

AQ_LT_1025_008



Sandy Bar Ranch & Nursery

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Orleans, CA, 95556
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Tuesday, October 25, 2011

Gordon Leppig
California Department of Fish & Game
619 Second Street
Eureka, CA 95501,

Dear Ms. Vasquez:

Attachment 1 - Appendix D (Water Quality)

As a recreation business owner located on the Klamath River and President of the Mid Klamath Watershed Council I am writing in support of the dam removal as outlined in the Klamath Basin Restoration Agreement.

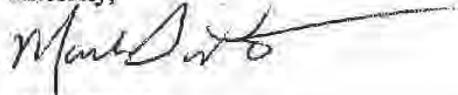
In 1992 my wife and I purchased Sandy Bar Ranch, a fishing resort on the Klamath River in Orleans, CA. With declining fish runs we knew that we could not rely on sport fishing as our primary business, so we diversified and attracted a summer rental business based on family vacations and recreation. From 1992 to 1998 we saw a robust increase in our summer vacation rentals. Beginning in 2000 we began to see water quality impacting our summer business. We have seen an increase in summer water temperatures that has resulted in large algae blooms. In the low water year of 2001 we had large algae mats on our beach that we had to clear away by hand so that customers had a clean place to swim. The fish kill of 2002 destroyed our fall business for that year and it has never fully recovered since. Since 2001 we have seen an increase in reports of customers getting rashes and reactions from swimming in the Klamath, particularly in the months of August and September during years of low flows and/ or high water temperatures. We also lose business when customers read of blue-green algae behind the dams that produce highly toxic *microcystis aeruginosa* at levels that reach 4,000 higher than what the World Health Organizations considers a "moderate" risk to human health. In August and September of 2007 the Klamath River at Orleans turned a pea soup-green color similar to the shade seen behind the dams, repelling fisherman and vacationers from spending time at our ranch and on the river (see photos attached). We cannot possibly build our business; much less restore salmon runs, with such a toxic river.

This is our personal story, which much be placed in the much greater context of the four Native American tribes that inhabit the basin and the devastating losses they are suffering to their culture and subsistence due to the poor water quality of the Klamath River.

In my 19 years living on the Klamath River I have considered Klamath River restoration from many different angles. I have traveled to the Upper Basin for public meetings and to work as an organic farm inspector, I have spoken with scientists, politicians and activists, for several years I have served on the board of directors of the Mid Klamath Watershed Council. What I have concluded is that 1) the Klamath River is the best chance that we have for saving and restoring anadromous fish on the West Coast, 2) By all accounts, we should have a relatively healthy fishery on the Klamath- the basin includes some of the largest tracts of wilderness and roadless areas in the US, it has scores of cold water tributaries with high quality habitat, it is sparsely populated and has no major cities or major industry. 3) Water in the Klamath River enters the state of California in a severely degraded state. The shallow, warm reservoirs behind dams and the intensive agricultural usage of water in the Upper Klamath Basin are having a negative impact on water quality and fish disease in the entire main stem of the Klamath River, and the dams must be removed in order to save and restore threatened anadromous fish from extinction.

I can be reached at any of the numbers above for questions or clarification.

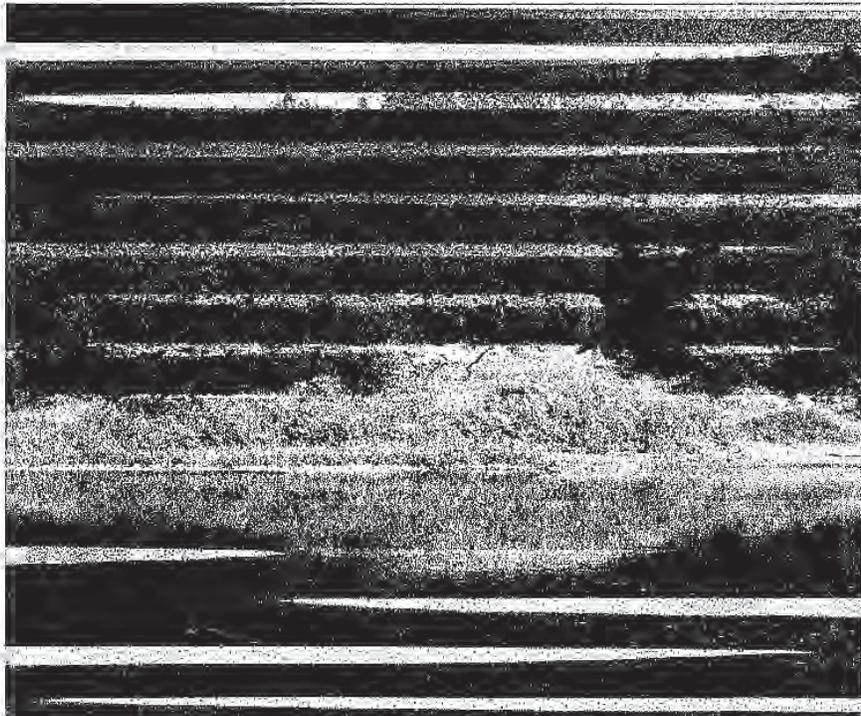
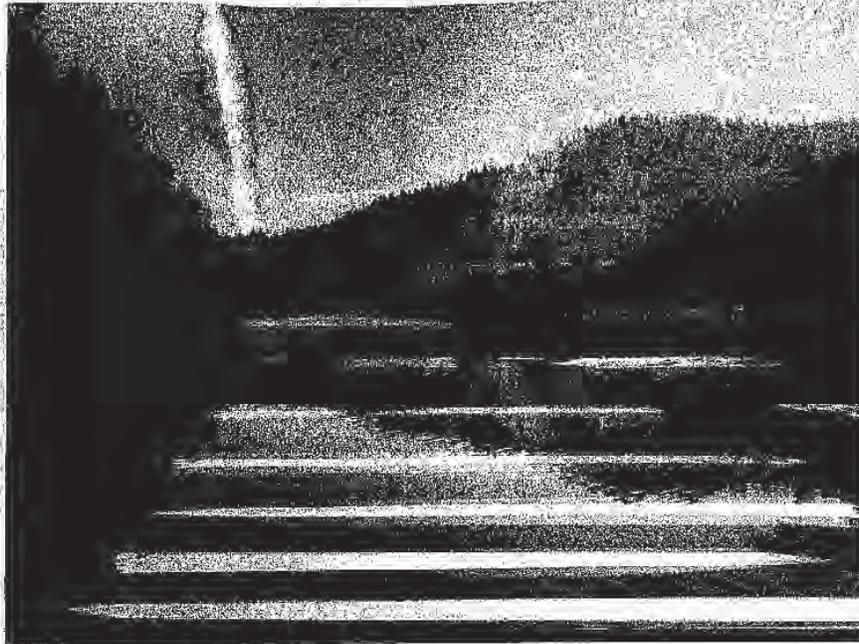
Sincerely,



Mark DuPont
Sandy Bar Ranch & Nursery



Klamath River at Boise Creek, September 25, 2007



Klamath River at Boise Creek, September 25, 2007

Comment Author DuPont, Mark
Agency/Assoc. Mid Klamath Watershed Council
Submittal Date October 25, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1025_008	Master Response Gen-2, Some People Support Dam Removal and Others Oppose Dam Removal	No

AO_LT_1118_032

From: Ron Ewart [<mailto:r.ewart@comcast.net>]

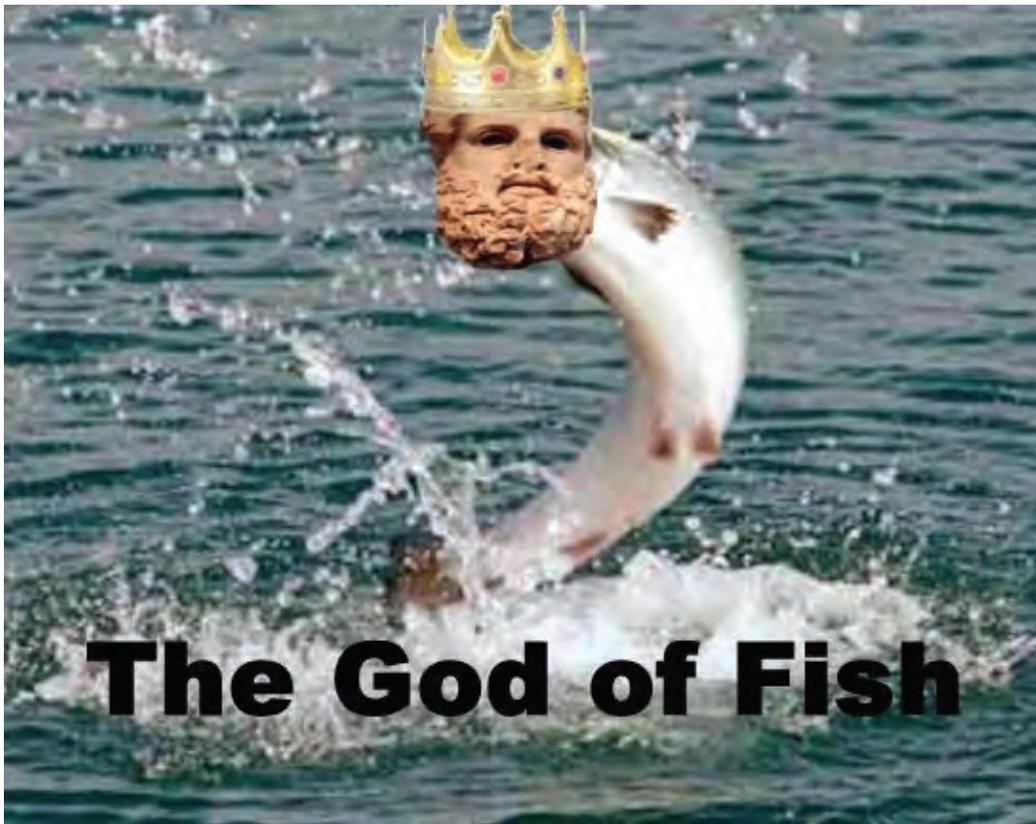
Sent: Friday, November 18, 2011 1:51 PM

To: Lucero, Pedro A (Pete); BOR MPR Public Affairs

Subject: "The Score = Fish 1 - American People 0!" Dam Removal on the Klamath River

An open comment to:

The Bureau of Reclamation, Sacramento, CA
California Dept. of Fish and Game, Eureka, CA
Governor Jerry Brown, California, Sacramento
Senator Diane Fienstein, California, Washington DC
Senator Barbara Boxer, California, Washington DC
Governor John Kitzhaver, Oregon, Washington DC
Senator Ron Wyden, Oregon, Washington DC
Senator Jeff Merkley, Oregon, Washington DC



Comment 1a - Disapproves of Dam Removal

Radical environmental groups and the Indian tribes (*who have been trying to get even with White man for 150 years*) have managed to get the federal government to agree to demolish four perfectly good dams in the Klamath River Oregon-California basin, while farmers, electric companies and down-river property owners are forced to eat crow.

This myopic mentality that has adopted the premise that fish are God, has resulted in dams being demolished in many states and farmers going without water for their crops (*that's the food you eat*), urban and rural populations threatened with blackouts and brownouts from low electricity reserves and down-stream property owners once again, being flooded by high water. Highly productive fields in several California valleys have been denied water for the God of Fish and the soil goes fallow, jobs and family income evaporate, farmers go on welfare and taxes for government go away.

Comment 1b - Disapproves of Dam Removal

But that is not all that happens when government destroys dams! Dams provide four major resources that once removed, can never be restored. Dams provide water for irrigation, electricity for our homes and businesses

Comment 1 b cont.

and flood control down stream. They also provide an entire eco-system that builds up around the impounded water. The cost to build those dams years ago, have been amortized many times over from those vital resources and except for maintenance, are essentially free. Whole communities and businesses have grown up around those resources and depend on them for their lives and their livelihoods.

In the name of the God of Fish and fully sanctioned by the government that is lobbied incessantly by powerful, heavily-financed environmental groups, national and international non-governmental organizations (NGO's) and Indian tribes, whole river basins are being returned to their pristine conditions on the backs of the taxpayers and the hapless victims who have the misfortune of living along those water courses. Constitutional property rights, job and livelihood losses mean nothing to these home-grown, eco-terrorists, nor does the taxpayer money that is used to fund the dam destruction and restoration.

In an article on Oregon Live from September 2011 about the dam removal project, they tout the 4,600 jobs the dam destruction project will create over its 15-year life span, but don't compare those jobs with the jobs that will be destroyed. The article's author gushes over the fact that current estimates for the dam destruction will only be \$290 Million instead of the \$450 million originally estimated. Everyone knows that any estimate that government applies to a government project is way under-estimated and the actual cost is highly likely to come in over the \$450 million of the earlier estimates and will probably exceed \$500 million before all is said and done. None of these costs includes the devastation done to the people that live off of the resources provided by these dams.

Comment 2 - Costs

Ever since the United Nations entrance into America's land use and environmental policies (Agenda 21) and ever since the Indian Tribes managed to get a judge (The Bolt Decision) to grant them 50% of each year's salmon harvest, government has been playing with the fish numbers for their own and the environmentalist's and Indian's gain and playing with other people's lives to their detriment. Fish have a higher priority than people, or even food production. If this had occurred 100 years ago, there would have been blood on the streets.

At a time when there is a constantly growing demand for energy, the American government has done everything in its power to stop or inhibit more energy production and foist upon the American people the inefficient, highly-subsidized alternative forms of energy in wind and solar. Now, one of the most highly efficient forms of renewable energy, hydro-electricity, that results

from the potential energy of the impounded water behind dams, government is talking about and actually removing that resource, all for the God of Fish and for the radical environmentalists and the greedy Indian tribes who are hell bent on increasing their fish harvest that resulted from the insane Bolt decision.

While other countries are building dams for electricity, irrigation and flood control to meet the growing demands of their people, America is removing dams, shutting down coal-fired and other hydro-carbon power plants, stopping the construction of nuclear power plants and crude oil refineries and shutting off huge portions of the U. S. land and off- shore crude oil fields. **A foreign enemy couldn't have hatched a more diabolical plot to destroy America and bring its people to their knees.**

To remove the dams along the Klamath River borders on financial insanity, if not outright treason. As government bows down to the God of Fish, hoisted upon its pedestal of evil by radical environmentalists and Indian tribes, Americans who depend on the electricity, irrigation and flood control from the dams, are being forced to "eat cake" and shut up!

We strongly request that the policy makers and agencies that have received these comments, put off the decision to remove the Klamath River dams indefinitely, until cooler heads, **NOT SPECIAL INTERESTS**, can prevail and better plans for balancing out the needs of fish over the needs of the people, where the costs to the taxpayer lean in favor of people benefits, not fish benefits, or those who profit from fish.

Comment 1c - Disapproves of Dam Removal

Respectfully,

Ron Ewart, *President*
NATIONAL ASSOCIATION OF RURAL LANDOWNERS
P. O. Box 1031, Issaquah, WA 98027
425 837-5365 or 1 800 682-7848
<http://www.narlo.org>,
<http://www.narlotd.com>

Comment Author Ewart, Ron
Agency/Assoc. National Association of Rural Landowners
Submittal Date November 18, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1118_032-1	Master Response Gen-2, Some People Support Dam Removal and Others Oppose Dam Removal	No
AO_LT_1118_032-2	<p data-bbox="488 741 964 768">Master Response COST-1 Cost Estimate.</p> <p data-bbox="488 802 1243 1062">Section 3.15.4.2 of the Draft EIS/EIR discusses changes in jobs as a result of the Proposed Action. The Proposed Action would both create temporary and long-term jobs and remove some long-term jobs in the region's economy. Section 3.15 states how long jobs would last under the Proposed Action. Considering all economic effects, the Proposed Action, including implementation of the KBRA, would result in a net increase jobs in the period during and after dam removal. These effects would occur in all economic regions defined in Section 3.15.</p> <p data-bbox="488 1096 1243 1356">Table 3.15-41 shows potential jobs created by dam decommissioning construction activities. Dam decommissioning would result in 1,423 jobs, including full-time and part-time jobs, for an 18-month period. These jobs would not continue into the long-term. There are also jobs associated with mitigation activities after construction that would continue for approximately 10 years and generate 217 jobs (Table 3.15-44). Dam decommissioning would result in a loss of 49 jobs relative to operation and maintenance of the existing facilities.</p> <p data-bbox="488 1390 1243 1591">The Proposed Action would result in a net increase in fishing and recreation industries which will continue over the long term; effects on specific fishing and recreational activities (positive and negative) are described on pages 3.15-56 through 3.15-61. Implementation of the KBRA would also result in positive economic effects to jobs in the region, as described on pages 3.15-66 through 3.15-79.</p> <p data-bbox="488 1625 1243 1707">The regional economic effects stated within Section 3.15, including job effects, are estimates. The estimates were derived using a standard modeling framework, with the best available information.</p>	No

Altacal Audubon Society Comments on Klamath Dam Removal Draft EIS/EIR (DEIR/DEIS)

AO_LT_1229_049

December 28, 2011

Ms. Elizabeth Vasquez
KlamathSD@usbr.gov

Dear Ms. Vasquez,

Due to the significant fish and wildlife habitat inherent to the Klamath Basin and its designation as an Audubon Important Bird Area, we are submitting the following comments on the Klamath Dam Removal Draft EIS/EIR. These comments represent the thoughts of the Board of the Altacal Audubon Society. We have reviewed the comments submitted by Redwood Region Audubon Society (RRAS) in regards to dam removal, and their concerns of water quality/quantity issues and the potential positive and/or negative effects they may have on fish and wildlife. We concur that RRAS have made a valid assessment, and that each concern they raise, must be adequately addressed (these are copied below).

We are in favor of total removal of the Iron Gate, Copco 2, Copco 1 and J. C. Boyle dams from the Klamath River (Alternative 2).

Thank you for your consideration,

Comment 1 - Approves of Dam Removal

Dawn Garcia
Conservation Director
Altacal Audubon Society
www.altacal.org

Comments from Redwood Region Audubon Society on Klamath Dam Removal Draft EIS/EIR (DEIR/DEIS)

Our findings are based on the uncertainty of water quality improvements under KBRA/KHSA and an unaddressed potential conflict between water quality and quantity that has a potentially profound effect on birds, as follows:

1. The DEIS/DEIR Fails to adequately assess the impact of lease land farming on the Tule Lake National Wildlife Refuge to water quality goals after dam removal.

In Table ES-7. Summaries of controversies and Issues Raised by Agencies and the Public states "Runoff from agriculture and refuges results in poor water quality in Keno Reservoir and in the mainstem Klamath River. This causes fish stress, disease and mortality. Continued farming and ranching in the Tule Lake National Wildlife Refuge and Lower Klamath Lake National Wildlife Refuge under the KBRA would inhibit fish species reintroduction and survival."

Comment 2 - Water Quality

Comment 2 cont.

Under the KBRA, which would be in effect after dam removal, lease land farming on the Tule Lake Refuge, and its associated water quality degradation, would continue for fifty years. The Tule Lake Refuge has the potential and should be considered a vital component of improving Klamath River water quality, not degrading it.

The DEIS/DEIR, in compliance with the Clean Water Act, must consider pesticide and nutrient contamination contributed by lease land farming on Tule Lake National Wildlife Refuge as a factor in post dam removal water quality.

2. The DEIS/DEIR fails to adequately assess the impact of the Keno Dam impoundment to water quality goals after dam removal.

Table ES-7 also states “Low levels of dissolved oxygen and high water temperatures during certain times of year would prohibit passage of fish through the Keno impoundment and Upper Klamath Lake.”

Under the KBRA/KHSA Keno Dam would be turned over to the Department of Interior for management. No explanation or plan is provided for, or if water quality improvement would occur under federal management. In order for commenting agencies and the public to understand the water quality impacts of the Keno Dam a more precise explanation than “certain times of the year” should be provided.

Comment 3 - Keno Transfer

3. The DEIS/DEIR fails to adequately address the impact of Upper Klamath Lake water quality to post dam removal water quality in the Klamath River downstream of the dams.

Under the KBRA/KHSA, Upper Klamath Lake would continue to be used as a reservoir for storage of water for distribution to irrigators and the downstream Klamath River. Increased capacity based on re-flooding subsided former marshes (Williamson River Delta) is part of this plan. Before alterations to enable agriculture, over a century ago, the upper Klamath Lake marshes provided treatment for the naturally occurring high phosphorous level water flowing into the lake through volcanic rock and soil. Converting the marshes to pasture resulted in three negative effects:

- a. Drastic reduction of phosphate removal and nutrient stabilization,
- b. Addition of nutrient rich runoff from agriculture,
- c. Significant removal of marsh bird habitat.

As a result, Upper Klamath Lake is hypereutrophic with high levels of algae and nutrients and low levels of dissolved oxygen that cannot sustain fish and other aquatic life upon which birds depend.

Management of functional marshes around Upper Klamath Lake that formerly stabilized nutrients and controlled algae will require nearly continuous hydraulic connectivity with the lake which, due to subsidence of former pastureland, will require a lower lake level with limited level fluctuation. This may result in less storage capacity, not more, and generate a conflict between water quality and quantity.

Comment 4 - Water Quality

Comment 5 - Water Quality

4. The DEIS/DEIR fails to adequately evaluate the effect of the dam impoundments on nutrient conversion. Although the toxic algae in the lower impoundments would be reduced or eliminated by dam removal, the algal role in nutrient conversion has not been quantified. What threats to fish and wildlife, if any, do these nutrients pose down river during low flows?

Polluted water from this river system's dams is adversely affecting fish and wildlife along the river. Polluted water from the Klamath Basin has both direct and indirect effects on wildlife in our area and thus both direct and indirect effect on coastal economies.

5. The DEIS/DEIR fails to adequately evaluate the current effects of the dams and likely effect of their removal to nearshore ocean waters and coastal wildlife. Salmonids returning to the Pacific Ocean provide food for coastal seabirds such as cormorants, murre, and osprey. Bald eagles used to be much more common along the coast. Since the dams were built we have witnessed a decline of over 6000 jobs in the fishing industry in cities along the coast of Mendocino, Humboldt, and Del Norte counties of California and Curry County, Oregon. Recently, many dead common murre have washed up along our beaches. Some of this die-off is caused by red-tide, a harmful algal bloom. Healthy, well-fed birds have more resistance to the organisms causing red-tide.

Comment 7 - Terrestrial/Wildlife

6. The DEIS/DEIR does not adequately address the current effects of the dams and likely effect of their removal on the river corridor. Carcasses of spawned out salmonids provide a rich protein source for wildlife along the river. Raccoons, bears, river otters, even mice and shrews are among the mammals that feed on spawned out fish. Ospreys, Bald eagles, herons, egrets, and kingfishers are among the birds that benefit directly on fish in our rivers. These mammals and birds move upland to feed their young where their droppings nourish our forests.

The KBRA and KHSA were not subjected to a NEPA or CEQA process and therefore may be illegal adherents to this DEIR/DEIS

Comment 8 - NEPA/CEQA

Comment Author Garcia, Dawn
Agency/Assoc. Altacal Audubon Society
Submittal Date December 29, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1229_049-1	Master Response Gen-2, Some People Support Dam Removal and Others Oppose Dam Removal.	No
AO_LT_1229_049-2	All alternatives presented in the EIS/EIR contemplate full implementation of the all Klamath Basin (including Lost River) TMDLs. Under these conditions it is anticipated that over time water quality conditions will improve throughout the basin to the extent that beneficial uses can be supported including cold-water fish requiring populations. The TMDLs propose actions to mitigate the impacts of agricultural operations on water quality.	No
AO_LT_1229_049-3	Water quality data collected from Keno Dam impoundment indicates that incidence of low dissolved oxygen can occur between mid-summer (June or July) to fall (as late as early November). These water quality conditions are a result of a combination of factors, such as the quality of inflow water, air temperatures, and algae blooms. The states of CA and OR have developed TMDLs for the Klamath river in accordance with the Clean Water Act, and California Water Code Division 7, Chapter 4 Article 3 and OAR Chapter 340, Division 42, respectively. Section 3.2 of the Draft EIS/EIR, Water Quality, describes the TMDLs in detail. The TMDLs will remain in effect following the transfer of ownership of Keno Dam. Although the transfer of ownership of Keno Dam is not intended to improve water quality, the FRP of the KBRA specifies that it will include, but may not be limited to, water quality improvements, permanent protection of riparian vegetation, measures to prevent and control excessive sediment inputs, and remediation of fish passage problems, among others. The Phase I Plan of the FRP will address management and reduction of organic and nutrient loads in and above Keno Impoundment/Lake Ewauna and in the Klamath River downstream (KBRA Section 10.1.2). The KHSAs states that it is expected that the implementation of the KHSAs commitments, coupled with Facilities Removal will meet each State's applicable TMDL requirements. Prior to the measures taking effect, anadromous fish will be trapped below Keno dam and transported above Keno dam to avoid the area of impaired water quality.	No
AO_LT_1229_049-4	The proposed actions contemplated within the Draft EIS/EIR all assume full implementation of all Klamath Basin TMDLs (including the Lost River). It is anticipated that through these unrelated programs that water quality will improve over time and that at some point in the future all beneficial uses will be supported.	No
AO_LT_1229_049-5	Master Response WQ-27 Nutrient Retention With Dams, Nutrient Release Without Dams, and Periphyton. Master Response WQ-4B, C. Hydroelectric Project Impacts to Water Quality & Anticipated KHSAs/KBRA Improvements.	No

Comment Author Garcia, Dawn
Agency/Assoc. Altacal Audubon Society
Submittal Date December 29, 2011

Comment Code	Comment Response	Change in EIS/EIR
	Master Response WQ-23 Dam Removal Water Quality Effects on Terrestrial Species.	
AO_LT_1229_049-6	A paragraph has been added to the text describing the benefit to terrestrial wildlife and habitat of restoring passage for anadromous fish species. These fish would provide nutrient-rich food for terrestrial species, including bald eagles, osprey, and many other species of birds and mammals. These consumers would subsequently deposit these marine-derived nutrients into terrestrial habitats, increasing productivity of riparian vegetation and benefiting terrestrial ecosystems as a whole.	Yes
AO_LT_1229_049-7	Master Response TERR-1 Terrestrial Benefits of Restoring Salmon Passage.	Yes
AO_LT_1229_049-8	Master Response GEN-1 Comment Included as Part of Record.	No



Friends of Del Norte

P. O. Box 229
Gasquet, California 95543

AO_LT_1208_041

friendsdelnorte@yahoo.com

Protecting the WILDLANDS, WATERS and WILDLIFE of Del Norte County Since 1973.

Gordon Leppig, Cal. Dept. of Fish and Game

Nov. 21, 2011

619 Second Street

Eureka, Ca. 95501

Re: Public comment on the Draft EIR/EIS for Klamath Dam Removal

Dear Mr. Leppig,

Comment 1 - Approves of Dam Removal

The Friends of Del Norte is a locally supported environmental group of 250 members. For the past thirty-five years we have been working to support the rehabilitation of salmon habitat on the Smith and Klamath River watersheds. We support the immediate removal of all dams on the Klamath River and its tributaries. The restoration activities must also improve conditions for salmon on the Scott and Shasta Rivers.

Comment 2 - Out of Scope

Comment 3 - General/Other

The timeline found in the Executive Summary of the Draft EIR/EIS, on page ES-9 and elsewhere, should include an important notation between the 2001 and 2002 entries. Please note that curtailed water deliveries to the Klamath Reclamation project were immediately reversed by the Secretary of Interior Gail Norton under the Bush administration. The agricultural floodgates were opened without regard for the needs of ESA listed salmon, and contrary to the recommendations by the US Fish and Wildlife Service. This action resulted in a 33,000 adult salmon fish kill on the Klamath River. The history timeline makes no sense without this important entry.

We also support the restoration of all historic wetlands and marshes in the upper Klamath Basin, including Lower Klamath Lake, Tule Lake and Upper Klamath Lake. In addition, we request that an absolute minimum flow of 1,300 cubic feet per second at the Iron Gate gauge be established for the dry season. The National Marine Fisheries Service has required a minimum flow at Iron Gate pursuant to biological opinions to comply with the Endangered Species Act, and therefore the Secretary should include a minimum flow for fish. Also, the Secretary of Interior should ensure that more water from the Trinity River stay within the watershed so that increased water flows in the dry season assist salmon migration in the Lower Klamath River.

The Friends of Del Norte is non-profit group advocating sound environmental policies for our region

Duplicate of GP_WJ_1110_480

← Comment 4 - KBRA

Lastly, it should not be assumed that the KBRA will be implemented, as this negotiated agreement has been developed without any open public environmental process, to the exclusion of many environmental groups, as well as the exclusion of the Del Norte County Board of Supervisors. Removing all four dams is a discrete and independent project that is worthy of going forward on its own merits.

Thank you for considering these matters and logging our concerns for the Draft EIR/EIS for the removal of the dams on the Klamath River.

Respectfully submitted,



Don Gillespie, President

The Friends of Del Norte

2075 Moseley Rd.

Crescent City, Ca. 95531

Comment Author Gillespie, Don
Agency/Assoc. The Friends of Del Norte
Submittal Date December 8, 2011

Portions of this letter are verbatim duplicates of comments submitted in the comment document coded - GP_WI_1110_480. Responses to those comments that were duplicated in this letter are presented in this EIS/EIR alongside GP_WI_1110_480. Responses to comments provided in this letter that were not also submitted as a part of GP_WI_1110_480 are listed below.

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1208_041-1	Master Response ALT-3 Elimination of Alternative 13 - Federal Takeover of the Klamath Hydroelectric Project from Detailed Study.	No
AO_LT_1208_041-2	Actions on the Scott and Shasta Rivers are not part of the action alternatives.	No
AO_LT_1208_041-3	The timeline figure has been revised to note that irrigation deliveries were recommenced prior to approximately 33,000 returning adult salmon dying in the main stem of the Klamath River in 2002.	Yes
AO_LT_1208_041-4	KBRA was negotiated and signed by a diverse array of over 40 parties with an interest in resolving Klamath Basin issues including the allocation of water between in-river uses and water diversions for irrigation. The KBRA is analyzed as a connected action. NEPA defines connected actions as those actions that are closely related or cannot or will not proceed unless other actions are taken previously or simultaneously (40 CFR 1508.25(a)(1)(ii)). ¹³ Some actions or component elements of the KBRA are independent obligations and thus have independent utility from the KHSAs, but the implementation of several significant elements of the KBRA package would be different, if the determination under the KHSAs is not to pursue full dam removal (see Table 1-1). Recognizing that implementation of many elements of the KBRA are unknown and not reasonably foreseeable at this time, the connected action analysis is being undertaken at a programmatic level. The KBRA analysis in this EIS/EIR is programmatic, as described in Section 15168 of the CEQA Guidelines. A program-level document is appropriate when a project consists of a series of smaller projects or phases that may be implemented separately. Under the programmatic EIR approach, future projects or phases may require additional, project-specific environmental analysis including an evaluation of compliance with federal laws such as the Clean Water Act and the Endangered Species Act. Consequently, appropriate NEPA compliance will be completed for the separate KBRA components in the future. The KBRA does not supersede existing laws or regulations and does not exempt any actions from compliance with ESA or CESA. Project level actions and decisions will continue to be made in compliance with existing laws and regulations.	No

AO_LT_1230_060

December 30, 2011



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2800 Cottage Way, Sacramento, CA 95825

Gordon Leppig
California Department of Fish & Game
619 Second Street
Eureka, CA 95501

RE: Comments on Klamath Hydroelectric Project Facilities Removal
Draft Environmental Impact Statement/Environmental Impact Report

Dear Ms. Vasquez and Mr. Leppig,

I respectfully submit these comments on behalf of the Northcoast Environmental Center (NEC), which has advocated for dam removal and restoration of the Klamath River watershed for many years. NEC's mission is to promote understanding of the relations between people and the biosphere and to conserve, protect, and celebrate terrestrial, aquatic, and marine ecosystems of northern California and southern Oregon. As a coalition of member organizations, we represent several thousand residents in the Northwestern California area.

← Comment 1 - Approves of Dam Removal

Although NEC withdrew in late 2009 from settlement negotiations and declined to be a signatory of the Klamath Basin Restoration Agreement (KBRA), NEC strongly supports full facilities removal of the four lower dams on the Klamath River as the first necessary step toward restoration of the watershed, recovery of salmonid populations, and the health of the economies and cultures that rely on them.

The purpose of this DEIS/DEIR is to inform the Secretary of the Interior as he determines whether or not dam removal advances restoration of salmon fisheries and is in the public interest. NEC strongly believes that dam removal is in the public interest because it will significantly improve water quality, re-open hundreds of miles of steelhead and Coho habitat, and restore more natural flows and temperature regimes critical to salmonids. The restoration of abundant salmonid populations, particularly Chinook salmon, is critical to the economies and cultures of lower Klamath River communities, which have been devastated by declining fisheries in recent years.

NEC's overarching concern is that minimum flows for fish may not be adequate, since they do not comply with current Biological Opinions adopted to protect endangered Coho and sucker populations. We are further concerned that implementation of the KBRA in conjunction with dam removal may have significant negative impacts on fish populations that have not been analyzed, since legislation implementing KBRA is pending, and is not included in the DEIS/DEIR. Our detailed comments follow.

← Comment 2 - Fish

Comment #1: Effects on wild Spring-Run Chinook and other native fish.

The DEIS/DEIR does take important steps toward recognizing the biological, ecological, and cultural significance of the Klamath's surviving run of wild spring-run Chinook by analyzing those fish separately from their fall-run cousins. The document notes that the Klamath's spring-run Chinook are the subject of a petition for listing under the federal Endangered Species Act. It puts a brave face on the findings of the Chinook Salmon Expert Panel, noting that "the panel concluded that the prospects for the Proposed Action to provide a substantial positive effect for spring Chinook salmon is more remote than for fall-run salmon." (3.3-101)

However, the document fails to inform the public and decision makers in specific detail what additional measures, beyond the Proposed Action, might be necessary for, or would be most likely to lead to, effective recovery for Klamath spring Chinook. Based on the partial analysis presented in the DEIR/DEIS, it appears that the Proposed Action, including dam removal, is a necessary but likely insufficient step toward effective recovery of Klamath spring-run Chinook. Given the very high likelihood that climate change now underway will limit the future viability of the Salmon River basin as spring-run Chinook habitat and constrain the effectiveness of other restoration efforts, it is essential that a long-term planning and analysis document like this DEIR/DEIS actually address the full range of actions and policy options available to promote spring-run Chinook recovery.

Similarly, with respect to Coho salmon, the document notes that the proposed action "would result in a modest increase in the Coho salmon population compared with existing conditions." Klamath River Coho are already listed under both the California and federal Endangered Species Acts. Operations of the Klamath Project have been found to be inconsistent with avoiding jeopardy to Klamath Coho. Analyzing only actions that may result in "a modest increase in Coho salmon population compared with existing conditions," rather than the full range of actions necessary to conserve (ie, recover) the public trust resources at the heart of this effort is not consistent with the spirit of CEQA and NEPA, which require full consideration and disclosure and a "hard look" at proposed actions.

Comment 3 - Terrestrial

Comment #2: Impacts to National Wildlife Refuges and migratory birds on Pacific flyway.

The artificially narrow focus of the DEIR/DEIS analysis fails again in addressing management of, and water supplies to, the National Wildlife Refuges of the Upper

← Comment 3 cont

Klamath. The document fails to fully analyze and disclose the present status of both the refuges and of the bird populations that depend upon the refuge habitat for essential parts of their life cycles. The proposed action locks in some of the most controversial aspects of present refuge management, including intensive agricultural use of many refuge acres and inadequate water supplies to the refuges, but fails to inform the public whether alternative policies or practices might be more effective in protecting the public-trust resources inherent in the refuges themselves, as well as in functioning wetland habitat and migratory bird populations. Here again, the very real likelihood that coming decades will see significant reductions in ecosystem productivity due to rapid climate change only underscores the need to consider all the tools at our disposal, as CEQA and NEPA require.

Comment 4 - Alternatives

Comment #3: The DEIS should include an analysis of Alternative 8, Full Facilities Removal of Four Dams without KBRA.

Although Alternative 8 was developed as an initial alternative, it was not evaluated because it “does not meet most of the purpose and need/project objectives and would not reduce environmental impacts of the Proposed Action.” If, as the NEC believes, the purpose and need of the present project are to restore the Klamath River’s fisheries and wildlife populations, then the public and decision-makers are poorly served by an analysis that fails to consider what suite of actions are most likely to effectively restore those public trust resources. The artificially constrained scope of review adopted by the DEIS/DEIR appears to prevent consideration of actions not included in the KBRA, actions which might be necessary for recovery, or more effective or economical than aspects of the proposed action.

There has been much public debate over the pros and cons of the KBRA, and the failure to analyze the alternative of dam removal without KBRA does not facilitate informed decision-making and public participation as required by NEPA and CEQA. Full consideration of such an alternative should include analysis of the whole Klamath River watershed, including the key Shasta and Scott River watersheds, as part of an overarching fisheries restoration program.

Comment 5 - KBRA

Comment #4: Failure to analyze the effects of implementation of the KBRA.

NEC’s concerns regarding KBRA remain unknown, since legislation implementing KBRA has not been finalized. In particular, NEC believes the DEIS/DEIR must analyze the following: a drought plan that will guarantee minimum flows for fish and wetlands and marshes in the upper Klamath basin; impacts of increasing groundwater development for irrigation purposes; plans for adaptive management to address long-term impacts related to climate change; and specific fisheries restoration programs that are most likely to lead to effective ecological recovery of the Klamath’s native fisheries.

Since implementation of KBRA is reasonably foreseeable in connection with dam removal, its effects must be analyzed.

← Comment 6 - Terrestrial

Comment #5: Impacts from potential colonization by invasive plants.

The potential for invasive plants to colonize exposed areas as reservoir levels are drawn down is of concern due to the presence of many invasive species in the area, many of which are likely to colonize streambanks, riparian areas, and the margins of wetland habitats. On page 3.5-53, the DEIS states that

The Habitat Restoration Plan would include details for the installation of native plants to re-vegetate all areas disturbed during construction. Long-term maintenance and monitoring to control invasive species would be included.

The DEIS appears to limit discussion of invasive plant impacts to areas disturbed during construction. The DEIS fails to adequately address the inevitability that natural revegetation of exposed reservoirs are prone to invasive species.ⁱ The resident seed bank can contain viable invasive species seeds.ⁱⁱ The presence of reed canarygrass (*Phalaris arundinacea*) in the area is of particular concern, since it has the potential to colonize wet areas and can severely impair wetland function. In addition, restoration of natural hydrology is likely to result in new source of invasive species introduction from upstream.ⁱⁱⁱ

The DEIS does not satisfy NEPA unless “its form, content, and preparation substantially 1) provide decision-makers with an environmental disclosure sufficiently detailed to aid in the substantive decision whether to proceed with the project in light of its environmental consequences, and 2) make available to the public, information of the proposed project’s environmental impacts and encourage participation in the development of that information.” *Trout Unlimited v. Morton*, 509 F.2d 1276, 1283 (9th Cir. 1974). The information provided on plans to minimize impacts of invasive plant species is not sufficiently detailed to meet the intent of NEPA.

Conclusion

We appreciate the opportunity to comment on the DEIS/DEIR, as well as the hard work of the agencies and individuals involved in developing the DEIS, DEIR, and related studies. We look forward to continuing our participation in the process.

Respectfully,



Larry Glass, Board President
Northcoast Environmental Center

ⁱ Auble, G.T., P.B. Shafroth, M. Scott, and J.E. Roelle. 2007. Early vegetation development on an exposed reservoir: implications for dam removal. *Journal of Environmental Management* 39: 806-818.

ⁱⁱ Nishihiro J. and I. Washitani. 2007. Restoration of lakeshore vegetation using sediment seed banks: studies and practices in Lake Kasumigaura, Japan. *Global Environmental Research* 11: 171-177.

ⁱⁱⁱ Gurnell, A.M., A.J. Boitsidis, K. Thompson, and N.J. Clifford. 2006. Seed bank, seed dispersal and vegetation cover: colonization along a newly-created river channel. *Journal of Vegetation Science* 17: 665-674.

Comment Author Glass, Larry
Agency/Assoc. Northcoast Environmental Center
Submittal Date December 30, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1230_060-1	Master Response GEN-2 Some People Approve of Dam Removal, Others Oppose Dam Removal.	No
AO_LT_1230_060-2	Neither NEPA nor CEQA mandate a certain outcome as a result of a Proposed Action or alternatives. The purpose of the NEPA and CEQA environmental review process is to disclose to decision makers and the public the significant environmental effects of a Proposed Action or project (40 CFR Section 1502.1; CEQA 21002.1(a)). The Proposed Action is to remove the four lower PacifiCorp dams on the Klamath River. The need for the Proposed Action is to advance restoration of the salmonid fisheries in the Klamath Basin consistent with the KHSA and the connected KBRA. The purpose is to achieve a free flowing river condition and full volitional fish passage as well as other goals expressed in the KHSA and KBRA (Draft EIS/EIR Section 1.4.1.2, p. 1-29). In order to accomplish these objectives, 18 alternatives were developed, 5 of which were fully analyzed in the EIS/EIR (EIS/EIR, Appendix A).	No
AO_LT_1230_060-3	<p>Lower Klamath NWR was historically connected to the Klamath River and was part of the natural hydrology of the Klamath River system and function. In the late 1920's, the refuge was artificially disconnected from the river when a railroad grade was constructed. Until Lower Klamath NWR is reconnected to the Klamath River, the hydrology of the refuge will not be affected whether dams remain in or are removed. Implementation of programs under the KBRA would increase the amount of water in the Klamath River and maintain the elevation of Upper Klamath Lake. Water allocations and delivery obligations would also be established for the Lower Klamath NWR and Tule Lake NWR. The current allocation to the refuges during drought years is 0.0 acre-feet. Under the KBRA, the NWRs would be guaranteed an allocation that could range from 48,000 acre-feet in normal to wet years down to 24,000 acre-feet in drier years. Therefore, no impacts on wetland habitat or birds using habitat provided by the NWRs are anticipated.</p> <p>In addition, the KBRA includes several programs that would seek willing sellers as a method of increasing inflows into Upper Klamath Lake and available water supplies on Reclamation's Klamath Project including the voluntary WURP and projects on Upper Klamath Lake to increase water storage potential. The WURP is a voluntary program intended to increase the inflow to Upper Klamath Lake by purchase or retirement of surface water rights for irrigation from willing sellers and other techniques.</p> <p>The KBRA does not require the National Wildlife Refuges to allow or continue lease land farming. Management of refuge lease lands would remain subject to the Refuge System Improvement</p>	No

Comment Author Glass, Larry
Agency/Assoc. Northcoast Environmental Center
Submittal Date December 30, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1230_060-4	<p>Act, the Kuchel Act, and all other applicable laws, regulations and policies. The KBRA does not supersede existing laws or regulations and does not exempt any actions from compliance with NEPA, CEQA, ESA, or CESA. As plans and programs are developed under the KBRA, they will be made in compliance with existing laws and regulations including opportunities for public review and comment.</p> <p>This EIS/EIR analyzes the effect of removing the Four Facilities. Potential effects on wildlife are described in Section 3.5. Future refuge management decisions with respect to lease land farming would be speculative and are beyond the scope of the analysis of this EIS/EIR.</p> <p>Master Response ALT-4 Elimination of Alternative 8 - Dam Removal Without KBRA from Detailed Study, discusses the reasons that Alternative 8 did not move forward for more detailed analysis in the Draft EIS/EIR. Additionally, the commenter's characterization of the purpose and need is not accurate. The Draft EIS/EIR includes the purpose and need/project objectives in Section 1.4.2 and cited below.</p> <p>Purpose and Need</p> <p>"The Proposed Action is to remove the four lower PacifiCorp dams on the Klamath River. The need for the Proposed Action is to advance restoration of the salmonid fisheries in the Klamath Basin consistent with the KHSA and the connected KBRA. The purpose is to achieve a free flowing river condition and full volitional fish passage as well as other goals expressed in the KHSA and KBRA. By the terms of the KHSA, the Secretary will determine whether the Proposed Action is appropriate and should proceed. In making this determination, the Secretary will consider whether removal of the Four Facilities will advance the restoration of the salmonid fisheries of the Klamath Basin, and is in the public interest, which includes but is not limited to consideration of potential impacts on affected local communities and Tribes."</p> <p>Project Objectives</p> <ol style="list-style-type: none"> 1. Advance restoration of the salmonid fisheries in the Klamath Basin. 2. Restore and sustain natural production of fish species throughout the Klamath Basin in part by restoring access to habitat currently upstream of impassable dams. 3. Provide for full participation in harvest opportunities for sport, commercial, and tribal fisheries. 4. Establish reliable water and power supplies, which sustain 	No

Comment Author Glass, Larry
Agency/Assoc. Northcoast Environmental Center
Submittal Date December 30, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1230_060-5	<p>agricultural uses and communities and NWRs.</p> <ol style="list-style-type: none"> 5. Improve long-term water quality conditions consistent with designated beneficial uses. 6. Contribute to the public welfare and the sustainability of Klamath Basin communities. 7. To be consistent with the goals and objectives of KHSA and KBRA." 	No
AO_LT_1230_060-6	<p>The KBRA is analyzed as a connected action. NEPA defines connected actions as those actions that are closely related or cannot or will not proceed unless other actions are taken previously or simultaneously (40 CFR 1508.25(a)(1)(ii)).¹³ Some actions or component elements of the KBRA are independent obligations and thus have independent utility from the KHSA, but the implementation of several significant elements of the KBRA package would be different, if the determination under the KHSA is not to pursue full dam removal (see Table 1-1). Recognizing that implementation of many elements of the KBRA are unknown and not reasonably foreseeable at this time, the connected action analysis is being undertaken at a programmatic level. The KBRA analysis in this EIS/EIR is programmatic, as described in Section 15168 of the CEQA Guidelines. A program-level document is appropriate when a project consists of a series of smaller projects or phases that may be implemented separately. Under the programmatic EIR approach, future projects or phases may require additional, project-specific environmental analysis including an evaluation of compliance with federal laws such as the Clean Water Act and the Endangered Species Act. Consequently, appropriate NEPA compliance will be completed for the separate KBRA components in the future. The KBRA does not supersede existing laws or regulations and does not exempt any actions from compliance with ESA or CESA. Project level actions and decisions will continue to be made in compliance with existing laws and regulations.</p> <p>Master Response TERR-3 Invasive Species Control.</p> <p>The Lead Agencies complied with NEPA and CEQA in development of the Draft EIS/EIR.</p>	No

AO_LT_1026_022



Keeping Northwest California wild since 1977

October 26, 2011

Ms. Elizabeth Vazquez
 Bureau of Reclamation
 2800 Cottage Way
 Sacramento, CA 95825

To Ms. Vazquez,

These written comments are intended to accompany the brief spoken testimony provided by the Environmental Protection Information Center (EPIC) in concern of the Draft Environmental Impact Report for Facilities Removal on the Klamath River. Our organization has worked for more than 30 years on the North Coast of California to protect endangered species and the wild landscapes that they depend upon.

We are in the process of a detailed analysis of the DEIR/EIS in order to compose more substantial comments than these brief points that are provided for your consideration in this letter and in public testimony at the event of October 26, 2011 at the Arcata Community Center.

Comment 1 - Approves of Dam Removal

Our organization unequivocally supports dam removal on the Klamath River. The ecological and economic benefits of dam removal are well outlined in the Plan for Facilities Removal. Dam removal is clearly in the public interest, most specifically due to the benefits that the restoration of the river will have on endangered species.

We recognize that certain ecological and environmental compromises are being made in order to gain broader participation in a water management plan that supports dam removal. Knowing that there is risk in compromise, we also know that there is a great benefit in removing the dams from this crucial stretch of habitat for recovering species. Considering the fact that this plan may not present opportunities for the recovery of all of the species in the area of concern that are in desperate need of restoration, we are steadfast in our position that it is essential that future application of the Endangered Species Act not be compromised by this process, or in the legislation that will be necessary to carry forth with the Federal Plan for Facilities Removal.

There is an ecological imperative to recover threatened and endangered species in the Klamath Basin. This responsibility to work towards their recovery belongs to all of us, and there is no question that the removal of the dams is an opportunity that must be acted upon immediately, and expeditiously.

Thank you for your time and for your consideration of these comments.

Sincerely,

Gary Graham Hughes
 Executive Director

Environmental Protection Information Center

145 G Street, Suite A, Arcata, California 95521

Tel: (707) 822-7711

Fax: (707) 822-7712

www.wildcalifornia.org

Comment Author Graham, Gary
Agency/Assoc. Environmental Protection Information Center
Submittal Date October 26, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1026_022-1	Master Response GEN-2 Some People Approve of Dam Removal, Others Oppose Dam Removal.	No

AO_MC_1026_016

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

MR. GREACEN: Good evening. I'm Scott Greacen,
 North Coast director for the Friends of the Eel River.

That's G-r-e-a-c-e-n.

I want to note today that we have seen a really
 historic and happy occasion. Today was the day they blew
 a big hole in the Condit Dam on the White Salmon River
 and let that river run free for the first time in a
 hundred years. It seems to me this country went on a dam
 building frenzy in the west, and now we're having
 something of a dam busting jubilee. And I celebrate this
 event tonight as part of what I hope will be a long and
 proud tradition of decommissioning dams.

Comment 1 - Approves of
 Dam Removal

Friends of the Eel River supports removal of the
 Klamath River dams and the restoration and recovery of
 the Klamath fisheries. I particularly want to call
 attention to the need to advance recovery prospects for
 wild spring Chinook in the Klamath Basin. A couple of
 other speakers have talked about this. But without dam
 removal, we will not see recovery of this unique and
 critically important species. I'm very concerned about

that. Comment 2 - Out of Scope

I do want to offer an observation about the
 underlying KBRA Agreement and the process going forward.

Notwithstanding the support that I think you hear from
this group of folks and others for dam removal, and I
think that the very strong support you'll hear
nationally, it's pretty clear that the party now in
control of the U.S. House of Representatives will not
advance this proposal, and, similarly, it's going to be a
little difficult to get the State of California to pony
up the amount of money that's been promised, you know,
under the current proposal.

So, given that the plan probably won't go
forward exactly as promised, there is going to be some
need to sit down and renegotiate some of the details.
Given that, it seems to me appropriate to address some of
the concerns you're hearing tonight. You know, given the
inability of the California Department of Fish and Game
to address problems in the Scott and Shasta Basin, maybe
those need to be brought in.

But my larger point is that some of those
procedural and substantive concerns have real weight.

Comment Author Greacen, Scott
Agency/Assoc. Friends of the Eel River
Submittal Date October 26, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_MC_1026_016-1	Master Response GEN-2 Some People Approve of Dam Removal, Others Oppose Dam Removal.	No
AO_MC_1026_016-2	Master Response GEN-1 Comment Included as Part of Record.	No

AO_WI_0923_001

From: Info@OnsiteEnergy.za.net[SMTP:INFO@ONSITEENERGY.ZA.NET]
Sent: Friday, September 23, 2011 2:07:37 PM
To: BOR-SHA-KFO-Klamathsd; KSDcomments@dfg.ca.gov; werner@wrinkledog.com
Subject: Web Inquiry: Dam Removal
Auto forwarded by a Rule

Name: Hannes
Organization: Onsite Energy, LP

Subject: Dam Removal

Body: Please consider the hydrokinetic power barge disruptive innovation technology which can be viewed at <http://OnsiteEnergy.za.net>



Comment 1 - Other/General

Comment Author Hannes
Agency/Assoc. Onsite Energy, LP
Submittal Date September 23, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_WI_0923_001-1	<p>The power barge as alternative energy source was reviewed at the website provided. This alternative method of electrical generation is a floating structure that uses the river current and slow moving turbines to generate electricity, instead of a fixed dam. According to the website, this operation has the potential to decrease harm to wildlife present in the river. The power barge is not an alternative to dam removal; but rather, an alternative for replacement electrical power that could use the existing electrical grid located at the four facilities. The power barge requires dam removal, so the environmental effects of the Proposed Action would not differ from the first phase of dam removal.</p>	Yes

From: will@mkwc.org[SMTP:WILL@MKWC.ORG]
Sent: Saturday, December 31, 2011 12:34:37 AM
To: BOR-SHA-KFO-Klamathsd; werner@wrinkledog.com
Subject: Web Inquiry: Written comments on DEIS/DEIR on Klamath Facilities Removal
Auto forwarded by a Rule

Name: Will Harling
Organization: Mid Klamath Watershed Council

Subject: Written comments on DEIS/DEIR on Klamath Facilities Removal
Body: December 30, 2011

Ms. Elizabeth Vasquez
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Gordon Leppig
California Department of Fish & Game
619 Second Street
Eureka, CA 95501

Re: Written comments on DEIS/DEIR on Klamath Facilities Removal

Dear Ms. Vasquez and Mr. Leppig:

Please add the following comments onto the administrative record, and ensure that they receive full consideration and response in the final EIS/EIR document regarding Klamath dam removal. This set of comments is submitted on behalf of the Mid Klamath Watershed Council (MKWC), a non-profit organization planning and implementing fisheries and upslope restoration projects directly below the Klamath dams in the Middle Klamath watershed. The mission of the Mid Klamath Watershed Council is to collaboratively plan and implement watershed restoration, coordinate education on land management issues, and promote community vitality by operating a community center and creating sustainable local economic opportunities.

Comment 1 - Approves of Dam Removal

Based on the findings of the DEIS/DEIR (DEIS) on Klamath facilities removal and the collective observations of our board and staff, it is clear that the benefits of dam removal significantly outweigh any adverse impacts of the proposed action. Therefore, MKWC urges federal and state agencies to select Alternative 2 and proceed with implementation no later than the year 2020. The following comments reflect specific recommendations to strengthen and clarify the DEIS before it is made final, the bulk of which echo recommendations made by Klamath Riverkeeper.

Water Quality

Section 2 of Chapter 3 in the DEIS needs to disclose the exact numeric pollution load reductions assigned to various responsible parties in the mainstem Klamath

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TMDLs, including load reductions assigned to agricultural dischargers and PacifiCorp.

Further, the final EIS/EIR needs to analyze the economic, environmental and environmental justice consequences of non-compliance with the TMDLs, especially in the event that the Klamath dams receive new licenses or TMDL compliance in Oregon is delayed.

Additionally, the final EIS/EIR should analyze the estimated cost range to PacifiCorp for compliance with the California and Oregon TMDLs without dam removal. The cost of compliance with these TMDLs in a dam relicensing scenario (the No Action Alternative) should then be compared to the estimated cost of compliance with the same TMDLs under Alternative 2. MKWC anticipates that such an analysis would demonstrate that, due to significant water quality benefits to be derived from dam removal, Alternative 2 is the more economically sensible and expedient path to TMDL compliance.

Aquatic Resources

Although spring Chinook salmon are not listed under the ESA as coho salmon are, they are a species of special concern to Klamath River communities, particularly because of their value as a fish that lengthens the fishing season, provides needed nutritional and health benefits such as Omega 3 in local diets, and indicates generally a more biodiverse and healthy ecosystem.

More importantly, Spring Chinook salmon populations have been in steep decline, almost to the point of extinction. This jeopardy for "springers" lead several conservation groups to petition the U.S. Fish and Wildlife Service for listing status for the species.

While the DEIS mentions spring Chinook in multiple parts of the document, the benefits we anticipate that the spring run would derive from dam removal were not adequately explored in the DEIS, and may have been under-estimated in Section 3.3 of the DEIS.

On page 3.3-101 of the DEIS, the analysis of impacts to Spring Chinook from the proposed Alternative 2 states: "While noting uncertainties based on existing data, the panel concluded that the prospects for the Proposed Action to provide a substantial positive effect for spring Chinook salmon is more remote than for fall-run Chinook salmon. The primary concern of the panel was that low abundance and productivity (return per spawner) of spring Chinook salmon would limit recolonization of habitats upstream of Iron Gate Dam."

Although abundance and productivity are certainly seriously reduced from historic levels, adult spring Chinook counts in the past two years in the Salmon River have been on the rebound, suggesting not only the resilience of the species but also that abundance and productivity could also recover quickly under the right conditions. This would seem to suggest that spring Chinook could also benefit substantially from Alternative 2 in the short term. Spring Chinook salmon migration up the Klamath River on an annual basis is artificially blocked by excessive mainstem Klamath River water temperatures. On good water years such as 2011, springers have been able to reach the Scott River and above. If Alternative

← Duplicate cont.

2 was implemented, conditions in the mainstem Klamath could improve to the point where springers could reach the cold water springs and streams currently masked or blocked by the dams. The final EIS/EIR should analyze low abundance and productivity in relation to relative advantages in their life histories and habitats (ie: utilizing tributaries more than the polluted mainstem for spawning and rearing), as well as their relative tolerance for increased sediment loads during migration.

We assert that since spring Chinook salmon historically inhabited even the far upper reaches of the Klamath Basin because of its spring-fed hydrology and the cold-water habitat that provides them, and because of their relative resilience, "springers" are likely to benefit more substantially than the DEIS calculates. In turn, the health of the whole Klamath River ecosystem is likely to benefit substantially from increased biodiversity, genetic diversity in fish runs and healthier, more sustainable salmon-dependent human communities.

The final EIS/EIR should also more extensively analyze the impacts of the proposed action and other alternatives to green sturgeon, freshwater mussels and eulachon.

Environmental Consequences to Groundwater

MKWC is pleased to see that pages 3.7-17 and 3.7-18 in the DEIS analyze the unprecedented groundwater pumping restrictions included in Section 15.2.4 of the KBRA, and the benefits those restrictions could translate into in terms of healthier in-river flows and flow-dependent fisheries. We would like to see this analysis extended to examine particularly the benefits of potential flow increases from KBRA groundwater protections for fall Chinook salmon whose populations can clearly suffer when flows are too low and temperatures then become too high, as happened in the September 2002 adult fish kill.

Without addressing groundwater usage in the Upper Basin, we will fail to achieve full restoration potential for salmon and local communities who depend on sustainable flows and fisheries, even in a post-dam removal era in the Klamath. And without the KBRA, our chances of regulating groundwater use are substantially slimmer due to political pushback, complex legal frameworks and the notable lag between groundwater science and policy.

Socioeconomics

Property owners adjacent to the reservoirs and river near the Klamath dams claim that their property values have already dropped due to the prospect of Klamath dam removal. However, it is essential to disclose in any analysis of these claims that there is no evidence that directly connects proposals to remove the Klamath dams and purported decreases in nearby properties.

Any analysis of such claims must also examine whether toxic algae blooms and resulting health advisory postings could have had a similar effect on property values. Similarly, consideration of such claims must also examine whether a broader economic recession and associated drops in housing prices could also be responsible for the decrease in property values.

← Duplicate cont.

The EIS also rightly considers the potential for increases in property values that would most likely result from cleaner water and more abundant, healthy fish populations expected due to dam removal on the Klamath.

Additionally, if impacts to property values around the reservoirs are analyzed in the EIS, impacts to property values further downstream must also be analyzed. Here as well, benefits to fisheries, water quality, recreation and local economies must be taken into account as property values for downstream land is analyzed. We propose that when this exercise is completed, the potential benefits to property values throughout the watershed from improved conditions due to dam removal will outweigh purported drops in property value due to dam removal. Indeed, there is evidence to suggest that while property values can dip in the short-term in the wake of dam removal projects, they rise again in the long-term and can even exceed pre-removal values because of consequences such as cleaner water, healthier and more robust fish populations and improved scenic qualities of the landscape.

On a related note, please more carefully and specifically analyze the economic benefits of dam removal for communities downstream. While there are obviously quantifiable employment, fisheries, habitat and water quality benefits anticipated to result from Klamath dam removal, there are also likely to be more robust economic engines both upstream and downstream of the dams where life revolves around salmon and the river. Eco-tourism is likely to play a role, which should result in more recreational fishing, fishing guide businesses, raft guide businesses, patrons at local stores, restaurants, bars and local lodging establishments.

And besides increased visitors to the watershed seeking to experience a wild river and witness or wrestle with its fish runs, recovering fisheries would likely lead to stronger restoration economies and social fabrics. In turn, stronger restoration economies throughout the Klamath Basin could lead to a self-sustaining community, thriving rural schools and younger generations that learn the value of both sustainable agriculture and fisheries that are produced locally. The KBRA and KHSRA give us the opportunity to achieve better ecological and socio-economic balance throughout the basin, and to develop a stronger sense of stewardship and good will towards neighboring communities.

In the final EIS/EIR, please also analyze the net worth of a restoration economy in the long-term, vs. the net worth of a degrading and extractive economy. The analysis on this topic must disclose the socioeconomic impacts on communities throughout the Klamath Basin of industries that damage, use up and/or export natural resources that constitute the wealth of our region. A rough initial calculation by farming and fishing advocates shows that these economies of the Klamath add up to equal at least \$750 million annually, and that doesn't even include revenues from the restoration economy, tourism, sport fishing or the value of subsistence fishing by tribes (which is exceedingly difficult to quantify, but must also be considered and weighed.) If quantification of the economic value of these industries/practices is too difficult, at a minimum, the economic value of restoration jobs created under the KBRA, sport fishing increases and tribal harvest increases must be qualitatively acknowledged.

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What's more, it's important that the final EIS/EIR qualitatively address the fact that the job creation estimates contained in the DEIS are very conservative ones. For instance, on page 3.15-93 of the DEIS, the estimate that the removal of four Klamath dams would cause a 9% increase in the in-river recreational fishery and three new jobs seems too low.

Environmental Justice

It's refreshing to read an environmental impact analysis that does such a thorough and accurate job of disclosing and addressing the environmental justice impacts of a range of alternatives. It is appropriate to acknowledge that tribal communities were never consulted about how they would be impacted when these dams were constructed. Thus, these tribal communities (and others that depend on a healthy river and fishery) have clearly suffered disproportionate exposure to environmental consequences from past decisions regarding these dams.

Conclusion

Thank you for the hard work, research and perceptive approach used in preparing and formulating the DEIS, and for considering and responding to these comments in the final EIS/EIR. Please contact me if you have any questions about the content of these comments, or wish to follow up further.

Sincerely,

Will Harling, Executive Director
Mid Klamath Watershed Council

Comment Author Harling, Will
Agency/Assoc. Mid Klamath Watershed Council
Submittal Date December 30, 2011

Portions of this letter are verbatim duplicates of comments submitted in the comment document coded - AO_LT_1230_057. Responses to those comments that were duplicated in this letter are presented in this EIS/EIR alongside AO_LT_1230_057. A response to the comment provided in this letter that was not also submitted as a part of AO_LT_1230_057 is listed below.

Comment Code	Comment Response	Change in EIS/EIR
AO_WI_1230_063- 1	Master Response GEN-2 Some People Approve of Dam Removal, Others Oppose Dam Removal.	No



OREGON WILD

Formerly Oregon Natural Resources Council (ONRC)

PO Box 11648 | Eugene OR 97440 | 541-344-0675 | fax 541-343-0996
dh@oregonwild.org | <http://www.oregonwild.org/>

15 November 2011

TO: Ms. Elizabeth Vasquez, Bureau of Reclamation, via KlamathSD@usbr.gov
Gordon Leppig, California Department of Fish & Game, KSDcomments@dfg.ca.gov

Subject: Oregon Wild comments on Klamath Dam Removal and Secretarial Determination DEIS

Dear BOR and CDFG:

Please accept the following comments from Oregon Wild concerning the Klamath Dam Removal and Secretarial Determination DEIS dated September 2011 <http://klamathrestoration.gov/Draft-EIS-EIR/download-draft-eis-eir>. Oregon Wild represents about 7,000 members and supporters who share our mission to protect and restore Oregon's wildlands, wildlife, and water as an enduring legacy. Our goal is to protect areas that remain intact while striving to restore areas that have been degraded. Dam removal would help restore a degraded river, but increased agricultural water diversions will not.

← **Comment 1 - Approves of Dam Removal**

1. Oregon Wild strongly supports dam removal as soon as possible because it is clearly in the public interest, and would clearly advance salmonid recovery, and should be endorsed by the Secretary. However, we do not support the associated Klamath Basin Restoration Agreement and the Klamath Hydroelectric Settlement (collectively KBRA) that provides some slim hope that the dams will be removed at some point in the distant future, while simultaneously harming river flows, water quality, and national wildlife refuges.

↑ **Comment 2 - NEPA**

← **Comment 3 - Water Rights/Supply**

2. The DEIS provides a misleading and unjustifiably rosy picture of the effects of the connected action such as KBRA on river flows and wildlife refuges. The EIS must disclose the consequences of promising water to the agricultural interests while failing to provide similar assurances for water to meet river flows and to meet the purposes of the national wildlife refuges. To put it plainly, because natural water supply is unpredictable, the KBRA cannot offer more certainty to the irrigators without increasing UNcertainty for river flows and the refuges. The consequences of this have not been fully and accurately disclosed.
3. The EIS uses unreasonably skewed interpretations of the KBRA to conclude that fish and refuge resources would benefit from the KBRA, when in reality, as written, the agreement clearly gives much more assurance to agricultural water flows at the expense of river flows and refuges. See

← Comment 3 cont.

e.g., <http://waterwatch.org/wp-content/uploads/2011/07/WW-KBRA-Refuge-Impacts-Rev-2010.pdf> AND <http://waterwatch.org/wp-content/uploads/2011/07/WW-KBRA-KHSA-Foundational-Concerns-Rev-3-29-2010.pdf>.

4. The DEIS does not disclose the methods use to arrive at the conclusion that the refuges would receive more water under the KBRA. Contrary to the repeated erroneous assertions in the DEIS, irrigators have not agreed to receive less water. Irrigators are getting more water under the KBRA than under the relevant baseline (the legal minimum flows set forth in NMFS' 2010 Biological Opinion), and those KBRA water diversions will deprive the fish and waterfowl of the water they need to survive and flourish. See the DEIS comments submitted by the Hoopa Valley Tribe. River flows under the KBRA are clearly adversely affected during dry years when ESA-protected fish are particularly vulnerable. How can this comply with the ESA, and tribal-reserved water rights? Mischaracterizing adverse effects on river flows and fish as a positive benefit for fish and flows clearly violates NEPA's mandate for accurate scientific analysis. The EIS must be completely rewritten to accurately disclose the adverse effects of the KBRA on salmon and refuges.

5. The DEIS uses an improper baseline because it does not consider reasonable alternatives such as management of agricultural water demand. The EIS should consider and disclose the consequences of a more reasonable and realistic interpretation of the terms of the KBRA and reasonable alternatives.

← Comment 5 - Alternatives

← Comment 4 - Alternatives

6. Alternative 8 (dam removal without KBRA) should not have been rejected. There is no physical reason that dam removal must be linked to the KBRA. That is an arbitrary policy decision. The purpose of NEPA analysis is to inform policy decisions, not pre-ordain them. In this case, the purpose and need is drafted too narrowly to exclude reasonable alternatives, consideration of which would better inform the decision-maker and the public

← Comment 6 - Water Supply/Rights.

7. The EIS needs to accurately disclose the adverse effects of connected actions including the KBRA and its adverse consequences for Klamath River flows and the national wildlife refuges which are likely to be deprived of the water they need for numerous listed fish species, waterfowl, bald eagles, and many other fish and wildlife species.

← Comment 7 - Alternatives

8. The EIS should disclose the consequences of delayed dam removal under the KBRA. The EIS should develop an alternative with more timely and accelerated dam removal and disclose the ecological benefits of this alternative.

9. The EIS needs to disclose the adverse consequences of connected actions under the KBRA, such as the continuation of agriculture on the refuges for many years when it would be better to phase out agriculture as soon as possible. The EIS should develop an alternative that phases out agriculture on the refuges sooner and disclose the ecological benefits and use that as a baseline to compare the alternatives that delay needed changes in farming practices on the refuges. Reducing agriculture while increasing natural wetlands has significant climate benefits as well as ecological benefits, because farming tends to disturb soil and increase soil-carbon losses, while natural biodiverse plant communities and wetlands with reduced ground disturbance tend to sequester and store more carbon. This is not disclosed in the EIS.

← Comment 8 - Alternatives

← Comment 9 - Water Supply/Rights

10. The EIS must fully disclose the adverse ecological consequences of proposed KBRA water management during droughts which favor agriculture and disfavor river flows and the refuges. The EIS should develop an alternative that adopts more balanced water management during droughts and disclose the ecological benefits of providing more water to meet ecosystem functions during droughts.

Comment 10 - Alternatives

11. The EIS should consider alternative ways to reduce agricultural water demand through willing seller buyouts or other means and disclose the ecological benefits of such a program.

12. The DEIS description of proposed river flows after dam removal does not accurately capture all the geomorphic, hydrological, and ecological functions provided by peak flows. The DEIS description of the benefits of the KBRA may be overstated because the DEIS does not disclose that increased agricultural water diversions will likely deprive the river of high flows needed to flush sediments, mobilize the bed of the river, and reconfigure river channels as necessary to meet these key natural functions.

← Comment 12 - Costs

Comment 11 - Water Supply/Rights

13. The EIS should disclose the effects of connected actions under the KBRA such as using scarce public money to subsidize agriculture and power rates, instead of using those dollars for ecosystem restoration activities. The EIS should develop an alternative that discloses the ecological benefits of allocating scarce funds toward high value restoration activities instead of subsidizing low value commodity production.

← Comment 15 - Alternatives

← Comment 13 - Alternatives

14. The EIS should consider an alternative that decouples dam removal from the KBRA, and the undesirable conditions in the KBRA that give PacifiCorp and FERC many ways to avoid their relicensing responsibilities. In this way, the benefits of dam removal can be realized, while a wider range of restoration alternatives are considered, rather than the unbalanced allocation of resources described in the KBRA.

15. The EIS does not provide clear evidence that the connected actions under the KBRA will meet the requirements of the Clean Water Act, the Endangered Species Act, and tribal-reserved water rights.

← Comment 14 - KBRA

Sincerely,



Doug Heiken

Comment Author Heiken, Doug
Agency/Assoc. Oregon Wild
Submittal Date November 15, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1115_030-1	Master Response GEN-2 Some People Approve of Dam Removal, Others Oppose Dam Removal.	No
AO_LT_1115_030-2	Master Response GEN-2 Some People Approve of Dam Removal and Others Oppose Dame Removal.	No
AO_LT_1115_030-3	Master Response WSWR-11 Effects on Refuge Water Supply.	No
AO_LT_1115_030-4	As explained in Section 3.1.1.5 of the EIS/EIR, for purposes of NEPA, the Lead Agencies use Alternative 1, No Action, as a basis of comparison. For purposes of CEQA, the Lead Agencies use the conditions at the time of the Notice of Preparation.	No
AO_LT_1115_030-5	<p>Master Response ALT-4 Elimination of Alternative 8-Dam Removal Without KBRA from Detailed Study, describes in detail why Alternative 8 was not carried forward for more detailed analysis in the Draft EIS/EIR.</p> <p>As described under NEPA regulations Section 1502.13, the Purpose and Need "shall briefly specify the purpose and need to which the agency is responding in proposing the alternatives including the proposed action." CEQA regulations Section 15124 describes that a clearly written statement of objectives helps the lead agency develop a reasonable range of alternatives to evaluate in the EIR. "The statement of objectives should include the underlying purpose of the project" (CCR Title 14, Chapter 3, Article 9 Section 15124). The purpose and need and CEQA project objectives were developed to reflect the underlying goals and objectives included in the KHSA and KBRA. The Lead Agencies set forth a reasonable statement of purpose and need and project objectives regarding why the action was proposed and what it hoped to achieve. Moreover, the lead agencies formulated a reasonable range of alternatives.</p>	No
AO_LT_1115_030-6	Master Response WSWR-11a and b Effects on Refuge Water Supply.	No
AO_LT_1115_030-7	Master Response ALT-3 Elimination of Alternative 13-Federal Takeover of the Klamath Hydroelectric Project from Detailed Study.	No
AO_LT_1115_030-8	<p>Master Response ALT-4 Elimination of Alternative 8-Dam Removal Without KBRA from Detailed Study.</p> <p>Master Response ALT-7 Elimination of KBRA without KHSA Including Alternatives 16-Dredge Upper Klamath Lake and Alternative 18-Partition of Upper Klamath Lake from Detailed Study.</p>	No

Comment Author Heiken, Doug
Agency/Assoc. Oregon Wild
Submittal Date November 15, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1115_030-9	<p>The EIS/EIR fully describes the adverse ecological consequences of the KBRA at a programmatic level.</p> <p>The KBRA includes programs that will undergo detailed development and analysis in the future including a detailed Drought Plan (KBRA Section 19.2). The KBRA analysis, however, is programmatic, as described in Section 15168 of the CEQA Guidelines, because the details of this plan are unknown and not reasonably foreseeable at this time. A program-level document is appropriate when a project consists of a series of smaller projects or phases that may be implemented separately. These programs will likely undergo detailed development and analysis in the future. Therefore, it is anticipated additional NEPA and CEQA analyses for the suite of actions contained in KBRA will be tiered as appropriate to this EIS/EIR.</p> <p>Master Response WSWR-11 Effects on Refuge Water Supply.</p> <p>Both NEPA and CEQA include provisions that the draft environmental review analyze a reasonable range of alternatives that meet most of the purpose and need/project objections, and are potentially feasible (40 CFR § 1502.14; 43 CFR § 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 are not required to consider all conceivable alternatives to the Proposed Action. (Pub. Resources Code, § 21091(d)(2)(B); CEQA Guidelines, sec. 15126.6(a); sec. 15204(a). Nor are the Lead Agencies required to analyze an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative. (CEQA Guidelines, sec. 15126.6(f)(3). The Lead Agencies developed a list of 18 preliminary alternatives that were screened down to five. These five alternatives were analyzed in the Draft 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>	No
AO_LT_1115_030-10	<p>The KBRA does include several methods to reduce agricultural water demands including the WURP and the On-Project Plan for Reclamation's Klamath Project. The KBRA and these methods of reducing agricultural water demand are analyzed in the EIS/EIR. The KBRA analysis, however, is programmatic, as described in Section 15168 of the CEQA Guidelines, because the details of</p>	No

Comment Author Heiken, Doug
Agency/Assoc. Oregon Wild
Submittal Date November 15, 2011

Comment Code	Comment Response	Change in EIS/EIR
	<p>these programs are unknown and not reasonably foreseeable at this time. A program-level document is appropriate when a project consists of a series of smaller projects or phases that may be implemented separately. These programs will likely undergo detailed development and analysis in the future. Therefore, it is anticipated additional NEPA and CEQA analyses for the suite of actions contained in KBRA will be tiered as appropriate to this EIS/EIR.</p> <p>The WURP is a voluntary program intended to increase the inflow to Upper Klamath Lake by purchase or retirement of surface water rights for irrigation from willing sellers, forbearance agreements, short-term leases, split season irrigation, alternative upland management techniques, juniper removal, water efficiency projects, dryland crop alternatives, natural storage resulting from wetland restoration and improved riparian area performance, and other similar measures. The On-Project Plan is intended to align water supply and demand for areas within the Klamath Reclamation Project. The On-Project Plan is to include consideration of a variety of techniques to align supply and demand including conservation easements, forbearance agreements, conjunctive use programs, efficiency measures, land acquisitions, water acquisitions, groundwater development, groundwater substitution, other voluntary transactions, water storage, and any other applicable measures. In addition, the KBRA contemplates the establishment of a real time management of water in the basin which would allow, among other benefits, individual irrigators to make seasonal cropping decisions based on projected water availability.</p>	
AO_LT_1115_030-11	<p>The increase in water diversions relative to the No Action only occurs during dry years when there are no peak flows with or without KBRA in place. The frequency of flushing flows is actually predicted to increase under KBRA. Based upon the hydrology simulations of daily flows by Reclamation (2012d, p. 6-9), the 10% exceedance flows under the Dam Removal Alternative are about 5 to 10 percent greater for the months of January through March.</p> <p>The higher flows for the Dam Removal Alternative during the months of January through April below Iron Gate Dam are partly due to the fact that the simulations include pulse flows that would be implemented under the KBRA. An example of the comparison between daily flows is shown Figure 6-13 of Reclamation (2012d). Under the Dam Removal Alternative, more years have peak flows above 5,000 cfs. Based upon the 50 year hydrologic simulation of daily average flows, the 2-year flood was approximately 5,700 cfs under the Dam Removal Alternative and 3,500 cfs under the No Action Alternative. Under the Dam Removal Alternative, the 5-year</p>	No

Comment Author Heiken, Doug
Agency/Assoc. Oregon Wild
Submittal Date November 15, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1115_030-12	<p>flood was increased to 10,000 cfs from 8,700 cfs under the No Action Alternative.</p> <p>The purpose of the NEPA and CEQA environmental review process is to disclose to decision makers and the public the significant environmental effects of a Proposed Action or project (40 CFR Section 1502.1). While NEPA requires a discussion of the potential socioeconomic impacts of the Proposed Action, neither NEPA nor CEQA require an analysis of the costs of constructing, operating, or maintaining a Proposed Action. Therefore, it is beyond the scope of this Draft EIS/EIR to analyze the costs of implementing the Proposed Action or to examine alternatives specifically because they may be more or less costly. The details on KBRA activities and their costs are presented in Appendix P KBRA IMPLAN Analysis. "The KBRA includes up to 112 actions that could result in new economic activity in the counties within the Klamath Basin."</p> <p>"The KBRA includes Appendix C-2 Budget for Implementation of Agreement that provides estimates for the costs of implementing the KBRA. The Klamath Settlement Parties developed Appendix C-2 in 2008. Federal agencies have since revised Appendix C-2 funds and extended the KBRA to 15-year period from 2012 through 20026."</p> <p>Both NEPA and CEQA include provisions that the draft environmental review analyze a reasonable range of alternatives that meet most of the purpose and need/project objections, and are potentially feasible (40 CFR § 1502.14; 43 CFR § 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 are not required to consider all conceivable alternatives to the Proposed Action. (Pub. Resources Code, § 21091(d)(2)(B); CEQA Guidelines, sec. 15126.6(a); sec. 15204(a).) Nor are the Lead Agencies required to analyze an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative. (CEQA Guidelines, sec. 15126.6(f)(3).) Also, the Lead Agencies are not required to conduct every test or perform all research, study, and experimentation recommended or requested by commentors; instead, the Lead Agencies are to focus on significant environmental issues. (CEQA Guidelines, sec. 15204(a).)The Lead Agencies developed a list of 18 preliminary alternatives that were screened down to five. The Lead Agencies fully analyzed the five alternatives in the Draft EIS/EIR because they best meet the NEPA purpose and CEQA objectives, minimize</p>	No

Comment Author Heiken, Doug
Agency/Assoc. Oregon Wild
Submittal Date November 15, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_LT_1115_030-13	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).	No
AO_LT_1115_030-14	The KBRA is analyzed as a connected action. NEPA defines connected actions as those actions that are closely related or cannot or will not proceed unless other actions are taken previously or simultaneously (40 CFR 1508.25(a)(1)(ii)). ¹³ Some actions or component elements of the KBRA are independent obligations and thus have independent utility from the KHSA, but the implementation of several significant elements of the KBRA package would be different, if the determination under the KHSA is not to pursue full dam removal (see Table 1-1). Recognizing that implementation of many elements of the KBRA are unknown and not reasonably foreseeable at this time, the connected action analysis is being undertaken at a programmatic level. The KBRA analysis in this EIS/EIR is programmatic, as described in Section 15168 of the CEQA Guidelines. A program-level document is appropriate when a project consists of a series of smaller projects or phases that may be implemented separately. Under the programmatic EIR approach, future projects or phases may require additional, project-specific environmental analysis including an evaluation of compliance with federal laws such as the Clean Water Act and the Endangered Species Act. Consequently, appropriate NEPA compliance would be completed for the separate KBRA components in the future.	No
AO_LT_1115_030-15	<p>The purpose of the NEPA and CEQA environmental review process is to disclose to decision makers and the public the significant environmental effects of a Proposed Action or project (40 CFR Section 1502.1). While NEPA requires a discussion of the potential socioeconomic impacts of the Proposed Action, neither NEPA nor CEQA require an analysis of the costs of constructing, operating, or maintaining a Proposed Action. Therefore, it is beyond the scope of this Draft EIS/EIR to analyze the costs of implementing the Proposed Action or to examine alternatives specifically because they may be more or less costly. The details on KBRA activities and their costs are presented in Appendix P KBRA IMPLAN Analysis. "The KBRA includes up to 112 actions that could result in new economic activity in the counties within the Klamath Basin."</p> <p>"The KBRA includes Appendix C-2 Budget for Implementation of Agreement that provides estimates for the costs of implementing</p>	No

Comment Author Heiken, Doug
Agency/Assoc. Oregon Wild
Submittal Date November 15, 2011

Comment Code	Comment Response	Change in EIS/EIR
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the KBRA. The Klamath Settlement Parties developed Appendix C-2 in 2008. Federal agencies have since revised Appendix C-2 funds and extended the KBRA to 15-year period from 2012 through 20026."

Both NEPA and CEQA include provisions that the draft environmental review analyze a reasonable range of alternatives that meet most of the purpose and need/project objections, and are potentially feasible (40 CFR § 1502.14; 43 CFR § 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 Sections 15126.6(a), (c), (f), sec. 15204(a); Draft EIS/EIR, Section 2.3.) The Lead Agencies are not required to consider all conceivable alternatives to the Proposed Action. (Pub. Resources Code, § 21091(d)(2)(B); CEQA Guidelines, sec. 15126.6(a); sec. 15204(a).) Nor are the Lead Agencies required to analyze an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative. (CEQA Guidelines, sec. 15126.6(f)(3).) Also, the Lead Agencies are not required to conduct every test or perform all research, study, and experimentation recommended or requested by comment authors; instead, the Lead Agencies are to focus on significant environmental issues. (CEQA Guidelines, sec. 15204(a).)The Lead Agencies developed a list of 18 preliminary alternatives that were screened down to five. The Lead Agencies fully analyzed the five alternatives in the Draft 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).

AO_MF_1025_006



Speaker Card

Please fill out this card and hand it to someone with a name tag if you would like to make a verbal comment of up to three minutes. Your verbal comments will be recorded by a court reporter. All recorded verbal comments, along with written comments, received by November 21, 2011, will become part of the official record. Verbal and written comments are weighted equally. To submit written comments, see reverse side of this card.

Name (please print) Vivian Helliwell *Vivian*

Representing Institute for Fisheries Resources (IFR)

Notes In favor of KUSA, KIBRA,
dam removal, salmon
restoration. Economic
benefits to Oregon Fishermen

Comment 1 - Approves Dam Removal

*Please read the speaker guidelines on the back side of this card 21

Comment Author Helliwell, Vivian
Agency/Assoc. Institute for Fisheries Resources
Submittal Date October 25, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_MF_1025_006-1	Master Response GEN-2 Some People Approve of Dam Removal, Others Oppose Dam Removal.	No

AO_MC_1026_017

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

MS. HELLIWELL: Hi. My name is50

Vivian Helliwell, V-i-v-i-a-n H-e-l-l-i-w-e-l-l. I'm the watershed conservation director for the Institute for Fisheries Resources, IFR, a nonprofit with membership of 15 commercial fishing marketing associations and also the group Salmon for All.

Member groups include fishermen's associations from Port San Luis, Morro Bay, Monterey, Moss Landing, Santa Cruz, Half Moon Bay, San Francisco, Bodega Bay, Fort Bragg, Humboldt County, Trinidad, and Washington state. As IFR, we are signatories to the Klamath Hydroelectric Settlement Agreement and the Klamath Basin Restoration Agreement.

Our ocean salmon seasons have been greatly curtailed over the last 20 years to prevent overfishing on available Klamath River salmon that mix with other salmon in the ocean. Known as "weak stock management," the closures are designed to allow maximum escapement of spawners each year to the Klamath River. Some years, salmon fishing has been closed off the entire California coast to protect Klamath River stocks, with great economic impact to our coastal fishing communities, only to have returning salmon encounter deadly conditions

after they enter the river to spawn.

In addition to the well-known death of tens of thousands of adult salmon in 2002, juvenile salmon are 51 percent subject to great losses each year from poor water quality conditions in the river. Our fishing businesses, jobs, taxes, and coastal economy have taken the brunt of cumulative toxic water quality conditions and limitation on spawning areas caused by the Klamath River dams that are up for relicensing.

Our group estimates, from the projections in the EIS/EIR, that, while increasing 10 percent within the restricted Klamath ocean zone, fishing opportunity will double in areas further up and down the coast, due to the increased fishing opportunity on salmon stocks other than those from the Klamath.

Comment 1 - Approves of Dam Removal

We understand that the dam owner, PacifiCorp, has a private property right to choose the less costly avenue of dam removal over the higher cost of relicensing. Although there is additional work that needs to be done in the Klamath Basin outside the scope of the KHSA and the KBRA, removal of all four dams and the water and restoration agreements that have been reached among many parties will go a long way toward restoring economic vibrancy to our coastal fishing communities.

And we support Alternative 2. Thank you.

Comment Author Helliwell, Vivian
Agency/Assoc. Institute for Fisheries Resources
Submittal Date October 26, 2011

Comment Code	Comment Response	Change in EIS/EIR
AO_MC_1026_017-1	Master Response GEN-1 Comment Included as Part of Record.	No