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

APR 3 2013

Dean Gould, Forest Supervisor
Sierra National Forest
1600 Tollhouse Road
Clovis, CA. 93611

Subject: Draft Environmental Impact Statement for the Whisky Ridge Ecosystem Restoration Project, Sierra National Forest, Madera County, California. (CEQ# 20130040)

Dear Mr. Gould:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the Whisky Ridge Ecosystem Restoration Project (Project) pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

EPA has a unique responsibility in the NEPA review process. Under Section 309 of the Clean Air Act, EPA is required to review and publicly comment on the environmental impacts of major federal actions, including actions that are the subject of Environmental Impacts Statements (EIS). For more information on the NEPA compliance process, go to: http://www.epa.gov/compliance/basics/nepa.html#eparole.

EPA commends the Forest Service for its commitment to vegetation restoration and adaptive management strategies for climate change, as proposed in the Project. We recognize the need for the use of mechanical thinning and prescribed fire and wildfire to achieve long-term restoration objectives. Based on our review of the DEIS, we have rated all action alternatives including Proposed Alternative 2 as *Lack of Objections* (LO) (see enclosed "*Summary of Rating Definitions*").

EPA supports the Forest Service's plan to transport woody biomass to fuel electrical generation plants. This would reduce emissions that would otherwise be produced from harvest generated slash burning thus minimizing adverse impacts to air quality. As my staff discussed with your team in a phone conversation March 19, 2013, we recommend that the Final Environmental Impact Statement (FEIS) include some edits and additional analysis in the Air Quality section (see enclosed Detailed Comments).

EPA appreciates the communication between our offices and the opportunity to review this DEIS. When the FEIS is released, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3521, or have your staff contact James Munson, the lead reviewer for this project. James can be reached at (415) 972-3852 or munson.james@epa.gov. For questions regarding air issues, please have your staff contact Dawn Richmond at (415) 972-3097 or Richmond.Dawn@epamail.epa.gov.

Sincerely,

Kathleen Martyn Goforth, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosures: Summary of the EPA Rating System
Detailed Comments

Cc: Aimee Smith, Range Specialist, Sierra National Forest
Burt Stalter, Sierra National Forest

EPA'S DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE WHISKY RIDGE ECOSYSTEM RESTORATION PROJECT, SIERRA NATIONAL FOREST, MADERA COUNTY, CA (CEQ# 20130040).

General Conformity

The Draft Environmental Impact Statement (DEIS) falls short of demonstrating that all direct and indirect emissions associated with this project have been evaluated for compliance with the Clean Air Act General Conformity Rule (40 CFR 51and 93; April 5, 2010). Although the rule is defined in the DEIS, the discussions of conformity does not clearly document how the rule will be satisfied.

- We recommend that the Forest Service contact EPA or the San Joaquin Valley Air Pollution Control District (SJVAPCD) air district for further guidance on documenting general conformity under the Clean Air Act.

Other Air Quality Section Issues

The Air Quality section includes some errors and omissions that should be corrected in the Final Environmental Impact Statement (FEIS). In particular, we recommend the following additions/edits:

- On page 70, the DEIS cites the general conformity rule incorrectly. Specifically, the general conformity rule was revised April 5, 2010 (75 FR 17257). The EPA deleted the provision in 40 CFR 93.153 that required Federal agencies to conduct a conformity determination for regionally significant actions where the direct and indirect emissions of any pollutant represent 10 percent or more of a nonattainment or maintenance area's emissions inventory for that pollutant. The Final EIS (FEIS) should exclude this outdated material.

- On page 70, the attainment status is incorrect for Madera County. The FEIS should state the current status for all NAQQS in the area, with their respective de minimis levels. The current status for ozone is extreme non-attainment (de minimis for NOx and VOCs is 10 tons per year); PM-10 is maintenance (not "serious" maintenance, and has a de minimis of 100 tons per year); and the County is in nonattainment for PM2.5 (de minimis of 100 tons per year).

- The air quality discussion should be expanded in the FEIS to include timber harvest and pre-treatment equipment emissions and mitigation measures, such as:

  Mobile and Stationary Source Controls:
  - Reduce use, trips, and unnecessary idling from heavy equipment.
  - Maintain and tune engines per manufacturer's specifications to perform at California Air Resources Board (CARB) and/or EPA certification, where applicable, levels and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. CARB has a

number of mobile source anti-idling requirements. See their website at: http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm

- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations
- If practicable, lease new, clean equipment meeting the most stringent of applicable Federal or State Standards. In general, only Tier 3 or newer engines should be employed in the construction phase.
- Utilize EPA-registered particulate traps and other appropriate controls where suitable, to reduce emissions of diesel particulate matter and other pollutants at the construction site.

Administrative controls:

- Identify all commitments to reduce construction emissions and incorporate these reductions into the air quality analysis to reflect additional air quality improvements that would result from adopting specific air quality measures.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- Prepare an inventory of all equipment prior to construction, and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.) Meet CARB diesel fuel requirement for off-road and on-highway (i.e., 15 ppm), and where appropriate use alternative fuels such as natural gas and electric.
- Develop construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
- Identify sensitive receptors in the project area, such as children, elderly, and infirm, and specify the means by which you will minimize impacts to these populations. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.