



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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AUG 20 2007

Ref: EPR-N

Chip Sibbernsen
District Ranger
Ogden Ranger District
507 25th St. Suite 103
Ogden, UT 84401

RE: Big Creek Vegetation Management DEIS
CEQ#20070297

Dear Mr. Sibbernsen,

The U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Thunder Basin Analysis Area Vegetation Management Draft Environmental Impact Statement (DEIS). Our comments are provided in accordance with our authorities under the National Environmental Policy Act (NEPA), 42 U.S.C 4231 and Section 309 of the Clean Air Act. The U.S. Forest Service proposes to use a variety of methods to improve vegetation structure and cover pattern to move toward Properly Functioning Condition on the landscape scale, optimize fuel levels to support a historical fire regime, and sustainably harvest commercial timber. Presented in the DEIS are the preferred action alternative, a no action alternative, and a modified action alternative that would reduce wildlife habitat disturbance.

EPA finds that the DEIS is commendably thorough and complete in its analysis of the impacts of the proposed action, alternative action and current management alternatives. The document comprehensively addresses a number of foreseeable impacts. In general, EPA's concerns with the DEIS are minor and center on the rationale behind the decision to pursue the preferred alternative rather than the modified action alternative and several instances in which language is unclear or insufficiently informative.

In Section 2.2, subsection "Wildlife", mentions that "Road construction and timber harvest activities should be planned when possible to occur within the late summer, fall, or winter to minimize effects to neotropical birds." It is uncertain what this emphasized "should" denotes, and EPA is concerned that impacts to neotropical birds could be an eventuality of an unclear commitment to this design element. EPA suggests clarifying this language in the Final EIS.

In Section 2.4 and Chapter 2 in general, the rationale behind the selection of Alternative 1 over alternative 3 as the preferred alternative is unclear. In the final EIS, the EPA suggests clarification as to why alternative 1 is preferable to alternative 3, and what benefits the adoption of alternative 1 will provide that justify its possible higher impact on goshawk populations.

In Section 2.4, the DEIS specifies that minimal amounts of fence may be required to isolate livestock from grazing in treated areas. However, it is not clear that resources have been committed to this eventuality.

In Section 3.3, "Fire" subsection "Sagebrush", the DEIS notes that mountain big sagebrush does not resprout, but rather regenerates from seed. EPA suggests that more information on the regeneration time of big sagebrush stands be supplied in the Final EIS.

In Section 3.6, "Recreation" subsection "Environmental Consequences: Alternative 1 – Proposed Action", mentions that access to the project area will be improved to both legal and illegal ORV/ATV use. Given the potential for illegal use of temporary roads and adjacent areas by motorized users, EPA suggests the inclusion of planning to enforce the exclusion of unauthorized users from the project area in the Final EIS.

Based on the procedures the EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and its alternatives in an EIS, EPA rates this DEIS as LO-1 (Lack of Objections – Adequate). A "LO" signifies that EPA's review of the DEIS has not identified any potential environmental impacts requiring substantive changes to the preferred alternative. A "1" rating signifies that the DEIS adequately sets forth the environmental impacts of the preferred alternative and those of the alternatives reasonably available to the project; no further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information. A copy of EPA's rating criteria is enclosed.

These comments are intended to help ensure a comprehensive assessment of the project's environmental impacts, adequate public disclosure and an informed decision-making process for alternative selection. If you would like to discuss our comments, please feel free to contact me or the lead reviewer for this project, Charlie Lawton, at (303) 312-7037.

Sincerely,



Larry Syboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

enclosure

cc: Faye L. Krueger, Forest Supervisor, Wasatch-Cache National Forest

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 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: 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 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 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.