B4 Page 3.4-20, Impact 3.4.4, Recommended Mitigation Measures: The Department recommends adding a new paragraph stating that roads would be designed and constructed to minimize runoff and sediment delivery to streams.

C4 Page 3.4-20, Impact 3.4.4, Recommended Mitigation Measures: Even though total wetland habitat loss is small, you may want to consider adding a small designed wetland to the proposed action, to inexpensively treat process wastewater, and sanitary sewage and storm runoff, while helping to mitigate for the loss of wetlands and to benefit waterfowl.

D4 Page 3.4-21, Impact 3.4.4: This section discusses the use of process wastewater to irrigate a pasture and identified several constituents that failed the screening evaluation. A Screening-level Ecological Risk Assessment is provided in Appendix C to the Biological Assessment (Appendix C of the DEIS), which also provides a detailed analysis of the potential risk of using process wastewater for pasture irrigation. As identified in our comments regarding the Biological Assessment below, we have concerns regarding background levels, assumptions, and other components of the analysis. The Department recommends that the proposed action include process wastewater monitoring, pre-irrigation soil sampling to determine background levels of constituents in the soil, and post-irrigation soil monitoring, to ensure levels of wastewater constituents remain at safe levels to plants and animals.

D4 Page 3.4-21, Impact 3.4.4: This Impact should be renumbered "3.4.5."

E3 Page 3.4-21, Impact 3.4.4: The Department recommends you consider including a wastewater monitoring plan for the life of the project in the proposal.

F4 Page 3.4-21, Cumulative Impacts: Although the area supports a number of noxious weed species and populations of each species, the project will increase the potential for the establishment and spread of noxious weeds relative to the current situation. Therefore, the cumulative impacts of noxious weed establishment and spread will potentially be increased. The mitigation measures recommended previously in these comments would decrease this potential.

G4 Page 3.4-36, Table 3.4-5: The BLM status for Pygmy Rabbit should be corrected to "BAO" (Bureau Assessment Oregon).

H4 Page 3.4-37, Table 3.4-5: The body of the table does not list the Bureau special status species categories for plants. Generally, Oregon Natural Heritage Program, List 1 species are Bureau Sensitive species, List 2 species are Bureau Assessment species, and List 3 and 4 species are Bureau Tracking species. However, there are some exceptions. You may contact Lou Whiteaker at 541-885-4136 for more information on the plant section of the table.

I4 Page 3.4-37, Table 3.4-5: The potential for the occurrence of Baker's globe mallow (*Iliamna bakeri*) was increased by documentation of two populations about 3.5 miles southeast of the Captain Jack Substation, during 2003 botanical surveys. The Department recommends inserting ponderosa pine forests in the Habitat Requirements column for this species; documented

populations on BLM-administered lands in the Gerber area and on the Fremont National Forest are in ponderosa pine forests.

J4 Page 3.4-39, Table 3.4-5: The special status species taxon for long-bearded mariposa lily is *Calochortus longebarbatus longebarbatus*.

K4 Page 3.4-4, Table 3.4-5: The key to the BLM abbreviations within the table, should be "BT" for Bureau Tracking Species, and "BA" for Bureau Assessment.

L4 Page 3.4-45, Table 3.4-8: The project proposes an alternative that would discharge stormwater into the Lost River via a ditch and canal. This could potentially impact Lost River and shortnose suckers. The Department recommends that this table and the narrative include an analysis of potential impacts on these species.

M4 Additionally, as identified in the General Comments section above, "analysis area" should include all areas that may be directly or indirectly affected by the proposed project. Therefore, the Department recommends the analysis area be expanded to contain any deposition areas associated with air, water, or other discharges, and that the potential impacts be analyzed. If effects would not be significant, it would be helpful if you provided at least a brief description of the effects, and an explanation of why they would not be significant.

N4 Page 3.4-52, Table 3.4-8: The status of plants under the Oregon Endangered Species Act is managed by the Oregon Department of Agriculture (ODA), not Oregon Department of Fish and Wildlife (ODFW). This could be addressed the same as in Table 3.4-5.

O4 Page 3.4-52, Table 3.4-8: The habitat description for Baker's globe mallow should also include ponderosa pine forests.

P4 Page 3.4-53, Table 3.4-8: The habitat for flaccid sedge is correct, but the elevation limits need to be updated. There is a documented site of this species near Buck Lake, in Klamath County, at an elevation of about 5,000 feet.

Q4 Page 3.4-55, Table 3.4-8: The special status species taxon for long-bearded mariposa lily is *Calochortus longebarbatus longebarbatus*.

R4 Page 3.5–1, Fish: The Department recommends deleting the last two sentences in the first paragraph, as these are "environmental consequences." This is the introductory section, not the environmental consequences section.

S4 Page 3.5-1, Aquatic Habitat: The Department recommends revising the third sentence in the second paragraph to read, "Seasonal irrigation flows in the Lost River...." Also, peak flows in this river system are influenced by multiple watersheds, and the Department recommends this be stated and analyzed.

T4 Page 3.5-1, Aquatic Habitat: This section identifies the Lost River as 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.

U4 Page 3.5-2, Aquatic Habitat: In the last paragraph of this section the last sentence states "Two aquifer tests demonstrated a lack of impact to the shallow aquifer and surface water from pumping groundwater out of the deep aquifer." Although minor, nearby wells were affected during a test of the Babson well in 2002. Section 3.3.1.2 of the DEIS attributes this hydraulic response to a leaking well packer. However, it is our understanding a leaking well packer has not been confirmed as the cause of this response. The Department recommends statements regarding the wells and aquifers clearly identify the test results and probable causes.

V4 Page 3.5-2, Shortnose Sucker: The shortnose sucker was listed in 1988, not 1998, as stated in the first sentence of the first paragraph.

W4 Page 3.5-3, Lost River Sucker: The Lost River sucker was listed in 1988, not 1998, as stated in the first sentence of the first paragraph.

X4 Page 3.5-2, Shortnose Sucker and Lost River Sucker: The last sentences for the Lost River Sucker and Shortnose Sucker subsections state "No fish-bearing lakes or streams are present in the project area." As indicated in the General Comments above, the "project area" should include all areas affected by the project. Therefore, the Department recommends any potential deposition or discharge areas be included as part of the "project area," and should be taken into account in the EIS analysis. This includes fish-bearing water bodies within the potential air emission deposition zone and irrigation ditches.

Y4 Page 3.5-3: The Department recommends inserting a new section with the following title and text, after the fifth paragraph:

> 3.5.1.3 Other Fish Species.
> Other fish species are likely present and potentially affected by project actions. Native species likely within the general project area include redband trout, largescale suckers, tui chub, blue chub, speckled dace, lamprey species, and sculpin species. Generally, the extent of movement of the native species into the intermittent tributaries and irrigation canals associated with the project area is unknown.
>
> Redband trout are known to move substantial distances into intermittent habitats to spawn or forage. However, the abundance of redband trout in the Lost River would be generally described as rare. Thus, use of the intermittent habitat within the project area by redband trout would be unlikely or rare.
>
> Non-native species may also be present within the area of potential effects and may be affected by project actions. These species would likely include

largemouth bass, yellow perch, brown bullhead, crappie species, sunfish species, and fathead minnow. The non-native species present in the project area generally aren't expected to exhibit significant migrations into intermittent tributary habitats. These species may also be present in irrigation canals near the project area."

Z4 Page 3.5-3, Environmental Consequences and Mitigation Measures: Appendix C - Biological Assessment, contains an analysis of potential impacts associated with construction and operation of the proposed project on listed suckers. The DEIS should make use of this analysis by cross-referencing to appropriate sections in Appendix C.

A5 In the Biological Assessment, a note was made regarding the presence of red shiner in irrigation canals near or adjacent to the project area. Though the fish species in the canal appears to have been mis-identified, this report suggest the presence of other species of fish which may be affected by project actions, which supports our suggestion to include a new section titled "Other Fish Species," as described above.

B5 Page 3.5-3, Assessment of Impact: This section should include the potential expansion or increase in abundance of non-native species as a result of project actions.

The construction of transmission lines, associated roads, and intermittent stream crossings, along with wastewater discharges onto irrigated pastures will result in direct and indirect discharges of sediment and/or nutrients into surface water systems within the project area, which may affect fish and/or habitat, either on-site or downstream. This needs to be described and analyzed in this section.

C5 Page 3.6-2, Impact 3.6.1, Assessment of Impact: The second paragraph, last sentence states "a carpool program would be offered...." Perhaps you should consider some sort of incentive program to encourage construction workers to share rides, or provide busses from nearby communities.

D5 Page 3.6-2, Impact 3.6.2, Assessment of Impact: Not all roads to be used during construction are asphalt. Many of these county roads are chip sealed (over gravel) as stated in the first sentence. The potential (and expectation) for damage to these type roads may be much greater than asphalt roads. Also, many of these county roads have little shoulder width for safely pulling over for the passing of large construction equipment.

E5 Page 3.6-2, Impact 3.6.3, Assessment of Impact: The project proponent needs to coordinate with Klamath County on improving the safety of the intersection of Harpold Road and West Langell Valley Road. This intersection has limited site distances. Safety considerations to reduce the potential for vehicle accidents need to be considered prior to starting construction.

F5 Page 3.6-7, Table 3.6-3: This table shows peak workforce, construction-related traffic is 4 to 5 times higher than existing traffic, especially for Highway 140. The Department recommends discussing why the LOS (level of service) drops to a "C" rating during construction activities.

G5 Page 3.6-7, Table 3.6.5: Are the impacts shown in this table associated with operations traffic only? If so, label the table in such a way that it is distinguishable from Tables 3.6-2, 3, and 4.

H5 Page 3.7-4, Impact 3.7.1, First Bullet: The Department suggests including watering of all non-paved roads during construction for dust control.

I5 Page 3.7-4, Impact 3.7.2: The Department recommends defining "criteria pollutants."

J5 Page 3.7-6, Impact 3.7.3, Recommended Mitigation Measures: The Department recommends planting trees around the perimeter of the energy facility site and on habitat mitigation lands, to help mitigate air quality (CO_2) and to visually screen the facility.

K5 Page 3.8-1, Volcanic Legacy Scenic Byway and Modoc Volcanic Byway: The correct designation of these roads is "Volcanic Legacy All American Road," which is the highest designation for national scenic roads by the Secretary of Transportation.

L5 The Department recommends adding a discussion of the Immigrant Trail Scenic Byway to this section. It is located in northern Modoc County, primarily crossing BLM and Forest Service administered lands.

M5 Pages 3.8-1 and 3.8-2, Sections 3.8.1 and 3.8.2: The "Bumpheads" are shown on Figures 3.8-1, 3.8-2, and are listed in Table 3.8-1, but are not described here in the text. Also, Alkali Lake and Yainax Butte are shown on Figures 3.8-1 and 3.8-2, but are not discussed here in the text. The Department recommends you provide a brief description of these areas, and reference the KFRA Resource Management Plan Environmental Impact Statement (RMP-EIS), where a full description is provided.

N5 Page 3.8-2: The Department asks that you add a section between sections 3.8.1.7 and 3.8.2, to describe other BLM-administered lands within, adjacent to, or within sight of the project area, that would be directly affected by the presence of the transmission lines and access roads. A description of the visible intrusion of a smoke plume on the visual/aesthetic value of the landscape should also be provided.

O5 Page 3.8-3, Impact 3.8.1: The transmission line access road and associated right-of-way clearing could also affect the visual and aesthetic quality of the environment. Such large, unnatural, linear features typically create large contrasts with the characteristic landscape found in the area.

The statement that "Visual impacts to scenic and aesthetic resources would be minimal," may not be correct. A visual impact assessment needs to be completed to address the above mentioned transmission line access road, and associated right-of-way clearing impacts on managing the long-term scenic and aesthetic resources in the area. BLM's Visual Resource Management (VRM) system should be included in the analysis of impacts to these resources on public lands. The VRM system is an analytical process for identifying, setting, and meeting objectives necessary for maintaining scenic values and visual quality. The VRM classifications