

US EPA ARCHIVE DOCUMENT



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

September 20, 2006

James M. Peña
Plumas National Forest Supervisor
PO Box 11500
157 Lawrence Street
Quincy, CA 95971

Subject: Diamond Vegetation Management Project Draft Environmental Impact Statement (DEIS), Mt. Hough Ranger District, Plumas National Forest, California (CEQ # 20060321)

Dear Mr. Peña:

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. Our comments are provided in accordance with the EPA-specific extension to the comment deadline date from September 18, 2006 to September 26, 2006 (telephone conversation between Laura Fujii and Merri Carol Martens, Diamond Vegetation Management Project ID Team Leader, September 5, 2006).

The proposed project is part of the Herger-Feinstein Quincy Library Group Forest Recovery Act Pilot Project and includes construction of defensible fuel profile zones (DFPZs) and tree harvesting using group selection silvicultural methods and area thinning on over 14,000 acres of forested land in Plumas National Forest. Based on our review, we have rated the Diamond Project DEIS as Environmental Concerns – Insufficient Information (EC-2) (see enclosed “Summary of Rating Definitions”). We have concerns and request additional information regarding cumulative watershed impacts in Riparian Habitat Conservation Areas (RHCA). We also request the U.S. Forest Service select the alternative that meets the project purpose and need with the least environmental impact. The analysis in this DEIS indicates Alternative F meets that description.

EPA appreciates the opportunity to review this DEIS. When the Final EIS is released for public review, please send one copy to the address above (mail code: CED-2).

If you have any questions, please contact me at (415) 972-3988 or Karen Vitulano, the lead reviewer for this project, at 415-947-4178 or vitulano.karen@epa.gov.

Sincerely,

/s/

Duane James, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosures: EPA's Detailed Comments
Summary of EPA Rating Definitions

Cumulative Watershed Effects

Effectiveness of Preferred Alternative's mitigation measures. Watersheds and their associated stream systems can tolerate some level of land disturbance, but there is a point at which land disturbances begin to substantially affect downstream channel stability and water quality. This upper estimate of watershed "tolerance" to land use is called the Threshold of Concern, or TOC (p. 4-55). The alternatives analysis for cumulative watershed effects (CWE) shows that the proposed action (Alternative B) and the preferred alternative (Alternative D) would exceed the TOC in several subwatersheds (Table ES-3).

Alternative D attempts to remedy this increase in risk by including additional mitigation measures. However, the DEIS does not demonstrate that these mitigation measures are sufficiently substantial to reduce the significant risk from CWEs. One of the mitigation measures is erosion control on slopes greater than 20% in group selection units. Existing erosion control BMPs are part of all project alternatives (p. 4-68) and the DEIS does not specify how Alternative D's erosion controls are substantially different from erosion control BMPs applicable to all alternatives. Another mitigation measure is the reforestation of 100% of group selection units. The DEIS states that reforestation would take place under the other alternatives via artificial and natural regeneration, with the group selections within the true fir forest type naturally regenerated, and for all other forest types, a combination of natural and artificial regeneration (p. 2-8). We assume the mitigation under Alternative D will include all artificial regeneration but the FEIS should clarify this and explain the additional benefits of this mitigation.

The effectiveness of the mitigation measures is also reflected in the CWE analysis results. The DEIS states that the mitigation measures would reduce the risk of detrimental effects in each of the subwatersheds and estimates that a change in TOC values as a result of the mitigation are predicted to be from 0 to 66 percent (p. 4-78). This indicates that mitigation will provide no benefit (0%) in some subwatersheds. The DEIS states that the added mitigation would result in Equivalent Roaded Area (ERA) values ranging from 7 to 186% of the TOC. If Alternative D with its added mitigation still leaves subwatersheds over the TOC (with at least one almost twice the TOC at 186%), it is clear that the additional mitigation added to Alternative D are not sufficient to reduce the significant risk of CWEs. The CWE analysis shows that only Alternative F will not exceed the TOC after treatments.

Recommendation:

The FEIS should clearly identify which subwatersheds are at significant risk for CWEs (are over the TOC) as calculated for Alternative D with mitigation measures. It should clearly differentiate how these mitigation measures differ from those applicable to all project alternatives, and describe the expected benefit of each.

EPA recommends the selection of Alternative F, which would pose the least risk to watershed values (p. 2-47).

Impacts in Riparian Areas. The DEIS does not provide CWE analysis for Riparian Habitat Conservation Areas (RHCAs) in the project subwatersheds or provide the acreage of proposed treatments in near-stream sensitive areas. Thirty percent of stream miles surveyed in the defensible fuel profile zone (DFPZ) units show evidence of bank instability, and 11 bankcuts were identified (p. 4-59). The channel treatments identified in the Alternative D mitigation measures (p. 4-77) are therefore necessary to address bank instability and headcut stabilization under existing conditions. Unstable banks can undermine riparian vegetation and reduce water quality by contributing large amounts of sediment into the stream, and headcuts lower the level of the channel bottom and often move upstream, eroding the channel as they migrate (p. 4-59). All alternatives that include treatments in DFPZs should include mitigation for the 30% of stream miles with bank instability.

Recommendation:

The FEIS should include an evaluation of CWEs to RHCAs or near-stream sensitive areas for the action alternatives. Clearly present these impacts in a comparative form to sharply define the issues and provide a clear basis for choice among options by the decisionmaker and the public (40 CFR 1502.14). Indicate how improvements to bank stability in the DFPZ streams will occur for each alternative. If an action alternative is selected, we recommend the mitigation measures, especially the channel treatments identified in Table 4-22, be included in the selected alternative to address existing impaired conditions and protect water quality.

Wildlife Habitat

The project area includes habitat for several sensitive species, including the California Spotted Owl and the Northern Goshawk. All project alternatives will reduce habitat for these and other sensitive species; however, Alternative F avoids group selection in home range cores area for the spotted owl, which offers some protection to this species. The DEIS indicates that Alternative F would contribute to stand and environmental conditions that more closely resemble what is found in owl habitat (p. 4-83). While Alternative F allows Group Selection in 1,036 acres of larger trees (California Wildlife Habitat Relationship size class 5 stands)(p. 2-20), the DEIS concludes that the implementation of Alternative F would result in the lowest level of risk to old-forest species compared to the other action alternatives (p. 2-47).

Recommendation:

The USFS should select the alternative that meets the project purpose and need with the least impacts to environmental resources. The National Environmental Policy Act states that it is the continuing responsibility of the Federal Government to use all practicable means to coordinate actions so that “the Nation may attain the widest range of beneficial uses of the environment *without degradation...*” (USC 4321 Sect 101(b)(3). Since Alternative F will fulfill the project purpose and need with the lowest level of risk, Alternative F best represents this balance.

Road Improvements

Unpaved roads are often considered the primary source of sediment to stream channels (p. 4-58). The DEIS states that in the project area, 12 miles of roads are contributing to resource damage in that they are located extremely close to stream channels and are contributing large amounts of sediment to the stream network (p. 1-9). However, in all action alternatives, 9.6 miles of roads are proposed for decommissioning. The DEIS states that some of these may be recontoured, subsoiled, seeded and reforested, but does not indicate whether these activities will take place.

Recommendation:

The FEIS should explain how the 12 miles of roads contributing to resource damage will be addressed in the project. Identify whether the 9.6 miles are all within this category and indicate how the remaining miles of damaging road will be corrected. Provide a schedule and criteria as to whether roads will be recontoured and reforested. The FEIS and Record of Decision (ROD) should include specific assurances that proposed road improvements and decommissioning will take place, especially for the 12 miles identified as causing resource damage.