UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

MAY - 2 2014

Ref: 8EPR-N

Phil Cruz, Forest Supervisor
U.S. Forest Service -- MBRTB
2468 Jackson St.
Laramie Wyoming 82070-6535

Re: MBRTB Invasive Plant Management
Draft EIS # 20140376

20140085

Dear Mr. Cruz:

In accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency Region 8 has reviewed the *Invasive Plant Management Draft Environmental Impact Statement* (EIS) for the Medicine Bow - Routt National Forests and Thunder Basin National Grassland (MBRTB).

The MBRTB preferred alternative, Alternative 2, expands current efforts to control invasive plants, adds aerial (boom) application methods, permits the use of additional herbicides and adds more protective measures.

The EPA's Comments and Recommendations

1. *Cheatgrass - Revegetation after Control Measures Applied*

   We recommend more fully developing the plan(s) for revegetation after cheatgrass controls have been applied. For example, should the timing and aerial extent of cheatgrass controls consider the availability of seeds and other materials needed for revegetation? Are there times/conditions during the year when revegetation is more likely to be successful? Are special revegetation considerations needed during drought years or wet years?

2. *Adaptive Management*

   We recommend that the adaptive management plan systematically evaluate the effectiveness of the proposed strategy (Alternative 2) every 2 to 3 years to make any necessary adjustments. For example, reestablishment rates of native sagebrush, grasses, etc. will be important in order to prevent reinfestation of cheatgrass and other noxious weeds.

   We also recommend that the adaptive management plan have the flexibility to add new herbicides as they become registered for use. It was not clear from the Draft EIS if the adaptive management

plan already includes that flexibility or if the plan is limited to the 14 herbicides identified on page 17. This is important because there is an ongoing process with pesticide registrants to develop newer chemistries to replace older pesticides. In addition, there are some promising biocontrol agents that are currently being tested for efficacy that may be available in the next few years, thereby reducing the amounts of conventional herbicides that may be needed.

3. *NPDES pesticide general permits*

We recommend the Final EIS note that NPDES (surface water) discharge permit may be needed for larger applications of herbicides, for application areas that include or are near "Waters of the US." General NPDES permits have been developed to cover most major pesticide application activities. For coverage under a general permit, typically the applicator must submit a notice of intent (NOI) to discharge pesticides to the NPDES permitting authority. For MBRTB areas in Wyoming, the Wyoming DEQ would be the permitting authority (http://deq.state.wy.us/wqd/WYPDES_Permitting/). For lands in Colorado that are federally managed, the EPA is the NPDES permitting authority. See http://cfpub1.epa.gov/npdes/pesticides/pgp.cfm for more information about the EPA's Pesticide General Permit.

The EPA's Rating

Based on our review, the EPA is rating the Draft EIS Preferred Alternative as LO (Lack of Objections). The review has not identified any potential environmental impacts requiring substantive changes to the preferred alternative. We do have several recommendations to clarify the implementation of the invasive plant management program. A description of the EPA's rating system for EISs can be found at http:://www.epa.gov/compliance/nepa/comments/ratings.html.

We appreciate the opportunity to comment on this document and hope our suggestions for improving it will assist you with preparation of the Final EIS. We would be happy to meet to discuss these comments and our recommendations. If you have any questions or requests, please feel free to contact either me at 303-312-6704 or Dana Allen of my staff at 303-312-6870 or by email at allen.dana@epa.gov.

Sincerely,

for David Fromyde

Philip Strobel
Acting Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation