

Work Plan for the Environmental Impact Statement
for Exxon Valdez Oil Spill (EVOS) Restoration Plan
January 21, 1994

In an effort to clarify the expectations of the Trustee Council and the direction for the Interdisciplinary Team (ID Team), I undertook to draft this project work plan for the preparation of the environmental impact statement (EIS). Although the tasks are listed sequentially, many individual elements can be worked on simultaneously as personnel are available.

DEIS Scoping

The new scoping phase of the project began with the Notice of Intent on January 14, 1994. The public comment period will close on 2/4/94. With publication of the Revised Notice of Intent, the Trustees continued a process intended to identify those issues that need to be addressed in preparing the Draft EIS (DEIS). Under the National Environmental Policy Act, this process is called "scoping." Two rounds of public meetings have been held within the spill area soliciting comments on development of the Draft Restoration Plan. The results of the scoping to date have guided the preparation of the Draft Restoration Plan. During the scoping process for development of the proposed action the Trustees obtained information, comments, and assistance from Federal, State and local agencies, and other individuals or organizations interested in, or affected by restoration.

DEIS Chapter 1 - Purpose and Need

The results of the issue synthesis process were incorporated into the draft of the purpose and need chapter prepared as part of the original EIS contract. Additional information from the current scoping period will be included in the issue synthesis for this chapter. The first editing of this chapter will be completed on 2/22/94.

DEIS Chapter 2 - Alternatives

Members of the ID Team met during the last half of December, 1993 and the first half of January, 1994 and formulated several alternatives that address the issues identified in the scoping phase of the process. The proposed array of alternatives will be presented to the Trustee Council for approval on 1/31/94. Once the array has been approved, the balance of the chapter can be written.

DEIS Chapter 4 - Environmental Consequences

The individual specialists who are members of the ID Team will be involved in writing the environmental consequences associated with the proposed actions identified in chapter 2. This will consume all member time during the period from 2/1/94 through 5/20/94.

The information contained in this chapter will be summarized and presented to the Trustee Council on 4/25/94.

DEIS Chapter 3 - Affected Environment

This chapter was written by the original EIS contractor and will be edited during 1/18-2/1/94.

DEIS Reviewing and Editing

The ID Team will be preparing review copies of the EIS for both the Draft and Final. Because of the short timeframe for completion of the document, only 10 working days (2 weeks) have been set aside for agencies and other necessary reviewers to complete their reviews and return their comments to the ID Team for incorporation in the document. Due to the urgent nature of this process, all comments will need to be specific and include suggested wording changes where appropriate. After receipt of review comments, the ID Team will incorporate them into the EIS and prepare the camera ready copy for the printer. This review will take place between 4/25/94 and 5/6/94.

DEIS Printing

The DEIS would be printed between 5/23 and 6/14/94.

DEIS Public Involvement

The 45-day public review period for the DEIS would begin on 6/18/91 and continue until 8/1/94. During this time, there will be a need to conduct several hearings to facilitate public comment to the draft proposal in a timely manner. As comments are received, the ID Team will categorize comments and formulate a strategy to respond to them in the FEIS. Copies of the comments will be distributed to the agencies for their information and to facilitate the review of the FEIS.

Final Environmental Impact Statement (FEIS)

The FEIS is in large part a revision of the DEIS which incorporates changes based on responses to public comments. The TC will need to select the alternative for this document as they did in the DEIS. The ID Team will prepare a briefing for the Council, incorporating the results of the public involvement for presentation on 8/12/94, after which it will be necessary for the Council to make its selection of a proposed action for the FEIS.

FEIS Reviewing and Editing

The same process as was used for the DEIS interagency review will be used for the FEIS. Because of the short timeframe for completion of the document, only 8 working days (1.5+ weeks) have been allowed for agencies to complete their reviews and return their comments to the ID Team for incorporation in the document.

It will also be necessary for comments to be specific in nature and to include suggested wording substitutions. After receipt of review comments, the ID Team will incorporate them into the EIS and prepare the camera ready copy for the printer. This agency review will take place between 8/12/94 and 8/23/94.

FEIS Printing

In order to accomplish the deadline set for this project, the document must be given to the printer by 9/12/94. The FEIS will be printed between 9/12 and 9/30/94.

30-Day Appeal Period

Because no formal appeal process exists for this type of decision, under 1506.10(b) of NEPA a 30-day waiting period after publication of the notice of availability of the FEIS in the Federal Register is required before the decision on the proposed action may be made.

Record of Decision (ROD)

During the printing and distribution of the FEIS and during the 30-day waiting period, the ROD will be drafted by the ID Team and reviewed by the agencies. This review will be shorter in time but use the same process as those reviews of the DEIS and FEIS. The ROD will be signed on 10/31/94 and printed 11/1 through 11/14/94.

If you or your staffs have any questions or concerns about this proposal, please contact Rod Kuhn, EIS Project Manager (278-8012 or 271-2325).

Rod Kuhn
EIS Project Manager

Critical Milestones for the EIS

<u>Date:</u>	<u>Benchmark to Be Accomplished</u>
2/11/94	Interdisciplinary Team (ID Team) completed formulation of issues.
2/22/94	ID Team complete Purpose and Need, Chapter 1.
1/31/94	ID Team formulated an array of alternatives for the consideration of the Trustee Council (TC). Array of alternatives approved by TC.
4/25/94	Interagency review of the Draft EIS. (starts 4/25, ends 5/6/94)
5/9/94	ID Team incorporates Agency comments.
5/23/94	DEIS goes to the printer.
6/18/94	Begin 45-day public review period for the DEIS. Hearings will need to be held during this time.
8/1/94	End 45-day public review period for the DEIS.
8/12/94	TC selects alternative for the Final EIS.
8/12/94	Interagency review of the FEIS. (starts 8/12, ends 8/23/94)
8/24/94	ID Team incorporates Agency comments.
9/12/94	Printing of the FEIS.
10/1/94	The FEIS 30-day appeal period begins.
10/17/94	Interagency review of R.O.D (ends 10/24/94).
10/31/94	Sign R.O.D.
11/1/94	Print R.O.D.
11/10/94	R.O.D. to EPA.

The Environmental Impact Statement (EIS) preparation for the EVOS Restoration Plan is a complex and interrelated process. Successful accomplishment of this within the time allotted is dependent on the completion of a sequence of tasks. If any single task is not completed by the planned date, it will directly influence the ability of the interdisciplinary team to meet their goal of 10/31/94. The critical milestones listing shows the dates which are most critical to our success and the associated benchmark event which must occur on or before this date.

DRAFT January 21, 1994

Alternative Options

Option A

Brochure Alternatives

It should be noted that the draft Restoration Plan (Plan) would need to be an alternative analyzed in the EIS. If it was decided to replace another alternative in the brochure with the Plan the analysis could move ahead faster.

Alternative 1:

No Action

The *no action* alternative required by NEPA consists entirely of normal agency management activities, which are described below. If this alternative were implemented, current management would continue, no further activities or programs would be instituted as a result of the oil spill, and the scope of present activities and programs would not change. Agency monitoring of natural recovery would remain at present levels, and their responsibilities would remain unchanged. None of the funds from the civil settlement would be spent if this alternative were implemented.

Alternative 2:

Habitat Protection

The goal of Alternative 2 is to protect strategic lands and habitats important to the long-term recovery of injured resources and services from further damage. The primary means of protection in this alternative is the acquisition of private land interests or changes in the management of currently held public lands. Monitoring and research would be conducted to evaluate the effectiveness of protection measures and to track the recovery of damaged resources and services. Actions that may be undertaken under this alternative would be confined to the area affected by the oil spill.

Alternative 3:

Limited Restoration

Alternative 3 focuses on accelerating recovery of the resources and services most severely injured by the oil spill. This alternative targets resources whose populations declined as a result of the spill and that have not yet recovered. Only actions determined to be most likely to produce significant improvements over unaided natural recovery are included in this alternative. All restoration actions included in Alternative 3 would be confined to the spill area. Habitat protection is a major part of this alternative; none of the proposed actions would substantially increase human use within the spill area. Monitoring and research are also included in Alternative 3.

**Alternative 4:
Moderate Restoration**

This alternative is broader than Alternative 3 in that it aims to aid recovery of all injured resources and services, not only the most injured. Restoration actions included in Alternative 4 address only those resources and services that have not yet recovered from the oil spill. It is also broader than Alternative 3 in the resources addressed; in Alternative 4, measures would be taken to aid recovery of resources that sustained sublethal injuries. Actions that are judged to provide substantial improvements over unaided recovery would be implemented. The actions in this alternative would be confined to Alaska but could extend beyond the spill area. Habitat protection is included in this alternative, but to a lesser extent than in Alternatives 2 and 3. This alternative would increase opportunities for human use to a limited extent. Monitoring and research would be conducted.

**Alternative 5:
Comprehensive Restoration**

Alternative 5 is the broadest in scope of the proposed alternatives. It would help all injured resources and services, both within the spill area and in other parts of Alaska. Unlike Alternatives 3 and 4, this alternative includes actions to aid resources and services that have already recovered, as well as those that have not. Actions likely to produce some improvement over unaided recovery would be allowable under this alternative. Habitat protection is a smaller part of this alternative. Alternative 5 also allows for expansion of current human use and encourages appropriate new uses. Monitoring and research would also be included.

Option B
New Alternatives Based on the Draft Restoration Plan

**Alternative 1
No Action**

The no action alternative description shown above must be analyzed here also.

**Alternative 2
Injured Resource Restoration**

Restoration activities would address the resources currently identified as injured and the services dependant upon these resources. Funds would not be used to research other suspected injuries.

Restoration activities would emphasize resources and services that are not recovering. Recovering resources would receive the least emphasis.

Under this alternative, projects which benefit services must also benefit one of the resources with documented injuries from the oil spill. A preference would be given to those that have not made significant progress toward recovery.

Alternative 3 Ecosystem Emphasis

All currently recognized injured resources and linked species would be addressed. The initial restoration focus would be on understanding the relationship of the resources to the ecosystem. Additional resources would be studied as they relate to the injured populations. It would be likely for lower trophic level organisms to receive more emphasis.

Restoration activities would occur primarily within the spill area. Limited restoration activities outside the spill area, but within Alaska, may be considered under the following conditions:

- * when the most effective restoration actions for an injured or equivalent resource are outside the spill area, or
- * when the information acquired from research and monitoring activities outside the spill area would be significant for restoration or understanding injuries within the spill area.

Restoration activities would emphasize resources and services as they relate to the ecosystem. Lower trophic levels and resources that are in decline from multiple ecosystem changes would receive the greatest emphasis.

Alternative 4 - draft Restoration Plan

Restoration activities may be considered for any injured resource or service.

Restoration activities will occur primarily within the spill area. Limited restoration activities outside the spill area, but within Alaska, may be considered under the following conditions:

- * when the most effective restoration actions for an injured migratory population are in a part of its range outside the spill area, or
- * when the information acquired from research and monitoring activities outside the spill area will be significant for restoration or understanding injuries within the spill area.

Restoration activities will emphasize resources and services that have not recovered. Resources and services will be enhanced, as appropriate, to promote restoration.

Projects designed to restore or enhance an injured service:

- * must have a sufficient relationship to an injured resource;
- * must benefit the same user group that was injured, and

- * should be compatible with the character and public uses of the area.

Alternative 5 Restoration of Services

Restoration activities would address all resources injured by the oil spill, but focus on resources important to services for all restoration actions except monitoring. Consideration would also be given to studies that are likely to document EVOS injury to other resources. Consideration would be given to equivalent and replacement resources.

Restoration activities would be limited to the spill area.

Restoration activities would emphasize injured resources important to commercial or subsistence activities, regardless of their recovery status. Less emphasis would be placed on other resources.

Ecosystem studies would focus on areas that provide important services. Projects designed to restore or enhance an injured, equivalent, or replacement service:

- * must have a sufficient relationship to an injured resource;
- * must benefit the same user group that was injured, and
- * should be compatible with the character and public uses of the area.

Common to All Alternatives

The restoration program will take an ecosystem approach.

Restoration projects should not adversely affect the ecosystem.

Competitive proposals for restoration projects will be encouraged.

Restoration projects will be subject to open, independent scientific review before Trustee Council approval.

Meaningful public participation in restoration decisions will be actively solicited.

Government agencies will be funded only for restoration work that they do not normally conduct.