



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

March 14, 2024

U.S. Department of Agriculture
Forest Service – Coronado National Forest
Douglas Ranger District
ATTN: Peloncillo FireScape Project- Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

Submitted electronically to: Public Comment Form at
<https://cara.fs2c.usda.gov/Public/CommentInput?project=58434>.

RE: Peloncillo FireScape project

Environmental Coordinator Lehew,

The New Mexico Environment Department (NMED) offers a favorable opinion of the Peloncillo FireScape project based on the draft environmental assessment and encourages coordination with NMED's Smoke Management Program regarding any planned burning activities to ensure those activities meet desired air quality and air monitoring conditions. NMED also recommends heeding the recommendation of NMED's Surface Water Quality Bureau (SWB) regarding buffers and permits.

NMED would like to request a correction of the agency name to New Mexico Environment Department. It is currently referenced as the New Mexico Department of Environmental Quality on page 82, in the "Agency or Persons Consulted" SWQ section.

Strong intergovernmental coordination is essential to ensure protection of human health and the environment. In the attachment you find specific comments from NMED bureaus for you to evaluate as the process continues.

Please reach out with further questions or concerns you may have and continue to send all comment requests to env.review@env.nm.gov, it helps expedite a timely review of your request.

Sincerely,

Claudia Trueblood, Science Coordinator
Office of Strategic Initiatives

Attachment (1)

Attachment

Introduction

The New Mexico Environment Department (NMED) reviewed the U.S. Forest Service's (USFS) Coronado National Forest, Douglas Ranger District, draft Environmental Assessment (EA) of the Petroncillo FireScope Project and supporting documents. The project proposes ecosystem restoration treatments, including wildland fire (planned and unplanned), prescribed cutting, mastication and grubbing, selective herbicide use, planting, and soil stabilization on approximately 85,129 acres of National Forest System lands in the Peloncillo Mountains in Cochise County, Arizona, and Hidalgo County, New Mexico. The purpose of the project is to improve and/or maintain desired vegetation conditions in the Peloncillo Ecosystem Management Area, with the goal of decreasing the risk of uncharacteristic high-severity wildfire by reducing vegetative fuel loading, therefore promoting improvement in ecosystem health.

Comments

Drinking Water Bureau

The Drinking Water Bureau (DWB) reviewed the scoping letter for the U.S. Forest Service Petroncillo FireScope project for potential impacts to publicly regulated drinking water systems. Overall, DWB Bureau offers a favorable opinion of the project because it will remove excess fuel that increases the risk of intense wildfires that can cause hydrophobic ash to degrade water infiltration into the aquifer.

Petroleum Storage Tank Bureau

The request does not contain any action that will impact storage tank systems currently regulated under 20.5 NMAC and does not propose the installation of new storage tank systems. There are no active facilities within ½ mile of the proposed site. There are no confirmed release sites that are active or have a “no further action” status directly associated with the outlined project areas. There are also no confirmed release sites or “no further action” status sites within a ½ mile of the project areas.

If an abandoned storage tank system or petroleum impacted soil and/or water is discovered during construction, the Petroleum Storage Tank Bureau must be notified (20.5.118 NMAC, etc.). Additionally, in the event that an abandoned storage tank system or petroleum impacted soil and/or water is discovered during any construction activity, please notify the Petroleum Storage Tank Bureau during business hours via the “Leak of the Week” at: https://www.env.nm.gov/petroleum_storage_tank/ (see box to the right, Report a Leak or Spill) or call 505-476-4397. During non-business hours, please call 505-827-9329. Owners, operators, and others dealing with petroleum storage tank systems must comply with all regulations in 20.5 NMAC, New Mexico's Petroleum Storage Tank regulations.

Air Quality Bureau

The Air Quality Bureau (AQB) reviewed the scoping letter for the U.S. Forest Service Petroncillo FireScope project for potential impacts to air quality. The AQB understands the purpose, need, and objectives for fire and fuels management through the reduction and maintenance of fuel loading levels as proposed in Alternative 2 of the Peloncillo FireScope project. We support Alternative 2 of the Peloncillo FireScope project to reduce the potential for high severity wildfires, which in turn, potentially reduces the generation of more smoke.

The Peloncillo FireScope Draft Environmental Assessment includes the use of unplanned and prescribed fires, pile burning, prescribed cutting, and mastication to appropriately manage fires and fuels in the

Peloncillo Mountains in Cochise County, Arizona, and Hidalgo County, New Mexico. The Air Quality Bureau (AQB) administers the Smoke Management Program (SMP) for land in New Mexico. The SMP partners with federal and private land managers statewide to assure that fire remains a viable tool to achieve land management objectives while also protecting New Mexico's air quality. The purpose of the SMP is to provide a clear and equitable regulatory basis for smoke management in New Mexico and to reduce the smoke impacts on local populations. Any government or nongovernment entity proposing to conduct fire activities within the jurisdiction of the AQB are subject to 20.2.65.100-.105 NMAC.

Planned burning activities in the Peloncillo FireScope Area must coordinate with SMP requirements to ensure these activities meet desired air quality and air monitoring conditions. Potential impacts of air emissions on the Federal Class I Areas of Chiricahua National Monument Wilderness Area and Chiricahua Wilderness Area (approx. 6-8 miles NW) should be evaluated. The effects on air quality from any planned burning activities should be short term and localized near the planned burning area.

The potential exists for temporary increases in dust and emissions from any activities that involve road construction, mechanical harvesting, earthmoving, construction equipment and other vehicles. However, the increases should not result in non-attainment of air quality standards. Dust control measures should be taken to minimize the release of particulates due to vehicular traffic and any construction or harvesting type of activities.

With the appropriate smoke and dust control measures in place, the project is not anticipated to result in nonattainment of the New Mexico or National Ambient Air Quality Standards, or to contribute negatively to air quality on a long-term basis.

Surface Water Quality Bureau

The Surface Water Quality Bureau (SWQB) offers a favorable opinion of the project and supports the long-term ecological restoration of the proposed area, as implemented incrementally over a 20-year period or greater. The proposed actions will support a low to moderate intensity natural fire cycle that is beneficial to watersheds and surface water quality within the project area by decreasing the risk of high-severity wildfire and its impacts.

SWQB offers the following recommendations and requests:

- Extend the avoidance of fire retardants or chemical foams buffer around riparian habitats to 500 feet to better protect surface waters of the state (p 107).
- Do not apply or use aqueous film forming foam (AFFF) due to potential contamination risks of per- and polyfluoroalkyl substances (PFAS). If nitrogen-based fire retardants are used, SWQB requests that stream nutrient impairments (total nitrogen and total phosphorus) and nutrient loading (total nitrogen and total phosphorus) are taken into consideration when selecting fire retardants in the project area.
- Maintain a 500 feet buffer from wetlands and riparian areas near pile burning and mechanical treatments, and where pesticide and herbicide are applied to better protect surface waters of the state.
- Consult with the U.S. Environmental Protection Agency (USEPA) to determine whether the project is covered by the Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) Pesticide General Permit (PGP) or if a Notice of Intent (NOI) or individual permit

application is required. The USEPA Region 6 PGP contact is William Cooper, Cooper.William@epa.gov or 214-665-6443.

- Implement best management practices (BMPs) to limit erosion and minimize runoff into surface waters of the state (pg. 16, Water Soil and Air Resource Report) for areas of significant activity such as equipment staging areas. The proposed project area is located near surface waters of the state (e.g. Cloverdale Cienega, Cloverdale Spring) and, based on SWQB knowledge, Cloverdale Cienega is on private land. SWQB requests that activities located adjacent to surface waters of the state follow BMPs.
- If staging areas disturb more than 1 acre of land, USFS should consult with the USEPA to determine whether the project requires coverage by CWA NPDES Construction General Permit (CGP) for stormwater discharges from construction activities (such as clearing, grading, excavating, and stockpiling). The USEPA Region 6 CGP contact is Nasim Jahan, jahan.nasim@epa.gov or 214-665-7522. If applicable, the CGP permit requires that a Stormwater Pollution Prevention Plan (SWPPP) be prepared for the project, including support and staging areas, and that appropriate BMPs be installed and maintained both during and after construction to prevent, to the extent practicable, pollutants in stormwater runoff (primarily sediment, oil & grease, and construction materials from construction sites) from entering waters of the U.S (WOTUS). This permit also requires that permanent stabilization measures (revegetation, paving, etc.) and permanent stormwater management measures (stormwater detention/retention structures, velocity dissipation devices, etc.) be implemented post-construction to minimize the long-term entry of pollutants in stormwater runoff to a WOTUS. Include a discussion of USFS practices that will ensure the prescribed fires in the project area do not leave the prescribed fire area boundaries. SWQB recommends including or referencing USFS standard operating procedures (SOPs) to monitor and limit the spread of prescribed fires.
- Include wetland and riparian communities in the consideration of direct and indirect effects under the No Action Alternative and Proposed Action (page 69, Vegetation section).

Lastly, NMED advises all parties involved in the project to be aware of notification requirements for accidental discharges, including large spills of pesticides and herbicides, as specified by NMED regulation 20.6.2.1203 NMAC, available at <https://www.srca.nm.gov/parts/title20/20.006.0002.html>