

US EPA ARCHIVE DOCUMENT



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

September 25, 2013

Scott Smith
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855 M Street, Suite 200
Fresno, CA 93721-2716

Subject: Draft Environmental Impact Statement for Ferguson Slide Permanent Restoration Project, Mariposa County, California (CEQ # 20130224)

Dear Mr. Smith:

The U.S. Environmental Protection Agency (EPA) has reviewed the document referenced above. As described in the Draft Environmental Impact Statement (DEIS), this project proposes to restore full highway access along State Route 140 in Mariposa County at the section damaged by the Ferguson rockslide. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and our NEPA review authority under Section 309 of the Clean Air Act.

EPA rates the proposed project as Lack of Objections (LO) (see enclosed *Summary of EPA Rating Definitions*). The DEIS concludes that implementation of the alternatives, combined with proper mitigation, should result in minimal environmental impact. We are particularly encouraged to see that none of the build alternatives will place piers within the active bankfull channel of the Merced River. Based upon the technical analysis presented in the DEIS, these alternatives are likely to best meet the project purpose & need, while also avoiding impacts to waters of the U.S. and uniquely addressing many of the concerns that were raised during the agency and public outreach effort. In addition, while the document identifies that there will be no adverse air quality impacts, EPA supports the implementation of stringent dust control and construction equipment emission control measures during construction in order to reduce temporary impacts to air quality. Our few concerns, as described below, focus on potential water quality impacts from storm water runoff.

Storm Water Runoff

As suggested in the DEIS, short term and long-term water quality impacts could occur as a result of storm water runoff from temporary bridge deconstruction, and permanent rockshed/tunnel construction and maintenance. The portion of the Merced River within the project area has been designated a Wild and Scenic River and, as such, it is important that storm water runoff from construction, deconstruction, and maintenance activities be reduced to the greatest extent

possible. EPA is supportive of the many best management practices (BMPs) described in the DEIS and we recommend that the Final EIS (FEIS) and Record of Decision (ROD) provide commitments for these and the following additional mitigation measures to ensure water quality impacts from construction and maintenance are avoided and/or minimized:

- Employ periodic, unscheduled inspections during construction and maintenance to ensure the all BMPs are being implemented effectively.
- Use suspended tarps, booms and vacuums to capture paint, solvents, rust, paint chips and other pollutants potentially generated by bridge deconstruction.

EPA commends Caltrans on their extensive stakeholder involvement during preparation of the DEIS, including conducting a survey to gather input from recreational users of the river. EPA recommends Caltrans continues close coordination with the Department of Fish and Game with regard to impacts to the limestone salamander. EPA further recommends that coordination between government agencies, community associations, recreational groups, and other individuals continue through the remainder of the project planning process.

We appreciate the opportunity to review this DEIS. When the FEIS is released, please send one hard copy and one disc to the address above (Mail Code CED-2). If you have any questions, please contact Zac Appleton, the lead reviewer for this project. Zac can be reached at 415-972-3321 or appleton.zac@epa.gov.

Sincerely,

/s/

Connell Dunning, Transportation Team Supervisor
Environmental Review Office
Communities and Ecosystems Division

Enclosed: Summary of EPA Rating Definitions

CC via email: Margaret Lawrence, California Department of Transportation
Leah Fisher, Army Corps of Engineers
Laura Peterson-Diaz, California Department of Fish and Game
Terri Drivas, United States Forest Service
Sean McCabe, National Park Service