

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX

75 Hawthorne Street
San Francisco, CA 94105

October 25, 2010

Darlene M. Koontz, Superintendent
Lassen Volcanic National Park
P.O. Box 100
Mineral, CA 96063-0100

Subject: Warner Valley Comprehensive Site Plan Final Environmental Impact Statement
(EIS), Lassen Volcanic National Park, California [CEQ #20100382]

Dear Ms. Koontz:

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.

As we stated in our November 19, 2009 comment letter on the Draft EIS, EPA supports the objectives of this project and believes the proposed project will significantly improve the hydrologic and ecological processes and functions in the Warner Valley. We are also pleased that measures we recommended to reduce diesel particulate matter have been added to the project.

In our Draft EIS comment letter, we also recommended that the Final EIS address several issues regarding compliance with Clean Water Act Section 404, as it appears that the proposed project will involve disposal of dredged or fill material into waters of the U.S. EPA routinely recommends that agencies coordinate with the U.S. Army Corps of Engineers to determine if the proposed project requires a Clean Water Act Section 404 permit for proposed activities *before* an EIS is published so it is clear that the proposed project complies with Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials (40 CFR 230), promulgated pursuant to Section 404(b)(1) of the Clean Water Act. It is important that the EIS include details about the resources potentially affected and what those effects may be. For this reason, we recommended that the Final EIS describe waters of the U.S. that could be affected by the project; identify the required Federal and State permits for work potentially affecting wetlands or waters of the U.S.; describe the projected habitat changes, including acreage changes in values and functions, in response to restoration activities; and demonstrate there will be no net loss of wetlands under the proposed project. We recommend that, in the future, the National Park Service disclose this information in its draft and final EISs.

We appreciate the opportunity to review this Final EIS, and request a copy of the Record of Decision when it becomes available. If you have any questions, please call me at (415) 972-3521 or call Jeanne Geselbracht at (415) 972-3853.

Sincerely,

/s/

Kathleen M. Goforth, Manager
Environmental Review Office

Cc: Matt Kelly, U.S. Army Corps of Engineers – Redding, CA
Alan Schmierer, National Park Service – Oakland, CA