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

JUN 14 2013

Ms. Elizabeth Vasquez
Natural Resources Specialist
U.S. Bureau of Reclamation
2800 Cottage Way
Sacramento, CA. 95825

Subject: Final Environmental Impact Statement /Environmental Impact Report (EIS/EIR) for Klamath Facilities Removal, Klamath County, Oregon and Siskiyou County, California.

Dear Ms. Vasquez,

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), our NEPA review authority under Section 309 of the Clean Air Act, and our participation as a Cooperating Agency.

EPA provided comments on the Draft EIS (DEIS) to the Bureau of Reclamation (Reclamation) on December 29, 2011. In our comments, we articulated EPA's strong support for the removal of the four dams on the mainstem of the Klamath River, understanding that dam removal would significantly improve water quality, fisheries habitat, Tribal trust assets, and human health and the environment. We rated the DEIS alternatives that would include removal of all four dams as EC-2 (Environmental Concerns – Insufficient Information), and the alternatives that would not include removal of all four dams as EO-2 (Environmental Objections – Insufficient Information).

The Final EIS/EIR identifies Alternative 2: Full Facilities Removal as the preferred alternative under NEPA. In our comments on the DEIS, we rated this alternative EC-2, reflecting our support for the dams removal, as well as our concerns regarding potential impacts to wetlands and the short-term effects on fisheries and water quality from dam deconstruction. We recommended that the Final EIS (FEIS) include a more robust discussion and evaluation of potential wetland losses and mitigation, and of the expected quantity of sediment released through dam removal. We also recommended that the FEIS include a monitoring and mitigation plan, a discussion of potential conflicts and resolutions with the nearby Trinity River Restoration Program, and an environmental review and compliance process for the On-Project Plan.

EPA appreciates the additional information in the FEIS regarding wetlands and sediment issues. The FEIS includes additional evaluation of existing wetlands and wetlands impacts and clarifies wetland restoration expectations. We understand that a Compensatory Wetland Mitigation Plan will be developed that is consistent with the EPA-USACE Mitigation Rule. The FEIS also clarifies the types and amounts of sediment expected to be released from the Four Facilities, and expands and refines the discussion of effects from the On-Project Plan.

In our comments on the DEIS, EPA recommended that the FEIS include a detailed monitoring and mitigation plan that describes: the proposed monitoring and mitigation actions; when the action would be implemented; the responsible party; known effectiveness of the mitigation measure; funding; and success criteria. We further recommended monitoring to verify assumptions and predictions regarding project effects and the rate of recovery from deconstruction impacts. While such a plan was not included in the FEIS, we understand that Reclamation intends to adopt a plan at the time the Record of Decision (ROD) for the Secretarial Determination is signed. We recommend that the plan be referenced in the ROD. We also recommend that the ROD identify a process for resolving potential conflicts between the Trinity River Restoration Program and the Klamath Facilities Removal Project, should they occur.

EPA has no objections to the NEPA preferred alternative and continues to offer its strong support for the removal of the four dams. We appreciate the opportunity to review this FEIS. When the Record of Decision is signed, please send one copy to the address above (mail code: CED-2). If you have any questions, please call me at 415-972-3521 or contact Jean Prijatel, the lead reviewer for this project, at 415-947-4167 or prijatel.jean@epa.gov.

Sincerely,

Kathleen Martyn Goforth, Manager
Environmental Review Office
Communities and Ecosystems Division

cc: Gordon Leppig, California Department of Fish and Game
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