

SUPPLEMENTAL NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF the Department of Natural Resources

Brief Description

BRIEF DESCRIPTION

The Department of Natural Resources proposes to adopt and amend regulations in title 11 of the AAC, dealing with Plant Health and Quarantine. The proposed amendments seek to more clearly define invasive weeds as pests in the existing regulations and develop a process for declaring a plant invasive and management thereof.

The Department of Natural Resources proposes to adopt regulation changes in Title 11 of the Alaska Administrative Code, dealing with Plant Health and Quarantine, which includes the following:

- (1) 11 AAC 34 will be amended to clarify the invasive weeds and agricultural pest regulations, create a process to develop a pest and invasive plant list, and develop a framework that will result in more proactive management and prevention. Throughout, language is also amended to include gender neutral terms, the correct nomenclature of weeds listed in the regulations, and to identify invasive plants alongside pests as regulated entities.
- (2) 11 AAC 34.130 will be amended to include a process to develop and publish a list of pest and invasive plant species subject to quarantine in conjunction with experts and interest groups identified in AS 03.05.027(d).
- (3) 11 AAC 34.140 will be amended to include a process for developing and publishing a list of pests and invasive plants to include ranking and management. This list may be regionalized by Soil and Water Conservation District Boundaries to reflect the varying pest and invasive plant management priorities in different regions of Alaska and will encourage coordination between groups identified in AS 03.05.027(d).
- (4) 11 AAC 34.155 will be amended to expand the list of items the director may designate as not subject to inspection for pests or invasive plants.
- (5) 11 AAC 34.170 will be amended to include clarifying language regarding the treatment of pests and invasive plants in shipments. In addition, 11 AAC 34.170(b) will be added to clarify that the approach to managing pests and invasive plants found infesting lands in the state will be dictated by the category of pest as identified in AS 03.05.027(d).

This is a SUPPLEMENTAL NOTICE extending the comment period for the Notice of Proposed Regulations of the Department of Natural Resources that was published on October 26, 2012. Department of Law File number JU2012200596.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Brianne Blackburn with the Division of Agriculture at 5310 S. Bodenburg Spur Rd, Palmer, AK 99645. Additionally, the Division of Agriculture will accept comments by facsimile at (907) 746-1568 and by electronic mail at Brianne.Blackburn@alaska.gov. The comments must be received no later than 4:00pm on February 28th, 2013.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact ADA Coordinator at TDD No. 907-269-8411 no later than February 25th, 2013 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Brianne Blackburn at 5310 S. Bodenburg Spur Rd, Palmer, AK 99645, Brianne.Blackburn@alaska.gov or go to <http://dnr.alaska.gov/ag/>.

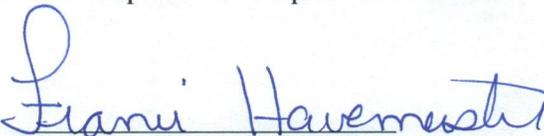
After the public comment period ends, the Department of Natural Resources will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.

Statutory Authority: AS 03.05.010 ; AS 03.05.030; AS 44.37.030; AS 03.05.027

Statutes Being Implemented, Interpreted, or Made Specific: AS 03.05.010; AS 03.05.030; AS 44.37.030; AS 03.05.027

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

DATE: January 29th, 2013



Franci Havemeister, Director
Division of Agriculture