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DIVISION OF AIR AND WATER QUALITY

February 7, 2003

Mr. Thomas Puchlerz
Forest Supervisor
Tongass National Forest
648 Mission Street, Federal Building
Ketchikan, AK 99901

Re: Fire Cove LTF
COE # NPA 73-160
Authorization Number AK-G70-0043

Certified Mail # 7000 0520 0017 6843 3978
Return Receipt Requested

Dear Mr. Puchlerz:

The Department has issued the enclosed written authorization to the U.S. Forest Service for discharge of bark and wood debris at the Fire Cove Log Transfer Facility (LTF) under the terms and conditions of the "Pre-1985" wastewater disposal general permit for LTFs, number AK-G70-0000, valid through March 21, 2005.

This authorization is based on evaluation of the Forest Service's Notice of Intent and other information by the Departments of Environmental Conservation, Fish and Game, and Natural Resources, in accordance with the factors listed on page four of the Department's August 24, 1999, Certificate of Reasonable Assurance for the General Permit. The authorization includes a Zone of Deposit (18 AAC 70.210) for the accumulation of bark and wood debris on the ocean bottom within the LTF project area. The authorization does not include rafting or storage of logs in water less than 40 feet deep at Mean Lower Low Water.

You are reminded that the Forest Service must meet operational and reporting requirements in order to discharge under this authorization, in accordance with the general permit and the Certificate of Reasonable Assurance. Failure to comply with operational and reporting requirements may be cause for revocation of this authorization. An annual report is required in accordance with the General Permit. An annual bark monitoring dive survey is required for an LTF that transfers 15 mmbf or more during the life of the permit and that holds logs in water depths less than 60 feet at MLLW.

Please contact me (465-5276; Dave_Sturdevant@envircon.state.ak.us) if you have questions concerning this authorization or operational and reporting requirements. Thank you for your support and cooperation as we implement this permit program for Log Transfer Facilities.

Sincerely,

Dave Sturdevant
LTF Program Manager

Enclosures

cc: Jack Gustafson, DFG
Chris Landis, DNR
Burney Hill, EPA

Alaska Department of Environmental Conservation

AUTHORIZATION TO DISCHARGE

Wastewater Disposal General Permit
For Log Transfer Facilities
AK-G70-0000

LTF Name:	**Fire Cove LTF**	**Authorization No.:**	**AK-G70-0043**
	(Neets Bay 8)	**Effective Date:**	**Feb. 7, 2003**
Location:	**Revillagigedo Island**	**Expiration Date:**	**March 21, 2005**

Permittee: **U.S. Forest Service**
Tongass National Forest
648 Mission Street, Federal Building
Ketchikan, AK 99901

The Department of Environmental Conservation authorizes the U.S. Forest Service to discharge bark and wood debris at the Fire Cove Log Transfer Facility (LTF) under the State of Alaska "Pre-1985" Wastewater Disposal General Permit for Log Transfer Facilities, Number AK-G70-0000. The location is Fire Cove, latitude 55° 46' 27" N, longitude 131° 33' 16" W, on the south side of Neets Bay, Revillagigedo Island, approximately 30.4 miles north of Ketchikan, Alaska. The State General Permit consists of both the General Permit itself and the corresponding Certificate of Reasonable Assurance, issued by the Department on August 24, 1999.

The authorization is based on evaluation of the permittee's Notifice of Intent and other information by the Departments of Environmental Conservation, Fish and Game, and Natural Resources, in accordance with the standards listed on page four of the Certificate of Reasonable Assurance.

The authorization does not include rafting or storage of logs in water less than 40 feet deep at Mean Lower Low Water.

The authorization includes a Zone of Deposit (18 AAC 70.210) for the accumulation of bark and wood debris on the ocean bottom within the LTF project area, as described in the General Permit and Certificate of Reasonable Assurance.

If the anticipated volume of logs transferred or held in water is 15 mmbf or greater during the life of the General Permit, and if logs are held in water shallower than 60 feet MLLW, an annual bark monitoring dive survey must be conducted by the methodology set out in the General Permit and Certificate of Reasonable Assurance. As stated in Section VI.C.5 of the General Permit, an equivalent method may be acceptable if it meets the purpose for bark monitoring and reporting stated in Section VI.C.2. Any departure from the stated methodology is subject to approval by EPA and ADEC. Further, areas of continuous cover and discontinuous cover should be calculated according to the method set out in ADEC's guidelines dated June 9, 2000, available online at www.state.ak.us/dec/dawq/waterpermits/ltf/measurebark.htm.

This authorization effectuates various requirements of the General Permit, with respect to Best Management Practices, a Pollution Prevention Plan, a Quality Assurance Project Plan, annual reporting, bark monitoring and reporting, oil sheen monitoring and reporting, retention of records, noncompliance reporting, a Remediation Plan, and other matters. Failure to comply with operational, reporting, and other requirements of the General Permit may be cause for revocation of this authorization.

A SHORE-BASED LOG TRANSFER FACILITY MUST KEEP A COPY OF THIS AUTHORIZATION AT THE LOG TRANSFER FACILITY WHERE THE DISCHARGE TAKES PLACE. AN OFF-SHORE LOG TRANSFER FACILITY OR OFF-SHORE LOG STORAGE AREA MUST KEEP A COPY OF THIS AUTHORIZATION AT THE NEAREST ADMINISTRATIVE OR FIELD OFFICE MANAGING LOG TRANSFER OPERATIONS.

_____ _____

Chris Foley, Chief Date
Forest Practices Program

DECISION DOCUMENT
Alaska Department of Environmental Conservation
Forest Practices Program
February 7, 2003

LTF General Permit
Fire Cove LTF
Neets Bay 8
U.S. Forest Service
Authorization No. AK-G70-0043

The U.S. Forest Service has submitted a Notice of Intent requesting authorization to discharge bark and wood debris at the Fire Cove Log Transfer Facility (LTF) under the State's "Pre-1985" General Permit for Log Transfer Facilities, AK-G70-0000 ("General Permit"). The location is Fire Cove, on the south side of Neets Bay, Revillagigedo Island, approximately 30.4 miles north of Ketchikan, Alaska.

This Decision Document presents the Department's findings concerning regulatory requirements with respect to the requested authorization.

Antidegradation Policy

The Antidegradation Policy of the Alaska Water Quality Standards (18 AAC 70.015) states that existing water uses and the level of water quality necessary to protect existing uses must be maintained and protected. ADEC may allow reduction of water quality only after finding that five specific criteria are met. These criteria and the Department's findings, reached following consultation with the Departments of Fish and Game and Natural Resources, are set out below.

1. *11 AAC 70.015 (a)(2)(A). Allowing lower water quality is necessary to accommodate important economic or social development in the area where the water is located.*

The U.S. Forest Service has provided adequate information to satisfy this criterion. The purposes for operation of the LTF are to implement the direction in the Tongass Land and Resource Management Plan, to seek to meet market demand for timber as prescribed in the Tongass Timber Reform Act (1990), to contribute to providing a sustained volume of wood to meet local and national demand, and to provide local and regional employment opportunities. This LTF is integral to the timber harvest activities conducted by the Forest Service. The timber industry is an important component of regional and local economies, providing direct and indirect benefits to communities in Southeast Alaska.

ADEC concurs that operation of the Fire Cove LTF constitutes important economic development in the area, with corresponding social significance. Because the Residue criteria of the Water Quality Standards prohibit any waste material in the water or on the bottom, ADEC believes that a Zone of Deposit authorization, and the corresponding lowering of water quality, are necessary to accommodate operation of the LTF.

ADEC concludes that this criterion is met.

2. *11 AAC 70.015 (a)(2)(B). Except as allowed under this subsection, reducing water quality will not violate the applicable criteria of 18 AAC 70.020 or 18 AAC 70.235 or the whole effluent toxicity limit in 18 AAC 70.030.*

ADEC concludes that this criterion is met outside the authorized Zone of Deposit.

3. *11 AAC 70.015 (a)(2)(C). The resulting water quality will be adequate to fully protect existing uses of the water.*

The expected life of the LTF is 30 to 40 years. The maximum timber volume to be transferred over the life of the General Permit is 10 mmbf; average annual volume is 2 mmbf; and maximum annual volume is 10 mmbf.

A dive survey conducted on June 13, 2001 found that continuous cover bark is 0.24 acre, and that discontinuous cover bark is 0.43 acre.

The Departments of Fish and Game and Natural Resources have reviewed the Notice of Intent, and have concurred that operation of this LTF complies with the requirements of the General Permit.

After consultation with the Departments of Fish and Game and Natural Resources, ADEC believes that ecologically significant effects from the discharge and accumulation of bark and wood debris at this LTF are not likely to occur outside the Zone of Deposit.

With respect to the proposed discharge of bark and wood debris, ADEC concludes that water quality will be adequate to fully protect existing uses of the water.

4. *11 AAC 70.015 (a)(2)(D). The methods of pollution prevention, control, and treatment found by the department be most effective and reasonable will be applied to all wastes and other substances to be discharged.*

The methods of prevention, control, and treatment ADEC finds to be most effective are the practices and requirements set out in the General Permit. The General Permit requires the operator to follow prescribed Best Management Practices, and to develop and implement a Pollution Prevention Plan to control waste discharge. The General Permit also requires the operator to prepare a proposed Remediation Plan if continuous cover by bark and wood debris exceeds a threshold of one acre. ADEC concludes that this criterion is met.

5. *11 AAC 70.015 (a)(2)(E). All wastes and other substances discharged will be treated and controlled to achieve*
   (i) for new and existing point sources, the highest statutory and regulatory requirements; and
   (ii) for non-point sources, all cost-effective and reasonable best management practices.

In ADEC's understanding, no BAT treatment and control requirements are specifically applicable to LTFs. ADEC believes that the highest statutory and regulatory requirements for point sources, and the cost-effective and reasonable best management practices for non-point sources, are the practices and requirements set out in the General Permit. ADEC concludes that this criterion is met.

Conclusion. ADEC finds that authorization of the Fire Cove LTF under the State's "Pre-1985" General Permit for Log Transfer Facilities is consistent with the Antidegradation Policy of the Alaska Water Quality Standards.

Zone of Deposit

Under the Zone of Deposit provision of the Alaska Water Quality Standards (18 AAC 70.210), the Department may allow deposit of substances on the bottom of marine waters within limits set by the Department. The water quality criteria and the antidegradation requirement may be exceeded in a Zone of Deposit, but must be met at every point outside the Zone of Deposit.

In authorizing a Zone of Deposit, the Department must consider: (1) alternatives that would eliminate or reduce adverse effects of the deposit; (2) potential direct and indirect impacts on human health; (3) potential impacts on aquatic life and other wildlife; (4) potential impacts on other uses of the waterbody; (5) expected duration of the deposit and any adverse effects; and (6) potential transport of pollutants by biological, physical, and chemical processes.

The General Permit authorizes a Zone of Deposit for the accumulation of bark and wood debris on the ocean bottom within the project area of an LTF. The Zone of Deposit may include "continuous coverage," "discontinuous coverage," and "trace coverage" by bark and wood debris. The area limit is the project area of the LTF. However, the General Permit also establishes a “threshold” of 1.0 acre and a thickness of 10 centimeters for continuous cover by bark and wood debris. If a bark monitoring survey shows that continuous cover bark exceeds that amount, the operator must submit a proposed Remediation Plan to the Department to reduce continuous bark cover to less than both 1.0 acre and a thickness of 10 centimeters at any point. That plan is subject to the Department's approval, modification, or denial.

Under the Certificate of Reasonable Assurance, the Department may determine that a Zone of Deposit is not appropriate at the proposed location, and is not authorized.

Zone of Deposit Assessment

The Fire Cove LTF is an existing LTF that received approval by the U.S. Army Corps of Engineers in 1974. Approximately 140 mmbf of timber previously has been transferred at this LTF, and a maximum of 10 mmbf is projected to be transferred over the next five years.

The June 13, 2001 dive survey found continuous-cover bark to be 0.24 acre, considerably less than the 1-acre threshold in the General Permit, and that discontinuous-cover bark is 0.43 acre.

As indicated, ADEC believes that ecologically significant effects from the discharge and accumulation of bark and wood debris are not likely to occur outside the Zone of Deposit, and that water quality will be adequate to fully protect existing uses of the water.

There is no indication that discharge and accumulation of bark will cause direct or indirect impacts on human health.

The Department recognizes that duration of a bark deposit may be long term, even many decades. That fact must be accepted in allowing a Zone of Deposit for accumulation of bark.

The Department has no information on quantities of bark that are transported beyond the project area.

Because this is an existing LTF, alternative sites and methods of transfer were not considered. The Department recognizes that barging of logs would eliminate bark discharge and accumulation, and the need for a Zone of Deposit. However, the feasibility of barging is determined by several factors, including economics, timber markets and destinations, availability of uplands for log storage, availability of sufficient water depth for barge moorage, barge logistics, permit requirements, and other factors.

Conclusion. The Department concludes that bark discharge and accumulation are consistent with the Zone of Deposit provision at the Fire Cove LTF, and does not find it warranted to deny authorization of a Zone of Deposit at this LTF.