

NOTICE OF PROPOSED REGULATION CHANGES ON NEGOTIATED TIMBER SALES
IN THE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources proposes to revise two regulations for state timber sales to provide additional time for operators to complete small negotiated sales and to conform with recent statutory changes in requirements for negotiated sales to local manufacturers.

The Department of Natural Resources proposes to adopt regulation changes in 11 AAC 71. Timber and Material Sales of the Alaska Administrative Code, dealing with negotiated timber sales, including the following:

- (1) 11 AAC 71.045(e) is proposed to be changed to increase the maximum period of time for a small negotiated timber sale under AS 38.05.115 from one year to two years.
- (2) 11 AAC 71.055(a) is proposed to be changed to clarify that a public interest finding is required for an AS 38.05.118 negotiated sale, and that a sale to a local manufacturer includes both wood products manufacturers and users of wood fiber.
- (3) 11 AAC 71.055(a)(1), (a)(2), and (a)(3) are proposed to be repealed to align this regulation with recent changes to AS 38.05.118, the statutory authority for negotiated timber sales to local manufacturers. This change provides the Department of Natural Resources with more flexibility to use negotiated sales to meet local timber industry needs statewide.

You may comment on these proposed regulation changes, including the potential costs to private persons complying with the proposed changes, by submitting written comments to the Department of Natural Resources, Division of Forestry, at 3700 Airport Way, Fairbanks, AK 99709. Additionally, the Division of Forestry will accept comments by facsimile at (907) 451-2690 and by email at james.schwarber@alaska.gov. **The comments must be received by the department no later than 5:00 p.m. on Friday, April 20, 2018.**

You may submit written questions relevant to the proposed action to:

James Schwarber, Division of Forestry, 3700 Airport Way, Fairbanks, AK 99709; Fax (907) 451-2690, or Email james.schwarber@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Division of Forestry will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System <https://aws.state.ak.us/OnlinePublicNotices> and the agency website <http://www.forestry.alaska.gov/whatsnew>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact James Schwarber at james.schwarber@alaska.gov or by phone (907)451-2704 not later than April 6, 2018, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting James Schwarber at james.schwarber@alaska.gov or by phone (907)451-2704.

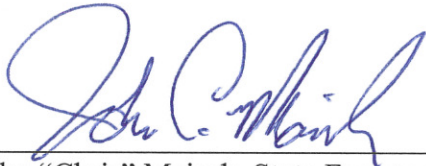
After the public comment period ends, the Department of Natural Resources will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments received are public records and are subject to public inspection.

Statutory authority: AS 38.05.020; AS 38.05.115; AS 38.05.118; AS 38.05.120; AS 38.05.850; AS 38.05.860; AS 38.35.020;

Statutes being implemented, interpreted, or made specific: AS 38.05.115; AS 38.05.118

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

Date: 3/6/18



John "Chris" Maisch, State Forester and Director