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Comments: Please see the attached detailed scoping comments from US EPA.

The U.S. Environmental Protection Agency has reviewed the U.S. Forest Service[rsquo]s Notice of Intent to prepare a Draft Environmental Assessment for the Antelope and Tennant Fire Recovery Project. Our review and comments are provided pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. Sierra National Forest is preparing an Environmental Assessment to consider and disclose the anticipated environmental effects of implementing the proposed Antelope and Tennant Fire Recovery Project. The Antelope and Tennant Fire Recovery Project was developed to accelerate the reestablishment of burned forest areas, reduce dead and down fuel loading, promote resilient forest conditions, and felling and removal of hazard trees for public safety. This project area encompasses 116,370 acres and is located on the Goosenest Ranger District of the Klamath National Forest south to southeast of Macdoel, in Siskiyou County, California. The original project included the use of herbicides, however the use of herbicides has been removed from the project proposal. The EPA offers the following scoping recommendations to the Forest Service to consider when preparing the Draft EA, including: impacts to wetlands, water quality, wildlife, air quality, and cumulative impacts. These issues are discussed further in the attached Detailed Comments. The EPA appreciates the Antelope and Tennant Fire Recovery Project analysis will utilize best available science.

U.S. EPA DETAILED COMMENTS ON THE SCOPING NOTICE FOR THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE ANTELOPE AND TENNANT FIRE RECOVERY PROJECT, SISKIYOU COUNTY, CALIFORNIA [ndash] JUNE 17, 2022 Purpose and Need In the Draft EA, clearly identify the underlying purpose and need to which the Forest Service is responding in proposing the alternatives (40 CFR 1502.13). The purpose of the proposed action is typically the specific objectives of the activity, while the need for the proposed action may be to eliminate a broader underlying problem or take advantage of an opportunity. The purpose and need should be a clear, objective statement of the rationale for the proposed project. Please consider the following comments as you make your determination of significance. If you come to a Finding of No Significant Impacts include details of how impacts were mitigated and what determined the threshold for [ldquo]significance[rdquo]. Range of Alternatives All reasonable alternatives that fulfill the proposed action[rsquo]s purpose and need should be evaluated in detail. A robust range of alternatives will include options for avoiding significant environmental impacts. The environmental impacts of the proposed action and alternatives should be presented in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public (40 CFR 1502.14). The potential environmental impacts of each alternative should be quantified to the greatest extent possible (e.g., acres of habitat impacted; change in water quality). Baseline Environmental Conditions When evaluating project effects, we recommend using existing environmental conditions as the baseline for comparing impacts across all alternatives, including the no-action alternative. This provides an important frame of reference for quantifying and/or characterizing magnitudes of effects and understanding each alternative[rsquo]s impacts and potential benefits. This is particularly important when there are environmental protections in place that are based on current conditions, such as total maximum daily loads (TMDLs) for impaired river segments. It can also be useful, although often less certain, to compare alternatives against a no action baseline that includes reasonably foreseeable future conditions. The EPA recommends that the NEPA analysis compare and present impacts to resources against the existing conditions baseline using a consistent method to measure project impacts for all alternatives. By utilizing existing environmental conditions as a baseline, future changes to environmental resources can be more accurately measured for all alternatives, including the No Action alternative. We recommend that the Forest Service consider the following when defining

baseline conditions: [bull] Verifying that historical data (e.g., data 5 years or older) are representative of current conditions. [bull] Including resources directly impacted by the project footprint within the geographic scope of analysis, as well as the resources indirectly (or secondarily) impacted by the project. These indirectly impacted areas may include streams, wetlands, and aquatic, riparian, and meadow ecosystems. Biological Resources The document should identify all petitioned and listed threatened and endangered species and critical habitat that might occur within the project area. We recommend that the Forest Service quantify which species or critical habitat might be directly, indirectly, or cumulatively affected by each alternative. The EPA recommends engaging the U.S. Fish and Wildlife Service as early in the analysis as possible to assure that the proposed alternatives account for the following: [bull] Impacts to special-status species found in the project area including the Northern Spotted Owl, and Bald Eagle; [bull] Migratory Bird Treaty Act compliance; and [bull] Protection from invasive species. Air Quality The EPA recommends that the Forest Service coordinate closely with the appropriate air district to ensure that the project moves forward in a manner that reduces air quality impacts to the greatest extent possible. It is critical that the Draft EA provide a robust air quality impact analysis, including ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), criteria pollutant nonattainment areas, and potential air quality impacts of the proposed action, including indirect and cumulative impacts. Such an evaluation is necessary to ensure compliance with state and federal air quality regulations, and to disclose the potential impacts from temporary or cumulative degradation of air quality. In the Draft EA include smoke management and burn plans even if those plans are pending approval by the Air Quality Management District. Estimate emissions of criteria pollutants from the proposed project and discuss the timeframe for release of these emissions over the construction period of the project. Specify emission sources by pollutant from mobile sources, stationary sources, and ground disturbance. Use source-specific information to identify appropriate mitigation measures and areas in need of the greatest attention. Construction Emissions Include in the Draft EA a list of all mitigation measures to be implemented as part of the construction emissions mitigation plan developed for the project. In addition to measures necessary to meet all applicable local, state, and federal requirements, the EPA recommends the following mitigation measures be included in the construction emissions mitigation plan: Fugitive Dust Source Controls [bull] Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both active and inactive sites during workdays, weekends, holidays, and windy conditions. [bull] When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour. Limit speed of earth-moving equipment to 10 mph. Mobile and Stationary Source Controls [bull] Lease or buy newer, cleaner equipment using the best available emissions control technologies. o Use lower-emitting engines and fuels, including electric, liquified gas, hydrogen fuel cells, and/or alternative diesel formulations if feasible. [bull] Prohibit unnecessary idling from heavy equipment. [bull] Prohibit engine tampering to increase horsepower, except when meeting manufacturer[rsquo]s recommendations. [bull] Avoid routing truck traffic near sensitive land uses to the fullest extent feasible.

Administrative Controls [bull] Identify all commitments to reduce construction emissions and quantify air quality improvements that would result from adopting specific air quality measures. [bull] Reduce construction-related trips of workers and equipment, including trucks. [bull] Develop a project traffic and parking management plan that minimizes traffic interference and maintains traffic flow. General Conformity EPA[rsquo]s General Conformity Rule, established under Section 176(c)(4) of the Clean Air Act, provides a specific process for ensuring that federal actions do not interfere with a state[rsquo]s plans to attain or maintain NAAQS. For any criteria pollutants in the air basin of the project area where the air quality status is in nonattainment or attainment [ndash] maintenance,1 complete a general conformity applicability analysis (i.e., a comparison of direct and indirect emissions for each alternative with de minimis thresholds of 40 CFR 93.153). We recommend including a draft general conformity determination in the Draft EA to fulfill the public participation requirements of 40 CFR 93.156. Carbon Sequestration of Forests When developing and implementing the plan to remove hazard trees and commercial harvest of timber consider carbon sequestration as a way to curb total greenhouse gas emissions. Analyze the carbon storage capacity of mature, older trees including in forest stands which burned. Consider the carbon sequestration of dead trees which decompose slowly as new vegetation grows. If fire-killed trees are left in place, the natural decomposition process might take decades to hundreds of years to release the trees[rsquo]

carbon. However, if those trees are commercially harvested to serve as energyproducing biomass, that same carbon could potentially enter the atmosphere much faster. Consultation with Tribal Governments Executive Order 13175 [ldquo]Consultation and Coordination with Indian Tribal Governments[rdquo] (November 6, 2000) was issued to establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications, and to strengthen the United States government-to-government relationships with Indian Tribes. In the Draft EA, describe the process and outcome of government-to-government consultation between the Forest Service and each of the tribal governments within the project area, issues that were raised (if any), and how those issues were addressed in the selection of the proposed alternative. As a general resource, the EPA recommends the document Tribal Consultation: Best Practices in Historic Preservation, published by the National Association of Tribal Historic Preservation Officers.2 National Historic Preservation Act and Executive Order 13007 Consultation for tribal cultural resources is required under Section 103 of the National Historic Preservation Act (NHPA). Historic properties under the NHPA are properties that are included in the National Register of Historic Places (NRHP) or that meet the criteria for the National Register. Section 106 of the NHPA requires a federal agency, upon determining that activities under its control could affect historic properties, to consult with the appropriate State Historic Preservation Office/Tribal Historic Preservation Office (SHPO/THPO). Under NEPA, any impacts to tribal, cultural, or other treaty 1 Maintenance areas redesignated to attainment more than twenty years in the past are no longer required to comply with general conformity. 2 See http://www.nathpo.org/PDF/Tribal_Consultation.pdf 4 resources must be discussed. Section 106 of the NHPA requires that federal agencies consider the effects of their actions on cultural resources, following regulation in 36 CFR 800. Executive Order 13007 [ldquo]Indian Sacred Sites[rdquo] (May 24, 1996) requires federal land managing agencies to accommodate access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners, and to avoid adversely affecting the physical integrity, accessibility, or use of sacred sites. It is important to note that a sacred site may not meet the National Register criteria for a historic property and that, conversely, a historic property may not meet the criteria for a sacred site. It is also important to note that sacred sites may not be identified solely in consulting with tribes located within geographic proximity of the project. Tribes located outside of the project area may also have religiously significant ties to lands within the project area and should, therefore, be included in the consultation process. The EPA recommends that the Draft EA address the potential existence of Indian sacred sites in the project area. Explain how the proposed action would address Executive Order 13007, distinguish it from Section 106 of the NHPA, and discuss how the Forest Service would ensure that the proposed action would avoid adversely affecting the physical integrity, accessibility, or use of sacred sites. Provide a summary of all coordination with Tribes and with the SHPO/THPO, including identification of NRHP eligible sites and development of a Cultural Resource Management Plan. Environmental Justice Executive Order 12898 [ldquo]Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations[rdquo] (February 11, 1994) and the [ldquo]Memorandum of Understanding on Environmental Justice and Executive Order 12898,[rdquo] released on August 4, 2011, direct federal agencies to identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations, allowing those populations a meaningful opportunity to participate in the decision-making process. CEQ guidance clarifies the terms low-income and minority population, which includes Native Americans, and describes the factors to consider when evaluating disproportionately high and adverse human health effects. The EPA3 recommends that the Draft EA include an evaluation of environmental justice populations within the geographic scope of the project area. If such populations exist, describe how the proposed action would address the potential for disproportionate adverse impacts to minority and low-income populations, and the approaches used to foster public participation and coordination with these populations. The EPA recommends the following for development of the EJ analysis: [bull] Consider Promising Practices for EJ Methodologies in NEPA Reviews when developing the EJ section of the EA. [bull] Include a description of the area of potential impact used for the environmental justice impact analysis and provide the source of demographic information. [bull] Consider Using EPA[rsquo]s Environmental Justice screening and Mapping Tool EJScreen4 or Cal EPA[rsquo]s Cal Enviroscreen5 [bull] Disclose whether the project will result in a disproportionate and adverse impact on minority or low-income populations. 3 See Promising Practices for EJ Methodologies in NEPA Reviews, May 2016 https://www.epa.gov/sites/production/files/2016-08/documents/nepa_promising_practices_document_2016.pdf 4

https://ejscreen.epa.gov/mapper/ 5
https://experience.arcgis.com/experience/4af93cf9888a424481d2868391af2d82/page/home/ 5 [bull] Discuss potential mitigation measures for any anticipated adverse impacts to community members that could result from the project. [bull] Include opportunities for incorporating public input to promote context sensitive design, especially in minority and low-income communities. [bull] Document the process used for community involvement and communication, including all measures to specifically involve to low-income and minority communities. Include an analysis of results achieved by reaching out to these populations. [bull] Identify any specific actions proposed by the Forest Service to reduce emissions from the project, including use of low or zero-emissions construction equipment, and inclusion of alternative fuel and green technology infrastructure. Include an estimate of the air quality benefits and reduced adverse health effects that would result from each mitigation measure proposed. Identify any specific mitigation measures considered for sensitive populations (e.g., schools, daycare facilities, hospitals, senior centers, etc.). Habitat Connectivity and Wildlife Movement In the Draft EA, analyze the proposed project[rsquo]s impacts to habitat connectivity in the project area and discuss measures that could mitigate any identified impacts. Such measure may include appropriate infrastructure to facilitate wildlife movement across the project area. If appropriate, include design commitments that: 1) remove barriers to safe wildlife passage; 2) enhance use of identified wildlife corridors; and 3) provide crossings with suitable habitat and topography to accommodate multiple species. Include commitments to how the project will ensure design elements would be constructed to enable wildlife connectively, including types of features and approximate locations. Road and Landing Restoration The project may call for the decommissioning and restoration of roads. We recommend the Draft EA include a plan with list and maps of the roads, landings and trails that will be impacted by the project. This plan should include specific information on the extent to which these roads and landings would be recontoured, replanted with appropriate vegetation to mitigate erosion, monitored, and closed to offhighway vehicle use. We recommend the Draft EA include a specific post-harvest schedule for closure of the temporary roads and landings. We also recommend the Draft EA commit to scarifying the surface of roads, landings, and trails selected for decommissioning to break up compacted soils, seeding such areas, and blocking vehicle traffic with rocks and/or barricades when possible.