

State of Alaska
Department of Natural Resources
Division of Forestry
Southeast Office



**Final Forest Land Use Plan
For
Vallenar Bay Timber Sale**

SSE-1345 K

July 2018

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I. Introduction

Project File Number: SSE- 1345 K

Division of Forestry Office: Southeast

Project Manager: Greg Staunton

Forest Practices Geographic Region (AS 41.17.950): Region I

This Forest Land Use Plan (FLUP) covers proposed forest operations on approximately 2,500 acres of land in the Vallenar Planning Unit of the Southeast State Forest. It is intended to provide the best available information regarding the proposed road construction, timber harvest and management of other non-timber uses in compliance with AS 38.05.112 and AS 41.17.060. The FLUP for the Vallenar Bay Timber Access Road was previously adopted on May 9, 2016 and covered the construction of the main access road to the area from the Lewis Reef area.

Construction was completed by the DNR in 2017-2018. That FLUP remains the governing management plan for the Vallenar Access Road unless a specific change is noted in the timber sale FLUP (this document). The Vallenar Timber Access Road FLUP may be found at:

<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=181388>

The Final Best Interest Finding and Decision for the Vallenar Bay Timber Sale may be found at: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=187544>. The original BIF was administratively appealed to the Commissioner of Natural Resources on May 27, 2015. The decision was reviewed by the Commissioner and the majority of the finding was affirmed on February 26, 2016; one portion was remanded to the Division of Forestry to finalize the Southeast State Forest Inventory and adopt the Southeast State Forest Management Plan. The inventory and management plan were subsequently adopted, and the updated information was included in a revised BIF on October 25, 2017. The Commissioner's decision specifically affirmed that it was appropriate to proceed with the road construction prior to the remanded actions. The revised BIF documented compliance with the Commissioner's remanded items.

[X] This Forest Land Use Plan is for timber sale(s) which have been determined to be in the best interest of the state pursuant to AS 38.05.035 (e) and 38.05.945;

[] This Forest Land Use Plan is for timber sale(s) for which a Preliminary Best Interest Finding is currently out for review. A final best interest finding must be completed prior to adoptions of a final FLUP pursuant to AS 38.05.035 (e) and 38.05.945

[] This Forest Land Use Plan is for timber to be harvested that does not require a final finding pursuant to 38.05.035 (e) and notification under 38.05.945.

A draft of this plan was distributed to the Department of Fish & Game (ADF&G) and the Department of Environmental Conservation (DEC) for their review and comments relevant to the consistency of this proposed project with the statutes governing forest land use plans (AS 38.05.112) and the requirements of the Alaska Forest Resources & Practices Act (AS 41.17) and its Regulations (11 AAC 95).

This Forest Land Use Plan was made available for public comments per AS 38.05.945; the review period ended on July 30, 2018. After public and agency review of the draft FLUP, the DOF reviewed comments (see Appendix D), made changes as appropriate, and has issued this final FLUP. This Forest Land Use Plan has been adopted by the Department of Natural Resources. Site specific compliance with the Alaska Forest Resources and Practices Act and the Regulations, as well as the Final Finding for this proposed project are reflected in this Forest Land Use Plan and will be implemented in the Timber Sale Contract.

A person affected by the final decision who provided timely written comment on the draft FLUP for the timber harvest may request appeal, in accordance with 11 AAC 02. Under 11 AAC 02.030, appeals and requests for reconsideration filed under 11 AAC 02 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) and (b). Any appeal request must be received by August 23, 2018 and may be mailed or delivered to Andrew T. Mack, Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to <mailto:dnr.appeals@alaska.gov>. If appeal is not requested by that date, this decision goes into effect as a final order and decision on September 3, 2017. Failure of the commissioner to act on a request for appeal within 30 days after issuance of this decision is a denial of appeal and is a final administrative order and decision for purposes of an appeal to Superior Court. The decision may then be appealed to Superior Court within a further 30 days in accordance with the rules of the court, and to the extent permitted by applicable law. An eligible person must first request appeal of this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 is in Appendix C.

[X] Other Documents are referenced in this FLUP. This timber sale access is designed to be consistent with the management intent of the following documents:

The proposed area on State land is within the Southeast State Forest Management Plan (SSFMP) and is specifically referred to as the Vallenar Unit. The primary purpose for the legislatively designated Southeast State Forest is timber management (AS 41.17.200); the application of area plans on these legislatively designated areas must comply with these statutory directives. This FLUP complies with the planning document, the Alaska Forest Practices Act, and other applicable Alaska law.

The administrative record for this sale access is maintained at the Division of Forestry Southeast Office filed as Sale SSE-1345K.

A. Legal Description: The project area is on the north end of Gravina Island. Vallenar Bay is approximately five miles west of the Ketchikan International Airport and is viewable on USGS quadrangle Ketchikan B-6. The road corridor crosses State and Ketchikan Gateway Borough land in Sections 5, 6 and 8 of T75S, R90E; Sections 35 and 36 of T74S, R89 E; Sections 1, 2, 11, 12, 13, 14, 23 and 24 of T75S, R89E all within Copper River Meridian (CRM). The total amount of new construction under this FLUP is approximately 2.25 miles. (See map in Appendix A)

B. Operational Period:

Estimated Start: Summer 2018
Estimated Completion: Fall 2025

C. Timber Disposal:

- ☒ Timber will be sold and will have a contract administrated by the State
☐ Timber will be available to the public; permits obtained by the public will be issued by the State.
☐ Other

D. Objectives and Summary:

The management objectives for the project are:

1. To follow the Alaska Department of Natural Resources' (DNR) constitutional mandate (Article 8.1) to encourage the development of the State's renewable resources, making them available for maximum use consistent with the public interest while protecting other resources such as fish and wildlife;
2. To help the State's economy by providing 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 road building, logging and associated employment.

II. Affected Land Owners/Jurisdictions

A. State Ownership:

Activity on ownership:	Access Easement	Harvest	Written Representative Approval
<input checked="" type="checkbox"/> Southeast State Forest	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Other state land managed by DNR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> University of Alaska	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Mental Health Trust	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> School Trust	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

B. Other Land Ownership:

Land Owner: Ketchikan Gateway Borough (KGB) ☒ [] ☒

Land Owner Representative: Borough Manager

Other Land Ownership Notes:

1. The Vallenar Bay Access Road crosses KGB land prior to reaching State Forest land. The road on KGB land is a platted forest road easement benefiting the DNR.
2. The State Forest on Gravina Island is zoned per Ketchikan Gateway Code (KGBC) as Future Development (FD). The KGBC 18.25.020 Land Use Table (g) lists natural resource extraction on FD land as a permitted use when it meets the development standards and other standards of the listed title. By note 17 of the title, FD stipulates that “a strip of uncleared land at least 100 feet wide shall be provided between such use and all public rights-of-way and all adjoining boundaries of residential zones or recreation areas”. The DOF will conform with the standard is described in this FLUP in Section III, Table 5 with respect to logging to the west of the road. Per note 2 of the title, “permitted uses and permitted uses with standards are initiated through the zoning permit process, which is outlined within KGBC 18.55.020”. This FLUP is copied to the KGB as a supplement to the zoning permit application to describe the harvest actions as they relate to the zoning requirements in the KGB.
3. The DOF projects that the timber harvested from the Vallenar area of the Southeast State Forest will be sorted and transferred to tidal waters or barge at the Log Transfer Facility (LTF) located at the Gravina Island Industrial Complex near the old sawmill site by Lewis Reef. This site is managed by the KGB as part of the Ketchikan International Airport Reserve Lease Area. A use agreement between the DOF and the KGB outlines the basic terms and conditions to be expected of a timber purchaser along with the method to determine the fair market rate of use.

C. Related Projects

Since the original BIF for the Vallenar Bay Timber Sale, the USFS has developed and documented the Vallenar Young-growth Project through an environmental assessment (EA) and subsequently issued the record of Decision for the project on May 24, 2018. The USFS project describes harvesting approximately 155 acres of young growth timber on USFS land to the south of the young growth proposed for harvest in this FLUP on State land. The EA discusses similar resource topics as the State BIF. The DOF reviewed the EA document and observed that the outcome of the resource analysis developed as part of the BIF remains the same regardless of the adjacent proposed activity by the USFS. Due to the focus, size, and the methods of management by the USFS, effects to resources such as but not limited to wildlife and fisheries do not significantly change on the island as the result of their sale alone or in combination with the state sale proposed in this FLUP.

III. Harvest Methods, Silvicultural Actions, and Management of Non-timber Resources

Forest operations will be designed to:

- Protect fish habitat and water quality in compliance with the best management practices in 11 AAC 95.260-.335, and
- Manage for the other land uses and activities identified in AS 41.17.060 that are listed below in this section.

Harvest and Silvicultural Methods:

[] The silvicultural actions are described in this document, and no prescription was written or is necessary

[] A silvicultural prescription has been written and is attached to this document in Appendix B

[X] The general silvicultural prescription has been described in the BIF. Harvest unit specifics are described in this FLUP.

A. Timber Stand Description and History:

The project area old growth timber on the east side of Vallenar Bay is composed predominately of hemlock with spruce and occasional western red and Alaska yellow cedar. It is decadent and relatively tall timber (two to three logs per tree). The timber has a dense canopy in the taller stands with occasional wind throw openings. The soils are relatively deep colluvial deposits mixed with glacial cobble on the base of the slope and bed rock evident on the upper slopes. On the west side of the bay, soils are poorly drained organics on top of clay and cobble with exposed bedrock producing relatively short timber with a higher percentage of red cedar of poor form and defect (one log per tree). The timber has scattered openings and is generally scrubby with multiple tops.

The young growth on the east side in the project area is on a west facing slope that is relatively dense and maturing timber with little defect. The area was previously logged in the early 1950s. The bole lengths of the spruce and hemlock trees are generally tall enough to recover two merchantable logs. Previously harvested areas that are not dominated by Sitka spruce intermixed with western hemlock are generally growing red alder of size that may be commercially marketable. The alder patches appear to be associated with areas where the organic soil was heavily scarified during the previous harvest. Sub-merchantable spruce and hemlock is evident in these areas and is showing signs that it will displace the alder. At the very bottom of the slope are flatter areas with poorly drained soils with smaller stemmed, densely grown, generally suppressed timber.

B. Timber Harvest Activities:**Table 1. Timber Harvest Activities**

Unit ID	Acres	Topography	Silvicultural Action	Logging Method
1A	37	Irregular	Clear-cut	Shovel
1B	2	Irregular	Clear-cut	Shovel
1C	45	Irregular	Clear-cut	Shovel
1D	5	Low slope	Clear-cut	Shovel
2	207	Convex Hillside	Clear-cut	Shovel 157 acres Cable 50 acres
3	59	Irregular Bench	Clear-cut	Shovel 48 acres Cable 11 acres
4	34	Hillside and Bench	Clear-cut	Shovel 19 acres Cable 15 acres
5	36	Hillside and Benches	Clear-cut	Shovel and short span cable.
Total	425			

Note: The BIF proposed using a patch cut system in the old growth on the north end of California Ridge. The steep topography leads to the use of a cable yarding system which restricts the economics and operability for a patch cut application. Further inspection of the existing stand and discussions with lot owners who have related observations of the wind patterns in this area have yielded the present DOF perspective that patch cut harvests in this area will tend to promote the breakdown of residual tall timber between the patches and hinder regeneration of the patch cut areas. This FLUP represents the harvest on all areas including the end of California Ridge as clear-cuts.

C. Site Preparation:

☐ Site preparation will not be necessary. There is sufficient residual stocking.

☒ Site preparation will not be necessary. There will be sufficient soil disturbance by logging to forgo scarification.

☐ Site preparation will be discussed in subsequent FLUPs prior to harvest.

☐ Site preparation will be implemented and described in Table 2:

D. Reforestation:

No obstacles have been observed to natural reforestation in the project area. Natural reforestation is the standard method used in the area.

☐ Reforestation will be discussed in subsequent FLUPs prior to harvest of specific units.

☒ Clearcut.

☐ Partial Harvest:

☒ Natural regeneration

List species: Sitka Spruce, western hemlock, western red cedar, Alaska yellow cedar.

☐ Coppice

List species:

☐ Artificial regeneration

☐ Seeding-source of seed (general vicinity location of seed source)

☐ Planting: Date of proposed planting: _____

Source of seedlings (location of seed source): ____

E. Slash Abatement:

☐ Potential for insect infestations caused by slash accumulations exists. Slash abatement for controlling infestations will be implemented as required by 11AAC 95.370.

☐ Lop and scatter slash; accumulations will be kept to less than 2 feet in height.

☐ Slash will be disposed of by the operator ☐ Slash will be disposed of by the State

☐ Other - method of slash disposal: ☐ removal off site ☐ crushing or grinding ☐ burning

☐ Burn permits necessary from DOF and DEC to be acquired.

☐ The operator will contact the Division of Forestry local area office prior to ignition of debris.

☒ Not required by the Division of Forestry in this area.

F. Surface Water Protection:**Table 4. Protection for Known Classified Surface Waters**

ROAD	Water Name	AS 41.17.950 Classification	ADF&G AWC #	Required Riparian Protection	Site-specific actions to minimize impacts on riparian area
3000	Tributary Vallenar Creek	I-A	Un-Catalogued	Slope Stability Standards, 100 FT. timber retention.	ADFG Habitat Permit was followed for all bridge work. No other work is anticipated.
3000	Tributary Vallenar Creek	I-A	101-29-10060-2001	Slope Stability Standards, 100 FT. timber retention.	ADFG Habitat Permit was followed for all bridge work. No other work is anticipated.
3000	Vallenar Creek	I-A	101-29-10060	Slope Stability Standards, 100 FT. timber retention.	ADFG Habitat Permit was followed for all bridge work. No other work is anticipated.

Numerous uncataloged anadromous streams were identified, mapped, avoided and protected during the design and layout of the timber sale. The DOF has mapped all significant drainages with connectivity in the watershed that could provide anadromous fish habitat. The streams are shown on the maps in Appendix A. All streams have flagged FRPA retention areas associated with them where they are in proximity to the timber harvest units.

Surface waters were reviewed by the Department of Fish and Game:

- [X] During the timber sale planning process
- [X] During the agency review conducted for the Best Interest Finding for this sale
- [X] During the drafting of this Forest Land Use Plan
- [X] Stream Crossings (Title 16) Permits are needed per ADF&G Division of Habitat

Surface waters listed were reviewed by the Department of Environmental Conservation:

- [X] During the timber sale planning process
- [X] During the agency review conducted for the Best Interest Finding for this sale
- [X] During the drafting of this Forest Land Use Plan

Non-classified surface waters are subject to applicable BMPs in 11 AAC 95.

G. Wildlife Habitat:

- [X] Wildlife species and allowances for their important habitats were addressed through written correspondence with the Department of Fish & Game during the Best Interest Finding review.
- [X] Wildlife species and allowances for their important habitats were addressed through written correspondence with the Department of Fish & Game during the drafting of this Forest Land

Use Plan. The area wildlife biologist also related extensive site knowledge to DOF as a byproduct of ongoing intensive wolf management and deer population surveys on the island. ADFG has visited the sale area several times with DOF since the start of the project in 2014 and specifically visited the area on November 28, 2017 with DOF as part of development of this FLUP. The visit affirmed the significance of the habitat for movement of wildlife along Vallenar Creek associated with anadromous habitat and travel between the interior of the island and the tidal flats (300 feet has been retained on either side of Vallenar Creek per AS 41.17.118). A travel area between the alpine habitat on California Ridge and the valley floor on the east side of the valley was also identified and retained in the proximity of Vallenar Road Point V472. The observed converging trails in the area indicate concentrated travel of deer. An undisturbed vertical band of timber uphill of the road approximately 300 feet in width was designated to be left to provide vertical continuity of the timber on the hillside during the deeper periods of snow.

Silvicultural practices to be applied to minimize impacts to wildlife habitat or wildlife management:

- ☒ Timber retention - concentrations of timber surrounding harvest units, or interspersed within harvest units to provide cover.
- ☐ Snag Retention- snags or isolated trees left for cavity nesting species.
- ☐ Large Woody Debris – concentrations of downed timber or logging debris interspersed within harvest units to provide cover left on site.
- ☐ Other actions

H. Cultural and Historical Resource Protection:

- ☒ This project was reviewed by the State Historic and Preservation Office (SHPO).
- ☒ No artifacts have been reported within the project area(s).
- ☐ Known or likely sites have been identified and a mitigation plan is in place. (Describe the mitigation actions.)

I. Other Resources Affected by Timber Harvest and Management:

☒ There are other resources and areas of concern besides surface water, fish habitat, and wildlife habitat that may be affected. Mitigations and actions were addressed in the Best Interest Finding and are summarized in Table 5 below.

☐ There are no affected resources or areas of concern other than surface water, fish habitat, and wildlife habitat, which are addressed in this Forest Land Use Plan.

Table 5. Other Affected Resources/ Areas of Concern.

Impacted Resource	Reviewing Agency	Impact/ Mitigation Actions
Visual	DOF	The area has a history of timber harvest. Refer to the best interest finding for discussion of the topic.
Adjacent property use. Noise	Ketchikan Gateway Borough	Forest operations are a permitted use in future development lands. The Vallenar subdivision has one residential structure and several seasonal private recreational cabins currently. The noise from harvesting (cutting and yarding) will be dispersed over the valley as operations progress and will be short in span and duration. Truck noise associated with engine brakes is expected to be minimal in the subdivision area due to the moderate grade of the road.
Wind throw of timber	DOF/ Ketchikan Gateway Borough	The timber in and adjacent to the Vallenar Bay subdivision and the privately-owned lot US Survey (USS) 1768 is generally tall and well stocked. Significant portions of the Vallenar Bay subdivision have been harvested at various times in the past 75 years. Wind events have influenced the timber stands in the area in the past adjacent to the 1950's harvest. The amount of the wind disturbance is what would be expected for the exposure and height of the timber (patches are generally less than one acre in size). The DOF has retained undisturbed area on State forest land adjacent to USS 1768 (100 Foot) and the Vallenar Bay subdivision to mitigate this possibility. In the area adjacent to the Vallenar Bay subdivision, the road accessing the area was placed approximately 50 feet from the property line due to topographical constraints. Timber between the road and the property line will be retained except for several individual trees that have significant likelihood of being blown over due to their height and other characteristics

		relative to the surrounding forest canopy. Timber to the east of the road will be harvested as represented on the map. The decision to harvest to the east of the road in the areas indicated is based on the timber's susceptibility to wind throw and a safety concern during harvest operations.
Dust	DOF/ Ketchikan Gateway Borough	All the buildings in the Vallenar subdivision areas are located over 300 feet from the road. Due to the retained timber along the road and the typical rainfall, dust is not predicted to be a significant management issue.
Soil and debris slides	DOF/ Ketchikan Gateway Borough	Debris movement is evident in several sections above the Vallenar subdivision. Steep rock bluffs dominate the west side of California ridge with an associated consolidated alluvial deposit at the base. Past debris slides originated in the bluffs and have arrested at the toe of the slope. The exception to this is the slide that crosses the Vallenar Road at Mile 5. The slides generally are associated with wet areas and the gravity movement of wind-thrown timber. The DOF has avoided constructing road and harvesting on the steeper bluff sections. Harvest operations on the north end of California Ridge are designed to be yarded to the 2000 Road system located above the break and bluff elevation on the hillside. The landing locations have good deflection that will enable at least one end of the log to be suspended during yarding. This will facilitate good control of the logs and slash, minimizing disturbance of the deeper soils and subsequent movement of materials downslope.

Traffic Safety	DOF	<p>The DOF constructed the Vallenar Road for forest access. Incidental use of the road has been observed associated with remote recreation and general curiosity. The road also provides incidental access to numerous small ownerships associated with the subdivision. Long term beyond this plan's horizon, the DOF anticipates incidental use to increase. The proposed roads in this FLUP are single lane roads with turnouts and turnarounds. With care by the user, the road is serviceable to very low volume traffic¹. Vehicles that are restricted in maneuverability require considerably more planning, coordination and experience to use the road. During active operations (hauling, yarding, cutting and road building) public traffic on the road will be considered inappropriate for safety reasons. Due to cost the road was built to facilitate coordinated two-way traffic of professional drivers. Through public notice and signs the public will be strongly encouraged to not use the road during active commercial operations. Parked vehicles and other items not associated with harvest operations will likewise impede the safe use of the road. The DOF will in its discretion use all legal means to keep the road and associated turnouts, turnarounds and pit areas free of unauthorized items and vehicles.</p>
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¹ AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads(ADT≤400).

IV. Roads and Crossing Structures

The Vallenar Road, the FDR 8110 and the 3000 Roads shown in this FLUP were constructed under a public works contract administered by the Division of Forestry in 2018. The remaining roads identified are planned to be constructed as part of the timber sale operations.

A. Road Design, Construction, and Maintenance:

Roads are designed and will be constructed and maintained to prevent significant adverse impacts on water quality, fish habitat (AS 41.17.060(b) (5)) and site productivity (AS 41.17.060(c)(5)). Roads will comply with the best management practices in the Forest Resources and Practices Regulations (11 AAC 95.285 – 95.335).

Roads or other means required for the access and removal of this timber from the harvest area or units are listed in Table 6.

Table 6. Road Construction and Use

Road ID	Harvest Unit	Road Miles	Road Type	Maximum Grade	Constructed by	Maintained by
2000	Unit 3	1.84	Secondary	18%	Timber Purchaser	Purchaser/ DOF
2100	Unit 5	0.05	Spur	10%	Timber Purchaser	Purchaser/ DOF
2200	Unit 4	0.17	Secondary	10%	Timber Purchaser	Purchaser/ DOF
2210	Unit 4	0.03	Secondary	10%	Timber Purchaser	Purchaser/ DOF
2300	Unit 4	0.08	Spur	10%	Timber Purchaser	Purchaser/ DOF
2600	Unit 4	0.09	Spur	10%	Timber Purchaser	Purchaser/ DOF

**Note: Roads must be less than 20% grade per 8 AAC 61.1060 Additional Logging Standards*

B. Side Slopes / Mass Wasting:

Per 11 AAC95.220(9) slopes over 50% have been identified along the proposed road alignment where indicators of unstable areas are present (landslide scars, jack-strawed trees, gullied or dissected slopes, high density of streams or zero-order basins, or evidence of soil creep). The locations of these conditions and the specific road design mitigation for areas of unstable soils are as follows:

Start	End	Indicator	Mitigation
2000 V502	V504 (260 feet)	60% side slope	Bedrock with shallow soil predominates as the parent material; the road is designed to be full bench construction.
2000 V507	V508 (120 feet)	80% side slope	Bedrock predominates as the parent material; the road is designed to be a stacked rock buttress construction.
2000 V537	V539 (275 feet)	85% side slope	Bedrock predominates as the parent material; the road is designed to be full bench construction. Over burden and rock cuts in the steep area will be end hauled or side cast in areas designated by DOF prior to construction to ensure stable slope conditions.

Maximum percent side slopes: 85% (Short pitches of bedrock may exceed this figure.)

☐ There are no slopes >50%

☐ There are no indicators of unstable areas where roads will be constructed

☒ Indicators of unstable areas were identified and will be mitigated by actions indicated below.

☒ Full benching will be constructed to help ensure slope stability

☐ Full benching is not required for roads in this project

☒ End hauling will be implemented to help ensure slope stability

☐ End hauling is not necessary for roads in this project.

General Erosion Control:

☒ grass seeding ☐ erosion control mats ☒ wattle ☒ rock armoring
☐ not applicable

C. Crossing Structures:

Removing or replacing drainage structures ☒ YES ☐ NO

(Culverts will be removed at the completion of harvesting in this entry on the 2000, portions of the 3000, 3030, and 8110 Roads)

☐ No crossing structures are needed within the project area.

☒ Crossing structures will be placed along roads as described in Table 7:

☐ Stream Crossings (Habitat) Permits have been obtained from ADF&G Division of Habitat

Road Structure Notes:

1. All drainages on this project are water quality streams and most are tributary to anadromous habitat or within the watershed of anadromous habitat.
2. Anadromous fish habitat has been identified by DOF and ADFG-Habitat. Relief culverts will be placed as required by 11 AAC 95.295 (b).
3. The Alaska Forest Resources and Practices Act and Regulations (FRPA) referenced in this FLUP's Appendix B describe the best management practices that will be used to control and prevent water pollution. The FRPA is applicable to all forest actions by the DOF occurring in the area and is a performance requirement of the timber purchaser. The timber purchaser shall be required to adapt to conditions encountered and develop site-specific erosion and sediment control that maintains water quality.
4. Side cast material from road construction containing fine soils shall generally be separated from surface waters and stabilized from erosion through the use of undisturbed vegetative areas and the establishment of native plants. Where necessary, grass seeding and a combination of other best management practices proven to maintain short term water quality will be employed. No side cast material susceptible to erosion shall be placed in surface waters.

Table 7. Required Drainage and Crossing Structures on Known Surface Waters

Road	Label (Flagged)	Culvert Size (IN.)	AS 41.17.950 Classification	Structure Lifespan	Comment
2000	504	18	Surface	Permanent	
2000	517	18	Surface	Permanent	
2000	518	18	Surface	Permanent	
2000	519	18	Surface	Permanent	
2000	520	36	Surface	Permanent	
2000	538	18	Surface	Temporary	
2000	540	18	Surface	Temporary	
2000	541	24	Surface	Temporary	
2000	542	36	Surface	Temporary	See note at end.
2000	565	36	Surface	Temporary	See note at end.
2000	568	18	Surface	Temporary	
2000	570	36	Surface	Temporary	See note at end.
2000	572	18	Surface	Temporary	
2000	574	18	Surface	Temporary	
2000	575	18	Surface	Temporary	
2000	577	36	I-D	Temporary	Deeper fill, estimated 50-foot length needed.
2000	583	24	I-D	Temporary	
2100	510	24	Surface	Temporary	See note at end.
2100	511	48	Surface	Temporary	See note at end.
2600	578	18	I-D	Temporary	

Crossing structure notes: The purchaser shall coordinate with DOF to determine the appropriate size structure to be in place for the period of time that the noted road will be needed for operations (i.e.- time of year, operator's presence and weather will influence this decision).

D. Road Closure:

Roads constructed for the timber sale that are left open will be subject to maintenance standards under 11 AAC 95.315. Otherwise, roads constructed for the timber sale will be closed, subject to standards under 11 AAC 95.320. Roads closed to vehicle traffic will remain open to pedestrian traffic.

Table 8. Road Closures

Road ID	Unit	All Season/ Winter	Estimated Closure Date	Projected Road Use after Timber Harvest
2000	Unit 3	All	End of harvest.	Precommercial thinning, remote recreation.
2000	Unit 5	All	No planned closure date.	Precommercial thinning, remote recreation.
2100	Unit 5	All	End of harvest.	Precommercial thinning, remote recreation.
2200/2210	Unit 4	All	End of harvest.	Precommercial thinning, remote recreation.
2300	Unit 4	All	End of harvest.	Precommercial thinning, remote recreation.
2600	Unit 3	All	End of harvest.	Precommercial thinning, remote recreation.

Note: All roads listed above that are not closed at the conclusion of harvest operations shall have drivable water bars installed at the conclusion of harvest operations.

E. Material Extraction:

[] There will be no material extraction sites in the project area.

[X] Material extraction and associated overburden disposal will be located outside of riparian areas and muskegs.

[X] Material extraction and disposal will be located based on contractor proposed locations and subject to prior approval of the DOF.

- Material extraction and disposal will be located from within or adjacent to the road right of way, in a manner that prevents runoff from entering surface waters. Pit sites are projected to be less than 1 acre and will be stabilized upon completion of road building operations.

F. Other Resources Affected by Roads or Material Extraction:

List resources other than water, habitat or cultural resources potentially impacted by road construction, and indicate how impacts will be mitigated. Other affected resources could be, but are not limited to mining claims, scenic areas, recreational trails, etc.

Table 9. Other Affected Resources

Impacted Resource	Reviewing Agency	Impact/ Mitigation Actions
None	DOF	

V. Approvals

This Final Forest Land Use Plan has been reviewed by the Division of Forestry and provides the information necessary for public and by agency review of the project described in this document as required by AS 38.05.112.

Gregory D. Staunton

Area Forester

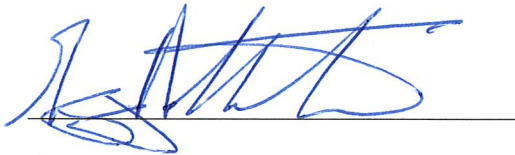
Date

A person affected by the final decision who provided timely written comment on the draft FLUP may request appeal, in accordance with 11 AAC 02. Under 11 AAC 02.030, appeals and requests for reconsideration filed under 11 AAC 02 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) and (b). Any appeal request must be received August 23, 2018 and may be mailed or delivered to Andrew T. Mack, Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to <mailto:dnr.appeals@alaska.gov>. If appeal is not requested by that date, this decision goes into effect as a final order and decision on September 3, 2018. Failure of the commissioner to act on a request for appeal within 30 days after issuance of this decision is a denial of appeal and is a final administrative order and decision for purposes of an appeal to Superior Court. The decision may then be appealed to Superior Court within a further 30 days in accordance with the rules of the court, and to the extent permitted by applicable law. An eligible person must first request appeal of this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 is in Appendix C

If you have any questions, please contact the Southeast Area Office at (907) 225-3070 or e-mail greg.staunton@alaska.gov.

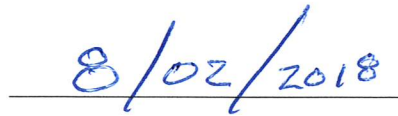
V. Approvals

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Gregory D. Staunton

Area Forester



Date

A person affected by the final decision who provided timely written comment on the draft FLUP may request appeal, in accordance with 11 AAC 02. Under 11 AAC 02.030, appeals and requests for reconsideration filed under 11 AAC 02 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) and (b). Any appeal request must be received August 23, 2018 and may be mailed or delivered to Andrew T. Mack, Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to <mailto:dnr.appeals@alaska.gov> . If appeal is not requested by that date, this decision goes into effect as a final order and decision on September 3, 2018. Failure of the commissioner to act on a request for appeal within 30 days after issuance of this decision is a denial of appeal and is a final administrative order and decision for purposes of an appeal to Superior Court. The decision may then be appealed to Superior Court within a further 30 days in accordance with the rules of the court, and to the extent permitted by applicable law. An eligible person must first request appeal of this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 is in Appendix C

If you have any questions, please contact the Southeast Area Office at (907) 225-3070 or e-mail greg.staunton@alaska.gov.

Appendix A: Timber Sale Maps

Exhibit A	Vicinity Map
Exhibit B	Timber Sale Maps (5 pages)

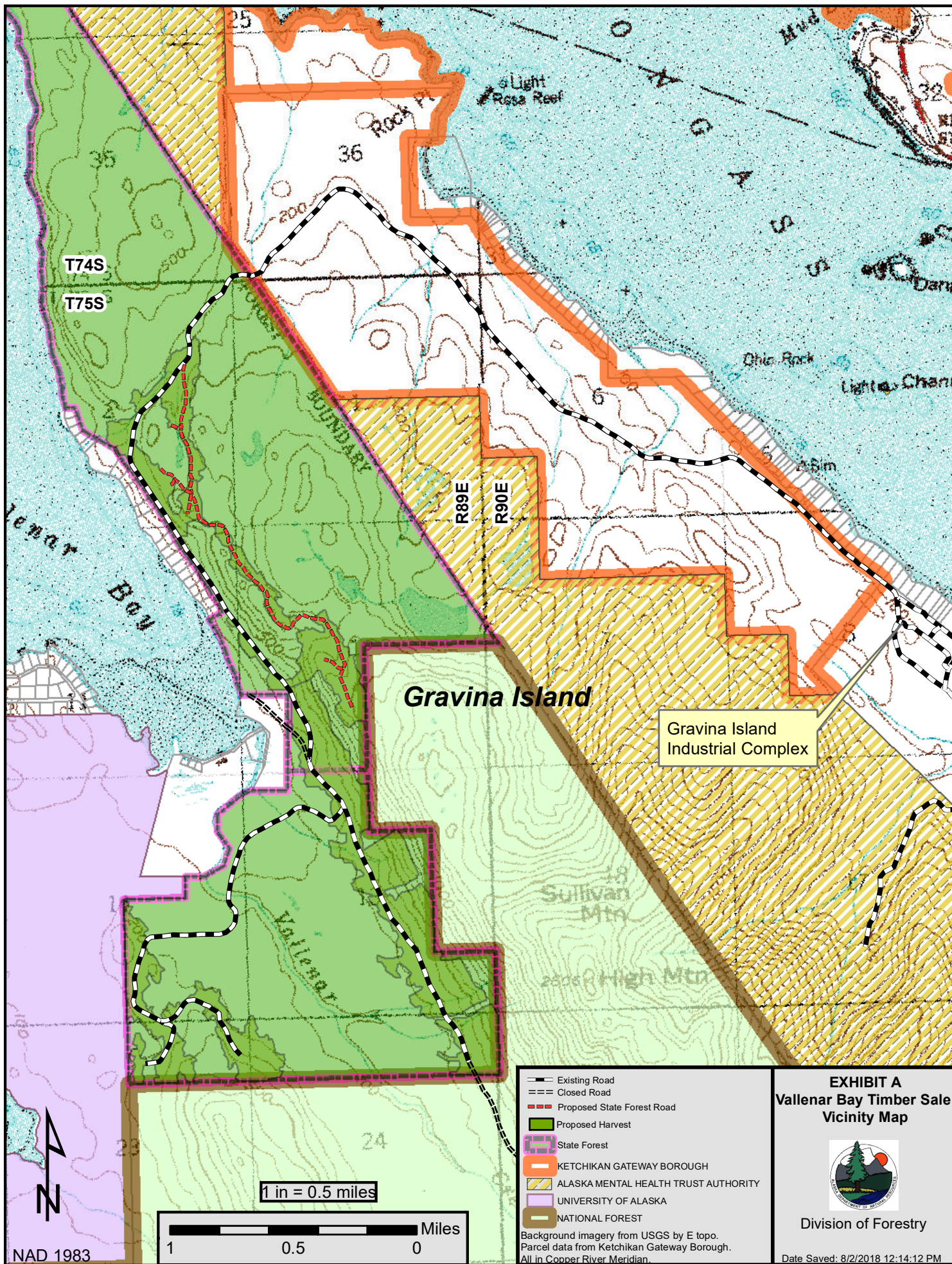
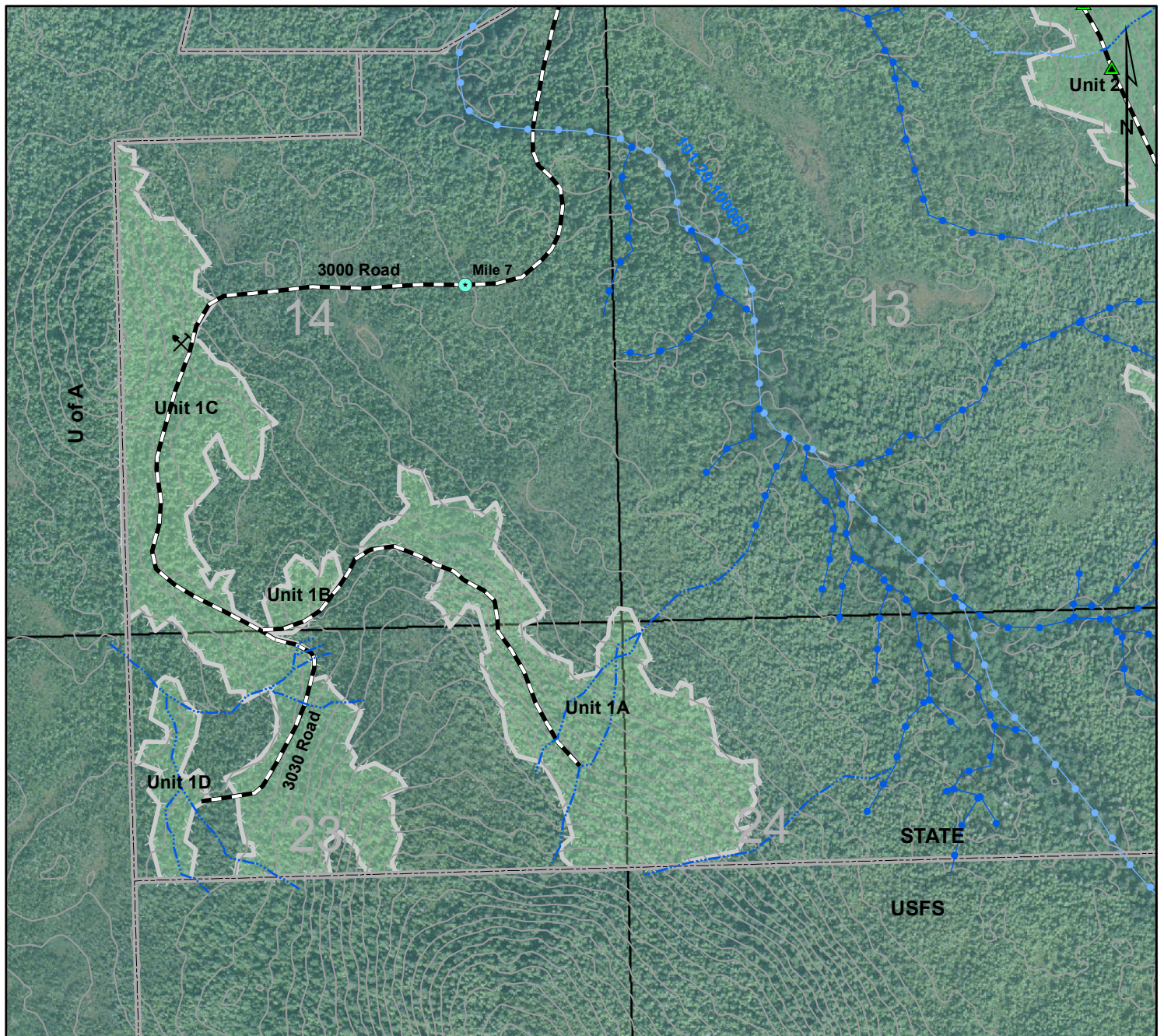


EXHIBIT A
Vallenar Bay Timber Sale
Vicinity Map



Division of Forestry

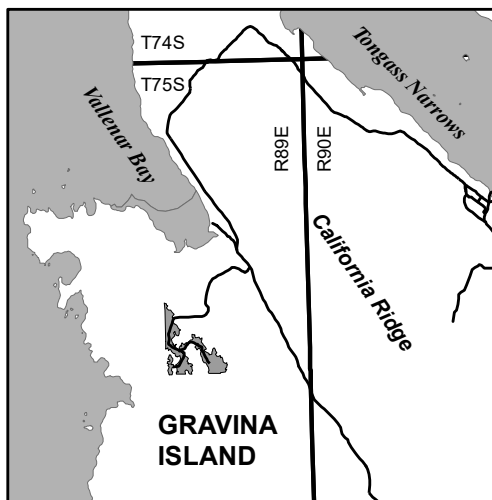
Date Saved: 8/2/2018 12:14:12 PM



0 400 800 1,600 Feet
1 inch = 800 feet

T75S R89E
Sections 12, 13, 14 and 24 CRM

Contour Interval = 25 feet



Legend	
	Eagle Nest
	Drainage Structures
	Rock Pits
	Proposed Tower Landing
	Proposed Forest Road
	Existing Road
	Closed Road
	Property Line
	Proposed Harvest Units
	Cable Logging
	Shovel Logging
	Cataloged Anadromous
	Non Cataloged Anadromous
	Water Quality Class C
	Water Quality Class D
	General Water Quality

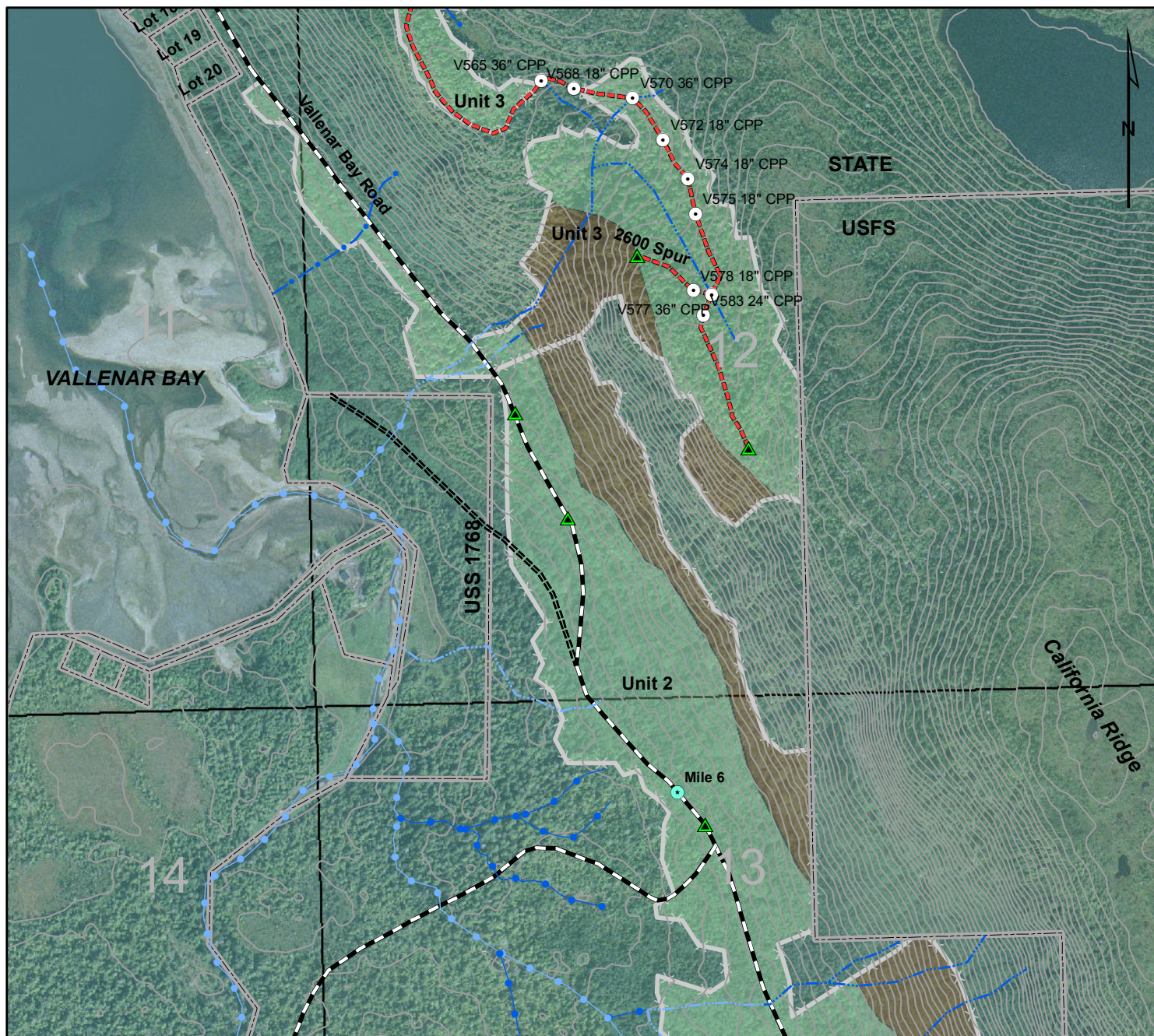
EXHIBIT B **SSE-1345K** **VALLENAR BAY** **TIMBER SALE** **Unit 1**



DIVISION OF FORESTRY

Map Location 1 in = 2 miles

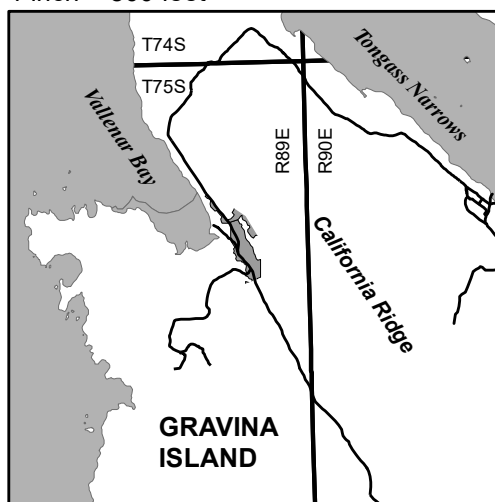
Date: 8/27/2018 PL



0 400 800 1,600 Feet
1 inch = 800 feet

T75S R89E
Sections 12, 13, 14 and 24 CRM

Contour Interval = 25 feet



Legend	
	Eagle Nest
	Drainage Structures
	Rock Pits
	Proposed Tower Landing
	Proposed Forest Road
	Existing Road
	Closed Road
	Property Line
	Proposed Harvest Units
	Cable Logging
	Shovel Logging
	Catologed Anadromous
	Non Catologed Anadromous
	Water Quality Class C
	Water Quality Class D
	General Water Quality

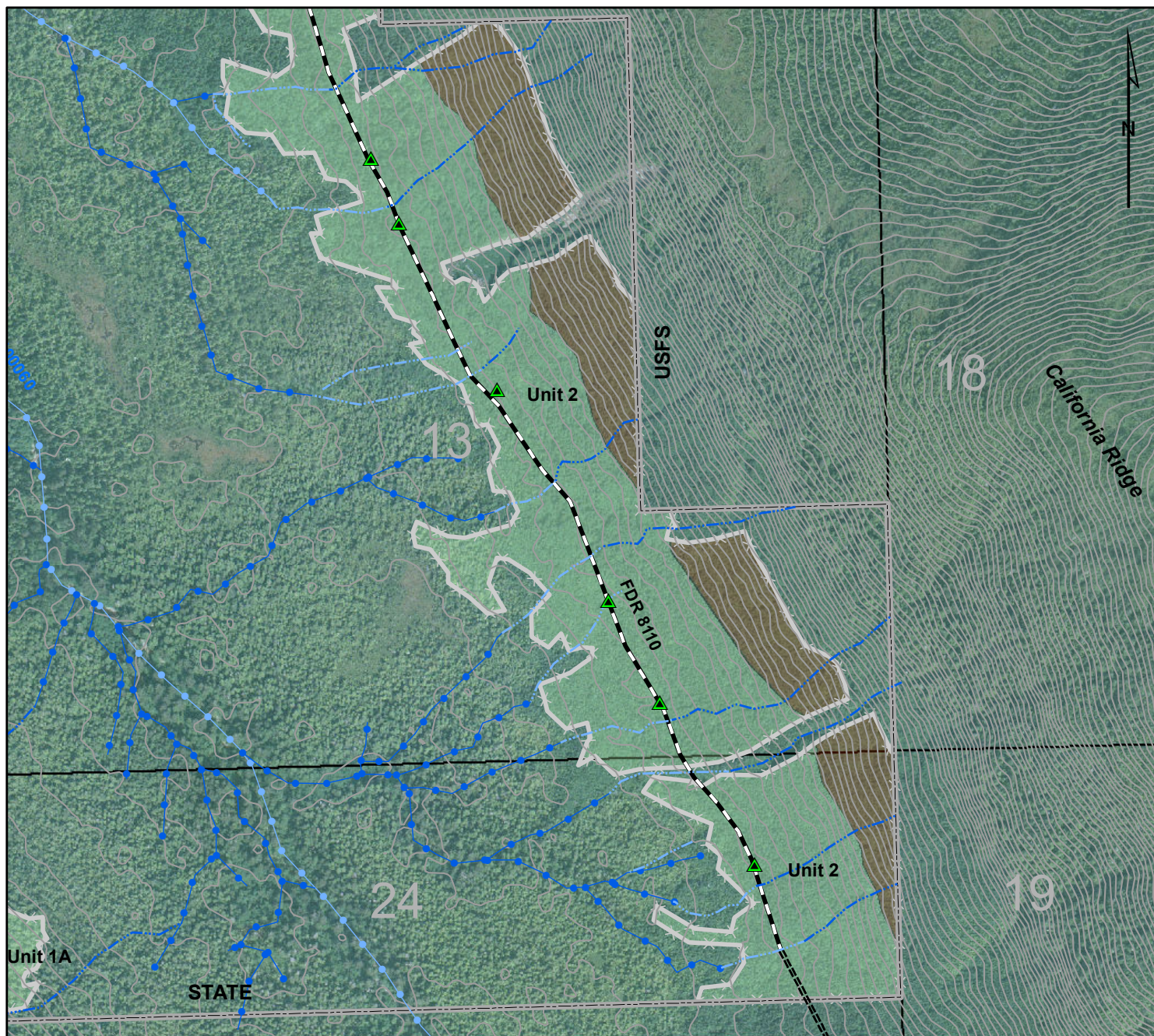
EXHIBIT B **SSE-1345K** **VALLENAR BAY** **TIMBER SALE** **Unit 2 North**



DIVISION OF FORESTRY

Map Location 1 in = 2 miles

Date: 8/27/2018 PL



0 400 800 1,600 Feet
1 inch = 800 feet

T75S R89E
Sections 12, 13, 14 and 24 CRM

Contour Interval = 25 feet

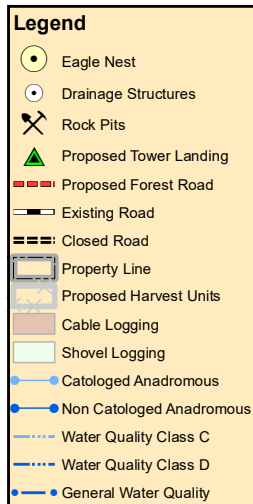
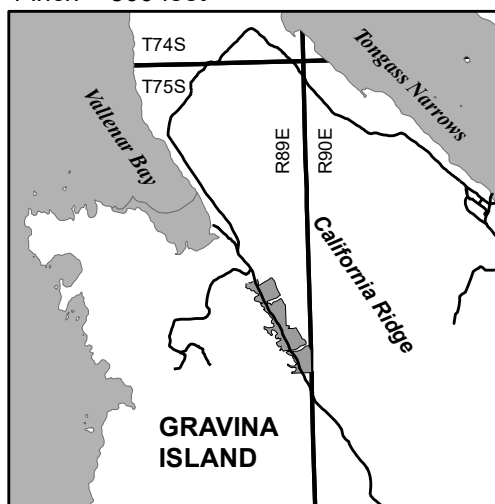


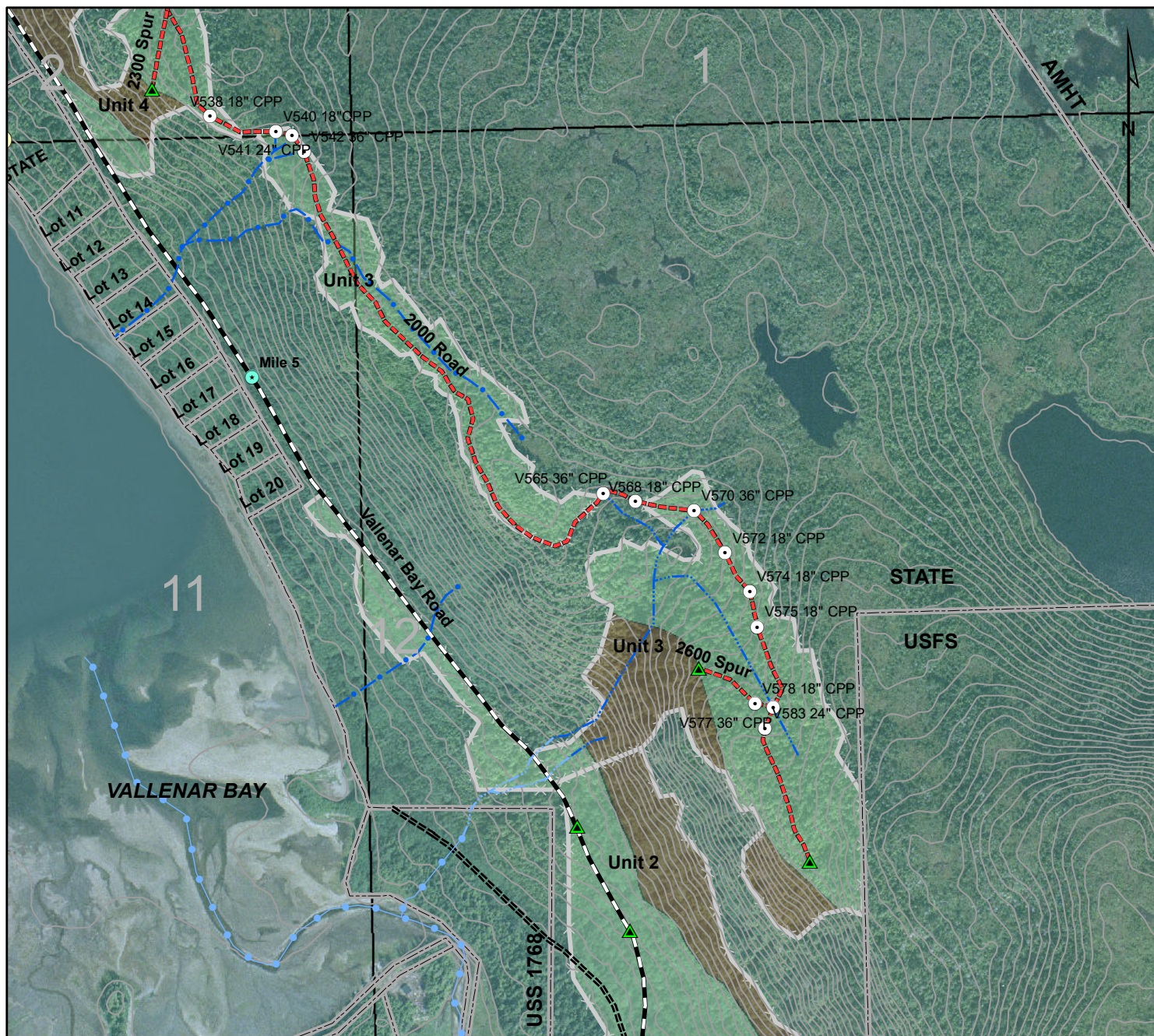
EXHIBIT B **SSE-1345K** **VALLENAR BAY** **TIMBER SALE** **Unit 2 South**



DIVISION OF FORESTRY

Map Location 1 in = 2 miles

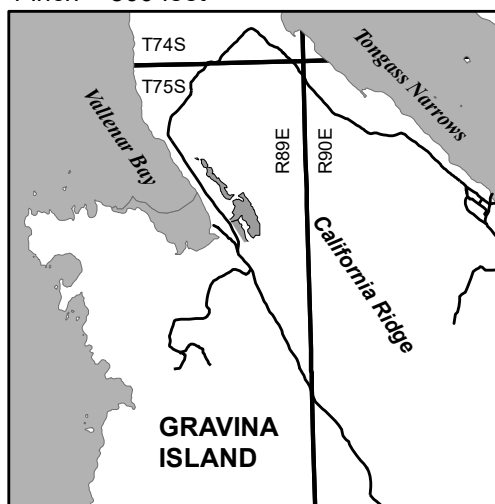
Date: 8/27/2018 PL



0 400 800 1,600 Feet
1 inch = 800 feet

T75S R89E
Sections 12, 13, 14 and 24 CRM

Contour Interval = 25 feet



Legend	
	Eagle Nest
	Drainage Structures
	Rock Pits
	Proposed Tower Landing
	Proposed Forest Road
	Existing Road
	Closed Road
	Property Line
	Proposed Harvest Units
	Cable Logging
	Shovel Logging
	Cataloged Anadromous
	Non Cataloged Anadromous
	Water Quality Class C
	Water Quality Class D
	General Water Quality

EXHIBIT B SSE-1345K VALLENAR BAY TIMBER SALE Unit 3



DIVISION OF FORESTRY

Map Location 1 in = 2 miles

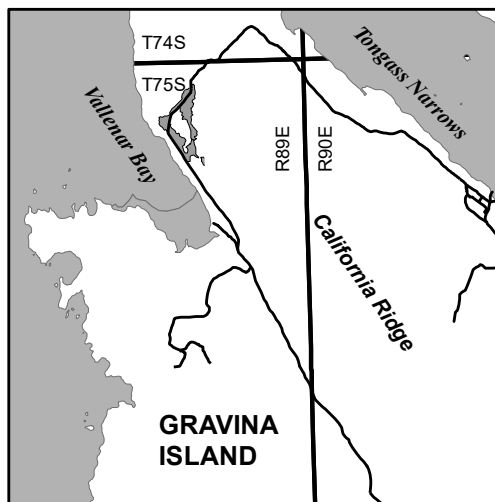
Date: 8/27/2018 PL



0 400 800 1,600 Feet
1 inch = 800 feet

T75S R89E
Sections 12, 13, 14 and 24 CRM

Contour Interval = 25 feet



Legend	
	Eagle Nest
	Drainage Structures
	Rock Pits
	Proposed Tower Landing
	Proposed Forest Road
	Existing Road
	Closed Road
	Property Line
	Proposed Harvest Units
	Cable Logging
	Shovel Logging
	Cataloged Anadromous
	Non Cataloged Anadromous
	Water Quality Class C
	Water Quality Class D
	General Water Quality

EXHIBIT B SSE-1345K VALLENAR BAY TIMBER SALE Unit 4 & 5



DIVISION OF FORESTRY

Map Location 1 in = 2 miles

Date: 8/27/2018 PL

Appendix B: Supporting Documentation

Alaska Forest Practices and Regulations.

<http://forestry.alaska.gov/forestpractices>

Forest Road and Bridge Standards.

http://forestry.alaska.gov/Assets/uploads/DNRPublic/forestry/pdfs/resources/forest_road_standard_design_20151231.pdf

http://forestry.alaska.gov/Assets/uploads/DNRPublic/forestry/pdfs/resources/forest_bridge_standard_design_20150128.pdf

No ADFG fish way permits are required.

Appendix C: Title 11.02 Appeal Statutes and Regulations

Title 11.02 Appeals

TITLE 11. NATURAL RESOURCES.

CHAPTER 02. APPEALS.

Section

10. Applicability and eligibility

15. Combined decisions

20. Finality of a decision for purposes of appeal to court

30. Filing an appeal or request for reconsideration

40. Timely filing; issuance of decision

Section

50. Hearings

60. Stays; exceptions

70. Waiver of procedural violations

80. (Repealed)

900. Definitions

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. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

Authority: AS 03.05.010 AS 38.04.900 AS 38.08.110 AS 41.15.020 AS 44.37.011

AS 29.65.050	AS 38.05.020	AS 38.09.110	AS 41.17.055	AS 46.15.020
AS 29.65.120	AS 38.05.035	AS 38.50.160	AS 41.21.020	AS 46.17.030

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) A decision of the department may include a statement that a final consistency determination under AS 46.40 (Alaska Coastal Management Program) has been rendered in conjunction with the decision. A person may not, under this chapter, appeal or request reconsideration of the final consistency determination, including a requirement necessary solely to ensure the activity is consistent with the Alaska coastal management program as approved under AS 46.40. (Eff. 9/19/2001, Register 159)

Authority:	AS 29.65.050	AS 38.04.900	AS 38.05.035	AS 38.09.110
	AS 29.65.120	AS 38.05.020	AS 38.08.110	AS 38.50.160

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. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

Authority:	AS 03.05.010	AS 38.04.900	AS 38.08.110	AS 41.15.020	AS 44.37.011
	AS 29.65.050	AS 38.05.020	AS 38.09.110	AS 41.17.055	AS 46.15.020
	AS 29.65.120	AS 38.05.035	AS 38.50.160	AS 41.21.020	AS 46.17.030

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, fax, or electronic mail;

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(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 11AAC 05.160. (Eff 11/7/90, Register 116; am 9/19/2001, Register 159; am 7/01/2018, Register 227).

(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 requirement 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 who believes a stay of the decision is justified 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. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

Authority:	AS 03.05.010	AS 38.04.900	AS 38.08.110	AS 41.15.020	AS 44.37.011
	AS 29.65.050	AS 38.05.020	AS 38.09.110	AS 41.17.055	AS 46.15.020
	AS 29.65.120	AS 38.05.035	AS 38.50.160	AS 41.21.020	AS 46.17.030
	AS 37.10.050				

Editor's note: The address for an appeal or request for reconsideration by personal service and by mail is: Department of Natural Resources, Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501-3561. The number for an appeal or request for reconsideration by fax is: 1-907-269-8918. The electronic mailing address for an appeal or request for reconsideration by electronic mail is: dnr_appeals@dnr.state.ak.us

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.

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(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). (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

Authority:	AS 03.05.010	AS 38.04.900	AS 38.08.110	AS 41.15.020	AS 44.37.011
	AS 29.65.050	AS 38.05.020	AS 38.09.110	AS 41.17.055	AS 46.15.020
	AS 29.65.120	AS 38.05.035	AS 38.50.160	AS 41.21.020	AS 46.17.030

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. (Eff. 11/7/90, Register 116)

Authority:	AS 03.05.010	AS 38.04.900	AS 38.09.110	AS 41.17.055	AS 46.17.030
	AS 29.65.050	AS 38.05.020	AS 38.50.160	AS 41.21.020	
	AS 29.65.120	AS 38.08.110	AS 41.15.020	AS 46.15.020	

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.

Forest Land Use Plan for Vallenar Bay Timber Sale / SSE-1345K

(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. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

Authority:	AS 03.05.010	AS 38.04.900	AS 38.08.110	AS 41.15.020	AS 46.15.020
	AS 29.65.050	AS 38.05.020	AS 38.09.110	AS 41.17.055	AS 46.17.030
	AS 29.65.120	AS 38.05.035	AS 38.50.160	AS 41.21.020	

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. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

Authority:	AS 03.05.010	AS 29.65.120	AS 38.05.035	AS 38.50.160	AS 41.21.020
	AS 03.10.020	AS 38.04.900	AS 38.08.110	AS 41.15.020	AS 46.15.020
	AS 29.65.050	AS 38.05.020	AS 38.09.110	AS 41.17.055	AS 46.17.030

11 AAC 02.080. DEFINITIONS. Repealed. (Eff. 11/7/90, Register 116; repealed 9/19/2001, Register 159)

Editor's note: The subject matter formerly set out at 11 AAC 02.080 has been moved to 11 AAC 02.900.

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;

Forest Land Use Plan for Vallenar Bay Timber Sale / SSE-1345K

(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. (Eff. 11/7/90, Register 116; am 9/19/2001, Register 159)

Authority:	AS 03.05.010	AS 38.05.020	AS 38.09.110	AS 41.17.055	AS 44.62.540
	AS 29.65.050	AS 38.05.035	AS 38.50.160	AS 41.21.020	AS 46.15.020
	AS 29.65.120	AS 38.08.110	AS 41.15.020	AS 44.37.011	AS 46.17.030
	AS 38.04.900				

Editor's note: The subject matter of 11 AAC 02.900 was formerly located at 11 AAC 02.080. The history note for 11 AAC 02.900 does not reflect the history of the earlier section.

Appendix D: Draft FLUP Public and Agency Comments

DEPARTMENT OF NATURAL RESOURCES

Comments Received from the Public
on the
Vallenar Bay Timber Sale
Draft Forest Land Use Plan

July 2018

Appendix E
Public and Agency Comments and Responses

Abbreviated Name	Commenter - Full Name and Affiliation	Date Received
ADFG	Mark Minnillo Division of Habitat Alaska Dept. of Fish & Game	July 31, 2018
ADOT	Joanne Schmidt Southcoast Region Alaska Dept. of Transportation	July 11, 2018
ADNR-DMLW	Virginia Batts Acting Regional Manager Alaska Dept. of Natural Resources, Division of Mining, Land & Water	August 1, 2018
Palkovic	Pat Palkovic, owner Lot 14, ASLS 85-86	July 30, 2018

Category	Commenter	Comment	DOF Reply
Fish and Wildlife	ADFG	Although the existing mainline road crosses several anadromous water bodies (previously permitted by ADFG Habitat), all drainages on the project that will be crossed with proposed road are water quality streams. No additional Fish Habitat permits will be required.	No change needed.
General	ADOT	There do not appear to be any concerns or perceived conflicts at this time. Please keep us in the loop for the proposed Bostwick Lake Road timber sale, we would like to weigh in on that as well.	No change needed.
General	ADNR-DMLW	“Exhibit A depicts road access that extends below mean high water (MHW) in a different color that is not represented in the legend. This seems to inaccurately suggest that FDR 8110 provides access from Vallenar Bay to the upland road system.” “if access from below MHW within Vallenar Bay is planned, it will require written authorization from DNR – Division of Mining, Land & Water (DMLW).”	The representation of the closed section of FDR 8110 in the draft FLUP was an editing error. It has been corrected in the record. The DOF previously recognized the restrictions on the access easement and the management intent of the area plan for the Vallenar tidelands in the BIF.

Slope Stability	Palkovic	<p>I own one of the lots downhill of unit 3. I purchased the property before the land above became part of the state forest and the management intent changed. As indicated in the FLUP, much of the hillside above the subdivision is steep and/or unstable. This area was also identified as a potentially slide prone area by the Science and Technical Committee on Landslides and Public Safety. To maintain slope stability as much as possible, I ask that:</p> <ul style="list-style-type: none"> -the road be full bench on portions that face the subdivision, -avoid any side casting, -avoid loading the road edge or hillside with slash, -have adequate ditch line and drainage structures to ensure water does not pool above the road, and -close the road promptly after harvest and install numerous water bars. 	<p>DOF agrees with request. No change to FLUP needed. The DOF observed indicators of slope instability during the field layout for the road. The 2009 Forest Resources and Practices Act Science and Technical Committee on Landslides developed best practices/recommendations for operating in slide-prone area, and DOF followed those guidelines in laying out the sale, designing the access, and will continue to follow them as access to the area is developed and timber is harvested. Several routes were considered to avoid and minimize the exposure of the road to potential instability. The location chosen avoids the steepest ground and places the road on a natural bench above the steeper rock bluffs. The 275-foot long portion noted in Section IV. B. of the FLUP, under Side Slopes / Mass Wasting is the one area that is not clearly on a bedrock bench. That short section (V537 to V539) is on steep ground that that shows evidence of being bedrock controlled, so it is highly unlikely to slide. The DOF will employ the methods you have referenced through the timber sale contract to mitigate the risk to the hillside below.</p>
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