

Appendix A
Correspondence



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 6898
JBER, AK 99506-0898

Ms. Judith Bittner
State Historic Preservation Officer
Office of History and Archaeology
550 West 7th Avenue, Suite 1310
Anchorage, AK 99501-3565

28 Feb 2018

Dear Ms. Bittner:

The U.S. Army Corps of Engineers (USACE), has prepared an Environmental Impact Statement (EIS) for the development of the Denali Commission's community layout design for Mertarvik (Sections 34–36, T9N, R86W, and Sections 1–3, T8N, R87W, USGS Quad Baird Inlet D-7, Seward Meridian, Figure 1), located along the Ninglick River on Nelson Island, approximately 9 miles southeast of Newtok, Alaska. In compliance with Section 106 of the National Historic Preservation Act of 1966 [36 CFR § 800.3(b)], a notice of availability of the draft EIS for public review was sent to your office on December 30, 2017. The USACE received comments from your office on January 9, 2018. In compliance with 36 CFR § 800.2(a)(4), the purpose of this letter is to notify you of a proposed Federal undertaking and to seek your concurrence on an assessment of effect.

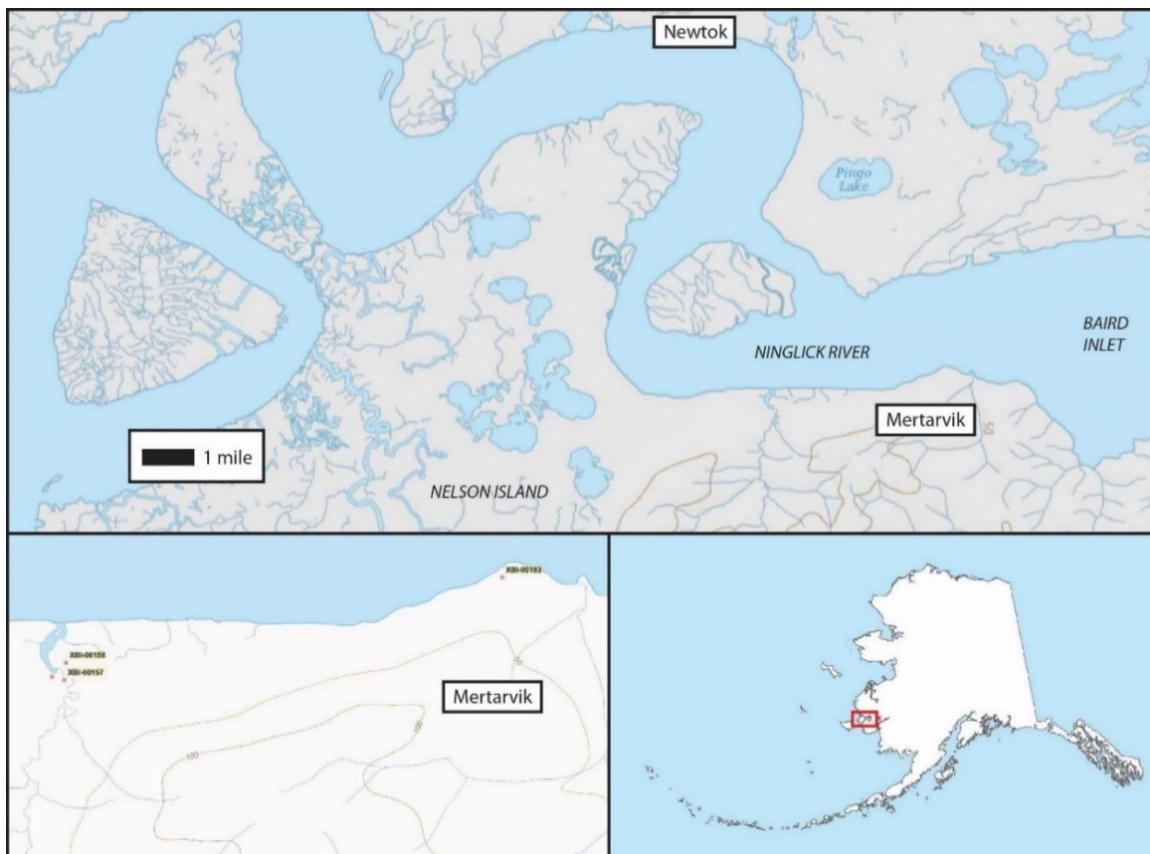


Figure 1. Project Area overview.

Context

The cultural history of Nelson Island is subsumed into the southwestern Alaska region. Shaw (1998) identifies the Yukon-Kuskokwim Delta, Nunivak Island, and northern Bristol Bay areas as a single region for the purposes of archaeological discussion. Dumond (1984) divides the cultural history of southwestern Alaska into the Paleoarctic, Northern Archaic, Arctic Small Tool, Norton, and Thule traditions. The earliest known sites in southwestern Alaska date to the Northern Archaic tradition, around 5,000 years ago. The Arctic Small Tool tradition appeared not long after (Dumond 1984, 2005). Relatively little archaeological research has been conducted on or near Nelson Island. In the 1970s, Okada (1975; Okada et al. 1982) mapped and tested multiple sites on Nelson Island, including a multicomponent site near the Tununak airport with a basal cultural layer dating to approximately 3,000 years ago. In the 1980s, Shaw excavated an unnamed site just south of Nelson Island, but the data remain unreported.

Nelson Island and the nearby surrounding area is the traditional territory of the Qaluyaarmiut, a Central Yup'ik-speaking people whose modern communities include the Native Villages of Tununak, Newtok, Chefornak, Toksook Bay, Kipnuk, Nightmute, and Umkumiut (NIC 2018). The earliest written documentation of the Qaluyaarmiut comes from Edward Nelson's 1878 ethnological survey (Nelson 1899; Fienup-Riordan 1983). Although they had been part of the international trade system for more than 100 years prior, direct impacts by the United States were not felt among the Qaluyaarmiut until 1925, when the government built a school at Tununak. In 1934, reindeer were introduced to Nelson Island (USFWS 1988). Newtok, the closest village to Mertarvik, was established in 1949 when the community of Old Kealavik moved to the site to be closer to a government furnished school, which was completed in 1958.

Project Description

The purpose of the Denali Commission's Mertarvik Infrastructure Development project is to provide the people of the Native Village of Newtok with a place to live that allows them to keep their community and way of life within their traditional lands, while also providing the necessary infrastructure for a safe, sustainable, and healthy existence. The current community of Newtok is experiencing accelerating erosion and flooding; its location is unsustainable. In 1994, the Newtok Native Corporation swapped approximately 10,000 acres of land with the U.S. Fish & Wildlife Service (Yukon Delta National Wildlife Refuge) in order to acquire ownership of the Mertarvik area on Nelson Island. In preparation for future development, the Denali Commission has, in consultation with Newtok, developed a community layout plan for the new village of Mertarvik (Figure 2).

Some infrastructure has already been built at Mertarvik (Figure 3). This includes ten houses (three built in 2007, three built in 2012, and four built in 2017), a well and foundation for the Mertarvik Evacuation Center, storage buildings, a shallow draft barge landing ramp and associated staging area, and unimproved access roads. Most of the proposed community would be constructed to the east of the shallow draft barge landing.

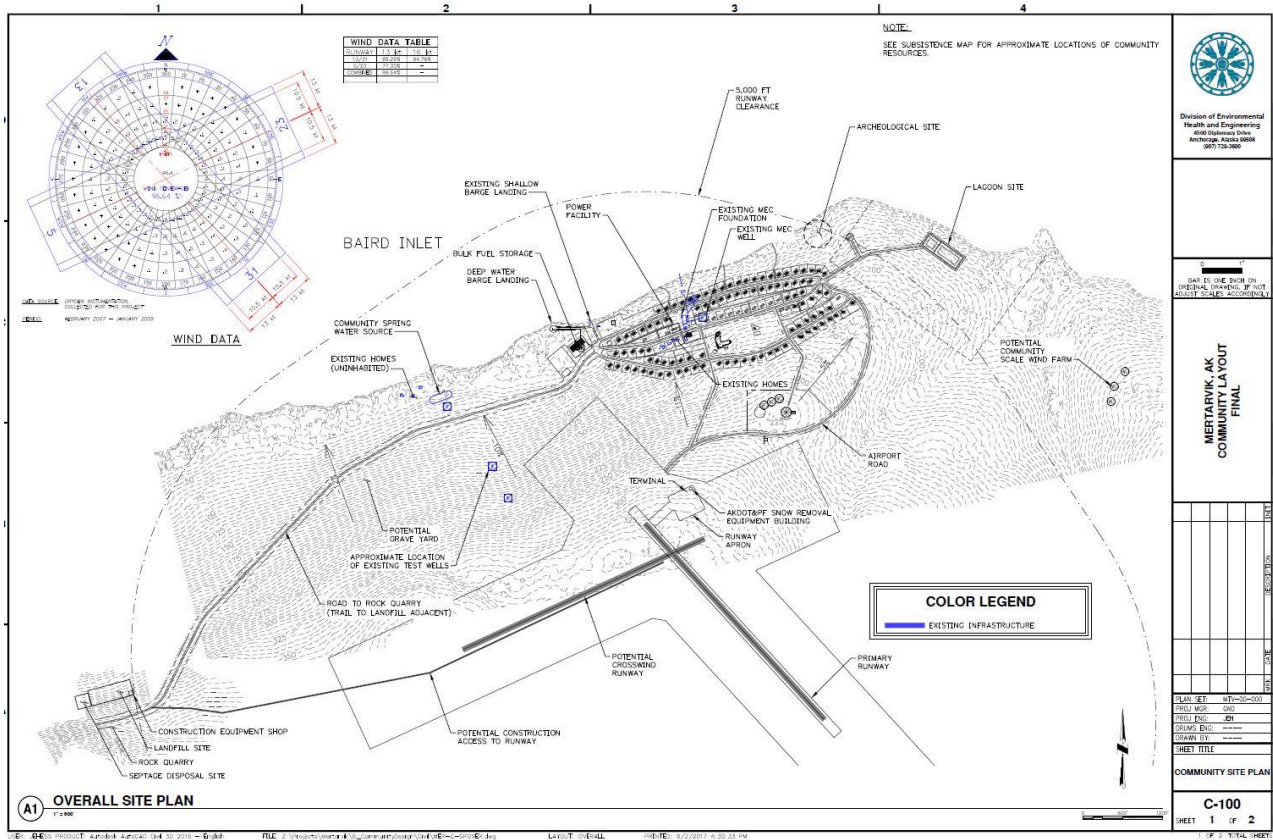


Figure 2. Community Preferred Alternative for the Mertarvik community layout plan. Note that circled “archeological site” is XBI-183.



Figure 3. View of Mertarvik on September 1, 2017, looking southwest.

Assessment of Effect

The area of potential effect (APE) for this undertaking is the footprint of the Community Preferred Alternative for the Mertarvik community layout plan (see Figure 2), with the exception of the proposed runways and runway apron. The Federal Aviation Administration (FAA) is coordinating the proposed runways and apron with your office separate from this effort due to the need for a cultural resources survey of that area (FAA 2017). The APE coordinated herein was surveyed by the USACE in 2002 and 2005 (Grover 2007).

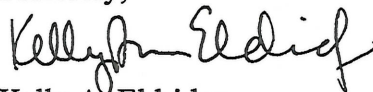
Table 1. Sites identified in the vicinity of the APE.

| AHRS No. | Site Name | NRHP Status | In APE |
|----------|--|-------------|--------|
| XBI-156 | Old winter camp and summer herding station | None | No |
| XBI-157 | 5 depressions and 55-gallon drums | None | No |
| XBI-158 | 2 house depressions and 11 house pits | None | No |
| XBI-183 | Clay pits | Eligible | No |

There are three sites (XBI-156, XBI-157, XBI-158) clustered near the mouth of Takichak River, approximately 2.5 miles west of the proposed community. This area, traditionally called Mertarvik or Taqikcaq, was used by Nelson Island reindeer herders. Elder Michael John noted that Waska, an important reindeer herder, built a small frame house there soon after reindeer were introduced to Nelson Island (Rearden and Fienup-Riordan 2011:357). The clay pits (XBI-183) are just northeast of the proposed community; the area is labeled on the community layout plan as a location to avoid (see Figure 2). On March 22, 2017, during a public scoping meeting in Newtok, the USACE was informed of possible gravesites near the three uninhabited houses built in 2007. The community layout plan avoids the location of these homes and the nearby Mertarvik Spring.

The development of the Community Preferred Alternative for the Mertarvik community layout plan (not including the proposed runway and runway apron) will not impact any known cultural resources in the area. Following 36 CFR § 800.4(d)(1), the USACE seeks your concurrence on the determination that this undertaking will result in **no adverse effect** on historic properties. If there is any alteration to the footprint of the proposed community layout plan prior to its construction, the lead Federal agency will reinitiate consultation under Section 106 of the NHPA. If you have any questions about this project, please contact Kelly Eldridge by phone at 907-753-2672, or by email at kelly.a.eldridge@usace.army.mil.

Sincerely,



Kelly A. Eldridge
Archaeologist
Environmental Resources Section

Cc:

- Paul Charles, President, Newtok Village Council
- Jimmy Charles, Jr., President, Newtok Native Corporation

Wayne Don, Chair, Calista Corporation
Marcella White, Unit 8, Association of Village Council Presidents
Don Antrobus, Captain, Denali Commission
Keith Gordon, Federal Aviation Administration

References Cited

- Alaska Heritage Resources Survey (AHRS). 2018. AHRS Database. Alaska Office of History and Archaeology.
- Dumond, Don. 1984. Prehistory of the Bering Sea Region. In: Handbook of North American Indians, Vol. 5 (Arctic). Dams, D. (ed). Pp. 94-105. Smithsonian Institution.
- Dumond, Don. 2005. A Naknek Chronicle: Ten Thousand Years in a Land of Lakes and Rivers and Mountains of Fire. Katmai National Park & Preserve. Government Printing Office.
- Federal Aviation Administration (FAA). 2017. Letter to SHPO (Judith Bittner) from DOT&PF (Erik Hilsinger) re: proposed runway at Mertarvik. November 21, 2017.
- Fienup-Riordan, Ann. 1983. The Nelson Island Eskimo: Social Structure and Ritual Distribution. Alaska Pacific University Press.
- Grover, Margan. 2007. Archaeological Evaluation of Cultural Resources around Mertarvik, Alaska: Proposed Relocation Site for Newtok. USACE, Alaska District Archaeology Survey Report, April 2007.
- Nelson Island Consortium (NIC). 2018. Caninermuit/Qaluyaat-llu Nunamta Menuitengnaqlerkaanun Nunam Caliarat. Online document, www.nelsonislandconsortium.org
- Okada, Hiroaki. 1975. Settlement and Community Pattern of the Nelson Island Eskimos. Bulletin of the Institute for the Study of North Eurasian Cultures, No. 9. Faculty of Letters, Hokkaido University, Japan.
- Okada, Hiroaki, Atsuko Okada, Kunio Yajima, Osahito Miyaoka, and Chikuma Oka. 1982. The Qaluyaarmiut: An Anthropological Survey of the Southwestern Alaska Eskimos. Department of Behavioral Science, Faculty of Letters., Hokkaido University, Japan.
- Rearden, Alice, and Ann Fienup-Riordan (eds). 2011. Qaluyaarmiuni Nunamtenek Qanemciput: Our Nelson Island Stories. Calista Elders Council and University of Washington Press.
- Shaw, Robert. 1998. An Archaeology of the Central Yupik: A Regional Overview for the Yukon-Kuskokwim Delta, Northern Bristol Bay, and Nunivak Island. Arctic Anthropology 35(1):234-246.
- US Fish & Wildlife Service (USFWS). 1988. Yukon Delta National Wildlife Refuge Comprehensive Conservation Plan, Environmental Impact Statement, Wilderness Review and Wild River Plan. Region 7, Anchorage, Alaska.



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
1689 C Street, Suite 119
Anchorage, Alaska 99501-5126

VIA ELECTRONIC MAIL, NO HARD COPY TO FOLLOW

9043.1
ER 17/0457
PEP/ANC

November 8, 2017

Byron K. Huffman
U. S. Department of Transportation
Federal Aviation Administration
Alaskan Region, Airports Division (AAL-600)
222 West 7th Ave, Mailstop #14
Anchorage, Alaska 99513-7587

Subject: Draft Section 4(f) Analysis for the Mertarvik Community Infrastructure Development Project

Dear Mr. Huffman:

The U.S. Department of the Interior (Department) has reviewed the Federal Aviation Administration's (FAA) draft analysis for the Mertarvik Community Infrastructure Development Project, pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 U.S.C. § 303). We thank you for your letter, dated September 25, 2017, requesting that the Department's U.S. Fish and Wildlife Service (Service) review the draft, which requires analysis of potential impacts on significant 4(f) resources such as wildlife and waterfowl resources on the Yukon Delta National Wildlife Refuge. The Denali Commission of Alaska, through an environmental impact statement (EIS), is analyzing the potential environmental impacts of moving the Alaska Native Village of Newtok to a congressionally designated site called Mertarvik, located on higher elevation across the Ninglick River.

The new location at Mertarvik includes a new airport runway, and the FAA is conducting a 4(f) analysis because the airport borders the refuge. While the Service has provided, and will continue to provide, technical assistance for analysis in the EIS, our comments below specifically address resources to be considered in the 4(f) analysis.

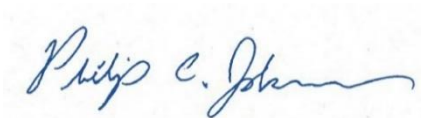
The Alaska National Interest Lands Conservation Act identifies the conservation of black brant (*Branta bernicla nigricans*) among the purposes of Yukon Delta National Wildlife Refuge. There are two important brant colonies between the existing Newtok runway and the proposed Mertarvik runway. The Department recommends the FAA include analysis of black brant behavioral response to flights from the proposed runway in the 4(f) analysis using the detailed technical analysis the Service provided to the FAA on October 16, 2017. The Service

recommended the FAA consider black brant response behavior with regard to flight patterns, varying types of aircraft (i.e., helicopter, fixed wing, and commercial), flight height, and flight direction in close proximity to the nesting colonies.

After reviewing available literature and subsequent discussion with the FAA and the Service's species experts, the Service determined that impacts on the black brant colonies from the proposed Runway 1/1A or Runway 3/3A in Mertarvik, which is slightly further from the colonies, would be similar to impacts from the existing Newtok airport. Therefore, the Department concurs with the FAA's determination that there would be no substantial impairment of 4(f) resources because there would be "no substantial change in aircraft operations from the limited flight operations at Newtok and the proposed replacement flight operations at Mertarvik."

Thank you for requesting our comments and recommendations on the draft analysis. If you have any questions, please contact Ms. Jennifer Spegon at (907) 271-2768 or jennifer_j_spegon@fws.gov, or Mr. Brian McCaffery at (907) 330-7514 or brian_mccaffery@fws.gov.

Sincerely,

A handwritten signature in blue ink that reads "Philip C. Johnson". The signature is fluid and cursive, with a long horizontal flourish at the end.

Philip Johnson
Regional Environmental Officer - Alaska



U.S. Department
of Transportation

**Federal Aviation
Administration**

AIRPORTS DIVISION

FAA Alaskan Region
222 W. 7th Avenue, Box 14
Anchorage, Alaska
99513-7587

October 2, 2017

Mr. Paul Charles, President
P.O. Box 5545
Newtok, AK 99559

Dear President Charles,

Mertarvik Airport Construction
Mertarvik Town site, Alaska
Government-to-Government Consultation Initiation

The Federal Aviation Administration (FAA) is a Cooperating Agency involved in the Environmental Impact Statement (EIS) production related to the proposed Newtok Village relocation to the Mertarvik Town site. The Draft EIS will be published for public review and comment this month. Therefore, FAA would like to invite the Native Village of Newtok to participate in Government-To-Government Consultation if there are any issues the Native Village would like to address.

Purpose of Government-to-Government Consultation

The primary purpose of government-to-government consultation as described in Federal Executive Order 13175 “Consultation and Coordination with Indian Tribal Governments” and FAA’s Order 1210.20 “American Indian and Alaska Native Tribal Consultation Policy and Procedures” is to ensure that Federally Recognized Tribes are given the opportunity to provide meaningful and timely input regarding proposed FAA actions that uniquely or significantly affect Tribes.

Consultation Initiation

With this letter, the FAA is offering to consult on concerns that uniquely or significantly affect your Tribe related to the potential actions described below. Early identification of Tribal concerns will allow the FAA and the airport owner and operator to consider ways to avoid and minimize potential impacts to Tribal resources and/or cultural practices as project planning and alternatives are further developed and refined; if they indeed are. We would be pleased to discuss details of the proposed project and its potential impacts with you.

Project Information

The purpose of the proposed airport project is to construct a replacement airport for the Newtok, Alaska airport at the Mertarvik town site.

Updated October 2, 2017

The Newtok Replacement Airport would be located within Sections 1, 2, 3, 10, 11, 12, Township 8 North, Range 87 West, on USGS Quad Map Baird Inlet D-8, Seward Meridian, at Latitude 60° 48' 47.93" N, Longitude -164°30' 23.39" W, at Mertarvik Town site, Alaska.

The proposed work would include the construction of a replacement airport as noted in the current Newtok Village Community Layout Plan. Construction is expected to begin in 2020 and 2021.

Confidentiality

We understand that you may have concerns regarding the confidentiality of information on areas or resources of religious, traditional, and cultural importance to the Tribe. We would be happy to discuss these concerns and develop procedures to ensure the confidentiality of such information is maintained.

FAA Contact Information

If you wish to provide comments related to this proposed project, please contact **Leslie Grey, Regional Tribal Consultation Official**, at the address above, at 907-271-5438, or by e-mail at AKAirportEnv@faa.gov.

Project Consultation Options Form

Your timely response will greatly assist us in incorporating your concerns into project planning. For that purpose, we respectfully request that you complete the enclosed Project Consultation Options form and forward it to the FAA within thirty (30) days of your receipt of this correspondence.

Sincerely,



Leslie A. Grey
Regional Tribal Consultation Official

Enclosures:

Tribal Consultation Options form

Tribal Government to Government Consultation Response Form

Newtok Village

~~P.O. Box 5545~~ P.O. BOX 5596
Newtok, AK 99559 -5596

Project Name: Mertarvik Airport Construction

Please check a response, provide contact information, sign and mail, email or fax this form to FAA.

The Newtok Village, a federally recognized tribe, would like to consult with the FAA in a government-to-government relationship for this proposed project.

The Newtok Village has no interest associated with this proposed project and further consultation is not required.

President - Paul Charles

Tribal Leader (Please print)

Tribal Leader (Signature)

(907) 237-6763

Telephone

10/26/17

Date

If you have decided to consult, please identify a Tribal Representative for the consultation.

Romy Cadiente - Tribal Relocation Coordinator

Name of Formal Tribal Representative (Please print)

Name of Formal Tribal Representative (Signature)

Bunjing2@gmail.com

(907) 237-6095

Telephone

10/26/17

Date

Tribal Contact information:

Phone: (907) 237-2202

Fax:

e-mail: Newtokvillagecouncil.member@gmail.com

Other: (please describe) Project Manager: Adison Smith
(907)562-2000

Please mail, email, or fax Response Form

FAA Airports Division, ATTN: Leslie Grey

222 W. 7th Avenue, Box 14,

Anchorage, AK 99513-7587

Fax: 907-271-2851

Email: AKAirportEnv@faa.gov



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, ALASKA 99506-0898

Regulatory Division
POA-2017-445

8 September 2017

Denali Commission
Attention: Don Antrobus
510 L Street, Suite 410
Anchorage, Alaska 99501

Dear Mr. Antrobus:

The Regulatory Division of the U.S. Army Corps of Engineers Alaska District (USACE) has reviewed the Denali Commission's Mertarvik Infrastructure preliminary Draft Environmental Impact Statement (pDEIS) on Nelson Island, Alaska. Our review was conducted pursuant to our statutory authorities under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act to provide guidance on regulatory program requirements relative to proposed construction activities subject to our jurisdiction under law. We appreciate the opportunity to comment.

The Corps' evaluation of a Section 10 and/or a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR 320.4), and (3) in the case of a Section 404 permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

We understand the Denali Commission does not intend to directly fund or construct any particular element of the proposed action, and therefore, would not be the applicant for any forthcoming Department of the Army (DA) permits necessary to discharge dredged and/or fill material in waters of the United States (U.S.), including wetlands (WOUS). Other entities proposing construction that involves the discharge of fill materials into WOUS would be required to apply for DA permits for their specific actions. The USACE will make its own independent evaluation(s) under NEPA and our statutory authorities of proposed infrastructure projects on a case-by-case basis, including the significance of the proposed discharge and appropriate and practicable mitigation.

We may incorporate or tier off the Denali Commission's Final EIS in future DA Decision Documents, as applicable, to ensure compliance with NEPA, related Federal laws, and Regulatory Program requirements. At this time, the pDEIS does not contain sufficient site specific detail to fully describe anticipated impacts to WOUS or document compliance with applicable laws and regulations. We have determined that additional information (project descriptions, drawings, impact analyses, consultations, etc.) would be required to support decision making for the proposed activities subject to our regulatory jurisdiction. If the necessary information is not contained in the FEIS, supplemental information, consultations, and/or analyses would be required during subsequent DA permit application evaluation process(es) to meet regulatory legal obligations under the Clean Water Act (CWA). Applicants will be required to provide any supplemental information and/or analysis (e.g., field delineations, assessments of aquatic resources, etc.).

Federal regulations prohibit the DA from issuing federal permit(s) without evidence of compliance with the Endangered Species Act, the National Historic Preservation Act, and Section 401 of the CWA has been achieved as applicable. Additionally, documentation of conformity with the Clean Air Act and consultation requirements under the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, as applicable, will also be necessary prior to permit issuance.

Additional documentation and analysis of potentially practicable alternatives for the proposed infrastructure projects will be required to demonstrate compliance with our general requirement under 33 CFR 320.4(r) to avoid and minimize significant public interest impacts and/or with the CWA 404(b)(1) Guidelines (Guidelines), which prohibit the issuance of a DA permit for an action if a less environmentally damaging practicable alternative is available. In general, the CWA requires that all appropriate and practicable actions to avoid, minimize, and compensate for losses to aquatic resources are employed. Federal regulations require the applicant to provide all documentation necessary to demonstrate compliance with the Guidelines. An analysis of the practicability of potentially less environmentally damaging alternatives is an integral part of this demonstration.

Compensatory mitigation for some or all of the anticipated unavoidable losses of aquatic resources may be required. Compensatory mitigation plans must be finalized prior to issuance of standard DA permits. Potential compensatory mitigation may include: 1) purchasing credits from an approved mitigation bank in the project's service area; 2) payment of an in-lieu fee from an approved in-lieu fee program in the project's service area; 3) permittee responsible mitigation; or 4) a combination of these.

Please contact Mr. Jason Brewer by e-mail at Jason.d.brewer@usace.army.mil, by phone at (907) 753-2823, toll free within Alaska at (800) 478-2712, or by mail at the address above, for clarification or discussion of the comments provided. For additional information about of Regulatory Program, please visit our website at www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

Ryan H. Winn
Chief, North Section



United States Department of the Interior

FISH AND WILDLIFE SERVICE
1011 E. Tudor Rd.
Anchorage, Alaska 99503



IN REPLY REFER TO:
FWS/R7/NWRS717-0056

Donald Antrobus, PE
CAPT U.S. Public Health Service
Environmentally Threatened Communities Program Manager
Denali Commission
510 L St. # 410
Anchorage, Alaska 99501

Dear Mr. Antrobus:

In his May 19, 2017 memo, Joel Neimeyer, Federal Co-Chair of the Denali Commission, asked that “agencies that expect to conduct decommissioning activities in the future should provide information on their responsibility to decommission components of the Newtok village site to the Denali commission...no later than June 9, 2017.” The U.S. Fish and Wildlife Service (Service) does not expect to *conduct* any such decommissioning activities. Because Newtok lies within Yukon Delta National Wildlife Refuge, however, we have both specific legal responsibilities and concerns about the time-table and process of decommissioning. This correspondence will address those legal authorities, the resources of concern, and the threats to those resources derived from the time-table for and/or the process of decommissioning. In addition, we include some requests and recommendations at the very end. We hope these comments will inform the current EIS as well as future planning and implementation of decommissioning activities.

Legal authorities

The village of Newtok occupies 22(g) lands—i.e., lands selected by the village from within a pre-ANILCA refuge (in this case, the Clarence Rhode National Wildlife Range). Even after the Native Corporation receives their patent to those lands, ANCSA stipulates that “such lands remain subject to the laws and regulations governing use and development of such Refuge.” Among the implications of 22(g) is that proposed activities on those lands require a compatibility determination from the refuge manager. In the case of Newtok, prior to the onset of decommissioning, proposed activities would need to be determined as compatible. In other words, activities on 22(g) lands must “not materially interfere with or detract from the fulfillment of refuge purposes on adjacent refuge lands.” Such a compatibility determination can include, if necessary, stipulations to ensure compatibility.

Other authorities that provide a nexus for Service involvement in decommissioning include ANILCA, the Endangered Species Act, the Migratory Bird Treaty Act, and the Fish and Wildlife Coordination Act. For example, the refuge’s four ANILCA purposes include i) conserving fish and wildlife populations and habitat in their natural diversity, ii) fulfilling international treaty

obligations, iii) providing opportunity for continued subsistence uses, and iv) ensuring water quality and necessary water quantity within the refuge. All four of these purposes could come into play relative to decommissioning activities at Newtok. In addition, relative to the Endangered Species Act, even though Newtok itself does not lie within designated critical habitat for the spectacled eider, it is both directly across the Ninglick River from, and upstream of, such critical habitat. As a result, decommissioning activities with a Federal nexus (e.g., funding, permitting, or implementing) would require Section 7 consultation with our regional endangered species permitting personnel.

Resources of Concern

The focus of this section will be the outstanding diversity and abundance of bird resources in the vicinity of Newtok. We note, however, that this is not an exhaustive summary of important resources. Subsistence users from Newtok harvest species other than those mentioned here. Similarly, the water quality of the Ninglick River and associated wetlands is essential for maintaining both the natural diversity of fish and wildlife and opportunities for healthy subsistence harvest and consumption.

The area surrounding Newtok can readily be considered the historical and biological heart of the Yukon Delta National Wildlife Refuge. In 1937, President Franklin Roosevelt established the Hazen Bay Migratory Waterfowl Refuge on Kigigak Island at the mouth of the Ninglick River, just 17 km from present-day Newtok. A significant additional portion of the Delta's central coastal zone, including the area around Newtok, was protected in 1960 when the Kuskokwim National Wildlife Range was established. In 1961, this area was expanded and re-named the Clarence Rhode National Wildlife Range. These various areas were afforded protection because early explorers and biologists were astounded by the diversity and abundance of waterbirds in this region.

In subsequent decades, quantitative surveys have confirmed the richness of the area's avifauna. The following four bullets summarize these findings:

- 1) Wetlands along the Ninglick River below Mertarvik support three of the five large colonies of breeding Pacific black brant on the Yukon-Kuskokwim Delta (Wilson 2016). As such, they have significance, not only for the refuge, but also for the Pacific Flyway (please see the 7 June e-mail from Brian McCaffery (FWS) to Chris Floyd for more details about the size and importance of these colonies).
- 2) Aerial goose surveys have been conducted in the coastal zone of the Yukon-Kuskokwim Delta (YKD) for 32 consecutive years by Service personnel (Swaim et al. 2016). Geese, tundra swans and sandhill cranes have been a focus of that survey. Spatial analyses of those data indicate that the lower Ninglick River area is not just of great importance to colonial black brant, but also to all three of the non-colonial species of geese nesting on the outer YKD, to include cackling geese, emperor geese, and Pacific white-fronted geese. All three occur in the vicinity of Newtok at high densities. The outer Delta supports the majority of the global breeding populations of cacklers and emperors, and the Ninglick River area is particularly important to both. Although there are several extensive areas of high density

cackler habitat between the Askinuk Mountains and Nelson Island, the largest contiguous patch of such habitat is on the Naskonat Peninsula and adjacent wetlands immediately north of Newtok. In a relative sense, that same area (including Kigigak Island) is even more important for emperor geese, comprising the single largest expanse of high density breeding habitat; the next largest is southeast of Kokechik Bay, 80 km away.

- 3) Platte and Stehn (2009) summarized a quarter century of aerial surveys for other waterbirds along the outer coast of the YKD. They present data on 19; for 14 of them, they present a detailed synopsis of population size, trend, and distribution. Although all of the species can be found in the wetlands adjacent to and downstream of Newtok, 9 of the 14 were particularly abundant and occurred in their highest density categories there. These species included northern pintails, greater scaup, spectacled eiders, common eiders, Sabine's gulls, mew gulls, glaucous gulls, arctic terns, and red-throated loons. In fact, the spectacled eider population on the Naskonat Peninsula along the north bank of the Ninglick River has grown over the last few decades to become the largest locus of high density on the YKD.
- 4) The region also supports very high densities of breeding shorebirds. The wetlands at the mouth of the Ninglick River were part of an 853 km² study area in which the density of breeding shorebirds was 416/km². That is the highest reported shorebird breeding density in North America and is among the highest in the world (McCaffery et al. 2012).

Potential Threats to Resources

Fish and wildlife resources, subsistence opportunity, and water quality along the lower Ninglick River could all potentially be compromised by the continuing erosion and eventual abandonment of Newtok. The Newtok Environmental Site Inventory and Assessment, completed a year ago by Hobbit Environmental Consulting (Hobbit) for the Alaska Department of Commerce, Community and Economic Development, makes a compelling case regarding the potential threats in Newtok and the need to make progress on dealing with those threats in a timely manner. Specifically, they identify potential or confirmed threats and their sources in Newtok: "The hazardous material inventory identified 22 potential sources of concern. These locations include the landfill, waste staging areas, above ground storage tank farms, individual above ground storage tanks, the sewage lagoon, buildings (community and private) and electrical transformers" (Hobbit 2015).

Even in a less dynamic environment, the materials and substances identified by Hobbit would be at risk of making their way into valuable fish and wildlife habitat. Around Newtok, however, those risks are magnified in four ways. First, Newtok is situated along a tidal river. As a result, any dangerous materials that end up in the Ninglick River would not just jeopardize habitats downstream toward the Bering Sea. Instead, depending on the timing and magnitude of tidal flux, they could be swept upriver, past the new village site at Mertarvik and into Baird Inlet, dramatically expanding the spatial scale of impact. Second, the whole rationale behind the move to Mertarvik is the rapid erosion of the river bank on the south side of the village. As Hobbit pointed out in their reports, that rate of erosion threatens to tap some potential sources of contamination and pollution and carry them into the river before steps have been taken to mitigate that risk. Third, Newtok lies in a zone of regular coastal flooding. Among the six largest storms affecting the YKD since 1913, three occurred in recent years—2004, 2005, and 2011 (Terenzi et al. 2014).

In addition, a storm surge in 2006 reached over 27.4 km inland, almost as far as during the 2005 and 2011 storms (30.3 and 32.3 km inland, respectively). Such surges can transport dangerous materials not just up and down drainages and rivers, but also across vast, temporarily inundated expanses of rich but flat coastal meadows of inestimable value to wildlife. Fourth, Newtok itself is situated amid a mosaic of low wetlands and slightly elevated peatland plateaus which have been lifted as a result of permafrost aggradation. Much of the construction and development in the village is situated on these plateaus. Elders and scientists have already documented such plateaus subsiding elsewhere on the outer YKD due to permafrost degradation. The impacts of such degradation on the structural integrity of buildings, berms, piping, etc., as well as changes in local hydrology resulting from subsidence are difficult to predict accurately. In any case, elevated rates of permafrost subsidence have negative implications for our collective ability to prevent contamination and hazardous substances from spreading beyond the confines of the village.

In addition to the physical threats resulting from a delayed, incomplete, or inadequate decommissioning of the village, there may be administrative or bureaucratic threats as well. Although there may be plans in place of which we are not aware, we found some of the statements in the Hobbit reports, as well as comments in Mr. Neimeyer's memo, of concern to us.

In total, Hobbit's three reports do not present a clean-up plan, but rather a path forward to *begin* formal sampling and planning for clean-up. They noted repeatedly that no actual material, soil, or water sampling had been done, and that no hazardous wastes had been definitively identified via formal testing. In addition, despite recommending some specific approaches and providing cost estimates for developing and concluding a clean-up (with the latter estimates ranging between roughly 10 and 20 million dollars), they are not the responsible party for moving this process forward. Indeed, their use of the passive voice in the reports (particularly Part III) is striking. Hobbit suggested that several tasks "must" or "should" be accomplished within a certain time-frame or in a particular sequence, but the responsible parties for implementing those actions were not indicated. Even when the agency or bureau responsible for regulating or overseeing certain activities was identified, no mention was made of *who* would be regulated or overseen (i.e., who would actually be taking the lead on accomplishing the various tasks).

This "vacuum at the top" was made abundantly clear in Mr. Neimeyer's memo when he stated, "Decommissioning scope, timing, and funding are speculative at this point, and [t]here is no federal agency with the express authority to decommission a town site." Given the estimated rate of erosion (and the potential for storm surges to accelerate erosion beyond the recent projections), this level of uncertainty is problematic. Of course, even the pace of erosion may be uncertain. At least as recently as one year ago, the Hobbit report was still using a projection that is now a decade old. If at all possible, it would be helpful to include in the EIS a revised and updated shoreline erosion projection.

Although not stated explicitly in Mr. Neimeyer's memo, the Denali Commission seems to have concluded (in consultation with CEQ) that the development of Mertarvik and the decommissioning of Newtok are *not* connected actions in the context of NEPA. If that inference is correct, it would be helpful to have the Denali Commission spell that out explicitly for the cooperating and consulting agencies.


We are pleased to see that the future decommissioning will be considered “reasonably foreseeable” and that the information solicited in Mr. Neimeyer’s memo will be incorporated into the cumulative effects analysis for this current EIS. We do have some reservations, however, concerning the conclusion that “details on the scope, timing, and funding of decommissioning are unknown and cannot be analyzed in a meaningful way.” The Hobbit reports seem to provide information on all three topics: 1) scope—in terms of the range of materials, substances, and sites which would need to be addressed, 2) timing—at least in terms of the sequence in which various activities should occur, and 3) funding—in terms of the amounts (if not the sources) needed to accomplish the various tasks. They also identify, at least in part, those activities which may or may not be accomplished given the projected rate of erosion at the site. In conjunction with the information solicited by Mr. Neimeyer from the agencies with potential responsibility for components of decommission, we believe that your team could use this information to include in the EIS what would functionally be a gap analysis calibrated by the most recent erosion model.

In its essence, that analysis could identify which elements of a clean-up or decommission would need to be completed in what order and by what estimated dates (i.e., to keep ahead of erosion) and which agencies would be responsible for developing, funding, and implementing those plans. The gaps would then represent 1) tasks, timetables and/or funding for which nobody was taking explicit responsibility, as well as 2) those tasks for which a particular agency has responsibility, but for which planning and/or funding may already be lagging.

We believe that, even though such an analysis would not be able to include the level of detail that the EIS will consider for the primary proposal, a decommissioning analysis could still be “meaningful” and would indeed be extremely important for estimating cumulative impacts. In fact, there should be sufficient information about decommissioning for both agencies and the general public to find, or determine if there even is, an answer to the question, “What is the process, and who are the responsible parties, for planning, funding, and implementing a decommissioning effort at Newtok before erosion and/or storm surges render such efforts irrelevant?”

Thank you for the opportunity to share these observations and concerns with you.

Sincerely,



Mitch Ellis
Chief of Refuges, Acting



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE
Anchorage Fish and Wildlife Field Office
4700 BLM Road
Anchorage, Alaska 99507



In Reply Refer To:
FWS/AFES/AFWFO

June 20, 2017

EMAILED TO:

Mr. Chris Floyd
U.S. Army Corps of Engineers
Post Office Box 6898
Joint Base Elmendorf-Richardson, Alaska 99506

Subject: Newtok Village Relocation Mertarvik, Alaska (*Consultation 07CAAN00-2017-I-0221*)

Dear Mr. Floyd:

Thank you for requesting section 7 consultation with the U.S. Fish and Wildlife Service (Service), pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq., as amended; ESA) by correspondence received May 24, 2017. The United States Army Corps of Engineers (Corps) is re-initiating consultation 71450-2008-I-0064 for the relocation of a community from Newtok to Mertarvik on Nelson Island, Alaska. The Corps has determined the action may affect, but is not likely to adversely affect, the federally threatened spectacled eider (*Somateria fischeri*).

The existing community of Newtok is near sea level approximately 19 miles from the Bering Sea, on the Ninglick River. Melting permafrost, ice-jams, and shoreline sloughing along the river is causing flooding and erosional threats to structures in the community of Newtok. Mertarvik is located about 9 miles further inland, upstream on the Ninglick River, on higher ground. The initial consultation in 2008 was for an emergency evacuation center for up to 100 residents, which included construction of a barge landing, all weather access road, utilities, water and sewage at Mertarvik. The Service concurred with the Corps determination that the initial action may affect, but was not likely to adversely affect spectacled eider, January 9, 2008.

Currently the Corps is conducting an environmental impact analysis with the community as they plan for the permanent relocation of their residence to Mertarvik. Additional construction would take place over a 10-year period. The Mertarvik community would expand to include the

multiple residential homes with additional access roads, utilities, and other various community structures.

Spectacled eiders usually nest within 9 miles of the coast. In 2005, the Service conducted field surveys for spectacled eider on the 432-acre wetland complex near the Metarvik site (Bowman and Lance 2005). No eiders were found in the area in 2005, which was a relatively good year for spectacled eider nesting. The long-term nest population study (Fischer et al. 2017), shows the overall estimates of spectacled eider nests in 2005 was 9 percent above the long-term mean (1985-2016) and the 2005 results together with the relatively higher population estimates for the other areas on the Yukon River Delta during that same year leads to the conclusion that wetlands near Mertarvik do not support eider nesting (Brian McCaffery, pers. comm., 2017, email to the Corps).


Relocating additional residents to the Metarvik area could result in additional pressure from hunting and egg gathering, but the community is moving further away from preferred spectacled eider nesting habitat, away from the coast. Take for hunting is analyzed annually under a separate consultation for subsistence hunting regulations (USFWS 2017).

Given the area does not currently support spectacled eider nesting, and hunting is considered under an annual consultation, the Service concurs with the Corps' determination that proposed activities may affect but are not likely to adversely affect spectacled eider. Our concurrence relates only to federally listed or proposed species and/or designated or proposed critical habitat under our jurisdiction. It does not address species under the jurisdiction of National Marine Fisheries Service, or responsibilities under the Migratory Bird Treaty Act, Marine Mammal Protection Act, Clean Water Act, Fish and Wildlife Coordination Act, National Environmental Policy Act, Bald and Golden Eagle Protection Act, or other legislation.

Based on this concurrence, requirements of section 7 of the ESA have been satisfied. Obligations under section 7 of the ESA must be reconsidered if new information reveals project impacts that may affect listed species or critical habitat in a manner not previously considered, if this action is subsequently modified in a manner which was not considered in this assessment, or if a new species is listed or critical habitat is designated that may be affected by the proposed action.

Thank you for your cooperation in meeting our joint responsibilities under the ESA. For more information or if you have any questions please contact Ms. Jennifer Spegon at 907-271-2768 or at jennifer_j_spegon@fws.gov and refer to consultation number 2017-I-0221.

Sincerely,



Douglass M. Cooper
Branch Chief, Ecological Services

Literature Cited

Bowman, T., and E. Lance. 2006. Field reconnaissance of Takikchak, preferred town site for the relocation of Newtok Village. Report to the Army Corps of Engineers.

Fischer, J. B., Williams, A.R., and R.A. Stehn. 2017. Nest population size and potential production of geese and spectacled eiders on the Yukon-Kuskokwim Delta, Alaska. 1985-2016. Unpublished Report. U.S. Fish and Wildlife Service, Anchorage, Alaska.

[USFWS] U.S. Fish and Wildlife Service. 2008. Consultation number 71450-2008-I-0064. Emergency evacuation center, Mertarvik, Nelson Island.

[USFWS] U.S. Fish and Wildlife Service. 2017. Annual intra-service biological opinion for hunting regulations, Fairbanks Fish and Wildlife Service and Migratory Birds. March 13, 2017.

From: [McCaffery, Brian](#)
To: [Don Antrobus](#)
Subject: FWS comments about decommissioning
Date: Monday, June 12, 2017 3:42:13 PM

Dear Don,

I had an appointment scheduled with my division chief today to review our agency's draft response regarding decommissioning. Unfortunately, he had to cancel because he was unexpectedly called out of town. As a result, the formal review of our draft comments will take more time than anticipated.

In the interim, as per your request last Friday, I can provide this list of topics considered in the draft. I anticipate at least some subset of them being included in the final version from our Chief of Refuges. As currently structured, the draft identifies legal authorities, summarizes some of the most important refuge resources potentially impacted by decommissioning activities, and identifies potential threats to those resources related to decommissioning.

1) Although FWS is unlikely to be formally involved in any active decommissioning activities, there are several legal authorities under which we operate which will require our involvement as other agencies develop plans for decommissioning.

2) Refuge lands in the immediate vicinity of Newtok support a) three of the YKD's five large brant colonies, 2) very high density populations of 3 other species of nesting geese, 3) very high density populations of 9 other broadly distributed waterbirds, including the threatened spectacled eider, and 4) among the world's highest densities of breeding shorebirds.

3) Threats to these resource are both physical and administrative. The three Hobbit reports clearly summarize a host of potential threats to refuge resources. Several particular aspects of Newtok's location increase the potential pollution/ contamination risks (i.e., physical threats) resulting from inappropriate, inadequate, or ill-timed decommissioning/cleanup activities. These aspects include a) Newtok's location on a tidal river with regular current flow both upriver and downriver from the village, b) the ongoing rapid erosion at the site, c) Newtok's vulnerability to extreme storm-surge and flooding events, and d) the risk of permafrost degradation.

Administrative threats were actually summarized by Mr. Neimeyer when he noted in his letter that "Decommissioning scope, timing, and funding are speculative at this point, and [t]here is no federal agency with the express authority to decommission a town site." Ideally, that magnitude of uncertainty could be reduced by an analysis in the EIS which integrates the information in the Hobbit reports with agency-specific responses to Mr. Neimeyer's letter in May. In addition, such an analysis would be significantly enhanced if an updated erosion forecast could be included as well.

I hope this gives you a sense of our comments and concerns. I will try to get our formal comments to you as soon as possible. Thanks again for your patience.

Cheers,

Brian

--

Brian J. McCaffery
U. S. Fish and Wildlife Service

Natural Resources Planner
National Wildlife Refuge System - Region 7
Division of Natural Resources
Branch of Conservation Planning and Policy

information on the tugs and barges expected to be used over the life of the project, and because you regard a concurrence prior to the draft EIS public review process to be pre-decisional.

The expectation is that marine impacts from future construction activities at Mertarvik will be addressed through the Corps Regulatory Division permitting process.

The Corps Civil Works branch may approach you about a programmatic LOC in the future.

At this time, we welcome the NMFS' input on our list (below) of ESA and MMPA species, and conservation recommendations that can be provided for these species at this time.

Chris Floyd
Environmental Resources Section
Program Management - Civil Works Branch
Alaska District
US Army Corps of Engineers
907-753-2700 <tel:907-753-2700>

ESA
Steller sea lion, Western Distinct Population Segment (DPS)
Humpback whale, Western North Pacific DPS
Humpback whale, Mexico DPS
North Pacific right whale
Gray whale, Western North Pacific population
Sperm whale
Blue whale
Beluga whale, Cook Inlet DPS
Ringed seal
Bearded seal

MMPA
Northern fur seal
Ribbon seal
Spotted seal
Beluga whale (non-ESA populations)
Gray whale (non-ESA populations)
Harbor porpoise
Killer whale
Minke whale



Denali Commission
510 L Street, Suite 410
Anchorage, AK 99501

907.271.1414 (P)
907.271.1415 (F)
888.480.4321(TF)
www.denali.gov

May 21, 2017

Mark Carey
Mitigation Division Director
Federal Emergency Management Agency
130-228th Street, SW
Bothel, Washington 98021-8627

Dear Mr. Carey:

Re: Cooperating Agency Request for Mertarvik Infrastructure Development Project -
Environmental Impact Statement (EIS)

This letter is in response to our phone call conversation of May 18, 2017 and your letter dated March 31, 2017, requesting participation in the EIS as a Cooperating Agency. In addition to the request for Cooperating Agency status, your letter provided the following comments regarding alternatives and issues that should be included in the EIS:

- Evaluate the scope of environmental issues to include effects on floodplains and subsistence resources.
- Incorporate previous FEMA Environmental Assessment scoping comments into the EIS scoping process.
- Include a description of anticipated decommissioning activities in Newtok to include demolition, dismantling, and disposal of infrastructure and housing, environmental remediation; and land restoration.

As the lead agency, the Commission has defined the proposed federal action to include the construction of all infrastructure required at the new village site of Mertarvik. The Commission will address your comments in the first two bullets above within the evaluation of the proposed actions. As to decommissioning in Newtok, I will point you to the enclosed memorandum dated May 19, 2017 that I signed. The subject document outlines the extent the Commission will address on decommissioning.

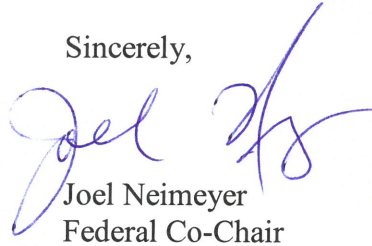
From our discussion, I understand that the Commission's intended EIS work (with limited decommissioning analysis) may be insufficient for FEMA's environmental review required for acquisition and demolition of 13 homes in Newtok. If further NEPA analysis on decommissioning (beyond the scope the Commission will undertake) is required for the acquisition and demolition of these homes, then FEMA will need to conduct that work.

To the question of FEMA serving as a Cooperating Agency or as a Participant Agency, we

welcome FEMA in either capacity. However, the Commission's recent decision on decommissioning, may lead you to another position on what capacity FEMA prefers. Please let me know if you still want FEMA to be a Cooperating Agency and we will take the necessary steps to accommodate this request.

I will be out of the office until June 1, 2017 but upon my return I will be happy to discuss with you the points in this letter. My direct line is 907-271-1440. In the event you or other FEMA staff wish to discuss this or other EIS matters in the near term, please contact CAPT Don Antrobus, P.E., Village Infrastructure Protection Program Coordinator at (907) 271-3500.

Sincerely,



Joel Neimeyer
Federal Co-Chair

Enclosure



Denali Commission
510 L Street, Suite 410
Anchorage, AK 99501

907.271.1414 *tel*
907.271.1415 *fax*
888.480.4321 *toll free*
www.denali.gov

To: Participant and Cooperating Agencies
From: Federal Co-Chair, Denali Commission
Subject: Mertarvik Infrastructure Development Project – Decommissioning of Newtok
Date: May 19, 2017

This is an update to all agencies working with the Denali Commission (Commission) on the Environmental Impact Statement (EIS) for the development of Mertarvik.

During the March 29th agency scoping meeting, and in subsequent correspondence, several agencies asked if the decommissioning of Newtok should be a component of the EIS. In evaluating this issue, the Commission considered the following:

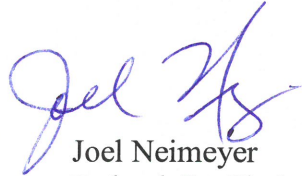
- Decommissioning Newtok infrastructure is not necessary to construct infrastructure at the new townsite,
- Some Newtok infrastructure must be maintained for an indefinite period to support individuals that may still reside in Newtok,
- The Village of Newtok has not expressed a desire to decommission the Newtok townsite,
- Decommissioning scope, timing, and funding are speculative at this point, and
- There is no federal agency with the express authority to decommission a townsite.

After consulting with the Council on Environmental Quality (CEQ), the Commission has decided to proceed as follows.

1. Future decommissioning of Newtok is reasonably foreseeable and we will include a general discussion on future decommissioning of Newtok in the EIS. The discussion will summarize the general range of decommissioning activities that might occur in Newtok. However, details on the scope, timing, and funding of decommissioning are unknown and cannot be analyzed in a meaningful way at this time except as outlined in Paragraph No. 2 below.
2. Federal Aviation Administration (FAA) and State of Alaska Department of Transportation and Public Facilities (DOT&PF) intend to include closure of the Newtok airport as part of the Mertarvik airport construction project. Accordingly, FAA will complete an analysis related to decommissioning the Newtok airport, and said analysis will be included in an appendix to the Mertarvik EIS.
3. Other agencies that expect to conduct decommissioning activities in the future should provide information on their responsibility to decommission components of the Newtok village site to the Denali Commission to support the cumulative effects analysis in the EIS. This information is needed as soon as possible but no later than June 9, 2017. Site-specific analysis of future decommissioning plans and activities will need to be addressed by the responsible Federal agency plan at that time.

4. We will maintain our EIS schedule. The Commission believes the erosion rates in Newtok border on an emergency situation.

Participant and Cooperating Agencies are encouraged to call me or my staff on this or any other matter related to the Mertarvik EIS document. My direct line is 907-271-1440, or you can contact CAPT Don Antrobus at 907-271-3500.



Joel Neimeyer
Federal Co-Chair
Denali Commission

cc: Ted Boling, Associate Director for NEPA, CEQ
Dianne Soderlund, Director, Region X, EPA
Joel Clement, Director, Office of Policy Analysis, DOI
Paul Charles, Tribal Chairman, Newtok Village Council



Rural Development

April 6, 2017

Alaska State Office
800 W. Evergreen Ave.
Suite 201
Palmer, AK 99645

Voice: (907) 761-7705
Fax: (907) 761-7783

Joel Neimeyer
Federal Co-Chair
Denali Commission
510 L Street, Suite 410
Anchorage, AK 99501

RE: Invitation to participate in Mertarvik Infrastructure Development Project – Environmental Impact Statement (EIS)

Dear Mr. Neimeyer:

Thank you for the opportunity to participate in the EIS being prepared for the relocation of Newtok to Mertarvik. At this time, the United States Department of Agriculture, Rural Development (RD) does not have any applications on hand from entities involved with Newtok or Mertarvik. As such, it is difficult for RD to evaluate a document when specific actions by the agency are unknown.

As defined by the Collaboration in National Environmental Policy Act handbook prepared by the Council on Environmental Quality, we will participate as a *consult* level agency only. This level will provide us the opportunity to review and provide informational purpose comments only. As a *consult* agency, we will not be entering into a Memorandum of Understanding or any other document as a cooperating agency.

For possible future funding requests submitted to RD, the Agency may adopt the EIS prepared by the Denali Commission if the proposed actions and site conditions addressed in the environmental document are substantially the same as those associated with the proposal being considered by the Agency. The Agency will consider age, location, and other reasonable factors in determining the usefulness of the Denali Commission's documents. The Agency will complete an independent evaluation of the environmental document to ensure it meets the requirements of 7CFR1970.

Based on the initial scoping meetings, RD would like to provide some initial comments. RD feels that the decommissioning of the Newtok facilities is a connected action and should be evaluated in the EIS. The review of alternative facilities and alternative locations for each facility must be outlined in detail in the EIS document. This would include the overall footprint of the community and the opportunity to utilize smaller lots to help reduce the impact to environmental resources.

USDA is an equal opportunity provider, employer, and lender

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

The point's of contact at our agency will be Tim Krug, State Environmental Coordinator, and Tasha Deardorff, Assistant State Environmental Coordinator. Please contact them for any comments or questions regarding RD environmental process.

Sincerely,

A handwritten signature in cursive script that reads "Renee Johnson".

RENEE JOHNSON
Acting State Director

cc: Christopher Floyd
NEPA Coordinator
USACE



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ENVIRONMENTAL REVIEW
AND ASSESSMENT

April 4, 2017

Christopher Floyd
NEPA Coordinator
U.S. Army Corps of Engineers
Alaska District, CEPOA-PM-C-ER
P.O. Box 6898
Joint Base Elmendorf-Richardson, Alaska 99506-0898

Dear Mr. Floyd:

The U.S. Environmental Protection Agency has reviewed the Federal Register Notice of Intent (NOI) issued by the Denali Commission in cooperation with the U.S. Army Corps of Engineers to prepare an Environmental Impact Statement (EIS) to study the Mertarvik Community Infrastructure Development Project (EPA Region 10 Project Number 17-0012-COE). Our review was conducted in accordance with our responsibilities under the National Environmental Policy Act, the Council on Environmental Quality regulations for implementing NEPA, and Section 309 of the Clean Air Act. Section 309 specifically directs EPA to review and comment in writing on the environmental impacts associated with all major federal actions.

The EPA is also supporting the Denali Commission in the EIS development effort as a participating agency, subject to available resources. We appreciate the opportunity to provide early input in the analysis of the Mertarvik Project, and we look forward to working together toward the successful and expeditious completion of the EIS.

Project Background

The village of Newtok is located on the west coast of Alaska on the banks of a tidally influenced slough of the Ninglik River. The Ninglik River is rapidly eroding toward the village of Newtok, and it is anticipated that the village has approximately four (4) years before critical village infrastructure will be threatened and/or destroyed. Changes in river channels have also increased the frequency and severity of flooding in the village. The Mertarvik site on Nelson Island is a 10,943-acre site transferred to the Newtok Native Corporation from the U.S. Fish and Wildlife Service in 2003, and is the closest high ground that avoids damages from both flooding and erosion. The EIS will assess the potential environmental impacts of reconstructing all required infrastructure to relocate the threatened community of Newtok to the new village site of Mertarvik. This includes an airport; solid waste landfill; wastewater collection system and treatment lagoon; bulk fuel farm and fuel dispensing facility; power house and power distribution system; water treatment plant, storage tank and distribution lines; barge landing; housing; school; public buildings; and all associated subdivision and connecting roads.

Purpose and Need

The EIS should include a clear and concise statement of the underlying purpose and need for the proposed project, consistent with the implementing regulations for NEPA (see 40 CFR 1502.13). The

Purpose is the problem to be solved, the “what” of the proposal. The purpose statement should address specific goals and objectives of the proposed action and/or be expressed as expected positive outcome(s). The *Need* is the “why” of the proposal. The *Need* should address the broader social need to which the agency is responding by establishing evidence that an opportunity or a problem exists, or will exist. The statement of purpose and need helps the lead agency to select the range of alternatives to be evaluated in the EIS.

According to the NOI, the purpose and need for the EIS is “to identify a practicable and environmentally responsible solution to protect the village of Newtok from both flooding and erosion damages and loss of life.” As written, this purpose and need statement appears to focus on protection of the existing village location, and does not logically lead to consideration of relocating the community. We suggest that the purpose and need in the EIS be revised to focus on protecting the citizens of the community, as well as on developing a long-term, resilient solution. This will help the Denali Commission to ensure that the proposed action fits with the purpose and need for the project.

Range of Alternatives

According to NEPA the range of reasonable alternatives should respond to the purpose and need for the project and to issues identified during the scoping process. This ensures that the EIS provides the public and the decision-maker with information that sharply defines the issues and identifies a clear basis for choice. We support the Denali Commission’s intention, as described in the NOI, to analyze “structural alternatives” with possible improvements to the existing Newtok Village that would allow residents to stay in their current location, as well as a no action alternative. In addition, we recommend that the EIS analyze sub-alternatives to the proposed action, where adequate information exists to assess the relative impacts of options for development of individual infrastructure components. For example, sub-alternatives may include alternative airport locations, barge landing configurations, or wastewater treatment methods.

Affected Environment

According to the National Climate Assessment (NCA), Alaska’s climate has warmed twice as fast as the rest of the nation, bringing widespread impacts including receding sea ice, melting glaciers, thawing permafrost, rising ocean temperatures and ocean acidification. The NCA also indicates climate change in Alaska will strongly affect Native communities. We recommend that the description of the affected environment include projected future changes that may affect the proposal. We recommend this include consideration of future climate scenarios, such as those provided by the NCA. See <http://nca2014.globalchange.gov/>. If projected changes could exacerbate environmental impacts of the project, these likely changes should also be considered as part of the NEPA analysis.

Aquatic Resources, Wetlands and Riparian Areas

The EIS should describe aquatic habitats in the affected environment (e.g., habitat type, plant and animal species, functional values, and integrity) and the environmental consequences of the proposed alternatives on these resources. Impacts to aquatic resources should be evaluated in terms of the areal (acreage) or linear extent to be impacted and by the functions they perform.

If a Clean Water Act Section 404 permit is required, the EPA will review the project for compliance with the *Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials* (40 CFR

230), promulgated pursuant to Section 404(b)(1) of the CWA ("404(b)(1) Guidelines"). Among other restrictions on discharge, the 404(b)(1) Guidelines require that:

- any permitted discharge into waters of the U.S. must be the least environmentally damaging practicable alternative (LEDPA) available to achieve the project purpose; and
- appropriate and practicable steps be taken, in sequence, to: (1) avoid, (2) minimize, and then (3) compensate for impacts to aquatic resources.

For wetlands and other special aquatic sites, the Guidelines establish a presumption that upland alternatives are available for non-water dependent activities.

Where such information is available for individual infrastructure components, the EIS should discuss how planning efforts and alternative selection conform with Section 404(b)(1) guidelines sequencing and criteria. In other words, the lead agency must show that they have avoided impacts to wetlands and other special aquatic sites to the maximum extent practicable. The EIS should include an evaluation of the project alternatives in this context in order to demonstrate the project's compliance with the 404(b)(1) Guidelines, including how alternatives would avoid wetlands and aquatic resource impacts from fill placement, water impoundment, construction, and other activities before proceeding to minimization/mitigation measures.

Given the characteristics of the Mertarvik site, alternatives may not be available that fully avoid impacts to wetlands and aquatic resources. For unavoidable potential impacts, the EIS should include information regarding means to further minimize impacts. For any remaining potential impacts, the NEPA document should include information regarding a compensatory mitigation plan that is in compliance with the *Compensatory Mitigation for Losses of Aquatic Resources; Final Rule* (40 CFR 230, Subpart J, commonly referred to as the Final Mitigation Rule). The regulations establish performance standards and criteria for the use of permittee-responsible compensatory mitigation, mitigation banks, and in-lieu programs to improve the quality and success of compensatory mitigation projects for activities authorized by Corps permits. Restoration of the existing townsite at Newtok may provide a potential opportunity for compensatory mitigation.

Pursuant to 40 CFR 230.94(c), CWA 404 permit applicants who propose to offset their own impacts must prepare and submit mitigation plans containing the items described in paragraphs § 230.94(c)(2) through (c)(14). The level of detail of the mitigation plan should be commensurate with the scale and scope of the impacts. Applicants who intend to fulfill their compensatory mitigation obligations by securing credits from approved mitigation banks or in-lieu fee programs need only provide the items described in paragraphs (c)(5) and (c)(6), as well as the name of the specific mitigation bank or in-lieu fee program to be used.

If available, compensatory mitigation plans developed to offset the aquatic resource impacts of individual infrastructure components should be included in the EIS. Please note that 404-proposed mitigation is separate from, and may be in addition to, NEPA mitigation.

Water Quality and Stormwater Discharge

Surface disturbance associated with development of infrastructure and roads, as well as ongoing use of roads and disturbed areas, facilitates sediment transport to water bodies and increases habitat fragmentation and wildlife disturbance, as well as invasive plant infestations. Roads may also interrupt the subsurface flow of water. We recommend that the EIS include information about the extent of

proposed surface disturbance and predicted impacts to water quality. Under the CWA, any construction activity that disturbs one or more acres also requires an Alaska Pollutant Discharge Elimination System storm water permit for discharges to waters of the U.S. The EIS should document the project's consistency with applicable storm water permitting requirements and should discuss specific mitigation measures, which may be necessary or beneficial in reducing adverse impacts to water quality. We also recommend that all roads be designed with appropriate Best Management Practices for ongoing prevention of sediment runoff concerns.

Wastewater Treatment and Drinking Water Supply

Lack of in-home water and sewer service can result in severe gastrointestinal tract and skin infections and respiratory illnesses, including invasive pneumococcal disease. Development of a long-term and affordable solution to provide drinking water supply and safely treat and dispose of wastewater is critical to the health and success of the future Mertarvik community. The proposed action includes a wastewater collection system and wastewater treatment lagoon, as well as a drinking water treatment plant, water storage tank, and water distribution lines. Due to the potential cost of the proposed systems, it is possible that the community of Newtok would be forced to relocate to the new Mertarvik townsite before funding was available to install these treatment systems. This could result in unsafe living conditions for residents. Consequently, we recommend that the EIS also analyze alternative wastewater and drinking water options, including individual or multiple-unit septic tank and drain field systems and individual water wells. This alternative allows for the provision of water and sewer service as individual or small groups of homes are located in Mertarvik, whereas piped systems will require a critical mass of homes to operate the system and provide enough heat to prevent the systems from freezing.

Public water systems are required to be in compliance with State of Alaska drinking water standards, in accordance with the Safe Drinking Water Act. The Alaska Department of Environmental Conservation (ADEC) Drinking Water Program conducts Source Water Assessments for public drinking water systems, to help communities ensure the safety of their water supply by delineating the area contributing water to their system, conducting an inventory of potential contamination sources, and determining the susceptibility of the water supply to those sources (see http://dec.alaska.gov/eh/dw/DWP/source_water.html). We recommend that a Source Water Assessment be conducted as part of the planning process for the Mertarvik community, to ensure that safe drinking water is an integral part of community design and future growth.

Solid Waste Management

An Integrated Waste Management Plan (IWMP) is a document that outlines how the tribe will reduce, manage, and dispose of its waste. It serves as a roadmap for developing an effective waste management program. A successful IWMP helps to lower total operating costs, increases efficiency, reduces open dumping, and improves protection of human health and the environment. The five critical elements of an IWMP include:

- Description of the community service area;
- Description of the tribe's waste management program structure and administration;
- Description of the tribe's current and proposed waste management practices;
- Description of the funding, sustainability, and the long-term goals of the tribe's waste management program; and,
- Demonstration of approval by the Tribal Council.

We recommend that an IWMP be developed for Mertarvik, and included in the EIS. The EPA, Indian Health Service, and other organizations provide training and technical assistance to tribal governments developing plans. Additional information can be found at:

https://yosemite.epa.gov/r10/tribal.nsf/Programs/tswm_plans or <https://www.epa.gov/tribal-lands/developing-tribal-integrated-waste-management-plans>. Further, previous EPA grant funds to Newtok and the Nelson Island Consortium (for the benefit of Newtok) have supported the development of several plans which will be helpful as new plans are developed for Mertarvik. They can be found at the Nelson Island Consortium website, <http://nelsonislandconsortium.org/>.

Municipal landfills in Alaska are permitted by the ADEC Solid Waste Program (see <http://dec.alaska.gov/eh/sw/>). ADEC also provides technical assistance to tribal governments and communities in developing IWMPs and Landfill Operations Plans. We recommend contacting Stephen Price, Rural Solid Waste Specialist, with questions (907-269-7467 or stephen.price@alaska.gov). We also encourage future landfill operators or administrators to attend Rural Alaska Landfill Operator (RALO) training. Information on RALO training is available on the ADEC Solid Waste Program website as well.

Fuel Storage

During storage and transport, oil is sometimes spilled onto land or into waterways, endangering human health and environmental quality. Every effort must be made to prevent oil spills and to clean them up promptly once they occur. The Spill Prevention, Control and Countermeasure (SPCC) rule helps facilities prevent a discharge of oil into navigable water or adjoining shorelines. (see <https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/overview-spill-prevention-control-and> and https://dec.alaska.gov/spar/PPR/ast_reg.htm) An SPCC plan will likely be required for the proposed bulk fuel farm and fuel dispensing facility. A facility is covered by the SPCC rule if it has an aggregate aboveground oil storage capacity greater than 1,320 U.S. gallons and there is a reasonable expectation of an oil discharge into or upon navigable waters of the U.S. or adjoining shorelines. A Facility Response Plan (FRP) is a plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of such a discharge, of oil. It also includes responding to small and medium discharges as appropriate. If the total oil storage capacity is equal to or greater than 42,000 gallons and the facility transfers oil from a vessel, an FRP may be required (see <https://www.epa.gov/sites/production/files/2014-04/documents/frpguide.pdf>). We recommend that the EIS discuss how the Denali Commission and the future Mertarvik community will prevent a release of oil from the proposed facility, and include a draft SPCC plan and FRP, if required, as an appendix to the EIS.

Air Quality

The EPA recommends that the Draft EIS evaluate how project activities could affect air quality and what measures may be needed to mitigate significant impacts. Activities with a potential for air quality impacts include construction and operation of the airport, roads, and other infrastructure. We recommend that the Draft EIS characterize existing air quality conditions to set the context for evaluating project impacts, including identification of sensitive receptors in the vicinity (such as communities, federal Class I Areas and Sensitive Class II Areas). To address potential air quality impacts, consider whether the direct, indirect, or cumulative impacts of project-related air emissions would result in any adverse impact on air quality or air quality related values.

Reducing Road Dust

Particle pollution, especially fine particles, contains microscopic solids or liquid droplets that are so small that they can get deep into the lungs and cause serious health problems. Numerous scientific studies have linked particle pollution exposure to a variety of problems, including: premature death in people with heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms, such as irritation of the airways, and coughing or difficulty breathing. People with heart or lung diseases, children and older adults are the most likely to be affected by particle pollution exposure. However, even if you are healthy, you may experience temporary symptoms from exposure to elevated levels of particle pollution.

Dust from roadways can be a big source of particle pollution in rural communities. In addition to human health effects, dust blown from the roadway can settle onto vegetation or waterbodies, impairing their health as well. Proper road design and construction, including location, drainage and surfacing, can greatly reduce dust emissions from roads (see http://www7.nau.edu/itep/main/ntaa/docs/tribal-air-resources/FAQRuralDust_150226.pdf). Appropriate maintenance and use can also have a big impact. For example, slowing down from 40 miles per hour (mph) to 20 mph can reduce road dust by up to 20% (see https://dec.alaska.gov/air/anpms/Dust/Dust_docs/Road%20Design%20Resources.pdf). We recommend that the EIS discuss measures that will be employed to reduce road dust. By considering this issue during design of the future Mertarvik townsite, consideration can be given to designing roadways to reduce vehicle traffic and vehicle speeds in town.

Indoor Air Quality

High levels of particulate matter, volatile organic compounds (VOCs) and carbon monoxide (CO) are frequently found in homes in rural Alaska, due to poor ventilation and improperly functioning wood-burning and/or diesel-fired stoves. Poor ventilation can also result in moisture and mold concerns. (see <https://anthc.org/what-we-do/community-environment-and-health/healthy-homes/> and <http://www.epa.gov/iaq/>). We recommend that the EIS discuss how new homes in Mertarvik will be designed to reduce these concerns.

Smart Growth and Green Building

Use of smart growth-based principles can help the future community of Mertarvik ensure that land use and infrastructure decisions are guided by culturally sensitive, historically significant, and environmentally sustainable principles. Design and location principles appropriate for Mertarvik may include building compactly and putting a mix of uses close together, creating walkable streets, improving quality of life, and ensuring that new infrastructure is sustainable and resilient to both current and future climate change impacts and natural disasters. Use of such principles in community design can also benefit the community through reduced costs associated with fuel usage, as well as improved air quality as discussed above. (See <https://www.epa.gov/smartgrowth/smart-growth-small-towns-and-rural-communities>.) The Alaska Native Tribal Health Consortium has been working with the Denali Commission and the Newtok Village Council in the development of three different community layouts incorporating some of these principals. Additional smart growth-based design principals can be considered in the final community layout.

Construction of new housing can provide an opportunity to design buildings that utilize green building techniques, reduce waste generation, and minimize energy consumption. The EPA defines Green

building as “the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building’s life-cycle from siting to design, construction, operation, maintenance, renovation and deconstruction¹.” We recommend that the EIS consider discussing a strategy to support low impact building and operation. The EPA’s tribal green building website can be found at: <https://www.epa.gov/green-building-tools-tribes>.

The Cold Climate Housing Research Center (CCHRC) is an industry-based, nonprofit corporation created to facilitate the development, use, and testing of energy-efficient, durable, healthy, and cost-effective building technologies for people living in circumpolar regions around the globe (see <http://www.cchrc.org/>). We understand that CCHRC has been working with the Newtok Village Council on housing design for Mertarvik, and encourage continued efforts to ensure that Mertarvik housing is appropriately designed for cold climates, to reduce pollution and improve health.

Decommissioning of Newtok

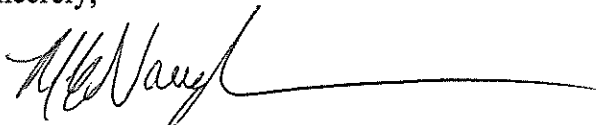
As part of determining the scope of a proposed action, the lead agency must determine whether there are connected actions that should be evaluated in the same NEPA document, including actions outside of the jurisdiction of the lead agency. Closely related actions are connected if they:

- Automatically trigger other actions which may require environmental impact statements;
- Cannot or will not proceed unless other actions are taken previously or simultaneously; or
- Are interdependent parts of a larger action and depend on the larger action for their justification (40 C.F.R. 1508.25(a)(1)).

Proposed infrastructure development activities at the Mertarvik site are likely to trigger decommissioning activities at the existing Newtok townsite, particularly where those decommissioning activities are a requirement of federal activities or federal funding (e.g., airport construction or housing buy-outs). Consequently, we recommend that decommissioning be discussed in the EIS as a likely connected action. Such a discussion could reasonably be limited to discussing anticipated federal or state requirements for decommissioning of infrastructure at Newtok; disclosing any information known about how and when such decommissioning might occur; and describing any remaining infrastructure for which decommissioning plans are unknown, in accordance with NEPA regulations regarding incomplete or unavailable information (40 C.F.R. 1502.22)

Thank you for this opportunity to provide scoping comments. We look forward to continuing to work with the Denali Commission and other cooperating and participating agencies in development of the EIS. If you have any questions, please contact me at (907) 271-1215 or by electronic mail at vaughan.molly@epa.gov.

Sincerely,



Molly Vaughan
Environmental Review and Sediment Management Unit

¹ USEPA. 2010. <http://www.epa.gov/greenbuilding.pubs.about.htm>



U.S. Department of Housing and Urban Development
Region X – Anchorage Field Office
Office of the Field Office Director
3000 C Street, Suite 401
Anchorage, AK 99503
<http://www.hud.gov/local/index.cfm?state=ak>
<http://www.hud.gov>
<http://espanol.hud.gov/index.html>

April 03, 2017

Joel Neimeyer
Federal Co-Chair
Denali Commission
510 L Street, Suite 410
Anchorage, AK 99501

Dear Mr. Neimeyer:

Thank you for your Invitation to Participate in Mertarvik Infrastructure Development Project-Environmental Impact Statement letter dated March 17, 2017. Due to our engagement with the community of Newtok in providing funding to build homes in Mertarvik, the U.S Department of Housing and Urban Development, Anchorage Field Office accepts your invitation as a cooperating agency per 40 CFR 1501.6.

Anchorage Field Office staff available to support this project are as follows:

Bill Zachares, 907-677-9860, bill.zachares@hud.gov
Andy Concepcion, 907-677-9880, andy.concepcion@hud.gov
Shawn Duthie, 907-677-9877, shawn.h.duthie@hud.gov
Ann Gravier, 907-677-9833, ann.y.gravier@hud.gov

If you have need for any further assistance, please don't hesitate to contact me or Bill Zachares, Administrator, Alaska Office of Native American Programs.

Sincerely,

A handwritten signature in blue ink that reads "Colleen Bickford".

Colleen Bickford
Anchorage Field Office Director
U.S. Department of Housing and Urban Development



FEMA

March 31, 2017

Mr. Joel Neimeyer
Denali Commission
510 L Street, Suite 410
Anchorage, Alaska 99501

Re: Invitation to Participate in Mertarvik Infrastructure Development Project – Environmental Impact Statement (EIS)

Dear Mr. Neimeyer:

Thank you for your letter of March 17, 2017, to Mr. Robert Forgit inviting the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) to participate in the Denali Commission's EIS for the Newtok Village Council's proposed relocation. Since 2015, FEMA has worked with the Alaska Division of Homeland Security and Emergency Management (AK DHS&EM) and Newtok Village Council on grant applications that mitigate erosion and flooding hazards to housing in Newtok. AK DHS&EM is the grant recipient and administers the Hazard Mitigation Grant Program on behalf of FEMA. The Newtok Village Council is the sub-recipient. Given the timing, nature, and connectivity of the Newtok Village Council's FEMA grant application to this EIS effort, in accordance with the Council on Environmental Quality's regulations (40 CFR Part 1501.6), FEMA respectfully request participation as a Cooperating Agency.

The Newtok Village Council's initial grant application in 2015 was to relocate 12 homes from Newtok to Mertarvik. Once the project was determined eligible for funding, FEMA initiated its National Environmental Policy Act (NEPA) review process for that action, which must be completed before grant award, and included a formal scoping effort for a planned Environmental Assessment in the spring of 2016. On October 26, 2016, the Newtok Village Council notified AK DHS&EM that its preferred project was a buyout of homes in lieu of relocation and requested AK DHS&EM change the grant scope. On February 1, 2017, the Newtok Village Council submitted a revised grant application to AK DHS&EM for acquisition and demolition of 13 homes, with about a \$3,000, 000-project cost. Currently, we are working with AK DHS&EM to resolve some details in the grant application, some of which are pertinent to FEMA's NEPA determination.

After reviewing the Notice of Intent for the EIS, FEMA provides the following initial comments regarding alternatives and issues that should be included in the scope of the EIS:

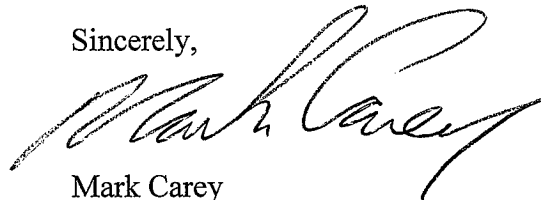
- The scope of the Proposed Action Alternative should include a description of anticipated decommissioning activities in Newtok; to include demolition, dismantling, and disposal of infrastructure and housing; environmental remediation; and land restoration. These activities are a connected action to the relocation. Articulate any unknowns. Outline a description of the Mertarvik development and Newtok decommissioning schedule, to include potential interim or temporary measures in light of the urgency for action.

- Evaluate the scope of environmental issues to include effects on floodplains and subsistence resources.
- Attached is a copy of FEMA's May 6, 2016, Scoping Summary that outlines public and agency comments received a year ago. FEMA requests that these scoping comments be incorporated into the EIS scoping process and addressed accordingly. Addressing FEMA's scoping effort into the EIS will ensure that FEMA's NEPA requirements would be fulfilled in a timely manner concurrent with the other funding agencies involved.

Since FEMA has a substantial funding stake in this project, we are prepared to assist the lead agency in the preparation of this EIS as best we can with our limited resources. Ms. Science Kilner, Deputy Regional Environmental Officer, will serve as the primary point of contact to coordinate FEMA's participation. Ms. Kilner worked with AK DHS&EM and the Newtok Village Council on prior and pending grant applications, and thus is familiar with the proposed relocation. Mr. Mark Eberlein, Regional Environmental Officer, will be the alternate point of contact. If you have any questions please contact Ms. Kilner at (425) 487-4713 or science.kilner@fema.dhs.gov or Mr. Eberlein at (425) 487-4735 or mark.eberlein@fema.dhs.gov.

Thank you for the opportunity to participate in this EIS and for taking the lead on this important collaborative federal/State/Tribal project. FEMA looks forward to working with the Denali Commission, US Army Corps of Engineers, Newtok Village Council, and other federal and state stakeholders towards a successful outcome.

Sincerely,



Mark Carey
Mitigation Division Director

Enclosure

cc: Robert Forgit, FEMA, Alaska Area Office Manager
Katherine Zeringue, FEMA Environmental Officer
Kevin Reeve, AK DHS&EM, State Hazard Mitigation Officer