

FACT SHEET

**DRAFT
WASTEWATER DISPOSAL PERMIT**

**for Discharge of Bark and Wood Residues
at Log Storage Facilities in The Pothole,
Shakan Bay, and East Dry Pass
by Boyer Towing, Inc.**

**Alaska Department of Environmental Conservation
Division of Water
April 17, 2007**

Introduction

Boyer Towing, Inc., has applied to the Alaska Department of Environmental Conservation (ADEC) for a State individual wastewater disposal permit to authorize the discharge of bark residues into marine waters at three **Log Storage Facilities (LSFs)** at the following locations in Southeast Alaska (see Figures 1, 2, and 3):

1. Waterbody name: The Pothole
Location: Woewodski Island
Next waterbody: Wrangell Narrows
Lat/Long: N56-32-30, W132-59-10

2. Waterbody name: Shakan Bay
Location: Prince of Wales Island
Next waterbody: Sumner Strait
Lat-Long: N56-8-35, W133-27-40

3. Waterbody name: East Dry Pass
Location: Prince of Wales Island
Next waterbody: Shakan Bay
Lat-Long: N56-9-10, W133-21-0

ADEC has prepared a draft wastewater disposal permit for this activity, and now is seeking public comment. The public notice and comment period begins April 19, 2007, and ends May 18, 2007. A copy of the public notice is attached to this Fact Sheet.

The draft permit, the public notice, this Fact Sheet, and Boyer Towing's applications are available on ADEC's website at <http://www.dec.state.ak.us/water/wnp spc/forestry/ipwardcoveip.htm>. Public notice is to be placed in the Petersburg Pilot on April 19 and 26 and in the Island News on April 23 and 30; public notice has been placed on the State of Alaska public notice website at <http://notes5.state.ak.us/pn/pubnotic.nsf/PNByDeptActive?OpenView&Start=1&Count=30&Expand=7.2#7.2>.

ADEC proposes to issue a wastewater disposal permit to Boyer Towing. ADEC will make a final decision on issuance based on comments received from the public and from State resource agencies, and on further analysis of water quality and social and economic issues.

This Fact Sheet provides description of the proposed log storage and potential bark discharge, LTF bark discharge permits, water quality standards, resource and water quality issues, project alternatives, economic and social considerations, the draft wastewater disposal permit, and other matters.

Description of Proposed Log Storage

Boyer Towing proposes to use tugboats to tow log rafts from the Tonka **Log Transfer Facility (LTF)** on the east side of Kupreanof Island in Wrangell Narrows, located seven miles south of the City of Petersburg, south to the Viking Lumber Company sawmill located at Klawock, in 2007 and 2008 and possibly beyond that time. Viking Lumber purchased timber from the South Lindenburg and Fingerpoint U.S. Forest Service timber sales on Kupreanof Island. Approximately 16 million board feet (mmbf) of logs remain to be transported from these timber sales. Other timber sales in the vicinity are possible in the future.

Harvested logs from the current timber sales will be used to make up four or six log rafts at a time at the Tonka LTF in a two-week period. The Tonka LTF presently is permitted for bark discharge and accumulation from log transfer and log raft make-up through ADEC and EPA LTF general permit authorizations issued to the U.S. Forest Service.

Because of strong currents, narrow passage, and navigational hazards, log rafts must be towed one at a time from origin at the Tonka LTF south through Wrangell Narrows. This requires an LSF at the south end of Wrangell Narrows to collect and store log rafts temporarily after they are shuttled through the passage. The proposed location for storage of logs at the south end of Wrangell Narrows is a cove on the east side of Woewodski Island known locally as The Pothole. Log rafts will be held in place in the Pothole by two large anchored buoys. The towing of four or six log rafts will take place approximately once every two weeks on the “lower high tide” cycle over the period of two years. One log raft normally is towed on each of the two daily high tides, requiring two or three days to complete a shuttle operation (see Figure 2).

When all four or six log rafts are collected at The Pothole moorage, the tugboat proceeds to tow the log rafts south toward Klawock. A second narrow and shallow passage that necessitates shuttling of log rafts is located at Dry Pass Adjacent to Shakan Bay on the northwest side of Prince of Wales Island, which requires moorage and temporary storage of the log rafts at each end of the pass. Log rafts first are moored on a single anchored buoy at the Shakan Bay LSF, located at the eastern head of Shakan Bay, at the west end of Dry Pass. Rafts then are shuttled through Dry Pass two at a time to the East Dry Pass LSF, located at the east end of the pass, where the rafts again are moored and stored temporarily on a single anchored buoy. When the four or six log rafts are collected at the East Dry Pass LSF, the tug pulls the log rafts south to the Viking Sawmill at Klawock (see Figure 3).

A standard log raft is roughly 66 wide and 500 feet long. A four-raft tow is roughly 132 feet wide and 1000 feet long. A six-raft tow is roughly 198 feet wide and 1000 feet long.

At The Pothole LSF, the project area that would be authorized in the draft permit for bark discharge and accumulation is 400 feet by 1000 feet, or 9.2 acres. At the Shakan Bay LSF and the East Dry Pass LSFs, the proposed project area is a circle with 500-foot radius, or 18.0 acres. A project area, established by the operator, includes the surface of the water, the water column beneath the surface area, and the underlying ocean bottom within the area.

The Zones of Deposit in the draft permit allow the accumulation of discontinuous coverage and trace coverage by bark residues without limit within each project area, and allow accumulation of continuous coverage by bark residues that may not exceed both 0.5 acre and 10 centimeters in thickness cumulatively within each project area.

In 2007, Boyer Towing added two features to the project description. First, Boyer Towing made a commitment under the ACMP review to limit ingress and egress of log rafts into and out of The Pothole to a corridor that is on the north side of the centerline of the entrance to The Pothole. This measure would leave territory on the south side of the centerline available for crab fishers to set crab pots.

Second, Boyer Towing provided a copy of tide tables marked to show the specific days that log storage could take place in The Pothole during 2007. These periods vary from three to six days during the "lower high tide cycle" out of each approximate two-week period from March through November 2007. Log storage would take place for two to three days in each period indicated. A similar schedule could be used in 2008.

LTF Discharge Permits

It is important to note that the subject of the proposed permit is bark discharge and accumulation from log storage as described. The permit does not address the physical presence of mooring anchors and buoys or log rafts. Any transfer or storage of logs in marine waters for commercial purposes requires a discharge permit from ADEC, and also requires a discharge permit from the U.S. Environmental Protection Agency (EPA). The reason is that logs placed or held in water may "discharge" bark. This occurs primarily when logs are first transferred to water at an LTF, and to a much lesser degree when logs are "stored" in water at an LSF. With large volumes of log transferred over time, bark can accumulate over substantial areas of the ocean bottom, depending on ocean conditions. Bark accumulation on the bottom is a concern for biological health because bark can displace and smother marine organisms, adversely affect habitat, and cause health problems in organisms.

The discharge of bark from the transfer of logs from land to water at LTFs has been regulated by EPA and ADEC since 1985. From 1985 to 1996, EPA issued NPDES individual wastewater disposal permits to LTFs, which were certified by ADEC. In 2000, two NPDES General Permits for LTFs were developed by EPA and certified by ADEC, with adoption as State permits. The General Permits expanded coverage to encompass all logs placed or held in water, including transfer from water to land, transfer to and from vessels, and log storage without transfer (LSFs). ADEC and EPA have issued General Permit authorizations to approximately 92 LTFs in Alaska. However, the General Permits expired in March of 2005 and were "administratively extended" by EPA. Authorizations issued prior to expiration remain valid, but new authorizations cannot be issued. It is expected that EPA will reissue the LTF General Permits later in 2007, whereupon new authorizations may be issued to LTFs.

Until the revised General Permits are available, the only means of permitting bark discharge at an LTF or LSF is by ADEC's issuance of a State individual wastewater disposal permit and by EPA's issuance of a federal NPDES individual wastewater disposal permit. While Boyer

Towing has submitted applications for NPDES individual permits to EPA for the three LSFs, EPA has indicated that it is not likely to process the applications and that Boyer Towing must submit Notices of Intent under the revised General Permits when they become available. The revised General Permits are not expected to be available before late summer 2007.

In 1985, the Alaska Timber Task Force issued a report containing guidelines for log transfer facility siting, construction, operation, monitoring, and reporting. The siting guidelines were used from 1985 to 1996 by ADEC and EPA in issuing and certifying NPDES individual discharge permits for LTFs. Portions of these guidelines were adopted into the ADEC and EPA general permits for LTFs and LSFs in 2000 and have been applied in the permitting of approximately 92 LTFs and LSFs. These guidelines follow in summary form.

- Proximity to rearing and spawning areas. Siting of LTFs and LSFs within 300 feet of anadromous fish streams is normally prohibited.
- Bark dispersal. LTFs should be sited where currents are strong enough to disperse sunken or floating wood debris.
- Site productivity. LTFs and LSFs should be located in areas having the least ecologically productive habitat.
- Sensitive habitats. LTFs and LSFs should not be sited on or adjacent to sensitive habitats, including extensive tide flats, salt marshes, kelp or eelgrass beds, seaweed harvest areas, or shellfish concentration areas.
- Storage and rafting. LSFs shall be located in waters at least 40 feet deep at Mean Lower Low Water.

It is important to emphasize that these terms are guidelines, not requirements. The general permits contain a waiver provision that can allow discharge into the areas described by the guidelines. For individual permits, the guidelines are applicable as established practice, but not as requirements.

Permit History

Ketchikan Pulp Company (KPC) operated log storage at The Pothole and Dry Pass LSFs in the manner described roughly from 1957 to 1997. At the time (dates of commencement are uncertain), KPC held permits from the U.S. Army Corps of Engineers and the Department of Natural Resources for that activity. Permits were not required for log storage at the time by ADEC or EPA.

The three LSFs were not used from 1998 until 2006. In 2006, Boyer Towing used the three LSFs for temporary log storage on approximately 9 occasions. Boyer Towing had not applied for ADEC and EPA discharge permits at the time of operation. Boyer Towing submitted two applications to ADEC in September 2006 for discharge permits for The Pothole and Dry Pass, respectively. Boyer Towing applied to EPA for parallel NPDES individual discharge permits in January and February 2007. EPA notified Boyer Towing in January in regard to The Pothole application that it is unlikely to act on the application and that Boyer Towing should apply for coverage under EPA's reissued LTF General Permit, which is expected later in 2007.

In the spring of 2006, Boyer Towing obtained permits (Letters of Permission) from the U.S. Army Corps of Engineers to place mooring buoys and anchors in The Pothole and in the two Dry Pass locations. Boyer Towing applied in the spring of 2006 for authorization by the Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), for permits to use State submerged lands in the three locations, but did not receive permits. Boyer Towing also initiated a review by the Department of Natural Resources, Office of Project Management and Permitting (OPMP), in the spring of 2006 concerning consistency with the Alaska Coastal Management Program (ACMP). Review of applications proceeded through the summer of 2006 by OPMP, DMLW, ADEC, and the DNR Office of Habitat Management and Permitting.

In August 2006, DMLW issued an order to Boyer Towing to cease use of State submerged lands in The Pothole. In September 2006, OPMP issued an objection to Boyer Towing's certification of consistency with the Alaska Coastal Management Program in use of The Pothole.

In January 2007, Boyer Towing initiated review with OPMP for consistency under ACMP of a revised project for log storage in The Pothole and the two Dry Pass locations, and submitted new applications to DMLW for submerged lands permits in the three locations. Review of these applications is ongoing by the respective agencies, including issuance of public notice by each agency.

On February 26, 2007, ADEC requested that Boyer Towing provide additional information on The Pothole log storage activity in order to make its application complete. Boyer Towing responded on March 9 with the requested information, which ADEC found to complete the application. ADEC then prepared the draft wastewater disposal permit that is now available for public review and comment. Boyer Towing's response to the information request is part of its application, which is available at ADEC's website.

Dive Surveys at The Pothole

In July 1998, Ketchikan Pulp Company conducted a dive survey to determine bark accumulation on the bottom at the former log storage area in The Pothole. The dive survey covered 27 sample points within the log storage area. The dive survey found bark coverage of the bottom varying from an estimated 10 to 25 percent at all sample points, except for two sample points of 50 percent coverage. ADEC considers this to be a very low level of bark coverage following approximately 40 years of log storage at the site.

In its March request for additional information to Boyer Towing, ADEC required that a dive survey be done to document bark on the bottom at the log storage area in The Pothole following the log storage that took place in 2006. This information was not required to complete the application, but was requested to be provided as soon as feasible. ADEC anticipates that the dive survey information will be available by the end of April 2007. The dive survey results will be available upon request.

Water Quality Standards

The Alaska Water Quality Standards (AWQS) are regulations under the Alaska Administrative Code at 18 AAC 70. The standards establish allowable pollution limits for all fresh, marine, and groundwaters of the state. The standards may be viewed on the ADEC website at http://www.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=%5Bgroup%2Btitle18chap70!3A%5D/doc/%7B@1%7D/hits_only?.

The AWQS set limits for 12 "pollutant parameters" in waters, regardless of pollutant sources. The pollutant parameters are color, fecal coliform bacteria, dissolved gases, dissolved inorganic substances, petroleum hydrocarbons, pH, radioactivity, residues, sediment, temperature, toxic substances, and turbidity. The AWQS also specify various "designated uses" of waters, both human and biological, that must be protected. The standards are expressed as numeric and narrative limits called "criteria." The purpose of the standards is to maintain the ecological health of aquatic life, and the health of humans who use waters or products from waters.

The AWQS include several additional provisions, notably the antidegradation policy and a number of exception provisions--Short-term Variances, Mixing Zones, Reclassification, Site-specific Criteria, and Zones of Deposit (ZODs).

The antidegradation policy establishes that it is the State's policy to maintain and protect existing uses of water and the water quality necessary for those uses. ADEC may allow the lowering of water quality in a permit or approval only if it finds that resulting water quality will fully protect existing uses, that allowing lower water quality is necessary to accommodate important economic or social development in the area, and that certain other conditions are met.

Under the AWQS, bark and wood debris is regulated as a pollutant under the parameter "Residues." The narrative criteria for "Residues" formerly stated that Residues may not make the water unfit or unsafe for designated uses; may not cause leaching of toxic or deleterious substances; and may not cause a sludge, solid, or emulsion to be deposited on or in the water, on the bottom, or on adjoining shorelines. In December 2006, ADEC adopted revised narrative criteria for Residues, now effective for State permits, that state that Residues: "May not, alone or in combination with other substances be present in concentrations or amounts that: form objectionable deposits; constitute a nuisance; produce objectionable odor or taste; or result in undesirable or nuisance species." Residues are defined as "floating solids, debris, sludge, deposits, foam, scum, or any other material or substance remaining in a waterbody as a result of direct or nearby human activity." Thus, the Residues criteria prohibit deposit of residues in the water or on the bottom, unless a Zone of Deposit is authorized.

The Zones of Deposit (ZOD) provision (18 AAC 70.210) is associated with the Residues parameter. The ZOD provision authorizes ADEC, in a permit, to "allow deposit of substances on the bottom of marine waters within limits set by the department." ADEC authorizes a ZOD at its discretion. In issuing a ZOD, ADEC must "consider" impacts on human health, impacts on aquatic life, impacts on uses of the waterbody, alternative methods, and other factors. It is important to note that the antidegradation policy and the water quality criteria may be exceeded within a ZOD but must be met outside a ZOD.

ADEC traditionally has granted ZODs to log transfer facilities and to seafood processors. Under the LTF General Permits governing most LTFs, the authorized ZOD is the "project area," the entire marine operating area of the LTF. However, the General Permits establish a "threshold" of one acre of continuous coverage by bark and wood debris. If the one-acre threshold is exceeded, the operator must prepare and submit a "remediation plan" to reduce continuous coverage to less than one acre. Conditions of the LTF General Permits do not necessarily apply to an individual wastewater disposal permit.

Resource and Water Quality Issues

As indicated, both The Pothole and the Dry Pass LSFs were used for log storage in the manner described from approximately 1957 to 1997. Although not much is known about the remote Dry Pass locations, no particular biological resource, human use, or water quality sensitivity or conflict has been identified with respect to those sites. At the Shakan Bay LSF, water depth varies from approximately 12 to 36 feet at Mean Lower Low Water (MLLW); at the East Dry Pass LSF, water depth varies from approximately 15 to 20 feet MLLW--both less than the 40-foot minimum depth prescribed in the guidelines of the Alaska Timber Task Force.

The Pothole exhibits certain resource conflicts pertaining to log storage. Within the proposed log storage area, water depth varies from approximately 6 to 24 feet MLLW—also less than the ATTF 40-foot minimum.

In The Pothole and vicinity, a Dungeness crab fishery takes place annually with seasonal openings from June 15 to August 15 and from October 1 to November 30. This fishery is an important element of the area's Dungeness crab fishery, and, implicitly, there is a significant population of Dungeness crab that utilizes the area, including The Pothole. It is known that the health of crabs may be adversely affected by bark wastes on the bottom at certain levels, including limb joint erosion and other anomalies, reduced egg carrying, increased egg mortality, and reduced fecundity.

Communication from fishers has indicated that as many as six fishers at a time may set pots for Dungeness crab in The Pothole. Some fishers have indicated that log storage in The Pothole creates conflict with the fishery, and that, in fact, the log storage area overlies some of the most productive fishing territory. Some fishers also have expressed concern for the long-term effect of bark accumulation on the crab population and on the fishery. One fisher has formally objected to ACMP regarding authorization of log storage in The Pothole.

As noted, the DEC permit addresses only the discharge and accumulation of bark from log storage in this situation. Other agencies address the moorage system, the storage of log rafts in The Pothole, and towing log rafts into and out of The Pothole.

During the State's review of the proposed log storage under ACMP in the summer of 2006, OHMP recommended that the project be found consistent with ACMP only if log storage does not take place during the crab season opening from June 15 to August 15. OHMP relied in part on information provided by the Shellfish Management Program in the Division of Commercial Fisheries within the Alaska Department of Fish and Game. The Shellfish Management Program

in July 2006 stated to ACMP that storing logs in The Pothole may conflict with Dungeness crab commercial fishing. In March 2007, the Shellfish Management Program stated to ACMP that it opposes use of The Pothole for log storage because the program believes that log storage would have a negative impact on the Dungeness fishery by degrading Dungeness habitat and by excluding fishers from using the bay.

Project Alternatives

Under the Zone of Deposit provision of the Alaska Water Quality Standards, ADEC must consider “alternatives that would eliminate, or reduce, any adverse effects of the deposit.” Boyer Towing’s response to ADEC’s request for information addresses matters of project alternatives.

One alternative is to transport logs using barges, which would avoid entirely the need to place and store logs in the water. For a variety of reasons stated by the applicant, it appears that barging is not feasible. Primarily, the Tonka LTF lacks upland storage space necessary to collect logs for barge loading, and barging would nearly double the cost of transporting logs in rafts.

Various alternative log storage locations near the south end of Wrangell Narrows that might present less conflict with resources and uses have been considered during the State’s review of the proposed log storage. In response to specific locations raised in ADEC’s request for information, Boyer Towing states that no other site is feasible for log storage in the area of the south end of Wrangell Narrows.

However, alternative locations also are being considered in the current ACMP review of the project, and attention is focused on a location known as “alternative site #3” on Mitkof Island across Wrangell Narrows from The Pothole. It is possible that this site could be judged to be a feasible alternative to The Pothole, at least during the crab season openings. However, use of the alternative site would require an entirely new permitting process involving five State and federal regulatory agencies, which likely would take several months to resolve.

Social and Economic Considerations

As indicated, the purpose of the project is to deliver 16 mmbf of logs from the Tonka LTF to the Viking Lumber Company sawmill in Klawock. Boyer Towing’s response to ADEC’s request for information included a statement by Kirk Dahlstrom, manager of the sawmill, in regard to the significance of these logs to operation of the sawmill. The statement in part indicates the following:

- The Tonka logs constitute approximately 60 percent of the 22 mmbf of logs necessary to operate the sawmill annually.
- Without the Tonka logs, Viking will have access to only 7.5 mmbf of logs and will be forced to close the sawmill.

- Closure of the sawmill mid-season likely will result in unemployment of approximately 85 individuals engaged in timber harvest, 45 individuals employed by the sawmill, and 10 individuals employed by the towing operation.
- Viking could be subject to breach of contract in the timber harvest.
- Closure of the sawmill would cause Viking's customers to seek other sources of timber products during the closure and in the future.

It appears that significant social and economic consequences may come about if log storage at any of the LSFs is denied and that results in closure of the sawmill. ADEC believes that this situation could be the basis for determining, under the antidegradation policy, that "allowing lower water quality is necessary to accommodate important economic or social development in the area where the water is located."

The Draft Permit

Following is a brief description of the main provisions of the draft permit and explanation of ADEC's rationale for certain terms employed.

1. Project Description. Describes the proposed log storage activity and the three LSF project areas.
2. Authorized Discharges. Authorizes discharge of bark and wood debris within the three LSF project areas; prohibits discharge of other pollutants.
3. Log Volume Limitation. Limits the maximum volume of logs stored at the three LSFs during the life of the permit to 17.6 mmbf, 10 percent greater than the 16 mmbf stated in Boyer Towing's application. Because the productivity and potential sensitivity of the Dungeness crab population in The Pothole, and the water depths of less than 40 feet at the three LSFs, are contrary to the ATTF siting guidelines, and because bark discharge and accumulation might adversely affect the Dungeness crab population and fishery as "existing uses" in The Pothole, ADEC believes the permit should not authorize additional log storage for future timber sales.
4. Operating Period. The permit, if issued, would be effective from the date of issuance in 2007 through December 31, 2008. Log storage may take place as described at any time during the life of the permit. The normal life of a wastewater disposal permit is 5 years from the date of issuance. For the reasons stated under Log Volume Limitation with respect to the Pothole, ADEC believes the permit should not authorize additional log storage for future timber sales.
5. Operating Practices. Sets out seven operating practices that must be followed pertaining to log storage.

6. Zones of Deposit. Authorizes a Zone of Deposit within the project area at each of the three LSFs for the accumulation of bark and wood debris on the ocean bottom. Continuous coverage by bark and wood debris in each Zone of Deposit may not exceed both 0.5 acre in area and 10 cm in thickness. In the LTF General Permits, there is no “fixed limit” on continuous coverage by bark and wood debris; rather, there is a “threshold” of 1.0 acre in area and 10 cm in thickness, that, if exceeded, requires the permittee to submit a remediation plan designed to reduce bark to less than 1.0 acre in area and 10 cm in thickness. ADEC believes there is little likelihood that significant amounts of continuous coverage by bark and wood debris will accumulate from the proposed log storage in the two-year period. No continuous coverage was found in The Pothole in 1997 after 40 years of similar log storage. Again, for the reasons stated under Log Volume Limitation, ADEC believes that continuous coverage by bark and wood debris in the three Zones of Deposit should receive a specific and more restrictive limit in this permit.

7. Bark Monitoring Program. Requires the permittee to conduct a dive survey of bark and wood debris on the ocean bottom within the project area at The Pothole within one year of completion of log storage. In the LTF General Permits, bark monitoring is not required for log storage facilities, which are required to be deeper than 40 feet MLLW. For log transfer facilities, bark monitoring is required for any year of operation if the volume of timber transferred in the life of the permit is 15 mmbf or greater. ADEC believes that it is essential to conduct bark monitoring at The Pothole following completion of log storage to determine compliance with the Zone of Deposit, but that annual bark monitoring is not warranted for the relatively small volume of timber proposed to be stored in a two-year period.

8. Petroleum Discharge Monitoring and Reporting. Requires reporting a discharge or release of oil or a hazardous substance to ADEC and the U.S. Coast Guard, in accordance with State and federal regulations.

9. Annual Report. Requires the permittee to submit an annual report stating the total volume of logs stored at each LSF, calendar days of each storage period, number of log rafts stored on each occasion, and certain other information.

Other Conditions. Includes a number of administrative provisions.

Analysis

ADEC’s responsibility in issuing a wastewater disposal permit for bark discharge and accumulation in the proposed log storage at the three LSFs is to assure that the Alaska Water Quality Standards are met, including the residues criteria, the Zones of Deposit provision, and the antidegradation policy to “protect existing uses of the waterbody as a whole.” The permit does not address the physical presence of mooring anchors and buoys and log rafts at the LSFs.

Under the antidegradation policy, ADEC must consider possible adverse impacts of bark accumulation on biological uses of the waterbody--the organisms that make up the marine ecosystem--and on human uses of the waterbody. The foremost concern is possible adverse impacts on the Dungeness crab population, and possible effects of those impacts on the crab fishery.

The same concern pertains to the Zone of Deposit assessment. In issuing a Zone of Deposit, ADEC is required to consider impacts on human health, impacts on aquatic life, impacts on other uses of the waterbody, expected duration of the deposit and any adverse effects, potential transport of pollutants, and alternatives that would eliminate or reduce adverse effects of the deposit.

It should be noted that the water quality criteria and the antidegradation policy may be exceeded within a Zone of Deposit but not outside the Zone of Deposit. Thus, within a Zone of Deposit, the residues criteria may be exceeded to a specified degree, and existing uses of the water may be affected.

The ATTF guidelines have been used by the State in siting log transfer facilities since the mid 1980s. Their application to log storage facilities has occurred only since 2000 under the LTF General Permits. Particularly in an individual wastewater disposal permit, these guidelines must be evaluated on a site-specific basis. As described, log storage at The Pothole, and to a lesser extent at the two Dry Pass locations, is contrary to the ATTF siting guidelines concerning site productivity, sensitive habitats, and water depth. The immediate concern again is possible adverse impacts of log storage on the crab population and on the established crab fishery.

Certain factors mitigate the concern for adverse impacts to the crab population and fishery.

First, logs in storage typically discharge relatively little bark. As indicated, the 1997 dive survey, following more than 40 years of log storage at The Pothole, found no continuous bark coverage, and mostly 10 to 25 percent bark coverage. However, that degree of bark coverage may be present over an area of nine acres or greater of the Pothole's bottom. The dive survey that will be conducted in late April or early May 2007 will determine the bark accumulation that resulted from the storage of approximately 10 mmbf of logs in 2006.

Second, the volume of logs proposed to be stored is not great, at 16 mmbf over a two-year period.

Third, the duration of log storage is short. Since there are roughly four rafts to each one million board feet, the total number of rafts is approximately 64. Shuttling rafts one at a time through Wrangell Narrows, twice per day, in groups of four or six, and storing them in the Pothole means that a total of roughly 32 days of storage time is required spread over a two-year period. A tow of four or six rafts normally is removed from The Pothole within an hour or two after arrival of the final raft.

Consideration of alternatives to storing logs in The Pothole is a key factor in the analysis in order to eliminate or mitigate possible adverse impacts to resources and uses. As indicated, barging logs as an alternative to rafting logs does not appear to be feasible. Alternative sites for log storage that might cause less adverse impact to resources and uses have been reviewed. According to Boyer Towing, there is no feasible alternative site in the vicinity of the south end of Wrangell Narrows because of strong currents, navigational hazards, and weather exposure. However, a site known as "alternative site #3" on Mitkof Island shore on the opposite side of Wrangell Narrows from The Pothole is receiving further consideration in the review being conducted under the Alaska Coastal Management Program.

Under the antidegradation policy, ADEC may allow the reduction of water quality in a Zone of Deposit if lower water quality is necessary to accommodate important social or economic development in the area. Boyer Towing has stated that, if logs from the Tonka LTF do not reach the Viking sawmill in 2007, the mill would be forced to close. The loss of employment would include approximately 85 individuals engaged in timber harvest, 45 individuals employed by the sawmill, and 10 individuals employed by the towing operation; secondary economic and social consequences also would occur. In the small towns of Southeast Alaska, this loss of employment would constitute significant economic and social impact.

Conclusion

As indicated, ADEC proposes to issue a wastewater disposal permit to Boyer Towing. ADEC will make a final decision on issuance based on comments received from the public and from State resource agencies, and on further analysis of water quality and social and economic issues.

Figure 1. The Pothole, East Dry Pass, and Shakan Bay LSFs, and the log raft tow route from the Tonka LTF to Klukwan

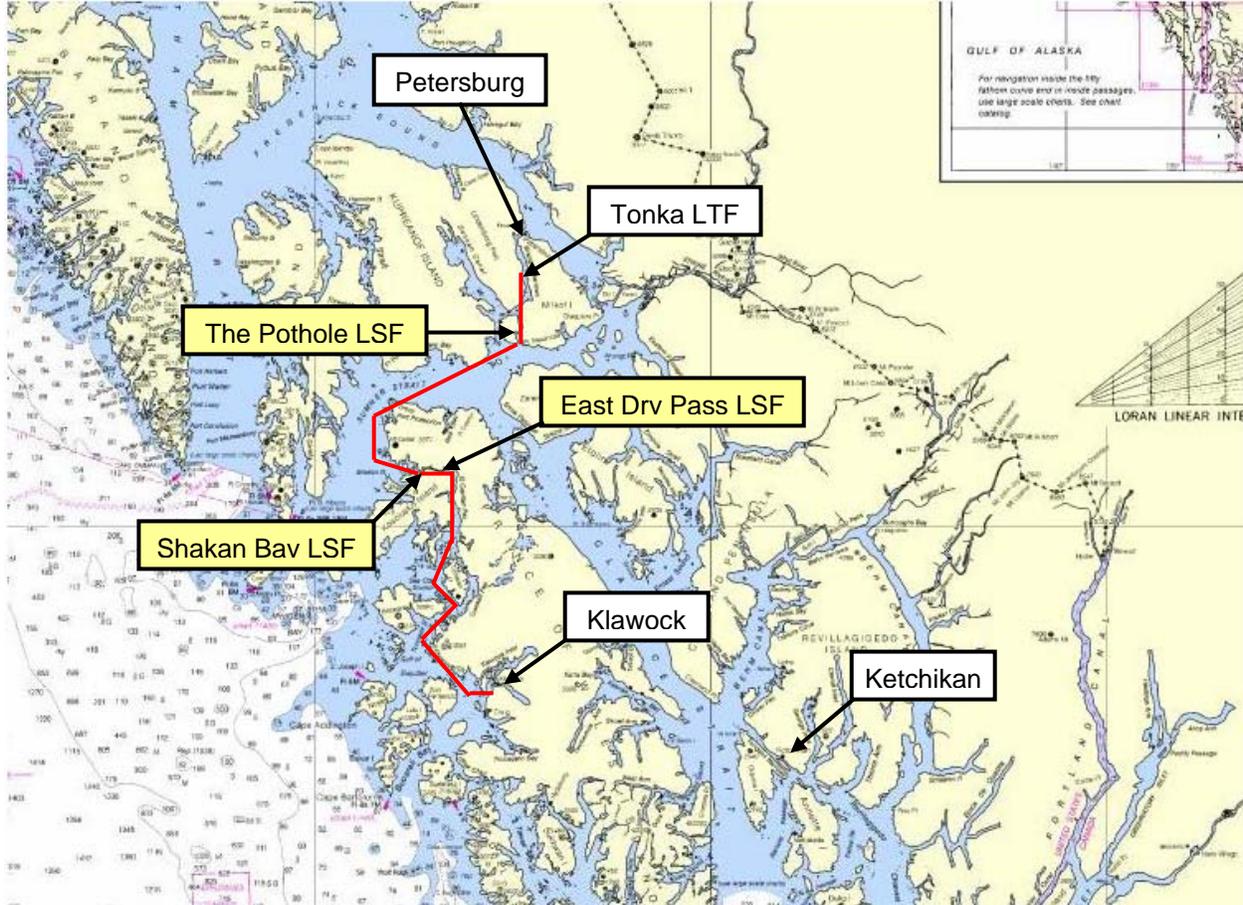


Figure 2. The Pothole LSF

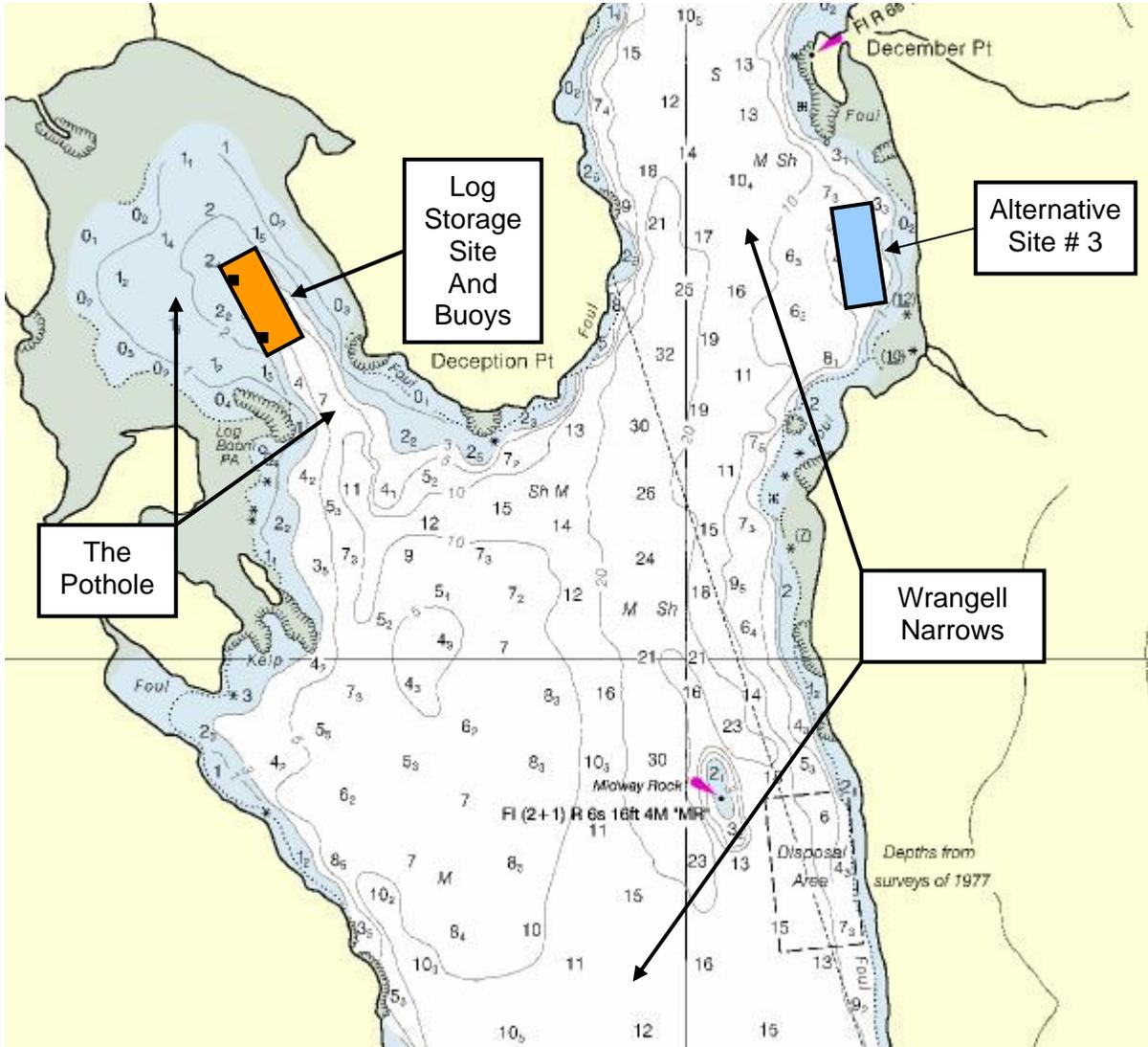
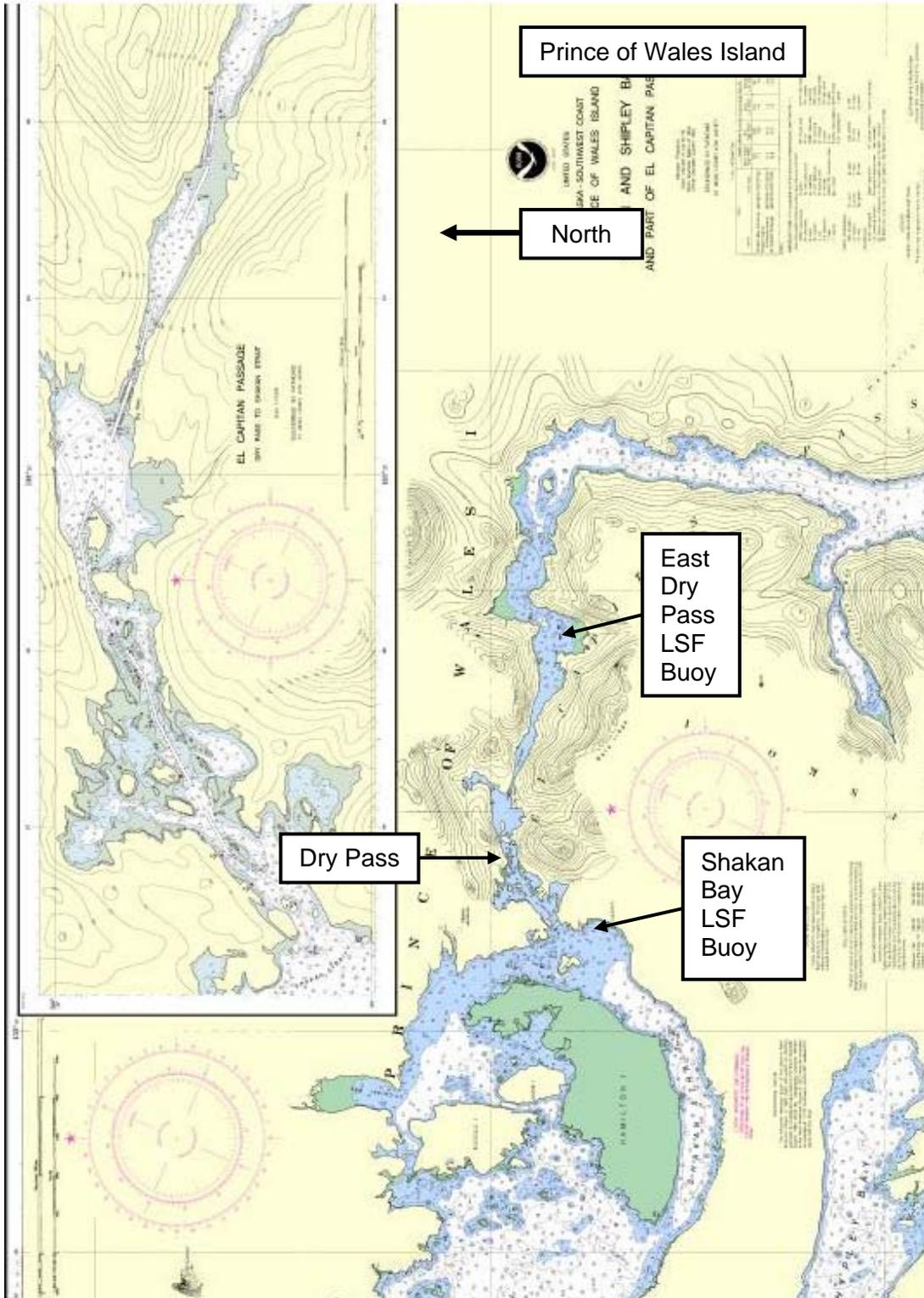


Figure 3. Shakan Bay and East Pass LSFs. Each site is a single mooring buoy with a log storage area that is a circle with 500-foot radius.



Public Notice

Alaska Department of Environmental Conservation
Division of Water
410 Willoughby Avenue
Juneau, Alaska 99801

The Department of Environmental Conservation (DEC) is seeking public comment on a draft Wastewater Disposal Individual Permit to authorize the discharge of bark waste by Boyer Towing, Inc., from log rafts stored temporarily in three locations in Southeast Alaska.

One location is a cove known as The Pothole on Woewodski Island at the south end of Wrangell Narrows approximately 18 miles south of Petersburg. The other two locations are at the west end of Dry Pass in Shakan Bay and at the east end of Dry Pass in an unnamed cove called East Dry Pass. Dry Pass is at the northern end of El Capitan Passage on the northwest side of Prince of Wales Island approximately 45 miles north of the city of Klawock.

The applicant proposes to tow log rafts from the Tonka Log Transfer Facility in Wrangell Narrows to the Viking Sawmill in Klawock. It is necessary to shuttle one or two log rafts at a time through the narrow passages of Wrangell Narrows and Dry Pass, which requires temporary log raft storage sites at both ends of each passage. The applicant proposes to store four or six log rafts for this purpose in the three locations indicated for one to three days out of each two week period from spring through fall in 2007 and over a lesser period in 2008. Log rafts would be tied to mooring buoys while stored in each location.

Issuance of a Wastewater Disposal Individual Permit would authorize the discharge of bark wastes from logs in storage and accumulation of bark wastes in a Zone of Deposit on the ocean bottom within limits set by DEC. In issuing a permit, DEC must determine that the proposed discharge and accumulation of bark will comply with the Alaska Water Quality Standards and will protect existing uses of waters, including both biological and human uses.

Comments must be submitted in writing by e-mail, fax, mail, or hand delivery to the contact below by 5 p.m., May 18, 2007. Copies of the draft permit and a Fact Sheet are available at <http://www.dec.state.ak.us/water/wnpssc/forestry/ipwardcoveip.htm>, or upon request from the contact below.

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The State of Alaska, Department of Environmental Conservation, complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Deborah Pock at (907) 269-0291, contact TDD Relay Service at 1-800-770-8973/TTY, or dial 711, within 20 days of publication of this notice to ensure that any necessary accommodations can be provided.