

SAR - PWS - Interests - TE

Comment # Comment

0028328-009 Jurisdiction

This is perhaps the most fatally flawed area in the DEIS; the whole document is thrown out of balance by the analytical omission of Prince William Sound waters. The National Forest Management Act (NFMA) requires that the CNF Land and Resource Management Plan must form one integrated plan for all of the lands and resources of the conservation unit. The National Environmental Policy Act (NEPA) further requires that the Forest Service prepare an Environmental Impact Statement on the CNF that encompasses all of the resources found there. As the 1907 CNF boundary was drawn to include the tidelands and submerged lands of Prince William Sound, the Forest Service must address these resources, regardless of agreements with other land management agencies. Implications of this omission resound throughout the DEIS, from lack of adequate cumulative impacts to administrative rules and guidelines. ACE questions not only the veracity of cumulative impact analysis if this issue is not addressed, but the arbitrary nature of the omission.

The Forest Service itself seems confused about its management in the Sound. For example, 3-201 of the DEIS lists two Federally listed endangered species "within the boundaries of the Chugach National Forest," both of which are aquatic mammals whose habitat is Prince William Sound (PWS). Yet, the DEIS fails to even consider visitor use on PWS as an impact to air quality, instead citing neighboring communities as the most likely source of air contamination (3-6). Rather than attempt to protect its resources, the Forest Service is continuing a pattern of abdication management responsibility. In fact, the Forest Service cannot sidestep its responsibility, being required, for example, to prepare biological assessments for ESA-listed species within its boundaries.

The Forest Service has yet to address the jurisdiction issue through the NEPA process, although relinquishing management of the waters of Prince William Sound is certainly "a major federal action significantly affecting the environment." Instead, it has signed away management of the public's resource without its input.