



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

OFFICE OF THE
REGIONAL ADMINISTRATOR

September 21, 2006

Cecil B. Currin
State Conservationist
USDA-NRCS
451 West Street
Amherst, Massachusetts 01002

Re: Draft Watershed Plan and Areawide Environmental Impact Statement for the Cape Cod Water Resources Restoration Project, Barnstable County, Massachusetts (CEQ # 20060328)

Dear Mr. Currin:

The Environmental Protection Agency-New England Region (EPA) has reviewed the United States Department of Agriculture's (USDA) Draft Watershed Plan and Areawide Environmental Impact Statement (DEIS) for the Cape Cod Water Resources Restoration Project for various watershed protection and fish and wildlife development projects in Barnstable County, Massachusetts. We submit the following comments on the Draft Environmental Impact Statement (DEIS) in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

According to the DEIS the Cape Cod Water Resources Restoration Project is intended to restore degraded saltmarsh, restore anadromous fish passage, and improve water quality in shellfishing areas. The project is comprised of a total of 76 projects (26 saltmarsh restoration projects, 26 obstruction remediation projects to restore fish passage, and 26 stormwater remediation projects) that would be carried out over a ten year construction period. As each project is advanced by a local sponsor it will be reviewed through a more detailed environmental evaluation tiered from the original EIS. EPA does not object to this approach and supports the USDA's recommended plan described in the EIS. We encourage the USDA to promote close coordination with the EPA, Massachusetts Coastal Zone Management Office Wetland Restoration Program Staff, the Massachusetts Division of Marine Fisheries and other state offices as individual projects are proposed. We also suggest early coordination with our wetlands section (Ed Reiner, 617-918-1692) and the United States Army Corps of Engineers for any projects which will require permitting under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899.

617-918-1010

Internet Address (URL) • <http://www.epa.gov/region1>

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We appreciate the opportunity to comment on the DEIS. Based on our review of the DEIS we have rated the DEIS "LO-1—Lack of Objections-Adequate" in accordance with EPA's national rating system, a description of which is attached to this letter. Please contact Timothy Timmermann (617-918-1025) of EPA's Office of Environmental Review with any comments or questions about this letter.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth A. Higgins". The signature is fluid and cursive, with the first name being the most prominent.

Elizabeth A. Higgins, Director
Office of Environmental Review

Attachment

Summary of Rating Definitions and Follow-up Action

Environmental Impact of the Action

LO--Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC--Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO--Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU--Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1--Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2--Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3--Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.