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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

**75 Hawthorne Street
San Francisco, CA 94105**

May 5, 2010

Randy Moore
Regional Forester
Pacific Southwest Region
Regional Office, R5
1323 Club Drive
Vallejo, CA 94592

Subject: 2010 Draft Supplemental Environmental Impact Statement (SEIS) for the Sierra Nevada Forest Plan Amendment (SNFPA) (CEQ# 20100037)

Dear Mr. Moore:

The 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 our NEPA review authority under Section 309 of the Clean Air Act.

We understand that the 2010 Draft SEIS is narrowly focused on complying with two orders issued by the Eastern District Court of California on November 4, 2009. The District Court ordered two corrections to the 2004 SNFPA Final SEIS to address range of alternatives and analytical consistency issues identified by the Ninth Circuit Court in its decision on the preliminary injunction portion of the case. We recognize that this SEIS supplements, and tiers to, the 2004 Final SEIS and the 2001 Final EIS for the SNFPA.

We also understand that the SNFPA addresses forest management programmatically and proposes changes to program-level guidance. This guidance provides the framework for land management decisions in 11 National Forests and direction for fire management, the wildland urban interface, regional water quality and air quality, and cumulative effects. The far-reaching influence of the SNFPA cannot be overstated.

EPA acknowledges the additional information and analysis provided in the 2010 Draft SEIS and the significant effort you and your staff have invested in this effort. The 2010 Draft SEIS describes the alternatives and their various management strategies, which include greater or lesser emphasis on preservation, restoration, or forest resiliency; mechanical vs. prescribed fire tools; regional vs. local control and flexibility; landscape scale vs. watershed focus; standards

and guidelines vs. maximum management flexibility; and various levels of active management. It is difficult to evaluate the benefits and adverse impacts of the different management strategies without knowledge of the scientific basis or proven effectiveness of these strategies. We recommend the 2010 Final SEIS include a Chapter describing the benefits and impacts of each management strategy, and summarizing scientific data on the relative effectiveness of each approach in meeting specific management objectives and desired conditions. We recognize that management objectives and desired conditions will influence the final management strategy selected for implementation. The 2010 Final SEIS should also describe the management strategy that has been in-place since the 2004 SNFPA SEIS Record of Decision (ROD).

We continue to have objections to the Preferred Alternative S2, as it is identified in the 2004 SNFPA SEIS ROD, and further described in this 2010 Draft SEIS. Our rating, Environmental Objections - Insufficient Information (EO-2), is based on our review of the information in the 2001 Draft Environmental Impact Statement (EIS), 2001 Final EIS, and 2004 Supplemental EIS, which identified avoidable significant environmental impacts to water quality, sensitive habitats, and threatened and endangered species. Our objections also reflect the decision to defer the evaluation of transportation impacts on water quality. There is no additional information provided in the narrowly focused 2010 Draft SEIS to alter the conclusions of our previous review, which we provided in our March 15, 2004 and September 24, 2004 letters to Jack A. Blackwell, Regional Forester, Pacific Southwest Region, 1323 Club Drive, Vallejo, CA 94592.

The Sierra Nevada Ecosystem Project Report and 1998 Sierra Nevada Science Review identified roads as a major cause of water quality problems and adverse impacts to aquatic ecosystems, which should be addressed as soon as possible. While the proposed Aquatic Management Strategy can reduce nonpoint pollution from the transportation system, it is not a substitute for decommissioning targets or adequate road maintenance. We seek assurances that point discharges and landslide sediment inputs from road failures and unmaintained roads will be minimized to the greatest extent feasible. Information on the regional environmental consequences and costs of the transportation system would foster better forest management decisions at both the programmatic and project level. Without sufficient consideration of these transportation impacts and mitigation commitments, we believe the program-level guidance you have sought to improve is incomplete.

We realize that a comprehensive transportation system plan would be inconsistent with the scope of the SNFPA. We maintain that program-level guidance regarding decommissioning targets, mitigation strategies that avoid or reduce impacts associated with roads, and forest-wide transportation priorities are appropriately addressed at the programmatic level. Project-level decisions will determine where new roads are constructed on the ground, which existing roads

will be decommissioned, and specific mitigation commitments to protect natural resources that are directly and indirectly affected by these actions.

EPA supports the Forest Service's commitment to engage other agencies and the public throughout the planning, conduct, and evaluation of projects implementing SNFPA. We recommend the 2010 Final SEIS describe the public participation process and commitments.

We appreciate the opportunity to provide comments on the 2010 Draft SEIS. Please send one hard copy and one CD of the 2010 Final SEIS to the address above (mail code: CED-2) at the same time it is officially filed with our Washington D.C. Office. If you have any questions, please contact Kathleen Goforth, Manager of EPA Region 9's Environmental Review Office, at (415) 972-3521, or have your staff contact Laura Fujii, the lead reviewer for this project. Laura can be reached at (415) 972-3852 or fujii.laura@epa.gov.

Sincerely,

/S/ Frances Schultz for

Enrique Manzanilla, Director
Communities and Ecosystems Division