



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

May 16, 2006

Jeffrey E. Bailey
Forest Supervisor
Inyo National Forest
351 Pacu Lane, Suite 200
Bishop, CA 93514

Subject: Draft Environmental Impact Statement for Inyo National Forest
Commercial Pack Station and Pack Stock Outfitter/Guide Permit Issuance,
Mono and Inyo Counties, CA (CEQ# 20060093)

Dear Mr. Bailey:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the above document. 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. Our detailed comments are enclosed.

Based on our review, we have rated the proposed Commercial Pack Station and Pack Stock Outfitter/Guide Permit Issuance as Environmental Concerns - Insufficient Information (EC-2). A *Summary of EPA Rating Definitions* is enclosed. The DEIS identifies campsites located within meadows and riparian areas or within 100 feet of water and levels of pack stock grazing and trail use that are contributing sediment and manure to creeks and streams. While we commend the effort to address these adverse effects through implementation of additional Best Management Practices (BMPs), we are concerned about the potential continued water quality effects of pack stock use at the campsites, meadows, and trails with existing resource impacts.

EPA supports management actions that will address campsites, degraded meadows, stock holding areas, and trail conditions that contribute to water quality and ecosystem impacts. We recommend implementation of the more protective measures of Alternative 3; in particular, (1) relocation of Pizona Springs and Truman Meadows campgrounds from meadow and riparian areas to upland areas, (2) use of the Inyo National Forest Land and Resources Management Plan Amendment #6 forage utilization standards, and (3) limited cross-country travel. These measures target specific existing resource impacts, resulting in faster resource recovery and greater long-term benefits. We also recommend more rapid relocation of other campsites and uses associated with resource concerns or that are within 100 feet of water, and consideration of active restoration projects to more rapidly achieve desired resource improvements.

A detailed monitoring and enforcement plan should be developed and included in the Final EIS (FEIS). The lack of this information is of concern because projected improvements to degraded resources are based upon compliance with new, more stringent BMPs and use standards. The Commercial Pack Stock Monitoring, Evaluation and Adaptive Management Plan developed for the 2005 Ansel Adams and John Muir Wildernesses Trail and Commercial Pack Stock Management FEIS would be a useful starting point.

We appreciate the opportunity to review this DEIS. Please send one copy of the FEIS to the above address (mail code: CED-2) when it is released for public review. If you have any questions, please call me at 415-972-3988 or Laura Fujii, of my staff, at 415-972-3852, or at fujii.laura@epa.gov.

Sincerely,

/s/

Duane James, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosure:
Summary of EPA Rating Definitions
Detailed Comments

cc:
Doug Feay, Lahontan Region, RWQCB
Jacob Martin, US Fish and Wildlife Service, Sacramento

**EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE INYO NATIONAL FOREST COMMERCIAL PACK STATION AND PACK STOCK
OUTFITTER/GUIDE PERMIT ISSUANCE, MONO & INYO COUNTIES, CA., MAY 16, 2006.**

Water Quality

Relocate Pizona Springs and Truman Meadows campsites. Overnight camping with commercial pack stock is allowed in Pizona Springs and Truman Meadows in the Montgomery Pass Wild Horse Viewing Area (MPWHVA). The DEIS identifies issues at Pizona Springs campsite with sediment and manure flowing into Pizona Creek, where there is a road stream crossing and a corral within 10 feet of the creek. We note that the corral location is not consistent with the Sierra Nevada Forest Plan Amendment (SNFPA) Standard and Guideline #106 which requires facilities be 100 feet from water (p. 192, Chapter 3). The Truman Meadows campsite is adjacent to a meadow with an access road crossing Truman Meadows (p. 191, Chapter 3).

Alternative 2, the Proposed Action, would address these impacts by implementing additional Best Management Practices (BMPs). For instance, flows from the corral trough would be routed into vegetation, silt fences or hay bales, rather than through the corral (p. 6, Chapter 2). Alternative 3 would relocate these base camps and associated facilities out of the sensitive areas of Pizona Springs and Truman Meadows to upland locations (p. 23, Chapter 2).

Recommendations:

EPA supports the removal of base camp facilities out of the Pizona Springs and Truman Meadows sensitive areas. Relocation out of sensitive areas would be the most effective method in reducing existing adverse impacts to water quality, riparian areas, and aquatic resources. We urge inclusion of this management action into the selected preferred alternative.

At a minimum, facilities should be moved out of riparian conservation areas, mitigation measures implemented to reduce sediment and manure inputs, and active restoration projects considered to address the existing soil compaction and stream headcutting. Stock corrals should be moved to locations that are less likely to introduce sediment and manure into Pizona Creek or result in impacts to Truman Meadows.

Implement Amendment #6 forage utilization standards. The DEIS states that Rodeo Meadow, Agnew Meadow, Rock Creek Lower Pasture, and North Lake Pasture are significantly impaired due to pack stock grazing. Each of these pastures have moderate to severe compaction over more than 15% of the meadow, have reduced vegetation and litter cover, and exhibit streamback erosion and active headcuts (pps. 177, 187, Chapter 3). Alternative 2, the Proposed Action, would permit continued grazing in these meadows with additional fencing of streams and fens. SNFPA utilization guidelines would be used for pastures (p. 2, Chapter 2). Alternative 3 would rest Rodeo, Agnew West, and Upper Rock Creek pastures (p. 187, Chapter 3). This alternative would implement Inyo National Forest Land and Resource Management (LRMP) Amendment #6 forage utilization standards which are based on specific meadow conditions.

Recommendations:

We recommend the Forest Service implement the Inyo National Forest LRMP Amendment #6 forage utilization standards, as currently proposed under Alternative 3. These forage utilization standards appear more protective than the SNFPA utilization guidelines in that they implement meadow specific grazing prescriptions based on specific resource conditions (p. 282, Chapter 3).

We support the closure and resting of meadows exhibiting resource impairment. We recommend the Forest Service work with the pack station operators to implement active meadow restoration where feasible.

Describe specific trail conditions and implement limited cross-country travel. The DEIS states that existing trails with known resource concerns or a high potential for conflict with other users may be specifically prohibited to commercial stock use (p. 126, Chapter 3). However, except for a few examples, there is no description of these trails, their condition, or the resources of concern.

Recommendations:

The FEIS should describe the trail locations with known resource concerns or the potential for conflict with other users. We recommend the FEIS describe and commit to specific management actions to address these resource and user conflict issues. For instance, the DEIS states that Day rides on the new route on the Little Cottonwood Trail would have adverse effects because the trail is not built to stock standards (p. 32, Table 3, Chapter 2). We recommend reconstruction of Little Cottonwood Trail to stock standards prior to commercial pack stock use to avoid irreparable resource impacts.

Where appropriate, we recommend limitation of cross-country travel to ensure protection of sensitive resources.

Where commercial pack stock use is clearly contributing to continued impairment of water quality, ecological function, and trail condition; we recommend realigning commercial pack stock trail use levels with the level of trail development and trail classifications.

Monitoring

Provide a monitoring and enforcement plan. Alternative 2, the Proposed Action, would allow use levels that result in short-term adverse effects at base facilities and a limited number of campsites and trails. These adverse effects would be minimized by regulating cross-country travel, grazing levels, and implementing Best Management Practices (Chapter 3). Monitoring, compliance, and enforcement of proposed management measures are key in ensuring that projected improvements are achieved. The Forest Service should demonstrate that proposed management measures are feasible, enforceable, and will be fully implemented in a timely manner.

Recommendations:

The FEIS should provide a detailed monitoring and enforcement plan. This plan should describe present and future management, monitoring, and enforcement measures to ensure proposed use limitations and management controls are adequately implemented. The Commercial Pack Stock Monitoring, Evaluation and Adaptive Management Plan developed for the 2005 Ansel Adams and John Muir Wildernesses Trail and Commercial Pack Stock Management FEIS would be a useful starting point.

We recommend the Forest Service consider implementation of an adaptive management program which can respond to changing conditions. Include a list of mitigation measures that will be implemented if impacts are in excess of the allowable level of use.