UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

April 26, 2010

Rick Brazell
Forest Supervisor
Clearwater National Forest
12730 Highway 12
Orofino, Idaho 83544

Re: Small-Scale Suction Dredging in Lolo Creek and Moose Creek,
Clearwater and Idaho Counties
EPA Project Number: 04-025-AFS

Dear Mr. Brazell:

The U.S. Environmental Protection Agency has reviewed the Response to Comments of final Supplemental Environmental Impact Statement (FSEIS) and Record of Decision (ROD) for the **Small-Scale Suction Dredging in Lolo Creek and Moose Creek Clearwater and Idaho Counties** in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309, independent of NEPA, specifically directs EPA to review and comment in writing on the environmental impacts associated with all major federal actions and the document's adequacy in meeting NEPA requirements.

The ROD selected Alternative 3 to implement and include terms and conditions and monitoring requirements to protect water quality. This alternative also includes a restoration component for an abandoned mine area of Lolo Creek. EPA supports the terms and conditions for dredging and we believe they are designed to protect fish habitat and seem to minimize the potential to damage stream channels and banks. We believe that the Response to Comments generally address our concerns regarding impacts to turbidity and bedload impacts. We also acknowledge the statement that Forest Service's approval is contingent on operators obtaining a NPDES permit

EPA expressed concerns regarding lack of data disclosed in the draft SEIS and conclusions that proposals will comply with water quality standards. The FSEIS only includes the Response to Comments and Errata with editorials and therefore, our recommendations to include water quality data and details of past monitoring were not incorporated into the FSIES. We appreciate the response providing reference and summary of the IDEQ 2003 study on turbidity, macroinvertebrate, and surface fine sampling that concluded that suction dredging did not exceed the turbidity standard. This response is helpful to understand context of conclusions made in the SEIS; however, we continue to have concerns with potential impacts to water quality because details of this study and past monitoring were not provided in the FSEIS to review.

Printed on Recycled Paper

EPA also expressed concern regarding the time frame of which this approval period extends and potential cumulative impacts. We acknowledge the response that there is little information and literature available on cumulative impacts for suction dredging. We support utilizing data from monitoring and other activities occurring in the watershed to build an understanding of cumulative impacts and implement adaptive management to respond to potential changes in conditions. The FSIES did not respond to our question asking how long the approval period is, and therefore, we remain unclear how long these approvals last and when approvals will be reevaluated. We promote adaptive management and reassessing approvals based on monitoring data and any shifts in stream conditions.

Thank you for the opportunity to review the response to comments and ROD. We look forward to learning about potential field trip opportunities with agencies and other stakeholders to observe monitoring. If you have any questions, please contact Lynne McWhorter at (206) 553-0205, or myself at, (206) 553-6911.

Sincerely,

Christine B. Reichgott

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

Printed on Recycled Paper