

11.5 Local Agencies

CC_MC_1020_016

PUBLIC HEARING ON THE KLAMATH DAM
REMOVAL DRAFT EIS/EIR
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YREKA, CALIFORNIA
THURSDAY, OCTOBER 20, 2011

MS. MARCIA ARMSTRONG: My name is Marcia

Armstrong, M-a-r-c-i-a, A-r-m-s-t-r-o-n-g.

And I represent the fifth district of Siskiyou

County which includes more than a hundred miles of the
Klamath River.

I will submit my extended comments in writing later.

First of all, I call once again for government

Comment 1 - NEPA

to government coordination, meetings with the board of
supervisors before you go one step further.

Secondly, I'm appalled at the obvious

Comment 2 - Real Estate

manipulation of studies and conclusions in the EIS/EIR

document to intentionally understate the substantial

negative impacts to Siskiyou County and to overstate

benefits to fishing interests in order to advocate for dam

removal.

For instance, the assessment of impacts on

property owners around Copco was intentionally structured

to limit the number of properties considered and to

exclude impacts to improve property values.

Comment 3 - Hydrology

Potential impacts to structures and county

infrastructure roads and bridges from sediment

redistribution and the creation of a new floodplain below the dam were minimized by statements of uncertainty that FIMA would be responsible for drawing new flood lines.

Possibly more than two dozen structures might have to be removed and a bridge might be affected, but no valuation of the loss was given.

Comment 4 - Economics

Despite hundreds of pages of documentation submitted by Siskiyou County the report fails to reflect our concerns. The study fails to adequately address the economic impacts to Siskiyou County including cumulative impacts on Siskiyou County as required by law, yet it facetiously claims large numbers of new coastal jobs based on ridiculous assumptions.

Comment 5 - KBRA

The analysis of impacts of Klamath Basin Mitigation Restoration Agreement measures on farming and ranching in the Scott and Shasta Valleys was omitted.

I could go on and on. This document is so biased, so inadequate and the manipulation of science so obvious for the purpose of advocating for dam removal that it reeks of corruption. At least that may be consistent with the rest of the settlement process.

Comment 6 - NEPA

Comment Author Armstrong, Marcia
Agency/Assoc. County of Siskiyou
Submittal Date October 20, 2011

Comment Code	Comment Response	Change in EIS/EIR
CC_MC_1020_016-1	Master Response N/CP-2 Coordination.	No
CC_MC_1020_016-2	Master Response RE-1C through D Real Estate Evaluation Report.	No
CC_MC_1020_016-3	Master Response HYDG-1 Flood Protection. <p>The analysis of the effects to flooding also included the effect of deposition of sediment after dam removal, as detailed in Reclamation (2012d).</p> <p>Mitigation measure H-2 would address the changes in the floodplain by requiring that "The Dam Removal Entity (DRE) will work with willing landowners to move or relocate permanent, legally established, permitted, habitable structures in place before dam removal. The DRE will move or elevate structures where feasible that could be affected by changes to the 100-year flood inundation area as a result of the removal of the Four Facilities." These structures would not be lost but would be relocated or elevated, which is why the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) does not include a valuation of the loss. While the explicit cost of the mitigation measure H-2 is not itemized in the EIS, it is included in the overall cost of the project.</p> <p>Reclamation (2012d), "Hydrology, Hydraulics and Sediment Transport Studies for the Secretary's Determination on Klamath River Dam Removal and Basin Restoration," Technical Report No. SRH-2011-02. Prepared for Mid-Pacific Region, Bureau of Reclamation, Technical Service Center, Denver, CO.</p>	No
CC_MC_1020_016-4	Section 3.15, Socioeconomics, discusses the existing conditions for socioeconomic area of analysis. Siskiyou County is included in the economic region for dam decommissioning, operation and maintenance, mitigation, irrigated agriculture, in-river sport fishing, refuge recreation, whitewater boating, and Klamath Basin Restoration Agreement (KBRA) effects. These regions were included in the existing conditions sections for direct comparison purposes to the economic effects modeled by IMPact Analysis for PLANning (IMPLAN) and presented in Section 3.15.4. For each region, Section 3.15 provides data on employment, labor income, and output. Data is also presented on tax revenues in Siskiyou County. Appendix O includes a more detailed economic baseline description of Siskiyou County and other counties in the economic regions. Data presented includes income levels, poverty, major industries, timber industry harvests, major employers, and unemployment. These two sections represent the economic conditions in economic regions related to potential effects and individually by county, including Siskiyou County.	No

Comment Author Armstrong, Marcia
Agency/Assoc. County of Siskiyou
Submittal Date October 20, 2011

Comment Code	Comment Response	Change in EIS/EIR
	<p>Section 3.15.4.2 evaluates economic effects to multiple regions (listed above) that include Siskiyou County. There would be both new jobs and job losses in Siskiyou County as a result of the Proposed Action. Specifically, Tables 3.15-41, 3.15-42, 3.15-44, 3.15-50, 3.15-51, 3.15-53, 3.15-54, 3.15-57, 3.15-58, 3.15-59, 3.15-60, and 3.15-61 in the EIS/EIR summarize economic effects in regions that include Siskiyou County. The section also includes qualitative analyses on effects to property values, county tax revenues, and energy rates in Siskiyou County.</p> <p>Section 4.4.14 evaluates socioeconomic cumulative effects of the Proposed Action and alternatives. The analysis considers general plans, other existing planning and management documents, and the unemployment and industry trends within the counties in the area of analysis in the cumulative condition. The analysis identifies positive and adverse cumulative effects of the Proposed Action on jobs and income in the counties.</p> <p>Economic impacts, including coastal jobs, were estimated using a standard modeling framework, with the best available information. The Commercial Fishing Economics Technical Report, available on www.klamathrestoration.gov, details the assumptions used in the commercial fishing economic analysis.</p>	
CC_MC_1020_016-5	The Scott and Shasta Valleys are included in the definition of the Klamath Basin and were not omitted from the programmatic analysis of effects of implementation of the KBRA.	No
CC_MC_1020_016-6	Master Response GEN-1 Comment Included as Part of Record.	No



COUNTY OF SISKIYOU

CC_LT_1020_007

Board of Supervisors

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Comments

for the review process of the EIR/EIS Process for the Klamath Dam Removal on the Klamath River in Northern California

Comment 1 - Out of Scope

First I would like to say something about the Survey "Restoring a U.S. River Basin" This survey is a sham, the recipients of the survey are lead to believe that that there is no alternative but to take the dams out because they are destroying the fish populations. The survey minimizes the potential real cost and destruction resulting from dam removal. The survey conceals from the survey recipient that there are large numbers of informed knowledgeable people that disagree with many of the so called facts assumed in the questions. It comes out loud and clear to those that know the true facts about the Klamath River issues that the survey is not designed to be an honest assessment of true public opinion, but to gather the responses that the government wants. As do many of the studies I have seen thus far.

Comment 2 - NEPA

1. The volume of EIR documents that one has to have to make sense of this report is massive for the public to have access to all of them to be able to read and understand the Content of the EIR/EIS is daunting. There has to be a way to have all of the information in one easy to read and understand document.

Comment 3 - Fish

2. I have not seen any information about the Fish Panel Studies that were done these have to be included. These reports say that Dams removal isn't the answer and that there isn't enough information to prove that dam removal would improve salmon populations.

Comment 5 - Real Estate

3. The Shasta Tribal Burial grounds and Ceremonial sites have to be considered. According to the Executive Order 13007 Indian Sacred Sites and the Native American Grave Protection and Repatriation Act.

Comment 4 - Cultural Resources

4. The Real estate values were miss represented.

5. The planning for the City of Yreka's Water supply was done in a vacuum no one ask the City what they felt would be the best way to design the pipe line. There are too many questions about putting an exposed pipe across a bridge. Who pays for the design? Who is responsible if it ruptures? How will it be maintained and by whom?

Comment 6- Alternatives

6. The source of the polluted water is the Upper Klamath Lake the soil around the lake contains phosphorus and other nutrients that cause algae growth, it is warm in the summer and this is a natural state. This water becomes more impaired as it proceeds down the river. In BOR documents it is stated that the most impaired water in the system is that between Keno and Copco and the water is cleaner when it leaves Iron Gate than when it enters. If this water is not cleaned it

Comment 7 - Water Quality

Jim Cook
 District 1

Ed Valenzuela
 District 2

Michael Kobseff
 District 3

Grace Bennett
 District 4

Marcia H. Armstrong
 District 5

← Comment 7 cont.

doesn't matter if the dams stay or are removed the water quality and quantity will not improve.

7. There are 84 streams below Iron Gate dam they provide clean water to the Klamath River system and 471 miles of spawning areas for fish. There is no reason to remove these dams. In Siskiyou County over the last 30 years there have been over 3,500 projects completed to improve water quality, quantity and fish habitat .I say this is enough WE don't want to be included in your experiments any more

← Comment 8 - Opposed to Dam Removal

Grace Bennett



Siskiyou County Supervisor
District 4

Comment Author Bennett, Grace
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 20, 2011

Comment Code	Comment Response	Change in EIS/EIR
CC_LT_1020_007-1	Master Response GEN-22 Willingness-to-Pay Survey.	No
CC_LT_1020_007-2	Master Response N/CP-8 Structure and Readability of the EIS/EIR.	No
CC_LT_1020_007-3	<p>The findings of the Expert Panel reports are summarized in Section 3.3.4.3 of the EIS/EIR.</p> <p>Master Response AQU 6, Expert Panel Report Coho, Steelhead and Chinook.</p> <p>Master Response AQU-7 Expert Panel Uncertainty and Likelihood of Success.</p> <p>Master Response AQU-17 Expert Panel Second Line of Analysis, Not the only line of Evidence.</p> <p>There is extensive historic documentation and information from other studies and assessments that show implementation of the Proposed Action to likely to restore salmonids in the Klamath Basin.</p> <p>On October 16, 2006 Administrative Law Judge Honorable Parlen L. McKenna's Decision included the following findings of fact (FOF) in his decision:</p> <ul style="list-style-type: none"> • While the precise geographic distribution is uncertain, historical records and Tribal accounts demonstrate that anadromous fish (Chinook salmon, Coho salmon, and steelhead trout) migrated past the present site of Iron Gate Dam which provided a viable ecosystem and habitat for those stocks of fish. (FOF 2A-3, p. 12). • Anadromous fish are highly adaptive to differing conditions typically can readily migrate into and colonize new habitat or recolonize historic habitat. FOF 6-3, p. 32). <p>During the relicensing process for the Klamath dams, the Federal Energy Regulatory Commission (FERC) concluded that: With respect to restoration of salmonids and dam removal, the FERC Relicensing EIS concluded that:</p> <ul style="list-style-type: none"> • Removal of one or more of the mainstem dams could enhance the prospects for restoring anadromous fish to areas within and upstream of the project and improve conditions within the downstream migration corridor (FERC Final EIS, Section 5.2.21, p. 80). • Master Response AQU 28 FERC Conclusions for Disease. • A successful anadromous fish restoration program has the potential to increase fish production by allowing anadromous fish to use historical production areas within and upstream of the project and would provide access to important thermal 	No

Comment Author Bennett, Grace
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 20, 2011

Comment Code	Comment Response	Change in EIS/EIR
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refugia, most notably in the J.C. Boyle bypassed reach and in tributaries upstream of Upper Klamath Lake. Restoration of anadromous fish upstream of Iron Gate dam could restore Tribal and recreational fisheries over a very large geographical area (extending over more than 350 miles of riverine habitat), and could contribute to recovery of the Southern Oregon Northern California coast (SONCC) coho salmon Evolutionary Significant Unit (ESU) (FERC Final EIS, Section 3.3.3.3.2.5, p. 3-318).

Species-specific assessments of salmonids have also been undertaken as part of the science review process for the EIS/EIR.

Chinook: Quantitative modeling of fall-run Chinook salmon populations documented in Section 3.3.4.3 of the EIS/EIR further substantiates the conclusions of the Chinook Expert Panel. Modeling of dam removal and existing conditions suggests that dam removal would substantially increase numbers of spawners over a 50-year period (Oosterhout 2005). Additional population modeling efforts support this conclusion (Hendrix 2011, Lindley and Davis 2011).

Master Response AQU-23 Evaluation of Dam Removal and Restoration and Anadromy (EDRRA) Model.

Coho: Other evidence considered in the EIS/EIR suggests that coho would benefit from implementation of the Proposed Action:

- Master Response AQU-16 Benefits to Coho.
- Master Response AQU-21 NRC Dam Removal Help Coho.

Steelhead: Published reports provide a sound basis for the occurrence and distribution of steelhead above Iron Gate Dam and that steelhead would likely benefit from the Proposed Action. Reports include:

- Hamilton et al., 2005, which documented the occurrence steelhead in the Upper Klamath Basin.
- Butler et al., 2010, which corroborates findings of Hamilton et al.
- Hamilton et al., 2011 states:
 - Access to additional habitat in the Upper Klamath River watershed would benefit steelhead runs. In general, dam removal with KBRA would likely result in the restoration of more reproducing populations, higher genetic diversity, and the opportunity for variable life histories and use of new habitats (p. 93).

Comment Author Bennett, Grace
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 20, 2011

Comment Code	Comment Response	Change in EIS/EIR
	<ul style="list-style-type: none"> o Dam removal with KBRA would result in higher steelhead abundance in the long-term (p. 130). <p>The Secretary of the Interior will consider all of the information presented in the Klamath Facilities EIS/EIR, which includes other studies and lines of evidence in addition to the Expert Panel Reports.</p>	
CC_LT_1020_007-4	Executive Order 13007 and the Native American Graves Protection and Repatriation Act (NAGPRA) apply to sites on Federal lands or federally recognized Indian lands, identified by federally recognized tribes. State laws will apply to burial sites on non-Federal lands. Ceremonial sites and burial grounds are considered as potential historic properties under National Historic Protection Act (NHPA) in Section 3.13, Cultural and Historic Resources, of the EIS/EIR.	No
CC_LT_1020_007-5	Master Response RE-1B, C, and E Real Estate Evaluation Report.	No
	The study clearly found that there would be a negative impact, particularly on those lots with reservoir-frontage and views.	
CC_LT_1020_007-6	Master Response ALT-1 Programmatic Analysis of City of Yreka Pipeline Relocation.	Yes
CC_LT_1020_007-7	Master Response WQ-4 Hydroelectric Project Impacts to Water Quality & Anticipated Klamath Hydroelectric Settlement Agreement (KHSA)/KBRA Improvements.	No
CC_LT_1020_007-8	The Secretary of the Interior (Secretary) acknowledges that there are many people who support dam removal and there are many who maintain that the dams should stay in place.	No
	Section 3.5-19 describes the major tributaries below Iron Gate Dam, which has the largest percentage of riparian habitat in the study area. However, alluvial fans formed by tributary creeks do not total 84 in number, thus 471 miles of spawning habitat do not exist below Iron Gate Dam. The source documenting completion of 3,500 projects in the past 30 years is not known to the Lead Agencies. Figure 1-2b provides a timeline of activities within the basin. As described in Section 3.15, funds from the California Water Bond, if enacted, could be used for additional restoration projects in Siskiyou, Humboldt and Del Norte counties.	



COUNTY OF SISKIYOU

Board of Supervisors

CC_LT_1020_008

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October 20, 2011

Comment 1 - Water Quality

The water that comes from Oregon to California is the problem; this water is the source of the pollution. The natural phosphorus from the soil around the Upper Klamath Lake causes algae to grow, this lake is shallow, warm in summer and has many nutrients and organic matter in it, once it leaves the Upper Klamath Lake it picks up more pollution from Klamath Falls, Oregon as the City puts their treated sewer water into the River, a few more miles down River the water is returned from the Farming community and wildlife refuges, This water, according to your own report, between Keno and the Copco Dam is the Most polluted in the system. In the most resent study from NOAA fishery states that the Salmon will have to be trapped and hauled around this area of the River after Dam removal. There are 84 streams that enter the river below Iron Gate to dilute this nasty water, the Dams hold and settle the nutrients and phosphorus. These 84 streams provide 471 miles of great habit for spawning fish, plus the 263 miles of the Klamath River; this surely should be enough area for the fish to use as spawning grounds.

Over the past 20 years there has been a concentrated effort to improve habitat and restore salmon in the Klamath River. Weir dams have been removed from tributaries, new pumping stations installed, ditches have been lined to improve water supplies, fish screens added to all ditches, irrigation practices have been analyzed and changed to improve crop production and use less water. Logging practices have been drastically changed to protect water sheds. Streams have been fenced so cattle aren't in the streams; this makes the streams narrower thus lowering temperatures. Many experiments have been tried, some have worked and some haven't.

Comment 2 - Costs

The Siskiyou County Road Department has completed over 62 projects since 2008 to improve fish access to these streams. The Scott River Valley RCD have completed over 200 projects, and the Shasta Valley RCD starting in 1986 completed over 1,500 The fish populations have not increased, millions of tax dollars have been spent and now the next grand effort is to take out the dams on the Klamath River. Over the past few years the Federal Government has spent \$50 million a year in the Klamath Basin for environmental and management programs.

If the decision is made that the dams are to be removed and the Congress of the United States passes legislation to enact the KBRA, almost a Billion dollars will be spent on still more restoration projects over the next 10 years.

Jim Cook
District 1

Ed Valenzuela
District 2

Michael Kobseff
District 3

Grace Bennett
District 4

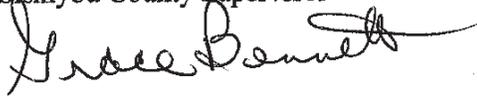
Marcia H. Armstrong
District 5

← Comment 2 cont.

Get ready because in a few years after Dam removal you will need a lot more money because you will need an EPA super fund to clean up the Klamath River system.

The people of Siskiyou County deserve better, we are the ones that will have to suffer the consequences of Dam Removal and problems that are left behind. I am tired of being in the middle of some one else's experiment.

Grace Bennett
Siskiyou County Supervisor



Comment Author Bennett, Grace
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 20, 2011

Comment Code	Comment Response	Change in EIS/EIR
CC_LT_1020_008-1	<p>Concern #1. "The water that comes from Oregon to California is the problem; this water is the source of the pollution. The natural phosphorus from the soil around the Upper Klamath Lake causes algae to grow, this lake is shallow, warm in summer and has many nutrients and organic matter in it,"</p> <p>Master Response WQ-5 Upper Basin Geology and Land Use Implications for Water Quality.</p> <p>Concern #2. "...once it leaves the Upper Klamath Lake it picks up more pollution from Klamath Falls, Oregon as the City puts their treated sewer water into the River, a few more miles down River the water is returned from the Farming community and wildlife refuges, This water, according to your own report, between Keno and the Copco Dam is the Most polluted in the system. In the most recent study from National Oceanic and Atmospheric Administration Fisheries Service (NOAA Fisheries Service) states that the Salmon will have to be trapped and hauled around this area of the River after Dam removal."</p> <p>Master Response AQU-34A Trap and Haul/Keno Water Quality. Master Response WQ-4D Hydroelectric Project Impacts to Water Quality Anticipated KHSA/KBRA Improvements.</p> <p>Concern #3. "There are 84 streams that enter the river below Iron Gate to dilute this nasty water, the Dams hold and settle the nutrients and phosphorus. These 84 streams provide 471 miles of great habit for spawning fish, plus the 263 miles of the Klamath River; this surely should be enough area for fish to use as spawning grounds."</p> <p>Master Response WQ-27 Nutrient Retention With Dams, Nutrient Release Without Dams, and Periphyton.</p> <p>Master Response AQU-6A Expert Panel Coho, Steelhead and Chinook.</p> <p>Master Response AQU-25 Habitat Upstream of Iron Gate.</p>	No
CC_LT_1020_008-2	Master Response GEN-1 Comment Included as Part of Record.	No

CM_MC_1020_001

PUBLIC HEARING ON THE KLAMATH DAM
REMOVAL DRAFT EIS/EIR

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YREKA, CALIFORNIA

THURSDAY, OCTOBER 20, 2011

MS. GRACE BENNETT: My name is Grace Bennett,

G-r-a-c-e B-e-n-n-e-t-t.

Comment 1 - Alternatives

I am -- my first thing that I would like to

read is from the city of Yreka. The city has concerns

that are not limited to not being engaged and asked about

mitigation measures on the waterline realignment called

the pipe ridge.

Reasonable alternative locations, alignment of

the pipeline go underground, have not be explored by -- in

this document nor have they been explored by the city.

A pipe bridge would be an attraction -- an

attractive nuisance, a liability to the city, resulting in

injuries.

A pipe bridge would be more vulnerable to

vandalism. A pipe bridge would be more accessible for

flood damage.

The city has insufficient funds, resources, to

provide an alternative plan within the time frame of the

comment period.

Should there be other reasonable alternatives,

such as an underground pipeline to, um, avoid these other

concerns?

Comment 2 - General/Other

Now, I'll read my statement. First, I would like to talk about

The survey, Restoring a U.S. River Basin. This survey is a sham. The

recipients of the survey are led to believe that there are no alternatives

but to take the dams out because they

are destroying fish populations. The survey minimizes the potential real

cost and destruction resulting from dam removal. The survey conceals from the

survey recipient that there are large

numbers of informed, knowledgeable people

that disagree with many of the so-called

facts assumed in the questions. It comes

out loud and clear that those -- to those

that know the true facts about the Klamath

River issues, that the survey is not

designed to be an honest assessment of

the true political (sic) opinion, but

to gather the responses that the

government wants, as do many of the

studies that I have seen so far.

Comment 3 - NEPA

The volume of these documents are excessive,

they are massive. The public, for the public to have

access to all of them, to read and understand the content

of the ERR, is daunting. There has to be a way to have

all of the information in one easy-to-read, understandable

document.

Comment 4 - Fish

I have seen very little information about the

fish panel studies that were done. These have to be

included. These reports say that dam removal isn't the

answer and there isn't enough information to prove that

dam removal would improve salmon populations.

According to Executive Order 13007, Indian

Comment 5 - Cultural Resources

Sacred Sites and the Native American Grave Protection Act,

the Shasta tribal lands and ceremonial sites have to be

considered.

THE FACILITATOR: Supervisor Bennett, your time

is up but if you would like to submit those comments, they

will be included for the record.

MS. GRACE BENNETT: I will, thank you.

Comment Author Bennett, Grace
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 20, 2011

Comment Code	Comment Response	Change in EIS/EIR
CM_MC_1020_001-1 &	<p>Master Response ALT-1 Programmatic Analysis of City of Yreka Pipeline Relocation.</p> <p>In addition, the Public Health and Safety chapter (3.18) analyzes the potential risk of vandalism to the pipeline in Section 3.18.4.3. The analysis is based on an existing above-ground pipeline near J.C. Boyle. The potential risk of disruption in service or damage to the water supply pipeline would be less than significant.</p>	Yes
CM_MC_1020_001-2	Master Response GEN-22 Willingness-to-Pay Survey.	No
CM_MC_1020_001-3	Master Response N/CP-8 Structure and Readability of the EIS/EIR.	No
CM_MC_1020_001-4	<p>The findings of the Expert Panel reports are summarized in Section 3.3.4.3 of the EIS/EIR.</p> <p>Master Response AQU 6, Expert Panel Report Coho, Steelhead and Chinook.</p> <p>Master Response AQU-7 Expert Panel Uncertainty and Likelihood of Success.</p> <p>Master Response AQU-17 Expert Panel Second Line of Analysis, Not the only line of Evidence.</p> <p>There is extensive historic documentation and information from other studies and assessments that show implementation of the Proposed Action to likely to restore salmonids in the Klamath Basin.</p> <p>On October 16, 2006 Administrative Law Judge Honorable Parlen L. McKenna's Decision included the following FOF in his decision:</p> <ul style="list-style-type: none"> • While the precise geographic distribution is uncertain, historical records and Tribal accounts demonstrate that anadromous fish (Chinook salmon, Coho salmon, and steelhead trout) migrated past the present site of Iron Gate Dam which provided a viable ecosystem and habitat for those stocks of fish. (FOF 2A-3, p. 12). • & Anadromous fish are highly adaptive to differing conditions typically can readily migrate into and colonize new habitat or recolonize historic habitat. FOF 6-3, p. 32). <p>During the relicensing process for the Klamath dams, the Federal Energy Regulatory Commission (FERC) concluded that:</p> <p>With respect to restoration of salmonids and dam removal, the FERC</p>	

Comment Author Bennett, Grace
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 20, 2011

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Relicensing EIS concluded that:

- Removal of one or more of the mainstem dams could enhance the prospects for restoring anadromous fish to areas within and upstream of the project and improve conditions within the downstream migration corridor (FERC Final EIS, Section 5.2.21, p. 80).
- Master Response AQU-28 FERC Conclusions for Disease.
- A successful anadromous fish restoration program has the potential to increase fish production by allowing anadromous fish to use historical production areas within and upstream of the project and would provide access to important thermal refugia, most notably in the J.C. Boyle bypassed reach and in tributaries upstream of Upper Klamath Lake. Restoration of anadromous fish upstream of Iron Gate dam could restore Tribal and recreational fisheries over a very large geographical area (extending over more than 350 miles of riverine habitat), and could contribute to recovery of the SONCC coho salmon ESU (FERC Final EIS, Section 3.3.3.3.2.5, p. 3-318).

Species-specific assessments of salmonids have also been undertaken as part of the science review process for the EIS/EIR.

Chinook: Quantitative modeling of fall-run Chinook salmon populations documented in Section 3.3.4.3 of the EIS/EIR further substantiates the conclusions of the Chinook Expert Panel. Modeling of dam removal and existing conditions suggests that dam removal would substantially increase numbers of spawners over a 50-year period (Oosterhout 2005). Additional population modeling efforts support this conclusion (Hendrix 2011, Lindley and Davis 2011).

Master Response AQU-23 Evaluation of Dam Removal and Restoration and Anadromy (EDRRA) Model.

Coho: Other evidence considered in the EIS/EIR suggests that coho would benefit from implementation of the Proposed Action:

- Master Response AQU-16 Benefits to Coho.
- Master Response AQU-21 NRC Dam Removal Help Coho.

Steelhead: Published reports provide a sound basis for the

Comment Author Bennett, Grace
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 20, 2011

Comment Code	Comment Response	Change in EIS/EIR
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occurrence and distribution of steelhead above Iron Gate Dam and that steelhead would likely benefit from the Proposed Action. Reports include:

- Hamilton et al., 2005, which documented the occurrence steelhead in the Upper Klamath Basin.
- Butler et al., 2010, which corroborates findings of Hamilton et al.
- Hamilton et al., 2011 states:
 - Access to additional habitat in the Upper Klamath River watershed would benefit steelhead runs. In general, dam removal with KBRA would likely result in the restoration of more reproducing populations, higher genetic diversity, and the opportunity for variable life histories and use of new habitats (p. 93).
 - & Dam removal with KBRA would result in higher steelhead abundance in the long-term (p. 130).

The Secretary of the Interior will consider all of the information presented in the Klamath Facilities EIS/EIR, which includes other studies and lines of evidence in addition to the Expert Panel Reports.

& CM_MC_1020_001-5 & &	Executive Order 13007 and the NAGPRA apply to sites on federal lands or federally recognized Indian lands, identified by federally recognized tribes. State laws will apply to burial sites on non-federal lands. Ceremonial sites and burial grounds are considered as potential historic properties under NHPA in Section 3.13, Cultural and Historic Resources, of the EIS/EIR.	No
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CC_LT_1019_001



COUNTY OF SISKIYOU

Board of Supervisors

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Toll Free: 1-888-854-2000, ext. 8005

July 12, 2011

The Honorable Ken Salazar
Secretary of the Interior
U. S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Re: Continued Billion Dollar Funding of KBRA and KHSA
Breaks Promise to County of Siskiyou

Dear Secretary Salazar:

Comment 1 - Fish

This letter is to request that you direct the cessation of activities related to the Klamath Basin Restoration Agreement (KBRA) and the Klamath Hydroelectric Settlement Agreement (KHSA). This request is made in light of the fact that the recent Expert Panel Reports on Chinook Salmon and Coho and Steelhead Salmon conclusively shows that there is little likelihood of success and substantial scientific data gaps which demonstrate that moving forward in the current manner would not result in the speculated restoration of these species. To continue to spend millions, tax ratepayers over \$400 Million, and seek funding in excess of a Billion Dollars on a program that lacks the science to support success is incomprehensible in this economic environment.

Comment 2 - Cost Estimate

Your representatives have on numerous occasions expressed your commitment and promise to do a "robust" and complete scientific analysis before any Secretarial Determination. To move forward as currently proposed is not honoring this promise.

What has been validated by these reports is the County of Siskiyou's concerns with the underlying science being utilized. The County's insistence that President Obama's Standards for Scientific Integrity be utilized in reviewing the underlying science has been shown to be prudent. The federal government's own experts have expressed concerns that the science is not in place to support a conclusion that removal of the hydroelectric facilities would result in the restoration of the species at issue. What is clear from these

Comment 3 - Economics

Jim Cook
District 1

Ed Valenzuela
District 2

Michael Kobseff
District 3

Grace Bennett
District 4

Marcia H. Armstrong
District 5

Honorable Ken Salazar
July 12, 2011
Page 2

Comment 3 cont. - Economics

reports is that somewhere in the neighborhood of a forty percent (40%) reduction in agricultural land use would have to be achieved just to address one aspect of water quality concerns in the Klamath Basin. The destruction of productive agriculture in Siskiyou County would remove the significant remaining economic sector of this County. The federal government, through its flawed forestry programs, has devastated the timber industry in this County, and in the very near future seeks to abandon its commitment to replace those lost revenues from that industry. The federal government, in concert with the state government, has banned mining in the County. Siskiyou County has been identified as one of the most stressed counties in the United States, with unemployment in excess of 18 percent. Even as we write this letter, the Department of the Interior continues to expend millions of dollars to fund and support the efforts on the KBRA, KHSA, and KBCC to remove perfectly good hydroelectric facilities based upon what your own Expert Panels indicate is, at best, speculation.

As we are all aware, the economic situation in the State of California and unemployment in the State of California and the United States are such that continued spending on such a speculative endeavor is an irresponsible expenditure of the taxpayer monies. Pacific Power has increased power rates to provide a fund to remove dams and increased power rates for other reasons, while your Department and others in the federal government expended millions on this particular endeavor, including most recently renting a room for the Klamath Basin Coordinating Committee under the KBRA in Ashland, Oregon, so that they could meet to move forward with implementing aspects of the KBRA before federal legislation has even been passed authorizing your support. We believe that such actions are unconscionable.

Provided with this correspondence are two bullet point lists of specific references to your Expert Panels identifying many of the flaws and deficiencies in not only the KBRA, but also the underlying science upon which your desire to remove these hydroelectric facilities is based. Continued support of efforts to remove this clean source of renewable energy is not merited.

Comment 4 - Hydropower

Honorable Ken Salazar
July 12, 2011
Page 3

Comment 5 - Disapproves of Dam Removal



Accordingly, the Board of Supervisors of Siskiyou County respectfully demands that you immediately order the cessation of activities by the federal participants in support of the KBRA and KHSA.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jim Cook".

Jim Cook, Chair
Siskiyou County Board of Supervisors

Attachments: Board report--KBCC Meeting June 17, 2011 Ashland Oregon
dated June 20, 2011
Bullet point lists--Chinook Salmon Report and
Coho/Steelhead Report

cc: Senator Barbara Boxer
Senator Dianne Feinstein
Congressman Wally Herger
Congressman Tom McClintock
Congressman Jeff Denham
Governor Jerry Brown

**EXCERPTS FROM KLAMATH RIVER EXPERT PANEL FINAL REPORT:
SCIENTIFIC ASSESSMENT OF TWO DAM REMOVAL ALTERNATIVES ON
CHINOOK SALMON OF JUNE 13, 2011**

The comments below are from the report produced by the Atkins Company. This report was prepared by Dr. Daniel Goodman, Dr. Mike Harvey, Dr. Robert Hughes, Dr. Wim Kimmerer, Dr. Kenneth Rose, and Dr. Greg Ruggerone, who are all experts retained by the United States Fish and Wildlife Service to give expert opinions.

- "The principal uncertainties fall into four classes: The wide range in variability in salmon runs in near-pristine systems, lack of detail and specificity about KBRA, uncertainty about an institutional framework for implementing the KBRA in an adaptive fashion, and outstanding ecological uncertainties in the Klamath system that appear not to have been resolved by the available studies to date." (Page i)
- It appears the Panel was given insufficient time for its task. "The scope of the Panel's task was a week of reading before a one week workshop consisting of two days of presentations and four days of writing and editing which was followed by about one month of e-mail correspondence, further reading and editing. The Panel was provided nearly 800 documents and web-links which would have taken many months of full-time work to read, digest and synthesize. The effort by the Panel was considerably greater than budgeted time, which was less than two weeks." (Page 5)
- "The Panel did not have the time or resources to examine original data or re-do analyses, even when such actions seemed straightforward and appropriate for the assigned task." (Page 5)
- In discussing the potential for increase in Chinook Salmon, the Panel stated: "... the nature of the uncertainties precludes attaching a probability to the prediction by the methods and information available to the Panel." (Page 7)
- In commenting about the necessity for further investigations, the Panel stated: "... The large uncertainties about the prospects for improving water quality have been acknowledged by a call for substantial funding for further investigations." (Page 10)
- The Expert Panel expressed its concern that "the" magnitude of the proposed solutions may not match the scope and extent of the water quality problem." (Page 10)

- The Expert Panel had concerns that the TMDLs would not be sufficient, stating: “It appears that the TMDLs may be insufficient to provide water quality conditions conducive to fish passage in all years.” (Page 10)
- The Panel also had “serious reservations that the required waste load allocations will be achieved.” (Page 12)
- “Although several aspects of the Proposed Action could lead to a reduction in disease-related mortality, uncertainty about these aspects is very high.” (Page 13)
- In reviewing the KBRA’s proposed actions for nutrient control, the Panel commented that to do so would “require . . . about 78 percent of the area of the UKL or about 40 percent of the area of irrigated agriculture in the UKL Basin. **This does not seem like a feasible level of effort for KBRA.**” (Page 11, emphasis added)
- “Control of high temperatures in UKL and KR also seems infeasible.” (Page 11)
- The Experts also identified that the “UKL and KR will remain warm with June-September temperatures . . . meeting the proposed water quality criteria, but not protective of salmon.” (Page 11)
- The Panel also notes that it is “concerned by what may be an **unrealistically optimistic** view of the prospects for remediation of hyper-eutrophication, echoing the conclusions of the NRC (2004).” (Page 12)
- It appears that the Panel also believes that an additional dam, the Keno dam and reservoir, need to be removed, which is not something contemplated by the KBRA or the KHSA. (Page 12)
- “Although several aspects of the proposed action could lead to a reduction in disease-related mortality, uncertainty about these aspects is very high.” (Page 13)
- In addressing disease-related mortality in Chinook Salmon, the Panel indicated that the proposed action creates a risk of “simply moving the problem.” (Page 13)
- The Panel indicates that the “fraction of Chinook Salmon that may successfully complete the portion of their life cycle in the upper basin is a key uncertainty.” (Page 15) Further studies are recommended.

- Apparently even the Panel Experts contemplate a positive Secretarial Determination but then go on to recommend "appropriate investigation in the approximately 8 years prior to dam removal." (Page 15) This statement is evidence of how the political objective has permeated the science.
- In the Draft Report issued May 2, 2011, at page 25, the section on Dam Removal was entitled: "Condition 10. Dam removal must not kill more than one brood and must not have a substantial multi-year adverse impact on mainstream Chinook salmon."

In the Final Report at page 20, the section on Dam Removal states: "Factor 9. Dam removal does not have a substantial multi-year adverse impact on mainstream Chinook salmon."

When the substance of the section is examined, at pages 20-21, in the Final Report, the information remains essentially the same and the Panel notes such things that it is "likely to take more than a decade for bed fining caused by dam removal to be reversed" and that "sand storage and transport may degrade some spawning gravels in the mainstem for several years," and that the degree to which the persistent sands will reduce Chinook salmon spawning success is "unknown." There is a specific discussion about the effects on returning broods and a notation that if more than one consecutive run or brood is lost, there could be significant effects on the survival of the run. The County has seen other studies that predict a total destruction of several runs.

- In commenting on the Proposed Action, the Panel indicated: "As pointed out elsewhere in this Report, uncertainty about the likely outcomes of the proposed action is large and not all the individual elements are likely to be effective." (Page 21)
- "The Proposed Action is an experiment in that many of the outcomes are difficult to predict, particularly those of greatest interest to stakeholders . . . however, as it is described, the Proposed Action lacks a clear program for scientific governance and therefore is not set up in an experimental adaptive framework." (Page 22) The County of Siskiyou has raised the issue of this being an experiment on many occasions with an unpredictable outcome.
- In commenting on the approach of the Proposed Action, the Panel Experts noted their considerable experience working with large rehabilitation programs, commenting that those that have taken the type of approach proposed have been ineffective. "It is no surprise that many of the actions taken under these

programs have, in fact, been ineffective and program adjustment has been slow.” (Page 22)

- “The description of AM in the KBRA reflects this **watered-down version** in which the scientific activities are seen as external to the rehabilitation, and the KBRA as written has no provisions for the feedback necessary for adaptation of the program.” (Page 22) It should be noted that in the attached comments on the recent KBCC meeting, it is clear that even the inadequate funding under the KBRA is going to be reduced in order to get a more politically palatable proposal.
- The Panel commented that the current biological opinion may require more water for suckers than is offered under the KBRA. (Page 26)
- The Panel also commented that the uncertainty about the biological opinions complicated the comparison of the amount of water available in the system between the Proposed Action and Current Conditions. (Page 26)
- Addressing questions raised about the feasibility of the current Biological Opinion Reasonable and Prudent Alternatives under various climate scenarios, the Panel had concerns that the Biological Opinion Reasonable and Prudent Alternatives could constitute a different interpretation of what “current conditions” were and thus, in turn, lead to different interpretations of the KBRA’s proposed implementation and different conclusions about the probable magnitude of any benefit of the Proposed Action. (Page 26)
- The Expert Panel identified that the analysis of the likely composition of the KBRA was insufficient to determine if the KBRA could “adequately address the listed factors” and expressed “strong reservations” that the KBRA could achieve its stated goals. (Page 26-27)
- The Panel also identified that the Keno and Link Dams, Trinity and Dwinnell Dams, as well as water diversions from the Klamath, Trinity, and Salmon Rivers, farming and drainage of the Tulelake and Lower Klamath National Wildlife Refuges, and proposed increases in water pumping, are all limiting factors on the possibility of success of any restoration activity. None of these issues are contemplated by the KBRA or KHSR. (Page 27)
- The Panel noted its encouragement with respect to the “framework” for life cycle population modeling, noting that there is a “long way to go” to have a calibrated and functioning model. They further recommend that such efforts be continued “regardless of whether the modeling is sufficiently completed in time to inform the Secretarial decision.” They then go on to identify the approximately 14 specific

items should be included in the modeling. (Pages 29-30) Siskiyou County has on several occasions raised the issues of deficiency in the modeling and, in fact, the Secretarial Determination prior to valid and complete monitoring is not the commitment that was made to the County. Commitments were made that "robust" and sufficient scientific studies would be done prior to the Secretarial Determination.

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**EXCERPTS FROM KLAMATH RIVER EXPERT PANEL FINAL REPORT:
SCIENTIFIC ASSESSMENT OF TWO DAM REMOVAL ALTERNATIVES ON COHO
SALMON AND STEELHEAD OF APRIL 25, 2011**

This Final Report was prepared by the same panel of experts as the Chinook Report and issued by the Atkins Company. The funding source is the United States Fish and Wildlife Service.

- The Panel noted that it “faced a difficult challenge.” The Panel commented that it was presented with an enormous amount of material and funded to meet for only five days. The Panel noted that such limited time “exacts a cost in limiting the depth of the review.” It also limited the ability of the Panel to “follow a trail of scientific evidence back to its source in the original data and to resolve conflicting sources of information.” The Panel cautioned that its review is “based on a careful review of the material and group discussion”, but that its statements were “no substitute for further scientific investigation.” The Panel specifically recommended that its statements “not be used in lieu of doing the necessary and feasible data collection, analysis and modeling that is recommended” (Page i) These comments validate the concerns of Siskiyou County about the process being utilized to create a review for the Secretarial Determination. The County has been repeatedly promised that a “robust” review would be undertaken and it is apparent that the Panel was not provided the ability to conduct the level of scientific review that would comport with President Obama’s Statement on Scientific Integrity.
- The Panel noted that “missing from the information provided to the Panel are a detailed plan of implementation of the KBRA; an integrated view of how two alternatives might affect specific life stages of each species; and stage-specific or life-cycle models.” (Page i)
- With respect to Coho Salmon, the Panel indicated that “the difference between the Proposed Action and Current Conditions is expected to be small.” (Page ii)
- The Panel noted that the questions posed to it were “not answerable in quantitative terms.” The Panel was concerned that it was provided with qualitative information but asked to respond to questions requiring quantitative answers. The Panel further identified six obstacles to drawing “convincing conclusions” between the two alternatives, including insufficient specificity of the KBRA, uncertainties about fish passage through Keno Reservoir and Upper Klamath Lake, hatchery effects, disease, water demand responses to the KBRA,

and the limited understanding about Coho and Steelhead abundances, migration patterns, and factors affecting survival at each life stage. The Panel noted that it “**guardedly gave partial answers**” to the questions, with “some misgivings” because of a potential for misinterpretation of the Panel’s responses. The Panel again noted that its “opinion” should not be used as a “substitute for scientific analysis of solid data.” (Page iii) Siskiyou County was promised the necessary science would be done.

- The Panel had several similar comments about much of the underlying effort in the Coho Salmon and Steelhead Report as it did in the Chinook Salmon Report, which will not be repeated in this list. However, the following are a few notable excerpts.
 - “The Panel could not confirm the statements about potential habitat which are at odds with the field surveys from 40 years ago by Fortune et al (1966), who reported that only a small portion of accessible streams of suitable spawning and rearable habitat for salmonids.” (Page 23) This comment was made in response that there would be somewhere between 60-235 miles of potential habitat in the Upper Basin.
 - In reviewing the quantity of water delivered from Upper Klamath Lake and the Klamath River for the Klamath Irrigation Project, the Panel noted that it “understands that the planning of such limitations is still at the conceptual stage with neither the sellers nor their locations identified.” (Page 26) In short, they do not know where they are going to get the water.
 - The Panel also commented that the amounts of money that were envisioned in the ICP Interim Plan for gravel augmentation were sufficient to provide only several thousand cubic yards of gravel per year, which was a relatively small amount compared to the river’s transport capacity and the extent of the valley floor. (Page 29)
 - In addressing the extent of new habitat for Coho and Steelhead upstream of the Upper Klamath Lake, the Panel noted that “it was not yet clear” from the planning for KBRA what proportion of the potential is likely to be realized. (Page 29)
 - The Panel noted that the net effects of temperature changes on Coho and Steelhead under the Proposed Action is not known. (Page 30) In reviewing the modeling utilized to simulate flows and temperature, the Panel noted that the calibration and validation were conducted separately for the two models, that the reported validation error for the flow model

Comment Author Cook, Jim
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 19, 2011

Comment Code	Comment Response	Change in EIS/EIR
CC_LT_1019_001-1	<p>The question of cessation of activities related to the KHSA and KBRA is beyond the scope of this document. This joint EIS/EIR is intended to provide the required environmental review for both the Secretarial Determination and gubernatorial concurrences.</p> <p>This comment does not accurately represent the findings of the Expert Panels. The findings of the Expert Panel reports are summarized in Section 3.3.4.3 of the EIS/EIR.</p> <p>Master Response AQU-6 Expert Panel Coho, Steelhead and Chinook.</p> <p>Master Response AQU-7 Expert Panel Uncertainty and Likelihood of Success.</p> <p>Master Response AQU-17 Expert Panel Second Line of Analysis, Not the only line of Evidence.</p> <p>There is extensive historical documentation and information from other studies and assessments that show implementation of the Proposed Action to likely to restore salmonids in the Klamath Basin.</p> <p>On October 16, 2006 Administrative Law Judge Honorable Parlen L. McKenna's Decision included the following FOF in his decision:</p> <ul style="list-style-type: none"> • While the precise geographic distribution is uncertain, historical records and Tribal accounts demonstrate that anadromous fish (Chinook salmon, Coho salmon, and steelhead trout) migrated past the present site of Iron Gate Dam which provided a viable ecosystem and habitat for those stocks of fish. (FOF 2A-3, p. 12). • Anadromous fish are highly adaptive to differing conditions typically can readily migrate into and colonize new habitat or recolonize historic habitat. FOF 6-3, p. 32). <p>With respect to restoration of salmonids and dam removal, the FERC Relicensing EIS concluded that:</p> <ul style="list-style-type: none"> • Removal of one or more of the mainstem dams could enhance the prospects for restoring anadromous fish to areas within and upstream of the project and improve conditions within the downstream migration corridor (FERC Final EIS, Section 5.2.21, p. 80). • Master Response AQU 28 FERC Conclusions for Disease. • A successful anadromous fish restoration program has the 	No

Comment Author Cook, Jim
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 19, 2011

Comment Code	Comment Response	Change in EIS/EIR
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potential to increase fish production by allowing anadromous fish to use historical production areas within and upstream of the project and would provide access to important thermal refugia, most notably in the J.C. Boyle bypassed reach and in tributaries upstream of Upper Klamath Lake. Restoration of anadromous fish upstream of Iron Gate dam could restore Tribal and recreational fisheries over a very large geographical area (extending over more than 350 miles of riverine habitat), and could contribute to recovery of the SONCC coho salmon ESU (FERC Final EIS, Section 3.3.3.3.2.5, p. 3-318).

Species-specific assessments of salmonids have also been undertaken as part of the science review process for the EIS/EIR.

Chinook: Quantitative modeling of fall-run Chinook salmon populations documented in Section 3.3.4.3 of the EIS/EIR further substantiates the conclusions of the Chinook Expert Panel. Modeling of dam removal and existing conditions suggests that dam removal would substantially increase numbers of spawners over a 50-year period (Oosterhout 2005). Additional population modeling efforts support this conclusion (Hendrix 2011, Lindley and Davis 2011).

Master Response AQU-23 Evaluation of Dam Removal and Restoration and Anadromy (EDRRA) Model.

Coho: Other evidence considered in the EIS/EIR suggests that coho would benefit from implementation of the Proposed Action:

- Master Response AQU-16 Benefits to Coho.
- Master Response AQU-21 NRC Dam Removal Help Coho.

Steelhead: Published reports provide a sound basis for the occurrence and distribution of steelhead above Iron Gate Dam and that steelhead would likely benefit from the Proposed Action. Reports include:

- Hamilton et al., 2005, which documented the occurrence steelhead in the Upper Klamath Basin.
- Butler et al., 2010, which corroborates findings of Hamilton et al.
- Hamilton et al., 2011 states:
 - Access to additional habitat in the Upper Klamath

Comment Author Cook, Jim
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 19, 2011

Comment Code	Comment Response	Change in EIS/EIR
	<p>River watershed would benefit steelhead runs. In general, dam removal with KBRA would likely result in the restoration of more reproducing populations, higher genetic diversity, and the opportunity for variable life histories and use of new habitats (p. 93).</p> <ul style="list-style-type: none"> ○ Dam removal with KBRA would result in higher steelhead abundance in the long-term (p. 130). 	
	<p>The Secretary of the Interior will consider all of the information presented in the Klamath Facilities EIS/EIR, which includes other studies and lines of evidence in addition to the Expert Panel Reports.</p>	
CC_LT_1019_001-2	<p>A response to this comment is not required under California Environmental Quality Act (CEQA) or National Environmental Policy Act (NEPA) because the comment does not raise a significant environmental issue (CEQA Guidelines Section 15088; NEPA Regulations 40 CFR §1503.4). Many comment authors expressed personal opinions, histories or experiences which are not appropriately addressed as part of the NEPA/CEQA process. This comment will be included as part of the record and made available to decision makers prior to a final decision on the Proposed Action. The Lead Agencies have complied with NEPA and CEQA at all stages of the process, and gave the public the opportunity to provide input.</p>	No
CC_LT_1019_001-3	<p>Estimated economic impacts including those related to agricultural employment, relative to the No Action/No Project Alternative are discussed in Section 3.15, Socioeconomics. Over the period of analysis, employment in the agricultural sector is anticipated to be an important part of the regional economy.</p>	No
CC_LT_1019_001-4	<p>Master Response GHG-1 Green Power.</p>	No
CC_LT_1019_001-5	<p>Master Response GEN-2 Some People Approve of Dam Removal, Others Oppose Dam Removal.</p>	No

PUBLIC HEARING ON THE KLAMATH DAM
REMOVAL DRAFT EIS/EIR
---o0o---
YREKA, CALIFORNIA
THURSDAY, OCTOBER 20, 2011

MR. JIM COOK: Jim Cook, J-i-m C-o-o-k.

I'm the Siskiyou County Supervisor for District

One. The dams are in District One.

I'd like to point out that Tom Guarino, from

Siskiyou County, spoke on our behalf at your Klamath

meetings, and Ed Valenzuela will be attending one of the

Arcata meetings.

Comment 1 - Disapproves of Dam Removal

I would like to start my verbal comments by

pointing out that 80 percent of the voters in Siskiyou

County oppose dam removal.

Comment 2 - NEPA

I think one of the few things we can agree on

is that the draft EIR/EIS is a large document; therefore,

we are requesting that an extension of time, which is

allowable under both NEPA and CEQA, to review and comment

on this document. We have -- we will be submitting

extensive written comments to the serious flaws in this

document.

We have already sent that letter to the

secretary, and I won't read it at this time.

Comment 3 - NEPA

Related to the EIR/EIS, the entire document was

established under a false premise. This is a document

that only meaningfully compares dam removal to doing nothing. That's contrary to the intent and the spirit of both NEPA and CEQA. There's no meaningful discussion on the other alternatives, and that makes this document not legally viable.

In addition to preparation of this EIR/EIS, that, in addition, the preparation of this document without coordination with county policies creates serious legal flaws, and I'm going to read a letter that was just sent in to Secretary Salazar, for this record.

Dear Secretary Salazar, as Secretary of Interior, you stand in direct violation of federal law by failing to coordinate your dam destruction decision with Siskiyou County. We will not stand idly by and allow you to continue violating the law. Enclosed is a copy of the Siskiyou County coordination statement filed in a public comment meeting regarding the destruction of the Klamath River dams. We trust you will take the content seriously, as we intend them seriously.

Comment 3 cont. - NEPA

You are required to engage the county

in a coordination process that is
mandated by the Federal Land Management
Act and numerous other acts. You have
violated each of these cited laws and
orders. You or your designees have not
initiated the process by scheduling a
coordination meeting with the board.

You should do that no later than
November 8th, 2011. We will seek
enforcement and remedial -- and
assistance from the Department of
Justice, Counsel of Environmental
Quality, the Appropriations Committee,
and the Subcommittee on Interior
Affairs of the United States House of
Representatives and the appropriate
United States attorney.

We are aware that in at least two
prior western cases, that these -- this
action has been held up.

THE FACILITATOR: Mr. Cook, your time is up and
if you submit that, it will finish your testimony for the
written record.

Comment Author Cook, Jim
Agency/Assoc. County of Siskiyou, Board of Supervisors
Submittal Date October 20, 2011

Comment Code	Comment Response	Change in EIS/EIR
CC_MC_1020_004-1 & &	Master Response GEN-2 Some People Approve of Dam Removal and Others Oppose Dam Removal.	No
CC_MC_1020_004-2 & &	Master Response GEN-7 Unsubstantiated Information.	No
CC_MC_1020_004-3 &	<p>Both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) include provisions that the draft environmental review analyze a reasonable range of alternatives that meet most of the purpose and need/project objectives, and are potentially feasible (40 CFR sec. 1502.14; 43 CFR sec. 46.420(b); Pub. Resources Code, sec. 21002; CEQA Guidelines, sec. 15126.6(a), (c), (f).). Alternatives should be limited to ones that avoid or substantially lessen the Proposed Action's significant environmental effects. (CEQA Guidelines secs. 15126.6(a), (c), (f), sec. 15204(a); Draft EIS/EIR, Section 2.3.) The Lead Agencies developed a list of 19 preliminary alternatives that were screened down to five. The Lead Agencies fully analyzed the five alternatives in the EIS/EIR because they best meet the NEPA purpose and CEQA objectives, minimize negative effects, and are potentially feasible (Draft EIS/EIR, Section 2.3). (A full description of the alternatives and the rationale for screening the alternatives is presented in Appendix A, the Alternatives Formulation Report).</p> <p>Master Response N/CP-2 Coordination.</p> <p>Master Response GEN-16 Public Involvement.</p> <p>NEPA requires a discussion of possible inconsistencies between the Proposed Action and Federal, regional, State, and local (and in the case of a reservation, Indian tribe) land use plans and laws for the area concerned (40 CFR 1502.16(c) and 1506.2(d)). The Draft EIS/EIR discusses local land use plans and policies and identifies any potential conflicts in Section 3.14 and Table 6-4 in Chapter 6. Table 6-4 also describes the relevant processes for compliance. In response to comments on the Draft EIS/EIR from Siskiyou County, additional policies have been added to this table and will appear in the Final EIS/EIR.</p>	No
&		

KLAMATH DAM REMOVAL
DRAFT EIS/EIR HEARING
OCTOBER 26, 2011
PUBLIC TESTIMONY
ARCATA, CALIFORNIA

MS. DUFFY: I don't walk as fast as I once did.

Good evening. I am Jill Duffy, spelled
D-u-f-f-y. I'm a former Fifth District Humboldt County
Supervisor. And during my tenure on the Board, I
represented Humboldt County during the Klamath Basin
Fisheries Restoration Task Force, as well as
participating for the five years that we were meeting in
the Klamath dam negotiations.

Comment 1 - Approves of
Dam Removal

I want to note, in particular, that the
Humboldt County Board of Supervisors supports the efforts
here this evening and that the Board unanimously
supported the Draft KBRA in 2008, as well as the KHSA in
2009, and we approved the Humboldt County to be a
signatory to the KBRA and KHSA in February of 2010.
I do want to make a note that Ryan Sundberg was
here -- he has another commitment -- as well as
Mark Lovelace, both supervisors, and he had a commitment
in Sacramento. Supervisor Lovelace did attend last
week's hearings in Yreka, in order to express the
County's support, and I want to let folks know that the
Board reiterated their support again through the approval
of letters submitted unanimously to Senators Feinstein,
Boxer, and Wyden to pursue legislation for implementation

of the KHSA and KBRA. And that was approved yesterday
during the Board meeting.

One thing that's important to note is that
fishery professionals and river advocates all agree: the
single best thing that we can do, in order to recover our
fisheries, is to remove those dams, Iron Gate, Copco 1,
Copco 2, as well as J.C. Boyle. DEIS Alternatives 2 and 3
3 achieve those objectives.

The KBRA provides a framework for fisheries and
habitat restoration, fisheries reintroduction, and the
long-term sustainability and monitoring that's going to
allow for adaptive management over the next 50 years.
Humboldt County supports the KHSA and the KBRA, because
together they will result in dam removal and a
comprehensive restoration plan that will create durable
solutions in a region which has been long afflicted by
rotating environmental crises.

The highlights to the Agreement include removal
of the dams and the subsequent reestablishment of a basin
connectivity and the variable stream flows in the
Klamath River, which is expected to contribute
significantly towards the restoration of physical,
chemical, and biological processes and the interactions
that are essential to a functional aquatic ecosystem.

The KBRA proposes to annually cap water
available to the irrigators. The irrigators in the
Upper Basin agree to limit their diversions in exchange

for predictability of water deliveries, as well as
affordable power.

The Klamath Area National Wildlife Refuge
manager released an analysis stating that the KBRA will
provide, for the first time in their 100 years of
existence, a guaranteed and adequate water supply to the
refuges and make wildlife and refuge needs a legal
coequal purpose in the Klamath Basin irrigation project.

The fact that these Agreements reflect
compromises is a sign of strength. The settlement
process brought together stakeholders with different
interests to find practical solutions.

MS. JONES: Supervisor Duffy, your time is up,
but if you would put your comments in the box, we'll
finish them up. And then we will go to the next speaker.

MS. DUFFY: And I want to note that
Humboldt County will be submitting formal comment at the
time that we have completed the review of the documents.

Comment Author Duffy, Jill
Agency/Assoc. County of Humboldt, Board of Supervisors
Submittal Date October 26, 2011

Comment Code	Comment Response	Change in EIS/EIR
CC_MC_1026_010-1	Master Response GEN-2 Some People Approve of Dam Removal, Others Oppose Dam Removal.	No

CC_LT_1019_002

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October 13, 2011

VIA FAX AND US MAIL

The Honorable Ken Salazar
Secretary of the Interior
U. S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

John Bezdek, Solicitor to
Secretary Ken Salazar
U.S. Department of the Interior
1849 C Street, N.W. , Rm. 5521
Washington, DC 20240

Michael L. Connor, Commissioner
Bureau of Reclamation
1849 C Street N.W.
Washington DC 20240-0001

Re: Klamath Facilities Removal Public Draft
Environmental Impact Statement/Environmental Impact Report

Gentlemen:

This letter is written at the direction of the Board of Supervisors of Siskiyou County as authorized during their regular meeting of October 11, 2011.

This letter is to bring to your attention a need for an extended period of review on the EIR/EIS prepared for the Secretarial Determination.

Secretary Salazar
 John Bezdek, Esq.
 Commissioner Connor
 October 13, 2011
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A touchstone of environmental review is that there be a meaningful opportunity for informed public participation. In order for this to occur, an extension of time is necessary and, in fact, mandated by the complexity, scope and volume of the materials in the EIR/EIS that has been prepared for the Klamath Secretarial Determination.

Although Siskiyou County has in the past requested an opportunity to see these materials in advance, this request was not honored and we have only had the opportunity to review these materials along with the rest of the general public. All of the signatories to the Klamath Basin Restoration Agreement and the Klamath Hydroelectric Settlement Agreement were not only given advance access to these documents, but also were provided with support and opportunities not made available to Siskiyou County and others to participate and provide input in the underlying studies. In fact, some of the underlying studies utilized were those prepared at the request of the parties signing the KBRA and KHSA.

It is well known to all of you the County's perspective on allowing the signatories to the Agreements to have such a relationship with those who should be creating unbiased and objective environmental reviews. At a minimum, providing an opportunity for informed public participation in the form of a time extension of 30-60 days would only seem appropriate.

Comment 1 - NEPA

Accordingly, we ask that you treat this correspondence as a formal request for an extension of time to file comments to the Draft EIR/EIS for a minimum of 60 days.

Very truly yours,

OFFICE OF SISKIYOU COUNTY COUNSEL
 THOMAS P. GUARINO, COUNTY COUNSEL



THOMAS P. GUARINO
 County Counsel

TPG:rh

Secretary Salazar
John Bezdek, Esq.
Commissioner Connor
October 13, 2011
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cc: Senator Barbara Boxer
Senator Dianne Feinstein
Congressman Wally Herger
Congressman Tom McClintock
Congressman Jeff Denham
Governor Jerry Brown
Carlton Bonham, Director, Department of Fish and Game
John Laird, Secretary, Natural Resources Agency
Siskiyou County Board of Supervisors

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Submittal Date October 19, 2011

Comment Code	Comment Response	Change in EIS/EIR
CC_LT_1019_002-1	Master Response N/CP-12 Comment Period.	No