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Comments: Dear Ms. Grantham:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Assessment (Draft EA) for the Crawford Vegetation Management Project, Klamath National Forest. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. We note that prior to the decision to prepare a Draft EA, EPA provided written comments dated February 14, 2014 on the Notice of Intent (NOi) to draft an Environmental Impact Statement. Should the Forest Service conclude that a Finding of No Significant Impact (FONSI) is warranted at the end of the Environmental Assessment process, EPA recommends that the Final EA provide additional information to clearly demonstrate how impacts to threatened species and their habitat will not result in significant impacts.

The Draft EA specifies that the project would provide beneficial effects and improve forest health in early and mid-seral stands while retaining a legacy component, reduce fuels and potential fire size and severity, and provide forest products (p. 66). We understand that, per the Klamath Forest Plan, a primary goal of forest management is to avoid or minimize actions that will impact species whose viability has been identified as a concern, result in loss of species viability, or create significant trends toward federal listing [under the Endangered Species Act (ESA)] [Draft Biological Evaluation (Draft BE), p. 6]. The first page of the Draft EA identifies the goals of protecting and enhancing conditions of late successional and "old growth" forest ecosystems, maintaining and restoring riparian-dependent structures and functions of intermittent streams in Riparian Reserves, and providing consistency with the Aquatic Conservation strategy.

We note that two federally listed threatened species occupy late successional forest or riparian reserves in streams within or adjacent to the project area - the Northern Spotted Owl (NSO) and Coho salmon. The Fish and Wildlife Service recommends a minimum number of uninterrupted acres of foraging and nesting/roosting habitat in active NSO core and foraging habitat home ranges to avoid significant impacts. However, the analysis shows that all four NSO habitat home ranges are deficient in nesting/roosting and foraging acres (Draft EA, p. 56 and Table 15), and all action alternatives will degrade, downgrade, or remove NSO habitat (Draft BE, Table 5). Further, all action alternatives anticipate treating 90-100% of Riparian Reserves I with manual, pre and non-commercial thinning,

1 Creeks and drainages contain ~350 acres of stream course riparian reserves and 44 acres of unstable land riparian reserves.

brushing and burning, some of which require temporarily reopening roads and landings, a short distance from occupied fish habitat. Additionally, the distinct population segment of the coastal Pacific Fisher, which also

occupies the project area in old growth forest, has again been proposed for listing as threatened. 2 The proposed rule predicts that vegetation management activities that even temporarily remove canopy cover or reduce denning sites will likely have a negative effect on the local population of fishers (79 FR 60429-60430). The Draft EA and Draft BE conclude that project activities May Affect, Not Likely to Adversely Affect each bird, fish, and mammal discussed above.

Habitat loss from vegetative management activities and wildfires, and a changing climate, are the primary mechanisms that influence the continued existence of each of the above-mentioned species.(3) In addition to degrading or removing critical late successional forest, project watersheds are presently considered stream temperature impaired under [sect]303(d) of the Clean Water Act as a result of past disturbances (Draft EA, p. 49). Barriers to achieving the restoration objectives in the Aquatic Conservation Plan are outlined in the Draft EA, although impacts are characterized as "discountable," due to distance away from the streams, (4) calling them short-term (approx. 10 years) and temporary (5) (p. 66).

The Draft FONSI provides 10 reasons why the proposed action and other action alternatives would 'not significantly affect the quality of the human environment' as the basis for why no environmental impact statement is warranted (Draft EA, p.65). The potential for significant impacts may exist even if the Federal agency believes that, on balance, the effects will be beneficial by reducing the potential for catastrophic wildfire and meeting other forest objectives. Legacy forest activities have left critical habitat within and beyond the project area insufficient or degraded and the intensity of the silvicultural treatments proposed may remove or potentially alter critical habitat.

Recommendations: EPA provides the following recommendations for Forest Service to consider while preparing the Final EA.

- * Continue to coordinate with the US Fish and Wildlife Service to define the level of vegetation management that will reduce potential impacts to threatened and candidate species and critical habitat to less than significant levels.
- * Describe in detail all tangible and specific mitigation measures, best management practices and project design features necessary to support a FONSI.
- * Discuss how tree thinning and legacy road site improvements conducted upstream and upslope from critical Coho habitat will not impede fish passage, increase sedimentation and contribute to increased turbidity and water temperatures.
- * Consider drafting a Candidate Conservation Agreement for the Pacific Fisher if the project is to proceed before the final rule is issued.
- * Identify the environmentally preferable alternative, i.e., that alternative which causes the least damage to the biological and physical environment and best protects [and] preserves... natural resources, pursuant to 40 CFR 1505.2(b).

2) The reopening of a 30 day public comment period on the 2014 proposal to list the Pacific Fisher (79 FR 60419-60428 (2014)) was published in the Federal Register January 31, 2019 (84 FR 644). A decision is expected in September 2019. 3) 79 FR 60419, 60428 (2014) 4) Proposed actions are .7 miles upstream and upslope from occupied threatened fish habitat; manual thinning and brushing should be 300 feet from occupied fish habitat. 5) The rules state that significance cannot be broken down by describing an action as 'temporary' or breaking it

down into small components (Draft EA p.69 from Forest Service Handbook 40 CFR 1508.27 (b)(7)).

EPA appreciates the opportunity to review this Draft EA. When the Final EA is released for public review, please send one copy to the address on the letterhead (mail code: TIP-2). If you have any questions, please contact me at (415) 947-4161, or Robin Truitt, the lead reviewer for this project, at 415-972-3742 or Truitt.Roberta@epa.gov.