[attachment 30]

Our Klamath Basin Water Crisis
Upholding rural Americans' rights to grow food, own property, and caretake our wildlife and natural resources.

http://www.siskiyoudaily.com/news/x545134816/Klamath-dams-County-s-comments-in

Klamath dams: County's comments in

by John Bowman, Siskiyou Daily News, December 27, 2011

Weed, Calif. — Siskiyou County recently submitted its comments for the Department of Interior's (DOI) Draft Environmental Impact Statement/Report (EIS/EIR) for Klamath Facilities Removal, as the Dec. 30 deadline for submissions approaches.

In addition to county government, the cities of Yreka, Dorris, Etna, Montague and Weed along with the town of Fort Jones passed resolutions stating their official support for the county's comments.

The 130-page document, prepared by County Counsel Tom Guarino and environmental attorney George Mannina Jr. of Nossaman LLP, outlines a long list of criticisms against the EIS/EIR. The majority of the criticisms are based on the county's allegation that scientific analysis throughout the EIS/EIR is either not sufficient to meet legal requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), or that claims about environmental benefits of dam removal contradict the findings of DOI's expert panels.

The over-riding allegation of the document is summarized on page 121 in the "Conclusion" section.

"NEPA and CEQA require that there be a 'hard look' at the environmental effects of a proposed action .. .this hard look 'must be taken objectively and in good faith, not as an exercise in form over substance, and not as a subterfuge designed to rationalize a decision already made' ... For all intents and purposes, the EIS/EIR appears to be 'a subterfuge designed to rationalize a decision already made,'" the document states.

Throughout the DOI's Secretarial Determination process, the county has maintained the allegation that dam removal is a foregone conclusion and the scientific analysis has been biased to support that conclusion.

The "Conclusion" section of the county's document contains 35 bulleted points intended to support this claim.

Among the allegations of scientific misconduct and failure to meet legally required standards of analysis are the following:

• "The EIS/EIR states the proposed action (dam removal) is to advance the restoration of salmonid fisheries." The county feels that the findings of the DOI's expert panels indicate that benefits would be "small," "remotely possible," "uncertain," "unlikely" and "not feasible."

• "The EIS/EIR examines the effects of the proposed action on fish as if each individual species is the only occupant of the ecosystem." The county alleges that the EIS/EIR fails to analyze effects of changes in species interactions.

• "An expert panel found that the EIS/EIR's reliance on average daily mean temperatures to measure the temperature impacts of dam removal on fish was incorrect. Fish do not experience average temperatures. Fish experience hour-by-hour temperatures."

• "The EIS/EIR admits the proposed action will increase nutrient loads ... algae growth ... pH levels ... and disease ... and, therefore, make water quality worse."

• "... in at least four places the EIS/EIR states it need not examine the effects of dam removal on estuarine habitat ... In an equal number of places, the EIS/EIR says sediment will reach the estuary. Both assertions cannot be right."

• "The EIS/EIR admits that dioxin and other chemicals are present in dangerous levels behind J.C. Boyle Dam. There is no analysis of the likely adverse impacts of these pollutants. Instead, the EIS/EIR says these hazardous pollutants will be diluted when the three dams below J.C. Boyle Dam are removed."

• "There is no analysis of the effects of reduced revenues on the County's ability to serve its citizens."

• "The EIR/EIS contains no analysis of the impact of increased energy costs on the citizens of Siskiyou County or of the environmental effects of replacing clean hydropower with other energy sources."

• "The EIS/EIR is devoid of any discussion of how the proposed action proposes to comply with the applicable ordinances of Siskiyou County."

The county's comment document concludes by stating, "The EIS/EIR meets neither the spirit nor the letter of the law. A revised EIS/EIR must be prepared to address these deficiencies. Only by circulating a corrected and expanded document will the lead agencies provided adequate information on environmental impacts, alternatives and mitigation measures..."

Home	Contact

Page Updated: Wednesday December 28, 2011 02:09 AM Pacific

Copyright © klamathbasincrisis.org, 2001 - 2011, All Rights Reserved