

US EPA ARCHIVE DOCUMENT



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

February 9, 2010

Hal Peterson, Middle Kyle Complex Project Manager  
Spring Mountains National Recreation Area  
4701 North Torrey Pines Drive  
Las Vegas, NV 89130

Subject: Final Environmental Impact Statement for the Middle Kyle Complex,  
Spring Mountains National Recreation Area, Humboldt-Toiyabe National,  
Forest, Clark County, Nevada (CEQ#20100002)

Dear Mr. Peterson:

The U.S. Environmental Protection Agency (EPA or “the Agency”) 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 our NEPA review authority under Section 309 of the Clean Air Act.

EPA reviewed the Draft Environmental Impact Statement (DEIS) and provided comments to the Forest Service on November 16, 2009. We rated the DEIS as Environmental Concerns – Insufficient Information (EC-2), primarily due to concerns over potential impacts to water quality, hydrology and aquatic resources, critical habitat, and air quality. We also asked for additional information regarding the Purpose and Need of the project, monitoring, and enforcement commitments.

Thank you for addressing many of the issues identified in our review of the DEIS. Additional information was provided that satisfies concerns the Agency had regarding potential impacts to water and air quality, the Purpose and Need of the project, and how mitigation measures included in the Selected Alternative will be monitored and enforced.

EPA commends the Forest Service for several modifications made to the proposed project in the Record of Decision that will reduce its environmental impacts. These alterations, including the prohibition of dispersed camping within 300 feet on either side of Forest Service roads and trails; relocation of a segment of the Kyle Wash Trail to lessen potential impacts to the Spring Mountains *acastus* checkerspot butterfly; and the closure of unauthorized user created roads and trails in the project area, should result in greater protection of sensitive resources.

While the Selected Alternative was scaled down to reduce the environmental impacts, and includes many forms of mitigation—including measures to minimize impacts on sensitive species and their habitat—EPA remains concerned that some features of the proposed project, including the Kyle CCC Camp Interpretive Area and Kyle Canyon Campground, are located in areas characterized by the Forest Service as “biodiversity hotspots.” We recommend you ensure that mitigation plans developed for these areas are closely monitored and enforced.

We appreciate the opportunity to review this FEIS. If you have any questions, please contact me at (415) 972-3521, or contact Jason Gerdes, the lead reviewer for this project. Jason can be reached at (415) 947-4221 or [gerdes.jason@epa.gov](mailto:gerdes.jason@epa.gov).

Sincerely,

/s/

Kathleen M. Goforth, Manager  
Environmental Review Office (CED-2)

cc: Edward Monnig, Forest Supervisor, Humboldt Toiyabe National Forest  
Jed Botsford, Bureau of Land Management  
Lewis Wallenmeyer, Clark County Department of Air Quality and Environmental Management  
Roddy Shepard, Nevada Department of Wildlife