



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

May 25, 2006

Scott Stawiarski
U.S. Forest Service
43225 E. Hwy 299
P.O. Box 220
Fall River Mills, CA 96028

Subject: Draft Environmental Impact Statement (DEIS) for the North 49 Forest Health Recovery Project (CEQ# 60127)

Dear Mr. Stawiarski:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) referenced above. Our review is 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.

This project is designed to implement and be consistent with the Northwest Forest Plan, Herger-Feinstein Quincy Library Group Forest Recovery Act, and the Sierra Nevada Forest Plan Amendment (SNFPA). EPA has commented extensively on these preceding management documents and many of our concerns expressed with the management actions are carried over into this project. This project was initially documented in an Environmental Assessment in March 2004. Due to comments received during the comment period, the Lassen National Forest Supervisor decided to prepare an EIS and develop a new alternative (Alternative 3) to the proposed action (Alternative 1). While we appreciate the decision to prepare an EIS and the addition of a modified alternative, the preferred alternative does not address many of the environmental concerns in the area. Therefore, we have rated the Proposed Action as Environmental Concerns- Insufficient Information (EC-2). Please see the enclosed Rating Factors for a description of EPA's rating system.

EPA recommends that the Forest Service reconsider analyzing the implementation of Alternative 4, which would incorporate the more protective measures of the SNFPA 2001 Record of Decision (ROD), rather than those in the 2004 ROD. This project is intended, in part, to provide feedback regarding the success of fire protection methods in Wildland Urban Interfaces (WUI). However, these areas have not been identified or included in the development of the alternatives. In addition, monitoring plans have not been established to ensure that water, soils, or watershed impacts are identified and responded to in a timely manner. We are also concerned about potential water quality and air quality impacts in the project area for which

mitigation has not been proposed as part of the project. Monitoring measures and their funding mechanisms and implementation schedules should be included in the Final Environmental Impact Statement (FEIS).

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send (2) copies to the address above (mailcode: CED-2). If you have any questions, please contact me at 415-972-3988 or Summer Allen, the lead reviewer for this project. Summer can be reached at 415-972-3847 or allen.summer@epa.gov.

Sincerely,

/S/

Duane James, Manager
Environmental Review Office

Main ID # 4330

Enclosures: Summary of Rating Definitions

cc: Laurie Tippin, Lassen National Forest

Alternatives Analysis

The DEIS states that Alternative 4, an alternative that implements the Sierra Nevada Forest Plan Amendment (SNFPA) 2001 Record of Decision (ROD), was not considered in detail due to the fact that the 2004 SNFPA ROD supercedes it. However, EPA has expressed objections to the implementation of the 2004 ROD because it eliminates many of the protective measures under the 2001 SNFPA ROD. The 2001 ROD was the culmination of a long public planning process and represented a broadly-supported consensus agreement. In particular, in our comments on the 2004 decision, we noted that it would have greater adverse impacts to water quality due to a proposed increase in mechanical treatments, less prescriptive grazing management for wet meadows, and continued deferral of roads issues (see our March 15, 2004 comments). It also eliminated spotted owl mitigation measures adopted in the Herger-Feinstein Quincy Library Group Forest Recovery Act Project (Quincy Pilot Project). While the two decisions represent different management approaches to complex fire management, this document does not include a summary of the differences between the 2001 and 2004 RODs and the corresponding influence on this project.

Recommendations:

EPA recommends that the FEIS include an evaluation of an alternative which would implement the 2001 SNFPA ROD, such as Alternative 4. Given the ongoing debate regarding the different fuel and fire management approaches, EPA recommends that the document include a brief description of the differences between the 2001 and 2004 SNFPA RODs. As this project is directly tied to the SNFPA ROD and it determines the analysis of alternatives, the FEIS for this project should include a description of the various environmental, social, and economic issues associated with the implemented ROD.

Wildland Urban Interface

A major objective of this project is to test methods that will provide additional fire protection for wildland urban interfaces (WUIs). Portions of three WUIs are within the analysis area. However, there is no discussion of WUIs or monitoring that will be used to determine if the proposed methods are effective. The Healthy Forest Restoration Act (HFRA) encourages development of Community Wildfire Protection (CWP) Plans under which communities designate their WUIs as well as the locations where fuel reduction projects may take place.

Recommendations:

The FEIS should include a description of the WUIs in the project area and if these areas are given priority for fuels management activities. The FEIS should include a description of the applicable CWP Plans, if any, and should document how the proposed project implements the recommendations of these CWP Plans.

Monitoring and Mitigation

We note that the 2001 SNFPA ROD included a commitment to develop a multi-agency body to collaboratively address and resolve management issues (p. 16, SNFPA ROD). EPA is concerned that this commitment has not been implemented.

One particular issue of concern with these forest plans is the need to reduce the size of the transportation system and the need to protect roadless resources. The Sierra Nevada Ecosystem Project (SNEP) report and the 1998 Sierra Nevada Science Review clearly identified roads as a major cause of water quality problems and adverse impacts to aquatic ecosystems. The DEIS notes that the decrease in roads with the proposed project will help reduce these impacts and the Best Management Practices (BMPs) will assure no further impacts to water quality (p. 199). However, the road-related impacts from Alternative 3 are very similar to those from Alternative 1 (p. 209) and monitoring plans are not established in the document to determine the effectiveness of BMPs in responding to soil, water, or watershed impacts (p. 331).

The North 49 project area is located between two Class I airsheds, the Thousand Lakes Wilderness and Lassen Volcanic National Park (p. 107). The area's air quality is affected by pollutants from downwind population centers, adjacent forest activities, traffic, and agriculture (p. 108). Therefore, it is important to reduce air impacts from the project to the greatest extent possible. The DEIS does not include any specific air BMPs or other mitigation measures to reduce this impact.

Recommendations:

If the Forest Service decides not to go forward with Alternative 4, the proposed alternative should include a component to ensure full public participation, as described and committed to in the 2001 SNFPA ROD.

The FEIS should include specific mitigation measures that can be used to reduce potential impacts to air quality in the area.