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

January 18, 2007

Mr. Roberto Delgado, District Ranger
Six Rivers National Forest
Mad River Ranger District
Star Route Box 300
Bridgeville, CA 95526

Subject: Draft Environmental Impact Statement, Little Doe and Low Gulch Timber Sale Project, Six Rivers National Forest, Trinity County, California (CEQ # 20060500)

Dear Mr. Delgado:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced Draft Environmental Impact Statement (DEIS) 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 proposed action (Alternative 2) will harvest approximately 7.9 million board feet (MMBF) of commercial timber from approximately 923 acres of conifer stands in the Mad River Ranger District using intermediate and regeneration cutting methods to meet commodity output goals for the benefit of the local economy. The DEIS also evaluates two alternatives to the proposed action. Alternative 3 modifies the proposed action by deferring regeneration cutting in suitable nesting and roosting habitat of the federally threatened northern spotted owl (NSO). Alternative 4 defers regeneration cutting in the entire project area, which also includes NSO foraging areas.

EPA commends the U.S. Forest Service for a well-prepared document. The DEIS focused on the resources of concern and disclosed impacts in a clear and easily understood manner. In addition, the proposed action is largely well designed, avoiding harvest in riparian areas and avoiding unstable landforms in harvest and road layout. While these project features are commendable, we have concerns regarding impacts to wildlife habitat and the potential for the proposed action to spread noxious weeds into the project area. For these reasons, we have rated the DEIS as Environmental Concerns – Adequate (EC-1) (see enclosed "Summary of Rating Definitions").

We recommend the U.S. Forest Service select Alternative 3 or 4 over the proposed action. Both of these alternatives, especially Alternative 4, meet the project purpose and need while considering the value of wildlife resources to the Nation, thus fulfilling the purposes of NEPA. We also suggest, if regeneration techniques are authorized, that shelterwood harvest be used over regeneration with legacy trees, to avoid creating conditions favorable to noxious weed infestation.

We appreciate the opportunity to review this DEIS. When the Final EIS is released for public review, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me or Karen Vitulano, the lead reviewer for this project. Karen can be reached at 415-947-4178 or vitulano.karen@epa.gov.

Sincerely,

/s/

Paula Bisson, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosures:
Summary of EPA's Rating Definitions
EPA's Detailed Comments

Wildlife Habitat

Considering protected species in decision-making

The proposed action (Alternative 2) includes regeneration harvest, which has greater impacts to the federally threatened northern spotted owl (NSO) than intermediate prescriptions such as thinning. Regeneration harvest removes habitat rendering it unsuitable for NSO nesting and roosting (N/R) whereas habitat subject to thinning remains suitable post-project due to the retention of the largest trees and an overall canopy closure 60% or greater (p. 99). Because of regeneration harvest, the proposed action would eliminate 54 acres of NSO N/R habitat. It would also eliminate 98 acres of habitat for the northern goshawk and 77 acres of habitat for the pacific fisher, both Forest Service sensitive species (p. 138).

EPA commends the USFS for including design features in all action alternatives that mitigate potential impacts to resources, including wildlife species of concern. For example, Limited Operating Periods that correspond with nesting and fledgling activities will minimize disturbance to the NSO, northern goshawk and pacific fisher. We encourage additional actions that are consistent with the responsibilities identified in the National Environmental Policy Act (NEPA), which states that federal agencies should use "all practicable means…to improve and coordinate Federal plans...to the end that the Nation may fulfill the responsibilities of each generation as trustee of the environment for succeeding generations"(NEPA Sec. 101(b)(1)).

NEPA also instructs agencies to "attain the widest range of beneficial uses of the environment without degradation." (NEPA Sec. 101(b)(3)). The DEIS acknowledges that thinning prescriptions will degrade the habitat of the threatened NSO (p. 105) but this degradation is balanced by benefits to the resource over the long term for this species. The elimination of habitat for a threatened species, however, is a larger impact not necessary for the fulfillment of the project purpose and need.

> *Recommendations:*
> Since Alternative 3 and 4 better achieve the environmental policy outlined in NEPA, EPA recommends the selection of Alternative 3 or 4.
>
> We recommend against selection of Alternative 2, which would likely adversely affect the NSO through removal of suitable N/R habitat in 3 historic territories that are currently not meeting outlined habitat thresholds (p. 102). If this alternative is selected, we recommend additional mitigation be included in the project to compensate for these impacts. Examples could include: modifying the harvest area to defer harvest in unit 39, which is adjacent to a NSO late successional reserve; deferring harvest in units 118a, 130, and 135 to avoid additional temporary road construction, some of which occurs in NSO suitable habitat; and only performing thinning prescriptions at Mike's Rock. Other mitigation could include the establishment of additional late successional reserves around the two NSO territories that do not currently have them, or mitigation for other protected species such as deferring harvest in the unit that contains 3.5 acres of suitable wintering

habitat for the western pond turtle.

Benefits of Alternative 4

Alternative 4 would provide additional benefits to the NSO because regeneration harvest would not occur in any of the planning areas. Alternative 4 utilizes primarily thinning prescriptions, which are expected to improve the quality of the habitat in the long term by accelerating the development of late successional characteristics, moving foraging habitat into nesting/roosting habitat (p. 104). Thinning also removes understory ladder fuels to improve stand resilience to fire. These results also benefit the pacific fisher, a Forest Service Sensitive Species (p. 146).

NSO habitat is primarily in mid to late mature stands of White Fir and Douglas-fir (p. 72). The DEIS indicates that regeneration prescriptions may be used where current conditions are in excess of the recommended management range (RMR) (p. 3). Table 13 (p. 63) shows the RMR under present conditions for Douglas-fir and White fir series in the South zone, which includes the project area. This table indicates that while mid mature stands of both fir species are slightly over the RMR, late mature stands are near the lower end of the range for Douglas-fir and fall below the RMR for White fir. Additionally, the old growth seral stage is well below the RMR for Douglas-fir. While this represents a larger landscape scale, the guidance it provides seems to indicate that late mature stands should receive only intermediate treatments such as thinning, so that the goals for the late mature RMR can be reached for White fir, and goals for the old growth RMR can be reached for the Douglas-fir stands.

Recommendation:

EPA recommends Alternative 4 be selected for the benefit of the NSO and as consistent with the RMR guidance contained in the Six Rivers National Forest Land and Resource Management Plan (LRMP). We also recommend that the financial efficiency analysis be supplemented to include discussion of the values of nonquantifiable resources such as wildlife, consistent with Section 102(B) of NEPA which states that agencies shall "develop methods and procedures…which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decision-making along with economic and technical considerations".

Invasive weeds

The DEIS notes that the project area currently contains no known infestations of the more aggressive noxious weeds that occur on the Mad River Ranger Station and there is added importance in keeping the sale area free of introductions (p. 136). The noxious weed risk assessment determined that there is a moderate risk of introduction or spread of invasive and noxious weeds as a result of implementing the action alternatives. This risk stems from the reduction in canopy cover and ground disturbance, since invasive and noxious species are typically intolerant of shade and readily invade disturbed settings.

Recommendation:

If the alternative selected contains regeneration prescriptions, EPA recommends only shelterwood regeneration treatments occur to lessen the favorable conditions for noxious weeds that result from these treatments. In shelterwood, an average of 10 to 20 trees per

acre (average 20-40% canopy cover) are retained outside legacy retention in a more uniform distribution pattern to provide partial shading and seed source to successfully establish conifer reproduction. Conversely, regeneration harvest with legacy trees results in a 10 to 20% canopy cover (p. 19) and would create conditions more favorable to noxious weed infestation.