UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

May 4, 2012

Tim Bodeen
Project Leader
Malheur National Wildlife Refuge
36391 Sodhouse Lane
Princeton, Oregon 97221

Re: U.S. Environmental Protection Agency (EPA) comments for the Malheur National Wildlife Refuge Draft Comprehensive Conservation Plan and Draft Environmental Impact Statement (CCP/DEIS). EPA Project Number: 09-033-FWS.

Dear Mr. Bodeen:

This review was conducted in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Under our policies and procedures, we evaluate the environmental impact of the proposed action and the adequacy of the impact statement. We have assigned an LO (Lack of Objections) rating to the CCP/DEIS. A copy of the EPA rating system is enclosed.

The purpose of the Malheur Refuge CCP/DEIS is to provide consistent, reasonable, scientifically sound guidance to ensure that the purpose of the Refuge is met over the next 15 years. The guidance includes direction to support activities that protect and maintain habitat, contribute to the recovery of federally listed species, and protect and restore unique cultural resources. The guidance also emphasizes the need to gather scientific information to inform better decision making and actively engage in collaborative restoration efforts.

The CCP/DEIS evaluates two action alternatives (Alternative 2 and 3) to direct management of 187,757 acres of Refuge land located in the Northern Great Basin. Alternative 2 is identified as the preferred alternative and is summarized below:

- The primary focus and top priority would be to improve the aquatic health of lakes and wetlands, primarily via aggressive control of common carp.
- A comprehensive riverine/wetland rehabilitation plan for watersheds within the Refuge would be initiated.
- A more developed and structured visitor experience would be available with additional birding, fishing, and hunting opportunities.
- Historic, cultural, and paleontological resources would be developed (where possible) and protected

Both alternatives include adaptive management, Tribal and State coordination, integrated pest management, water quality, and climate change assessment efforts.

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The document clearly describes the value of the resource for migratory birds, other wildlife and for visitor's experience. The decision framework and hierarchy of guidance are particularly helpful in understanding the connection to other plans. The EPA supports the management approach described to protect and restore native ecosystem processes in the Refuge. We commend the USFWS for the attention to climate change in the Refuge's long term planning efforts. We acknowledge that monitoring will be a key factor in adaptation strategies. Another component to consider is identifying area-specific vulnerabilities (habitats and species) in developing adaptation strategies.

Thank you for the opportunity to review the CCP/DEIS. If you have any questions or concerns please contact me at (206) 553-1601 or by electronic mail at reichgott.christine@epa.gov, or you may contact Lynne McWhorter of my staff at (206) 553-0205 or by electronic mail at mcwhorter.lynne@epa.gov .

Sincerely,

Christine B. Reichgott

Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosures:
EPA Rating System for Draft Environmental Impact Statements

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U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action*

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (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

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 these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should 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

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 potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (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 of 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 analyzed 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 analyzed in the draft EIS, which should be analyzed 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 National Environmental Policy Act 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. February, 1987

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