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

February 6, 2014

Greg Jarvis, Project Manager
National Park Service – Denver Service Center
12795 West Alameda Parkway
Lakewood, CO 80228

Subject: Draft Environmental Impact Statement for Channel Islands National Park Draft General Management Plan / Wilderness Study Project; California. (CEQ# 20130327)

Dear Mr. Jarvis:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement for the Channel Islands National Park Draft General Management Plan / Wilderness Study Project. Our review is provided pursuant to the National Environmental Policy Act, the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act. These comments were also prepared under the authority of, and in accordance with, the provisions of the Federal Guidelines promulgated at 40 CFR 230 under Section 404(b)(1) of the Clean Water Act.

EPA supports the goal of restoring and maintaining natural ecosystems in the Channel Islands National Park. We understand that the subject Draft Environmental Impact Statement is a programmatic analysis; therefore, impacts from site-specific projects are not fully addressed in this document and will need further NEPA analyses. We recommend that the FEIS be clearly labeled as a Programmatic Final Environmental Impact Statement and include a commitment by the National Park Service to conduct an appropriate level of NEPA analysis, to be tiered from the PFEIS, for future site specific projects. We also recommend that such project-specific NEPA documents include a Jurisdictional Determination by the U.S. Army Corps of Engineers for projects that would result in a discharge to waters of the U.S. This would help clarify the significance of any direct and indirect impacts to waters.

Based on our review of the Preferred Alternative, we have rated the DEIS as Environmental Concerns – Insufficient Information (EC-2) (see enclosed "Summary of Rating Definitions"), due to our concerns regarding water quality, biological resources, and potential indirect impacts as a result of induced growth. Portions of the construction and maintenance of the proposed structures will occur in marine waters within the Scorpion State Marine Reserve and the Channel Islands National Marine Sanctuary. These waters are recognized as special aquatic sites under

the EPA's Clean Water Act Section 404(b)(1) guidelines due to their ecological characteristics. We are concerned about potential direct and indirect impacts to benthic and aquatic habitats and species in the planning area. We are also concerned that the DEIS does not include a sufficient description of monitoring plans to assess environmental impacts from expected increases in visitor activities, such as vehicle tours, air transportation and overnight lodging. The enclosed Detailed Comments provide recommendations to address these and other concerns.

At this general management planning stage, the National Park Service has an excellent opportunity to incorporate sustainability into its decision making. We encourage the NPS to commit to smart growth and green building as guiding principles for its development and management of Channel Islands National Park.

EPA appreciates the opportunity to review this DEIS. When the PFEIS is released, please send one hard copy and one CD to the address above (mail code: ENF-4-2). 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.

Sincerely,

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

Enclosure:

Summary of the EPA Rating System

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) 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 Environmental Impact Statement (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 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)

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 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 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 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 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.

EPA'S DETAILED COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR THE CHANNEL ISLANDS NATIONAL PARK DRAFT GENERAL MANAGEMENT PLAN / WILDERNESS STUDY PROJECT, (PROJECT); CALIFORNIA. (CEQ# 20130327)

Waters of the United States

Based on information in the Draft Environmental Impact Statement, it appears that impacts to waters of the United States would occur during construction and operations of the project. Of particular concern to EPA are impacts associated with locating and constructing columns, anchoring and scour protection in marine waters, and any impacts due to changes in surface water runoff that may occur from features such as the proposed access road and sediment removal (p. 101). The PFEIS should also discuss impacts that could occur due to shading from piers, increased vehicle traffic, and removing or abandoning existing infrastructure such as the Scorpion and Bechers Bay piers (p. 325). We note that Page 103 states that "The existing Scorpion pier would be maintained," however, page 181 lists the Scorpion Pier under the Future Plans and Studies Needed section. Please note that EPA provided comments on a Notice of Intent to prepare an Environmental Impact Statement for the Scorpion Pier Replacement Project in a letter dated July 2, 2013.

Recommendations:

The PFEIS should describe baseline water quality conditions, as well as any changes that could occur due to Project construction, operations and maintenance. Based on the nature of the Project, the PFEIS should discuss potential increases in turbidity, temperature, and contamination from hazardous materials related to construction and increased traffic resulting from the project. The PFEIS should also describe and include appropriate commitments to measures that would avoid such impacts, as well as to appropriate monitoring.

For any unavoidable impacts to waters, the PFEIS should identify potential compensatory mitigation options that would comply with the *Compensatory Mitigation for Losses of Aquatic Resources; Final Rule* (Mitigation Rule) 33 CFR Parts 325 and 332, and 40 CFR Part 230.(http://www.epa.gov/wetlandsmitigation/). Due to the absence of any mitigation banks or in-lieu fee programs that cover the Channel Islands, we anticipate that any compensatory mitigation would be the responsibility of the National Park Service. We are available to work with your agency to help identify options that comply with the Mitigation Rule.

The PFEIS should clarify whether the Scorpion Pier Replacement Project and the Channel Islands National Park Draft General Management Plan /Wilderness Study Project are being done as separate projects and, if so, why. We also recommend that an analysis be included in the PFEIS to assess cumulative impacts from these anticipated actions.

Induced Growth/Indirect Impacts

Given the increased visitor access to the islands, e.g. via aircraft, vehicle tours and pier upgrades/boating, this project would likely allow for an increase in park visitors, which is not sufficiently described in the DEIS. The project may also induce additional near shore development adjacent to the improved facilities, such as increased pier size, road access and concessions.

Recommendations:

The PFEIS should more thoroughly describe the reasonably foreseeable future land use and associated impacts that would result from the anticipated increase in visitors. Specifically, the document should estimate the amount of growth, likely location, and the biological and environmental resources at risk for any foreseeable actions taken due to the modifications in the project areas.

Species of Concern

Many species of concern are found in the Channel Island National Park. According to the DEIS, elements of the proposed project, such as infrastructure development and increased visitor use, could adversely impact these species.

Recommendations:

The PFEIS should include a comprehensive biological survey of the entire project area including a complete review of species that may be affected by the project, and the results of consultation with the United States Fish and Wildlife Service and National Oceanic and Atmospheric Administration, if appropriate. We recommend that the PFEIS provide a detailed analysis of potential direct, indirect, and cumulative biological resource impacts that would result from preferred Alternative 3, including destruction of reef habitat, increased sedimentation from construction, localized changes in currents, degraded water quality, and changes to the food web.

The PFEIS should include a monitoring plan and a conceptual mitigation plan with steps that could be taken to minimize or eliminate adverse impacts to threatened or endangered species or critical habitat; (e.g., activities should be timed to minimize the disturbance to plants and animals at key stages in their lifecycles).

Sustainable Development

The project calls for new development as well as remodeling of existing infrastructure; however, these are discussed in only general terms. The DEIS indicates that with attempts to upgrade new facilities and to increase and expand visitor use in the park under Alternative 3, there could be long-term increases in energy consumption and related emissions. General management planning efforts provide an excellent opportunity to incorporate sustainability into long-term decision-making. We understand that, nationally, the NPS is pursuing a number of sustainability

initiatives (http://www.nps.gov/sustainability/sustainable/implementation.html). EPA strongly supports the development of sustainable green infrastructure as a guiding principle for the remodeling and renovations at Channel Islands National Park.

Recommendations:

We encourage the NPS to include a commitment, in the PFEIS, to adopt smart growth and green building principles (such as Leadership in Energy and Environmental Design) for all future development within Channel Islands National Park, as a means to minimize project impacts and establish sustainable park infrastructure and operations.