UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

April 20, 2009

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Place, N.E.
Washington, DC 20426

Subject: Final Environmental Impact Statement for Hydropower Licenses – Big Creek Nos. 2A, 8, and Eastwood – FERC Project No. 67, Big Creek Nos. 1 and 2 – FERC Project No. 2175, Mammoth Pool – FERC Project No. 2085, and Big Creek No. 3 – FERC Project No. 120 – California (CEQ # 20090077)

Dear Ms. Bose:

The U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement (FEIS) for the Hydropower Licenses for Big Creek Nos. 2A, 8, and Eastwood – FERC Project No. 67; Big Creek Nos. 1 and 2 – FERC Project No. 2175; Mammoth Pool – FERC Project No. 2085; and Big Creek No. 3 – FERC Project No. 120 (Big Creek Projects). Our comments are provided under the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

We rated the Draft Environmental Impact Statement for this project as *Environmental Concerns- Insufficient Information (EC-2)* due to concerns about the analysis of the no-action alternative and impacts related to dismantling and construction activities. We also requested additional information regarding the impacts of climate change on the Big Creek Projects and the analysis of cumulative impacts. Many of our concerns regarding air quality and dismantling and construction activities were resolved in the FEIS. Remaining concerns regarding the no-action alternative and the cumulative effects of climate change are summarized below.

No-Action Alternative

40 CFR 1502.14 of the Council of Environmental Quality regulations describes how an EIS should present the environmental impacts of the proposed action and alternatives (including the no-action alternative) in a comparative form, sharply defining the issues and providing a clear basis for choice among options by the decision-maker and the public. Although the FEIS provides a thorough analysis of the Proposed Action, as well as FERC's rationale for their preferred alternative (Staff Alternative), it does not present the information in a way that provides the reader with a clear comparison of the environmental effects of the no-action alternative with the other alternatives.

In the FEIS Response to Comments (p. D-3), FERC indicates that the broad environmental effects of operating the projects under the no-action alternative are described in the Existing Project Operations Section and project-specific effects are described in the Affected Environment Sections for several resource topics; however, these sections refer to 'existing operations' or 'current license', and it is unclear that these discussions are intended to also serve as a part of the no-action alternative environmental analysis. The FEIS does not adequately present the alternatives in a comparative form.

EPA continues to recommend that FERC clearly present the environmental impacts of the no-action alternative so that its impacts can be adequately compared to the other alternatives. EPA recommends including this information on the no-action alternative in the Record of Decision (ROD).

Climate Change

The discussions of cumulative effects in the FEIS do not mention the potential cumulative effects of climate change on the project area and how this may affect the operation of the proposed projects. While it may be difficult to predict specific climate change effects, they should be identified and discussed to the extent possible, especially considering the long term nature of the proposed relicensing. EPA reiterates that a discussion of climate change and its potential effects on the proposed action and on the action's impacts should be included in the EIS, and recommends that FERC include this discussion in the ROD. We recommend this discussion include a short summary of any applicable climate change studies, including their findings on potential environmental and water supply effects and their recommendations for addressing these effects.

Thank you for the opportunity to comment on the FEIS. If you have any questions, please contact me at (415) 972-3521, or contact Susan Sturges, the lead reviewer for this project. Susan can be reached at (415) 947-4188 or sturges.susan@epa.gov.

Sincerely,

Kathleen M. Goforth

Kathleen M. Goforth, Manager
Environmental Review Office (CED-2)