UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

November 8, 2010

Karen Hayden, District Ranger
Plumas National Forest
Concow Project Team
875 Mitchell Avenue
Oroville, CA 95965-4646

Subject: Draft Environmental Impact Statement for the Concow Hazardous Fuels Reduction Project, Plumas County, California (CEQ# 20100376).

Dear Ms. Hayden:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the Concow Hazardous Fuels Reduction Project (Project). Our review and comments are pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

EPA acknowledges the importance of the Project's goals to improve forest health and decrease fuels along important access roads to allow better access to fire suppression activities during fire events. We support the use of prescribed underburning as an important measure necessary to reduce the risk of fire, promote biodiversity, and restore natural ecological processes within the forest. We recognize the ecological significance of the Plumas National Forest and support the inclusion of the resource protection measures and Best Management Practices (BMPs) described in the DEIS. Overall, the DEIS contains valuable information useful to both the public and decision maker(s); however, we have some concerns that should be addressed in the Final Environmental Impact Statement (FEIS).

We have rated the DEIS as Environmental Concerns – Insufficient Information (EC-2) (see enclosed "*Summary of Rating Definitions*"). EPA recommends that the FEIS provide additional information on extraction methods, climate change, water quality, and a commitment to BMPs. Our enclosed detailed comments provide additional information regarding the concerns identified above.

We appreciate the opportunity to review this DEIS and are available to discuss our comments. When the FEIS is released for public review, please send one hard copy and two CDs to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3521, or contact James Munson, the lead reviewer for this project. James can be reached at (415) 972-3800 or munson.james@epa.gov.

Sincerely,

/s/

Karen Vitulano for
Kathleen M. Goforth, Manager
Environmental Review Office

Enclosures: Summary of EPA Rating Definitions
Detailed Comments

EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR THE CONCOW HAZARDOUS FUELS REDUCTION PROJECT, PLUMAS COUNTY, CALIFORNIA, November 8, 2010.

Purpose and Need

The purpose and need for this project is to provide fire protection for the wildland urban-interface (WUI) (Section: 1.1.2). The Healthy Forest Restoration Act (HFRA) encourages development of Community Wildfire Protection Plans (CWPPs) under which communities designate their WUI as well as the locations where fuel reduction projects may take place. However, the DEIS does not provide an adequate summary of the actions being taken by the communities and Forest Service to ensure that fire protection efforts are consistent, complementary, and fully integrated.

Recommendations:
The FEIS should include a summary of the CWPPs and describe actions being taken by the communities and Forest Service to ensure that fire protection efforts are consistent, complementary, and fully integrated. For instance, describe whether local housing and fire safety ordinances are consistent with the effort to reduce and minimize excessive fuels.

Alternative Analysis

EPA recognizes the beneficial aspects inherent in the proposed action; however, there exists significant controversy on the appropriateness and efficacy of forest thinning. EPA is concerned regarding the proposed alternative of across the board cutting of up to 29 inch trees. The EPA suggests preservation of trees that exhibit mature fire resistant characteristics, regardless of tree diameter. Should the project require a Clean Water Act Section 404 permit, the Record of Decision (ROD) must identify and choose the Least Environmentally Damaging Practicable Alternative (LEDPA). Environmentally sensitive areas supporting species of concern and or their habitat should be avoided as much as possible and we recommend that the Service forgo commercial logging in these areas.

Recommendations:
Provide a more detailed description of the proposed silvicultural prescriptions in the description of alternatives. For example, describe the maximum allowable tree size to be harvested or thinned and slope restrictions for different treatment methods (hand, ground-based, skyline, endline, and helicopter).

The FEIS should include a plan to retain all trees that show mature fire resistant characteristics.

If appropriate, the FEIS should identify and choose the LEDPA in the ROD.

Cumulative Impact Analysis

Provide a more detailed cumulative impact analysis of the Concow Hazardous Fuels Reduction Project within the context of the Herger Feinstein Quincy Library Group Forest Recovery Act Pilot Project (HFQLG Pilot Project). The HFQLG Pilot Project is designed to test and demonstrate the effectiveness of certain fuels and vegetation management activities in meeting ecologic, economic, and fuel-reduction objectives consistent with protection of ecosystems, watersheds, and other forest resources (Section: 1.4.1). The EPA is concerned with the HFQLG Pilot Project's potential cumulative impacts of Defensible Fuel Profile Zones (DFPZ) construction and maintenance, the impacts on water quality from road construction, increased habitat fragmentation, and the potential for noxious weed proliferation. A number of HFQLG projects are already underway or completed in the Feather River Ranger District such

as the Sugarberry, Watdog, Slapjack, Upper Slate, and Lower Slate projects. In addition, other HFQLG projects are in progress throughout the region: Phoenix Project (Tahoe National Forest), Cone Crater (Lassen National Forest), North 49 (Lassen National Forest), and Basin Group Selection project (Plumas National Forest). The EPA continues to have significant concerns regarding the cumulative effects of DFPZ construction and HFQLG fuel management actions.

Recommendations:

We recommend that the FEIS provide a summary of HFQLG projects and the status and results of effectiveness monitoring. We recommend that this summary include a list of HFQLG projects approved and implemented. The summary should also include the number of acres logged by specific prescriptions; and current data on the effectiveness of DFPZ and fuel management prescriptions in reducing fire intensity, increasing community and fire fighter safety, providing significant economic benefits for local communities, and moving the forest towards a more fire-resilient heterogeneous forest.

The FEIS should include a more detailed evaluation of the cumulative impacts of DFPZ construction and maintenance, road construction, and timber harvests over the entire HFQLG Pilot Project area.

Climate Change

Current research indicates that climate change could impact the amount, timing, and intensity of rain and storm events; increase the length and severity of the fire season; modify the rate and distribution of harmful timber insects and diseases; and aggravate already stressed water supplies. A significant change in the weather patterns could have important implications for how we manage our forests.

One objective of the project is to prevent the occurrence of large uncontrolled wildfires that result in high levels of greenhouse gases (GHG). The EPA encourages the Forest Service to consider the potential effects of climate change on Forest Service resources and describe how the Forest Service will adaptively manage affected resources. For example, the likelihood of larger and more frequent wildfires could increase erosion, sedimentation, and chemical and nutrient loads in surface waters, resulting in adverse impacts on water quality and quantity as well as species diversity.

Recommendation:

We recommend that the FEIS include a more detailed description of climate change and its implications for successful reforestation. For example, describe and evaluate projected climate change impacts on the frequency of high intensity storms, magnitude of rain events, and severity and frequency of insect outbreaks, droughts, and fire seasons, and the effects of these events on the success of reforestation efforts.

Water Quality

The EPA commends the Forest Service for including a detailed list of BMPs in Appendix A of the DEIS that specifically address soil and water quality in the Project area. However, the EPA is concerned with increased erosion and sedimentation potentially causing adverse affects to water quality in the total of 263 miles of streams in the project area (page: 131). We understand the urgency of carrying out fuel hazard reduction projects; however, they should be implemented in such a way as to avoid unnecessary environmental harm that would threaten water quality.

Recommendations:
The EPA recommends that the FEIS include a commitment to the specific BMPs that will help to reduce water quality impairment. These include erosion prevention and control structure maintenance as well as pesticide application and monitoring evaluations.

We recommend that fuel hazard reduction and restoration projects in the Plumas Forest be subject to systematic monitoring and research, data collection, and analysis necessary to estimate fine sediment and nutrient load contributions to Plumas Forest streams and waterbodies. This should include a complete list of potentially affected waterbodies and streams such as the West Fork of the Feather River, Magalia Reservoir, and Concow Reservoir.

The FEIS should include a description of stream crossings such as culverts, bridges and low water crossings that could potentially be impacted by the Project, and include their current condition, i.e. flow capacity, fish passage, and ability to handle increased sediment without clogging. The FEIS should also commit to a plan to mitigate these problem areas prior to conducting activities that could further constrict waterways.

CWA 404

While not specifically mentioned in the DEIS, none of the alternatives (as proposed) would result in point source discharges of fill material into Waters of the United States (WUS). Therefore, a Clean Water Act Section 404 Department of Army permit would not be required. However, Appendix A of the DEIS provides a list of mitigation measures the Forest Service may use during the project. Some of the measures could trigger the need for a permit under Section 404 of the Clean Water Act as the activities involve discharge of fill material into potential WUS such as placement of riprap as well as bridge and culvert installation/modification.

Recommendation:
The FEIS should clarity what mitigation measures it will use and if any discharges of fill material are planned or anticipated for this project.

If any mitigation measures are used that would result in discharges of fill material into WUS, the Forest Service should initiate consultation with the United States Army Corps of Engineers to initiate the CWA Section 404 permit process.

Minimize sedimentation and turbidity resulting from excavation for in-channel structures such as bridge and culvert installation/modification.

Avoid adverse water quality impacts associated with destruction, disturbance, or modification of wetlands.

Species of Concern.

The EPA encourages the Forest Service to include in the FEIS a complete review of species that would be affected by the project alternatives. Likewise, the results of consultation with the United States Fish and Wildlife Service, if appropriate, regarding threatened or endangered species or critical habitat should also be included.

Recommendation:
Provide a more detailed description of harvest prescriptions used in areas adjacent to species of concern or their habitat. For example, describe the least disruptive method for removing trees in Spotted Owl habitat, (hand, ground-based, skyline, endline, and helicopter).

Avoid commercial logging in sensitive areas supporting species of concern and or their habitat.

Closure and Restoration of Roads and Landings

Provide a closure and restoration plan for the proposed temporary roads and landings**.** The DEIS states that 2 miles of temporary roads would be constructed to access treatment units and would be closed to vehicular traffic when the project is complete (page: 22). Page 171 states that "rutting and rilling do occur within the burned area, but are caused by legacy roads, temporary roads and skid trails", yet little quantitative detail is provided as to the amount of estimated legacy roads or skid trails. The DEIS also states that there are 230 roads in the Concow Hazardous Fuels Reduction Project cumulative watershed; however, there is inadequate information provided on when, how, or if road closures would occur at the end of the project.

Recommendation:
We recommend that the FEIS provide a detailed closure and restoration plan for the proposed legacy roads, temporary road, skid trails, landings, and reconstructed roads. This plan should include specific information on whether these roads and landings would be recontoured, replanted with appropriate vegetation, monitored, and closed to off-highway vehicle and off highway vehicle use. We recommend that the FEIS include a specific post-harvest schedule for closure of the temporary roads and landings.