edna Bay be involved with preserving the access infrastructure.”	The DOF agrees that if land is conveyed to the City of Edna Bay that requires access across a unit of the SESF or other State lands managed by DOF, an agreement(s) should be developed that addresses access and maintenance of existing infrastructure and allows for the development of future infrastructure to ensure reasonable access to City owned lands.
<b>Wildlife</b>		
Carleigh Fairchild	“The PBIF states the sale area was not identified as critical habitat or prime habitat. I have concerns that there is critical habitat in the areas proposed for harvest. There is at least one eagle tree that is included in the proposed harvest area and is presumably going to be cut down as there is no mention of protection. I would also argue that this area is critical habitat for species that depend on old growth; the Alexander Archipelago Wolf, Queen Charlotte Goshawk, Northern Flying Squirrels, Marbled Murrelet, and endangered species such as the Spotted Owl.”	<p>Critical habitat is defined in section 3(5)(A) of the Endangered Species Act of 1973(PL 93-205) and amended by PL 107-136. The definition requires that a species be listed as threatened or endangered at the time for an area to be designated as critical habitat. There are no terrestrial threatened or endangered species in southeast Alaska.</p> <p>The Sale area is not located on lands designated as Crucial Habitat (Ha) or Prime Habitat (Hb) within the POWIAP. Ha and Hb are specific land designations found within the Area Plan, and are shown on the Unit 8 management maps in Chapter 3 pages 135 and 137. The criteria for Crucial Habitat and Prime Habitat are found in Appendix A – Glossary of the POWIAP.</p> <p>The Edna Bay Parlay Timber Sale contains one bald eagle nest within the harvest area. This is based on U.S. Fish and Wildlife Service data, and should not be considered conclusive. Alaska Forest Resource and Practices Regulations 11 AAC 95.340 (c) states; “On state and municipal forest land, an operator conducting timber harvest, road construction or a related activity shall, where feasible retain a buffer of not less than 330 feet in radius around each bald eagle nesting tree.” If additional nesting sites are found within the project area, a 330 foot radius no harvest buffer will be marked</p>

Commenter	Comment	Response
		around them.
<b>Cultural Resources</b>		
Office of History & Archaeology McKenzie S. Johnson	In regards to the report titled “ <i>Cultural Resource Investigations Associated with State Division of Forestry Roads to Resources Projects and Timber Sales on Gravina and Kosciusko Island, Southeast Alaska</i> ” we agree with the report finding of “No Historic Properties Affected.”	Comment noted
Office of History & Archaeology McKenzie S. Johnson	“If inadvertent discoveries of cultural resources occur during the duration of the project, our office should be notified so that we may evaluate whether the resource should be preserved in the public interest (as specified at Section 41.35.070).”	If additional archaeological sites are identified, proposed harvest areas and road locations will be appropriately adjusted to avoid conflicts. If any historic or archaeological sites are encountered during road construction or harvest activities, the DOF will immediately inform SHPO and take action to protect the findings.
<b>Water Quality/ Fisheries</b>		
Department of Environmental Conservation (DEC) Kevin Hanley	“We recommend that the timber harvest units and spur roads be designed and laid-out to facilitate the yarding of timber away from streams within the units, and to avoid equipment crossings of streams within shovel settings.”	DOF will follow all standards as stated in Alaska Forest Resources & Practices Act (FRPA) regulations regarding ground skidding within and adjacent to riparian areas; this includes minimizing disturbance adjacent to surface waters and proper skidding techniques.
Department of Environmental Conservation (DEC) Kevin Hanley	“Where karst is located, the prescriptive measures that will be used to protect this should be included in the Forest Land Use Plan(s). (FLUPS)”	Prescriptive measures used to protect major karst features will be included in the FLUP(s)
Department of Fish and Game (DFG) Mark Minnillo	Cataloged streams 103-90-101510, 103-90-10530 and 103-90-10550 require a 100-foot no-harvest buffer.	Riparian standards for state land per AS 41.17.118 (a) (1) will be followed for cataloged streams 103-90-10510, 103-90-10530 and 103-90-10550.  The DOF will continue to work with ADF&G on determining the presence and extent of anadromous or high value resident fish water habitat for the above mentioned streams as well as other non-

Commenter	Comment	Response
		cataloged anadromous and high value resident fish water bodies within the project area.
Department of Fish and Game (DFG) Mark Minnillo	Fish passage is required on streams 103-90-10550 and 103-90-10530	The DOF will require the purchaser to provide fish passage on streams 103-90-101550 and 103-90-10530.
Department of Fish and Game (DFG) Mark Minnillo	“Further inspections during project layout should be conducted of any water bodies not previously inspected which may contain fish or fish habitat.”	It will be dictated to the purchaser through contractual means that inspections must be conducted to determine if additional water bodies contain fish or fish habitat.
Gabriel Scott et al.	The PBIF does not complete analysis of fish streams or water quality streams and no deference has been given to ADF&G or DEC...	<p>ADF&amp;G has conducted site specific analysis on specific stream crossings.</p> <p>Additionally, ADF&amp;G and DEC provided comments to the Edna Bay Parlay Preliminary Best Interest Finding and Decision and the comments are summarized in this document.</p> <p>If needed, additional site specific analysis will be conducted during harvest unit layout and the development of FLUP(s) for the project area.</p>
	<b>Economics</b>	
The Trust Land Office Paul Slenkamp	“The TLO is encouraged by the efforts that the Alaska Division of Forestry (DOF) has put forward in supplying the remaining southeast Alaskan Forest Products Industry with timber. Due to the uncertain supply of federal timber the efforts put forward by the State of Alaska has been crucial to the continuation of this important economic sector.”	A diversified economy is important to southeast Alaska. By direction from the Governor and Legislature, the Division of Forestry manages a timber sale program that makes timber volume available to help sustain the region’s timber industry and economy.
The Trust Land Office Paul Slenkamp	“The TLO would encourage the DOF continue maximizing their timber sale program to preserve the remaining industry and infrastructure even if it requires utilizing the export market to make them economical.	Comment Noted
The Trust Land Office Paul Slenkamp	“The remaining forest products industry including loggers, marketers, and mill owners are struggling to survive and need all available fiber.”	The State’s land base cannot solely support the timber industry in its present form. However, it is the Division of Forestry’s intent to provide a supply of timber equal to the calculated annual allowable cut for southern southeast on a decadal basis.

Commenter	Comment	Response
	<b>Planning</b>	
Pat Richter	“I would like to see the area behind the salt chuck between the two creeks (located in section 33, north side not be logged at all. This area doesn’t have a lot of wood and both creeks are fish creeks. A significant buffer should be left on the west creek as it holds deer in the winter when we have heavy snow.”	Timber harvest within the area mentioned in this comment has been deferred. See harvest area map for change.
Carleigh Fairchild	The sale area was not within a Five Year Schedule of Timber Sales FYSTS	<p>AS 38.05.113 (b) states, “Except as provided in (c) of this section, a proposed sale may not be held unless it has been included in one of the two five-year schedules immediately preceding the sale.”</p> <p>The 2015-2019 FYSTS was finalized in May 2015. The Edna Bay Parlay Timber Sale area; Sections 31, 32, 33 and 34, T68S, R76E CRM and Sections 1 and 2 of T69S, R76E CRM is included within the FYSTS.</p> <p>Within the 2013-2017 FYSTS harvest at Edna Bay was proposed on SESF lands within sections 10, 15, 23, 24, 26, 33 and 34 of T68S, R76E, CRM.</p>