UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

January 8, 2008

Diana Craig
Sierra Nevada Forests MIS Amendment
US Forest Service
Pacific Southwest Region
1323 Club Drive
Vallejo, CA 94592

Subject: Final Environmental Impact Statement for Sierra Nevada Forests Management Indicator Species (CEQ# 20070543)

Dear Ms. Craig,

The U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement (FEIS) for the above project. Our review and comments are 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 Sierra Nevada Forests Management Indicator Species (MIS) Amendment Draft Environmental Impact Statement (DEIS) and rated the proposed action as Environmental Concerns – Insufficient Information (EC-2) due to concerns with the ability of the proposed MIS monitoring system to address Forest-specific unique resources, issues, and concerns; the need to integrate past collaborative decisions, such as the 2001 Sierra Nevada Forest Plan Amendment Record of Decision, into the proposed action; and the potential elimination of MIS monitoring requirements for existing projects.

The Record of Decision (ROD) incorrectly states that EPA did not express environmental concerns or request or recommend changes to the environmental analysis presented in the DEIS (ROD, p. 10). A rating of EC-2, as stated above, indicates that our review of the DEIS identified environmental impacts that should be avoided and that we believed the DEIS did not contain sufficient information for EPA to fully assess environmental impacts. The EC-2 rating is further described in the enclosed *Summary of EPA Rating Definitions*. We request the ROD be revised to accurately describe EPA's comments on the DEIS.

While we have concerns about specific elements of the proposed action, EPA supports the need for range-wide consistency and for a MIS monitoring system that effectively informs Forest Service decisions at the landscape, multiple forest level. The selected Alternative 6, the Modified Proposed Action, will help meet these objectives and

provide information that will better inform management decisions and better serve the fundamental MIS purpose.

We continue to believe the following recommendations previously identified by EPA would improve Alternative 6 and its implementation. We urge their integration into Alternative 6, the administrative and technical implementation guidance (a.k.a. monitoring implementation package), and their adoption into the final Forest Service decision.

1. Include references to specific Land and Resources Management Plan habitat and population objectives in the MIS monitoring guidance and identify clear thresholds that prompt management evaluation and changes.
2. Incorporate a recommendation in the monitoring implementation package that resources saved through implementation of the new MIS list and monitoring system be redirected to monitoring and management of at-risk species and sensitive habitats.
3. Include in the monitoring implementation package a description of the process for selecting reference conditions or clearly reference the appropriate scientific literature.
4. Describe in the monitoring implementation package how the effects of historical disturbances should be accounted for.
5. Incorporate as part of the macro-invertebrate monitoring periodic field assessment and recalibration of the proposed River Invertebrate Prediction and Classification System monitoring and assessment model.
6. Consider at-risk watersheds and those with unique and sensitive habitats as a management priority for more frequent field-verification.

We appreciate the opportunity to review this FEIS. Please send one copy of the ROD, if it is revised as requested above or otherwise modified, to the above address (mail code: CED-2). If you have any questions, please call me at 415-972-3846 or Laura Fujii, of my staff, at 415-972-3852 or fujii.laura@epa.gov.

Sincerely,

Nova Blazej, Manager
Environmental Review Office

Enclosure:
Summary of EPA Rating Definitions

cc: Vicki Campbell, U.S. Fish and Wildlife Service
Howard Brown, National Marine Fisheries Service
Peter Ode, California Department of Fish & Game
Peter A. Stine, Pacific Southwest Research Station

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."