Data Submitted (UTC 11): 10/8/2020 6:00:00 AM First name: Shannon Last name: Snyder Organization: Environmental Protection Agency Title: Comments: EPA Comments on the Mid-Swan Landscape Restoration and WUI Project; CEQ No. 20200174

Attached are the EPA Region 8 comments on the Mid-Swan Project. Please let me know if there are any questions or if you would like to discuss our recommendations.

October, 8 2020 Ref: 80RA-N Kurt Steele, Forest Supervisor Flathead National Forest 650 Wolfpack Way Kalispell, Montana 59901 Dear Supervisor Steele:

The U.S. Environmental Protection Agency Region 8 has reviewed the U.S. Department of Agriculture Forest Service's Draft Environmental Impact Statement (EIS) for the Mid-Swan Landscape Restoration and Wildland Urban Interface (WUI) Project (CEQ No. 20200174) pursuant to Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA). The Draft EIS proposes treatment of 174,205 acres of National Forest Service Lands in the Swan Lake District of the Flathead National Forest using various combinations of commercial, non-commercial, mechanized, non-mechanized, hand treatments, and prescribed fire. It also includes new road construction, road improvements, and road decommissioning.

The Draft EIS states the purpose of the Mid-Swan Project is to restore and maintain terrestrial and aquatic biodiversity in light of a changing climate, and to reduce fire behavior in the WUI region and in areas that have influence on fire behavior within the WUI. It notes the Forest used a combination of high-resolution 3-dimensional aerial photo interpretation, ecological departure analyses, historical documentation, and other modeling and research to identify the level-of-change needed to move treatment units toward desired conditions. The USFS is proposing two action alternatives to address these ecological needs and implementation of these actions would take approximately 15 years and would include informal public involvement opportunities on the individual treatment proposals. Our detailed recommendations, in addition to opportunities for further clarification in the Final EIS, are provided for your consideration in the enclosure. We offer these recommendations for improving (1) the underlying supporting technical documentation the USFS relied upon to develop the proposed alternatives, (2) the water resources baseline information, (3) post-treatment water quality monitoring, and (4) the Implementation Guide.

We appreciated the opportunity to participate in one of the Mid-Swan public field trips in June 2019, and it was a pleasure meeting with you and your staff to learn more about the landscape, resources, challenges, and goals this proposal will potentially address. The recent virtual public open houses were especially helpful for understanding the proposed actions. And finally, we would like to acknowledge Joe Krueger of your staff for his willingness and commitment to collaborate throughout the NEPA process and answer questions about this Draft EIS.Sincerely,

Enclosure to the Mid-Swan Landscape Restoration and Wildland Urban Interface Project (Mid-Swan) Draft EIS

## Supporting Technical Documentation

The approach for the Mid-Swan project is similar to a programmatic EIS for a large area or specific resource. Programmatic EISs often lack site-specificity but would typically identify where tiered sitespecific NEPA analyses would be conducted. In the case of Mid-Swan, the USFS is not planning on tiering site-specific NEPA analyses to this EIS. Instead it has provided an Implementation Guide (Appendix A) that guides the post-decision annual project development, implementation and monitoring over the life of the project. It includes design criteria, mitigation measures and an outline of a process for public engagement over the 15-year implementation period. The Draft EIS also includes several maps (Appendix B) illustrating the proposed treatments in each Treatment Unit for the action alternatives. Additionally, the USFS has provided a GIS-based story map on its project website that allows the user to view the maps in an interactive environment. Our review identified an important opportunity for improving the Final EIS. Specifically, the Draft EIS and project website do not provide the supporting technical documentation the USFS relied upon for the chapters covering the proposed alternatives, affected environment and environmental consequences. We recommend providing access to the analysis and reports used to determine the number of acres to treat within each treatment unit, the number of roads to build/improve/decommission, the GIS files used for the mapping, and the baseline water quality data used to predict potential impacts. This level of detail is important since the Draft EIS lacks some site-specificity and the USFS does not plan to tier site-specific NEPA analysis post-decision. Without it, it is difficult to evaluate the alternatives and provide informed recommendations for the final selected alternative. For future projects of this nature, EPA recommends the USFS provide all available supporting technical documentation either in the appendices or on the project website at the time the Draft EIS is published.

## Water Resources

EPA considers the protection of aquatic resources to be a priority. As identified in the Draft EIS, most treatment activities have the potential to adversely impact aquatic resources. We identified two places where additional detail would be beneficial in the Final EIS in describing the existing resource conditions. First, Appendix B contains several maps with varying levels of detail regarding the aquatic resources in the project area and within each Treatment Unit. To more clearly identify potentially affected aquatic resources, we recommend the Treatment Unit maps include the location of 303(d) impaired waterbodies, wetlands, riparian areas. To assist in locating vehicle storage and refueling sites, we recommend identifying sensitive groundwater resources, such as sole source aquifers, municipal watersheds, source water protection zones, shallow aquifers and recharge areas in the maps in Appendix B. Second, we note the Draft EIS does not describe the existing groundwater resources in the project area. We recommend that the Final EIS describe these resources and outline potential impacts that could result from project activities. If there is a potential for groundwater impacts, we recommend including design criteria and mitigation options in the Implementation Guide to protect these resources from potential impacts.

Public Drinking Water: The Draft EIS discussion of the regulatory framework for the project and the Safe Drinking Water Act (SDWA) states there are no municipal water sources affected by this project (p. 164). Other than this brief mention, there is no other baseline information regarding whether there are municipal sources or private wells in the project area. The Draft EIS does not include or summarize the assessment the USFS conducted to support the conclusion that municipal sources would not be affected by the project. It appears there are public drinking water sources regulated under the SDWA in the project area. The EPA recommends the Final EIS include a map, appropriate for public dissemination, showing the generalized locations of all source water assessment and protection areas associated with public drinking water supplies. Please note that more specific maps should be utilized by the USFS when locating project activities. We also recommend that the Final EIS include an assessment of potential project impacts or benefits, design criteria and mitigation options for protecting these high value drinking water resources from potential project impacts.

We could not locate in the Draft EIS a discussion of the impact of handling beetle-killed trees and the potential of organic loading of water resources. The presence and handling of beetle-killed trees has the potential to impact public water supplies if it leads to organic loading of area waterbodies that are sources of drinking water. Organic matter interacts with disinfectants used in the drinking water treatment process to form disinfection byproducts, which are a human health concern. Organic loading may also decrease oxygen levels leading to the release of metals such as arsenic, manganese, and iron from sediments. We recommend the Final EIS assess the potential for organic loading impacts to drinking water supplies associated with municipal watersheds.

Water Quality Data and Monitoring: The Draft EIS does not include sufficient water quality data or monitoring.

Section 3.3.3 Affected Environment generally mentions the impact of roads on sediment delivery, and that two streams (Jim Creek and Goat Creek) are impaired for sediment, but there is little existing water quality condition information in the Draft EIS. Water quality data for the streams and lakes in the project area provide important information to guide management decisions and also serve as baseline data for future monitoring and evaluation of the potential influence on downstream water quality. We recommend the Final EIS include a summary of available information and monitoring data on water quality for the project area.

Further, the Draft EIS's primary monitoring approach discussed in the Implementation Guide does not appear to contain a commitment to conducting or funding post-treatment water quality monitoring. Section 6.3 of the Implementation Guide (p. A-58) includes a brief description of the three types of monitoring that the USFS has proposed (Implementation, Effectiveness and Validation Monitoring). It also includes Table 10 Monitoring Summary that outlines mandatory and optional monitoring. The only monitoring the USFS is committed to conducting is Implementation Monitoring and the baseline physical and biological monitoring required under the Forest Plan. The Draft EIS notes Effectiveness Monitoring and Validation Monitoring are difficult to fund and implement, respectively. With a project of this scope, and relative lack of site-specific planning in the EIS, it is the effectiveness and validation monitoring that ensures project treatments avoid contributing to downstream impairments. Effectiveness and validation monitoring are also key to evaluate if the posttreatment/implementation effects are outside the range of effects predicted in the EIS triggering a NEPA Sufficiency Review. Instream monitoring will also be important as the USFS conducts treatments within the Riparian Management Zone. Additionally, instream monitoring can identify the impact of the sometimes-large impacts of temporary water crossings. We recommend the Final EIS include a commitment to targeted water quality monitoring in sensitive areas, at a minimum, as part of the suite of tools for evaluating the effectiveness of treatments and their associated best management practices. For example, monitoring in areas with 303(d) impaired waterbodies, high erosive potential and slope, and areas with high road and trail density would allow the USFS to evaluate the success of project treatments and mitigation in protecting these key areas. If adverse impacts are identified, there may be support for additional monitoring, for modifying the project treatment approach, or adding mitigation through the adaptive management approach.

## Implementation Guide

Given the large scale of this project and the rapidly changing conditions in the forest associated with insects, disease, fire and drought, a detailed monitoring plan and adaptive management strategy are critical to the success of this project. We appreciate the Implementation Guide in the Draft EIS which outlines the process the USFS will use over the life of the project and it includes many beneficial design criteria and mitigation measures to protect water quality. The interagency coordination and public engagement aspects of the Guide along with the decision trees are integral features of an effective adaptive management approach. We recommend the Guide include evaluation of ongoing treatment effectiveness and ensure quick reactions to newly discovered concerns. We also recommend the Guide contain specific timeframes for completion of necessary management actions and modifications. We provide the following examples: (1) As noted above in the water quality monitoring section, we recommend the USFS consider increasing monitoring frequency to enable timely action if the project treatment is not resulting in progress towards desired conditions. For example, if unanticipated impacts are found in aquatic resources, it may be necessary to require larger riparian buffers or reduction in treatments in or around wetlands identified for treatment; (2) We recommend incorporating additional monitoring requirements, such as instream water quality sampling, that could be included into the monitoring and adaptive management process to further facilitate timely responses and adaptation to avoid or mitigate impacts; and (3) Adaptive management relies on a well-defined and rigorously applied monitoring program. Federal budgets for monitoring have fluctuated over time. We recommend the Final EIS discuss the process that will be applied if monitoring budgets fall short of the need for this project. Typically, lack of monitoring would automatically trigger a more environmentally conservative set of mitigation measures.