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Ref: 8EPR-N

District Ranger
Pinedale Ranger District
c/o David Booth, Natural Resource Specialist
Bridger-Teton National Forest
P.O. Box 220
Pinedale, Wyoming 82941

RE: EPA Comments on Draft Supplemental Environmental Impact Statement, Upper Green River Area Rangeland Project, CEQ # 20160227

Dear Mr. Booth:

The U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the U.S. Department of Agriculture Forest Service's (USFS) Draft Environmental Impact Statement (EIS) for the Upper Green River Area Rangeland Project. Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act (CAA).

Project Background

The project is located approximately 30 miles northwest of Pinedale, Wyoming in the Pinedale Ranger District of the Bridger-Teton National Forest. The 170,643-acre project lies within Sublette, Teton, and Fremont counties, with a majority of the project within Sublette County. The project area encompasses the headwaters of both the Green River drainage of the Colorado River System and the Gros Ventre River drainage of the Snake/Columbia River Basin System. Currently 21 different term grazing permit holders are authorized to graze livestock in six allotments. Monitoring conducted in the project area indicates that the current grazing use is meeting resource objectives in most areas, however some areas of concern have been identified where resource objectives are not being achieved. The purpose of this project is to authorize continued livestock grazing in the project area in a manner that will maintain or improve resource conditions.

Alternatives identified in the Draft EIS include the following:

- Alternative 1 – No Livestock Grazing (No Action Alternative), where livestock would no longer be permitted to graze on the six allotments in the project area;
- Alternative 2 – Grazing as Currently Permitted and Current Management;
- Alternative 3 – Modified Grazing Management (Modified Proposed Action and Preferred Alternative); and

- Alternative 4 – Modified Grazing Management with Riparian Emphasis, similar to Alternative 3 with a reduction in maximum forage utilization of key forage species in riparian and meadow areas on four allotments.

The Draft EIS discusses four issues that were identified through public comments, including:

1. Effects on Threatened, Endangered, and Sensitive Species (TES), as well as Other Species of Interest;
2. Effects on Riparian and Aquatic Conditions;
3. Effects on Social and Economic Impacts; and
4. Effects on Rangeland Function.

Comments and Recommendations

It appears that the proposed management actions of the Preferred Alternative are supported by the Draft EIS and will assist the USFS in efforts to improve rangeland health conditions. Our recommendations are intended to further inform the decision to be made and the public's understanding of potential impact to public health and the environment. Based on our review, the EPA's comments and recommendations focus on the following issues: (1) aquatic resources and (2) adaptive management and monitoring. These issues serve as the basis for the EPA's EC-2 rating discussed at the conclusion of this letter.

Aquatic Resources

Existing Conditions

Existing resource conditions provide the basis for an effective analysis of potential impacts. While the Hydrology Specialist Report provides valuable information, we recommend the Final EIS include the following additional aquatic resource information (see additional information in sections below):

- A map and summary of the project area waters, including streams, lakes, springs and wetlands. It would be helpful if the summary identified high resource value water bodies and their designated beneficial uses (e.g., agriculture, fisheries, drinking water, recreation);
- Available surface water quality data in relation to current water quality standards, sediment loads and aquatic life;
- Available groundwater information, including quality and location of aquifers;
- Available public water supply source information; and

Water Quality Data: Water quality data for the streams and lakes of the project area provide important information to guide management, as well as a baseline for future monitoring of impacts and evaluation of potential influence on downstream water quality. We recommend the Final EIS provide a summary of available information and monitoring data on water quality for the project area, including parameters such as total phosphorus, total nitrogen, *Escherichia coli (E. coli)*, total suspended solids, turbidity, temperature, and salinity.

Groundwater: Groundwater is an important resource that supplies water for livestock at springs and well-fed watering stations, and it also may provide domestic and public water supply. Groundwater quality is also important because groundwater may discharge to lakes and streams or be recharged by these water bodies. Shallow aquifers are more susceptible to contamination because a contaminant introduced at the surface may more rapidly enter the system, and there is less intervening soil to adsorb the contaminants before they reach the groundwater. We recommend that the Final EIS identify and briefly describe the shallow aquifers, including alluvial aquifers along streams and rivers, in the project area. Please include available groundwater quality information, and identify which shallow aquifers are sources for public water systems, domestic wells or stock wells. We also recommend identifying any public water systems in the project area with water quality violations or with requirements for increased frequency of monitoring for nitrate or *E. coli*, contaminants to which livestock grazing may contribute.

Public Drinking Water Supply Sources: Source water protection is a key issue in areas with grazing. In order to ensure that public drinking water supply sources (e.g., surface water sources, including groundwater under the direct influence of surface water (GWUDISW) sources, and ground water sources) are protected from potential impacts associated with USFS authorized activities in the project area, it is important to identify where the sources are located. Therefore, the EPA recommends that the Final EIS include a map depicting municipal supply watersheds[1] and source water protection areas for public water supply wells and surface water intakes (streams, rivers, and reservoirs) in accordance with state data security requirements. Once these sources are identified, we recommend that the document include an analysis of potential impacts to drinking water sources. Please contact Kim Parker at the Wyoming Department of Environmental Quality (WDEQ) at (307) 777-6128 or kim.parker@wyo.gov for these GIS layers.

Effects to Impaired Water Bodies

We recommend that the Final EIS include an analysis of potential impacts to surface waters related to livestock grazing and erosion/sedimentation from land disturbance and stream crossings. The EPA acknowledges that the USFS has not identified any impaired water bodies in the project area; we recommend that the USFS (a) analyze potential impacts to impaired water bodies downstream of the project area, including water bodies listed on the most recent EPA-approved CWA § 303(d) list, and (b) coordinate with WDEQ if there are identified potential impacts to impaired water bodies (in order to avoid causing or contributing to the exceedance of water quality standards). Where a Total Maximum Daily Load (TMDL) exists for impaired waters in the area of potential impacts, pollutant loads should comply with the TMDL allocations for point and nonpoint sources. Where new loads or changes in the relationships between point and nonpoint source loads are created, we recommend that the USFS work with WDEQ to revise TMDL documents and develop new allocation scenarios that ensure attainment of water quality standards. Where TMDL analyses for impaired water bodies within, or downstream of, the project area still need to be developed, we recommend that proposed activities in the drainages of CWA impaired or threatened water bodies be either carefully limited to prevent any worsening of the impairment or avoided where such impacts cannot be prevented.

[1] Forest Service Manual (FSM2542) defines Municipal Supply Watersheds to include: "surface supply watersheds, sole source aquifers, and protection zones around wells and springs."

Effects to Wetlands and Riparian Areas

Riparian health is important to the maintenance and improvement of water quality, in particular with respect to excess nutrients, sediment, and temperature. EPA recommends that the Final EIS include a summary description of the types of impacts that may result from grazing to wetlands and associated springs. Such impacts may include functional conversion of wetlands (e.g., forested to shrub-scrub); changes to supporting wetland hydrology (e.g., snow melt patterns, sheet flow, and groundwater hydrology); and wetland disturbance. We also recommend that the Final EIS describe how the USFS intends "to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands" as described in Executive Order (EO) 11990, Protection of Wetlands.

Adaptive Management and Monitoring

The Draft EIS describes adaptive management options, monitoring requirements and the necessary trigger points to invoke responsive management actions. We support the USFS's efforts to reduce grazing impacts through the use of monitoring and adaptive management options to protect sensitive soils, waterbodies, wetlands, riparian areas, meadows, stream crossings, and critical habitat. We suggest that additional tools for consideration include modification of allotment boundaries and/or controlled timing of grazing to prevent damage to stream banks and riparian areas when they are most vulnerable to trampling damage, and we recommend the Final EIS include more information regarding the commitment to monitoring to determine when adaptive management is necessary to improve resource conditions.

Monitoring Water Quality, Rangeland, and Riparian Condition

The Draft EIS qualitatively describes the monitoring that will be implemented to ensure that resource desired conditions and project objectives are met. An explanation would be helpful regarding how the Annual Operating Instructions will ensure compliance with project level monitoring requirements for parameters such as water quality. We also recommend that the Final EIS include a summary of any Best Management Practice that would be needed to help maintain or improve water quality, riparian, or rangeland condition. To help evaluate and adjust grazing management strategies, the EPA recommends that the Final EIS describe how monitoring will be implemented on an allotment level and at the watershed or sub-watershed level to determine water quality status and trends.

Other Issues

Since the project area is known to contain numerous special status species, coordination with the U.S. Fish and Wildlife Service (USFWS) on this EIS is very important. Documentation of USFWS's consultation and recommendations for design criteria, mitigation, monitoring, and adaptive management strategies will be a valuable addition to the Final EIS. The EPA recognizes the coordination to date with the USFWS with respect to the threatened Grizzly Bear and recognizes that the 2014 USFWS Biological Opinion is publicly available on the project website.

Closing

Consistent with Section 309 of the CAA, it is the EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project. Based on the procedures the EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed project, the EPA is rating the Draft EIS Preferred Alternative 3 as Environmental Concerns – Insufficient Information (EC-2). The "EC" rating indicates that the EPA review has identified environmental impacts that need to be avoided in order to fully protect the environment. The "2" rating indicates that the EPA has identified additional information, data, analyses, or discussion that we recommend for inclusion in the Final EIS. A description of the EPA's rating system can be found at: http://www2.epa.gov/nepa/environmental-impact-statement-rating-system-criteria.

We appreciate the opportunity to participate in the review of this project, and are committed to working with you as you prepare the Final EIS. If we may provide further explanation of our comments during this stage of your planning process, please contact me at 303-312-6704, or your staff may contact Dr. Angelique Diaz, at 303-312-6344 or diaz.angelique@epa.gov.

Sincerely,

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