PART 6

Comments on and Responses to the COB Energy Facility Draft Environmental Impact Statement (DEIS)

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Letter Log #	Comment Code	Topic	Comment Summary	Response
PRIVATE CITIZENS				
2COBEF-001	**1A**	Economics	Supports economic growth and the project	Comment noted. No changes are proposed for the Final Environmental Impact Statement (FEIS).
2COBEF-002	**2A**	Stormwater	Concerned that stormwater/plant water will contaminate groundwater	The proposed action is to discharge noncontact stormwater into an infiltration basin. The stormwater is not contaminated and will not affect groundwater or surface water. This process will be permitted and regulated by the Oregon Department of Environmental Quality (DEQ) Water Quality Division. Air emissions will meet the state and federal air quality standards to protect human health. In addition, the risk assessment (Appendix C to the Biological Assessment, which itself is Appendix C to the FEIS), determined that there was no risk to the aquatic environment. The alternative to discharge stormwater into the Langell Valley Road drainage ditch is no longer considered a viable option and has been dropped from further consideration in the
	2B	Stormwater	Potential of stormwater discharging into Langell Valley roadside ditches	The alternative to discharge stormwater into the West Langell Valley Road drainage ditch is no longer considered a viable option and has been dropped from further consideration. The FEIS includes a discussion on dropping this option from further consideration.
	2C	Stormwater	Amendment 2 page B-5 states there will not be stormwater discharges into drainage ditches	See response to Comment 2B.
	2D	Wastewater	How will solids from the Plant Drain System be disposed?	Any solids that are removed from sumps or drains will be placed in barrels and removed from the project site by a licensed recycler or disposal operator.
	2E	Wastewater	Discrepancy between EIS and Amendment 2 whether storing and hauling of wastewater is an alternative.	The Draft EIS (DEIS) and FEIS describe the alternatives for disposal of wastewater. However, the preferred alternative and the alternative proposed to the Energy Facility Siting Council (EFSC) is to land apply process wastewater. Storing and hauling of wastewater will not be considered further in the FEIS.
2COBEF-003	**3A**	Alternatives	Why build the power plant in a pristine area instead of closer to the power demand?	The availability of energy sources (e.g., natural gas, wind, coal, hydro), availability of land, and environmental impacts make it difficult and expensive to site power generating facilities in load centers. In addition, reliability of the electrical system depends on a diverse and distributed generation that is interconnected with a reliable and efficient transmission system. The California-Oregon border is one of the strategic locations for providing power both north and south on the western interconnection transmission system. Additional information on the site selection process for this project has been added to Chapter 2 of the EIS to clarify how the proposed site was chosen.
	3B	Land Use	The project is proposed for land designated as exclusive farm use	Parts of the proposed project will be constructed on land designated as Exclusive Farm Use (EFU). Energy generation facilities are allowed in all EFU zones. The project has applied for acreage exceptions in accordance with Oregon law.
	3C	Transmission	BPA should not allow the transmission interconnection	The opinion of the commenter is noted. To disallow the interconnection—the No Action Alternative—is under consideration.
	3D	Transmission	What will BPA gain by allowing the interconnection?	Bonneville Power Administration (BPA) has no particular interest in allowing the proposed interconnection of the proposed COB Energy Facility to BPA's transmission system. As is discussed in the EIS, BPA has an obligation under its Open Access Transmission Tariff to provide transmission interconnection to all eligible customers on a first-come, first-served basis. If BPA decides to allow interconnection of the proposed project, it would gain revenue for transmission services provided to COB.
2COBEF-004	**4A**	Air Quality	Project will pollute the air	The Air Contaminant Discharge Permit Program, administered by DEQ, has established requirements for regulating air emissions in the atmosphere. Extensive analysis by the project proponent has determined that the Facility meets establish limits to protect human health and the environment. DEQ has issued an Air Contaminant Discharge Permit to the project proponent for the proposed facility.
	4B	Wastewater	Project will pollute the water	There will be no process wastewater discharged to surface or groundwater.
	4C	Peoples Energy	Who are the owners of Peoples Energy, where do they reside?	Peoples Energy is a publicly owned company and as such is owned by stockholders. There is no single residence for all of the stockholders.
	4D	Peoples Energy	Who gets the Peoples Energy profits. Does profit stay in Klamath County?	Peoples Energy profits are received as dividends by stockholders. The economic benefit to Klamath County is not dependent on the corporate profits.
2COBEF-005	**5A**	Fish	Locals had to give up water to protect fish	The project will use water from a deep aquifer that will not affect surface water used by fish, including the Lost River suckers and the shortnosed suckers. A worst case hydraulic connection case presented in Appendix F of the Biological Assessment (BA) found that negative impacts would not occur.
	5B	Wildlife	Impacts on deer population	The potential impacts on wildlife were evaluated in the EIS (see Sections 3.4 and 3.5). Although there will be impacts to wildlife, primarily deer, the project has proposed mitigation which when implemented will enhance deer and other wildlife habitat.
	5C	Water Resources	Impacts on irrigation water, domestic wells, and town of Bonanza	The aquifer proposed for use by the project proponent is not known to be used in the vicinity of the study area. The shallower wells used by the majority of the local irrigators are not expected to be impacted by the relatively small amount (less than 300 gallons per minute [gpm]) of proposed use, a small amount relative to nearby irrigation pumping. In addition, OWRD conditioned the project proponent's draft permit with a requirement that the project proponent monitor for potential impacts, and provide mitigation to offset any observed impacts.
	5D	Water Resources	How can the state issue the project a water right when it will not to others?	The water right issued for the proposed project is for withdrawing a small amount of water from the deep aquifer, which is separate from the shallow aquifer. There are no other water rights proposing to withdraw water from the deep aquifer at the time of the project proponent's request. The water right application was evaluated by the Oregon Water Resources Department (OWRD) and a draft water right was prepared and forwarded to the Oregon Department of Energy (ODE) with a recommendation for approval. Other water right applications in the area are for the shallow aquifer, which has numerous pending water right applications.
	5E	Water Resources	There could be legal action over issuing a water right	The OWRD has prepared a draft permit and recommended that the ODE issue the water right. Any legal challenge to this permit is outside the scope of this National Environmental Policy Act (NEPA) document.
2COBEF-006	**6A**	General Pollution	Why is a higher level of all pollutants okay for local residents?	Local, state, and national pollutant limitations are applicable to projects uniformly. Local residents have the same protection(s) as residents in other locations in Oregon.

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	6B	Need	There is no emergency need for the energy	The focus of project construction and operation is not to respond to an energy emergency, but to provide an electrical baseload over a long period of time.
	6C	Heat Dissipation	What will the project proponent do if air-cooling is ineffective? Will they use the water-cooled alternative?	Air-cooling is an existing and demonstrated technology that has proven to be effective. The project is not being permitted to allow for water-cooled technology. The comment does not change the proposed action or alternatives and no further action is warranted.
	6D	Water Resources	Can the project proponent claim the first water right on the Babson Well and withdraw as much water as they want?	Water withdrawal is limited by the water right issued by the Oregon Water Resources Department.
	6E	Property Values	If local properties cannot be sold because of impacts from the project, will residents be compensated?	One of the criteria of review for of the state issued Site Certificate is impacts to surrounding agricultural practices. The Oregon Department of Energy has reviewed our application and concluded that the project will not have a negative impact on surrounding land uses (Reference ASC Exhibit)
	6F	Property Values	Will COB workers buy and live in the homes near the project?	The project proponent will have no policy on location of workers residence. The comment does not affect the proposed action or alternatives. No further action is warranted.
	6G	Property Values	Will landowners be given tax breaks or other advantages for impacts on their life styles?	The project is not expected to affect land values of properties in the area either positively or negatively. However, an overall positive economic impact on Klamath County is anticipated.
2COBEF-007	**7A**	Water Resources	Inaccuracies in describing upland features. Does not believe water resource data is accurate, wants independent review	The relationship of above-ground features to below ground features is not necessarily directly correlated. The study conducted by the project proponent was reviewed by the Oregon Water Resources Department and a water right was approved based on that information.
	7B	Wildlife	Impacts on deer migration and fawning survival	See response to Comment 5B.
	7C	Alternatives	Why use farm land when there is existing vacant industrial land available?	See response to Comment 3A.
2COBEF-008	**8A**	Hydrology	The aquifer will be affected by the mass use	See response to Comment 5C.
	8B	Hydrology	Questions the source of the groundwater and potential impacts at the source	The project proponent has provided analysis that shows that even at much higher pumping rates than the currently proposed rate (less than 300 gpm), there should not be a cumulative decline in water levels resulting from the pumping. In addition, the hydraulic radius of influence does not extend to the assumed recharge area, where the deeper aquifer rocks are exposed at the surface. As a result, the proposed pumping is not expected to have any measurable impact in potential recharge areas. However, OWRD conditioned the project proponent's draft permit with a requirement that the project proponent monitor for potential impacts, and provide mitigation to offset any observed impacts.
2COBEF-009	**9A**	Traffic	Impacts on traffic	Traffic and transportation were evaluated in Section 3.6 of the EIS. These studies indicate that the Level of Service on local roads would not be reduced by the construction and operation of the facility. No further action is warranted.
	9B	Land Use	Impacts on cattle, alfalfa crops, and rural residents	See response to Comment 3A.
	9C	Land Use	Project should be constructed in Klamath Falls	See response to Comment 3A.
	9D	Land Use	Project does not conform to the Klamath Falls County Comprehensive Plan	The proposed project would comply with applicable Klamath County land use plans and development regulations. The project proponent is seeking acreage exceptions from the limitations stated under Goals 3 and 4. The acreage exceptions process is anticipated for a power generation facility. The County's Planning Director has confirmed to the project proponent, in writing, that the project satisfies the Plan and development regulations, and that the exceptions to acreage limitations under Goals 3 and 4 are warranted. See Sections 3.10.1.3 through Section 3.10.1.5 for a more detailed discussion on compliance with the Klamath County Land Use regulations.
2COBEF-010	**10A**	Land Use	EFSC beyond its authority to allow project in Exclusive Farm Use Zone	See response to Comment 3B.
	10B	Air Quality	The emissions have been reported to be nine times that of state standards	The Air Contaminant Discharge Permit Program, administered by DEQ, has a rigorous program for evaluating air emissions from this and similar facilities. Through extensive analysis by the project proponent, the Facility has been shown to comply with all requirements, including emissions and air quality requirements.
	10C	Water Quality	Emission from the plant will pollute the spring waters	See response to Comment 10C and Appendix C of the Biological Assessment.
	10D	Land Use	If the project is approved there will be litigation to stop issuance of permits	The proposed project has been issued air and water permits and is in the process of completing the Oregon Energy Facility Siting requirements. Completing the NEPA EIS process and obtaining a Record of Decision (ROD) from BPA and BLM will allow the project, as conditioned by state, local, and federal requirements, to go forward. Legal actions can be taken to challenge these decisions.
2COBEF-011	**11A**	Hydrology	Questions validity of statement that water source is a deep aquifer isolated from the upper aquifer	The project proponent concluded, on the basis of extensive testing and borehole analysis, that there are two separate aquifer systems: one above 500 feet, and another below 1,500 feet. The Oregon Water Resources Department questioned these conclusions, and remains concerned that a connection not indicated in the test results could exist. The project proponent's descriptions of aquifer test results do not constitute false statements. In addition, OWRD conditioned the project proponent's draft permit with a requirement that the project proponent monitor for potential impacts, and provide mitigation to offset any observed impacts.
2COBEF-012	**12A**	Land Use	The size of the buildings exceed guidance for square footage of buildings in commercial zones	The project is proposed to be constructed on land zoned Exclusive Farm Use (EFU). Energy generation facilities are an allowable use in EFU zones. There is no applicable limitation to building size.
	12B	Seismic	The emission stacks will be prone to earthquake damage	Information on seismic hazards are described in Section 3.2.1 and Section 3.2.2 describes potential impacts. As addressed in the DEIS, the project and the associated emission stack would be constructed to meet all building and industry codes as well as seismic design requirements.

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	12C	Air Quality	Project will emit 24 percent more CO than what is allowed	The Oregon Department of Energy has established a standard for base load gas plants that is designed to encourage development of lower CO_2 emissions technologies and requires offsets for emissions of CO_2 in excess of this standard. No technology exists today that can meet the CO_2 standard. Offsets in the form of money paid to the Oregon Climate Trust will be used to meet the CO_2 requirement as allowed for in Oregon Administrative Rules
	12D	Land Use	Impacts to the quality of life, but no benefits from power or cheaper rates	The proposed project would provide additional tax revenue to the county as well as provide an economic gain through construction expenditures and wages in the county. The plant operation would provide stable and well paying jobs to approximately 30 employees who would live in the area. This would all contribute to providing county services and boosting business in the region.
2COBEF-013	**13A**	Peoples Energy	Who will construct the project?	An Engineer, Procurement, and Construction (EPC) Contractor will be selected to construct the facility. An EPC contractor has not been selected at the time of the preparation of this FEIS.
2COBEF-014	**14A**	Schools	Concerned about potential impact on schools from influx of children	Construction workers will either come from the local area or will be part of a workforce that will come from outside the region for a short period of time. In most cases, workers from outside the area do not bring their dependents with them because they are on the job site for a short period of time, so there would be a negligible impact on schools. The operation workforce is small (see Section 3.11) and would be dispersed across the area. Impacts on schools from the operational workforce would also be negligible. No further analysis is warranted.
	14B	Water Resources	The City of Bonanza cannot support an influx of people, especially water supply	The majority of construction workers and permanent employees would likely find housing in or near Klamath Falls (Section 3.11.2). It is anticipated that the impact on the community of Bonanza from either construction workers or permanent employees would be minimal.
2COBEF-015	**15A**	Power	Where will the power go?	The project is being constructed as a merchant plant so that the power produced by the Facility can be sold through long-term contracts to energy providers throughout the western states or sold into the short-term market.
	15B	Power	Do local users get a break on their power rates?	Local power rates are set by the local electrical provider and the state utilities commission. The proposed project can not sell power directly to local consumers.
	15C	Power	Put a plant closer to the parties that will use the power	See response to Comment 3A.
	15D	Socioeconomics	Wants more information on the influx and type of people the project will bring in	Construction workers will either come from the local area or will be part of a workforce that will come from outside the region for a short period of time. These workers will include a broad range of trades with the highest need for pipefitters, electricians, carpenters, millwrights, and boilermakers. Operations employees would consist of managers, engineers, and operations technicians.
	15E	Transmission	The hook-up line is a joke, move the plant closer to Captain Jack	See response to Comment 3A.
	15F	Employment	If the plant is a go, how long before employment will begin?	Construction of the facility will depend on project financing, power contract agreements and other variables. In addition, the Oregon Office of Energy will set timelines for construction and operation.
	15G	Power	Build all water power plants	The comment does not meet the project proponent's scope and objective for the construction of a power plant to meet future energy requirements.
2COBEF-016	**16A**	Land Use	The power plant should not be built on agricultural or BLM land	See response to Comment 3B. With regard to BLM lands, BLM's management plans allow electric transmission facilities.
	16B	Water Resources	There is a water problem	Water for the facility will be withdrawn from a deep aquifer and based on detailed analysis is unlikely to significantly affect local domestic or irrigation wells.
2COBEF-017	**17A**	BPA	Supports No Action Alternative—felt BPA could not answer questions at meeting	To disallow the interconnection, the No Action Alternative is under consideration. The purpose of the January 22, 2004, meeting, as stated at the meeting, was to facilitate comment on the draft EIS; this final EIS responds to all questions unanswered at the meeting.
	17B	Peoples Energy	Peoples is misleading the public—references article from Chicago Tribune	The referenced letter addresses a issue between regulated utility Peoples Power in Illinois and the Illinois Public Utility Commission (PUC). There is no resolution to the issue at this time and it is the finding of BPA that resolution of the issue will not affect the proposed action or alternatives nor impede the project proponent's ability to permit and operate a power plant. No further action is warranted.
	17C	Power	The NW will not receive any benefit from the project	Construction of the power plant near the California-Oregon border will allow electrical power to flow to areas of demand both north and south of the project. Historically, energy loads flow south in the summer and north in the winter. In addition, because the project is being constructed and operated in Klamath County, Oregon, the local area will benefit from the business and property taxes the project will pay.
	17D	Transmission	The power line will be noisy	Noise can be produced by the corona associated with transmission lines, but audible sounds are normally associated with 345-kV and higher voltages. The proposed transmission line is 500-kV, but noise levels would be expected to be low because modern transmission lines are designed, constructed, and maintained so that during dry conditions they will operate below the corona inception voltage, meaning that the line will generate a minimum of corona-related noise. Given the distance of receptors (approximately 3,000 feet) from the right-of-way (ROW), the impact of corona-generated audible noise is not expected to be significant. Base on data from BPA, the estimated L50 electric transmission line noise under worst case conditions was tabulated for several distances. The maximum L50 estimated at the closest residence is 27 dBA. This is much less than the L50 nighttime absolute limit of 50 dBA. Additional information on noise from transmission lines is included in the FEIS.
	17E	Power	Put the power plant closer to those who will benefit	The power generating facility is located to take advantage of the availability of water and natural gas at a key point in the transmission system. By constructing the power plant in this location, electrical power can be easily dispatched to load centers in Oregon, Washington, and California.
	17E	Land Use	Project should not be constructed on EFU-zoned land	See response to Comment 3B.
2COBEF-018	**18A**	Land Use	Against a plant being sited in a rural community	See response to Comment 3A.
	18B	Traffic	Does not believe the current traffic numbers on Langell Valley	A conservatively high traffic level was used to ensure that a worst case scenario for impacts to level of service was modeled.
2COBEF-019	**19A**	Land Use	Project should not be constructed on EFU-zoned land	See response to Comment 3B.

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	19B	Wildlife	Impacts on wildlife	The potential impacts on wildlife were evaluated (see Sections 3.4 and 3.5) in the EIS. Although there will be impacts to wildlife, primarily deer, the project has proposed mitigation which when implemented will enhance deer and other wildlife habitat.
2COBEF-020	**20A**	BPA	Have you thoroughly investigated Peoples Energy?	BPA has investigated Peoples Energy finances and is satisfied the company is a credible business partner.
	20B	BPA	Why did you let Peoples Energy prepare the DEIS?	Peoples Energy has not prepared this EIS. The EIS was prepared by CH2M HILL, under contract with COB but under the independent and direct supervision of BPA staff, as allowed by the Council on Environmental Quality (CEQ) NEPA regulations. Because CH2M HILL prepared the State siting application and related permit applications under the same contract with COB, BPA determined it was most efficient for CH2M HILL to also prepare the EIS.
2COBEF-021	**21A**	Alternatives	Should study renewable energy as an alternative to the proposed project	The study of renewable energy is not within the scope and objective of the project proponent's proposal.
	21B	Land Use	The project is alien to the rural environment—supports No Action Alternative	See response to Comment 3A.
2COBEF-022	**22A**	Land Use	Project should not be constructed on EFU (forestry) zoned land	See response to Comment 3B.
	22B	Hydrology		The project proponent has provided analysis that indicates that even at much higher pumping rates than the currently proposed rate (less than 300 gpm), there should not be a cumulative decline in water levels resulting from the pumping. Analysis provided by the project proponent also indicated that the withdrawal will be a small fraction of the available recharge. The high permeability of the aquifer system indicates that measurable changes in water levels in the production zone more than a few miles from the well are unlikely, and less likely in the shallow portion of the aquifer system. The Klamath Basin has not been closed to additional appropriation of groundwater for industrial or agricultural uses.
	22C	BPA	Does BPA really want to get involved with a company that doesn't pay?	Payment for transmission services that BPA would provide to COB would be guaranteed by contract.
	22D	Economics	Will the Oregon Commerce Commission (OCC) be able to collect taxes	The comment is outside the scope of the EIS, is not a responsibility of the federal government, and does not affect the proposed action or the alternatives. However, it is the project proponent's responsibility to meet its fiduciary obligations to the state of Oregon.
	22E	Air Quality	Opposes issuance of air permit—cites levels of air emissions as too high in a rural area	The federal Prevention of Significant Deterioration (PSD) air permitting program has established significant emission rate (SER) thresholds for what are known as criteria pollutants. Oregon has established SER thresholds for PM_{10} that are more stringent than the federal criteria. If a project's emissions are less than the SER thresholds, no analysis of emissions from that source is required. If emissions are greater than the SER threshold, then other elements of the PSD program apply. The PSD process allows for emissions increases above SER thresholds as long as air quality impacts resulting from the project can be shown to be below ambient air quality standards and PSD increments. Although the emissions from the COB facility are greater than the SER for several pollutants, the subsequent air quality analysis has shown that ambient air quality will be below the ambient air quality standards and PSD increments and the project has acceptable air quality impacts.
	22F	Air Quality	Project has not fully addressed nonattainment issues. This comment is primarily directed at the air quality permit application and issuance of the permit.	See Comments 22F1 through 3.
	22F1	Air Quality	Does not think that the issue of the nonattainment area has been correctly addressed	Klamath Falls has been in compliance with ambient air quality standards for more than the last 10 years and has recently been redesignated as attainment. The area is classified as maintenance for CO and PM_{10} to control emissions and to keep the area in attainment. The COB project site is more than 20 miles from Klamath Falls and emissions from this plant have been shown, using methods acceptable to DEQ and the U.S. Environmental Protection Agency (EPA), to have no impact on the area. The red and yellow alert days are established to minimize emissions in the immediate Klamath Falls area where air emissions could impact the former nonattainment area and possibly lead to exceedances of the air quality standards.
	22F2	Air Quality	Bonanza has smoky days during the cold and snowy winters, but has had no government measurements regarding ambient air quality and may be a nonattainment area	Based on procedures established through permitting programs by DEQ and EPA, the COB project has been shown to not have a significant impact on any nonattainment area. Bonanza has not been designated as a nonattainment area.
	22F3	Air Quality	During years of forest fires and brush fires, additional smoke that cannot be ignored in any assessment must be considered	Nonattainment areas are established by DEQ and EPA. The COB project has analyzed impacts against designated nonattainment and maintenance areas.
	22G	Water Quality	Opposes land application of wastewater—cites issues with Misami land application	The proposed project and the process wastewater is very different from the Misami operation. The wastewater quality and the application procedures are not comparable. No further action or analysis is proposed.
	22H	Air Quality	Issues with air permit	See Comments 22H1 to 15.
	22H1	Air Quality	The COB draft Standard Discharge Permit does not adequately address the $PM_{2.5}$ that was introduced in 2002	The COB Energy Facility has received an Air Contaminant Discharge Permit from the Oregon DEQ. While the $PM_{2.5}$ standard has been promulgated by EPA, it is not yet a requirement for obtaining a new source permit.
	22H2	Air Quality	Our prolonged inversion situations cannot always be forecasted with accuracy	The COB Energy Facility has received an Air Contaminant Discharge Permit from DEQ after demonstrating that the proposed project will meet all state and federal permitting requirements
	22H3	Air Quality	Klamath Falls was a nonattainment area and just recently got redesignated for CO	Comment noted.

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	22H4	Air Quality	On page 13, one remaining nonattainment community is Klamath Falls, which has a plan in development for PM_{10}, but not for $PM_{2.5}$, which should be addressed in the permit	Oregon's new source permitting program does not include emissions of $PM_{2.5}$. The COB permit addresses all applicable requirements.
	22H5	Air Quality	COB has the potential to emit 100 tons per year of particulate matter and should be held to Title V specifications	The Federal Title V Operating Permit program is different than the Air Contaminant Discharge Permit program. COB will be required to apply for a Federal Title V Operating Permit within 1 year of starting operations.
	22H6	Air Quality	The chemical composition of the particulates by the COB has not yet been adequately addressed	Throughout the life of the plant, the COB facility will be required to meet the emission limits in the permit that were reflected in the air quality analysis. The application submitted in support of the permit has demonstrated that all state and federal requirements have been met.
	22H7	Air Quality	What is the heat source inside the plant and offices to be used in the COB?	The heating demand of the Energy Facility is minimal compared to the overall operations of the plant and will have an insignificant effect.
	22H8	Air Quality	in the area are numerous sources of methane that were not accounted for in the modeling, including cows, swamp gas and diesel fired tractors, trucks, and trailers used year-round.	Comment noted. Because these sources are intermittent and mobile state and federal air quality regulations do not require these sources to be included in project specific air permitting analysis. No further analysis is required.
	22H9	Air Quality	Ozone can be additionally detrimental to individuals involved in strenuous activity such as cowboys, cow ranchers, hay buckers, etc. in an agricultural setting, more than in other settings	Ozone is a regional scale pollutant and emissions of ozone precursors from the Energy Facility are minimal. No significant ozone impact is expected.
	22H10	Air Quality	Measurements taken at the COB stacks are fine, but what about the ozone formation from NO_2 at various distances from the stacks. Why have EPA and DEQ repealed their standards for nonmethane hydrocarbons?	NO_2 contributes to ozone formation in the presence of hydrocarbons and sunlight. Hydrocarbon emissions in the area are minimal and for reasons listed above, no significant ozone impact is expected. Nonmethane hydrocarbons are regulated against the ozone standard. There is not nor has there ever been a nonmethane hydrocarbon ambient air quality standard.
	22H11	Air Quality	On page 23, there are 16 toxic air pollutants in Oregon's air at levels more than 10 times the federally determined safe levels.	The COB project will have minimal emissions of toxic air pollutants as defined by EPA and DEQ. Natural gas combustion is the cleanest form of thermal energy development and a highly efficient process
	22H12	Noise	The budget cuts eliminated DEQ's noise program. Which of our local enforcement officials are now responsible and why does the permit not make any mention of any requirement?	The noise requirements will be addressed by EFSC and any requirements for mitigation or coordination with local officials will be through EFSC.
	22H13	Air Quality	The levels of stress that the COB will force upon the community has not been addressed when due to only air quality itself	Ambient air quality standards are developed to protect health and welfare. The project meets all criteria.
	22H14	Air Quality	In Table 4, the sulfur dioxide in the 24 hour average is not to be exceeded more than once a year as is the CO in its column. This is probably impossible to maintain. The COB would violate this in a forest fire or wood smoke season easily.	Emissions of sulfur dioxide and CO are minimal from this plant and its impacts have been shown to be insignificant at all times.
	22H15	Air Quality	The location of the Peterson School for measurement data would not seem to be the best area for the worst case scenario measurement	Oregon DEQ has selected the locations and operates the monitoring network in the area. Measurements of pollutants beyond PM_{10} are not taken in Klamath County. However, COB has demonstrated that impacts from the power plant are insignificant as defined by EPA and that ambient air quality data is not needed.
2OCBEF-023	**23A**	General Impacts	Pg. S-3: Believes statement of no significant impacts is misleading	Mitigation has been proposed to offset direct, indirect, and cumulative impacts, not just "significant" impacts.
	23B	Soil	Pg. S-3: Believes the soil is prime farmland	See response to Comment 3B.
	23C	Water Resources	Pg. S-4: Questions the validity of the statement that water source is a deep aquifer isolated from the upper aquifer	The project proponent concluded, on the basis of extensive testing and borehole analysis that there are two separate aquifer systems: one above 500 feet, and another below 1,500 feet. The project proponent bases their conclusion on the available data, and uses appropriate language in describing the results (for example, "based on available data," "does not appear," and "geologic connection apparent"). The Oregon Water Resources Department did question the project proponent's conclusions, and remains concerned that a connection not indicated in the test results could exist. As a result, OWRD conditioned the recommended draft permit to the ODE with a condition that the project proponent monitor for potential impacts, and provide mitigation to offset any observed impacts.
	23D	Socioeconomics	Pg. S-7: Questions statement that majority of workers would come from the local community	Given the unemployment rate, the majority of construction workers could come from the local area. However, construction employment will also depend on the construction contractor, the trade unions, and their subcontractors and other factors. See response to Comment 15D.
	23E	Transmission	Pg. 2-3: Transmission system is constrained—disputes term Super Highway Crossroads of Energy.	The interconnection study has been completed by BPA. BPA has determined that, except for interconnection costs, no system upgrades or improvements are required to accommodate the interconnection of the COB Energy Facility at the Captain Jack Substation. Additionally, the term Super Highway Crossroads has been deleted (see Section 2.3.1.1 in Part 4, Chapter 2 updates).
	23F	Alternatives	Pg. 3.1-1: Disputes statements that No Action Alternative would result in power shortages, limits on economic development, and increased power costs	The Northwest Region has projected a need for additional power in the future. For example the Portland General Electric Integrated Resource Plan states that by 2010, 48,000 MW are needed for a 15 percent reserve margin (43,000 MW for load growth and 5,000 MW for retirements). See Section 1.2.1 for national and regional forecasts of electrical energy consumption.

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	23G	Alternatives	Pg. 3.1-1: Disputes statement that No Action Alternative has negative impacts	The proposed facility is subject to the major source new source review (NSR) requirements provided in OAR Division 224 for new sources. As required by OAR 340-224-0070(1), an analysis was performed to identify best available control technology (BACT) for the primary emission sources (i.e., combustion turbine systems and auxiliary boilers). Through the BACT analysis process, emission limits were developed that reflect the lowest levels employed for similar sources. The limits address site-specific factors, including technical feasibility, control effectiveness, and energy and economic impacts. The BACT process ensures that new sources have limits that are as stringent (i.e., low) as possible, considering limits and technologies employed by other existing facilities. The BACT process serves to continually tighten the limits that new sources need to meet. Sources such as the proposed Facility that employ BACT are using the most effective control technologies available, and generate less pollutants than older facilities subject to less stringent limits.
	23H	Alternatives	Pg. 3.1-1: The selected alternative will have negative socioeconomic impacts	See response to Comment 12D.
	23I	Wildlife	Pg. 3.4-10: The section on wildlife and vegetation should be rewritten to include more detail on greater sandhill crane and bald eagle	The presence of sandhill cranes, bald eagles, mule deer, and antelope, as well as other species, near the project site have been documented (see Section 3.4.1.2). Mitigation measures and actions have been proposed to minimize impact to wildlife in the project area (see Section 3.4.2). The information does not alter the proposed action or alternative. No further action is proposed at this time.
	23J	Land Use	Pg. 3.10-8: Disputes the statement that the project is permitted on agricultural land by state statute. Also requires exception from Klamath County.	See response to Comment 3B.
	23K	Land Use	Pg. 3.10-8 Disputes statement that the facility would not alter the rural character of the surrounding area from rural to urban	Energy facilities are a permitted use in rural areas. However, the power plant in itself would not likely alter or result in changing the rural character of the surrounding area from rural to urban. There are primarily two reasons. First, only very limited types of nonagricultural land uses are allowed in agricultural areas. Secondly, power plants do not attract associated or co-located facilities or generate urban growth.
	23L	Alternatives	Pg. 3.10-9: Disputes statement that there are "no reasonable" alternatives	The project proponent has considered alternative sites for the proposed project, but none of these sites fully meets the needs of the project. The commenter has not specifically identified any other sites that would be viable for the proposed project. Chapter 2 of the EIS has been revised to provide additional clarifying information on the site selection process for this project.
	23M	BA - Land Use	Pg. 2-3: Why does Peoples Energy need 2,700 acres for the project?	The main reason for the optioning of 2,700 is the need for a buffer zone to be in compliance with the Oregon Noise Statute.
	23N	Purpose	Scope of DEIS does not focus on the transmission line	The scope, as described in the Summary Section and in Section 1.2, does not narrowly define the scope to an evaluation of the transmission line. In addition the EIS does evaluate the proposed power plant, including the transmission line and other supporting facilities.
	23O	Land Use	Project should not be constructed on EFU zoned land	See response to Comment 3B.
	23P	Alternatives	EIS should look at natural gas pipeline, water source & pipeline, transmission line, and the facility in separate sections. Material not directly related should be omitted.	The organization and content of the EIS for the COB Energy Facility is consistent with the recommended EIS format and required EIS contents identified in the CEQ NEPA regulations. These regulations identify a format that includes discussing the existing environment and then the environmental consequences of the proposed action. Within this format the project components are described and impacts evaluated. This is the format followed by BPA in preparing the EIS.
2COBEF-024	**24A**	Economics	Supports the project	Comment noted.
2COBEF-025	**25A**	Wildlife	Environmental studies on sandhill cranes and antelope need to be conducted	The presence of sandhill cranes and antelope near the project site have been documented (see Section 3.4.1.2). Mitigation measures and actions have been proposed to minimize impact to wildlife in the project area (see Section 3.4.2). The information does not alter the proposed action or alternative. No further action is proposed at this time.
	25B	Power	Why can't we have reduced power rates?	This comment is beyond the scope of this EIS. However, as an exempt electricity wholesale generator, COB will not be able to sell power directly to consumers. Local power rates are established by the local energy provider and the Oregon Public Utilities Commission.
	25C	Power	Does PPL have a monopoly on power in our area?	This comment is beyond the scope of this EIS.
2C0BEF-026	**26A**	Water Resources	Study the sustainability of the deep aquifer	The project proponent has provided analysis that shows that even at much higher pumping rates than the currently proposed rate (less than 300 gpm), there should not be a cumulative decline in water levels resulting from the pumping. The very rapid recovery after the 30-day aquifer test did not indicate that the proposed withdrawal would have an impact on the water supply in the aquifer system.
	26B	Water Resources	The interference test detected a response in the shallow aquifer	The project proponent provided analysis that shows the observed response was borehole-specific and most likely attributable to a leaking well packer. The project proponent has agreed to seal all production wells over much greater depths (between 750 and 1,500 feet) to address the concern identified.
	26C	Water Resources	USFWS believe there is a connection between the shallow and deep aquifer	Reviewing agencies remained concerned that a hydraulic connection could exist, but evidence refuting the test data provided by the project proponent has not been presented. The project proponent reduced the proposed withdrawal rate to a level that OWRD does not believe will result in a measurable impact should a connection be observed in the future. In addition, OWRD conditioned the project proponent's draft permit with a requirement that the project proponent monitor for potential impacts, and provide mitigation to offset any observed impacts.
	26D	Land Use	Want more information on land use changes and farm practices to be mitigated	No changes are anticipated in land use or farming practices in the vicinity of the proposed project. The power generating facility is located to take advantage of the availability of water and natural gas at a key point in the transmission system. Other business would not co-locate with the power plant and the surrounding land is zoned agricultural. No further action is proposed.
	26E	Power	Facility is planned as a "peaking" facility so it will not be as reliable for baseload	The facility is designated as a peaker for the sole reason of calculating the CO_2 Trust Payment. COB is a Combined Cycle (not Simple Cycle) that will be permitted to have a 72 percent capacity factor by every other definition a base load facility.
	26F	Permits	Potential for litigation, water right challenges, and administrative holds	The EIS is prepared under the requirements of the National Environmental Policy Act to address potential impacts related to the purpose and need for the proposed action. The comment does not affect the proposed action or alternative and is outside of NEPA jurisdiction.

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	26G	Wildlife	Mule deer and pronged horned antelope habitat will be compromised	See response to comments 5B and 23I.
	26H	Wastewater	Vector control may be needed for evaporation pond and land application	The presence of vectors (any animal or insect that is capable of transmitting diseases or causing harm to people and/or animals) will not likely be required because neither the land application of wastewater or the stormwater infiltration basin will have standing water, if any, for extended periods of time. The wastewater will be applied in rates that will not create standing water. However, the stormwater infiltration basin is designed to accommodate and infiltrate a 100-year storm event in 3 days. If there a problem with vectors, the project proponent will coordinate with the Bonanza-Langell Vector Control District for appropriate controls.
	26I	Traffic	DOT recommends 35 mph on Langell Valley Road to accommodate extra traffic	The speed limit on local roads do not affect the proposed action to construct or operate the facility, nor does it affect the evaluation of alternatives.
	26J	Health & Safety	Fire protection and access roads needs to be addressed	Health and safety including fire protection is addressed in Section 3.13 of the EIS. Fire protection will conform with industry, local, state, and federal requirements, including any measures deemed appropriate by EFSC. Access roads will also conform to county and BLM standards.
2C0BEF-027	**27A**	Water Resources	Appendix C, Pg. 4-5 The Lost River is not entirely a canal constructed by the Bureau of Reclamation	The text will be revised to more correctly state the relationship of the rivers, lakes, and canals referenced on Page 4-5 of the EIS.
	27B	Water Resources	FEIS states Lost River is used for domestic and industrial uses—not true	The reference is to the type of use allocations that are permitted under state water resource and water quality laws. It is not intended to indicate that these uses are actually occurring.
	27C	Land Use	Appendix A (Pg. A-3) to Appendix C states land was last used in 1999—rye was planted in 2003	Comment noted.
	27D	Land Use	Appendix A (Pg. A-3) to Appendix C states site for water wells is grazed by sheep - not true sheep are on neighbors property	The reference to sheep will be deleted.
	27E	Wastewater	Contradictions on whether wastewater will be discharged to surface waters	Process wastewater will be land-applied in amounts that will not result in runoff (see Section 3.3.2.1 of the FEIS). Stormwater will be discharged into an infiltration pond. The option to discharge stormwater into the West Langell Valley Road drainage ditch is dropped from further consideration in the FEIS.
	27F	Wastewater	Figure 2-3 shows a closed loop system—how will solids be disposed?	See response to Comment 2D.
	27G	Wastewater	Discrepancy in wastewater disposal—treat and haul of land	See response to Comment 2E.
	27H	Stormwater	Appendix C discusses discharging stormwater. Amendment 2 states there will be no discharge into surface waters.	See response to Comment 27E.
	27I	Wastewater	Appendix C states land application occurs from April to September, but risk assessment states wastewater would be applied for 8 months of the year.	Appendix C is correct. The Risk Assessment will be revised to be consistent. The change does not affect the proposed action or alternatives so no further action is warranted.
	27J	BPA	At a meeting BPA indicated they would grant the interconnection if the project is approved by EFSC, why?	BPA's Transmission Business Line is responsible for providing the region a safe, reliable transmission system with open access and follows nondiscriminatory business practices to facilitate open competition. As part of these practices, BPA has adopted an Open Access Transmission Tariff that is described in Chapter 1 of the EIS. Under this tariff, BPA has an obligation to provide transmission interconnection to all eligible customers on a first-come, first-served basis, subject to an environmental review under NEPA. BPA is not a regulatory agency and accordingly respects the expertise and judgment of agencies who serve their respective regulatory functions according to rules of law. Because BPA provides transmission services at cost, all BPA customers would benefit by the revenue generated from sale of transmission services to COB.
DOI COMMENTS				
2COBEF-028	**28A**	BMPs	BMPs are mentioned throughout the DEIS, but not defined or listed	Best management practices are applicable to many construction and operational activities and can vary greatly depending on the type of activity, the location of the activity, the timing of the activity, and the duration and intensity of the activity. Listing or defining the BMPs would not be very practicable at this time. However, where possible, documents that contain listings or recommended BMPs, including the KFRA-RMP, will be referenced. In addition, actual BMPs will be included in permits and other approvals granted to the project for construction and operation.
	28B	Mitigation	Mitigation measures expected to be implemented should be reflected in the FEIS	Throughout the DEIS mitigation measures were recommended or identified that could be implemented to reduce potential environmental impacts. These mitigations are also included in the FEIS. If BPA decides to approve interconnection of the proposed project, this decision will be made through a Record of Decision (ROD), which will document the mitigation measures that have been adopted from the FEIS. Consistent with BPA's NEPA Regulations, BPA will also prepare a Mitigation Action Plan (MAP) following the ROD, but before any action is taken by BPA that is the subject of mitigation, for any mitigation commitments expressed in the ROD. This MAP will explain how this mitigation will be planned and implemented. However, for any mitigation that is not actually under BPA's jurisdiction, it will be up to the agencies with approval or permitting authority to determine if the recommended mitigation measures will be included in permits and approvals.
	28C	Analysis Area	Action area should include all areas impacted and areas impacted under alternative project actions	The depositional area for PM_{10} was considered in the risk assessment and no additional analysis is required because the assessment was based on maximum estimated soil and water concentrations within the significant impact area. However, wildlife resources, primarily eagles, were not described for this area and additional text will be added in the FEIS (see response to Comment 29B). The alternative for discharging stormwater into the West Langell Valley Road drainage ditch is dropped from further consideration in the FEIS.

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	28D	Recreation	Recreation is not fully addressed, no recreation specialist listed and only minor attention given to recreational values in the area	It is agreed that there are significant recreational values on public lands in the project study area (30-mile radius). However, direct impact to recreational opportunities on public lands is primarily limited to visual and aesthetic impacts from key locations that have designated high-value visual resources. The impacts on these resources are analyzed in Section 3.8. Additional information will be added addressing potential impacts to public recreation facilities during the construction and operation of the proposed project. Other values that are derived from dispersed recreation on public lands, such as hunting, birding, hiking, off-road vehicle use, and sight-seeing, will not, other than visual, be impacted by the project. The project will not emit a plume.
	28E	Purpose	S-1 Last sentence unclear. Reword "BLM will grant the rights-of-way if they are determined to be appropriate uses of public land..."	This change will be made in the FEIS.
	28F	General Impacts	S-3 First sentence may be an over-generalization	Based on the analysis of impacts and the inclusion of mitigation, there will be no significant impacts as a result of the construction and operation of the proposed Facility.
	28G	Wastewater	S-4 How will leaching from the evaporation pond be prevented?	In the preferred option, process wastewater will not be discharged to an evaporation pond, but will be land-applied in amounts that will not result in infiltration or runoff. However, noncontact stormwater will be discharged into an infiltration basin. The infiltration of the stormwater will mimic the natural process of stormwater to retain the natural hydrology of the area. No changes are proposed for the FEIS.
	28H	Wildlife	S-4 The loss of habitat needs to put into perspective by comparing with total area	Although the construction of the project would result in the disturbance of habitat, the project has proposed, in coordination with the ODFW mitigation that will increase the productivity of habitat on adjacent lands. Overall, more land will be subject to productivity gains than will be disturbed. No changes are proposed for the FEIS.
	28I	Wastewater	S-4 DEIS does not identify the constituents expected in the wastewater	Process wastewater characteristics are shown in Table 3.3-4. This section is a summary of the EIS and it is not appropriate to repeat details that are included in the main body of the EIS.
	28J	Fish	S-5 Construction will result in direct and indirect discharges into surface waters	Construction of the transmission line, access roads, intermittent stream crossings and land application of wastewater will have a minimal impact, if any, on fish or fish habitat. BMPs, such as those included in the KFRA-RMP, the AASHTO Drainage Manual, Oregon DOT Hydraulics Manual Vol. 1 Erosion and Sediment for E & SC design, and the Oregon DOT Routine Road Maintenance, Water Quality Maintenance Manual will be utilized as the situations and permit conditions require. No changes are proposed for the FEIS.
	28K	Visual	S-6 Does not include a reference to the plume from the stacks	The Heat Recovery Steam Generator (HRSG) exhaust stacks will emit hot gases with little or no water vapor. However, under certain weather conditions the stack emission could be visible as the hot gases condense water vapor in the air above the stack. This phenomenon would appear as light wispy clouds above the stack and would quickly dissipate. No other plumes will be associated with the project. Most visual plumes from thermal power plants come from condensing water vapor released in the evaporative cooling process. The project has changed from evaporative cooling to air cooling.
	28L	Visual	S-6 Does not reference impacts related to access roads and rights-of-ways, & does not adequately address mitigation measures	The right-of-way clearing will be only to allow equipment to access the transmission line tower locations. Clearing will be limited to providing two track vehicle access to the transmission tower sites. Once construction is completed, any disturbed land, including the two-track vehicle road, will be seeded with native grasses as approved by BLM. A description of the two-track access road will be added to the text of the FEIS. However, no additional mitigation is proposed for inclusion in the FEIS.
	28M	Visual	S-6 No mention of visual impacts to BLM lands - see KFRA Resource Management Plan	See response to Comment 28O5.
	28N	Land Use	S-7 Add paragraph describing how the proposed project conforms to the KFRA - RMP	"The proposed project involves the location of facilities on approximately 44 acres of lands administered by the BLM. This will involve the issuance of a right-of-way or easement to the project proponent. The right-of-way objective from the Klamath Falls Resource Area ROD and Resource Management Plan (RMP), pages 66 to 67, calls for making rights-of-way available where consistent with local comprehensive plans, Oregon statewide planning goals and rules, and avoidance/exclusion areas identified in the RMP. The proposed facilities do not cross any lands identified as right-of-way avoidance or exclusion areas. The RMP encourages, but does not require new utility corridors to be located within existing corridors. However, the project proponent must demonstrate that the use of an existing route or corridor is not technically or economically feasible and minimizes damage to the environment. The proposed corridor locations fall outside of existing corridors designated in the RMP. The proponent's reasoning for not using existing corridors is found in Section 2.5.2.3, Alternative Electric Transmission Line. The proposed project is also consistent with the goals and objectives of the National Energy Policy (2001)."
	28O	Analysis Area	Pg2-1, Figure 2.2 does not show lands owned by BLM	Figure 2.2 will be revised in the FEIS to show BLM- "managed" lands.
	28P	Land Use	Pg. 2-1 Lands are not owned by BLM, but managed for the public	Text will be changed to indicate they are BLM-managed lands.
	28Q	Wastewater	Pg. 2-7 Using wastewater to develop wetlands, was this considered. At least should be described in Section 2.5.2	The use of wastewater to create wetlands to mitigate for loss of wetlands impacted by the project was not considered. No mitigation for the loss of less than 0.5 acre of wetland is proposed. However, in the final design of access road crossings, the project proponent will consult with BLM to avoid or minimize impacts to the wetland area. The use of wastewater to create wetlands would be expensive because wetland creation depends on many factors and the wastewater system would have to be constructed and managed differently than currently proposed, resulting in more review and consultation with other state and federal agencies as well as adding additional costs to the construction and operation of the Facility.
	28R	Erosion	Pg. 2-11 Steps, techniques, mitigation to be used for minimize erosion	The text in the FEIS will state that disturbed ground in the transmission corridor, that will not be impacted by future operation and maintenance activities, will be regraded to preproject contours and revegetated with native grasses, shrubs and trees as approved by the BLM. Disturbed land in the transmission corridor that will be impacted by future operations and maintenance by the project will be revegetated with native shrubs and grasses.
	28S	Vegetation	Pg 2-12 Discuss or reference mitigation described on Pg 3.4-17	The text in the FEIS will reference the proposed mitigation measures described in Section 3.4.

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	28T	Vegetation	Pg 2-12 Discuss proposed chemicals to be used for vegetation management	Because of the existing range of herbicides, restrictions and limitations on use, changes in availability, availability of new herbicides, and the potential to control vegetation through nonchemical means, the project proponent believes that listing proposed herbicides that will be used, application methods, and any proposed mitigation is premature at this time. However, prior to construction of the project the project proponent will prepare a Vegetation Management Plan in coordination with the BLM. This plan will detail the type and location of weeds to be controlled, detection and control methods, herbicides to be used, application timing, methods and rates. This plan would also include nonchemical methods for vegetation control. Herbicide application(s), if any, would be conducted by a licensed applicator following the approved Vegetation Management Plan. The requirement to prepare a Vegetation Management Plan can be included in the ROD or it can be incorporated in the rights-of-way agreement between BLM and the project.
	28U	Vegetation	Pg 2-12 Should describe in detail a noxious weed management plan for the entire project not just the transmission line	As described in Response #28T, a Vegetation Management Plan will be prepared that will incorporate many of the components described. A description of this plan is in Chapter 2. However, it is premature to describe, in detail, a plan that would be speculative at this time. In the FEIS, the Transmission System Vegetation Management Program FEIS (DOE/EIS-0285) will be incorporated by reference. BLM was a cooperating agency in preparation of this EIS.
	28V	Vegetation	Pg 2-12 Impact of periodic vegetation maintenance is not addressed	Chapter 2 is a description of the construction and operation of the project. Specific impacts are described in Chapter 3.
	28W	Health & Safety	It would be appropriate to discuss chemical use in Section 3.13	If herbicides or pesticides are used by the project, the health and safety protocols would be addressed in the facility health and safety plan. In addition, the application of any chemicals for weed or pest control would be done by a licensed applicator. No changes are proposed for the FEIS.
	28X	Vegetation	Should discuss the impacts of off-road vehicle use to maintain ROW vegetation	Vegetation management can be accomplished using a variety of proven equipment and established practices that avoid causing significant off-road impacts. Selection of final equipment and work practices will be made at a time closer to construction of the project and can be done in consultation with BLM, if deemed necessary and required in the right-of-way agreement. Because of the lack of potential significant impacts, further analysis in the EIS is not warranted.
	28Y	Cumulative Impacts	Pg 2-15 Should discuss the recent Bryant Mountain wind project	To date no formal applications for such a project have been filed with a public agency. Meteorological test towers have been erected to evaluate wind speed in different seasons, but it is not currently known if it is a viable wind location. Without more detail, It is unknown whether a wind project is viable and involves one, 10 or 100 wind turbines, or what ancillary facilities would be required. This project is not a reasonably foreseeable future private or federal action and is not appropriately included in the cumulative impacts analysis.
	28Z	Alternatives	Pg 2-17 Recommends the consideration of using biomass with natural gas for fuel	Although natural gas may be used to augment combustion in a biomass energy facility, the gas turbine technology proposed for the proposed project is not compatible for integration with biomass. Including biomass burning would require a significant deviation from the scope of the project. No changes are proposed in the FEIS.
	28A1	Alternatives	Pg 2-20 The reasoning for one transmission alternative ROW to be 200 feet wide and the other 154 feet wide.	The alternative transmission line requiring a 200-foot easement would be constructed adjacent to an existing BPA transmission line. The additional width of the alternative easement, as compared to the preferred transmission line route of 154-feet, is to meet the BPA guidelines for separation between transmission lines. The EIS has been revised to provide an explanation for the differences in the transmission rights-of-way.
	28B1	Land Use	Pg 2-20 BLM lands should be referred to as BLM-managed lands	To be consistent with previous text revisions, the FEIS text will refer to these lands as BLM-managed lands.
	28C1	Editorial	Pg 2-20 Revise line 3 of 5th paragraph to private residences	The proposed change will be made in the FEIS.
	28D1	Editorial	Pg 2-23 to 2-30, Table 2-1 Move table to Section 3	Table 2-1 was originally included in Chapter 3, but was moved to Chapter 2 as recommended by BPA in comments on the preliminary Draft EIS. Because the proposed change does not affect the alternatives or scope of the EIS, Table 2-1 will be retained in Chapter 2.
	28E1	Vegetation	Pg 2-25, Tble 2-1 Vegetation and Wildlife - Impact column include a summary discussion of the establishment and spread of noxious weeds	Noxious weeds will be addressed in the Vegetation Management Plan to be prepared prior to construction of the project. See Response # 28T for additional information.
	28F1	Vegetation	Pg 2-25, Tble 2-1 Vegetation and Wildlife - Describe a vegetation management plan in detail in Section 2.	See response to comments 28T and 28E1.
	28G1	Editorial	Pg 2-26, Tble 2-1 Construction and operation of the facility would not impact fish is not an existing condition. Needs to describe potential impacts	The sentence regarding construction and operation will be deleted from the text.
	28H1	Fish	Pg 2-26, Tble 2-1 There are two federally/state listed endangered fish species	The text will be revised to indicate that there are two federal and state-listed endangered species.
	28I1	Editorial	Pg 2-26, Tble 2-1 Recommend replacing "visible" with "structural"	The authors believe the word "visible" is appropriate. In its current context, it implies that damage could be seen, but it does not mean that the damage is structural, which suggests that the integrity of the road has been compromised.
	28J1	Transportation	Pg 2-26, Tble 2-1 Not clear how and when road damage is determined	The project has committed to videotaping road conditions before and after heavy hauling. If the condition of the road shows "visible" damage, this information will be provided to state and county transportation departments for a determination on if and what repairs will be required. This information will be added to Section 3.6.2.
	28K1	Transportation	Pg 2-26, Tble 2-1 Line 3.6.3 State mitigation for damage during operation	Based on the established road load limits and the type and weight of vehicular traffic required for the operation and maintenance of the project, the roads would not be damaged beyond the expected normal wear and tear. In addition, county and state permits that limit the time and duration of use are required for vehicular loads that exceed the legal weight limits. In the event there is an abnormal occurrence that results in road damage attributable to the project any required repairs would be at the discretion of the state and county transportation departments. No changes are proposed in the FEIS text.

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	28L1	Air Quality	Pg 2-26, Tble 2-1 Delete "No exceedance of the annual PM10 standard …"	The statement will be deleted in the FEIS.
	28M1	Visual	Pg 2-27, Tble 2-1 More description needed, list visible viewpoints	The table is intended to be a summary table and more detailed information is provided in Section 3.8.1. However, to clarify the summary, the text will be revised to read, "facility features would be in the background of scenic areas as described in Section 3.8.1."
	28N1	Visual	Pg 2-27, Tble 2-1 Should include impacts from transmission corridors and access roads.	Text will be added to the summary and in Section 3.8.1 stating that potential impacts could also result from the construction and maintenance of utility corridors and access roads.
	28O1	Visual	Pg 2-27, Tble 2-1 Facility features and plumes may be seen from listed sites	The Facility will not emit a plume. Information will be added to the text of the FEIS further describing the scenic areas listed in the comment.
	28P1	Visual	Pg 2-27, Tble 2-1 Need better description of the impacts and mitigation	Table 2-1 is intended as a summary and the detail provided of the visual impacts/mitigation is comparable to information provided for other elements of the environment.
	28Q1	Land Use	Pg 2-28, Tble 2-1 Line 3.10.6 Briefly list types of impacts and severity	Comment noted. Table 2-1 is intended as a summary and the reader should refer to referenced section to obtain more details about the existing conditions, potential impacts, and mitigation measures.
	28R1	Socioeconomics	Pg 2-29, Tble 2-1 Consider offering public tours of the facility	Comment noted. As a result of security concerns at power generating facilities, the general public will not be allowed access to the Facility.
	28S1	Health & Safety	Pg 2-30, Tble 2-1 Line 3.13.6 include statement that electrical lines can start fires	A sentence will be added in this table stating that "If vegetation is not maintained within the transmission right-of-way and under certain atmospheric conditions arcing or touching of the vegetation may occur resulting in wildfires." Additional text will also be added to Sections 3.13.1.4 and 3.13.5.
	28T1	Recreation	Table 2-1 does not discuss impacts and mitigation for recreation and tourism	Additional information on recreation describing public recreation facilities in the vicinity of the project and an assessment of impacts added to the FEIS.
	28U1	Transmission	Pg 2-31 Tble 2-2 Explain differences in transmission corridor ROW widths	See Comment 28A1.
	28V1	Transmission	Pg 2-31 Tble 2-2 Under raptor mortality will there be a single line in the future	A single transmission line consists of three phases and there is one wire for each phase. There are no plans to construct another transmission line by the project proponent's during the lifetime of the project.
	28W1	Editorial	Pg 2-33 Figure 2-1 Suggests major county roads and federal/state boundaries	A figure will be included that shows federal and state land administrative boundaries and the major county roads will be labeled. The color shading is intended to highlight differences in topography (elevation)
	28X1	Editorial	There is no map in the DEIS showing BLM-managed land boundaries	A revised map will be included in the FEIS that shows the boundaries of BLM-managed land.
	28Y1	Visual	Pg 3.1-2 Adverse impacts should be clearly identified, including steam plume	Additional information on visual unavoidable adverse impacts will be added to the FEIS. A smoke or steam plume will not be emitted from the facility.
	28Z1	Wastewater	Pg 3.1-3 Why wouldn't process wastewater and stormwater enter ground or surface waters?	Under the preferred alternative, wastewater will be land-applied via a sprinkler system to forage crops and stormwater will be discharged to an infiltration basin. Wastewater will be applied in amounts that will not result in runoff to surface waters (see Section 3.3.2.1) and less than soil infiltration rates (see Section 3.2.2, Impact 3.2.6) and the stormwater will be retained within a closed basin. However, there would be the potential for stormwater, if not evaporated or through uptake by plants, to enter shallow groundwater zones. DEQ has drafted water discharge permits for the process wastewater and stormwater and recommended approval by ODE. The FEIS text will be amended to clarify.
	28A2	Soil	Pg 3.1-4 Show current soil chemical baseline conditions	Table 3.2-1 provides the chemical data from the soil sampling.
	28B2	Vegetation	Pg 3.2-12 Include the use of native shrubs and grasses for mitigation	"In consultation with ODFW and BLM" will be added to the text. The reader will also be referenced to Section 3.4.1 for further information.
	28C2	Soil	Pg 3.2-13 Appropriate BMPs during culvert placement - all road construction should comply with the KFRA RMP	The National Pollutant Discharge Elimination System (NPDES) General Construction Permit 1200-C required by DEQ includes preparation of an erosion and sedimentation control plan. In addition, a Plan of Development (POD) will be prepared for BLM that will conform with the BMPs described in Appendix F of the KFRA-RMP. The KFRA-RMP will be referenced in the FEIS.
	28D2	Transmission	Pg 3.2-14 Temporary and permanent roads to comply with the KFRA-RMP	A POD will be prepared for all activities on BLM-managed lands. The POD will include the construction, maintenance, and abandonment of all access roads. The KFRA-RMP will be referenced in the text.
	28E2	Transmission	Pg 3.2-14 Should acknowledge that some equipment will need to go off road	The DEIS did acknowledge that heavy equipment will be restricted to access roads and transmission sites "where possible." It is anticipated that heavy equipment will need to back up and or make maneuvers that go off the access road. However, there is no intent to use heavy equipment for routine facility and vegetation maintenance activities beyond the access roads. The 154-foot right-of-way, off of the access road, will be maintained by personnel on foot or through the use of small (light) individual four-wheel-drive vehicles.
	28F2	Stormwater	Pg 3.2-14,Sec 3.2.2 Include analysis of potential impacts of stormwater alternative on Lost River	This option to discharge into the West Langell Valley Road ditch will be dropped from further consideration.
	28G2	Wastewater	Pg 3.2-15 Statement that wastewater would be of equal or better quality than groundwater or Lost river is not supported. Need fate analysis of pollutants	The statement will be revised to state that the wastewater quality is generally comparable to water quality in the Lost River and shallow groundwater. A table will be added to the FEIS comparing the calculated wastewater quality for land application, water quality data for the Lost River, and data for shallow groundwater quality.
	28H2	Wastewater	Pg 3.2-15 Recommend a soil monitoring program at land application site	The process wastewater would be applied at agronomic rates during the irrigation season and at rates less than the infiltration rate of the soil. The process waste water when compared to irrigation water quality criteria (Table 3.2-4) is suitable for application without any restrictions. At this point no further action is warranted. A detailed irrigation management plan will be prepared by the project proponent and it must be approved by DEQ prior to land application of the non-contact process wastewater.

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	28I2	Wastewater	Pg 3.2-16 May want to consider a designed wetland to treat wastewater	See response to Comment 28Q.
	28J2	Vegetation	Pg 3.2-17 May want to consider planting fast growing poplars	The mitigation measures proposed by the Project have been designed to reduce blowing dust and soil erosion during construction and operation of the project. These measures are considered adequate control measures. No further actions are warranted at this time.
	28K2	Air Quality	Pg 3.3-2 Surface water - should include surface water impacted by air emissions	Another paragraph will be added to this section describing other water bodies in the area. However, it is unlikely that water bodies in the air emission "dispositional area" would have measurable affects. See Table 11 in the Risk Assessment (Appendix C to Appendix C).
	28L2	Hydrology	Pg 3.3-2 Described the Lost River as a closed basin, however originally received flows from the Klamath River - this needs to be explained in the FEIS	Text will be added to the FEIS clarifying historical flows and the current connection via the Lost River Diversion Canal.
	28M2	Hydrology	Pg 3.3-2 Clarify that seasonal flows in the Lost River are controlled	The text in the FEIS will be revised to clarify seasonal flow management in the Lost River.
	28N2	Fish	Pg 3.3-2 Replace "cold water species" with "resident fish and aquatic life."	The text in the FEIS will be revised to state "resident fish and aquatic life."
	28O2	Water Quality	Pg 3.3-2 Suggest a more accurate explanation for the cause of 303d listing	The text in the FEIS will be revised to indicate that many of 303(d) listings result from high water temperatures.
	28P2	Hydrology	Pg 3.3-4 Clearly identify well test results and probable causes not stated as fact	The primary focus of this section is on the potential impacts of water withdrawal from the lower aquifer. However, the first sentence in the fifth paragraph does state conclusively that the aquifer and borehole tests indicate the shallow and deep aquifers are not hydraulically connected. This statement will be revised in the FEIS.
	28Q2	Hydrology	Pg 3.3-5 Address the water extraction occurring in other basins contributing to the deep aquifer	Based on the hydrologic studies and analysis the withdrawal of an average of 162 gallons per minute for the project would have a very minor impact on groundwater in the deep aquifer, the withdrawal being less than 0.05 percent of the estimated recharge volume. The recharge area is upgradient and is conservatively estimated to be 1,100 square miles (Section 3.3.1.2) and the recharge to the deep system is estimated conservatively at 134 to 241 billion gallons annually. Based on this small percentage, wells that withdraw water from upgradient in the deep aquifer would not be impacted (direct, indirect, or cumulative) from the proposed action. Deep interbasin groundwater flow, if any, that could contribute additional recharge to the Klamath Basin would further reduce the percent of withdrawal relative to the recharge volume. However, to provide more precise estimates and address the amount of water withdrawal from these contributing basins would be very speculative and not affect the overall impact of withdrawal of water from the deep aquifer in the vicinity of the project. No further action is warranted.
	28R2	Hydrology	Potential to cause cumulative impacts beyond boundary of project area - address in cumulative impact section 3.3.3	See response to Comment 28Q2.
	28S2	Stormwater	Pg 3.3-9 No analysis of potential effects on the Lost River from stormwater discharged into ditches.	The option of discharging stormwater into the West Langell Valley Road drainage ditch will be dropped from further consideration in the FEIS.
	28T2	Wastewater	Pg 3.3-6 Should consider designed wetland to treat wastewater	See response to Comment 28Q.
	28U2	Stormwater	Pg 3.3-11 Segregate storm system from ditches and construct infiltration pond	See response to Comment 28S2.
	28V2	Stormwater	Pg 3.3-13 2nd para correct or clarify why containment would not overflow	The text is correct. These storage areas are exposed to rainfall and do not have drains to prevent offsite spills. The sizing of the containment accounts for rainfall.
	28W2	Hydrology	Pg 3.3-13 Need to address deep aquifer cumulative impacts	See response to Comment 28Q2.
	28X2	Transportation	Pg 3.3-13 This section also needs to address road construction	Text will be added to the FEIS to address cumulative impacts from road construction.
	28Y2	Stormwater	Pg 3.3-13 This section also needs to address connection between the facility stormwater drainage and Langell Valley drainage ditch	See response to Comment 28S2.
	28Z2	Hydrology	Pg 3.3-15 & Tble 3.3-1 Discrepancy in average annual precipitation amount	The precipitation described in Table 3.3-1 does not reference the project area, but identifies the "Average Annual Precipitation in Estimated Recharge Area" as 28 inches. The potential recharge area identified by the project proponent and considered in this analysis lies at higher elevations east of the project area, and receives significantly higher amounts of precipitation (more than 40 inches in some areas). As a result, there is no apparent inconsistency and no revision required for this analysis.
	28A3	Vegetation	Pg 3.4-1 Include a discussion of vegetation management for life of the project	This section describes the affected environment. The recommend changes are more appropriate for the impacts section. The following text will be added to Section 3.4.2 in the FEIS. "With vegetation management, all large woody vegetation growth will be kept out of the rights-of-way, resulting in maintaining the area in grasses, forbs, and shrubs. A vegetation management plan will be prepared, in cooperation with BLM, that describes the methods of vegetation control." Also see response to 28T.
	28B3	Analysis Area	Pg 3.4-1 Action area should include all areas directly or indirectly affected, including air emissions and stormwater discharges	The description of the Affected Environment is broadly defined and the depositional area is associated with air emissions. Potential impacts are covered in the Risk Assessment (Appendix C). Based on the analysis in the Risk Assessment there is negligible or no risks to wildlife from air emissions. A brief statement will be included in this section on the findings of the risk assessment. The stormwater option of discharging to the West Langell Valley drainage ditch is dropped from further consideration in the FEIS.
	28C3	Analysis Area	Pg 3.4-4 Same comment as 28B3	See response to Comment 28B3.
	28D3	Hydrology	Pg 3.4-4 Same comment as 28L2	See response to Comment 28L2.

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	28E3	Wildlife	Pg 3.4-5 Address potential impacts of blocking or shifting of mule deer migration	This section discusses the affected environment, potential impacts are discussed in Section 3.4.2.
	28F3	Wildlife	Pg 3.4-7 Recommends fall and winter wildlife surveys	Wildlife studies of the project area have been conducted under the guidance of ODFW and EFSC and unless otherwise determined by ODFW or EFSC no further action is warranted at this time.
	28G3	Vegetation	Pg 3.4-7 Add Leafy spurge, Yellowstar thistle, and Dalmatian toadflax	The listed plants will be added to the FEIS, Section 3.4.1.2.
	28H3	Vegetation	Pg 3.4-7 Recommend preparing a vegetation management plan,	See response to Comment 28T.
	28I3	Wildlife	Pg 3.4-10 Section not clear, revise using appropriate terminology	The text of the DEIS states that "species of concern" are not afforded the level of protection given to other categories of listed species. In the second paragraph second sentence, "sensitive" will be deleted and replaced with "listed."
	28J3	Fish	Pg 3.4-10 No mention of Lost River and shortnose suckers, discuss potential impacts from stormwater	The Lost River Sucker and the shortnosed sucker will be added to the discussion on T & E species. Also see response to 28F2
	28K3	Wildlife	Pg 3.4-10 Change "sensitive" in 2nd sentence, 2nd para to "threatened."	The change will be made in the FEIS.
	28L3	Wildlife	Pg 3.4-14 through 18 Put loss of habitat into context and how important it is to meet wildlife objectives in the area	The project proponent through discussions with the ODFW has agreed to habitat mitigation that will enhance deer habitat. No further action is warranted.
	28M3	Vegetation	Pg 3.4-15 Impact 3.4.1 Acknowledge disturbed conditions contribute to spreading of noxious weeds.	See response to Comment 28T.
	28N3	Wastewater	Pg 3.4-15 Impact 3.4.1 Fate of wastewater when not land-applied is not described	Section 2.3.1.8 indicates the water would be stored during the winter months. Also see response to 28Z1. No further action is warranted at this time.
	28O3	Transmission	Pg 3.4-16 Discuss impacts of new access roads on wildlife, recreation, etc	Specific arrangements on the access and use of access roads on BLM-managed lands (easements) by the public or BLM personnel will be set forth in the Plan of Development. No changes have been made to the FEIS.
	28P3	Transmission	Pg 3.4-16 Will BLM have access to transmission corridor roads?	See response to Comment 28O3.
	28Q3	Vegetation	Pg 3.4-16 Mitigation should include a vegetation management plan, described in Section 2, impacts analyzed here	See response to Comment 28T.
	28R3	Vegetation	Pg 3.4-16 Consider sagebrush-steppe habitat mitigation away from project site	The project has proposed mitigation measures to offset losses of designated wildlife habitat and for other environmental impacts of the project. The proposed mitigation meets or exceeds the potential loss of habitat or other potential impacts of the project. No additional mitigation measures are proposed.
	28S3	Wildlife	Pg 3.4-16 Sensitive bat species are know to occur in the area, consider mitigation	A biologist with expertise in bats was part of the field team conducting the field studies. The only observed presence of bats occurred outside of the project limits (human-made structures) near the well field.
	28T3	Wildlife	Pg 3.4-16 Locate water guzzlers away from project site and West Langell Road	The exact placement of wildlife watering areas has not been determined, but taking into account the water source, the placement of watering areas is negotiable with the wildlife agencies and state/federal land managers. No changes are proposed in the FEIS.
	28U3	Vegetation	Pg 3.4-16 Consider retaining snags less than 10 feet or cut existing trees to 10 feet	Comment noted. Retention of snags within the rights-of-way will be addressed in the vegetation management plan. See Response #28T.
	28V3	Mitigation	Pg 3.4-16 All mitigation should be monitored for multiple years	Wildlife mitigation will be prescribed in the Site Certification by the Oregon Energy Facility Siting Council (EFSC) in coordination with the Oregon Department of Fish and Wildlife. No further action is warranted at this time.
	28W3	Wildlife	Pg 3.4-19 Impact 4.4.2 Revise "in natural areas during the breeding …"	The text in the FEIS will be revised to include "and fawning."
	28X3	Wildlife	Pg 3.4-19 Seasonal restrictions on construction on deer wintering ranges	Seasonal restrictions have been discussed with the ODFW and restrictions, if any, will be included in the Site Certification to be issued by EFSC. No further action is warranted at this time.
	28Y3	Wildlife	Pg 3.4-19 Impact 3.4.3 Bald eagle monitoring plan & power line collision monitoring seasonally	A summary of the proposed monitoring included in the biological assessment will be inserted in the text of the FEIS.
	28Z3	Water Quality	Pg 3.4-20 Impact 3.4.4 Seasonal creek crossing constructed according to BMPs described in the KFRA-RMP Appendix F	The text in the FEIS will reference the BMPs described in Appendix F of the KFRA-RMP. Specific construction details for stream crossings on BLM-managed lands will be addressed in the Plan of Development.
	28A4	Flooding	Pg 3.4-20 Impact 3.4.4 Revise last sentence - culverts designed for 100-yr flood	Culverts designed to pass a 100-year flood would be quite large in diameter, requiring a large amount of disturbance. Roadway crossings would be designed with a low profile to minimize ponding of water and allow the water to flow over the road. A small-diameter culvert would be installed to pass normal flow and riprap would be installed to minimize erosion. This text has been added to the FEIS.
	28B4	Stormwater	Pg 3.4-20 Impact 3.4.4 New para stating road design will minimize runoff	The recommended addition is inappropriate in this section. These impacts are addressed in Section 3.1 Geology and no changes have been made in the FEIS.
	28C4	Wastewater	Pg 3.4-20 Impact 3.4.4 Consider designed wetland to treat all wastewater/runoff	The potential impacts to wetlands is less than 0.5 acre and no mitigation for these impacts is proposed at this time. However, during the final design phase the project proponent will determine if the wetland area can be avoided or impacts further minimized. No changes are proposed for the FEIS.
	28D4	Wastewater	Pg 3.4-21 Concerns about analysis for land application, recommend monitoring program	See responses to comments 28Z1 and 28H2.

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	28D4a	Editorial	Pg 3.4-21 Impact 3.4.4 should be 3.4.5	The heading is corrected.
	28E4	Wastewater	Pg 3.4-20 Impact 3.4.4 Recommends a wastewater monitoring for life of project	See responses to comments 28Z1 and 28H2.
	28F4	Vegetation	Pg 3.4-21 Mitigation measures for noxious weeds to prevent cumulative impacts	See response to Comment 28T.
	28G4	Wildlife	Pg 3.4-36 Tble 3.4-5 BLM status for Pygmy Rabbit should be corrected to "BAO."	The proposed change will be made in the FEIS.
	28H4	Vegetation	Pg 3.4-37 Tble 3.4-5. Does not list the BLM special status plant species	The BLM status, if applicable, will be added to the table.
	28I4	Vegetation	Pg 3.4-37 Tble 3.4-5 Potential for *Iliamma bakeri* to occur near project site, add info	The information provided will be added to Table 3.4-5.
	28J4	Editorial	Pg 3.4-39 Tble 3.4-5 Taxon for long-bearded mariposa lily is *Calochortus longebartus longebartus.*	The correction will be made in the FEIS.
	28K4	Editorial	Pg 3.4-41 Tble 3.4-5 BLM abbreviations, BT - Bureau Tracking & BA - Bureau Assessment	The correction will be made in the FEIS.
	28L4	Fish	Pg 3.4-45 Tble 3.4-8 Include analysis on Lost River and shortnosed suckers	The alternative to discharge stormwater into the West Langell Valley Road drainage ditch will be dropped from further consideration in the FEIS. Since there will be no impact on the Lost River no further action is warranted.
	28M4	Analysis Area	Pg 3.4-45 Tble 3.4-8 Analysis area should include all depositional areas	The depositional area is associated with air emissions. Potential impacts are covered in the Risk Assessment (Appendix C). Based on the analysis in the Risk Assessment there is negligible or no risks to wildlife from air emissions. A brief statement will be included in this section on the findings of the risk assessment.
	28N4	Vegetation	Pg 3.4-52 Tble 3.4-8 ODA manages Oregon endangered plants not ODFW	The correction will be made in the FEIS.
	28O4	Vegetation	Pg 3.4-52 Tble 3.4-8 Description of Baker's Globe Mallow should include ponderosa pine forests	The habitat description for Baker's globe mallow will be revised to include ponderosa pine forest.
	28P4	Vegetation	Pg 3.4-53 Tble 3.4-8 Elevation limits need to be updated	The elevation for flaccid sedge will be revised to reflect the new information.
	28Q4	Vegetation	Pg 3.4-55 Tble 3.4-8 Same comment as 18J4	The correction will be made in the FEIS.
	28R4	Editorial	Pg 3.5-1 Delete last two sentences, 1st para	The referenced sentence will be deleted.
	28S4	Hydrology	Pg 3.5-1 Revise 3rd sentence "Seasonal Irrigation flows in the Lost River …" Peak flows are influenced by multiple watersheds, need to state and analyze.	Comment noted. The text will be modified to include "irrigation flows," but the request to include that the basin is influenced by multiple watersheds and analyzing this influence does not change the analysis of alternatives or potential impacts so no further changes are proposed in the FEIS
	28T4	Hydrology	Pg 3.5-1 Same as comment 28L2	See response to Comment 28L2.
	28U4	Hydrology	Pg 3.5-2 Same as comment 28O2	See response to Comment 28L2.
	28V4	Editorial	Pg 3.5-2 Shortnosed sucker was listed in 1988 not 1998	The correction on the date of listing will be made in the FEIS. A reference for the listing will be added.
	28W4	Editorial	Pg 3.5-3 Lost River sucker was listed in 1988 not 1998	The correction on the date of listing will be made in the FEIS. A reference for the listing will be added.
	28X4	Analysis Area	Pg 3.5-2 Relative to analysis of impacts on fish. Same comment as 28B3	See response to comment 28B3.
	28Y4	Fish	Pg 3.5-3 Insert a new section—text provided	The text provided by BLM for a new Section 3.5.1.3 has been included in the FEIS.
	28Z4	Fish	Pg 3.5-3 Should cross reference information in Appendix C of FEIS	The text of the FEIS has been revised to reference the reader to the Biological Assessment (BA).
	28A5	Fish	Information in BA (Appendix C) supports including new text, see Cmt 28Y4	See response to Comment 28Y4.
	28B5	Fish	Pg 3.5-3 Should include potential for increase in abundance of non-native species	There will be no direct impacts to fish habitat on site because there is no fish habitat on site. In addition, there will be no in-direct impacts to surface water systems and fish habitat with the implementation of BMPs to control erosion and sedimentation. The application of wastewater on the irrigated pasture will be in approved agronomic rates (See Section 3.3.2.1) and will not result in surface runoff. Stormwater will be discharged into an infiltration basin. Road and other construction will use BMPs (see comment 28C2) to prevent or minimize erosion that could indirectly impact surface waters. No
	28C5	Transportation	Pg 3.6-2 Impact 3.6.1 Should consider a ride-share incentive program	Although an analysis of traffic impacts indicates that the level of service on local roads would not be degraded the project proponent's will provide busing of construction workers to limit traffic on Farm to Market roads. The text in the FEIS will be revised.
	28D5	Transportation	Pg 3.6-2 Impact 3.6.2 Not all county roads are asphalt, damage to roads	Public roads that have been designated for truck construction traffic and operational roads to the power plant are asphalt roads (Page 3.6-1). The sentence is not meant to imply all roads are asphalt. No changes are proposed for the FEIS.
	28E5	Transportation	Pg 3.6-2 Impact 3.6.3 Improve safety of Harpold Rd & W. Langell Valley intersection	Based on the projected increase in vehicular traffic there would be no noticeable impacts and the level of service would not be substantially reduced at the referenced intersection. No mitigation measures are proposed.
	28F5	Transportation	Pg 3.6-2, Tble 3.6-3 Discuss why LOS drops to C rating on Highway 140	The LOS is based on the road design, as established by ODOT, and the current usage rates and patterns. Although the increase in traffic is 4 to 5 times the existing level of traffic, the road design and low level of exiting traffic allow a significant increase in traffic without seriously degrading the LOS. No

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	28G5	Transportation	Pg 3.6-7, Tble 3.6.5 Are impacts related to operations traffic, if so differentiate from Table 3.6-2 -3 & -4	The table headings indicate that the comparison is between existing traffic, traffic without the energy facility, and traffic with the energy facility. The headings are self-explanatory and no changes are proposed in the FEIS.
	28H5	Transportation	Pg 3.7-4 1st bullet Suggest including watering of all non-paved roads during const	Watering of nonpaved construction roads will be done on a case-by-case basis to reduce dust. No changes are proposed in the FEIS
	28I5	Air Quality	Pg 3.7-4 Impact 3.7.2 Recommend defining "criteria pollutants."	EPA has set national air quality standards for six common pollutants (also referred to as "criteria" pollutants). These pollutants are listed in Table 3.7-1. The text also lists the criterial pollutants, the text will be revised to reference the pollutants as the criteria pollutants this table.
	28J5	Air Quality	Pg 3.7-4 Impact 3.7.3	The project is complying with the EFSC requirements for mitigation of CO2 and no further mitigation is proposed. As part of final project design a landscaping plan will be prepared and trees or other screening vegetation will be considered at that time. No changes are proposed for the FEIS.
	28K5	Editorial	Pg 3.8.1 Correct designation of the Volcanic Legacy All American Road	This correction will be made in the FEIS.
	28L5	Visual	Add a discussion on the Emigrant Trail Scenic Byway	See response to Comment 28O1.
	28M5	Visual	Pg 3.8.1 &.2 "Bumpheads, Alkali Lake, & Yainax Butte" are shown on the Figures, but not described in text	A brief description of these areas will be added to the FEIS text.
	28N5	Visual	Add new section to describe other BLM lands within, adjacent or within sight of the project area that would be affected by the plant, transmission lines, & roads.	See response to Comment 28O5.
	28O5	Visual	Pg 3.8-3 Complete visual impact analysis using BLM VRM system	The text in the FEIS will be revised to include a visual evaluation based on BLM visual designations.
	28P5	Visual	Recommend planting fast growing hybrid poplars and other visual mitigation	Prior to construction a detailed landscaping plan will be prepared that will include shrubs and trees in the landscape. However, the project is committed to using native plants and hybrid poplar trees are not native to the area. No changes are proposed to be incorporated into the FEIS.
	28R5	Visual	Need to analyze visual impacts of smoke/steam plume	There will be no steam or smoke plume created by the power plant. However, under certain weather conditions (cold weather with high moisture content) water vapor could condense above the HRSG stacks forming light thin wispy clouds that would quickly dissipate. No changes are proposed for the FEIS.
	28S5	Visual	Pg 3.8-5 Have additional transmission line been proposed?	There are no known proposals, including those on Table 3.7-9, to construct additional electrical transmission lines in proximity to the proposed project. No changes are proposed for the FEIS.
	28T5	Visual	Pg 3.8-5 Statement there would be no adverse impacts is not appropriate	The project will not generate a smoke plume or vapor from evaporative cooling. Transmission towers and facility buildings will be visible from public and private lands so the text will be revised to indicate there will be an impact.
	28U5	Visual	Pg 3.8-7 Tble 3.8-1 Add Alkali Lake and Yainax Butte to the table	Alkali Lake and Yainax Butte will be added to the table.
	28V5	Editorial	Pg 3.8-9 & -11, Fig 3.8-1 and -2 what do the 3 circles mean	The text on Page 3.8-3 in the DEIS will be revised to more clearly define the three sets of visual analysis and relationship to the concentric lines on Figures 3.8-1 and 3.8-2.
	28W5	Editorial	Remove the label "Tule Lake (BLM)" from the figures, the Gerber Reservoir Recreation area is a BLM site not a county site. The Klamath Wild & Scenic River designation goes to OR/CA border.	The Tule Lake (BLM) label will be deleted from the figure. The label for the Gerber Reservoir Recreation Site will be revised to read "Gerber Recreation Area," and the font and color changed to indicate that it is managed by the BLM. The figure will be revised to indicate the wild and scenic designation of the upper Klamath River is from the J.C. Boyle Powerhouse to the Oregon-California border.
	28X5	Visual	Pg 3.8-11 Fig 3.8-3 Previous draft had figure of visual impact of the plume, it was not included in the DEIS, should include in FEIS	The project will not generate a smoke plume. The previous visual simulation showed a water vapor plume from cooling towers. The project has been redesigned to use air cooling and eliminating the cooling towers so no visible plumes will be generated by the project. No changes are proposed for the
	28Y5	Editorial	Pg 3.9-1 Cultural Para 3, last sentence should be broken into two	The referenced sentence will be rewritten for clarification.
	28Z5	Cultural	Pg 3.9-4 Recommend ensuring all appropriate Tribes are contacted	One of the requirements for preparing an application for site certification to the Oregon Energy Facility Siting Council is to notify tribes identified by the State Commission on Indian Services. The confederated Tribes of the Siletz and the Klamath Tribes were tribes identified for consultation by the Commission. The Klamath tribes participated in the Cultural Resource Study for the site and supporting facilities. Consultation with the Klamath Tribes then occurred and all known areas findings of cultural significance are being avoided. Since the recommendation does not affect the proposed action or alternatives no further action is warranted.
	28A6	Editorial	Pg 3.9-5 Klamath Tribe should be Klamath Tribes	The recommended change will be made in the FEIS.
	28B6	Visual	Pg 3.9-5 Need a discussion on the visual impacts to spiritual sites on Bryant Mt.	The project proponent has had numerous meetings and discussions, including the recording of oral histories, with the Klamath Tribes and as a result the transmission line was re-routed to avoid potential impacts. Also see response to Comment 28Z5. No further action is warranted.
	28C6	Transmission	Pg 3.10-4 Discrepancy in right-of-way impacts between alternatives	The difference in impacts is related to the amount of work that has to be completed to make the right-of-way trafficable by construction equipment. Existing roads may have to be widened to accommodate construction equipment, but this impact is relatively small compared to construction of new roads. No changes are proposed for the FEIS.
	28D6	Land Use	Pg 3.10-5 The proposed action must comply with the KFRA-RMP ROD	The text will be revised to be consistent with the insert proposed for Page S-7. See response to 28N.
	28E6	Cumulative Impacts	Pg 3.10-17 Should address the pump storage proposal at Bryant Mt	Although this project has been proposed, under various project names for over 12 years, it has never progressed beyond the conceptual stage. The history of the project is described on Page 2-15 of the DEIS and the determination was that it was not considered as a reasonably foreseeable future action. No changes for the FEIS are proposed.

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	28F6	Socioeconomics	Pg 3.11-1 Should include the Klamath Falls urban growth boundaries in analysis on socioeconomic, population, and housing.	Comment noted. The comment does not change the analysis of alternatives or potential impacts so no changes are proposed in the FEIS.
	28G6	Socioeconomics	Pg 3.11-2 Address impacts to Bonanza community and businesses	The most likely potential adverse economic impacts during the construction phase of the project will be on the housing market. However, the analysis indicates that within reasonable commuting distance of the project site there is sufficient housing available for the labor force that would temporarily move to the area. Although it is likely that the community of Bonanza would house some of the temporary work force, it is unlikely there will be an impact on the infrastructure of the community. It is also likely that there will be increased opportunities and business activities in the community as a result of the project construction and operation, but the needs and or viability of the opportunities will be determined by the private business sector. No changes
	28H6	Socioeconomics	Pg 3.11-4 It is not clear why local communities will not be significantly impacted	The DEIS states that most of the housing options are in Klamath Falls and it is expected that most of the temporary work force will locate in Klamath Falls because of the greater variety of services provided. Although some workers will locate to the communities of Merrill, Malin, and Bonanza it anticipated that demand for housing in these communities will not exceed existing supply or that workers will elect to locate in other communities in the region where housing is available. Potential impacts of workers locating in and commuting from Klamath Falls is addressed in Section 3.6 Traffic and Circulation and Section 3.12 Public Services. No changes are proposed for the FEIS.
	28I6	Water Resources	Pg 3.12-2 Need to note that Bonanza water sources are contaminated	Comment noted. The project will neither directly or indirectly impact water quality in the community of Bonanza. The comment does not change the analysis of alternatives or potential impacts so no changes are proposed in the FEIS.
	28J6	Solid Waste	Pg 3.12-3 Note the Klamath Falls Landfill ceased operation in 2004 - where will the solid waste go?	The text will be revised to indicate that the Klamath Falls landfill ceased to accept household waste in 2004. However, the landfill will continue to take construction and demolition waste which will be the majority of waste generated during construction of the project. Household waste generated during construction and operation of the facility will be collected by a private waste vendor and handled by one of the three methods, 1) hauled to the Chemult Landfill, 2) hauled to a proposed Transfer Station in Klamath County, or 3) placed in waste rail containers on site and taken to an intermodal facility for direct placement on rail cars.
	28K6	Water Resources	Pg 3.12-6 3rd para - recommend describing local water sources are contaminated	Comment noted. The comment does not change the analysis of alternatives or potential impacts so no changes are proposed in the FEIS.
	28L6	Water Resources	Pg 3.12-7 Impact 3.12.1 Should consider feasibility of providing potable water to the Community of Bonanza	Comment noted. The comment does not change the analysis of alternatives or potential impacts so no changes are proposed in the FEIS.
	28M6	Water Resources	Pg 3.12 Tble 3.12-1 Table should note Bonanza well water is contaminated	Comment noted. The comment does not change the analysis of alternatives or potential impacts so no changes are proposed in the FEIS.
	28N6	Health & Safety	Pg 3.13-1 Include a discussion on use and safety of using herbicides	See response to Comment 28T.
	28O6	Wildlife	Pg 4-1 Only lists Bald Eagles, but the BA lists other species	The text in the FEIS will be revised to include the following Federally listed endangered species:1) Applegate's milk-vetch (Astragalus applegate); 2) Shortnose sucker (Chamistes breviroltris): 3) Lost River sucker (Deltistes luxatus)
	28P6	Recreation	Pg 4-4 There is no discussion of impacts on recreation and tourism	A brief discussion on potential impacts to recreation will be added to the text.
	28R6	Editorial	Pg 6-2 DEQ, Klamath Falls office should be on mailing list	Copies of the DEIS were provided to DEQ and they distributed the documents to appropriate individuals in DEQ. No changes are proposed for the FEIS.
	28S6	Editorial	Pg 6-2 Correct BLM address and list as a federal agency	These corrections will be made in the FEIS.
	28T6	Wildlife - Appendix C	Pg 1-2 Should state the bald eagle territory exists in PM_{10} deposition area	The FEIS will indicate that a bald eagle nest territory has been identified by BLM within a mile of the proposed electric transmission line and there is bald eagle nesting and winter roosts occurring in the Significant Impact Area for Annual PM_{10}.
	28U6	Wildlife - Appendix C	Pg 2-14 Recommends initially monitoring be conducted during peak migration and nesting and fledgling periods	Monitoring schedules will be determined through consultation with USFWS, ODFG, and BLM to optimize seasonality of wildlife populations. No changes are proposed for the FEIS.
	28V6	Wildlife - Appendix C	Pg 4-5 Recommend the marsh or marshes be clearly identified	The marshes are a significant distance from the Babson Well and will not be impact directly or indirectly by construction and operation of the project. Identifying the location of the marshes on a map will not affect the proposed action or alternatives. No further action is warranted.
	28W6	Editorial - Appendix C	Pg 4-5 "wouldet" should be spelled "willet"	The spelling will be corrected in the FEIS.
	28X6	Wildlife - Appendix C	Pg 5-7 Reference to bald eagles foraging in water reservoir, but this has been deleted from the project - correct statement	The water storage reservoir has been removed from the project so the reference will be corrected.
	28Y6	Fish - Appendix C	Pg 5-9 Doubt fish observed was a red shiner, appropriate to say Cyprinidae	The text will be edited to state "these fish were most likely in the Cyprinidae family."
	28Z6	Water - Appendix C	Pg 5-10 Effects of Babson Well test be clearly stated and evaluated, including effects on other wells and probable causes.	The project proponent provided analysis that shows the observed response was borehole-specific and most likely attributable to a leaking well packer. The project proponent has agreed to seal all production wells over much greater depths (between 750 and 1500 feet to address this potential hydraulic connection. As a result, the observed hydraulic effect was not considered as having the potential to effect shallow system water levels when future pumping will occur in properly constructed and sealed wells designed to isolate the shallow and deep portions of the aquifer system. No changes are
	28A7	Wildlife - Appendix C	Pg 6-1 Same as 28U6	Monitoring schedules will be determined through consultation with USFWS, ODFG, and BLM to optimize seasonality of wildlife populations. No changes are proposed for the FEIS.
	28B7	Vegetation - Appendix C	Pg A-8 Recommend long term monitoring to ensure habitat improvement	The monitoring plan proposed in the DEIS was developed as a base plan for monitoring. The frequency and duration of the monitoring will be developed through consultation with USFWS, ODFW, and BLM. No changes are proposed for the FEIS.

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	28C7	Wildlife - Appendix C	Risk Assessment: Pg 1 Should include eagle use at McFall Reservoir, effects of air emissions should be evaluated.	It is acknowledged that Smith Reservoir and bald eagle winter roost locations are within the significant impact area for annual PM10 and that these may be important areas for bald eagles in the region. Information describing these resources will be added to the text. However, no additional analysis is required because the current risk assessment is already based on maximum estimated soil and water concentrations within the significant impact area.
	28D7	Air Quality - Appendix C	Risk Assessment: Sec 2.2 No explanation of how the primary deposition area was determined - define more clearly amount and expected fate.	The text will be revised to read. "The significant impact area represents the area where annual average ambient PM_{10} concentrations of 0.2 ug/m^3 or greater are predicted. Concentrations at or above this value are defined as significant air quality impacts in the Oregon air quality regulations (OAR 340-200-0020). Oregon's PM_{10} significance level is more stringent than the federal PM_{10} significance level of 1 ug/m^3 and is therefore considered to be conservative." The percent of aerial deposition at the Energy Facility and that in the primary deposition area are not measurable within the modeling framework. Given the very small incremental risk from aerial deposition, even within the area of greatest concentrations, it is unlikely that aerial deposition would add to the risk estimate at the water application process area. No changes to the analysis are required; however, the text will be expanded to explain the determination of the significant impact area and the likelihood of risk outside this area. No changes have been made in the FEIS.
	28E7	Air Quality - Appendix C	Risk Assessment: Sec 2.2.1 Unclear if the constituents and concentrations of HAPS are based on what is typical of this type of process	Annual emissions of HAPs were estimated using established EPA emission factors for HAPs (EPA AP-42), supplemented with a recent memorandum from EPA's Office of Air Quality Planning and Standards (OAQPS) regarding formaldehyde emissions from natural-gas-fired combustion turbines employing lean premix combustion. The methods used to estimate HAPs for the COB Energy Facility are described in detail in Section 2 of the air permit application. These methods (including their degree of conservatism) will be summarized in the risk assessment for clarity. No changes to the analysis are required.
	28F7	Air Quality - Appendix C	Risk Assessment: Fig 3.7-1 Windrow does not support Table 1	Figure 3.7-1 in the DEIS indicates that the prevailing winds are from the northwest (i.e., they are blowing in a southeast direction). Therefore, the significant impact area for aerial deposition would be expected to occur to the southeast of the Energy Facility. This is depicted in Figure 1 and is consistent with the windrose portrayed in Figure 3.7-1. (Note: It is assumed that the commentor was referring to Figure 1 as Table 1 does not include directional deposition data, but rather total annual deposition.) No changes to the analysis are required.
	28G7	Appendix C - Air Quality	Risk Assessment: Recommend a model showing deposition of HAPs or additional information to confirm they will remain in the vapor phase and will not impact areas beyond those already identified.	As indicated in the ERA text, USEPA (1999) reports that all organic HAPs are in the vapor phase fraction. Therefore, these are not expected to have significant deposition. The current risk assessment evaluates the area that is predicted to have the greatest deposition. A conclusion of no risk was determined for this area; therefore, areas with lower deposition would also not be expected to pose a risk. No additional analysis is required, but further support for organics remaining in the vapor phase will be added.
	28H7	Air Quality - Appendix C	Risk Assessment: Not clear why a radius of 6 miles was chosen, recommend model assumptions be identified	A 6-mile (or 10-km) radius was selected as a realistic initial grid size for the air emissions model. Within this grid, the concentration of PM_{10} was determined at each receptor point over the time period (annual in this case). Each point along the edge of the grid was checked to ensure that PM_{10} concentrations were below those predicted in the significant impact area (area with concentrations above 0.2 ug/m^3). If they were greater, the grid would have been expanded to encompass a larger area. However, in the case of the COB Energy Facility model, these concentrations were less than those in the impact area and the grid size was kept at 6 miles. Additional text describing the model will be added to the risk assessment. No changes to the analysis are required.
	28I7	Air Quality - Appendix C	Risk Assessment: Generic lake model assumed depth of 20 feet, but most water depths are much less, with an average depth of 5-6 feet. Recommend model be adjusted for actual conditions.	Given the additional information on the reservoirs in the area provided by the reviewer, it is agreed that a 20-foot mixing zone is not appropriate for the evaluation. The mixing zone for the generic reservoir will be changed to 5 feet and the risk will be recalculated. However, it should be noted that for the aquatic screening, no risks were identified using a 2-foot mixing depth assumed for the generic river. Therefore, there will be no risk to aquatic receptors based on the maximum concentration calculated using a 5-foot mixing zone. The exposure estimate for bald eagles will be increased slightly using the 2-foot mixing depth (instead of the 20 feet as is currently done); however, the risk conclusions (i.e., no risk) remain unchanged. Discussion of the Smith Reservoir and Harpold Reservoir will be added; however, no additional analysis is required for these reservoirs because the current risk assessment is already based on maximum estimated soil and water concentrations within the significant impact area. It is assumed that our generic river and generic reservoir are within the Significant Impact Area for Annual PM_{10}.
	28J7	Air Quality - Appendix C	Recommend clarification regarding the literature-derived deposition rate. Is this a standard assumption?	Standard deposition rates for use in wildlife risk assessments have not been developed. However, 0.02 m/s is the value recommended for use by the California Air Pollution Control Officers Association (CAPCOA, 1993) under their risk assessment guidelines (human health) in the air toxics program. As indicated in Section 2.2.1 of the risk assessment, an independent evaluation of this rate (Howroyd, 1984) found that 0.02 m/s is highly conservative and in some cases overestimated deposition by an order of magnitude. Therefore, this rate is considered conservative and appropriate for a screening level assessment and no changes have been made in the FEIS.
	28K7	Wastewater - Appendix C	Risk Assessment: Recommend clarification using the 1.954 factor provide an accurate or conservative estimate of wastewater concentration.	Additional information regarding the calculation of the predicted reject water concentration will be added to the text. This will include additional rationale for the use of the 1.954 factor. No changes to the analysis are required.
	28L7	Wastewater - Appendix C	Risk Assessment: Recommend pathways, such as irrigation, depth to groundwater and other pertinent information be provided.	Additional information will be provided to support the exposure pathways analysis.

Letter Log #	Comment Code	Topic	Comment Summary	Response
	28M7	Wildlife - Appendix C	Risk Assessment: No information was provided to support assumption that exposure by dermal and inhalation is negligible. For biological opinion USFWS will use best available science—exposure needs to be accounted for	It is acknowledged that some inhalation of air emissions by wildlife receptors in the Energy Facility area is likely. Although methods to estimate inhalation exposure for wildlife receptors are generally lacking, a crude estimate of inhalation exposure (subject to significant uncertainty) could be generated. However, because inhalation toxicity data for wildlife receptors are also lacking, the significance of any exposure estimate produced would be unknown. Methods to estimate dermal exposure for wildlife receptors are also lacking, as are dermal toxicity data. This pathway is generally believed to be insignificant compared to oral ingestion. Additionally, fur, feathers, and scales are believed to mitigate dermal exposure by preventing contact of contaminated media with the skin. Additional discussion of the uncertainties and limitations of these pathways will be added to the conceptual model, the exposure characterization, and to the uncertainties analysis. No changes are proposed for the FEIS.
	28N7	Wildlife - Appendix C	Risk Assessment: Sec 3.4 Recommend the model be adjusted to more accurately reflect water depths	It is acknowledged that waterfowl can be a major food source for bald eagles. This information on the varied diet of the local eagles will be added to the risk assessment. Nonetheless, the assumption of a 100 percent fish diet is considered to be conservative and therefore appropriate for a screening-level assessment. Fish are year-round residents to the area, forage exclusively within the area, and will experience 100 percent of their exposure from within the area. In contrast, waterfowl are migratory, will only spend a portion of the year in the area, and will only consume a portion of their diet from the area. Another issue is the availability of bioaccumulation models. Whereas bioaccumulation models are available for fish, such models for birds are lacking. To estimate concentrations in birds, available models for small mammals would have to be used a surrogate (doing so would add an unknown level of uncertainty to the exposure estimate). To evaluate the effects of this on overall exposure estimates, models were re-run using the small mammal models in place of the fish models. A diet of 100 percent small mammals (assumed to represent birds) resulted in exposure estimates that were similar to or less than those calculated assuming a diet of 100 percent fish. Therefore, the authors do not recommend changing the bald eagle assessment as it would result in less conservative exposure estimates, especially for mercury (which accumulates more in fish than in small mammals).
	28O7	Wildlife - Appendix C	Risk Assessment, Sec 3.4 Since waterfowl are food for eagles, recommend that possible uptake by waterfowl be evaluated for seasonal differences in exposure	Background values for Klamath County were available from the USGS for all metals, except cadmium. In the absence of these data, a value from the eastern portion of Washington (which is similar in climate) was used. For comparison, a background concentration of cadmium at a location in California close to the Oregon border was 1.1 mg/kg compared to the Washington value of 1 mg/kg. Additionally, all background values used were generally within the lower range of values measured across the United States (Shacklette and Boergen, 1984). Therefore, these regional background values were assumed to be representative of natural levels in the area and are appropriate for screening-level assessments in which limited site-specific data are available.
				Background concentrations of certain metals (e.g., chromium) often exceed screening benchmarks. This does not necessarily indicate that background values present risk. Rather, this indicates the conservativeness of the screening benchmarks as well as limitations in the toxicity data used to develop the benchmarks. To be protective, screening benchmarks are frequently based on the lowest or 10th percentile concentrations associated with effects. Toxicity tests upon which screening benchmarks are based are often conducted using soluble salts added to test soils. These salts are generally more bioavailable than those forms present in the environment. Additionally, factors such as pH and organic content can reduce or increase the bioavailability of certain metals in the field relative to that in the laboratory tests. No change to the analysis is recommended; however, additional text discussing the implications of the background exceedances will be added.
	28P7	Soils - Appendix C	Risk Assessment, Sec 4.4 Several compounds identified as exceeding screening levels based on background levels - How do these background levels truly reflect the site? Recommend clarification specific to area affected by the project	Background values for Klamath County were available from the USGS for all metals, except cadmium. In the absence of these data, a value from the eastern portion of Washington (which is similar in climate) was used. For comparison, a background concentration of cadmium at a location in California close to the Oregon border was 1.1 mg/kg compared to the Washington value of 1 mg/kg. Additionally, all background values used were generally within the lower range of values measured across the United States (Shacklette and Boergen, 1984). Therefore, these regional background values were assumed to be representative of natural levels in the area and are appropriate for screening-level assessments in which limited site-specific data are available.
				Background concentrations of certain metals (e.g., chromium) often exceed screening benchmarks. This does not necessarily indicate that background values present risk. Rather, this indicates the conservativeness of the screening benchmarks as well as limitations in the toxicity data used to develop the benchmarks. To be protective, screening benchmarks are frequently based on the lowest or 10th percentile concentrations associated with effects. Toxicity tests upon which screening benchmarks are based are often conducted using soluble salts added to test soils. These salts are generally more bioavailable than those forms present in the environment. Additionally, factors such as pH and organic content can reduce or increase the bioavailability of certain metals in the field relative to that in the laboratory tests. No change to the analysis is recommended; however, additional text discussing the implications of the background exceedances will be added.
	28R7	Wildlife - Appendix C	Risk Assessment, Tble 5: Assumption that 100 percent of eagle diet is fish is inaccurate	See response to Comment 28N7.
	28S7	Wildlife - Appendix C	Risk Assessment, Tble 11: Same as 28I7	Given the additional information on the reservoirs in the area provided by the reviewer, it is agreed that a 20-foot mixing zone is not appropriate for the evaluation. The mixing zone for the generic reservoir will be changed to 5 feet and the risk will be re-calculated. However, it should be noted that for the aquatic screening, no risks were identified using a 2-ft mixing depth assumed for the generic river. Therefore, there will be no risk to aquatic receptors based on the maximum concentration calculated using a 5-foot mixing zone. The exposure estimate for bald eagles (Table 11) will be increased slightly using the 2-foot mixing depth (instead of the 20 feet as is currently done); however, the risk conclusions (i.e., no risk) remain unchanged.
	28T7	Wildlife - Appendix E	Avian Monitoring Plan, Pg 3-1 Recommend that the USFWS & ODFW be notified about all dead or injured birds during monitoring efforts.	During monitoring periods and other inspections of right-of-ways observations of all injured or dead birds found in or adjacent to the rights-of-way will be recorded and the USFWS and ODFW will be notified by the next business day. No changes are proposed for the FEIS.

Letter Log #	Comment Code	Topic	Comment Summary	Response
	28U7	Wildlife - Appendix E	Avian Monitoring Plan, Pg 4-3: Reference to FWS significance criteria - the FWS does not set "significance criteria." Expand and correct text.	The text will be revised to clarify how an estimate of total collisions will be evaluated.
EPA COMMENTS				
2COBEF-029	**29A**	Alternatives	The DEIS does not provide sufficient information to demonstrate a rigorous, objective evaluation of alternatives has been conducted by BPA and BLM	The proposed Federal actions of BPA and BLM are, respectively, to grant the interconnection of the COB Energy Facility to the Federal Columbia River Transmission System and to grant a right-of-way across BLM-managed land. The National Environmental Policy Act requires the agencies to consider alternatives within a range dictated by the nature and scope of these proposed actions. Because neither BPA nor BLM is proposing to site or to regulate the COB Energy Facility, alternative sites and regulatory schemes for the COB Energy Facility are outside the scope of the EIS. Chapter 2 of the EIS has been revised to provide additional clarifying information on the site selection process for this project.
	29B	General Impacts	The DEIS presents no evidence that BPA and BLM have conducted their own independent evaluation of the proposed generating facility.	The project proponent has provided additional information on the site selection process and alternatives. See response to Comment 29A.
	29C	Alternatives	Alternative sites are not identified on a map nor is it explained in the EIS why each site was ultimately rejected.	A figure will be added showing general areas that were considered as alternative sites.
	29D	Alternatives	The EIS should include discussions of the reasons for eliminating each alternative from detailed evaluation.	See response to Comment 29A.
	29E	Alternatives	The EIS should include a discussion and assessment of alternative sites that could potentially reduce environmental impacts in closer proximity to the existing gas pipeline, Captain Jack Substation, and the town of Malin	See response to comments 29C and 29D.
	29F	Alternatives	The EIS should more fully discuss how the range of alternatives evaluated represent the only reasonable options for the transmission line	More detailed information will be presented on the alternative transmission line routing in the FEIS.
	29G	Transmission	The EIS should demonstrate that the proposed transmission line has been selected and designed to avoid and minimize environmental impacts	In siting the proposed transmission line, consideration was given to avoiding and minimizing environmental impacts to the greatest extent practicable. More detailed information on the transmission line routing has been provided in the FEIS. In addition, appropriate mitigation measures designed to avoid or minimize potential impacts are identified in the EIS for transmission-related impacts.
	29H	General Impacts	The FEIS should reflect a better understanding of project impacts and appropriate level of protection for the impacted resources.	The lead agencies believe that the EIS for the proposed action reflects a sufficient understanding of project impacts and possible appropriate mitigation measures for potential impacted resources to allow an informed decision by agency decisionmakers. As is appropriate in any EIS process, information in the DEIS has been augmented through responses to the comments received. In addition, the FEIS incorporates by reference other documents that provide additional information on impacted resources as appropriate.
	29I	Mitigation	Mitigation measures should include affirmative statements of what will be done and where.	Mitigation measures are identified in the EIS with the level of specificity required by NEPA. If BPA decides to approve interconnection of the proposed project, this decision will be made through a ROD, which will document the mitigation measures that have been adopted from the FEIS. Consistent with BPA's NEPA Regulations, BPA will also prepare a Mitigation Action Plan following the ROD, but before any action is taken by BPA that is the subject of mitigation, for any mitigation commitments expressed in the ROD. This MAP will explain how this mitigation will be planned and implemented.