Data Submitted (UTC 11): 4/15/2022 7:00:00 AM
First name: Anon
Last name: Anon
Organization: EPA
Title:
Comments: [See attached letter-content below are the detailed comments provided by EPA on the DEIS]

U.S. EPA Detailed Comments on the Ellis Integrated Vegetation Project DEIS

Umatilla National Forest, Oregon April 2022

Air Quality

The Forest Service proposes to conduct prescribed burns (e.g., underburning and pile burning) as part of the post-harvest fuels treatments in the project area. While prescribed burning is a valuable tool with ecological benefits, it has the potential to cause periodic degradation of air quality. EPA recommends the FEIS:

* Include air quality as a topic in the affected environment and environmental consequences sections.
* Provide a discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), criteria pollutant nonattainment and maintenance areas, and potential air quality impacts of the proposed action (including reasonably certain long- term and secondary effects). Take special consideration of the potential impacts of burning activities for fuels control and the impact of smoke to communities in the decision area and vicinity, especially sensitive receptors such as communities with Environmental Justice (EJ) concerns.
* Incorporate required air quality monitoring within the project area as part of the smoke management program into the mitigation strategies for this project and describe corrective actions to be taken if the NAAQS are not met.
* Utilize the Fire and Smoke mapping tool to equip the public with information and resources on wildfire smoke.1 This online mapping tool displays information from ground-level air quality monitors measuring fine particles from smoke and other sources, as well as information on fires and smoke plume locations. Consider including in the smoke management program elements such as:

* Methods for minimizing air pollutant emissions during prescribed burning activities.
* Outlining smoke management considerations for each burn (e.g., burning only during favorable weather conditions to minimize smoke intrusions).
* Plans to notify the public and reduce exposure should smoke intrusions occur.
* Meaningful community engagement, public education, and awareness programs that consider the demographics of the surrounding communities and design engagement to be inclusive of respective audiences.
* Surveillance and enforcement procedures for ensuring that smoke management programs are effective.
* Procedures for periodically evaluating smoke management programs.

The DEIS demonstrates coordination with Oregon Department of Forestry (ODF) under the Oregon Smoke Management Plan (OSMP), meeting requirements under the Clean Air Act.2 EPA recognizes that the Forest Service[rsquo]s effort to improve ecosystem health and enhance landscape resiliency reduces the risk of undesirable, high severity wildfires, which has a significant positive impact on air quality.

Water Quality

The DEIS identifies existing temperature issues for streams and watersheds in the project area. It also states that short-term temperature increases are expected from the action alternatives that will return to background levels with time and vegetative growth.3 EPA recommends the FEIS:

* Provide an explanation for how this project is consistent with the Aquatic and Riparian Conservation Strategy (ARCS).4 The ARCS ensures forest plans meet standards for aquatic and riparian protections consistent with the Northwest Forest Plan and the PACFISH-INFISH Biological Opinion.
* Consider tree heights when conducting thinning activities within waterbody buffers as indicated in the DEIS (e.g., [ldquo]all shade providing trees and long-term wood recruitment trees retained[rdquo] and [ldquo]only trees < 9[rdquo] dbh[rdquo]).5 Taller trees can provide stream shade at further distances away from the stream than shorter trees. Stand openings due to thinning harvest can result in lower shadow density produced by the thinned stand, lower stream shade conditions and subsequently increased stream temperatures. EPA is concerned that implementing the [ldquo]gappy, patchy, clumpy[rdquo]6 approach in the inner riparian zone could lead to increased stream temperatures and recommends the FEIS clarify where this approach will occur.
* Monitor water temperature to confirm that expected temperature returns occur. This is particularly important after potentially disruptive events (e.g., harvesting activities, resulting in riparian blow-down of vegetation).
* Clarify the distinction between stems per acre (SPA) and trees per acre (TPA), or if the terms are synonymous. In Table 2.2, the pre-treatment assessment conditions are listed as SPA, but then the treatment target is listed as TPA.
* Include a description of Best Management Practices (BMPs) the Forest Service expects to implement for this project if they are distinct from the Project Design Features (PDCs). EPA appreciates the detailed PDCs in Table 2-1 of the DEIS. The DEIS mentions implementing PDCs and BMPs, and our review did not find a description of BMPs.
* Discuss the cumulative impacts to the area downstream of the project area and include monitoring to determine if the riparian buffers are effectively maintaining optimal temperatures.
* Include more information about how the negotiated deviations from the Blue Mountain PDC limited activity buffers are determined, and how the public will be informed of changes. The description for WQ-05 states that [ldquo][f]uels treatments that deviate from Blue Mountain PDC limited activity buffers (see Table 2-2) would be limited to specific locations negotiated between a Fish Biologist, Hydrologist, and Fuel Specialist as locations are identified by fuels activities.[rdquo]7

Environmental Justice

The DEIS states the second highest employment sector in the project area is [ldquo]agriculture, forestry, fishing, and hunting[rdquo] making up 13.9% of the jobs.8 The DEIS recognizes minority and low-income populations that live within Morrow, Umatilla, and Union Counties, but states [ldquo]there is no reason to suspect that any impacts would disproportionately affect minority and low-income populations.[rdquo]9 EPA recommends the FEIS further examine the demographics of employment in the [ldquo]agriculture, forestry, fishing, and hunting[rdquo] sector that work outdoors and may experience increased adverse impacts from susceptibility to wildfires and smoke impacts.

EPA recommends using the Environmental Justice Screening and Mapping Tool (EJScreen)10 as a first step in understanding or highlighting locations that may be candidates for further review or outreach. We note that according to EJScreen, the project area ozone levels are higher than the Oregon state average at 42.8 ppb. EPA recommends that the FEIS consider how elevated levels of ozone combined with prescribed burning may impact air quality. EJScreen also shows the project area falls in the 98th percentile compared to the state for population over the age of 64, who can be more susceptible to impacts from wildfire smoke. If communities with EJ concerns are identified, EPA recommends conducting meaningful community engagement and including outreach documents that are designed to meet the needs of the communities impacted. EPA notes the state of Oregon just passed House Bill 4077 about EJ and encourages the Forest Service to refer to this legislature when identifying EJ concerns.

Heritage Resources

EPA appreciates the Forest Service initiating government-to-government consultation, clearly outlining these meetings in the DEIS,11 and complying with antiquities mandates and guidelines established by NEPA, Section 106, and 110 of the National Historic Preservation Act (NHPA). We recommend the FEIS include, to the extent that information is not confidential, any updates on tribal consultation that may have occurred after DEIS preparation.

The DEIS identifies 155 cultural resources in the project area and states that mechanical treatments may impact these sites due to the high amounts of ground disturbance and mixing of soils.12 EPA recommends avoiding mechanical treatments in these areas to the maximum extent practicable.

Monitoring and Adaptive Management

EPA recommends the Forest Service include a Monitoring and Adaptive Management plan that defines a monitoring program to ensure compliance with all mitigation measures and assess their effectiveness. In the FEIS:

* Describe the monitoring program and how it will be used as a feedback mechanism for adaptive management so, if necessary, project adjustments can be made to meet environmental objectives throughout the project lifespan.
* Disclose lessons learned from past practices in developing similar projects, combined with the need to account for new challenges, such as climate change, to help inform the design and management of the currently proposed project.

1https://fire.airnow.gov/.

2 DEIS p. 140.

3 DEIS p. 34.

4https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd644753.pdf.

5 DEIS p. 28.

6 DEIS p. 26.

7 DEIS p. 26.

8 DEIS p. 51.

9 DEIS p. 142.

10https://ejscreen.epa.gov/mapper/.

11 DEIS p. 3.

12 DEIS p. 134