



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
1689 C. Street, Room 119
Anchorage, Alaska 99501-5126

March 14, 2003

Commander (mor) – Attn: Mitch Deely
17th Coast Guard District
P.O. Box 25517
Juneau, Alaska 99802-5517

Dear Mr. Deely:

This letter is in response to the February 3, 2003, request for comments for the preparation of an initial working draft of *Change 3 to the Alaska Federal/State Preparedness Plan for Response to Oil and Hazardous Substance Discharges/Releases (Unified Plan)*. Preliminary comments on behalf of the U.S. Department of the Interior are identified below and will be provided to you via email as well.

SPECIFIC COMMENTS:

Page 1, Emergency Notifications. To facilitate notification of natural resource trustees, we recommend adding the following new entry after “STATE:”

TRUSTEES: NATURAL RESOURCE TRUSTEES. See Annex E, Tab S for contact information.

Page 5, ARRT Information, Department of the Interior. The following updates are needed: (1) change “Doug Mutter” to “Mr. Douglas Mutter”; (2) delete pager information; (3) change email for Douglas Mutter to: “douglas_mutter@ios.doi.gov”; (4) immediately under Pamela Bergmann’s email address, add: “24-Hr: (907) 227-3783; and (7) immediately under Douglas Mutter’s email address, add: “24-Hr: (907) 227-3781.”

Page 10, Step IV, Make Initial Assessment of the Situation. The third “two bullet” item needs to be revised (to provide important context) to read as follows: “determine whether the spill/release is categorically excluded under the national programmatic agreement to protect historic properties, and if not, follow the provisions of the agreement as outlined in Annex M.”

Page 10, Step IV, Make Initial Assessment of the Situation. The fourth “two bullet” item needs to be clarified by revising it to read as follows: “identify land owners and/or land managers.”

Page A-37, Section (g). To provide clarity, this section needs to be revised so that semi-colons are substituted for commas following “natural hazards” and “geochemical resources.”

Page A-37, Section (h). This section needs to be deleted, since there is no longer a Bureau of Mines office in Alaska.

Page B-14, New Section. We believe it is important to insert a new section at the end of page B-14 that reads as follows:

6. NATURAL RESOURCE DAMAGE ASSESSMENT (NRDA) TRUSTEES

NRDA activities, which are under the direction of NRDA trustees, are typically conducted concurrently with response activities, which are under the direction of the Unified Command. If necessary, trustees will make a NRDA representative available to the Unified Command at the incident command post to coordinate NRDA field actions with response activities. The role of the NRDA Liaison is to provide a linkage between (1) NRDA activities being conducted by trustee representatives, and (2) response activities being conducted by Federal and State On-Scene Coordinators (OSCs) (as well as participating Local and Responsible Party OSCs) as part of the Unified Command.

Page B-18, Tab B, Planning Section Chief. To be consistent with the national programmatic agreement to protect historic properties, Bullet 11 needs to be revised to read as follows: “Identify, through the Federal OSC’s Historic Properties Specialist, historic properties at risk and recommended protection measures.”

Page B-18, Tab B, Planning Section Chief. To be more complete and accurate, Bullet 15 needs to be revised to read as follows: “Consult with affected natural resource trustees on proposed response actions that affect, or may affect, trust resources.”

Page B-18, Tab B, Planning Section Chief. To be consistent with the national endangered species act memorandum of agreement, a bullet needs to be added to this list that reads: “Identify, through FWS and/or NMFS, threatened or endangered species and their critical habitats.”

Page B-18, Tab B, Planning Section Chief. To ensure this activity is not overlooked, a bullet needs to be added to this list that reads: “Determine, through appropriate wildlife resource agencies, if wildlife resources are at risk and recommended response measures.”

Page B-20, Section (6), Technical Specialists, Primary Specialty Areas. To be consistent with the national programmatic agreement to protect historic properties, the term “Historic Properties Specialist” should be substituted for “Cultural Resource Specialist.”

Page B-26, Figure 4a, Oil and Hazardous Substance Response Incident Command System Structure. The placement of “NRDA” (which is the responsibility of natural resources trustees) in this chart under “Investigation Team” is incorrect and needs to be deleted.

Pages B-35 and B-36, Appendix VI. To prevent confusion, the phrase “Presidentially-declared disaster” needs to be substituted for the phrase “Federal major disaster or emergency declaration” in this section.

Page B-35, Paragraph 7. The name of the Federal/State disaster plan for Alaska needs to be corrected to read: “FEMA Region X Supplement to the Federal Response Plan (Appendix to Tab AK) State of Alaska Annex.”

Pages E-34 through E-35, TAB S, Natural Resource Trustees. To be correct and to prevent confusion:

- (1) “TAB S” needs to be re-titled to read: “NATURAL RESOURCE TRUSTEE EMERGENCY CONTACTS.”
- (2) The information entitled “Federal Natural Resource Trustee Agency Contacts” and “State of Alaska” on page E-34 needs to be deleted as well as the Emergency Contacts: Trustees on pages E-35 and E-36.
- (3) The NRDA Working Group is in the process of updating the list of Natural Resource Trustee Emergency Contacts. Our office is responsible for compiling and distributing the updates. The revised list will be forwarded to you when completed.

Page G-1, Annex G. We recommend renaming Annex G “Wildlife Protection” and dividing the annex into Appendices; namely, “Appendix I: Wildlife Protection Guidelines for Alaska” and “Appendix II: Endangered Species Act MOA.” [These changes would also be made in on page vi in the Table of Contents.]

Page G-1, Annex G, New Appendix I, Wildlife Protection Guidelines for Alaska, General. To keep the Unified Plan “current” between revisions, we recommend revising the information on Page G-1 beginning with Sentence four through the rest of the text to read as follows: “Revisions to the guidelines are coordinated by the Wildlife Protection Working Group and approved by the ARRT. The current version of the guidelines is available on the ARRT website at: <http://www.akrrt.org/UnifiedPlan/uniG.html>. Questions regarding the guidelines may be directed to: U.S. Department of the Interior, Office of Environmental Policy and Compliance, 1689 C Street, Room 119, Anchorage, Alaska 99501-5126, 908-271-5011 (phone); 907-271-4102 (fax).”

Page G-1, Annex G, New Appendix II, Endangered Species Act Memorandum of Agreement. We recommend including the following language at the beginning of this appendix: “This appendix includes the “Inter-Agency Memorandum of Agreement Regarding Oil Spill Planning and Response Activities Under the Federal Water Pollution Control Act’s National Oil and Hazardous Substances Pollution Contingency Plan and the Endangered Species Act,” which was developed by the agencies signatory to the agreement.” We further recommend that a copy of the memorandum of agreement be included (provided as enclosure (1) to this letter).

Page M-1, Annex M, Cultural Resources Protection Guidelines for Alaska. To be consistent with Alaska guidelines to protect historic properties, the title of this section needs to be revised to read as follows: “Historic Properties Protection Guidelines for Alaska Federal On-Scene Coordinators.” [This change should also be made in on page ix in the Table of Contents.]

Page M-1, Annex M, Cultural Resources Protection Guidelines for Alaska. The text in this section needs to be revised to read as follows:

This annex includes the “Alaska Implementation Guidelines for Federal On-Scene Coordinators for the Programmatic Agreement on Protection of Historic Properties during Emergency Response under the National Oil and Hazardous Substances Pollution Contingency Plan” (Alaska Guidelines). These guidelines provide Alaska-specific information for Federal On-Scene Coordinators to assist them in planning for, and responding to, spills and releases in Alaska. The Alaska Guidelines are consistent with, and support, the national “Programmatic Agreement on Historic Properties during Emergency Response under the National Oil and Hazardous Substances Pollution Contingency Plan” (Programmatic Agreement). The Alaska Guidelines, which were developed by the ARRT’s Cultural Resources Working Group, were finalized and signed in January 2002 (see the document for the

signatories). The Alaska Guidelines were adopted by the ARRT in June 2002. The Alaska Guidelines are available on the ARRT website at: http://www.akrrt.org/AK_IPG.pdf. The national Programmatic Agreement is available on the internet at : <http://www.achp.gov/NCP-PA.html>.

Questions regarding the Alaska Guidelines may be directed to: U.S. Department of the Interior, Office of Environmental Policy and Compliance, 1689 C Street, Room 119, Anchorage, Alaska 99501-5126, 908-271-5011 (phone); 907-271-4102 (fax).

Pages M-17 through M-22, Individuals/Firms Interested in Doing Archaeological Contracting. The list of "Individuals/Firms Interested in Doing Archaeological Contracting" needs to be deleted from Annex M, since it is unnecessary and inconsistent with the Alaska Guidelines.

Please feel free to contact me if you have any questions regarding our comments. In addition, prior to finalizing the initial working draft, I would appreciate the opportunity to discuss how our comments will be addressed.

Sincerely,

[Signed]

Pamela Bergmann
U.S. Department of the Interior
Alaska Regional Response Team Representative

cc: Larry Iwamoto, ADEC (via email)
Mary Goolie, EPA (via email)

Encl: (1) ESA MOA