



United States
Department of
Agriculture

Forest
Service

Alaska Region
Tongass National Forest
Sitka Ranger District

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File Code: 2770

Date: August 3, 2012

Christopher Brewton
Utilities Director
City & Borough of Sitka
105 Jarvis Street
Sitka, AK 99835

Dear Mr. Brewton:

We reviewed the *Draft Environmental Compliance Monitoring Plan, Blue Lake Hydroelectric Project (FERC No. P-2230) Expansion*, prepared by City & Borough of Sitka Electric Department in May, 2012. Based on this review, we offer the following comments:

NEED for THIS PLAN – Replace this entire section with the following:

This Environmental Compliance Monitor Plan has been developed to satisfy License Article 405 4(e) Condition No. 20 in Amendment order issued 5/31/2012.

Condition No. 20 – Environmental Compliance Monitor states:

To ensure adherence to license conditions, mitigative measures, and other environmental aspects of project construction, including those stated in each management and mitigation plan, the Forest Service will require the licensee to provide a qualified environmental compliance monitor to oversee the project during construction activities (e.g., vegetative or land disturbing, or spoil producing activities). The compliance monitor will be a liaison between the Forest Service and Licensee. The compliance monitor should be a third party contractor independent of the licensee or agency, subject to approval for both the Licensee and the Forest Service. The compliance monitor will have the authority to stop work or issue change orders in the field should conditions so warrant. Once major construction activities are completed the compliance monitor will no longer be needed.

EXISTING PLAN REQUIREMENTS – The license amendment does not contain an article separate of the 4(e) Condition that requires an ECM. This section can be removed.

PROPOSED PLAN ELEMENTS – Remove word *PROPOSED*. Remove language *The City has adopted language from the existing plan in the following text:*

EMPLOYMENT OF ENVIRONMENTAL MONITOR

Authority

In the first bulleted statement, change the fifth sentence to read: The ECM will report minor violation, judged not significant enough to warrant stop work orders, immediately to the Contractor and *daily* to the resource agencies.

In the second bullet, complete the second sentence and end the last sentence with *immediately*.

In the third bullet, why is AS 16.05 excepted?



QUALIFICATIONS, DUTIES, AND RESPONSIBILITIES

Duties and Responsibilities

End bulleted statement two with: ; *agencies will attend at their discretion.*

Change the first sentence of bullet three to read: Report all violations to the Contractor's construction superintendent, *PRP, and agencies* and require immediate remedial action.

Regarding both bullets four and five: any stop work orders or change items will be reported to the agency when they occur. Reports can be filed within the week. Remove language *if deemed necessary by the ECM.*

Change the last sentence of bullet seven to: *The ECM will accommodate agency requests for inspections on-site.*

COMMUNICATIONS

Materials to be provided to Environmental Compliance Monitor

The ECM will be provided with the following documents before construction begins:

- *Final Plans, Design Drawings, and Specifications (4e Condition No. 1 & 14);*
- *Hazardous Substances Plan (4e Condition No. 3);*
- *Heritage (Cultural) Resource Protection Plan (4e Condition No. 7) existing;*
- *Seasonal Minimum In-stream Flow Releases (4e Condition No. 8) existing;*
- *USFS Special Uses Permit (4e Condition No. 13);*
- *Traffic Safety / Safety During construction Plan (4e Condition No. 15 & 16);*
- *Project Mitigation and Monitoring Plan (4e Condition No. 19);*
- *Water Quality Monitoring Plan (long-term water quality monitoring and construction water quality monitoring);*
- *Fish Monitoring Plan;*
- *Wildlife Monitoring Plan;*
- *Grassland Mitigation & Monitoring Plan;*
- *Environmental Compliance Monitoring Plan (4e Condition No. 20);*
- *Noxious Weed Management Plan (4e Condition No. 21);*
- *Erosion and Sediment Control Plan (4e Condition No. 22);*
- *Revegetation Plan;*
- *Rehabilitation Plan;*
- *Bear Safety Plan;*
- *Reservoir Access Control Plan;*
- *Construction Schedule;*
- *Copies of all permits, including periodic updates; and*
- *A contacts list providing names and phone numbers of relevant agency, Licensee, and Contractor personnel, including periodic updates.*

Partnering

The ECM will participate in a "Partnering Relationship" with the Licensee, Contractor, *RPR, and Agencies.*

Weekly Meetings

Insert as a new second sentence: *The agencies will attend at their discretion.*

Other Communications

It is the intent of the *plan* that there be open, respectful, and cooperative communication between the ECM, the Licensee, *the Contractor's*, and *the Agencies'* personnel on a routine basis.

If you have questions please call Clay Davis at (907) 747-4225 or email clayrdavis@fs.fed.us.

Sincerely,

CAROL A. GOULARTE
District Ranger