

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF FORESTRY & FIRE PROTECTION



FAIRBANKS-DELTA AREA FORESTRY

**FINAL BEST INTEREST FINDING AND
DECISION FOR**

Little Ag Mixed Sales

**NC-1988-F, NC-1995-F, NC-2055-F,
NC-2060-F, NC-2065-F, NC-2066-F**

November 2024

Abbreviations

ADEC	Alaska Department of Environmental Conservation
ADF&G	Alaska Department of Fish and Game
ADNR	Alaska Department of Natural Resources
BIF	Best interest finding
CCF	100 cubic feet
DMLW	Division of Mining, Land and Water
DOF	Division of Forestry & Fire Protection
FLUP	Forest Land Use Plan
FRPA	Alaska Forest Resources and Practices Act
FYSTS	Five-Year Schedule of Timber Sales
MBF	Thousand board feet
OHA	Office of History and Archeology
ROW	Right-of-way
TVSF	Tanana Valley State Forest

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I. PROPOSED ACTION

DOF is proposing to offer for sale over the next 5 years approximately 54 acres of spruce sawlog, 14 acres of mature birch, and 54 acres of mixed spruce sawlog and birch forest (total of approximately 121 acres) from state lands in the Little Ag Forest Road area. The volume to be offered for the next 5 years totals approximately 405 MBF (1,032 CCF) of white spruce sawlogs and 843 cords (759 CCF) of mixed fuelwood. DOF would sell the timber through a combination of competitive bid and small negotiated sales for commercial use. For these timber sales, the PBIF and Draft FLUP were issued for review at the same time. The land covered by this BIF appeared in the 2024 Fairbanks-Delta FYSTS.

The management objectives for the proposed timber sales are:

- Provide the raw material for the forestry industry to produce timber products providing benefits to the state and local economy through employment opportunities.
- Harvest the commercial sawtimber and fuelwood before a significant decrease in vigor occurs and return the site to a young productive mixed forest.
- Provide firewood for the residential heating needs of interior Alaska communities.
- Promote multiple use management that provides for the production, utilization, and replenishment of timber resources while perpetuating personal, commercial, and other beneficial non-timber uses of the forest resources.

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 Fairbanks-Delta Area Office filed as Little Ag Mixed Sales, including individual sale record numbers NC-1988-F, NC-1995-F, NC-2055-F, NC-2060-F, NC-2065-F, and NC-2066-F.

IV. SCOPE OF DECISION

This final best interest finding (BIF) completes step three of a six-step process to design, sell, and administer timber sales. This BIF covers the sale of approximately 54 acres of spruce sawlog, 14 acres of mature birch, and 54 acres of mixed spruce sawlog and birch forest (total of approximately 121 acres) on state land within the perimeter of the 1,500-acre Little Ag Mixed Project Area. The following list summarizes the overall process:

Step 1: Regional planning. The Department of Natural Resources (DNR) 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 Tanana Valley State Forest Management Plan, and the BIF is consistent with this plan.

Step 2: Five-year Schedule of Timber Sales (AS 38.05.113). A proposed timber sale must appear in at least one of the two Five-year Schedules preceding the sale. The land covered by this BIF appeared in the 2024 Fairbanks-Delta Area FYSTS.

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

- Ensures that the best interest of the State will be served by this proposed action,
- 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.

DOF issued a Preliminary BIF covering the decision to sell approximately 54 acres of spruce sawlog, 14 acres of mature birch, and 54 acres of mixed spruce sawlog and birch forest (total of approximately 121 acres) from state lands within the Little Ag Forest Road Area through a combination of competitive bid and small negotiated sales for commercial use on October 21st, 2024. DOF considered all written comments received during the 30-day review period. Responses to the comments are listed in Section VII.

This document is the final BIF for the Little Ag Mixed Project Area. An eligible person affected by this decision, and who provided timely written comment or public hearing testimony to the department, may appeal the decision to the DNR Commissioner per AS 44.37.011 and 11 AAC 02.

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. DOF issued a draft FLUP concurrently with the PBIF and will adopt the final FLUP following review of comments. 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.

Step 5: Timber sales and contracts. Following adoption of the final BIF, and completion of the FLUP, DOF will offer the timber for sale by auctioning competitive sales and/or negotiating some sales with purchasers. The Division will sign a contract with the winning bidder for each

sale. The contract will include stipulations to ensure compliance with the best interest finding, FLUP, and statutory requirements.

Step 6: Sale administration. DOF will administer the timber sales and conduct field inspections to ensure compliance with the final BIF, FLUP, timber sale contract, and applicable laws, including the Alaska Forest Resources and Practices Act 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 proposed sale area is located approximately 33 miles southwest of the Fairbanks Forestry office near Parks Highway Milepost 317. The sale areas are 11 miles northeast of the city of Nenana. The sale areas are shown on the attached maps in Section XI. and are within the United States Geological Survey 1:63,360 Quadrangle map titled Fairbanks C-4. All sales are accessible via existing forest roads, though short access spurs will be needed where noted.

- **NC-1988-F:** 25 acres within Section 36, T2S, R7W and Section 1, T3S, R7W. The Little Ag Forest Road intersects the north of the Parks Highway at mile 317.5. This forest road is shared with a private parcel for 1.4 miles, then a spur heads west 0.7 miles to the sale area.
- **NC-1995-F:** 6 acres within Section 2, T3S, R7W. The Little Ag Forest Road intersects the north of the Parks Highway at mile 317.5. This forest road is shared with a private parcel for 1.4 miles, then a spur heads west 1.4 miles to the sale area.
- **NC-2055-F:** 29 acres within Section 1, T3S, R7W. The Little Ag Forest Road intersects the north of the Parks Highway at mile 317.5. This forest road is shared with a private parcel for 1.4 miles, then a spur heads west 1.0 miles to the sale area. A 0.2-mile access spur will need to be constructed to reach the sale.
- **NC-2060-F:** 14 acres within Section 36, T2S, R7W and Section 1, T3S, R7W. The Little Ag Forest Road intersects the north of the Parks Highway at mile 317.5. This forest road is shared with a private parcel for 0.7 miles, then the sale area is on the west (upslope) side of the road.
- **NC-2065-F:** 33 acres within Section 12, T3S, R7W. The Little Goldstream Forest Road intersects the south of the Parks Highway at mile 316.5. This forest road is shared with a private parcel for 1.4 miles, then a spur heads east 0.3 miles to the sale area.
- **NC-2066-F:** 15 acres within Sections 1 & 2, T3S, R7W. The Little Ag Forest Road intersects the north of the Parks Highway at mile 317.5. This forest road is shared with a private parcel for 1.4 miles, then a spur heads west 1.1 miles to the sale area.

B. Title status

The proposed sale areas are owned and managed by the State of Alaska Department of Natural Resources. The acquisition for the land within Section 36, T2S, R7W, which includes portions of the sale areas of NC-1988 and NC-2060, is based on School Land Grant 173; the title was transferred by Patent 1227170. The remainder of NC-1988-F and NC-2060-F, as well as NC-1995-F, NC-2055-F, NC-2065-F, and NC-2066-F, were acquired by the State based on General Selection 19; the title was transferred by Patent 1221053. There are no known title restrictions in these areas.

North of the State Forest boundary is an agricultural parcel conveyed to a private owner via ADL 412253. Little Ag Forest Road connects to a public access easement (ADL 410078) with a 100 ft. wide right-of-way. This right-of-way was maintained within this private parcel and across the adjoining part of the State Forest. NC-1988-F, NC-1995-F, and NC-2066-F are anticipated to require access through this existing easement along an approximately 1,000 ft centerline within the private parcel (SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36, T2S, R7W, F.M.).

South of the State Forestry boundary are agricultural parcels conveyed to private owners via ADL 412259 and 412260. Little Goldstream Forest Road, a public access easement (ADL 413393) with a 100 ft. wide right-of-way was maintained from the Parks Highway to provide legal access to these private parcels.

C. Land use planning, classification, and management intent

The proposed sale area is legislatively designated as part of Subunit 5A of the Tanana Valley State Forest (AS 41.17.400), and is managed according to the Tanana Valley State Forest Management Plan, 2001 Update. Subunit 5A will be managed “for timber production, habitat and recreation while retaining scenic values along the Parks Highway.” Subunit 5A will remain open to mineral location and leasing.

The Interagency Fire Management Plan includes these lands in the ‘Full’ protection category.

This area is not within a municipality/organized borough, and no local plans apply.

D. Current access and land use:

The proposed sales are located near the Parks Highway Mile 317 north of the city of Nenana. NC-2065-F would be accessed from the Little Goldstream Forest Road, which is shared access with private parcels south of the State Forest boundary. The other sales are accessed from the Little Ag Forest Road, which is shared access with private parcels north of the State Forest Boundary. One corner of the access spur of the Little Ag Forest Road access spur crosses private property along an existing easement.

This detached parcel of State Forest (approximately 2,400 acres) sees moderate levels of public use for personal firewood and small-scale commercial timber sales. Occasional access for hunting, trapping, and recreation are also common uses. Several large agricultural operations

exist north, south, and west of this State Forest parcel. The Alaska Railroad passes just north, and the Parks Highway and the GVEA power transmission line right-of-way bisect the parcel.

An active material sale (ADL 420978, for the extraction of unisized angular rock) is leased by Alaska DNR-DMLW to a private entity; the leasehold is adjacent to the Parks Highway and just east of the Little Goldstream Forest Road (within Sections 1, 2, 11, & 12, T3S R7W).

E. Background and description of proposal

1. Background: The proposed timber sales are within the Legislatively-designated Tanana Valley State Forest. According to the TVSF Management Plan, 2001 Update, Subunit 5A will be managed “for timber production, habitat and recreation while retaining scenic values along the Parks Highway.” The Division of Forestry is offering these sales with the intent to maintain a productive working forest while continuing to provide opportunities for dispersed recreation and maintaining habitat quality.
2. Timber volume and sustained yield: The proposed sale area totals approximately 54 acres of spruce sawlog, 14 acres of mature birch, and 54 acres of mixed spruce sawlog and birch forest (total of approximately 121 acres) from state lands in the Little Ag Forest Road area. The volume to be offered for the next 5 years totals approximately 405 MBF (1,032 CCF) of white spruce sawlogs and 843 cords (759 CCF) of fuelwood. Final harvest unit boundaries and timber volume estimates will be determined upon completion of sale preparation activities. The Fairbanks Area Annual Allowable Cut (AAC) is calculated at approximately 4,606 acres of harvest annually. The volumes proposed in these harvests alone, and in combination with timber volumes from other proposed timber sales, will be within the Annual Allowable Cut and comply with sustained yield requirements.
3. Harvest unit design: The 121 acres to be offered is proposed to be split between at least six individual sales which may be divided into multiple cutting units per sale. Cutting units buffer stand type boundaries and existing harvest units to retain an adequate seed source of mature trees. Cutting units will be designed to incorporate buffers of at least 50 feet from private property boundaries to protect public safety from direct harvest activities.
 - a. Reforestation and site preparation: The sale areas will be reforested in compliance with the Forest Resources and Practices regulations (11 AAC 95.375-.390). The preferred reforestation method for rotational harvest is via natural seeding from adjacent trees. The harvest unit design described above retains adjacent mature forest to provide an adequate seed source. Mechanical ground scarification may be utilized on those portions of sales where birch is a dominant component, in order to expose mineral soil microsites for birch seedling establishment and limit competition from grasses. Reforestation will be assessed five years post-harvest with a regeneration survey if the site appears to have marginal seedling establish-

ment. If surveys indicate inadequately stocked areas (less than a minimum of 450 evenly distributed trees per acre of commercial species), additional silvicultural actions may be performed to intervene and improve stocking.

- b. Access design and construction: Access design, construction, and maintenance will comply with the Forest Resources and Practices regulations (11 AAC 95.285-.355).
- Each sale is accessed via existing secondary all-season forest roads that intersect the Parks Highway. Access for each proposed sale:
 - **NC-1988-F** is accessed north from Parks Highway mile 317.5 via the Little Ag Forest Road. This forest road is shared with a private parcel for 1.4 miles, then a spur heads west 0.7 miles to the sale area; this spur crosses private property on an existing easement.
 - **NC-1995-F** is accessed north from Parks Highway mile 317.5 via the Little Ag Forest Road intersects the north of the Parks Highway at mile 317.5. This forest road is shared with a private parcel for 1.4 miles, then a spur heads west 1.4 miles to the sale area; this spur crosses private property on an existing easement.
 - **NC-2055-F** is accessed north from Parks Highway mile 317.5 via the Little Ag Forest Road. This forest road is shared with a private parcel for 1.4 miles, then a spur heads west 1.0 miles to the sale area; this spur crosses private property on an existing easement. A 0.2 mile access spur will need to be constructed to reach the sale.
 - **NC-2060-F** is accessed north from Parks Highway mile 317.5 via the Little Ag Forest Road. This forest road is shared with a private parcel for 0.7 miles, then the sale area is on the east (upslope) side of the road.
 - **NC-2065-F** is accessed south from Parks Highway mile 316.5 via the Little Goldstream Forest Road. This forest road is shared with private parcels for 1.4 miles, then a spur heads east 0.3 miles to the sale area.
 - **NC-2066-F** is accessed north from Parks Highway mile 317.5 via the Little Ag Forest Road. This forest road is shared with a private parcel for 1.4 miles, then a spur heads west 1.1 miles to the sale area; this spur crosses private property on an existing easement.
 - The existing road will be maintained to the all-season road standards set out in the AFRPA and the DOF Road Standards.
 - Between individual sale harvests any spurs will be inactive and maintained in accordance with 11 AAC 95.315 (f).
 - Generally, DOF applies for public easement rights-of-way for long-term routes, but access spur roads do not qualify.
- c. Appraisal method: DOF will appraise the timber value in compliance with 11 AAC 71.092. Commercial sale appraised rates will be based on transactional evidence and market demand and DOF will apply a value for those products. Sale volumes will be calculated through a combination of estimation methods, including field timber cruising, pre-established stand type volumes found in the Tanana

Valley Inventory (2013), and assessments of nearby comparable sale volumes (11 AAC71.085).

F. Resources and management

1. Timber.

a. Timber stand composition and structure:

- **NC-1988-F** is a mature spruce forest with a minor component of birch and pole-sized spruce. Pockets of senescing trees have created growing space for a subsequent cohort of hardwoods, brush species, and black spruce.
- **NC-1995-F** is an open-canopy mature spruce forest with a minor component of pole-sized spruce.
- **NC-2055-F** is a mature mixed birch and spruce forest with a closed canopy. Spruce is more concentrated along hogbacks, while birch is more dominant within drainage bottoms.
- **NC-2060-F** is a mature birch forest.
- **NC-2065-F** is a mature spruce forest with a minor component of birch.
- **NC-2066-F** is a mature spruce forest with a minor component of pole-sized spruce. Pockets of senescing trees have created growing space for a subsequent cohort of brush species and black spruce.

b. Stand silvics: Data and research on regeneration and growth characteristics of these species are compiled within the Resource Analysis of the Tanana Valley State Forest (TVSF) Management Plan. The harvest and reforestation systems available in Interior Alaska are also reviewed and listed in the Resource Analysis. The results of the public and agency discussions for harvest and reforestation are discussed in the TVSF Management Plan. Silvicultural harvest systems that facilitate even-aged (natural) management are generally preferred. They mimic the ecological impact of wildfire and other disturbances and result in the greatest increase in site productivity. Even-aged management is normally accomplished through clear cuts, patch cuts and heavy partial cuts (such as seed tree or shelterwood systems), which opens up the site to maximum solar gain. This results in the greatest production of both young hardwood that is important to wildlife and the spruce understory valuable years later as timber. Even-aged management techniques are utilized to provide young, vigorously growing stands in juxtaposition to older, undisturbed stands. Such placement of harvest units can optimize natural seeding and the edge effect.

NC-2055-F and NC-2060-F will be harvested to maximize regeneration of birch, which occurs principally from seed-fall spread by wind, and secondarily from root-collar sprouting. A silvicultural system of **clearcut with reserves** is planned, and reserved areas will be retained within and adjacent to the sale boundaries to maintain a high-quality seed source. The harvest activity, in conjunction with ground scarification or similar disturbance, is expected to provide a high-light and exposed mineral soil environment favorable for birch to seed and establish.

All the other sales, which are spruce or mixed timber types (NC-1988-F, NC-1995-F, NC-2065-F, and NC-2066-F), are planned as **clearcuts with reserves** to remove the dominant spruce and birch overstory while retaining a high-quality seed source adjacent to harvested areas. The resulting high-light and exposed mineral soil environment is favorable to release any advance regeneration of spruce, and for birch and spruce to seed and establish.

- c. Topography and Soils: 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)).
- **NC-1988-F** is situated along the toe slope and adjacent flats below a northwest-facing hillside. The proposed area has an elevation between 475-550 feet with slopes generally < 10% except along the edges of hogbacks at the east end of the sale. The lower elevation portions are underlain by Chatanika silt loam, 3 to 7 percent slopes, which consists of deep layers of silt in excess of 80 inches. The soil type is rated as poorly drained, and permafrost is often encountered within the first 3 feet. The higher elevation portions of the unit are underlain by Fairbanks silt loams, gullied, 7 to 70 percent slopes, which consists of deep layers of silt in excess of 80 inches. The soil type is rated as well-drained silt loam with a deep water table and permafrost is infrequent.
 - **NC-1995-F** is located along the low-relief toe of a northwest-facing hill, with elevation of 475 feet and slopes < 5%. The sale area is underlain by Chatanika silt loam, 3 to 7 percent slopes, which consists of deep layers of silt in excess of 80 inches. The soil type is rated as poorly drained, and permafrost is often encountered within the first 3 feet. Further downslope of the sale area the timber type begins to transition to a lower productivity black-white spruce mix as permafrost and soil drainage becomes less favorable to timber growth.
 - **NC-2055-F** is situated along the upper half a northwest-facing hillside. The sale unit is situated between 650 - 900 feet elevation, with slopes 15-30%. The sale area is underlain by Fairbanks silt loam, 7 to 20 percent slopes, which consists of deep layers of silt in excess of 80 inches. The soil type is rated as well drained with a deep water table and permafrost is infrequent.
 - **NC-2060-F** is situated along a series of drainages that merge into a single valley on a northwest-facing hillside. The sale unit is situated midslope at 700 feet down to the toe of the slope at 475 feet, with slopes 10-25%. Subsidiary drainages are separated by hogbacks, which may present localized steeper terrain. The sale area is underlain by Fairbanks silt loam, 12 to 20 percent slopes, which consists of deep layers of silt in excess of 80 inches. The soil type is rated as well drained with a deep water table and permafrost is infrequent.
 - **NC-2065-F** is located along a gentle toe slope (<10% grade) at the base of a south-facing hillside. The sale unit is 600-700 feet elevation. The sale area is underlain by Minto silt loam, 7 to 12 percent, which consists of deep layers of silt in excess of 80 inches. The soil type is rated as moderately well-drained silt loam with a shallow water table and permafrost is infrequent.

- **NC-2066-F** is situated along the toe slope and adjacent flats below a north-west-facing hillside. The proposed area has an elevation between 475-500 feet and slopes generally < 5%. The sale area is underlain by Chatanika silt loam, 3 to 7 percent slopes, which consists of deep layers of silt in excess of 80 inches. The soil type is rated as poorly drained, and permafrost is often encountered within the first 3 feet.
2. Agriculture. The vicinity north of Nenana holds numerous agricultural parcels sold by the State since the 1980s. The proposed sales are not anticipated to have any impact on current or future agricultural activity in the area, and any effects of any timber sale operations for agricultural uses will be minimal.
 3. Wildlife habitat and harvest. According to the TVSF Management Plan, 2001 Update, wildlife habitat resources within Unit 5 are described as follows: “The Tanana River and Goldstream Creek bottomlands are prime moose, black bear, and furbearer habitat.” Should an eagle nest tree be discovered in the sale area, the nest tree will be marked on the ground and a 330-foot no-harvest radius will be established to protect the tree. No critical wildlife habitat has been identified for this area (TVSF Management Plan).

Treatments proposed for this stand are projected to enhance habitat conditions for moose, voles, hares, and ultimately, lynx, marten and fox. In the past, Alaska Department of Fish and Game, Division of Wildlife Conservation have recommended managing for as much diversity as possible when prescribing harvest unit size, shape and position to mimic the results of wildfire or other stand replacement phases such as insect outbreaks or flood events. To accomplish these objectives snags will be retained wherever feasible to provide late-successional wildlife habitat for hole nesting birds, woodpeckers, small mammals, and other species requiring perching habitat. The units will be laid out with an uneven edge, along and between timber types. This will create varied edge effect that is beneficial to many wildlife species.

4. Fish Habitat, water resources, and water quality. The nearest catalogued anadromous stream is the Tanana River 6+ miles away. The nearest perennial stream is Little Goldstream Creek 0.6 miles south of NC-2065-F. There are no FRPA-classified waterbodies within any of the proposed sale areas.

The proposed sales 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). DOF will ensure Best Management Practices are being adhered to by requiring a complete logging plan prior to the start of any harvesting, conducting on-site inspections during logging operations and a final inspection prior to terminating the timber sale.

5. Recreation, tourism, and scenic resources. The proposed sale area is within a small detached parcel of the state forest with relatively short road systems, and low levels of personal and recreational use of the project area have been observed particularly

for hunting, trapping, and wildlife viewing. None of the proposed harvests would be visible from the Parks Highway due to intervening terrain and retained forested stands.

6. Cultural Resources. 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 harvest areas. 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, DOF will immediately inform SHPO and take action to protect the findings.
7. Subsurface Resources. Generally, State land is open to mineral entry and is available for leasing subject to Mineral Orders, and the parcel of TVSF within which all sales are proposed is open to subsurface activities. However, some agricultural lands outside of the project area are subject to Mineral Closing Orders 204 and 510 (MCO 204 and 510, initiated 1982 and 1986, respectively). An MCO closes State land to all forms of mineral entry, making it unavailable for staking mining claims, leasehold locations or prospecting site locations (see AS 38.05.195, 38.05.205 and 38.05.245).

An active material sale (ADL 420978, for the extraction of unisized angular rock) is leased by Alaska DNR-DMLW to a private entity; the leasehold is adjacent to the Parks Highway and just east of the Little Goldstream Forest Road (within Sections 1, 2, 11, & 12, T3S R7W). There are no current active mining claims or mineral exploration within the proposed harvest areas. Nonetheless, the proposed timber sales are expected to have no impact on subsurface activities.

G. Costs and benefits

Local commercial logging operators and their customers will benefit from the inflow of raw timber into the market. In addition to generating royalties to the State's general fund, the proposed sales will create economic benefits for the communities of Fairbanks and Nenana and other locations in Alaska. The local business community will receive direct economic benefit from providing support services for the operators through sales of fuel, food, housing, medical and miscellaneous supplies. Local residents may receive an indirect benefit through any local taxes paid by the operator and employees during the timber harvest operations.

The sales are also expected to benefit the local economy by providing jobs. It will have a positive impact on local employment by generating numerous man-hours of work associated with the harvest and transportation of wood products from this sale. Additionally, the public may benefit from additional access to personal use fuelwood areas, as home heating costs remain high in Interior Alaska.

The stands targeted for harvest in this proposal are generally of an older age class that is reducing in vigor and total site production. Harvest and successful reforestation of these sale

areas will result in the forest stands being brought into management and rotation for future harvest opportunities.

VI. PUBLIC NOTICE

The preliminary best interest finding and decision were publicly noticed in compliance with AS 38.05.945. Notice was posted on the Alaska Online Public Notice System, and both physical and electronic notices were mailed to previous timber sale bidders as well as any property owners or business interests known to the Division in the proposed sale area. Notice was also posted on the Division of Forestry public webpage, <https://forestry.alaska.gov/>, as well as on the Division of Forestry Facebook Page, <https://www.facebook.com/AK.Forestry/>.

VII. PUBLIC COMMENT AND RESPONSE

DOF received the following comments from the public and government agencies:

Commenter	Comment	Response
Alaska Dept. of Fish & Game	No issue of concern.	Noted.
Division of Mining, Land, & Water, Alaska Dept. of Natural Resources	Harvests should be conducted to minimize impacts to winter trail users by avoiding plowing trails to dirt and leaving large berms at intersections. Trail access is to be maintained.	Noted.
Office of History and Archeology	Recommend an archeological survey where all-season road construction or ground scarification is planned.	DOF contracts will comply with the Alaska Historic Preservation Act, including prohibitions on the removal or destruction of cultural resources. If, during the course of operations, any physical remains of historic, archaeological, or paleontological nature are discovered, work in that immediate vicinity must cease and the State must be notified.

VIII. DISCUSSION AND FINAL FINDING AND DECISION

After due consideration of all pertinent information and alternatives, the DNR has reached the following decision: To offer for sale approximately 54 acres of spruce sawlog, 14 acres of mature birch, and 54 acres of mixed spruce sawlog and birch forest (total of approximately 121 acres) from state lands in the Little Ag Forest Road area as proposed in Alternative One and described in this BIF. It also meets the silvicultural objective of improving forest vigor, providing for a value-added end product and creating additional jobs in Alaska due to the combination logging and trucking. This alternative complies with the management objectives of the TVSF Management Plan for Subunit 5A. Public notice has been 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 preliminary 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



Kevin Breitenbach
Fairbanks-Delta Forester
Alaska Division of Forestry & Fire Protection

11/22/24

Date

X. APPEALS

An eligible person affected by this decision, and who provided timely written comment or public hearing testimony to the department, may appeal the decision to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any appeal must be received within twenty (20) calendar days after issuance of this decision under 11 AAC 02.040. An eligible person must first appeal a decision to the Commissioner before seeking relief in superior court. The Alaska State Courts establish its own rules for timely appealing final administrative orders and decisions of the department. Appeals may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907) 269-8918; or sent by electronic mail to dnr.appeals@alaska.gov. Appeals must be accompanied by the fee established in 11 AAC 05.160(d)(6), which has been set at \$200 under the provisions of 11 AAC 05.160 (a)-(b).]

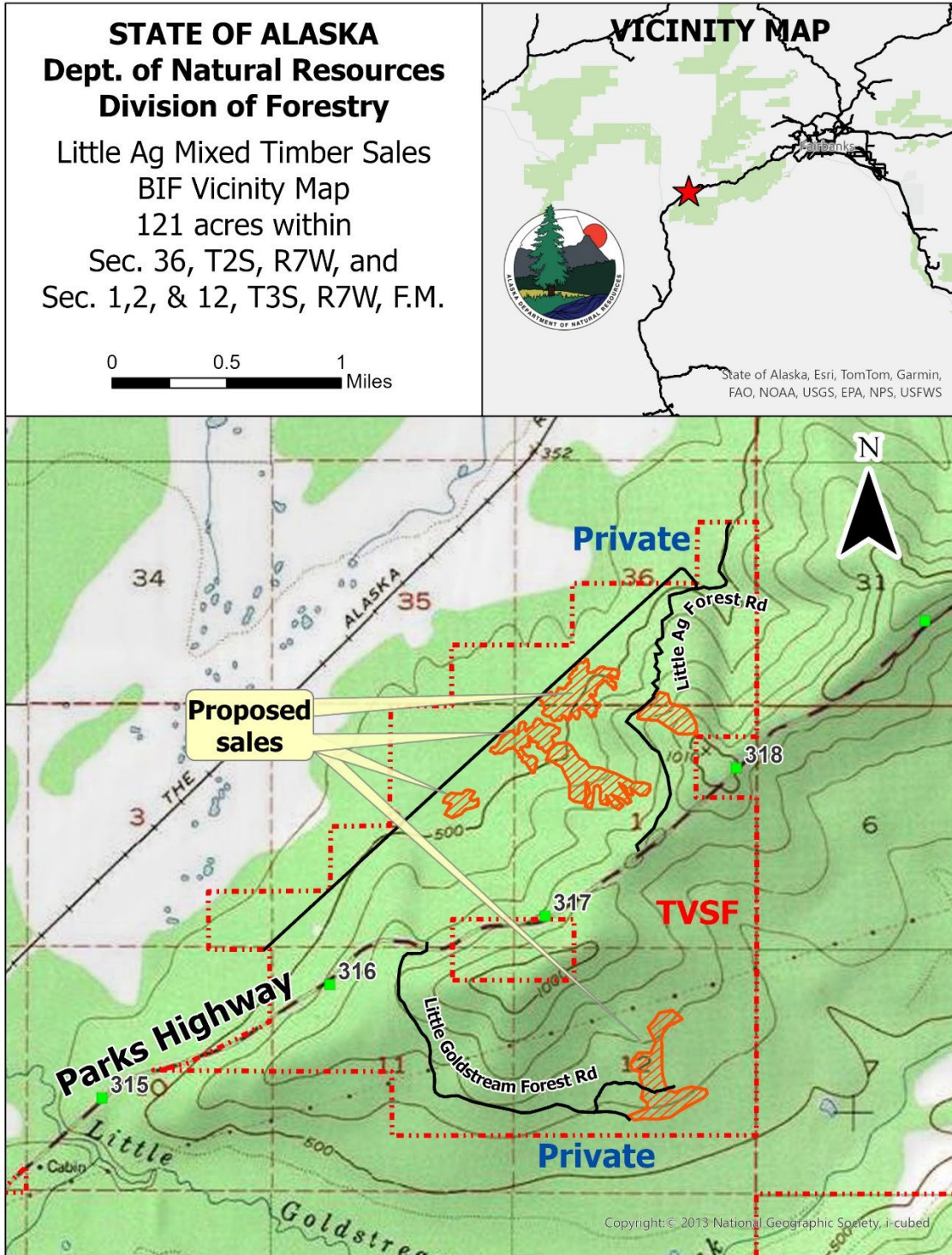
If no appeal is filed by that date, this decision goes into effect as a final order and decision on December 13th, 2024.

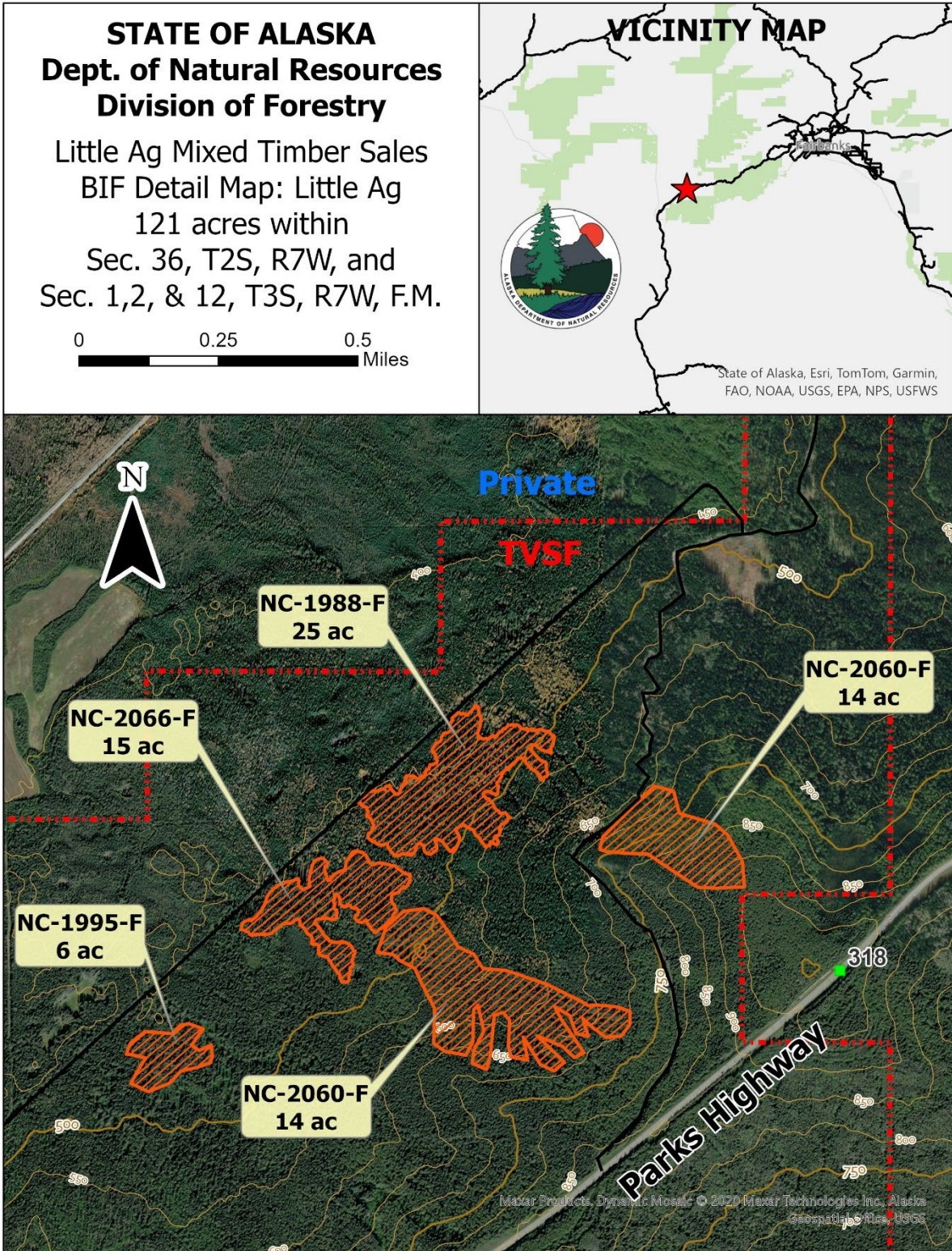
A copy of 11 AAC 02 is enclosed and is also available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.

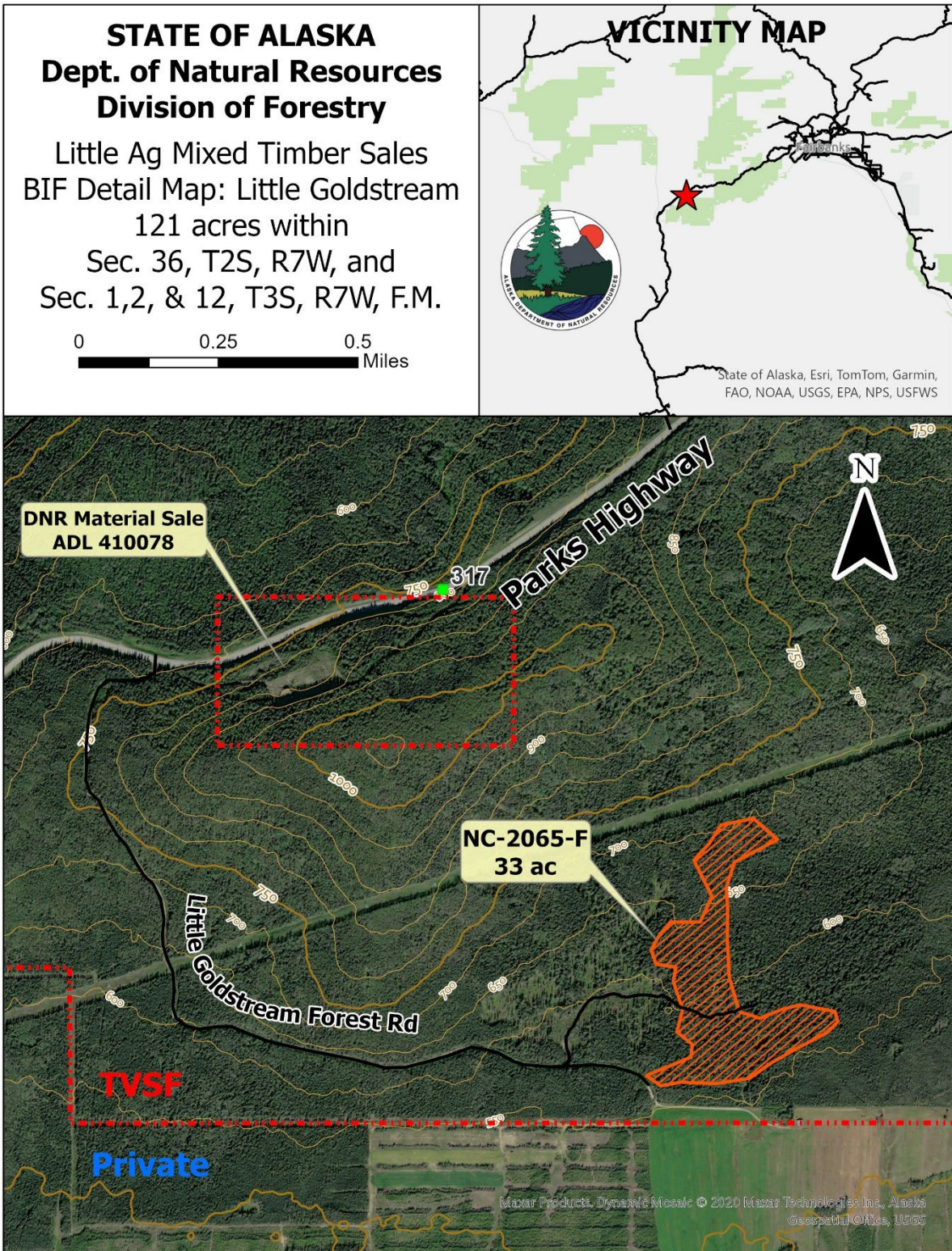
If you have any questions, please contact Kevin Breitenbach, Fairbanks-Delta Area Forester, kevin.breitenbach@alaska.gov, 907-451-2614, 3700 Airport Way, Fairbanks AK 99709.

XI. APPENDICES

APPENDIX A. TIMBER SALE MAP







APPENDIX B. 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.

11 AAC 02 Regulations

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.

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.

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.

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, facsimile transmission, 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;
 - (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; and
 - (14) be accompanied by the applicable fee set out in 11 AAC 05.160.
- (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 requirements 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 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.

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).

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.

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.

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.

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.