

Alaska Board of Forestry 2017 Annual Report to the Governor

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

March 21, 2018

The Alaska Board of Forestry

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

- ◆ DNR State Forester, Chris Maisch, Chair
- ◆ Native Corporations, Keith Coulter
- ◆ Professional Forester, Will Putman
- ◆ Recreation, Chris Beck
- ◆ Fish & Wildlife Biologist, Bill Morris
- ◆ Timber Industry, Eric Nichols
- ◆ Commercial Fishing, Mark Vinsel
- ◆ Mining, Denise Herzog
- ◆ Environmental Organization, Chris Stark

2017 Report from the Board of Forestry to the Governor on the Forest Resources and Practices Act (FRPA)

March 21, 2018

Summary

The Board of Forestry is pleased to submit our annual report to the Governor regarding the Forest Resources and Practices Act (FRPA) and forest management issues in Alaska. We find that the Forest Resources & Practices Act, when properly implemented, protects fish habitat and water quality while helping the timber and fishing industries to operate efficiently. Continued effectiveness depends on sufficient funding for the resource agencies to carry out essential duties.

Background

The Alaska Forest Resources and Practices Act (FRPA, AS 41.17) governs how commercial timber harvesting, reforestation, and timber access occur on state, private, and municipal land. The Act is designed to protect fish habitat and water quality and ensure prompt reforestation while providing for an economically viable timber industry.

The FRPA balances economic concerns for the timber industry with water quality and habitat protection needs. The FRPA framework provides certainty and credibility for landowners, operators, and the public, and establishes one-stop shopping for compliance with state and federal clean water standards. This practical approach helps the timber and fishing industries continue to provide long-term jobs.

FRPA effectiveness

The Board reviewed the 2017 reports from the departments of Fish and Game, Environmental Conservation, and Natural Resources, and the 2017 compliance monitoring results (see attached reports and briefing papers). Compliance monitoring showed that operators in all regions have very high rates of compliance and are implementing the FRPA best management practices (BMPs) properly.

All three agencies reported that FRPA is effective. Agency staff cited several factors that contributed to success this year. For example, while inspection numbers on non-state land declined, the harvest level was also low, and weather conditions were favorable. Inspections increased on state land in Southeast where there was significant road construction and harvesting. Most experienced operators are knowledgeable about the BMPs and implement them well. If a problem arises, as with one operator in southcentral this year, DNR provides focused training and makes sure that the issues are addressed. Sustainable Salmon Fund grants also helped ADF&G catalog anadromous waters in advance of forest operations in Southeast and on Afognak Island.

DNR and ADF&G cooperated to provide adequate field presence for the level of operations this year. However, additional cuts to the agencies' funding and staff would undercut the effectiveness of FRPA. Interagency compliance monitoring and field work are essential to continued success.

Enforcement authorities are part of the toolbox for ensuring that FRPA is implemented effectively. This year, DNR issued one notice of violation for cutting within a riparian buffer that occurred in 2016; the action resulted in a \$17,000 fine to the landowner.

The Board also recognizes the evidence from prior effectiveness monitoring work (see attached briefing paper) in concluding that the Forest Resources and Practices Act continues to work well.

FRPA regulations

To remain effective, FRPA and its regulations must stay current with the best scientific information. Revised FRPA reforestation regulations went into effect in March 2017. The regulations were the culmination of a three-year process under the Board's oversight. The process included a rigorous scientific review of relevant research, changing climatic conditions, and current standards, followed by a review of the scientists' recommendations with a broad group of stakeholders.

Forest management challenges and actions

A sustainable forest industry is an important part of a diverse and robust economy in Alaska. The current extent of timber sales is small relative to the forest land base in much of the state. At the same time, uncertainty of supply is a barrier to investment in the Alaska timber industry. We encourage the Administration to explore strategies to help Alaska generate more of the timber it uses. We support efforts to respond promptly to the administrative appeals which have delayed state timber sales, and to engage in litigation when necessary to reduce barriers to active forest management on federal land. We also applaud the state's leadership in efforts to help sustain the timber industry through the Good Neighbor Authority (GNA) agreement, Young-Growth Inventory, and workforce development projects in Southeast, and Forest Inventory Analysis in the Interior. This year's 30MMBF Koscuisko young-growth timber sale was the first GNA sale ever held on the Tongass National Forest. That sale accounted for almost all the federal timber offered in the federal fiscal year 2017, demonstrating the potential benefits of the GNA agreement.

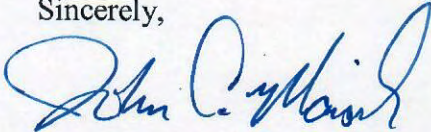
HB 199 and fish habitat permitting

The Board is frustrated with the process used to develop HB 199 and the lack of evidence from the bill's proponents regarding a need for overhauling Title 16 habitat permitting. The Board is on record opposing the bill (see attached letter). FRPA and existing Title 16 authorities are complementary. The proposed bill undermines that relationship and ignores the extensive history of scientific review and public process that are the foundation for FRPA.

Conclusion

The Board endorses the Alaska Forest Resources and Practices Act and its regulations as a practical and effective approach to protecting fish habitat and water quality, ensuring reforestation, and maintaining sustainable timber and fishing industries. We remain committed to the principles of fairness, equitable distribution of costs, enforceability, and professional management upon which FRPA is based.

Sincerely,



John "Chris" Maisch, State Forester
Chair, Alaska Board of Forestry

Alaska Board of Forestry

Keith Coulter, Alaska Native Corporations
Denise Herzog, Mining Organization
Chris Beck, Recreation Organization
Bill Morris, Non-governmental Professional Fish/Wildlife Biologist
Eric Nichols, Forest Industry Trade Association
Will Putman, Non-governmental Professional Forester
Chris Stark, Environmental Organization
Mark Vinsel, Commercial Fisherman's Organization

Attachments

- 2017 ADF&G Report to the Board of Forestry
- 2017 DEC Report to the Board of Forestry
- 2017 DNR Report to the Board of Forestry
- Compliance monitoring briefing paper
- Effectiveness monitoring briefing paper
- Letters from the Board of Forestry to the Governor regarding HB 199, January 18, 2018; March 20, 2018

Distribution

Governor Bill Walker

State Senators

State Representatives

Senator Lisa Murkowski

Senator Dan Sullivan

Congressman Don Young

Andrew T. Mack, Commissioner, Dept. of Natural Resources

Heidi Hansen, Deputy Commissioner, Dept. of Natural Resources

Larry Hartig, Commissioner, Dept. of Environmental Conservation

Andrew Sayers-Fay, Director, DEC Division of Water

Gretchen Pikul, DEC Forest Practices

Sam Cotten, Commissioner, Dept. of Fish & Game

David Rogers, Director, ADF&G Habitat Division

Glenn Haight, Board of Fisheries

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

Alaska Board of Forestry

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Marty Freeman, DOF Board Liaison