UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS,
TRIBAL AND PUBLIC
AFFAIRS

December 23, 2013

Teresa Raaf
Forest Supervisor
431 Petterson Bridge Road
John Day, Oregon 97845

Re: U.S. Environmental Protection Agency comments on the Malheur National Forest Site-Specific Invasive Plants Treatment Project Draft Environmental Impact Statement.
EPA Region 10 Project Number: 06-017-AFS.

Dear Ms. Raaf:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement for Malheur National Forest Site-Specific Invasive Plants Treatment Project within Grant, Baker, Harney, Malheur, and Crook Counties, Oregon. Our review was conducted in accordance with the EPA responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act.

The DEIS analyzes the Forest Service's proposal to use integrated methods to treat invasive plants to reduce their extent and impact. The project area encompasses the Malheur National Forest and a portion of the Ochoco National forest (together nearly 1.7 million acres). Approximately 2,124 acres of invasive plants need to be suppressed, contained, controlled or eradicated within the project area. Three action alternatives and a no action alternative are considered in the DEIS. Alternative B, the proposed action, would authorize several herbicide and other integrated treatment methods to be implemented on the Forest over the next 5 to 15 years. Alternative B would include one amendment to the Malheur National Forest Land and Resource Management Plan to allow for the use of aminopyralid. Alternative C is would restrict herbicide use to a greater extent than Alternative B, and Alternative D would not allow for the use of aminopyralid.

The EPA supports treating invasive plant infestations in order to maintain or improve the diversity, function and sustainability of desired native plan communities and other natural resources that can be adversely impacted by invasive plant species. In our scoping May 2006 scoping comments, we recommended that the DEIS look across jurisdictional boundaries, include an early detection/rapid response plan, and adopt an Integrated Weed Management approach to addressing invasive plants. We believe the DEIS does an admirable job of incorporating these ideas.

We appreciate the incorporation of "integrated treatment notes" within Table 8 (common control measures), as well as the robust structure of the project design features (pdfs) in Table 9. In particular, it is helpful to have a reference source for each of the project design features. Overall, we support the proposed alternative (Alternative B). Our comfort with Alternative B is enhanced by the inclusion of herbicide-use buffers and treatment caps. These features will limit the extent, intensity and duration of any potential adverse effects. We also support the inclusion of Figure 4 on page 50 of the DEIS, which lays out a series of questions to help determine whether, where, how, and under what pdfs herbicides

should be applied. We are also pleased to note that aerial application of herbicide is not among the alternatives considered.

With regard to aminopyralid, we recognize this is a relatively new herbicide, and effective against a broad spectrum of plants. We maintain, however, that the best risk assessment information available (SERA 2007[1]) concludes that:

> *"...Aminopyralid has a favorable human health toxicity profile when compared to the registered alternatives for these use sites and will be applied at a lower rate. Its residual action should alleviate the need for repeat applications, resulting in a reduction in the amount of herbicides applied to the environment for the control of these weeds. Aminopyralid has been determined to be practically non-toxic to non-target animals at the registered application rates, compared to the alternatives, and is less likely to impact both terrestrial and aquatic plants."*

Because the inclusion of aminopyralid within the suite of herbicides available to the Forest would potentially reduce overall herbicide footprint on the Forest, we support the proposed LRMP amendment under Alternative B.

Based on our review, we are rating the DEIS as LO (Lack of Objections). We appreciate the opportunity to review and comment on the DEIS. If you have any questions about our review, please contact me at (206) 553-1601, or by electronic mail at reichgott.christine@epa.gov. Or you may contact Teresa Kubo of my staff at (503) 326-2859 or by electronic mail at kubo.teresa@epa.gov.

Sincerely,

Christine B. Reichgott

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

[1] Syracuse Environmental Research Associates (SERA), Inc. 2007. Aminopyralid Human health and Ecological Risk Assessment. Fayetteville, New York. Jun. 28, 2007

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.