

NOTICE OF PROPOSED CHANGES ON REFORESTATION STANDARDS AND
REFORESTATION DOCUMENTATION IN SOUTHCENTRAL AND INTERIOR ALASKA
AND ON DOCUMENTATION FOR REFORESTATION EXEMPTIONS STATEWIDE
IN THE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES

The DNR proposes to adopt regulation changes in Title 11 of the Alaska Administrative Code, dealing with reforestation standards and reforestation documentation for commercial forestry operations in Southcentral and Interior Alaska (Forest Practices Regions II and III)) in 11 AAC 95.235 and .375-.385, and with documentation for reforestation exemptions statewide in 11 AAC 95.375(g).

- (1) 11 AAC 95.235 is amended to add criteria for evaluating a request for a variation to reforestation stocking standards in Regions II and III.
- (2) 11 AAC 95.375(b) is amended to ensure that all size classes of trees are considered in determining whether reforestation standards are met in Regions II and III.
- (3) 11 AAC 95.375 (d) is amended to
 - allow an extended period for natural regeneration to meet the reforestation standards where site conditions indicate that natural regeneration is likely to succeed in Regions II and III, and
 - to increase the percentage of a harvest area that may be below the stocking standard in Regions II and III. This corresponds to natural variation in stocking and wildlife habitat benefits from patchiness in forest cover.
- (4) 11 AAC 95.375(f) is amended to
 - allow landowners to include a mix of seed from native tree species grown up to 10 degrees latitude south of the planting area in Regions II and III. This reflects recent research on seedling growth and survival as a result of warming climates, and
 - prohibit planting known invasive trees species on commercial forest operations regulated by the Forest Resources and Practices Act in Regions II and III.
- (5) 11 AAC 95.375(g) is amended to allow applicants for reforestation exemptions in all regions to use various methods approved by the Division of Forestry to document areas of dead and dying trees. This reflects rapid development of remote sensing technologies since adoption of the original regulation requiring ground-based surveys.
- (6) 11 AAC 95.380 is amended to clarify that paragraph (a) applies specifically to natural regeneration from seed.
- (7) 11 AAC 95.385 is amended to
 - allow forest landowners in Regions II and III to use various methods approved by the Division of Forestry to document compliance with the reforestation

- standards. This reflects rapid development of remote sensing technologies since adoption of the original regulation requiring ground-based surveys; and
- require regeneration reports after five years and at the end of the reforestation period for sites where an extended period is allowed for natural regeneration in Regions II and III.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Marty Freeman, DNR Division of Forestry at 550 W. 7th Avenue, Suite 1450. Additionally, DNR will accept comments by electronic mail at marty.freeman@alaska.gov. The comments must be received not later than 4:30 on Friday, **November 23, 2016**.

You may submit written questions relevant to the proposed action by email to Marty Freeman at marty.freeman@alaska.gov or DNR Division of Forestry, 550 W. 7th Avenue, Suite 1450. The questions must be received at least 10 days before the end of the public comment period. The Department of Natural Resources will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and agency website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Marty Freeman at marty.freeman@alaska.gov or 907-269-8467 not later than Monday, **November 14**, to ensure that any necessary accommodation can be provided.

For a copy of the proposed regulation changes, go to the Division of Forestry website at <http://forestry.alaska.gov/whatsnew.htm>, or contact Marty Freeman at marty.freeman@alaska.gov or 907-269-8467.

After the public comment period ends, the DNR will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory Authority: AS 41.17.010; AS 41.17.055; AS 41.17.060; AS 41.17.080; AS 41.17.087; AS 41.17.090; AS 41.17.900

Statutes Being Implemented, Interpreted, or Made Specific: AS 41.17.010; AS 41.17.055; AS 41.17.060; AS 41.17.080; AS 41.17.087; AS 41.17.098;

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date: October 10, 2016

Martha W. Freeman
DNR Division of Forestry
Board of Forestry Liaison