

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT
/ENVIRONMENTAL IMPACT STATEMENT**

**Klamath Hydroelectric Settlement Agreement Analysis Including the
Secretarial Determination on Whether to Remove Four Dams on the Klamath
River in California and Oregon**

CALIFORNIA DEPARTMENT OF FISH AND GAME

To Responsible and Trustee Agencies and All Interested Parties:

To address long-standing disputes over scarce water resources and fisheries restoration in the Klamath Basin, Klamath River Basin stakeholders, including the Department of Fish and Game (Department), negotiated and signed the Klamath Basin Restoration Agreement (KBRA) and the Klamath Hydroelectric Settlement Agreement (KHSA) (both documents are available on-line at www.KlamathRestoration.gov).

Representatives of more than 30 organizations, including Federal agencies, California and Oregon, Indian tribes, counties, irrigators and conservation and fishing groups participated in the Klamath settlement process to develop a comprehensive solution for the Klamath Basin. The first parties signed the KBRA and KHSA on February 18, 2010.

The KBRA is intended to result in effective and durable solutions which will: 1) restore and sustain natural fish production and provide for full participation in harvest opportunities of fish species throughout the Klamath Basin; 2) establish reliable water and power supplies which sustain agricultural uses, communities, and National Wildlife Refuges; and 3) contribute to the public welfare and the sustainability of all Klamath Basin communities.

The KHSA lays out the process for additional studies, environmental review, and a decision by the Secretary of the Interior regarding whether removal of four dams owned by PacifiCorp: 1) will advance restoration of the salmonid fisheries of the Klamath Basin; and 2) is in the public interest, which includes but is not limited to consideration of potential impacts on affected local communities and tribes. The four dams are Iron Gate, J.C. Boyle, Copco 1 and Copco 2 dams on the Klamath River.

The KHSA includes provisions for the interim operation of the dams and the process to transfer, decommission, and remove the dams. The parties negotiated these agreements to resolve longstanding disputes among them regarding a broad range of natural resource issues.

The Department has determined that implementation of the KHSA, including the removal of four dams, and other activities described within the KHSA have the potential to cause significant adverse environmental effects. As a result, the Department and the Department of the Interior (DOI), through the Bureau of Reclamation, are preparing a joint Environmental Impact Report/Environmental Impact Statement (EIS/EIR) pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended, and the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 *et seq.*), to evaluate whether to remove four dams on the Klamath River pursuant to the terms of the KHSA.

DOI will be responsible for the scope and content of the document for NEPA purposes and the Department will be responsible for the scope and content of the document for CEQA purposes.

Section 3.2.5 of the KHSA states:

“The State of California shall conduct CEQA review of Facilities Removal and associated actions prior to its decision whether to concur with an Affirmative Determination as provided in Section 3.3.5.A. To the extent practicable and as described in Section 3.2.2, the State and the Secretary shall consult and cooperate with the studies, environmental compliance and other actions, for the purpose of informing the State’s CEQA review. The California Department of Fish and Game shall be the lead agency for the CEQA review. The State shall use best efforts to complete its environmental review by March 31, 2012.”

In the event of an affirmative determination, the Secretary will also decide whether the DOI or a non-federal entity will serve as the Dam Removal Entity (DRE). The Governors of both California and Oregon will provide notice to the Secretary and other parties within 60 days whether each state concurs with the affirmative determination. In its concurrence decision, each state will consider whether: 1) significant impacts identified in its environmental review can be avoided or mitigated as provided under state law; and 2) if facilities removal will be completed within the state cost cap. If the Secretary selects a non-federal DRE, the states would also decide whether to concur with that selection.

The Department is the lead agency under CEQA. The Department has identified the North Coast Regional Water Quality Control Board, the State Water Resources Control Board (SWRCB), and Siskiyou County as responsible agencies because they may have discretionary approval over some activities the program will authorize (Cal. Code Regs., tit. 14, § 15381). A “trustee agency” is a state agency that has jurisdiction over natural resources held in trust for the people of the state that could be affected by a project (Cal. Code Regs., tit. 14, § 15386). The Department has identified the SWRCB, and the State Lands Commission as trustee agencies because they are state agencies that have jurisdiction by law over natural resources affected by the project.

The public and agencies are invited to comment on the scope and content of the EIS/EIR, including significant environmental issues, reasonable alternatives, and mitigation measures.

The EIS/EIR will identify thresholds of significance and significant impacts of the program and alternatives related to land use and planning; greenhouse gas emissions; agricultural and forestry resources; biological resources; aesthetics; geology and soils; mineral resources; hydrology and water quality; cultural resources; transportation/traffic; noise; air quality; hazards and hazardous materials; public services; utilities and service systems; population and housing; and recreation. The EIS/EIR will identify feasible mitigation measures to reduce potentially significant impacts on the environment.

The Department and DOI will conduct public scoping meetings to solicit comments concerning the issues, alternatives, and analyses to be considered in EIS/EIR. CEQA requires that any scoping comment be provided to the Department at the earliest possible date, but not later than 30 days after receipt of this notice.

Requests for information regarding the program and all responses to this notice should be sent to:

Caitlin Bean, Staff Environmental Scientist
California Department of Fish and Game
601 Locust Street
Redding, CA 96001
530-225-2273
KSDcomments@dfg.ca.gov

Three documents are attached to this notice. Attachment 1 provides an overview of the scoping process and the draft EIS/EIR schedule. Attachment 2 shows the location of the Klamath River Watershed. Attachment 3 shows the environmental factors potentially affected by the program that the EIS/EIR will address. No Initial Study was prepared; therefore, an Initial Study is not attached.

Date: June 17, 2010



MARK STOPHER, Acting Regional Manager
Northern Region
California Department of Fish and Game
530-225-2275

ATTACHMENT 1

Scoping and Public Information Meetings

The Department is seeking input on the scope and content of environmental information relevant to the evaluation of the implementation of the KHSA and the activities described within it. To that end, the Department will hold seven joint EIS/EIR public scoping meetings with DOI in California and Oregon on the following dates, times and locations:

- Wednesday, July 7, 2010, 10:00 a.m. to 1:00 p.m., Copco Community Center, 27803 Copco Road, Montague, CA 96064
- Wednesday, July 7, 2010, 6:00 p.m. to 9:00 pm, Yreka Community Center, 810 N. Oregon Street, Yreka, CA 96097
- Thursday, July 8, 2010, 6:00 p.m. to 9:00 p.m., Klamath County Fairgrounds, 3531 S. 6th Street, Klamath Falls, OR 97603
- Friday, July 9, 2010, 6:00 p.m. to 9:00 p.m., Chiloquin Community Center, 140 First Street, Chiloquin, OR 97624
- Tuesday, July 13, 2010, 6:00 p.m. to 9:00 p.m., Chetco Activities Center,, 550 Chetco Way, Brookings, OR 97415
- Wednesday, July 14, 2010, 6:00 p.m. to 9:00 p.m., Arcata Community Center, 321 Community Park Way, Arcata, CA 95521
- Thursday July 15, 2010, 6:00 p.m. to 9:00 p.m., Karuk Tribe Community Room, 39051 Highway 96, Orleans, CA 95556

The scoping meetings will provide an opportunity to the public and agencies to comment on the scope of the environmental analysis in the EIS/EIR, and to raise issues, concerns, and ideas regarding potential impacts of implementing the KHSA and the projects described within it, feasible mitigation measures, and possible alternatives. Oral and written comments will be accepted at the public meetings.

During the meeting an opportunity will be provided for participants to receive guidance regarding effective participation in the environmental review process. Workshop topics will include an overview of the environmental review process and information on the ways the public can participate in the process.

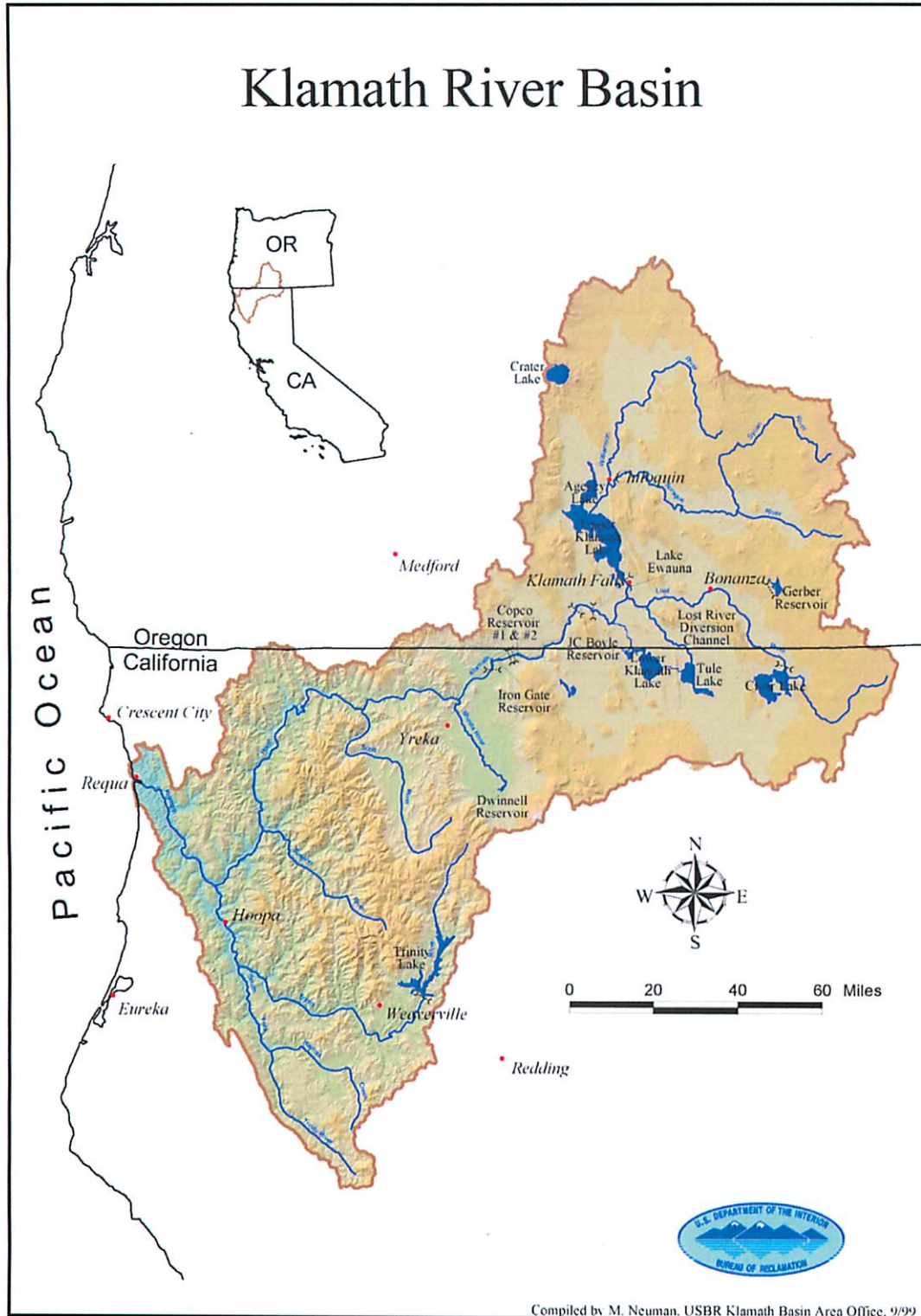
Draft EIS/EIR Schedule

The Draft EIS/EIR is scheduled for circulation in spring 2011.

Additional Information

A summary of the KHSA and KBRA may be obtained at <http://www.edsheets.com/>.

ATTACHMENT 2 - LOCATION



Attachment 3

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors listed below could potentially be affected by this project and will be investigated in the EIS/EIR.

Aesthetics
Agriculture and Forestry Resources
Air Quality
Biological Resources
Cultural Resources
Geology /Soils
Greenhouse Gas Emissions
Hazards & Hazardous Materials
Hydrology / Water Quality
Land Use / Planning
Mineral Resources
Noise
Population / Housing
Public Services
Recreation
Transportation/Traffic
Utilities / Service Systems