



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

August 1, 2005

John Berry, Forest Supervisor
Eldorado National Forest
100 Forni Road
Placerville, CA 95667

Subject: Final Environmental Impact Statement (FEIS) for the Freds Fire Restoration Project,
El Dorado County, California (CEQ #20050110)

Dear Mr. Berry:

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) for the Freds Fire Restoration project. We rated the DEIS as Environmental Concerns - Insufficient Information (EC-2). We raised several issues to the Forest Service regarding impacts to drinking water supplies and air quality, and the use of herbicides. We also requested additional information on Clean Air Act requirements, consultation with tribal governments, and the analysis of environmental justice issues.

EPA is pleased that most issues identified in our review of the DEIS have been addressed in the FEIS. In response to comments from EPA, the Service provided clarifying information on cumulative effects to air quality, impacts to water systems, tribal consultation, and herbicide use.

EPA has continuing concerns regarding the analysis of volatile organic compound (VOC) and nitrogen oxide (NOx) emissions. In response to our comment regarding VOC and NOx *de minimis* levels for conformity determination, the Service references the El Dorado County Air Pollution Control District's (APCD) *Guide to Air Quality Assessment* (February 2002). In addition, as stated in our comment letter on the DEIS, EPA announced on April 30, 2004, that the part of El Dorado County that encompasses the project area was designated as a Subpart 2 "Serious" non-attainment area for the new 8-hour ozone standard, effective June 15, 2004. The information contained in the APCD's 2002 document is out-of-date and incorrect.

The Record of Decision (ROD) should clearly state that the project area is located in a serious-non-attainment area for the 8-hour ozone standard. The Forest Service should also make a determination regarding whether VOC and NOx emissions from the project meet the *de minimis* thresholds for general conformity under that standard. EPA also recommends that future Forest Service NEPA documents include information on all applicable Federal, State and local air quality regulations, and clarify discrepancies that may exist between them due to different requirements, standards, or implementation schedules.

We continue to believe that information on the location of minority and low-income populations in the project area and impacts from the project on those populations should be provided in the FEIS to support the conclusion of no impacts to environmental justice communities. The ROD should include this specific information in compliance with Executive Order 12898. If the Forest Service finds that there are environmental justice impacts, the ROD should commit to measures that will be undertaken to mitigate those impacts.

We appreciate the opportunity to review this FEIS. When the Record of Decision is signed, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me or David Schmidt, the lead reviewer for this project. David can be reached at 415-972-3792 or schmidt.davidp@epa.gov.

Sincerely,

/s/

Nova Blazej, Acting Manager
Environmental Review Office
Communities and Ecosystems Division

cc: Laura Hierholzer, IDT Leader, Forest Service
Marcella McTaggart, El Dorado County Air Quality Management District