

Klamath County is 14 inches. The Department recommends these inconsistencies be reconciled, and, if necessary, redo the analysis summarized in the table. This comment was provided in BLM's comments on the preliminary DEIS, and was not addressed in this DEIS.

28A3 Page 3.4-1, Vegetation and Wildlife: Section 2.3.2 discussed vegetation control needs under electric transmission lines, including the use of chemical methods. The Department recommends this section include a discussion of the impact of such vegetation maintenance/treatment expected to be conducted over the life of the plan.

28B3 Page 3.4-1, Vegetation and Wildlife: This section states "potential effects from construction or operation of the proposed Energy Facility are expected to stay within or close to the proposed Energy Facility site and within the established construction easements of the proposed related or supporting facilities." However, as indicated in the General Comments section above, air emissions and stormwater discharges may extend beyond these areas and should be included when analyzing potential effects of the proposed project. The Department recommends the action area be defined as all areas that may be directly or indirectly affected by the proposed project, and that the potential impacts be analyzed in the FEIS. If effects would not be significant, it would be helpful if you provided, at a minimum, a brief description of the effects, and an explanation of why they would not be significant.

28C3 Page 3.4-4, Vegetation Communities and Habitats, Aquatic Habitats: This section states "aquatic habitats within the analysis area include the Lost River, freshwater marsh, seasonal wetlands, sedge wet meadows, wet meadows, stock ponds, and agricultural canals." The Department recommends the action area be defined as all areas that may be directly or indirectly affected by the proposed project, and that the potential impacts be analyzed. Therefore, the Department recommends the "analysis area" include any deposition areas from air or water discharges. If effects would not be significant, it would be helpful to provide at least a brief description of the effects, and an explanation of why they would not be significant.

28D3 Also, this section states the Lost River is a "closed, interior basin." However, the Lost River historically received flows from the Klamath River and currently is connected to the Klamath River via the Lost River Diversion Canal. The Department recommends this be explained in the FEIS.

28E3 Page 3.4-5, ODFW Habitat Category 2: The second paragraph discusses mule deer winter range impacts. An additional impact that may also be associated with this habitat loss and should be described in this section is blockage or shifting of mule deer migration routes.

28F3 Page 3.4-7, Plant and Animal Species: The Department recommends wildlife surveys also be conducted in the fall and winter to capture data on migratory species or seasonal variability in habitat use.

28G3 Page 3.4-7, Plant and Animal Species, Noxious Weeds: This section describes weeds currently known from the action area, and their potential to spread. Several species of noxious weeds if not detected on weed surveys occur very close to the project area. The Department recommends the following species be included in the discussion of existing weed populations:

- (1) Leafy spruce (*Euphorbia esula*) is listed on the species list (Table 3.4-2), but is not noted here. A population documented by the Oregon Department of Agriculture occurs adjacent to the Captain Jack Substation (in Section 22 of T40S R12E, in the SW of the SE quarter). Numerous and extensive populations occur within a mile to the east, on the Sacchi Ranch and on public lands.
- (2) Yellowstar thistle (*Centaurea solstitialis*) is documented on public lands just over a mile to the west of the substation, and extensive populations exist on adjacent private lands.
- (3) Dalmatian toadflax (*Linaria dalmatica*) occurs in, and adjacent to where the proposed power lines will cross public lands (in Section 27 of T39S R11E).

43

Page 3.4-7, Plant and Animal Species, Noxious Weeds: The DEIS states: “noxious weeds have been observed in the Facility area and have the potential to spread as a result of increased disturbance, inhibit natural regeneration of desirable species, and reduce the success of revegetation efforts.” This documents the existing condition in the project area and the potential impacts of the project. Weed control is currently described only as a component of the electric transmission line maintenance (Section 2.3.2), along with some preventive mitigation measures listed in Section 3.4.2. The Department suggests that active weed control also be conducted periodically at all of the project facilities, including mitigation lands, over the life of the project. As noted previously, the proposed plan should include the development and implementation of a comprehensive noxious weed management plan for the entire project area (facilities and rights-of-way), and this plan should incorporate the principles of integrated weed management. This plan should be described in Chapter 2, and the impacts of implementing this plan, particularly related to the use of chemical control methods, should be described in Section 3.4.2, Impact 3.4.1, under Recommended Mitigation Measures.

13

Page 3.4-10, Federally and State Protected Threatened and Endangered Species: This section on the Endangered Species Act (ESA) is not clear. For example, “species of concern” is not a recognized ESA protection category of protection, and, while the bald eagle is designated as threatened under the ESA, the ESA does not identify it as a “sensitive species.” To alleviate this confusion, the Department recommends revising this section using the appropriate terminology when describing the ESA, and agency and State species lists and regulations.

53

Page 3.4-10, Federally and State Protected Threatened and Endangered Species: There is no mention of Lost River and shortnose suckers. These fish occur in the Lost River, are federally listed as endangered, and critical habitat has been proposed in the lower Lost River. The Department recommends this species be included in this section. The Department also recommends that the potential impacts this stormwater could cause to the species is analyzed.

7 K3

Page 3.4-10, Federally and State Protected Threatened and Endangered Species: The word “sensitive” in the second sentence of the second paragraph should be changed to “threatened.”

E3

Page 3.4-14 to 18, Environmental Consequences and Mitigation Measures: Disturbance on 109 acres, though reduced substantially from the 179 acres described in the Preliminary DEIS, still

may be a significant impact and there is no explanation to show otherwise. Perhaps it would be helpful if this loss were put into context, for example, by explaining how this loss of habitat compares to the total remaining in the area, and how important this habitat is for meeting ODFW wildlife objectives for the area.

M3 Page 3.4-15, Impact 3.4.1, Assessment of Impact: Roads and power line corridors are documented pathways for the introduction and spread of noxious weeds. Therefore, the Department recommends the FEIS acknowledge that the construction and maintenance of project facilities, power line, and roads would create the disturbed conditions under which many noxious weed species would have a competitive advantage over native plant species.

N3 Page 3.4-15, Impact 3.4.1, Assessment of Impact: This section identifies the use of wastewater for irrigation during the growing season. However, the fate of the wastewater during other seasons is not identified and there is no identification of potential impacts of using this water for irrigation. The Department recommends discussing in the FEIS the fate of the wastewater when it is not being used for irrigation, and that a discussion of potential impacts also be provided. Appendix C to the Biological Assessment, Screening-level Ecological Risk Assessment, may be useful in generating these discussions.

O3 Page 3.4-16: The first paragraph on this page discusses access roads and access agreements. It is unclear if the new access roads constructed across BLM-administered lands would have locked gates and/or if non-motorized public access would be allowed on these roads. Failure to limit access would have a negative impact on some wildlife and should be addressed in this section, similar to the noise/disturbance impacts discussed on pages 3.4-18 to 3.4-19. However, allowing public access to public lands could have a positive benefit for recreational users, and that should be discussed in a new section in Chapter 3 addressing recreational impacts.

P3 On a related issue, would the BLM have a right to use the transmission corridor roads for administrative purposes to access public lands? If so, the BLM would need to provide its own locks for gated access points. The Department recommends adding this information to the description of the preferred alternative in Chapter 2.

Page 3.4-16, Impact 3.4.1, Recommended Mitigation Measures: The Department recommends the consideration of the following as a basis for additional mitigation measures:

Weed control is currently described only as a component of the electric transmission line, but will likely be needed periodically at all of the project facilities, including mitigation lands, during the life of the project.

Q3 (1) Noxious weed prevention and habitat rehabilitation measures are proposed as part of an integrated weed management plan. Mitigation measures should also include the development and implementation of a comprehensive noxious weed management plan for the entire project area (facilities and rights-of-way), which incorporates the principles of integrated weed management. Components of an integrated weed management plan should include prevention and detection, integrated control methods, awareness and education, coordination, native plant community restoration, and monitoring and

evaluation. Integrated control methods should include cultural, physical, biological, and chemical control techniques. This discussion should be described in detail in the appropriate location in Chapter 2. The impacts of implementing such a plan should be described fully in this section

- R3 (2) Sagebrush-steppe habitat mitigation/restoration by juniper treatment and shrub/grass planting would be much more valuable if implemented away from the power facility. There are up to 280 acres of BLM-administered lands adjacent to the transmission line ROW that may be suitable for treatment. These acres have excellent potential as pygmy rabbit, northern sagebrush lizard (both are sensitive species), and other sage obligate species habitat. Treatments should be done to meet specific project design features (PDFs) developed by BLM. These PDF's are available upon request.
- S3 (3) Several BLM, State, and Oregon Natural Heritage Program (ONHP) listed sensitive bat species are known to occur in the area. If any are affected, bat habitat mitigation should be considered.
- T3 (4) Water sources for wildlife, such as guzzlers and cisterns, would be far more valuable if located away from the power facility and West Langell Valley Road. The best location would likely be near juniper treatment areas adjacent to the transmission line ROW.
- U3 (5) Consider retaining any snags less than 10 ft. in height or cutting existing snags or live ponderosa pines to 10 ft. in height within the power line ROW.
- Y3 (6) All mitigation should be monitored over multiple years to ensure success.
- W3 Page 3.4-19, Impact 4.4.2, Recommended Mitigation Measures: The Department suggests revising the statement to read as follows: "...in natural areas during the breeding and fawning period of deer and antelope...." Also, seasonal restrictions for deer winter range should be included as a mitigation measure during the construction phase.
- X3
- Y3 Page 3.4-19, Impact 3.4.3, Assessment of Impact: A bald eagle monitoring plan should be implemented, possibly as a mitigation measure. In addition, power line collision monitoring should occur at least seasonally (4 times/year).
- Z3 Page 3.4-20, Impact 3.4.4, Assessment of Impact: Proposed road crossings of Seasonal Creeks #1 and #2 occur on land administered by the BLM. These crossings must be constructed according to the BMPs described in Appendix F of the KFRA RMP (pages F-16 to F-17). The Department recommends this be acknowledged in the FEIS, and that the KFRA RMP be referenced.
- AA Page 3.4-20, Impact 3.4.4, Recommended Mitigation Measures: The Department recommends revising the last sentence on the page to read, "To facilitate and maintain existing drainage, culverts designed to pass a 100-year flood event would be placed at stream grade under the roadway."