

Appendices

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APPENDIX I

Cooperative Agreement

between

Division of Land and Water Management

and

Division of Forestry

Department of Natural Resources

on

The Haines State Forest Resource Management Area

January 20, 1983

Anchorage, Alaska

WHEREAS, Alaska Statutes 41.15.500 created the Haines State Forest Resource Management Area; and

Whereas, the primary purposes of the establishment of this area are the utilization, perpetuation, conservation and production of the land and water including, but not limited to, the use of renewable and non-renewable resources through multiple use management and continuation of other beneficial uses and other recreational activities; and

WHEREAS, the Commissioner of Natural Resources has delegated the management of surface estate of the Haines State Forest Resource Management Area to the Division of Forestry; and

WHEREAS, the Division of Land and Water Management has the delegated authority to manage State land and water; and

WHEREAS, both divisions recognize the economies achievable through cooperation and specialization;

THEREFORE, the Division of Forestry (DOF), under the authority of AS 41.17.020(h) and delegations of authority, and the Division of Land and Water Management (DLWM) under the authority of AS 44.65.010 and delegations of authority, enter into this cooperative agreement for the management of the surface estate of the Haines State Forest Resource Management Area. The parties further agree as follows:

1. The State Forester is the manager of the Haines State Forest Resource Management Area. The Division of Forestry is responsible for the planning and administration of timber sales and enforcement of the Forest Practices Act and related regulations.
2. The Division of Land and Water Management will continue to exercise its previous authority for the management of the surface estate and the water in accordance with the forest management plan for the Haines State Forest Resource Management Area and to implement the land and water management

aspects of the Division of Forestry's management plan. However, no management decisions will be reached or implemented without written consent of the State Forester or his authorized delegate.

3. The Division of Forestry is responsible for developing the management plan required by AS 41.17.020. The Division of Land and Water Management will actively participate in this planning process.
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4. The procedure for processing applications within the Haines State Forest Resource Management Area is as follows:

- A. Applications for the use of timber, land or water within the Haines State Forest Resource Management Area will be received by both parties to this agreement at any of their district or area offices. Such applications are then sent to:

Division of Forestry
Haines-Skagway Area Office
P.O. Box 263
Haines, Alaska 99827

- B. The area forester will review applications for use of land or water within 10 days and then will forward the applications with instructions to:

Division of Land and Water Management
Southeastern Regional Office
400 Willoughby Avenue
Juneau, Alaska 99801

- C. While processing applications within the Haines State Forest Resource Management Area, the parties agree to keep each other informed of any unusual or noteworthy aspects of the cases. This includes notice of any public hearings or protests during adjudication of the case.

D. The final finding or permit must be endorsed by the State Forester or his authorized representative before any decision is announced or implemented.

5. When an application involves lands both within and outside the Haines State Forest Resource Management Area, every effort will be made to reach a mutually satisfactory decision. When such agreement cannot be reached at a lower level, the matter will be referred to the directors involved or, subsequently, to the commissioner.
6. The Division of Forestry is responsible for investigating timber trespass within the Haines Forest Resource Management Area. Any other trespass discovered by the DOF will be referred to the DLWM.
7. Nothing in this cooperative agreement obligates either party in the expenditure of funds or for future payments of money in excess of appropriations authorized by law.
8. Both parties will meet jointly at least once each year during the first week in February to discuss matters relating to this agreement.
9. The effective date of this agreement shall be from the date of final signature.
10. This cooperative agreement automatically renews itself annually. However, either party may terminate its participation in this cooperative agreement by providing to the other party notice in writing 30 days in advance of the date on which its termination becomes effective.

Approved:

Charles L. Elliott

Director

Division of Land & Water Management

1-26-83

Date

John L. Sturgeon

John L. Sturgeon, State Forester

Division of Forestry

1/27/83

Date