



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Glennallen Field Office  
P.O. Box 147  
Glennallen, Alaska 99588  
<http://www.blm.gov/ak>

## **Whiting Harbor Research** DOI-BLM-AK-A020-2015-0004-EA

Applicant: The State of Alaska Department of Fish and Game and the Smithsonian Environmental Research Center

### **DECISION RECORD**

#### **Background**

The BLM is considering authorizing the Alaska Department of Fish and Game (ADF&G) and the Smithsonian Environmental Research Center (SERC) to conduct field testing of several biocide compounds in Whiting Harbor, Sitka, Alaska to respond to a marine invasive species *Didemnum vexillum* (*D. vexillum*). The applicants will be testing equipment and measuring the concentration and duration of biocide compounds needed to cause mortality of the invasive tunicate *D. vexillum*. Rock salt (block or granular), chlorine (granular or puck), cement dust, dye, and chlorine-salt combination treatments will be delivered into dome-enclosures (1.25 m in diameter and 0.5 m in height), via a 3/4" hose. No more than 200 m<sup>2</sup> of seafloor will receive treatments during the entire project. The project will occur either before or after the subsistence and commercial herring egg fishery. The project would identify proven and cost-effective eradication methods to determine if a bay-wide control treatment is a feasible means to attempt to eradicate invasive *D. vexillum* from Whiting Harbor.

#### **Decision**

I have decided to select Alternative 2, the Proposed Action Alternative. This decision is based on specific analysis found within the Whiting Harbor Research Environmental Assessment (DOI-BLM-AK-A020-2015-0004-EA). This decision is further supported by management decisions contained in the Ring of Fire Record of Decision (ROD 2008).

Specifically, it is my decision to authorize:

- ADF&G and SERC to conduct field testing to measure the concentration and duration of biocide compounds and equipment needed to cause mortality of the invasive tunicate *D. vexillum*.
- In-water project work either before or after the subsistence and commercial herring egg fishery.
- No more than 200 m<sup>2</sup> of seafloor treatments during the entire project.

- The use of rock salt (block or granular), chlorine (granular or puck), cement dust, dye, and chlorine-salt combination treatments to be delivered into dome-enclosures via a hose.

Impacts will be minimized with the incorporation of the Best Management Practices and Design Features identified in the EA.

The Finding of No Significant Impact (FONSI) indicates that the selected alternative has been analyzed in an Environmental Assessment (EA) and has been found to have no significant environmental effects. Therefore, an Environmental Impact Statement is not required and will not be prepared.

### **Rationale for the Decision**

The No Action Alternative was not selected because it would not meet the purpose and need of the applicant.

Alternative 2 was selected because it meets the purpose and need of the applicant and objectives defined in the Ring of Fire Record of Decision. The need for the action is driven by the potential for the invasive to cause economic or environmental harm to the waters in and surrounding Whiting Harbor. This is consistent with goals identified within the Ring of Fire Management Plan, specifically Management Action U-2a, Water Resources. “Through management of water resources and protection of aquatic habitat, the BLM will support the health objectives of the fisheries program by protecting the water resources.” The purpose of the action is to identify proven and cost-effective eradication methods to determine if a bay-wide control treatment is a feasible means to attempt to eradicate invasive *D. vexillum* from Whiting Harbor.

### **Laws, Authorities, and Land Use Plan Conformance**

The EA and supporting documentation have been prepared consistent with the requirements of various statutes and regulations, including but not limited to:

- National Historic Preservation Act as Amended 1992
- Executive Order 11987 of May 1977 (Exotic Organisms)
- Endangered Species Act of 1973
- Marine Mammal Protection Act of 1972

The Ring of Fire Resource Management Plan and Record of Decision (ROD) provides the overall long-term management direction for lands encompassed by the proposed project (BLM 2008). The Proposed Action and alternatives are consistent with the ROD (EA, p. 6).

### **Public Involvement, Consultation, and Coordination**

A summary of the proposed project was posted to the BLM’s national NEPA register website, ePlanning on November 25, 2014. A feature piece that requested comments was written by the Daily Sitka Sentinel Record newspaper the week of November 28, 2014.

A Notice of the Proposed Action and solicitation of comments was published on the What’s Up Alaska list server, and mailed to Sitka Tribe of Alaska, Shee Atika Incorporated, Sealaska Corporation, Central Council Tlingit & Haida Indian Tribes of Alaska, and State of Alaska

Representative Jonathan Kreiss-Tomkins. Eighty-three stakeholders with previously demonstrated interest in the issue also received a notice. The mailings were sent on November 21, 2014. A public service radio announcement was placed on the regional radio station, KCAW, on the week of November 24, 2014. Public service announcement flyers were posted in Sitka at grocery stores (3), post offices (2), and three other prominent locations in town on November 28, 2014. The deadline for comments was Monday December 8, 2014.

A total of five comments were received. One comment was received that raised a potential new issue not identified by the interdisciplinary review team. The issue consisted of questioning what chemical compounds are in the treatment dye and could they enter the food chain and contaminate subsistence resources? Four commenters did not reveal any new issues or provide any new information not already identified. All commenters were supportive of the project.

### **Appeal Opportunities**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR § 4. To appeal you must file a notice of appeal at the BLM Glennallen Field Office, P.O. Box 147, Milepost 186.5 Glenn Highway, Glennallen, Alaska 99588, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Glennallen Field Office as noted above. *The BLM does not accept appeals by facsimile, email, or other electronic means.* The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR § 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (see 43 CFR § 4.413); Office of the Regional Solicitor, Alaska Region, U.S. Department of the Interior, 4230 University Drive, Suite 300, Anchorage, Alaska 99508; at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

*/s/ Dennis C. Teitzel*

*1/27/2015*

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Dennis C. Teitzel  
Glennallen Field Manager

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Date

### **Attachments**

*Finding of No Significant Impact (FONSI) for DOI-BLM-AK-A020-2015-0004-EA*

*Whiting Harbor Research Environmental Assessment, DOI-BLM-AK-A020-2015-0004-EA*