



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

December 13, 2006

William Haigh, Manager
Folsom Field Office
63 Natoma Street
Folsom, CA 95630

Subject: Sierra Draft Resources Management Plan/Environmental Impact Statement
(EIS), California [CEQ #20060373]

Dear Mr. Haigh:

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document. Our review and comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementation Regulations at 40 CFR 1500-1508, and Section 309 of the Clean Air Act.

The Draft EIS assesses alternatives for management of 231,386 surface acres and 300,000 additional subsurface acres of Federal land by the Bureau of Land Management's (BLM) Folsom Field Office. It appears from the Draft EIS that the Preferred Alternative includes several important management changes that will improve resource conditions in the Sierra Resource Management Plan (RMP) planning area. We have some concerns, however, regarding potential impacts to water quality and aquatic habitat, as well as potential impacts to public health from exposure to naturally occurring asbestos. We recommend revisions to the Preferred Alternative to address these concerns and providing additional information in the Final EIS. We have, therefore, rated this Draft EIS as EC-2 – Environmental Concerns-Insufficient Information (see enclosed "Summary of Rating Definitions"). Our detailed comments are enclosed.

We appreciate the opportunity to review this Draft EIS and request a copy of the Final EIS when it is officially filed with our Washington, D.C., office. If you have any questions, please call me at (415) 947-4184, or have your staff contact Jeanne Geselbracht at (415) 972-3853 or geselbracht.jeanne@epa.gov.

Sincerely,

/s/

Paula Bisson, Manager
Environmental Review Office

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Enclosures: Summary of Rating Definitions
EPA Detailed Comments

EPA DETAILED COMMENTS
SIERRA DRAFT RESOURCES MANAGEMENT PLAN DEIS
DECEMBER 2006

Water Quality Impacts

The Draft EIS does not describe the specific impacts of suction dredging operations currently active in planning area streams, or sufficiently describe the potential impacts under each of the alternatives. Suction dredging can have significant adverse impacts to stream geomorphology and water quality, including increases in temperature, total suspended solids, turbidity, and other contaminants, as well as to aquatic and riparian habitat. Suction dredging can result in adverse impacts to spawning and rearing habitats. In addition to the physical destruction of redds and suitable spawning habitat, the sediment introduced to the water column may settle out, covering and filling spawning gravels, reducing pool size and stream depth, and leading to increased temperatures.

Recommendation: The Final EIS should describe the direct, indirect, and cumulative impacts existing suction dredging operations have on planning area streams. The Final EIS should also describe how suction dredging impacts would change under each alternative. The Final EIS should also specify the measures that would be required for notice level and plan level operations.

Recommendation: We recommend that BLM:

- Issue permits on an annual basis with renewal contingent upon satisfactory conduct of permit provisions;
- Conduct biological surveys of claims and areas 600 feet up- and downstream to ensure that redds and potential redd sites do not exist; and
- Annually monitor and review mining impacts on nearby redds and fish habitat, and changes in turbidity, temperature and stream geomorphology.

Recommendation: We recommend the following measures be included for notice level and plan level operations:

- Limit dredging to the active stream channel and where activities will not cause undercutting, excavating or erosion;
- Avoid dredging silt and clay;
- Avoid dredging or discharging where fish spawning or eggs are known to exist at time of dredging;
- Avoid removing large woody debris and root wads;
- Avoid using winches or other motorized equipment to move boulders, logs, or other natural instream obstructions;
- Do not use wheeled or tracked equipment in stream;

- Do not laterally move stream bed cobbles in the channel, and the deepest/fastest portion of the channel should be maintained in its present location;
- Material which could dam the stream channel or form fish barriers should not be placed in the stream channel, and artificial pools should not be created; and
- Use best management practices to prevent spills and consequent degradation of surface water and groundwater during refueling.

The Draft EIS (pp. 3-67/68) states that up to 40 abandoned mine land sites with water quality issues may require remediation over the next 20 years and plans for eliminating these sources of water pollution are underway. The Draft EIS (p. 10) also indicates that the mercury hazard in Humbug Creek would be remediated.

Recommendation: The Final EIS should provide the details of BLM's plan for eliminating mercury from surface waters in the planning area, including how sites are prioritized, who will clean them up, and funding sources.

Recommendation: We also recommend that BLM require for all notice level and plan level operations provisions for proper disposal of all mercury captured during suction dredging activities. The Final EIS should specify how BLM will ensure proper disposal of mercury from all suction dredging operations, and how this will be monitored and enforced.

Terms and conditions of contracts and free use permits for mineral sales in the planning area would require disposal of all mercury recovered during the processing of construction aggregate deposits in which a gold recovery circuit is used (Draft EIS, p. 2-60).

Recommendation: The Final EIS should indicate how much mercury is expected to be captured annually, specify proper disposal requirements, and describe how BLM will monitor and enforce this important provision.

The DEIS (p. 2-60) indicates that material sales in the Yuba Goldfields would be used for the restoration of wetland and riparian habitat on BLM-managed lands in the planning area. It is unclear how this would be accomplished. Would each sale contract require specific reclamation and restoration activities at specific wetland/riparian areas, to be performed by the operator, or would sales revenues fund restoration activities to be performed by BLM throughout the planning area?

Recommendation: The Final EIS should describe how mineral sales in the Yuba Goldfields would be used for the restoration of wetland and riparian habitat on BLM-managed lands in the planning area. Describe the reclamation requirements for Yuba Goldfield mineral sales, as well as the wetland/riparian area restoration requirements associated with these sales. Discuss how BLM prioritizes the wetland/riparian areas for restoration.

The Draft EIS (p. 2-17) identifies areas where roads and trails would be stabilized to reduce erosion rates, but does not describe how this would be accomplished.

Recommendation: The Final EIS should describe the measures and best management practices that would be implemented, identify specific success criteria, and discuss monitoring and follow up measures to ensure success of these soil stabilization activities.

The Cosumnes River is the only river within the planning area that has not been dammed (Draft EIS, p. 3-24), and its North Fork, Middle Fork, and main stem within the planning area are suitable for Scenic River designation (Draft EIS, Appendix E). It appears that water quality and biological resources in these river segments could benefit from the more protective management measures associated with a Scenic River designation.

Recommendation: We recommend BLM reconsider recommending the North Fork, Middle Fork, and main stem Cosumnes River for Scenic River designation.

Naturally Occurring Asbestos

The Draft EIS (p. 3-6) acknowledges the presence of serpentine soils and naturally occurring asbestos (NOA) in the form of chrysotile in some parts of the planning area. It is important to note that tremolite asbestos has also been found in most of the counties of the Sierra Nevada, and tremolite/actinolite occurs in the Sierra Nevada foothills.

Recommendation: The Final EIS should clarify that tremolite and actinolite asbestos are also found in the planning area.

The Draft EIS (p. 2-16) states that BLM would post signs to inform users that NOA is present in areas where asbestos is found at levels greater than 0.25 percent per specimen or where airborne NOA is found at hazardous levels. Please note that asbestos levels less than 0.25 percent in soil can generate airborne asbestos at hazardous levels. Over the past two years, EPA has worked closely with BLM's Hollister Field Office to conduct asbestos air and soil sampling in the Clear Creek Management Area (CCMA), an off-highway vehicle recreation area where NOA is present. Based on the results of the sampling, the Hollister Field Office is making management decisions about the CCMA, including road and trail restrictions, seasonal closures, signage, and public outreach efforts.

Recommendation: In addition to informing users that NOA is present, we also recommend you indicate what the risks are and how users can avoid exposure. You may wish to contact the Hollister Field Office for more information on these issues in order to manage NOA areas to minimize the health risk to the public and BLM employees from asbestos exposure.

The Draft EIS identifies several areas known to have NOA. It is unclear whether any of these areas have been evaluated to quantify asbestos content or air emissions.

Recommendation: We recommend BLM evaluate asbestos content of roads and trails and air emissions associated with ground disturbing activities in areas likely to have NOA. In areas where NOA is likely to be present, proper design of your sampling protocol will be important. We refer you to EPA Region 9's asbestos web page at <http://www.epa.gov/region9/toxic/noa/> and the California Air Resources Board's (CARB) asbestos web page at <http://www.arb.ca.gov/toxics/asbestos/asbestos.htm> for useful information on NOA, including air monitoring. CARB's web site also addresses California's Asbestos Airborne Toxic Control Measures for Surfacing Applications, which apply to unpaved roads.

EPA is also happy to assist your office in answering questions you may have regarding sampling protocols and how to inform users about the presence, risks, and avoidance of NOA in the area.

Under Alternative B, ground disturbing activities on soils bearing NOA would be prohibited (Draft EIS, p. 2-16). However, under the Preferred Alternative, BLM would avoid, where possible, ground disturbing activities on soils bearing NOA. This management action is vague. It is unclear which ground disturbing activities would be avoided, and how BLM would determine which activities could be avoided. For example, would BLM conduct prescribed burns or road maintenance in NOA areas? Would unpaved roads be closed?

Recommendation: The Final EIS should identify the ground disturbing activities that should be avoided under the Preferred Alternative and discuss how BLM would determine which activities to avoid.

Maps

It is unclear what the red and purple lines represent in Maps 4c and 4d. If they are proposed open routes, they appear to conflict with Maps 6c and 6f, which indicate no open routes for the Pine Hill area and only the Hatler Cutoff and Serpentine Loop roads remaining open in the Red Hills area.

Recommendation: The legends in Maps 4a through 4e should be revised in the Final EIS to clarify what the colored lines represent.