



United States Department of the Interior

OFFICE OF THE SECRETARY

1689 C Street, Suite 100
Anchorage, Alaska 99501-5151


March 31, 1994

Rod Kuhn, EIS Project Manager
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, Alaska 99501

Dear Mr. Kuhn:

Enclosed are the comments of the Fish and Wildlife Service, the National Park Service and the Bureau of Indian Affairs on the Exxon Valdez Oil Spill Trustee Council's Draft Restoration Plan. If you have any questions, please call me at 271-5485.

Sincerely,


Deborah L. Williams
Special Assistant to the Secretary

Enclosures (3)





IN REPLY REFER TO:

RS/PL/0036.MRH

United States Department of the Interior

FISH AND WILDLIFE SERVICE
1011 E. Tudor Rd.
Anchorage, Alaska 99503



MAR 25 1994

Memorandum

To: Special Assistant to the Secretary for Alaska

From: Regional Director
Region 7

Subject: Review of the Exxon Valdez Oil Spill Restoration Plan

The Fish and Wildlife Service has reviewed the Draft Exxon Valdez Oil Spill Restoration Plan (Draft Restoration Plan) to determine, in accordance with the requirements of Council on Environmental Quality regulation 1502.16(c), if there are possible conflicts between the proposed action and the objectives of the Comprehensive Conservation Plans (CCPs) for Alaska Maritime, Alaska Peninsula/Bearof, and Kodiak National Wildlife Refuges.

The general nature of the Draft Restoration Plan makes it difficult to determine whether there would be any conflicts with the management direction presented in the CCPs for the affected refuges. It appears that certain future actions which may be undertaken, specifically actions resulting in development of new facilities, employing habitat manipulation techniques, or otherwise impacting refuge lands, could be in conflict with the provisions of the CCPs. Such projects are likely to have environmental impacts and should be addressed in site-specific environmental assessments or, if necessary, environmental impact statements, according to the discussion on implementation of the restoration plan (page 7).

Our primary concern is that we continue to be informed of restoration activities planned for refuge lands. Our input on these projects should be sought early in the planning process so that potential conflicts can be identified and resolved, hopefully to the satisfaction of all concerned parties, without additional impacts to refuge lands and resources.

Thank you for the opportunity to provide input on the environmental impact statement for the Draft Restoration Plan at this early stage in its development. If you have any questions regarding our response, or wish to discuss this issue further, contact Leslie Kerr, Chief of Refuge Planning at 786-3502.

Walt Stiefitz



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

Alaska Regional Office
2525 Gambell Street, Room 107
Anchorage, Alaska 99503-2892

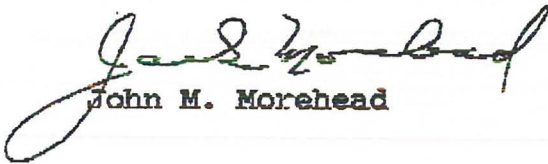


MAR 29 1994

Memorandum

To: Special Assistant to the Secretary for Alaska
From: Regional Director, National Park Service
Subject: Exxon Valdez Oil Spill Draft Restoration Plan,
Environmental Impact Statement

The National Park Service is very familiar with the draft restoration plan produced by the Trustee Council. We are not aware of any conflicts between that plan and objectives of National Park Service land use plans for parks in the spill area. If you need any further information regarding this matter, please contact Sandy Rabinowitch, Acting Chief, Coastal Programs Division at 257-2653.


John M. Morehead

UNITED STATES GOVERNMENT

memorandum

DATE: March 30, 1994

REPLY TO
ATTN OF: Area Director

SUBJECT: Exxon Valdez Draft Restoration Plan

BUREAU OF INDIAN AFFAIRS

JUNEAU AREA OFFICE

TO: Special Assistant to the Secretary for Alaska

In response to your memorandum of March 17, 1994, the Bureau of Indian Affairs submits a negative response. There are no conflicts between the proposed action(s) and land use plans for restricted Native allotments managed by the Bureau.

However, the Bureau will continue to work with the affected tribes to ensure subsistence activities and resources are restored and protected.


Niles C. Cesar

Post-It™ brand fax transmittal memo 7871		# of pages > 1
To Ron McCoy	From C. Beach	
Co.	Co.	
Dept.	Phone #	
Fax # 271-4102	Fax #	

6
EIS

United States
Department of
Agriculture

Forest
Service

Chugach
National
Forest

3301 "C" Street
Suite 300
Anchorage, AK 99503-3998

Reply to: 1950

Date: April 5, 1994

Subject: Analysis of Land Management Plans for Conflicts with Restoration Plan

To: Rod Kuhn, Restoration Plan EIS Team Leader

I have reviewed the Draft Restoration Plan (the proposed action in the EIS) for possible conflicts with Federal, regional, State, local and Native land use plans, policies and controls for the oil spill area in accordance with 40 CFR 1502.16(c). I started by reviewing the policies in Chapter 2, the categories of restoration actions in Chapter 3, and the resource and service specific objectives in Chapter 4 of the Draft Restoration Plan.

I then reviewed Coastal Management Programs and other land management plans to identify any conflicts between the objectives and controls in those plans and the policies, restoration actions and objectives of the Draft Restoration Plan. Plans that I reviewed include:

- * The 1964 Chugach National Forest Land and Resource Management Plan as amended.
- * The 1986 Kenai River Comprehensive Management Plan.
- * The 1988 Prince William Sound Area Plan for State Lands.
- * The 1989 Alaska Coastal Management Program Statutes and Regulations.
- * The 1989 City of Whittier Coastal Management Program.
- * The Valdez Coastal Management Program reprinted July 1992.
- * The 1986 Cordova Coastal Management Program.
- * The 1990 Kenai Peninsula Borough Coastal Management Program
- * The 1992 Port Graham/Nanwalek Area Which Merits Special Attention
- * The 1983 Kodiak Island Borough Coastal Management Program

Chugach National Forest Land and Resource Management Plan. A review of the relationship between the Chugach Forest Plan and EVOS activities was conducted by the Forest Planning shop and reached the following conclusions:

1. Current Forest Plan management direction allows for implementation of EVOS restoration activities identified in the Draft Plan.
2. Habitat protection and acquisition is compatible and consistent with Forest Plan direction. Much of the Chugach National Forest has a protective management

prescription and is naturally protected because of remoteness or topography. 3. The Forest Plan does not need to be amended to achieve the goals of the Draft Restoration Plan.

4. Restoration activities approved to date are appropriate and consistent with the current Forest Plan management prescriptions section where appropriate management practices and activities are identified.

5. The goals and objectives of EVOS Monitoring and Research programs are fully compatible with those outlined in the Forest Plan.

6. Many of the scheduled Chugach National Forest projects will provide incidental benefits toward reaching EVOS restoration objectives if funded and implemented.

Prince William Sound Plan for State Lands. The area wide land management policies outlined in chapter 2 of the plan consist of goals and management guidelines for coordination and public notice; fish and wildlife habitat and harvest areas; floating residential and commercial facilities; forestry; instream flow; mariculture; materials; public and private access; recreation, tourism cultural and scenic resources; settlement; shoreline development; subsurface resources; and transportation and utilities. Many of the management guidelines presented in the plan compliment restoration objectives outlined in the Draft Restoration Plan. While some of the activities that could be carried out on State land within Prince William Sound could conflict with restoration objectives, the plan itself does not conflict with the Draft Restoration Plan.

Alaska Coastal Management Program Statutes and Regulations. The pertinent section of the Alaska Coastal Management Program is 6 AAC Chapter 80. This chapter details the standards used by state agencies in carrying out their responsibilities under the Alaska Coastal Management Act. Standards have been established for activities related to coastal development; geophysical hazard areas; recreation; energy facilities; transportation and utilities; fish and seafood processing; timber harvest and processing; subsistence; habitats; air, land and water quality; historic, prehistoric, and archaeological resources; and areas which merit special attention.

All of the standards in the Alaska Coastal Management Act are designed to minimize conflicts between resource use and resource protection. The intent of the standards appears to be maintaining a healthy functioning ecosystem. Objectives of the ACMP, under which all Borough, city or Areas Meriting Special Attention (AMSA) coastal management programs fall are outlined below.

1. The use, management, restoration and enhancement of the overall quality of the coastal environment;
2. the development of industrial or commercial enterprises which are consistent with the social, cultural, historic, economic, and environmental interests of the people of the state;
3. the orderly, balanced utilization and protection of the resources of the coastal area consistent with sound conservation and sustained yield principals;

4. the management of coastal land and water uses in such a manner that, generally, those uses which are economically or physically dependent on a coastal location are given higher priority when compared to uses which do not economically or physically require a coastal location;
5. the protection and management of historic, cultural, natural and aesthetic values and natural systems or processes within the coastal area;
6. the prevention of damage to or degradation of land and water reserved for their natural values as a result of inconsistent land or water usages adjacent to that land;
7. the recognition of the need for a continued supply of energy to meet the requirements of the state and the contribution of a share of the state's resources to meet national energy needs; and
8. the full and fair evaluation of all demands on the land and water in the coastal area.

The ACMP policies, standards, and objectives are not in conflict with the goals and objectives of the Draft Restoration Plan. The Draft Restoration Plan is consistent with the Alaska Coastal Management Program to the maximum extent practicable.

Kenai River Comprehensive Management Plan. The goals and objectives section is the pertinent section of the Kenai River Management Plan. The plan is designed to protect and perpetuate the fish and wildlife and their habitats along the Kenai River while protecting and enhancing public use and enjoyment of the river. These goals and objectives are in harmony with the Restoration Plan goals and objectives and there are no apparent conflicts between the two plans.

Valdez Coastal Management Program. The Valdez Coastal Management Program covers the Valdez Municipal Boundary and roughly extends from the mouth of Valdez Narrows on the west to Keystone Canyon on the east. The goals of the program are designed to facilitate reasonable community expansion and development while meeting resource protection laws and regulations. The goals dealing with industrial, commercial and residential development could be construed to be in conflict with the Draft Restoration Plan. However, this development is focused in areas already receiving high human use or on lands with low value as habitat for injured resources. Other coastal program goals are designed to protect coastal habitats and scenic beauty and therefore compliment the objectives of the Draft Restoration Plan.

Cordova Coastal Management Program. The Cordova Coastal Management Program covers the city limits of Cordova. The objectives outlined in the plan are to be used in evaluating plans or permit applications for development within the program boundaries. They are designed to minimize impacts to the coastal zone while allowing for water-related or water-dependent uses. These objectives do not appear to conflict with the goals and objectives of the Draft Restoration Plan.

Port Graham/Nanwalek Area Which Merits Special Attention. The Port Graham/Nanwalek AMSA covers most of the Port Graham and Nanwalek Village Corporation lands to the west of Kachemak Bay State Wilderness Park. The AMSA includes Windy Bay, Port Chatham and the Chugach Islands. The area was designated as an AMSA to 1) protect traditional human

subsistence needs; 2) maintain the high quality and productivity of important coastal habitats and resources; 3) minimize conflicts between uses of coastal resources and development activities; and 4) preserve unique cultural values, life styles, and sites of historic and archaeologic significance, and areas of outstanding scenic beauty. The goals for water quality, coastal erosion, fish and wildlife habitat, subsistence, commercial fishing, mariculture, cultural resources, transportation, recreation and tourism, navigation obstruction, timber harvest, fish and seafood processing, and oil spill emergency preparedness and response; and the enforceable policies developed to further those goals go beyond the Kenai Peninsula Borough Coastal Management Program in providing protection to resources. There does not appear to be any conflict between the goals and policies of this program and the Draft Restoration Plan.

Kenai Peninsula Borough Coastal Management Program. The Kenai Peninsula Borough Coastal Management Program covers the entire Kenai Peninsula Borough up to the 1,000 ft contour. It is tiered off the State Coastal Management Program and provides more specific direction on review of uses and activities requiring permits and approvals within the coastal zone. Broad goals, specific objectives and enforceable policies are spelled out for coastal development; geophysical hazards; recreation and public access; energy and industrial development; transportation and utilities; fishing and seafood processing; mariculture; timber management; mining and mineral processing; subsistence; fish and wildlife habitat; air, land and water quality; and archaeological and historic resources.

The goals, objectives and policies are designed to allow for compatible development while maintaining a quality environment. There does not appear to be a conflict between the Kenai Peninsula Borough Coastal Management Program and the Draft Restoration Plan.

Kodiak Island Borough Coastal Management Program. The Kodiak Island Borough Coastal Management Program covers the entire Borough, from sea level to the tops of the mountains. The Borough boundary is the Kodiak Archipelago. Goals, objectives and policies that address coastal development; recreation; energy facilities; transportation; utilities; fisheries; timber harvesting and processing; agriculture; and mining and mineral processing provide direction in reviewing and approving activities and uses of the coastal zone. These goals, objectives and policies are tiered off of the State Coastal Management Program. There does not appear to be any conflict between this coastal management program and the Draft Restoration Plan.

At this time I have not received a copy of the **Eyak Lake Area Which Merits Special Attention** coastal management program. The Eyak Lake AMSA is a plan for a sensitive area under the State Coastal Management Program and, based on a review of other coastal management programs is probably not in conflict with the Draft Restoration Plan. However, once I receive a copy I will review it and notify you of my finding.

I reviewed the letters from the National Park Service and US Fish and Wildlife Service giving their analysis of conflicts between the Draft Restoration Plan and plans for parks and refuges. The National Park Service letter, dated March 29, 1994, says they are not aware of any conflicts between the Draft Restoration Plan and plans for parks in the spill area.

The March 25, 1994 letter from the US Fish and Wildlife Service says that certain specific actions that could be undertaken implementing the Restoration Plan, such as

development of new facilities or employing habitat manipulation techniques, could be in conflict with refuge plans. However, the Draft Restoration Plan does not identify where any actions will occur and requires that all actions be in compliance with federal and state laws and regulations. There is no provision or direction in the Draft Restoration Plan to conduct activities on any federal, state or private land when the land manager is not in agreement with the action. Therefore it is unlikely that actions implementing the Restoration Plan would not be in compliance with refuge plans when undertaken on refuges.

/s/Ken Rice
Environmental Coordinator

B
EIS

United States
Department of
Agriculture

Forest
Service

Chugach
National
Forest

3301 "C" Street
Suite 300
Anchorage, AK 99503-3998

Reply to: 1950

Date: May 23, 1994

Subject: Analysis of Land Management Plans for Conflicts with Restoration Plan

To: Rod Kuhn, Restoration Plan EIS Team Leader

I have reviewed the Draft Restoration Plan (the proposed action in the EIS) for possible conflicts with Federal, regional, State, local and Native land use plans, policies and controls for the oil spill area in accordance with 40 CFR 1502.16(c). I started by reviewing the policies in Chapter 2, the categories of restoration actions in Chapter 3, and the resource and service specific objectives in Chapter 4 of the Draft Restoration Plan.

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2. Habitat protection and acquisition is compatible and consistent with Forest Plan direction. Much of the Chugach National Forest has a protective management prescription and is naturally protected because of remoteness or topography.
3. The Forest Plan does not need to be amended to achieve the goals of the Draft Restoration Plan.
4. Restoration activities approved to date are appropriate and consistent with the current Forest Plan management prescriptions section where appropriate management practices and activities are identified.
5. The goals and objectives of EVOS Monitoring and Research programs are fully compatible with those outlined in the Forest Plan.
6. Many of the scheduled Chugach National Forest projects will provide incidental benefits toward reaching EVOS restoration objectives if funded and implemented.

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4. the management of coastal land and water uses in such a manner that, generally, those uses which are economically or physically dependent on a coastal location are given higher priority when compared to uses which do not economically or physically require a coastal location;
5. the protection and management of historic, cultural, natural and aesthetic values and natural systems or processes within the coastal area;
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7. the recognition of the need for a continued supply of energy to meet the requirements of the state and the contribution of a share of the state's resources to meet national energy needs; and
8. the full and fair evaluation of all demands on the land and water in the coastal area.

The ACMP policies, standards, and objectives are not in conflict with the goals and objectives of the Draft Restoration Plan. The Draft Restoration Plan is consistent with the Alaska Coastal Management Program to the maximum extent practicable.

Whittier Coastal Management Plan. The Whittier Coastal Management Plan covers the western and southern portion of Passage Canal from the Anchorage Municipality boundary to about one mile east of Shotgun Cove. The goals and objectives of this plan revolve around a theme of providing for orderly development of the Whittier coastal management area while protecting other resource values to the extent possible. Improving access to Whittier and Shotgun Cove and developing Shotgun Cove for residential and as a small boat harbor are examples of the plans goals. Two areas which merit special attention are identified in the plan, the Shotgun Cove/Emerald Bay Subdivision and the Whittier Port and Harbor.

The Whittier CMP policies are designed to minimize impacts to coastal resources while allowing appropriate development to occur within the coastal area. The goals, objectives and policies of the Whittier Coastal Management Plan while not directly contributing to the goals of the Draft Restoration Plan direct development to already developed lands or private lands and therefore are not in conflict with the Draft Restoration Plan.

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/s/Ken Rice
Environmental Coordinator
052394 1129 1950 KWR

MESSAGE SCAN FOR CECIL R. KUHN

To R.Kuhn

From: Kenneth W. Rice

Postmark: May 23,94 11:31 AM

Delivered: May 23,94 11:33 AM

Status: Urgent

Subject: Revised letter on conflicts with other plans.

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United States Department of the Interior

OFFICE OF THE SECRETARY

1689 C Street, Suite 100
Anchorage, Alaska 99501-5151



B
EIS

March 17, 1994

MEMORANDUM

TO: Regional Director, Fish and Wildlife Service
Regional Directors, National Park Service
Area Director, Bureau of Indian Affairs
State Director, Bureau of Land Management
Regional Director, Minerals Management Service

FROM: Special Assistant to the Secretary for Alaska *Deborah Williams*

SUBJECT: Exxon Valdez Oil Spill Draft Restoration Plan,
Environmental Impact Statement

As you know, the Exxon Valdez Oil Spill (EVOS) Trustee Council is preparing an Environmental Impact Statement on the Draft Restoration Plan for restoring resources and associated services injured by the oil spill. The Draft Restoration Plan, which was approved by the Trustee Council on January 31, 1994, is the proposed action.

The purpose of this memorandum is to determine, in accordance with the requirements of CEQ regulation 1502.16(c), if there are possible conflicts between the proposed action and objectives of land use plans for lands managed by Department of the Interior bureaus in the oil spill area.

Because of the expedited schedule for this EIS, please provide me with a response to this request by Monday, March 28, 1994. If you have any questions, please call me at 271-5485.

United States Department of the Interior

OFFICE OF THE SECRETARY

Office of Environmental Policy and Compliance

1639 C Street, Room 119

Anchorage, Alaska 99501-5126

TELEFAX

TO:

Rod Kubur

FROM:

Paul D. Gates

Verification Number:

(907) 271-5011

Telefax Number:

(907) 271-4102

Number of Pages to Follow: 1

Date:

3-18-94

Time:

11:00 #

*Red This memo
was provided to
all the RD yesterday
Shirley McCain program
for Deborah Williams
by March 30.
Please give me a call
if you need any thing else
on this.*

Paul

