



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

July 10, 2006

James Peña  
159 Lawrence Street  
P.O. Box 11500  
Quincy, CA 95971-6025

Subject: Draft Environmental Impact Statement (DEIS) for the Freeman Project (CEQ# 60212)

Dear Mr. Peña:

The U.S. Environmental Protection Agency (EPA) has reviewed the DEIS referenced above. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. Our detailed comments are enclosed.

The Plumas National Forest proposes to treat 3,066 acres of hazardous fuels through thinning, creation of Group Selection openings, and removal of conifers. Transportation system improvements are also planned as part of the proposed project. This project is under the direction of the Herger-Feinstein Quincy Library Group Act (HFQLG Act) and the 2004 Sierra Nevada Forest Plan Amendment (SNFPA) supplemental EIS and ROD. The HFQLG Act was designed to test the effectiveness of resource management activities at meeting ecologic, economic, and fuel reduction objectives. EPA understands the need to reduce fuels, improve forest health and habitat, as well as contribute to economic stability in the local community.

During the scoping period for an Environmental Assessment (EA) for this project, concerns were expressed regarding the proposed aspen treatments, northern goshawk avoidance, and the size of trees to be removed. As a result, the Forest Service decided to complete a full Environmental Impact Statement (EIS) and select another alternative (Alternative 4). We appreciate this effort to address public concerns. While Alternative 4 will result in fewer impacts to habitat areas and a reduced amount of soil and water degradation than the alternative proposed during scoping (Alternative 1), we have some remaining concerns and have rated this document as Environmental Concerns, Insufficient Information (EC-2) (see enclosed *Summary of Rating Definitions*).

In particular, this project will have an adverse impact on habitat for the California spotted owl, northern goshawk, and the great gray owl. We note that recent reports have called for caution to be used in managing California spotted owl habitats until additional data is available. EPA recommends selection of Alternative 3 as the proposed alternative due to these uncertainties regarding forest management impacts to species of concern. Alternative 3 would have fewer impacts to habitat, soil resources, and watersheds than Alternative 4 while meeting the project's purpose and need. In addition, while the DEIS contains information regarding air quality mitigation for prescribed burning (p. 76), there is no information regarding mitigation for air impacts that result from mechanical thinning. This should be included in the FEIS.

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send (2) copies to the address above (mailcode: CED-2). If you have any questions, please contact me at 415-972-3988 or Summer Allen, the lead reviewer for this project. Summer can be reached at 415-972-3847.

Sincerely,

/s/

Duane James, Manager  
Environmental Review Office

Main ID # 4655

Enclosures: Summary of Rating Definitions  
Detailed Comments

### **Preferred Alternative Selection**

#### **Impacts to Habitat**

As noted earlier, reports such as the California Spotted Owl Population Data Meta-Analysis (2003) have concluded that because results of population trends are inconclusive, caution should be used in managing habitats until additional data is available and “management actions that may compromise owl populations be initiated slowly and closely monitored” (DEIS, p. 165-166). We note that additional owl surveys are ongoing and Alternative 3 would further protect these sensitive habitats until more conclusive results can be finalized regarding the response of owl populations to forest management activities. Alternative 3 poses less risk and uncertainty to California spotted owl, northern goshawk, and the great gray owl (p. 144-147), has less direct impacts to use areas for the bald eagle (p. 211), and maintains more habitat for neotropical migratory birds (p. 309) than Alternative 4.

In particular, of the Alternatives analyzed in detail, Alternative 4 would result in a greater loss of nesting habitat for northern goshawk (a Federal species of concern) and the great gray owl (a Region 5 sensitive species) (p. 67). Alternative 4 would also result in the change of approximately 630 acres within the Home Range Core Areas (HRCAs) for the California spotted owl (a Federal species of concern) from suitable habitat to unsuitable.

#### **Cumulative Watershed Effects and Soil Impacts**

Of the Alternatives analyzed, Alternative 3 would have the most number of acres that would meet the accepted ground cover standard and would result in the least amount of soil compacted above recommended thresholds (p. 68). Implementation of Alternative 4 would also lead to Equivalent Roaded Acres (ERA) values that are closer to the Threshold of Concern (TOC), taking one watershed into a high TOC category, and would result in greater Cumulative Watershed Effects (CWE) (p. 351-355).

#### *Recommendation:*

As a result of the watershed and soil impacts listed above and the uncertainties regarding forest management impacts to species of concern, the Forest Service should consider selecting Alternative 3 for implementation in the ROD.

### **Air Impacts**

Alternative 4 includes many of the same activities as Alternative 3. However, under Alternative 4, many of the grapple pile, masticate, and hand-thin units are changed to mechanical treatments. While mechanical treatments may have fewer impacts from smoke than from grapple pile burning, the equipment used for mechanical thinning may result in air impacts from Diesel Particulate Matter (DPM). However, the analysis of air impacts in the DEIS is limited to smoke produced by prescribed burning and wildfires.

*Recommendation:*

The FEIS should include an analysis of the air quality impacts as a result of the activities associated with each alternative, including the emissions from mechanical thinning and grapple pile burning. It should include mitigation measures for these activities.