



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

February 14, 2007

Don Neubacher, Superintendent
Point Reyes National Seashore
Point Reyes, CA 94956

Attn: Giacomini Wetlands Restoration

Subject: Giacomini Wetland Restoration Project Draft Environmental Impact
Statement/Environmental Impact Report (EIS/EIR) [CEQ #20060502]

Dear Mr. Neubacher:

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 (CEQ) NEPA Implementation Regulations at 40 CFR 1500-1508, and our NEPA review authority under Section 309 of the Clean Air Act.

EPA supports the objectives of this project and believes the proposed project will significantly improve the hydrologic and ecological processes and functions in the Tomales Bay watershed. We have, therefore, rated this Draft EIS/EIR as LO – Lack of Objections (see enclosed "Summary of Rating Definitions"). We recommend additional mitigation measures to minimize potential impacts from spills during construction/restoration activities in this highly sensitive project area. We also recommend that the Final EIS/EIR provide more specific information regarding the project's estimated nitrogen dioxide emissions and conformity to the State Implementation Plan.

We appreciate the opportunity to review this Draft EIS/EIR and request a copy of the Final EIS/EIR when it is officially filed with our Washington, D.C., office. If you have any questions, please call me at (415) 972-3846, or have your staff call Jeanne Geselbracht at (415) 972-3853.

Sincerely,

/s/

Nova Blazej, Manager
Environmental Review Office

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Enclosures: Summary of Rating Definitions
EPA's Detailed Comments

Cc: California State Lands Commission
Bay Area Air Quality Management District

**GIACOMINI WETLAND RESTORATION PROJECT DRAFT EIS/EIR
EPA COMMENTS – FEBRUARY, 2007**

Spill Prevention and Response Plan

The Draft EIS/EIR specifies several effective measures that will be required during construction to avoid contaminant spills. In this sensitive project area, we strongly encourage stringent best management practices and recommend additional measures be included in these requirements.

Recommendation: We recommend the following additional measures to minimize the impact of potential spills.

- A spill kit with boom and sorbent materials should be on site at all times during construction;
- No vehicles will be fueled, lubricated, or otherwise serviced within 100 feet of the normal high-water area of any surface water body.

Recommendation: We also recommend you contact Peter Reich in EPA Region 9's Oil Program at 415-972-3052 to discuss the project's intended operations to ensure compliance with any oil spill regulations that may apply to the project.

Air Emissions

The Draft EIS/EIR indicates that, under the proposed project, earth moving equipment during restoration activities would potentially generate major or substantial amounts of nitrogen dioxide (NO_x). For purposes of this EIS/EIR, "major or substantial emissions" are emissions greater than 80 pounds per day. The Bay Area is a non-attainment area for ozone. The General Conformity requirement of the Clean Air Act (CAA) mandates that the Federal Government not license, permit, or approve any activity not conforming to an approved CAA implementation plan. However, the Draft EIS/EIR does not include the projected NO_x emissions for the proposed project or indicate whether the project conforms to the State Implementation Plan (SIP). Additional information is needed in the Final EIS/EIR to demonstrate that the project conforms to the SIP.

Recommendation: The Final EIS/EIR should provide NO_x emissions estimates for the proposed project and discuss how the project conforms to the SIP. The National Park Service should work with the Bay Area Air Quality Management District to ensure that anticipated emissions from the proposed project are consistent with the applicable SIP.