**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
**REGION IX**
**75 Hawthorne Street**
**San Francisco, CA 94105**

March 7, 2013

Mr. Jeff Servoss
U.S. Fish and Wildlife Service
Arizona Ecological Services Office – Tucson Suboffice
201 North Bonita Avenue
Suite 141
Tucson, Arizona 85745

Subject: Draft Environmental Impact Statement for the Pima County Multi-Species Conservation Plan, Pima County, Arizona (CEQ# 20120376)

Dear Mr. Servoss:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement for the Pima County Multi-Species Conservation Plan pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The EPA strongly supports the objectives of the Pima County Multi-Species Conservation Plan (MSCP). The MSCP would build on the framework, established more than a decade ago by Pima County through the Sonoran Desert Conservation Plan, to conserve county natural and cultural resources. We commend the U.S. Fish and Wildlife Service (Service) for its long collaboration with Pima County to protect sensitive species.

Based on our review of the DEIS, we have rated the preferred alternative and the document as LO-1, Lack of Objections – Adequate (see enclosed EPA Rating Definitions). We are impressed with the many proactive planning elements that have been incorporated into the MSCP to both mitigate, and adapt to, the potential effects to Covered Species over the proposed 30-year permit term. We are especially pleased with the considerable focus on crafting a multi-species conservation plan that is intended to help mitigate, and respond to, the effects of climate change. The document drafted to inform the MSCP climate response, *Climate Change and Natural Resources in Pima County: Anticipated Effects and Management Challenges*, and the proposed *Monitoring and Adaptive Management Plan*, are just two of the many features of the MSCP that should assist planners in this effort.

We are also pleased with the proposed MSCP riparian area protection and management principles. These principles, including seeking to "maintain or re-establish hydrologic connections between riparian, aquatic ecosystems, and shallow groundwater zones," and "ensure sufficient in-stream flows to achieve and protect natural functions of riparian and aquatic ecosystems," should aid efforts to protect sensitive riparian and aquatic species. We recommend, however, that the Final Environmental Impact Statement (FEIS) provide additional information on the potential interface between the MSCP and Section 404 of the Clean Water Act (CWA). The DEIS states that "development is projected to continue to impact many of the riparian and aquatic Special Elements such as intermittent streams, mesquite bisques and Sonoran riparian scrub"; such development could result in impacts to waters of the U.S. The FEIS should describe how jurisdictional waters will be identified over the permit term, and how FWS

and Pima County will coordinate with the U.S. Army Corps of Engineers to ensure that any development covered by the MSCP complies with the permit requirements of Section 404 of the CWA.

Please note that, as of October 1, 2012, EPA Headquarters no longer accepts paper copies or CDs of EISs for official filing purposes. Submissions must be made through the EPA's new electronic EIS submittal tool: *e-NEPA*. To begin using *e-NEPA*, you must first register with the EPA's electronic reporting site - https://cdx.epa.gov/epa_home.asp. Electronic submission does not change requirements for distribution of EISs for public review and comment, and lead agencies should still provide one hard copy of each Draft and Final EIS released for public circulation to the EPA Region 9 office in San Francisco (Mail Code: CED-2).

We appreciate the opportunity to review this DEIS, and are available to discuss our comments. If you have any questions, please contact me at 415-972-3521, or contact Jason Gerdes, the lead reviewer for this project. Jason can be reached at 415-947-4221 or gerdes.jason@epa.gov.

Sincerely,

Kathleen Martyn Goforth, Manager
Environmental Review Office

Enclosure: Summary of the EPA Rating System

cc: C.H. Huckelberry, County Administrator, Pima County