

March 14, 2018

Representative Louise Stutes
State Capitol Room 406
Juneau, Alaska 99801



RE: House Bill 199 Fish Habitat Permitting Bill

Dear Chair Stutes and Members of the Special House Committee on Fisheries:

The Alaska Society of American Foresters (SAF), which is the professional forestry organization in Alaska, is writing you today to express our concern with HB 199, which we believe as written (version N) will place an undue burden on forest operations and silvicultural treatments in Alaska.

SAF's core values are that forests are fundamental for human welfare, can be sustained through meeting environmental and economic needs, and that Foresters serve society by providing sound knowledge and professional management of forested landscapes. In Alaska there are 102 professional members of SAF representing the forest products industry, forestry consultants, municipal, state and federal government, tribal forestry, and academia.

Alaska SAF has concerns with House Bill 199 and its relationship to existing protections for fish habitat such as the Alaska Forest Resources and Practices Act (FRPA). We feel that FRPA has been developed using scientifically rigorous methods and field tested with professionals on the ground. It appears that HB 199 has not met the same rigorous development process that FRPA has undergone and there has been no collaborative effort to draft this bill.

The Alaska Board of Forestry (BOF) advises the State of Alaska on the effectiveness of FRPA. We encourage you to talk to the BOF and review the record which substantiates the effectiveness and success of FRPA. The Best Management Practices (BMP's) under FRPA were created in a collaborative effort with foresters, habitat biologists, and water quality experts. In addition, annual reports by regulatory agencies show that FRPA is successful at both protecting fish habitat and water quality.

Alaska SAF recognizes the importance of fish as a subsistence, sport, and commercial resource for Alaska. However, it is not clear how HB 199 will improve on this critical resource. There does not appear to be any scientific analysis behind this legislation. It appears to assume that recent decreases in anadromous fish populations are a result of reductions in habitat suitability caused by surface resource development projects. However, there are many potential contributing factors such as off shore harvest, predation, or changes in ocean conditions.

As previously stated, this bill as written (version N) would place an undue burden on forest operations and silvicultural treatments in Alaska including treatments for improving wildlife habitat. This burden is especially unwarranted given there is no evidence that by following FRPA, fish habitat is not being adequately protected. The effectiveness of FRPA is a testament to state and private land owner's commitment to protecting fish habitat and water quality given the large number of inspections that have happened statewide. Also, the State of Alaska is in need of a diversified economy and market

conditions for Alaskan forest resources are such that additional operational costs can make the sale of timber and silvicultural treatments cost prohibitive.

Alaska SAF feels that the Anadromous Waters Catalog (AWC) is a tool that should continue to be developed to identify which waterbodies are to be regulated as anadromous waters. We recognize that the AWC is not complete but as new waterbodies are identified or if waterbodies were incorrectly classified they should be included or updated in the catalog. This makes for more accurate planning of forest operations. Also, FRPA already protects both cataloged and non-cataloged waters with riparian buffer strips and effective drainage on forest infrastructure. There is a very successful collaborative process under FRPA between public and private land owners and the Alaska Department of Fish and Game (ADF&G) to jointly identify and protect fish bearing streams. SAF feels strongly that this kind of state and private partnership is in the best public interest and should be upheld as a model for governing in an environment of limited public funding.

Under the section on determination of Anadromous Fish Habitat, this bill states that ADF&G will define the scope of the adjacent riparian areas that are considered anadromous fish habitat. FRPA already defines those adjacent riparian areas and it is unclear why a change is needed. Alaska SAF believes that because regulatory agencies are stating in annual reports that FRPA is working that there is no need to alter the buffer widths of surface waterbodies. Any change, if implemented, should be developed through a collaborative and scientifically driven method.

Alaska SAF feels that FRPA should be the basis for forest operations in Alaska. It is an Act that has been scientifically developed to protect non-timber resources while still allowing for economic activity and development of the resource. Alaska SAF feels that any changes to regulatory requirements of forest operations on state, municipal, private or trust lands in Alaska should be made through the FRPA effectiveness monitoring program which is part of the adaptive management strategy of the Alaska Division of Forestry.

We appreciate your time in reviewing our concerns on this bill and we make ourselves available to answer any questions if needed. We also hope to be part of the solution in protecting both fisheries resources as well as forestry operations in Alaska.

Sincerely,



Jeremy Douse
Chair, Alaska SAF
alaskasaf@gmail.com

cc: Members of the House Special Committee on Fisheries

Representative Edgmon
Representative Tarr
Representative Eastman

Representative Kreiss-Tomkins
Representative Chenault
Representative Neuman