November 11, 2011

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Re: Comments - Klamath Facilities Removal Public Draft Environmental Impact Statement/Environmental Impact Report and Appendices

Ladies and Gentlemen:

As a taxpayer of the United States and California I am ***against*** the removal of the four dams on the Klamath River for the following reasons.

Failures to abide by the lead agencies own Federal and State's guidelines for environmental baselines and economic assessment protocols for dam removal, invalidates the entire Klamath Facilities Removal EIS/EIR.

The purpose of **any** EIS/EIR is to establish both an un-basis environmental and economic quantitative baselines, (in this case) pre-dam removal, with trends that are likely to prevail whether the dams were removed or not, and to be carried through out the baselines, the documentation of data sets, the information for comparative alternatives and for future monitoring. **This document does not do that.** It is misleading in that the only "facts" presented are to support a predetermined outcome for dam removal. This is just another case of government environmental incest. This EIS/EIR is a confabulation of disinformation, misinformation, assumptions and missing information that is not transparent, verifiable, reproducible, nor does it adhere to any of the lead agencies own standards related to dam removal or environmental governance. It is disingenuous to produce 3375+ pages (EIS/EIR, KHSA, KBRA) that are convoluted, misleading and contradictory to fool the Secretaries, Governors, Legislatures and the Public to the true costs and impacts of removing four consecutive dam in one water shed, in one year, with aftermath cleanup remediation to go on for years if not decades. There is no assurance that any of this is going to work as planned or who will be held accountable for another governmental debacle like Solyndra, Fannie Mae or Freddie Mac. With new legislation pushing the cost to over $800 million and counting we have moved from the phony reality presented in the KHSA/KBRA, EIS/EIR to a truer reality and costs. Because this EIS/EIR does not support the new proposed legislative funding of $800,000,000 the assumptions presented in this document cannot be valid and therefore cannot be certified.

Examples of **MISSING** environmental baseline data and **MISSING** economic assessment

protocols (no particular order) related to dam removal:

- **Missing** - The Secretary of Defense's authorization exempting these hydroelectric dams from the national security infrastructure network. Keeping in mind the uninterrupted generation and strategic locations afforded these clean and green power plants in the power grid, proximity to defense bases and related apparatus.
- **Missing** – The Secretary of Commerce's determination that areas outside the geographical area at the time of listing are critical habitat and failure to designate will result in the extinction of the species concerned. This in spite of the fact that these very same specie of concern (Wild Western Coho from the Klamath River) currently only has a market value of $4.99 lb (Costco) meaning they are plentiful at this price point and do not appear to be headed for extinction. With all the historic documentation of the late 1800 and early 1900 showing most if not all species of salmon and trout were widely transplanted, redistributed or introduced throughout California, the west and Canada – along with imported salmon from the east coast and hybridization by hatcheries, bags the question, what now makes these "native" or evolutionary significant fish. How is any fish "native" where other fish of the same species have been introduced or hybridized, specifically in the Klamath River? With all this inbreeding form other locations and fish species; the question becomes what determines what is truly a "native" or distinct population of fish? This is like saying your blue-eyed child is distinct from your brown-eyed child. How many generations does it take to become a distinct, native or indigenous population?
- **Missing** – The Secretary of the Interior's determination that areas outside the geographical area at the time of listing are critical habitat and failure to designate will result in the extinction of the species concerned and that dam removal is the only option and the most cost affective, when all alternatives and ALL cost are properly accounted for and presented. What will its total cost be to the public from all forms of governmental and regulatory extractions? AS THE PRESIDENTS HAS STATED "IT JUST MATH" so let's get it right.
- **Missing** – Who will be held accountable environmentally and economically if the dam removal turns into an environmental disaster and an economic boondoggle: DOI, NOAA, KHSA/KBRA, CDFG, ODFW? Taxpayers should not have to pay for governmental incompetence and experimentation brought fourth by a small group of zealots pushing heritage fishing and/or U. N. Agenda 21.
- **Missing** – It appears in the final KHSA that Del Norte and Siskiyou Counties are not signatory to the agreement which would raise some validity issues.
- **Missing** - Who granted to the KHSA any authority to dictate to the people when the people have voted in a free and open election to keep the dams?
- **Missing** – California Water Bond is not scheduled for voter approval until at least November 6, 2012. This is then just another waist of our tax dollars if this bond measure does not pass. Just like the watershed wide EIS/EIR was in the area last time.
- **Missing** – Documentation supporting your propaganda sited in "benefits of the proposed action" any baseline to support the claims of annual production increases of 81.4, 46.5, 54.8 and 9 percent when there is no guaranty the fish will even

survive dam removal let alone any starting numbers, rate of growth, etc. And under "salmon disease" what was left out is it is not the dam, which causes the disease, but the disease originates in the hatchery – how convenient.

- **Missing** – Only the Karuk, Klamath and Yurok tribes are signatory to these KSHA/KBRA agreements, circumventing other tribal rights, the Klamath compact, and various other treaties and agreements.
- **Missing** – Certification by NOAA that the Marine Mammal Protection Act will not be violated by known pollutants, carcinogens, and contaminates from the sediment loading over the next 6-10 years caused by the removal of four dams. What are NOAAs mitigation measures and how much will they cost?
- **Missing** – A flow chart showing all the preconditions, interconnected conditions and post-conditions with their related environmental impacts and economic costs. Not the bait-and-switch tactic used in this EIS/EIR. There is a fiduciary responsibility and requirement to account for ALL charges related to dam removal, mediation and governmental costs along with ALL potential environmental impacts for consideration. Not the $290 million bandied about for public consumption but the $800,000,000 now proposed it will to cost. This does not include the 338 million for water works costs and does **not** include the rate increases to pay off the California Water Bond if passed.
- **Missing** – A comparative quantitative analysis over time of the Klamath River fish stocks to all the other rivers salmonid stocks in California and Oregon that support Coho. This is to ascertain comparative river performance that justifies the dam's removal.
- **Missing** – A comparative quantitative analysis between the Klamath River with dams and the Eel River with out dams.
- **Missing** – Has the hybridization of Coho conducted by the hatcheries lead to its decline? Why is the infection zone just down stream from the hatcheries? What other hatchery mismanagement are we unaware of that has lead to the demise or outright killings of Coho and other species. Cannot hatchery production of Coho be increased?
- **Missing** – Are the Evolutionary Significant Units (ESUs) hybridized Coho? What is it exactly that makes these so unique? What is it in their DNA that makes then ESUs?
- **Missing** – Assurance that other non-native invasive species will not migrate either up or down the watershed that are now blocked by the dams.
- **Missing** – Actual western states post dam removal data comparing their base line assumptions to the actual environmental conditions, tons of sediment displaced, contaminates encountered, river impacts, environmental degradation encountered and observed, specie losses and their current conditions, recovery rates, etc. Also, data to assess economic and social impacts on the communities, local business, property values, tax revenues and every condition listed in their base lines before dam removals and what should have been included. What were the unintended consequences? Are the areas better off now than before their dam removals and if so in what ways. How do those dam removals compare to the projected out come of four consecutive dam removals of a much larger magnitude, over a one year period, in one water shed, with miles of river that will be impacted.

- **Missing** – Assurance that Siskiyou County residence receive preferential hiring status on any work related to dam removal, mitigation and governmental job opportunities.
- **Missing** - The relevant fish species recovery rates throughout the various reaches and tributaries of the Klamath and Trinity Rivers effected by each of the alternatives and how those impact the total number of fish, that then support commercial, sport and tribal benefits the fist year and annually for the next 50 years. Will these be "native" fish of will they be some kind of reintroduced fish breeds because the natives where killed off? Where are these Evolutionary Significant fish going to come from?
- **Missing** – Current fish counts (baseline) and projected fish counts throughout all reaches of the river and its tributaries and where they came from and how were they established.
- **Missing** – Certification that water quality will improve or remain the same from base line samples prior to dam removal, so not to cause harm to any listed species. Who will certify the water and who will be accountable if the water flows in the Klamath River, after dam removal, do not met the Porter-Cologne Water Quality Control Act.
- **Missing** – Assessing commercial fisheries for changes in economic profitability at the harvest level now (baseline) and projections for each year after dam removal. *Cannot be determined from the EIS/EIR because it is not present and is listed as a secret!*
- **Missing** – NOAA's base line ocean stock assessment reports specific to the anticipated Klamath River sediment discharges to establish baseline data for post dam assessments, mediation and cost impacts.
- **Missing** - How will sediment loading effect aquatic and non-aquatic wildlife and vegetation down stream from the dam removal sites not only initially but annually for the next 50 years.
- **Missing** – A base line of native caddis and stone flies and other invertebrates has not been provided, which will hold those responsible for dam removal, accountable for any impacts to these native invertebrate species and their habitat. Insects need special protection too.
- **Missing** - How will known pollutants, carcinogens, and contaminates be controlled, mitigated and contained not only during dam removal but also prior to remediation being completed between each dam removal and after all four dams are removed. The sequence of dam decommissioning and demolition will greatly affect the cost and environmental impacts and were not discussed in the EIS/EIR.
- **Missing** – Separate EIS/EIR for each sediment release from each dam.
- **Missing** – Human health costs related to contaminates releases by dam removal.
- **Missing** – Assurance Federal and California's water antidegradation policy base line of 1975, which applies to both surface waters and groundwater, and protects both existing and potential uses will not be compromised by the dam's removal and subsequent siltation flows with there known pollutants, carcinogens, and contaminates.
    - Shall not compromise the integrity of the waterbody and does not impinge

on unique or critical habitats.
  - Shall not cause acutely toxic conditions to aquatic life passing through the dam removal area and sediment mixing zone
  - Shall not restrict the passage of aquatic life
  - Shall not adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or State endangered species laws
  - Shall not produce undesirable or nuisance aquatic life; result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits or cause a nuisance.
  - Shall not dominate the receiving water body
  - Shall not be allowed at or near any drinking water intake.
- **Missing** - These pollutants, carcinogens, and contaminate discharges are in direct opposition and violation to the Water Resource Control Board own standards and requirements, The Clean water act, clean drinking water standards, EPA and NOAA's standards. How this is possible? Why are sediment samplings from each dam missing from the EIS/EIR? How much sediment and what is in the sediment at the bottom of each dam?
- **Missing** – Septic system impacts caused by changing water elevations and flooding conditions caused by dam removal not addressed or cost accounted for as a direct charge caused by dam removal?
- **Missing** – Drinking water quality issues to private, city and tribal wells or extraction points caused by silt, pollutants, carcinogens, and contaminate discharges related to dam removal. No filtration costs allocated as a direct charge caused by dam removal?
- **Missing** – ESA certification that no damage or destruction of endangered plants on federal lands and on private lands when knowingly in violation of State Law will not occur by the removal of four dams.
- **Missing** – Mitigation of flooding caused by dam removal for all tribal cultural resources. No cost allocated?
- **Missing** - NOAA's own *Science-Based Restoration Monitoring of Coastal Habitats* [NOAA 2005] states a baseline is the "starting point against which future measures can be compared" [NOAA 2005, p 14.9].
  - Recreation, tourism, and access
  - Enhancement of investment in the community
  - Enhancement of educational opportunities
  - Protection/improvement of human health
  - Protection of cultural and historic values
  - Enhancement of aesthetic and other non-market values
  - Reduction in property damage
  - Enhancement of property value
  - Improvement in economic activity
  - Enhancement of transportation and trade
  - Improvement to commercial fisheries and shellfisheries

- **Missing** - No assessments on the economic impacts of flood damage within the Klamath River watershed over the next 50-100 years. No Roads, bridges, infrastructure, homes, etc. costs allocated because of dam removal?
- **Missing** - Actual costs of dam deconstruction, flood and water quality mitigation efforts, and all other direct project costs associated with dam removal.
- **Missing** – All soft costs related to dam deconstruction, mitigation and restoration.
- **Missing** – No costs on all the other interrelated conditions associated with the EIS/EIR, KHSA, KRBA.
- **Missing** – All governmental costs related to dam deconstruction, mitigation, restoration, monitoring, and the KHSA/KBRA conditions imposed over the next 50 years.
- **Missing** - $338,000,000 for the Water Resource Program a KBRA condition.
- **Missing** - Changes in fisheries—catch and value of catch by species, location and type of fishing entity; commercial, commercial tribal, sport, tribal, - total value of catch for both commercial types, numbers by tribal and sport fishing over the next 50 years and the discount rate used. *This is a secret as stated in the EIS/EIR.*
- **Missing** – All costs related to running Iron Gate Hatchery when the reintroduction of anadromous fish is required for the Klamath River during the first eight years after the dams are removed. (reintroduction not covered by PacifiCorp)
- **Missing** - Changes in the visitor industry—number of visitors, characteristics of stay, activities, origin, and expenditures within Del Norte, Humboldt, Modoc, Siskiyou County in California and Curry, Klamath, and Jackson Counties in Oregon by type.
- **Missing** - Changes in the structure of the economies of Del Norte, Humboldt, Modoc, Siskiyou County in California and Curry, Klamath, and Jackson Counties in Oregon, - the number and type of enterprises, employment, incomes of employees, and sales and use taxes paid. Are they going to be better off, if so how, where and by how much?
- **Missing** - Changes in land use, including property values for Del Norte, Humboldt, Modoc, Siskiyou County in California and Curry, Klamath, and Jackson Counties in Oregon — from assessor's offices GIS databases, locations, values of land, description and value of structures and zoning, as geographically detailed as possible.
- **Missing** – Changes in the timber industry harvest volumes, rates of harvest, value, timber tax, employment, employment income, gross revenues.
- **Missing** – What was the rational for only a 20 million payment to Siskiyou County in 2018. This is less than 10 years worth of tax revenue form PacifiCorp along with the loss of related jobs and expenditures in the community. There is no

assurance that Siskiyou County will benefit economically at all from dam removal when electrical rate surcharges and water bond surcharges are factored in.

- **Missing** - Economic status and demographics by zip code broken out by age, sex income, occupations in Del Norte, Humboldt, Modoc, Siskiyou County in California and Curry, Klamath, and Jackson Counties in Oregon. How will dam removal improve these conditions quantitatively in each county and collectively?

- **Missing** – List and quantify the ways each tribe will be better off and how all will all be better off collectively from dam removal compared to the other alternatives?

- **Missing** – Industry Sectors not incorporated in EIS/EIR
    - Crops Production
    - Animal Production
    - Forest Products
    - Fishing, Hunting, Trapping
    - Ag and Forestry Support
    - Mining
    - Utilities
    - Residential Construction
    - Nonresidential Construction
    - Seafood Products
    - Other Food Products
    - Textiles
    - Sawmills
    - Plywood and Veneer
    - Other Wood Products
    - Pulp and Paper
    - Printing and Publishing
    - Concrete, Stone, Clay, Glass Mfg.
    - Metal Fabrication Mfg.
    - Ship and Boat Building
    - Wood Furniture and Fixtures
    - Sporting Goods Mfg
    - Other Manufacturing
    - Wholesale Trade
    - Tourism and Passenger Transport
    - Freight Transport and Warehousing
    - Other Transportation
    - Postal and Delivery Services
    - Motor Vehicles and Parts Stores
    - Household Goods
    - Food and Beverage Stores
    - Health and Personal Care Stores
    - Gas Stations and Carwashes

  - Misc. Retail
  - Publishing
  - Communications and Software
  - Finance, Insurance, Real Estate (F.I.R.E.)
  - Rental Services
  - Business Services
  - Travel Services
  - Personal and Community Services
  - Education
  - Health Services
  - Social Services
  - Recreation Services
  - Hotels and Accommodations
  - Food and Beverage Services
  - Equipment Repair Services
  - Households
  - State and Local Government
  - Federal Government
  - Other
- Only 8 were used in the EIS/EIR but appear to change depending where they are sited? This makes it imposable to compare data and there is more to each county than this, which needs to be accounted for.
  - Agriculture, Mining, Construction, Manufacturing, Transportation, Information, and Public Utilities (TIPU), Trade, Service, Government
- **Missing** – Employment by industry and by tribe not incorporate in the EIS/EIR
  - Wage and salary employment
  - Proprietors employment
  - Farm proprietors employment
  - Nonfarm proprietors employment
  - Farm employment
  - Nonfarm employment
  - Private employment
  - Forestry
  - Fishing
  - Mining
  - Utilities
  - Construction
  - Manufacturing
  - Wholesale trade
  - Retail Trade
  - Transportation and warehousing
  - Information
  - Finance and Insurance
  - Real estate and rental and leasing
  - Professional and technical services
  - Management of companies and enterprises

  - Administrative services
  - Waste services
  - Educational services
  - Health care and Social assistance
  - Art, entertainment, and recreation
  - Accommodation and food services
  - Other services, except public administration
  - Government and government enterprises
  - Federal, civilian
  - Military
  - State and local
  - State government
  - Local government
- Missing - Direct Travel Impact baseline and projections
  - Total direct travel spending
  - Visitor spending by type of traveler accommodation
  - Visitor spending by commodity purchased
  - Industry earnings generated by travel spending
  - Industry employment generated by travel spending
  - Tax receipts generated by travel spending

- **Missing - The Environmental Protection Agency (EPA)**, *Guidelines for Preparing Economic Analyses* [EPA 2000]. This out lines and supports benefit-cost analysis (BCA), cost effectiveness analysis, economic impact analysis (EIA) and equity assessments. This EIS/EIR has apparently relied solely on IMPLAM modeling, which has known short falls, and no spreadsheet data was provided for transparency, verification or reconstruction for the conclusions reached. Without conformance to the lead agencies own standards there is no validity to the EIS/EIR.
- **Missing - The Whitehouse Office of Management and Budget (OMB)** Circular A-4 [OMB 2003] and Circular A-94 [OMB 1992] The OMB guidance states that BCA is the preferred method of analysis whenever there are different beneficial outcomes [OMB 2003, p12, and OMB 1992, p 3]. The OMB guidance states it "should be the best assessment of the way the world would look absent the proposed action" and "changes in external factors affecting expected benefits and costs" need to be taken into account. [OMB 2003, p 15]. Maybe peer review should be someone impartial and who is not beating their own drum, like OMB.
- **Missing - NOAA's Office of Sustainable Fisheries** *Guidelines for Economic Analysis of Fishery Management Actions* [NOAA, 2000].
- **Missing - NOAA's Coastal Ocean Program** *Science-Based Restoration Monitoring of Coastal Habitats* [NOAA 2005]. Caused by the Estuaries and Clean Waters Act of 2000.
- **Missing - Department of the Interior Bureau of Reclamation (Reclamation)** *Economic Analysis of Dam Decommissioning* [DOI 2003]
- **Missing - The Department of Interior Bureau of Reclamation's Economic s**

Resources and Planning Group *Valuation of American Indian Land and Water Resources: a Guidebook* [Hammer 2002].

- **Missing - The Heinz Center for Science, Economics and the Environment Panel on Economic, Environmental, and Social Outcomes of Dam Removal** has produced a panel report entitled, *Dam Removal Science and Decision Making* [Graf 2002a].
- **Missing - Whitelaw and MacMullan** *A Framework for Estimating the Costs and Benefits of Dam Removal* [Whitelaw and MacMullan 2002]
- **Missing –** Even ***The Preliminary Economic Assessment of Dam Removal: the Klamath River*** [Kruse 2006] was not even sited.

Given that none of these documents were referenced nor where any of their recommendations and protocols incorporated into the EIS/EIR. The question becomes what was used? How can any of the environmental and economic information be valid when it is not in conformance with any of the lead agencies own standards? Why should any of the cost projections for dam removal be valid when known cost have arbitrarily been left out for the purpose of giving a lower cost projection? The 4550 net job creation is questionable given the fact most will be temporary, seasonal and short-term jobs - a year or less. The only long-term employment will be governmental or NGO's to monitor the aftermath.

Given the fact that 600,000 PacifiCorp customers are having their standard of living reduced by $200 million in dam removal costs and the additional rate increases for replacement power forever was not counted in dam removal costs. This issue was proposed by the KHSA/KBRA a non-governmental consortium of self appointed stakeholders and tribes who have imposed this on an electorate, who voted overwhelmingly (79%) to keep the dams, but where excluded from the KHSA/KBRM. The fair and just thing is to have any cost overruns or shortfalls made-up personally and collectively by the signatories of the KHSA/KBRA agreements and not the rate payers or taxpayers of either State, the Nation or any of the six counties. This would potentially save California $200 million it does not have and has not approved. This will also let the KHSA/KBRA "stakeholders" share in the true cost of active environmentalism.

Cost sharing for this undertaking should also be assessed against commercial and sport fisheries. This is the same as timber harvesting on public lands, which is sold by the board foot, fish could likewise be charge by the pound. This would also off set incidental takes on listed species that are accidently caught when fishing. Float and boat trips on the river or ocean could also be charged. Sharing in the true cost of environmentalism is what it is all about - right.

Fish mismanagement appears to be the main problem, which has caused a lack of fish production throughout the water shed (fish release timing, ratio of Coho to other salmon, fish killings, etc.). A simple solution would be to turn over fish enhancement operations to <u>all</u> the tribes in the Klamath water shed with historic rights and related stakeholders with a direct connection to fish harvesting,

consumption, subsistence, or historic and ceremonial needs. This would eliminate finger pointing and make them in charge of their own fate.

The California Water Bond scheduled for 2012 contains provisions for new hydroelectric dams. This would render the arguments that the Klamath dams energy production is not clean or green moot.

The KHSA/KBRA agreements provide for a net gain of water for irrigation and stream flows separate and apart from the four dams to be removed. The ability to regulate and manage stream flows would be greatly impaired with the dams removed. Having 5-6 water impoundments capable of providing excess cold and clear water capacity for river habitat, fish and flood control is better than 1-2 dams. Dam removal advocates have minimized the very real dangers associated with floods and flooding which works if it is not your property that is impacted. The environmentalist's extraordinary delusion that the rivers will have shade trees and clear water are misplaced. In all likelihood it would flow and function like the Eel River with no dams. How much better are the Eel's Coho runs or any salmon runs for that matter that justifies these four dams to be removed?

Given all the information presented; the lack of fishing data in the EIS/EIR, NOAA's statements that when several hundreds of thousands of fish where allowed to return to spawn, there were no corresponding increases in subsequent fish return counts and NOAA's complicity in the Russian River fish stranding contrivance, leads one to believe that this is just another case of fishing interest masquerading as environmentalism.

With these and all the other negative comments expressed at the hearing and in writing, with references sited or not, all lead to the same conclusion – the dams should ***not be removed because the EIS/EIR does not meet the lead agencies own standards and recommendations***. The handouts, the executive summary and EIS/EIR all exude that warm and fuzzy environmental gobbledygook. ***What it does not say is that it will work or what it will cost***. It does not say that other hydroelectric plants will be built to replace these somewhere else in California. It does not say what the real world consequences to the river environment will be. It does not even say the existing native Coho and other species will survive. It does not say who will be accountable when this does not work as presented. It does not present a baseline to gauge the impacts, either environmental or economic. It does not assure any of the counties they will be better off. It does not account for the lower standard of living to tax and ratepayers. It does not meet the minimum standards required for a project of this complexity and magnitude. It does not conform to the lead agencies own standards. It is not transparent, un-basis, verifiable or reproducible. It does not have a benefit-cost analysis (BCA). It does not have a cost effectiveness analysis. It does not have an economic impact analysis (EIA). It does not have an equity assessment. It does not have an analysis of four concurrent and consecutive dam removal projects, in one year, in one watershed with the potential to negatively compromise miles of river. It does not have a comparative analysis to other previous

dam removals that supports these four dam removals.

With the new proposed legislation, Klamath Basin Economic Restoration Act, at least everyone will know its real intent is to circumvent the will of the people and its true costs are over a billion dollars ($1,000,000,000.00).

Thanks
Tom Connick