

**State of Alaska**  
**Department of Natural Resources**  
**Division of Forestry & Fire Protection**



**Coastal Region-Southeast Area Office**

**Best Interest Finding  
and Forest Land Use Plans**

**Backside(s) Timber Sale  
SSE-1390-K**

**March 2025**

## 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
DMLW	Division of Mining, Land and Water
DOF	Division of Forestry and 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
POG	Productive old growth
POW	Prince of Wales
POWIAP	Prince of Wales Island Area Plan
ROW	Right-of-way
SESF	Southeast State Forest
SESFMP	Southeast State Forest Management Plan
SHPO	State Historic Preservation Office
UA	University of Alaska
USFS	United States Forest Service

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## **I. PROPOSED ACTION**

The Division of Forestry and Fire Protection (DOF) is proposing to offer for sale approximately 82 acres of mature old growth timber composed of western redcedar (*Thuja plicata*), western hemlock (*Tsuga heterophylla*), Sitka spruce (*Picea sitchensis*) and Alaska yellow-cedar (*Chamaecyparis nootkatensis*) from Southeast State Forest (SESF) lands on the Prince of Wales Island area, approximately three miles north of the community of Thorne Bay (see Appendix A, Timber Sale Area Map). The volume to be offered totals approximately 2,000 thousand board feet (MBF). The DOF proposes to sell the commercial timber in one or more negotiated sales under provisions of AS 38.05.118. Negotiated timber sale methods have been chosen because of the State's interest in encouraging employment on POW by processing as much of the timber locally as feasible.

The DOF has received interest in the timber from several mills, consequently the DOF will use its typical request for proposal process (RFP) to determine the specific purchaser(s) with whom to negotiate. The RFP process will consider the track record of the purchaser to locally manufacture wood products (AS 38.05.118), the proposed quantity of value-added wood products to be produced, the projected payroll associated with processing the sale, and the proposed stumpage rates. Selling the timber in an open and competitive manner using the AS 38.05.120 authority in Southeast Alaska would likely generate higher stumpage revenue to the State. Purchasers of competitive sales typically use the round log export market and obtain higher returns on their investment. A competitive sale using the AS 38.05.120 authority could not be constrained through contract language to use local mills as much as feasible.

The management objectives for the proposed timber sale area are:

1. To follow the Alaska Department of Natural Resources' (ADNR) 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, an infusion to the State's economy through wages, purchases, jobs, and business.
3. To help the local economy of the communities within southern Southeast Alaska by creating additional jobs in Southeast Alaska due to the combination of road building, logging, trucking and potentially milling;

## **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 Southeast Area Office filed as SSE-1390-K.

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

This best interest finding (BIF) is part three of a six-part process to design, sell, and administer timber sales. This BIF covers the sale of approximately 82 acres of mature old growth forest composed of western redcedar, western hemlock, Sitka spruce, and Alaska yellow-cedar on SESF land within the perimeter of the project area (see Appendix A1, Timber Sale Area Map). The following list summarizes the overall process:

Part 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 timber sales. Subsequent land use decisions must be consistent with provisions contained within the applicable area and/or forest plans. The project area in this BIF is covered by the Southeast State Forest Management Plan. The Land Classification of the area is SESF.

Part 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 BIF. Under AS 38.05.113, proposed timber sales within the area covered by this BIF must appear in at least one of the two FYSTSs preceding the sale.

Part 3: Best Interest Finding (AS 38.05.035(e)). DOF must adopt a 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.

Part 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 has prepared draft FLUPs for the harvest area within the overall sale area covered by this best interest finding. The FLUP specifies the site, size, timing, and harvest methods for harvest units within the sale area. The FLUP also addresses site-specific requirements for access construction and maintenance, reforestation, and multiple use management. The FLUP is based on field work and site-specific analyses by the DOF. Appropriate regulatory agencies have been consulted, and the plan is subject to public review.

Part 5: Timber Sales and Contracts. Following adoption of the BIF, the DOF may offer the timber for sale using the identified authority. The Division will sign a contract with the purchaser for each sale. The contract will include stipulations to ensure compliance with the BIF, FLUP, and statutory requirements.

Part 6: Sale Administration. DOF will administer the timber sale and conduct field inspections to ensure compliance with the BIF, FLUP, timber sale contract, and applicable laws, including the Alaska Forest Resources

and Practices Act (FRPA) 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 found within Section 14, 15 and 22, Township 71 South, Range 84 East, Copper River Meridian (CRM). The sale area is found within the Craig C-2 NW and Craig C-2 NE USGS quadrangles. See Appendix A1, Area Map, Best Interest Finding, SSE-1390-K Backside(s) Timber Sale.

### **B. Title status**

Patented to the state (patent No. 50-2007-588) under National Forest Community Grant 103 (NFCG 103).

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

The proposed timber sale area is located entirely within the SESF. The State of Alaska's Division of Forestry and Fire Protection (DOF) is the land manager for all the harvest units within this proposed sale. The managing document is the Southeast State Forest Management Plan (SESFMP), adopted on February 29, 2016. The primary purpose of the state forest 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)). SESF lands are classified as Forest land.

The Interagency Fire Management Plan includes all state lands in the project area in the modified or full protection category.

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

The main overland (road) access for this sale area is through the Alaska Highway System. The sale area is located off the Sandy Beach Road (USFS 3000 RD) on the Prince of Wales Road system, directly north of the community of Thorne Bay. The adjacent public landowners are the USFS and the City of Thorne Bay. The Sandy Beach Road is managed by the federal government and a permit is required before commercial traffic related to the harvest of state timber may occur.

The sale area with its proximity to the city experiences incidental use by the public for a variety of uses related to semi-remote recreation including, but not limited to foraging, hiking and hunting.

The City of Thorne Bay has its municipal drinking water intake in a small lake on State Forest land to the south of the Backside #1 sale area in Sections 15 and 22 along the Watershed Lake/3000140 Road. Portions of the watershed were logged approximately 35 years ago by the USFS, and those harvested areas presently support well stocked second growth timber stands. Access is through a locked gate controlled by the City of Thorne Bay near the 3000140 Road junction with the Sandy Beach Road.

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

### **1. Background:**

The State seeks to use State Forest land on Prince of Wales Island to encourage sustainable development of the State's Forest resources, making timber available for sale and harvest. The demand for State timber is currently significant due to the decrease and uncertainty of the federal timber supply. A diversified economy with a timber industry component is important to southeast Alaska. By direction from the Governor and Legislature, the Division of Forestry & Fire Protection manages a timber sale program that makes timber volume available to help sustain the region's timber industry and economy. Much of the State land base in southeast Alaska is remote. The Thorne Bay area contains a large amount of raw land that is relatively proximate to the existing road system and offers forest resource values close to the remaining mills and processing facilities. Thorne Bay is also home to a skilled local work force. The legislature designated the northern part of the area as State Forest in 2010 and 2011. The DOF has been managing this portion of the project area for forest management since that time.

### **2. Timber Volume and Sustained Yield:**

The total estimated saw log volume identified in this sale is approximately 2,000 thousand board feet (MBF) based on past comparable timber cruise information from nearby state sales.

The Division of Forestry and Fire Protection is required to manage its timber harvest on State Forest and General Use classified land on a sustained yield basis. "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. This is done to allow for market fluctuations and operational restrictions. Based on the DOF inventory of the land and the timber base, it uses an annual allowable cut of 9,100 MBF per year for the Southern Southeast Area. Timber sales that are sold in the Southeast Area will remain within the constraints of the allowable cut and will comply with sustained yield requirements at the time they are sold. The duration of the timber sale contract(s) will be governed by the economic conditions at the time of the sale. This timber sale is well within the annual allowable cut for forest managed state land. The DOF intends to use a contract term of five years with this sale.

### **3. Harvest Unit Design:**

Reconnaissance by the DOF indicates that the Backside sale areas are harvestable using ground-based logging techniques. This logging system will need to take advantage of directional timber falling techniques and utilize benches and uneven terrain to access all included timber. Areas of wet and or saturated soils will require adequate puncheon in skid trails to minimize impacts to the soil and water quality.

### **4. Unit Access:**

- a. Access to the Backside Timber Sale(s) (SSE-1390-K, SSE-1390-2) occurs off the Sandy Beach Road/USFS 3000 Road north of the community of Thorne Bay. Use of this road will require the authorization of the Thorne Bay District Ranger by means of a Road Use Permit (RUP).
- b. Entry to the Backside #1 (SSE-1390-K) area will require use of the Sandy Beach Road and the Water Lake/3000140 Road. Approximately 1,500 FT of Water Lake Road and cooperation of the City of Thorne Bay would be necessary.

- c. Entry to the Backside #2 (SSE-1390-2) area will require use of the Sandy Beach Road and 1 mile of 3000150 Road which is currently being used to access the Bay View Timber Sale.

## **F. Resources and management**

### **1. Timber**

#### **a. Timber Stand Composition and Structure:**

Western redcedar and western hemlock are the primary commercial tree species, with minor amounts of Sitka spruce and Alaska yellow-cedar dispersed throughout. The timber overall contains common defects such as sweeps, crooks, mistletoe, fruiting bodies/conks, and dead or broken tops. Windthrow is the major natural disturbance observed within the stand.

#### **b. Stand Silvics:**

Adjacent timber stands vary in age class and species composition with uneven-aged old growth timber on the steeper terrain north and east of Backside #1. Regenerating stands of even-aged hemlock-spruce-cedar less than 25 years old can be found to the south and west, some precommercially thinned. The Backside #2 area contains old growth timber of uneven age with similar timber types to the north and east of the property boundary. Stands of even-aged hemlock-spruce-cedar less than 25 years old are regenerating to the south and west.

Stand improvement tools such as pre-commercially thinning overly dense stands have occurred in the area historically. The benefits of thinning are an overall decrease in tree density and competition with an increase in tree growth rate and vigor. Thinning of other regenerating stands within this operating area of the SESF is planned within the next five years.

#### **c. Reforestation and Site Preparation:**

The sale area will be reforested in compliance with the Forest Resources and Practices regulations (11 AAC 95.375-.390). The DOF will conduct post-harvest reforestation inspections of all areas of commercial timber harvest to ensure that the stocking of natural regeneration meets or exceeds FRPA reforestation requirements.

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. Experience with this regeneration method on POW has shown that well-stocked stands are readily established after utilizing the clearcut harvest method. Logging will break down the slash piece size and residuals to the ground level, accelerating decomposition and opening more growing space. Disturbance associated with logging will also increase seed bed opportunity and survival by creating mineral soil access and micro relief.

Sitka spruce and western redcedar are the preferred species for reforestation. Spruce and cedar will likely be the favored and dominant species due to anticipated increase in available light, nutrients and scarification in the units during harvesting operations. Scarification disturbs the vegetative mat providing a more receptive seed bed to the protective seed coatings. Western hemlock will be a major component of the regenerated stand as well since it currently occupies the site, is an aggressive shade tolerant pioneer species, and is providing a seed source.

#### **d. Topography and Soils:**



The Backside #1 sale area is located on rolling near-coastal terrain and along the north shore of a small lake (not associated with the City of Thorne Bay's Watershed Lake) approximately 400 feet above sea level. Predominant geology is conglomerate and other non-limestone bedrock types overlain with brown mineral and organic soils. Steeper slopes contain moderately well-drained soils. Benches and more level terrain contain poorly drained soils including areas of saturated soils.

The Backside #2 sale area is located among coastal rolling uplands with elevations ranging from approximately 70 to 430 feet above sea level. Glacial rubble under a thick organic layer on irregular terrain is the most prevalent soil profile. Some drainages are heavily organic with little to no rock/parent material observed. No karst features or large fissures were located within the timber sale area, but rock outcrops are present.

## 2. Wildlife habitat and harvest.

As required by AS 41.17.098, DOF provides due deference to ADF&G to ensure all wildlife habitat issues are addressed by the proposed timber sale design. The proposed timber sale was identified in the 2025-2029 and the 2026-2030 FYSTS sent to ADF&G. No specific design issues were identified in those comments. The ADF&G did comment in the preparation of the BIF that "although this timber sale unit is relatively small, it predominantly includes important wintering deer habitat. Although local deer populations will be negatively impacted by the removal of habitat, ADF&G expects the overall impact of this timber sale on the entire Game Management Unit (GMU 2) wildlife populations to be relatively small.

Evidence of Sitka black-tailed deer (*Odocoileus hemionus sitkensis*) (tracks/scat/sightings) and black bear (*Ursus americanus*) (tracks/scat) was observed throughout the proposed timber sale area.

The United State Fish and Wildlife Service (USFWS) publishes a geodatabase of identified bald eagle (*Haliaeetus leucocephalus*) nest locations. Per 11 AAC 95.340 (c), the DOF avoids the nest locations in the planning of state timber sales. No eagle nest locations were indicated by the database or observed in the field.

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

The proposed sale has been 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). As required by AS 41.17.098, DOF provided due deference to ADF&G to ensure all fish and wildlife habitat issues are addressed by the proposed timber sale design. DOF provides due deference to the Alaska Department of Environmental Conservation (ADEC) for all water quality issues.

Surface waters within and near the proposed timber sale(s) were surveyed by field foresters. Streams were categorized with assistance from ADF&G GIS stream data related to the cataloged anadromous and high value resident fish streams.

Cataloged stream 102-70-1070 and its tributaries run along the southern side of Backside #2. During the Fall of 2022 foresters flagged and designed Backside #2 to incorporate a 100-foot stream retention area along the north side of cataloged stream 102-70-1070. This stream runs along the southeast boundary of Backside #2 for approximately 350 FT before flowing out of the SESF.

A resident fish stream above an anadromous fish blockage tributary to cataloged stream 102-70-1070

was located by DOF and ADF&G during the planning process of the Thorne Bay #1 Timber Sale (SE-978-K) in 2000. The fish trapped were observed to be cutthroat and Dolly Varden fry. The location of the stream along with the lack of use and size of the fish were all considered when classifying it. This stream runs below the southwestern side of the timber sale boundary of Backside #2. Backside #2 incorporates a 150-foot retention of timber above this resident stream due to timber type and operational objectives to maintain slope stability of the soils by the stream.

The small lake to the south of Backside #1 is also tributary to the cataloged stream 102-70-1070; the lake was found in the early 2000's to also contain an anadromous gradient barrier downstream near its crossing of the 3000150 Road; resident fish have not been documented in the lake.

4. Recreation, Tourism, and Scenic Resources.

There are no known commercial recreation operations that use the proposed sale area where harvest will occur. Residents and visitors alike use the numerous roads on POW to access nearby areas for firewood cutting, hunting, foraging, hiking, and wildlife viewing uses among others. Incidental uses such as these will be limited during active harvest operations. Scenic resources associated with aesthetics will be temporarily altered due the removal of trees though will be limited in visual impact due to size and remoteness.

5. 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 harvest areas.

## **G. Costs and benefits**

The DOF will appraise the timber value in compliance with 11 AAC 71.092. The sale area will be appraised by using a residual value appraisal method. Selling values and extraction cost data are obtained from industry sources, the United States Forest Service, and previous operations.

Based on DOF observations of the project area and historic markets, timber revenue is projected to cover administration, access and operating costs for this sale area and possibly provide stumpage royalty to the State. The DOF will encourage domestic processing to the extent feasible at the time of sale. The initial analysis of the costs of removal and the potential value of the timber indicates that some of the smaller hemlock and spruce timber may need to be exported in the round to generate adequate return for expenses.

One management goal for the timber sale is to encourage as much of the timber as is economically feasible to be locally processed in Southeast Alaska. While scoping this decision in the community of Thorne Bay, several commenters thought it appropriate that small mill operators located in the Thorne Bay vicinity be provided the priority and opportunity to benefit from some or all of the timber. Partitioning the timber into smaller blocks and over a longer period was suggested by several operators. The use of a competitive process was also suggested due to interest in the timber.

The DOF has sold significant amounts of timber in the Thorne Bay area to smaller mills located in Goose Creek and to the larger mill in Klawock. The DOF will continue a similar approach in SE to the extent that timber sale project economics and budgetary conditions make it prudent. Based on past performance, the DOF projects that it will need a sale format covering one or possibly both units of the

proposed area to attract the capital to access the site(s). Access will be improved on State Forest land for timber management which increases the long term operational flexibility of the forest to meet its purpose.

While the DOF encourages utilization of the timber resource by the timber purchaser, significant residual firewood potential typically is present after a timber sale is logged. The DOF will consider leaving the road systems open or inactive to some degree if demand is indicated by the community. At this time there are significant firewood resources located several miles south of this location.

Timber sales have traditionally created broad economic benefits to the communities of Southeast Alaska. The business communities on POW and other nearby SE communities will receive direct economic benefits by providing support services for the operators such as transportation, fuel, food, housing, medical and miscellaneous supplies.

## **VI. PUBLIC REVIEW**

The PBIF was publicly noticed in compliance with AS 38.05.945. Notice was posted on the Alaska Online Public Notice System on January 13, 2025. Notices were also posted at the Ketchikan, Craig, Wrangell, and Petersburg Public Libraries. Mailed notices were distributed to a mailing list maintained by the Southeast Area Office and public notices were sent to the post offices of Ketchikan, Ward Cove, Craig, Klawock, Thorne Bay, Coffman Cove, Naukati, Metlakatla, Wrangell and Petersburg. A legal notice was also provided in the Ketchikan Daily News; the Island Post; and the Petersburg and Wrangell papers.

## **VII. PUBLIC COMMENT**

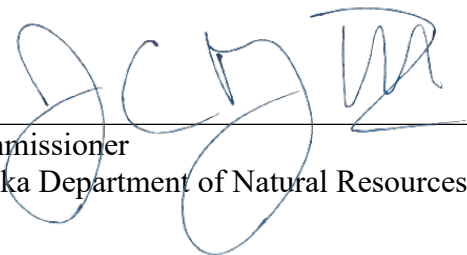
DOF received in a timely manner from ADF&G, the Alaska Forest Association (AFA), and the Southeast Alaska Conservation Council (SEACC). The ADFG Division of Habitat affirmed the extent of the fish habitat. The AFA affirmed the market need and asked for clarification on several aspects of the proposed sale. The SEACC requested more information on soil stability; it is also concerned about fish and wildlife habitat and the cumulative impact of forest management on these resources

The comments are summarized in Appendix D. The comment structure is based on the resources discussed in the Preliminary Best Interest document, the Forest Land Use Plan and the topics emphasized by commenters.

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

After due consideration of all pertinent information, the ADNR has reached the following decision: to offer for sale approximately 82 acres of old growth timber composed of western hemlock, western red cedar, Sitka spruce, and Alaska yellow-cedar on Southeast State Forest land. Harvest activities on the Southeast State Forest lands will follow the management intent of the of the Southeast State Forest Plan. 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 in AS 38.05.035(e) (Powers and Duties of the Director) and 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**



Commissioner  
Alaska Department of Natural Resources

3.13.25

Date

## **X. RECONSIDERATION**

An eligible person affected by this decision of the department, and who provided timely written comment or public hearing testimony to the department, may request reconsideration to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any request for reconsideration must be received by the Commissioner's Office within twenty (20) calendar days after issuance of the decision under 11 AAC 02.040. The Commissioner may order or deny a request for reconsideration within thirty (30) calendar days after issuance of the decision. If the Commissioner takes no action on a request for reconsideration within thirty (30) days after issuance of the decision, the request for reconsideration is considered denied. The Commissioner's decision on reconsideration, other than a remand decision, is a final administrative order and decision of the department. An eligible person must first request reconsideration 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.

Reconsideration 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](mailto:dnr.appeals@alaska.gov). Reconsideration must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$200 under the provisions of 11 AAC 05.160(a)-(b).

If no request for reconsideration is filed by that date, this decision goes into effect as a final order and decision 30 days after signature.

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>.

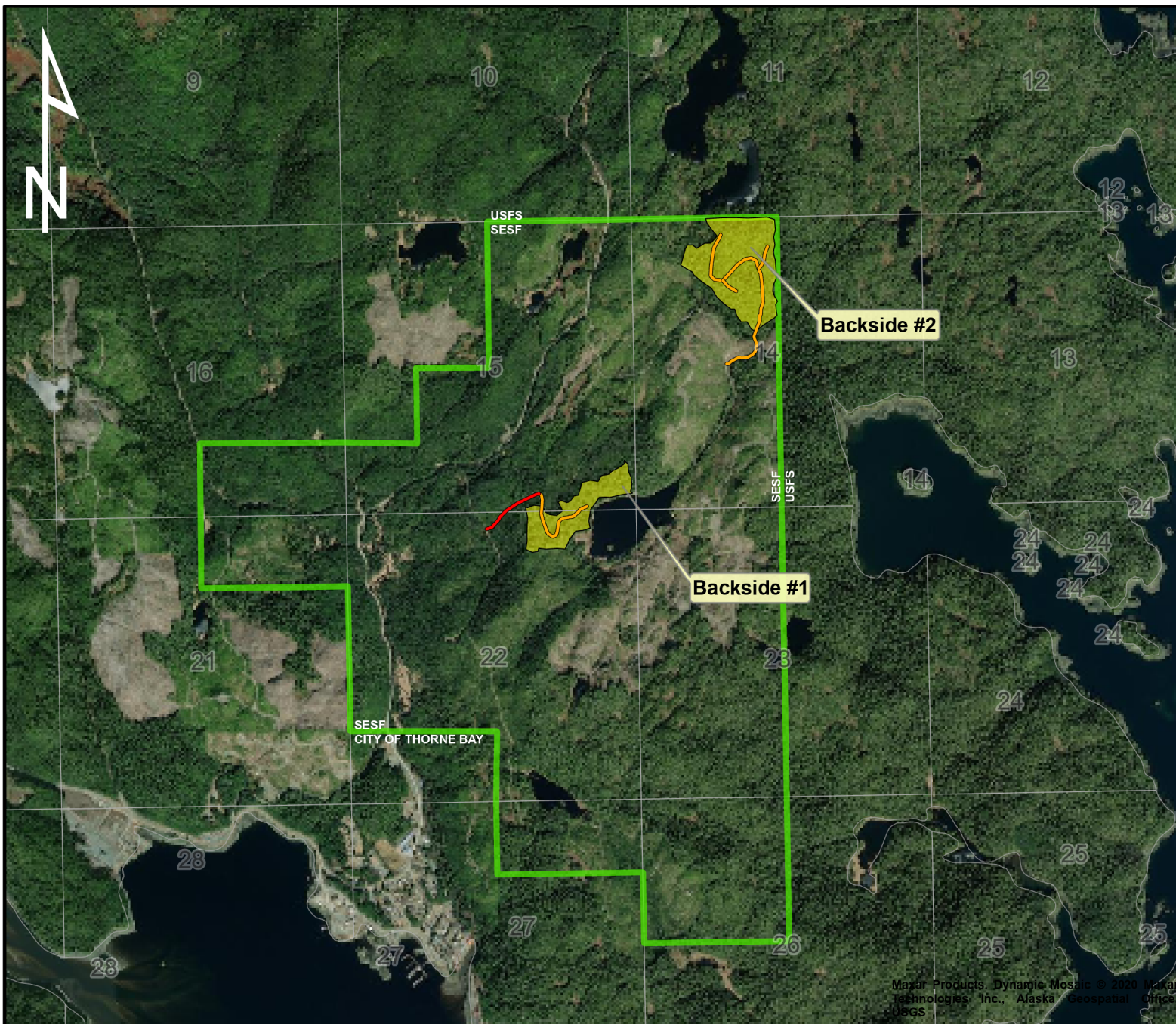
If you have any questions, please contact Greg Staunton, Southeast Area Forester, [greg.staunton@alaska.gov](mailto:greg.staunton@alaska.gov), 907.225.3070.

## **XI. APPENDICES**

<b>Appendix A</b>	SSE-1390-K Backside(s) Timber Sale Area Map
<b>Appendix B</b>	References
<b>Appendix C</b>	Appeal Regulations
<b>Appendix D</b>	Backside(s) Timber Sale Comments & Responses
<b>Appendix E</b>	SSE-1390-K Backside(s) Forest Land Use Plans (2)

## **Appendix A SSE-1390-K Backside(s) Timber Sale Area Map**

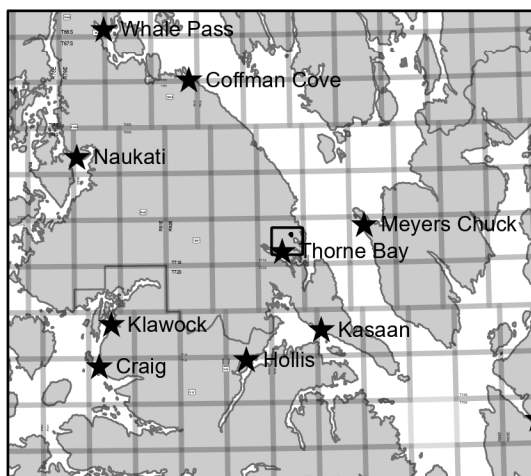
Vicinity Map (one page)



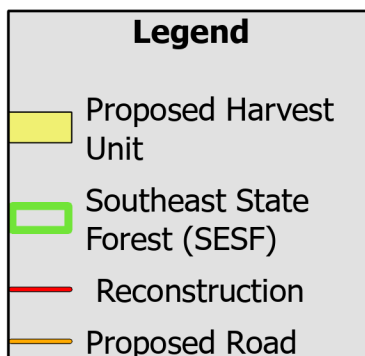
0 0.5 1  
Miles  
Area Map 1 IN = 1/2 Mile

T71S R84E Section(s): 14, 15, 22  
Copper River Meridian

## APPENDIX A1 SSE-1390-K BACKSIDE(S) TIMBER SALE AREA MAP



Vicinity Map 1 IN = 25 Miles





## **Appendix B References**

Alaska Department of Natural Resources, Division of Forestry, Annual Board, Agency, and science and technical reports on the implementation and effectiveness of the Alaska Forest Resources and Practices Act and regulations. Reports retrievable from: <http://forestry.alaska.gov/alaskaboardforestry.htm>

Alaska Department of Natural Resources, Division of Forestry, *Southeast State Forest Management Plan*, Adopted February 29, 2016. Maps and general information retrievable from: <http://forestry.alaska.gov/stateforests.htm>

Alaska Department of Natural Resources, Division of Forestry, Southern Southeast Area Office, *Five-year Schedule of Timber Sales*. Retrievable from: <http://forestry.alaska.gov/timber/ketchikan.htm#fiveyear>

Alaska Department of Natural Resources, Division of Forestry, Southern Southeast Area, Operational Forest Inventory for State and General Use Lands, Adopted February 9, 2016. Report retrievable from: <http://forestry.alaska.gov/timber/forestinventories>

Alaska Department of Natural Resources, Division of Mining Land and Water, Alaska Mapper. Retrievable from: <https://soa-dnr.maps.arcgis.com/home/index.html>

Alaska Department of Natural Resources, Division of Mining Land and Water, Land Administration System. Retrievable from: <http://dnr.alaska.gov/landrecords/>

Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes- Southeastern Region, Alaska Department of Fish and Wildlife, Division of Sport Fish and Habitat, Effective June 1, 2010.

United States Forest Service Geographic Information System Database.

Wikipedia. Shovel logging. Accessed at: [http://en.wikipedia.org/wiki/Shovel\\_logging](http://en.wikipedia.org/wiki/Shovel_logging)

## **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.

### **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.

## **Appendix D SSE-1390-K Backside(s) Timber Sale Comments & Responses**

# **Preliminary Best Interest Finding and Draft Forest Land Use Plans Backside(s) Timber Sale (SSE-1390-K) Comments**

Department of Natural Resources, Division of Forestry & Fire Protection  
March 2025

The following entities commented on the Preliminary Best Interest Finding and Draft Forest Land Use Plans:

- Habitat Section on behalf of the Alaska Department of Fish and Game (ADF&G)
- Alaska Forest Association (AFA)
- Southeast Alaska Conservation Council (SEACC)

The following comments were received during the public comment period on the Preliminary Best Interest Finding and Draft Forest Land Use Plans Backside(s) Timber Sale (SSE-1390-K):

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Commenter	Subject/ Comment	Response
	<b>Preliminary Best Interest Finding</b>	
	<b>I. Proposed Action</b>	
Tyler Breen, SEACC	We urge the Division of Forestry (DOF) to reconsider the adequacy of this sale before proceeding.	Comment noted, please see the specific DOF responses on the topics referenced in your comments in the responses in this matrix summary.
	<b>V. Project Location, Land Status, and Description</b>	
	<b>D. Current Access &amp; Land Use</b>	
Tessa Axelson, AFA	AFA recommends that all U.S. Forest Service (USFS) permits or approval (City of TNB) for access be obtained by the DOF prior to offering the sale to purchasers. AFA also suggests that all permits and approvals for access to State lands and especially the Southeast State Forest (SESF) be obtained for an indefinite period as access will be needed over time for forest management purposes.	Comment noted, no change required.
	<b>E. Background and description of proposal</b>	
Tessa Axelson, AFA	<u>Timber Volume and Sustained Yield</u> AFA request that all DOF timber sales offered under State statute that allows for longer term timber sales be offered for a minimum of 5 years. Timber sales with volumes over 2 million board feet (MMBF) should be offered for a minimum of 10 years. Long term timber sales will help mitigate future unknown economic conditions that cannot be foreseen at the time of the sale.	Comment noted, the sale term and operational period is represented as five years.
Tessa Axelson, AFA	<u>Unit Access</u> The State of Alaska DOF needs to acquire all necessary permits and approvals prior to offering the timber for sale.	The DOF defines the access requirements of the timber sale when it advertises the timber for sale.

Commenter	Subject/ Comment	Response
Tyler Breen, SEACC	<p><i>Road Development Fragmentation and Erosion Risks</i></p> <p>The Backside FLUPs propose additional roads through sensitive forested areas, yet no analysis is provided on the necessity of these roads or their cumulative environmental impact. Studies show that road-building in forested regions increases habitat fragmentation, sedimentation, and long-term maintenance costs<sup>9</sup>. DOF's 2014 annual report displays statewide revenues from the timber program over the past ten years of \$6.99 million, or about \$699,000 per year. From 2012-2014, the DOF's annual reports showed a statewide timber program cost of \$5.3 million, \$5.8 million, \$5.9 million, and \$6.9 million, respectively<sup>11</sup>. Operationally, much of these costs are sunk into construction of roads to reach harvest sites. As an aspect of economic transparency, the FLUP and BIF should transparently illustrate their economic analysis to include infrastructure costs.</p>	<p>The roads designed to access these sales are a financial obligation of the timber purchaser. The roads at the completion of harvest are an asset of the state and will be used to support future forest management activity. The FRPA requires the amount of road to be minimized relative to the requirements of the logging systems available and the resources present. The DOF has minimized the amount of road on this sale.</p> <p>The ADF&amp;G has not indicated that habitat fragmentation is an issue as the result of these new roads.</p> <p>The roads will be managed under the best management practices of the FRPA. The FRPA best management practices have historically maintained water quality and adequately mitigated sedimentation risk to surface waters.</p> <p>Long term maintenance costs are typically based on site specific characteristics and the amount of use. The DOF manages maintenance based on observed risk and available funding; this location has relatively low erosion risk. Regardless, the DOF plans to close the road (FRPA definition) at the end of active operations to allocate available maintenance resources and manage unauthorized use.</p>
	F. Resources and management	
Tessa Axelson, AFA	<p><u>Fish Habitat, Water Resources, and Water Quality</u></p> <p>Paragraph 3 of this subsection has a typo in the last sentence of the paragraph. AFA believes that Backside #2 is the unit being discussed not Backside #1.</p>	Comment noted, the BIF has been edited.
Tyler Breen, SEACC	<p><u>Topography and Soils</u></p> <p>The Backside #1 FLUP states that slopes in the sale area are ≤50%, whereas the Backside #2 FLUP acknowledges that 10% of the sale area exceeds 50%, with some reaching 60%. Despite this, the PBIF does not provide a comprehensive site-specific assessment of landslide risk. Research demonstrates that logging on steep slopes exacerbates erosion and increases the likelihood</p>	The DOF has considered soil stability. The DOF categorized the slope classes represented using ESRI's slope classification application in ArcGIS Pro based on the USFS 2018 LIDAR dataset. This GIS work confirmed our field observations and design. The DOF walked the entire sale area during the design phase to observe pertinent attributes such as soil stability. Soils are described as shallow with numerous controlling bedrock

Commenter	Subject/ Comment	Response
	<p>of landslides, particularly in regions with high precipitation. Furthermore, deforestation disrupts soil composition and natural drainage patterns, further destabilizing steep slopes.</p>	<p>outcrops. It is our assessment that the risk of mass soil movement is low. The values at risk have been generally avoided by the configuration of the unit, the road and mitigated as needed using FRPA best management practices that will be implemented. The steeper slopes are short in pitch length and will be avoided by direct equipment operation.</p>
Tyler Breen, SEACC	<p><u>Wildlife habitat and harvest</u>  <i>Wildlife Habitat Degradation</i>            Old-growth forests provide critical winter habitat for Sitka black-tailed deer, whose population viability is already impacted by logging-driven habitat fragmentation. The Southeast Alaska Ecological Atlas highlights the importance of old-growth retention for maintaining biodiversity and ecological services.</p>	<p>The harvest of this area will change deer habitat on State land. Habitat will remain on federal land to the east and north that is not likely to be harvested in the future. The ADF&amp;G characterized the footprint as “important wintering habitat” and that “deer population locally will be negatively impacted.” ADF&amp;G elaborates that this harvest activity is not expected to have an impact on deer at the scale of the game management unit.</p>
Tyler Breen, SEACC	<p><u>Fish Habitat, Water Resources, and Water Quality</u>            The PBIF fails to assess how past and concurrent timber sales have affected sedimentation and aquatic ecosystems. Case law, including Ninth Circuit Court decisions, recognizes the significance of cumulative sediment load in environmental impact assessments. Without a thorough watershed-scale evaluation, the Backside Timber Sale may exacerbate long-term ecological degradation.</p> <p>Similarly, the sales need to account for riparian ecosystem function. A buffer of at least 200 ft near anadromous streams is necessary to protect the ecological integrity of the riparian corridor by maintaining water temperature stability, reducing sedimentation, and preserving essential habitat for fish and other aquatic organisms. Such buffers also enhance bank stability, filter pollutants from surface runoff, and contribute to overall watershed health. The inclusion of adequately sized riparian buffers in forest management planning is essential to mitigating the cumulative impacts of logging on freshwater ecosystems and sustaining long-term ecological resilience.</p>	<p>The DOF administers the Alaska Forest Resources and Practices Act (FRPA) to avoid, minimize, and mitigate nonpoint pollution from forest operations. The FRPA has been implemented essentially in its present form with minor modifications for the past 35 years. The best management practices of the act promulgated in the regulations have a history of implementation and maintaining water quality as reported yearly to the governor and legislature by ADEC, ADF&amp;G and ADNRR (DOF).</p> <p>The watershed surrounding both units is fully vegetated with no significant sediment loading of the streams from past harvest activity. Based on the size and location of the two units, it is not likely that these units or roads will significantly increase the sediment loading in the several small streams. Furthermore, the soil is predominately organic and cohesive in nature; it exhibits a low transportation risk. Large amounts of slash typically exist in the logged units that stabilize soil fines. While mass soil movement may occur, it is unlikely given the avoidance of steep terrain, the length of the hillside pitches and the placement of the activity on the terrain. The roads are constructed of shot rock with coarse material gradation and a compacted surface. Wear of the road surface from truck traffic is typically arrested with proper road grading in the vegetation adjacent to the road. Prompt natural</p>

Commenter	Subject/ Comment	Response
		<p>revegetation after forest operations and the broken topography capture and stabilize most fine soil movement prior to reaching surface waters. The surface waters of Southeast will provide ample opportunity for fine deposition in the broken stream profiles or promptly flush them to tidewater due to their short reaches and the significant rainfall. These roads will be “closed” at the end of harvest which stabilizes road materials for the long term and restores drainage across the road prism to the natural channels.</p> <p>The retention area associated with anadromous habitat is set in AS 41.17.118. Due deference is provided to ADF&amp;G on the importance of the habitat and the recommended width to maintain the function of that habitat.</p>
Tyler Breen, SEACC	<p><i>Failure to Account for Multiple-Use and Sustained Yield Standards</i></p> <p>Alaska’s constitutional and statutory requirements for sustained yield and multiple-use management necessitate balancing timber extraction with other values, including wildlife, subsistence, and recreation. The Backside FLUPs devote minimal attention to these concerns. SEACC’s analysis of the state’s Five-Year Timber Sale Schedule found that similar sales disproportionately target lowland old-growth forests, diminishing ecosystem resilience.</p> <p>The Alaska State Constitution mandates that fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State must be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses (Article 8, Section 4). Harvesting old-growth forests fails this mandate because these ecosystems require a time period for regeneration beyond the rotation cycle employed by the state, making their extraction inherently unable to be sustained. The continued logging of old-growth stands, especially in Southeast Alaska, not only depletes irreplaceable habitats but also contradicts the Constitution's directive to prioritize long-term resource viability in favor of propping up an industry already</p>	<p>State of Alaska Constitution Article VIII—5. Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.</p> <p>AS 38.05.300. “The commissioner shall classify for surface use land in areas considered necessary and proper. This section does not preclude reclassification of land where the public interest warrants reclassification, nor does it preclude multiple use purpose use of land whenever different uses are compatible.”</p> <p>The State has allocated land by resource values (classification) to achieve the multiple use intent. In doing so it has also considered the adjacent uses that occur on other ownerships and used site specific strategies as appropriate to protect specific habitat of importance benefiting fish and wildlife.</p> <p>The DNR and more specifically the DOF is a relatively small land manager in Southeast Alaska. The legislature and the executive per the powers delegated to them in the constitution, have focused DOF’s efforts on the management of the SESF and the other limited land to provide timber resources through the creation of the Southeast State Forest.</p> <p>Old growth forest is not legally defined as critical habitat or</p>

Commenter	Subject/ Comment	Response
	operating at a loss.	required to be managed as a sustainable ecosystem. At this location it has been included in the state forest by the legislature to be primarily used for timber management. The sustained yield calculations for Southeast Alaska have been completed to perpetuate a continual yield of forest resources (timber). While important wildlife and fish habitat has been identified and addressed in the BIF and FLUP, it is not irreplaceable or critical habitat.
Mark Minnillo, Area Habitat Biologist, ADF&G	<u>Wildlife</u> Although this timber sale unit is relatively small, it predominantly includes important wintering deer habitat. Although local deer populations will be negatively impacted by the removal of habitat, ADF&G expects the overall impact of this timber sale on the entire Game Management Unit (GMU 2) wildlife populations to be relatively small.	Comment noted, no change required.
	There are no known bear or wolf dens near the proposed timber sale units.	Comment noted, no change required.
	ADF&G recommends no harvest in needleleaf forest peatland where western toads and rough-skinned newts are likely to occur, and to have a no-harvest buffer of 50 feet around seeps and streams, which are important for toad overwinter survival.	The DOF discussed this issue with ADF&G. The implementation of FRPA best management practices for surface waters adequately mitigates this specific habitat concern.
	ADF&G recommends retaining snags for bat habitat and maternity roosts.	Comment noted, no change required. The DOF has been doing this for several years.
	G. Costs and benefits	
Tessa Axelson, AFA	The first sentence of the last paragraph on page 11 mentions the fact that, "The DOF has sold significant amounts of timber in the Thorne Bay area to smaller mills located in the Goose Creek and to the larger mill owned by Viking Lumber Company in Klawock." AFA believes that if one timber purchaser is mentioned by name then all timber sale purchasers should be named or preferably none of the past timber sale purchasers should be named.	Comment noted, no change required.

Commenter	Subject/ Comment	Response
	<b>Appendices</b>	
	Appendix A	
Tessa Axelson, AFA	<ul style="list-style-type: none"> <li>Based on the aerial photograph used within the PBIF and draft FLUPs both Backside #1 and Backside #2 have timber volumes adjacent to the proposed harvest areas that are not included within timber sale units.</li> <li>Backside #1 has timber adjacent to the northeast side of the unit. That timber is accessible by extending the existing road in a unit from the TNB #2 timber sale.</li> <li>Backside #2 has timber adjacent to the western cutting line of the unit. The timber should be accessible from the proposed new roads.</li> <li>AFA recommends that the 2 areas mentioned above be included in the FBIF for the sales. If DOF believes these areas of timber are marginal in value or quality, then they could be included as optional units or timber subject to agreement that the timber sale purchaser(s) could choose to harvest or not.</li> </ul>	The DOF designed the sale to reflect contemporary markets, observed industry yarding methods and means, road feasibility and the State's management goals. The timber mentioned is on steep ground or in areas beyond normal yarding distance from the proposed roads and is generally of low economic or non-merchantable quality. The DOF will consider minor modifications to the sale boundary on a case-by-case basis where it does not change the intent or conclusions of the BIF during sale implementation.
	<b>Draft Forest Land Use Plan Backside #1</b>	
	<b>I. Introduction</b>	
	B. Operational Period	
Tessa Axelson, AFA	The operational period listed in the draft FLUP is too short. AFA believes the period covered by a FLUP for forest management operations within the SESF should include post-harvest management of the area over a rotational period. The FLUP should address pre-commercial thinning and road management and maintenance. The timeframe listed is too short to allow local community members to "harvest" firewood from the area or for roads to be left open for such harvest and then closed.	<p>The DOF typically lists the operational period to describe the proposed or predictable activity. Forest management activities beyond the timber sale are subject to funding authorization of the legislature.</p> <p>Harvest of personal use firewood significantly diminishes within three years of the timber harvest. The DOF gauges site conditions, opportunities for commercial salvage, staff availability to administer the area, the public's interest, and other options in the area for firewood gathering prior to closing a road.</p>

Commenter	Subject/ Comment	Response
	<b>II. Affected Land Owners/Jurisdictions</b>	
	B. Other Land Interests	
Tessa Axelson, AFA	Based on the PBIF, the City of Thorne Bay has some control over access to the Backside #1 sale; they should be included in this section of the draft FLUP.	The City of Thorne Bay is authorized by DNR to physically control the access to the Water Lake Road (3000140 road) using a gate.
	<b>III. Harvest Methods, Silvicultural Actions, and Management of Nontimber Resources</b>	
	B. Timber Harvest Activities	
Tessa Axelson, AFA	In Table 1 of this section, it is stated that the entire sale will be harvested by Ground Based (shovel) logging. Later in section E percent slopes are listed as all being under 50% with maximum slopes found in the unit as steep as 45%. With slopes that steep within the unit, is it even feasible to shovel log?	The DOF designed the sale based on the contemporary operator means and methods observed on State timber sales. Slopes under 35% are generally being harvested using shovel logging methods. The slopes over 35% were observed to be short in reach, and loggable from interconnected and accessible lower gradient slopes using directional felling of the timber.
	D. Slash Abatement	
Tessa Axelson, AFA	Slash abatement requirements in this section seem to conflict with statements in III.G. Wildlife Habitat regarding large woody debris and said debris being left in concentrations interspersed within the harvest unit. Please clarify how an operator both lops and scatters while concentrating large woody debris?	This section has been modified to better describe residual harvest conditions. Piling is intended to address residual utility wood; scattering is intended to focus on slash.
	F. Timber Harvest – Surface Water Protection	
Mark Minnillo, Area Habitat Biologist, ADF&G	<u>Fisheries</u>  ADF&G reviewed the maps included with the PBIF/FLUP as well as with the Atlas and Catalog of Anadromous Waters. There are no known anadromous nor fish-bearing streams located within nor adjacent to the proposed timber sale area.	Comment noted, no change required.
	J. Reforestation	
Tessa Axelson, AFA	Again, this requirement addresses basic forestry management that will occur outside of the operational period listed in this draft FLUP. Please extend the operational period or explain why this is included within the draft FLUP.	This section of the FLUP addresses a topic and timeline required by the FRPA. Based on DOF experience, natural reforestation within the regulatory timeframe normally occurs in Southeast.

Commenter	Subject/ Comment	Response
	<b>IV. Roads and Crossing Structures</b>	
	A. Road Design, Construction, and Maintenance	
Tessa Axelson, AFA	<p>Table 5A. Road Reconstruction and Use - This table is confusing to the reviewer. Will all roads listed be reconstructed? Based on the maps included within the draft FLUP there is no reconstruction occurring on road# 3000140, is this correct? AFA suggests that an additional section(s) be added to the Table that shows what roads will be used and what roads will be reconstructed.</p> <p>Under Road Class is "existing" an actual road class found within the DOF Road Standards?</p>	<p>The existing roads in the table are to be reconditioned as needed at the time of sale to support the timber sale traffic. Reconditioning implies a less involved scope of work than reconstruction. The specific work required will be in the contract.</p> <p>“Existing” is not a forest road classification. The document has been updated to reflect the DOF classification.</p>
	<b>Draft Forest Land Use Plan Backside #2</b>	
	<b>I. Introduction</b>	
	B. Operational Period	
Tessa Axelson, AFA	The operational period listed in the draft FLUP is too short. AFA believes the period covered by a FLUP for forest management operations within the SESF should include post-harvest management of the area over a rotational period. The FLUP should address pre-commercial thinning and road management and maintenance. The timeframe listed is too short to allow local community members to "harvest" firewood from the area or for roads to be left open for such harvest and then closed.	The DOF typically lists the operational period to describe the activity proximate to the timber harvest. Activities beyond that are subject to funding authorization of the legislature and staff availability.
	<b>III. Harvest Methods, Silvicultural Actions, and Management of Nontimber Resources</b>	
	B. Timber Harvest Activities	
Tessa Axelson, AFA	In Table 1 of this section, it is stated that the entire sale will be harvested by Ground Based (shovel) logging. Later in section E percent slopes are listed as 10% of the unit being over 50% with maximum slopes found in the unit as steep as 60%. With slopes that steep within the unit, is it feasible to shovel log the entire unit?	The DOF designed the sale based on the means and methods used by operators observed at other State timber sales. Slopes under 35% are generally possible to harvest using shovel logging methods. The slopes over 35% were observed to be short in reach, and loggable from interconnected and accessible lower gradient slopes using directional felling of timber.



Commenter	Subject/ Comment	Response
	D. Slash Abatement	
Tessa Axelson, AFA	Slash abatement requirements in this section seem to conflict with statements in III.G. Wildlife Habitat regarding large woody debris and said debris being left in concentrations interspersed within the harvest unit. Please clarify how an operator both lops and scatters while concentrating large woody debris?	This section has been modified to better describe the residual harvest conditions. Piling is intended to address residual utility wood; scattering is intended to focus on slash.
	F. Timber Harvest – Surface Water Protection	
Mark Minnillo, Area Habitat Biologist, ADF&G	<u>Fisheries</u> The uncatalogued portion of stream 102-70-10740 has been found to be important for cutthroat trout and Dolly Varden char. The proposed 48” log culvert will provide efficient resident fish passage at the 300015-101 Road crossing. A Fish Habitat permit will be required for this crossing structure.	Comment noted, no change required.
Tyler Breen, SEACC	<u>Legal and Ecological Concerns</u>  The Alaska Forest Resources and Practices Act mandates protection of water quality and anadromous streams. The Backside #2 FLUP identifies an anadromous stream (102-710-740) and a resident fish stream but lacks a cumulative impact analysis of logging activities on these water bodies. Research confirms that deforestation and sedimentation from logging roads contribute to degraded water quality and fish habitat, with negative consequences for salmon populations.	The Alaska Forest Resources and Practices Act has a long-term track record of successful implementation of its best management practices. The record of implementation is reported yearly to the Board of Forestry, the Governor, and the Alaska Legislature.  The effectiveness of those best management practices has been studied and there is not a long-term consistent trend in fish habitat either positive or negative (Martin, 2014).
	<b>IV. Roads and Crossing Structures</b>	
	A. Road Design, Construction, and Maintenance	
Tessa Axelson, AFA	Road Reconstruction and Use - This table is confusing to the reviewer. Will all roads listed be reconstructed? Based on the maps included within the draft FLUP there is no reconstruction occurring on road #3000150, is this correct? AFA suggest that an additional section(s) be added to the Table that shows what roads will be used and what roads will be reconstructed.  Under Road Class is "existing" an actual road class found within the DOF Road Standards?	The existing roads in the table are to be reconditioned as needed at the time of sale to support the timber sale traffic. Reconditioning implies a less involved scope of work than reconstruction. The specific work required will be in the contract.  “Existing” is not a forest road classification. The document has been updated to reflect the DOF classification.

Commenter	Subject/ Comment	Response
Tyler Breen, SEACC	<p>The proposed new road construction includes grades up to 20%, exceeding the recommended 12% grade for minimizing erosion and sediment transport into nearby streams<sup>3</sup>. Given the organic-rich soils described in the Backside #2 FLUP, additional road development may accelerate soil degradation and increase runoff. Road construction in deforested areas contributes significantly to erosion and slope instability, further endangering watershed health<sup>4</sup>. The proximity of these sales to anadromous streams and significant water bodies requires rigorous re-evaluation of the ecological viability of these sales and the cumulative impacts on the ecological and economic services provided by this ecosystem.</p>	<p>The DOF specifies road geometry in its standards and in turn the FLUP to control the road construction to support long term goals related to efficient forest management. Table 5 of the FLUP reflects the steepest grade observed on the existing mainline (16%). The maximum designed grade for the proposed roads is 12%. The maximum grade of a forest road is defined in the DOF Road Standards and is based on its class unless otherwise specified by the DOF on a site-specific basis. The maximum grade of a road is focused primarily on vehicle performance. While the steeper grades have a greater potential to move fines off a road, the material that composes a road, how it is constructed and maintained are just as significant. In general, surfaces are managed to keep the water off the road. The best management practices of the FRPA focus on implementing measures to avoid, minimize and mitigate water movement on the road prism and erosion of road fines to surface waters. Implementing best management practices is required in the timber sale contract. The regulatory retention areas adjacent to anadromous streams and the best management practices for forest roads and timber harvest have a record of not degrading surface water.</p>

## **Appendix E SSE-1390-K Backside(s) Timber Sale Forest Land Use Plans**