



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

September 27, 2007

Ms. Hiphil S. Clemente
Naval Facilities Engineering Command
Southwest, Code OPCE.HC
1220 Pacific Highway
San Diego, CA 92132

Subject: Final Environmental Impact Statement (FEIS), Fort Rosecrans National Cemetery Annex, MCAS Miramar, San Diego County, California (CEQ # 20070378)

Dear Ms. Clemente:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document 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 reviewed the Draft Environmental Impact Statement (DEIS) and provided comments to the Department of the Navy (DON) on December 11, 2006 and rated the DEIS as Environmental Concerns - Insufficient Information (EC-2). We expressed concerns regarding compensation for permanent impacts to biological resources, including habitats that are rare and/or that support endangered species. We also had several recommendations promoting green building practices and reducing air emissions from construction.

EPA appreciates the additional information in the FEIS that states that reclaimed water use would be maximized for the project, that solar energy use would be explored, and that recycling receptacles would be placed next to all trash receptacles. We also appreciate the proposal for additional mitigation measures for construction air quality impacts. We request that a commitment to these practices and measures be included in the project Record of Decision (ROD).

We continue to have concerns, however, regarding the reduced, or lack of, compensation for regionally rare habitats (disturbed coastal sage scrub) and habitats that have been recently occupied by an endangered species (grasslands supporting the federally endangered California gnatcatcher). The FEIS notes that while the military installation is not a participant in the Natural Community Conservation Plan, it is required by the Biological Opinion and Section 404 permit for the Miramar Integrated Natural Resources Management Plan to develop their proposed Multiple Species Habitat Management Plan consistent with guidelines used for subarea plans under the Multiple Habitat Conservation Program (p. 3-11). Compensation for occupied grasslands would be consistent with these other subarea plans. Compensation for both habitats would also be consistent with NEPA's goals of preventing damage to the environment and biosphere (NEPA Sec. 2). We continue to recommend a 1:1

compensation ratio for impacts to regionally rare and declining habitats, even if disturbed, and for the DON to compensate for impacts to occupied grasslands.

EPA appreciates the opportunity to review this FEIS. When the ROD is completed, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 947-4184 or Karen Vitulano, the lead reviewer for this project, at 415-947-4178 or vitulano.karen@epa.gov.

Sincerely,

/s/

Nova Blazej, Manager
Environmental Review Office

cc: Felicia Certia, U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office