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

May 19, 2016

Mr. Eric La Price
District Ranger
Western Divide Ranger District
Sequoia National Forest
32588 Highway 190
Springville, California 93265

Subject: Draft Environmental Impact Statement for the Tobias Ecosystem Restoration Project, Kern and Tulare Counties, California (CEQ # 20160073)

Dear Mr. La Price:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement for the Tobias Ecosystem Restoration Project (Tobias 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.

The EPA reviewed the Notice of Intent to prepare a DEIS for the Tobias Project and submitted comments to the Forest Service on September 5, 2014. In that letter, we made several recommendations for information to include in the DEIS to better evaluate a range of potential impacts associated with project activities, including air quality, water resources, cumulative impacts, and climate change. We thank the Forest Service for including information in the DEIS that addresses many of the recommendations made in our scoping letter.

Based on our review of the DEIS, we have rated the preferred alternative (Alternative 2) and the document as Lack of Objections – Adequate (LO-1) (see the enclosed "Summary of EPA Rating Definitions"). The EPA supports the objectives for the Tobias Project outlined in the DEIS, including the goal to restore a "healthy, diverse, forest ecosystem that is resilient to the effects of wildfire, drought, disease, and other disturbances" (p. 14). We also support many of the proposed mitigation measures and design features, including the proposal to decommission roads to reduce impacts in Dry Meadow and Tyler Meadow; the requirement that no vegetation management activities will occur within 100 feet of any perennial stream or meadow; and the commitment to use low ground pressure equipment, helicopters, or other non-ground disturbing actions when needed to achieve Riparian Conservation Objectives.

There are a few areas, however, where we would like to see additional information included in the FEIS. First, we recommend that the Forest Service conduct a more comprehensive assessment of the greenhouse gas emissions that would be generated from Tobias Project activities. The DEIS includes estimates of emissions from prescribed burns for each of the alternatives, the projected emissions for a post-treatment wildfire, and a good qualitative description of projected smoke dispersion for both a wildfire and pile burning scenario. It does not include, however, estimates of the greenhouse gas emissions that would result from project activities, including the GHGs that would be emitted from truck

traffic (both to deliver crew members to and from the project work sites, as well as to transport logs or other biomass material for offsite processing), machinery used for treatments, and helicopters. We recommend that the Forest Service analyze, and discuss in the FEIS, the projected greenhouse gas emissions resulting from project activities and consider strategies to mitigate these emissions.

We also recommend that the FEIS discuss the potential for further reductions in air emissions that could be achieved by lessening or eliminating pile burning of residual fuels (which is proposed for both of the action alternatives) in favor of biomass energy production. In light of the ten years of restoration work that is planned for the Tobias Project, as well as the fuel treatments either underway or planned for lands adjacent to the proposed project area (and, thus, the economies of scale that could be achieved from harvesting residual fuels from multiple sites over several years), we recommend that the Forest Service provide information in the FEIS about the potential to incorporate biomass energy production into the Tobias Project.

We recognize the challenge the Forest Service faces by implementing a restoration plan that will rely, in part, on prescribed burns to achieve project objectives. The location of proposed Tobias Project activities complicates the task further, as it is part of an air basin that has been designated as a non-attainment area for ozone, PM_{10}, and $PM_{2.5}$. The DEIS states that the prescribed fires conducted for the project would be managed in accordance with California's revised Title 17 regulations (which are equivalent to a smoke management plan), therefore the prescribed fires are "presumed to conform" (p. 56). Nevertheless, the fine particulate matter generated during prescribed fires does present a human health risk. We recommend that the Forest Service implement BMPs and work with air quality officials with the San Joaquin Valley Air Pollution Control District to reduce emissions from prescribed fire treatments to the greatest possible extent.

Finally, we would like to see information in the FEIS that describes how climate change may affect the Tobias Project. As mentioned previously, the DEIS includes a limited analysis of projected emissions stemming from project activities, and the Forest Service does commit to implementing measures that would lead to a more resilient forest, better able to withstand wildfire. But the DEIS is largely silent on the question of how climate change may alter the planning area, and thus necessitate changes in management strategy and/or project activities to account for climate change impacts. We recommend that the FEIS include a description of how climate change may affect sensitive species within the project area and the habitats on which these species depend. Additionally, we are interested to know how climate change effects may inform, and potentially alter, project activities (such as replanting) and management decisions over the life of the project. We recommend that the FEIS and Record of Decision include a commitment to monitor climate change effects, and to adapt management strategies accordingly in order to avoid exacerbating those effects, for the duration of the Tobias Project.

We appreciate the opportunity to review this DEIS, and are available to discuss our comments. When the FEIS is released for public review, 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 Jason Gerdes, the lead reviewer for this project. Mr. Gerdes can be reached at 415-947-4221 or gerdes.jason@epa.gov.

Sincerely,

Connell Dunning

FOR Kathleen Martyn Goforth, Manager
Environmental Review Section

Enclosure: Summary of EPA Rating Definitions

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 analysed 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 analysed in the draft EIS, which should be analysed 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