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From: Nigel E Seidel <nigel.e.seidel@state.or.us>
Sent: Thursday, March 19, 2015 3:59 PM
To: comment@boardmantohemingway.com
Subject: ODFW DEIS Comments
Attachments: ODFW B2H DEIS Comments 3192015.pdf

Here are the Oregon Dept of Fish & Wildlife DEIS comments.

Thank you
Nigel

Nigel Seidel

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Oregon

Kate Brown, Governor

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March 19, 2015

Jerome E. Perez
State Director – Oregon/Washington
Bureau of Land Management
P.O. Box 655
Vale, OR 97918

RE: ODFW Comments on B2H DEIS

Dear Mr. Perez:

The Oregon Department of Fish and Wildlife (Department) appreciates this opportunity to review and comment on the Boardman to Hemmingway Transmission Line (B2H or Project) Environmental Impact Statement (DEIS). Our review focused on the DEIS' consistency with the Department's goals, objectives, and management authorities found in numerous Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR), including the Department's Wildlife Policy (ORS 496.012), Endangered Species Act (ORS 496.171-182), Fish Passage Laws (ORS 509.580-645), and Habitat Mitigation Policy (OAR 635.415).

The Department has been involved in B2H planning for some time. We have spent countless hours with the project proponent, Idaho Power Company (IPC), and federal, state and local agencies on B2H, its fish and wildlife impacts and potential mitigation of those impacts. Based on this coordination we are optimistic this project can be successfully permitted and most if not all of its fish and wildlife impacts mitigated.

Below we summarize our comments which are addressed in more detail in the attached table.

1. Transmission Line Route Selection

The Department supports the proposed action, however there are several areas where it impacts sage-grouse and Washington ground squirrel (WGS) habitats identified by the Department as Category 1 under our Habitat Mitigation Policy. Selection of the Tub Mountain South, Flagstaff, and Longhorn Variation or Alternative would eliminate nearly all of these impacts.

2. Sage-grouse

The Greater Sage-Grouse Assessment and Conservation Strategy for Oregon (Strategy, OAR 635.140) has identified sage-grouse core habitat in greatest need of protection. B2H should avoid impacting (both direct and indirect) these core habitats. The Strategy also identifies low density sage-grouse habitat. These habitats should be avoided or minimization measures should be employed where avoidance is not possible.

Any project impacts (either direct or indirect) should be mitigated following guidance in ODFW's Mitigation Framework for Sage-grouse Habitats (March 2012) and the B2H Greater Sage-grouse Mitigation Blueprint (DEIS Appendix E). Additional guidance may be available after SageCon deliberations are completed.

The DEIS does not completely identify project impacts to sage-grouse habitat and nor does it outline mitigation measures in accordance with the above documents.

3. Big Game

The proposed and alternative B2H routes travel through important mule deer and Rocky Mountain elk habitat, causing direct impacts to deer and elk winter range. Indirect impacts are also expected in areas where increased public use of project roads leads to displacement of big game from habitat adjacent to roads. The DEIS does not fully identify project impacts to big game habitat and outline mitigation measures to compensate for those impacts.

4. Washington Ground Squirrel

Habitats within 785 feet of an active WGS colony are considered Category 1 under the Department's Habitat Mitigation Policy. We recommend avoiding project impact to these habitats.

As written, it is unclear if the DEIS properly identifies and outlines avoidance of these Category 1 habitats.

5. Mitigation of Projects Impacts

The DEIS proposes that only those resources with high residual impact will require mitigation. The Department recommends that any project impact, regardless of impact type (direct or indirect), may require mitigation dependent on the nature, extent, and duration of the impact and the type of habitat being impacted not just those characterized by BLM as having high residual impact.

The Mitigation Planning section of the DEIS is incomplete. BLM should utilize the guidance provided in DEIS Appendix D & E mitigation documents to further outline how mitigation requirements will be met. Any land identified as a mitigation area for project impacts, should have protections from development or conflicting use for the life of the project impacts.

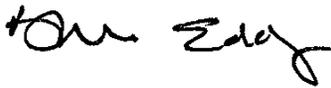
6. Motorized Access Management

If not managed appropriately increased public use of new and improved project roads will impact to fish and wildlife and their habitats. These impacts can largely be avoided with proper access management

including physical barriers, regulatory closures, and enforcement of closures. The DEIS does not completely address these impacts and should be revised to address how road impacts will be calculated, avoided, and mitigated

Thank you for the opportunity to review and comment on the B2H DEIS. Please feel free to contact Mr. Nigel Seidel at 541 962 1840 if you would like to discuss our comments.

Sincerely,

A handwritten signature in black ink that reads "Bruce Eddy". The signature is written in a cursive, slightly slanted style.

Bruce Eddy
East Region Manager

C Margi Hoffmann – Office of Governor Kate Brown
Roger Furman – ODFW
Ron Anglin – ODFW

Oregon Department of Fish & Wildlife comments on the DEIS for the B2H Transmission Line Project

General Comments

Comment 1. Route Specific Recommendations:

Segment 1

- The Horn Butte Alternative impacts Category 1 WGS habitat. The Longhorn Variation or Longhorn Alternative should be selected to avoid impacts to WGS.

Segment 2

- No route specific recommendations.

Segment 3

- The proposed action and associated alternatives all impact Department Habitat Mitigation Policy Category 1 sage-grouse habitat.
- The Flagstaff Alternative would have the least impact to sage-grouse habitat.
- The Department suggests the development of a new alternative in Baker County that avoids sage-grouse Category 1 habitat by following I-84 north from Highway 203 to the boundary of segment 2.
- The Timber Canyon Alternative should not be considered because it significantly increases the length of the transmission line, impacts Category 1 sage-grouse habitat, and has impacts to deer and elk winter range that can be avoided by selecting other alternatives.
- The Burnt River Mountain Alternative should not be selected due to its impact to important big game winter range that can be avoided by selecting the proposed action.

Segment 4

- The proposed action and Willow Creek Alternative should not be considered due to significant impact to Category 1 sage-grouse habitat.
- The Tub Mountain South Alternative should be selected because it has the least impact to Category 1 sage-grouse habitat.

Segment 5 and 6

- No route specific recommendations

Comment 2. Analysis Area:

The DEIS did not adequately explain the rationale for buffer distances used. This rationale should be included so that reviewers can understand how BLM arrived at its DEIS conclusions.

The current analysis buffers are not broad enough to capture indirect impacts to species such as Washington ground squirrel and elk. They should be expanded to fully acknowledge these impacts.

Analysis of road impacts is a particular concern. The DEIS should describe how and when Project roads are incorporated into each of the analysis areas.

Comment 3. Impact Analysis:

It's unclear how BLM used the high, moderate and low impact categories. A more complete description of the process BLM used to select impact categories for individual Project features is needed. In some cases a more complete description of the impact of individual Project features would be helpful in understanding how an impact category was chosen.

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<p>It's difficult to understand the impact of a Project feature when a range (i.e. moderate to high) was used. We suggest BLM use discrete categories and not ranges.</p> <p>The Department recommends the DEIS include better explanations and detailed information about the Project impact assessment process and resulting impact categorizations including:</p> <ul style="list-style-type: none"> • How the analysis was derived. • Number of criteria that have to be triggered to select specific impact intensity. • How categorization analysis accounted for the potential high variation in number of criteria triggered for different project features within the same impact category. • How to interpret the results of the impact categorization. • How the impact assessment takes into account the duration and magnitude of impact effects on fish, wildlife and their habitats through time? 	
<p>Comment 4. Project Impacts to Sage-grouse and Sage-grouse habitat:</p> <p>The DEIS assumes that there would be a small increase in Project road use in sage-grouse habitat and as a result this was considered a Low level impact.</p> <p>The basis for this determination was unclear. The DEIS should include:</p> <ul style="list-style-type: none"> • A description of the process and criteria used to analyze potential for increased use of Project roads in sage-grouse habitat. • Present any specific criteria, regulatory mechanisms, land ownership considerations, traffic data, or other data that were used for this determination. 	

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3.1.2.1 And 3.2.4.6	5/29-33 And 272/4-5	<p>Short and long-term effects: The DEIS defines a short-term effect as one that persists on the landscape for 3 years or less while a long-term effect is one that persists for more than 3 years. Department policy does not differentiate between long and short term impacts; rather we consider impact by their nature, extent, and duration. Duration of impact varies dependent upon the type of impact, species life history and habitat in which it occurs. We are particularly concerned when BLM's short term/long term strategy is applied to short lived species (e.g.</p>	<p>Short and long-term effects: Reanalyze the potential effects of anticipated Project impacts relative to habitat recovery times and the functions those habitats provide relative to the life cycle of the species. This method could provide more realistic assessments of habitat impacts on all species (especially short lived species) and provide better context of the significance of Project impacts.</p>

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		sage-grouse or WGS) where project impacts may be underestimated at a population level if considered only “short term”.	
3.1.2.2	8/2	Correction in Blueprint: The Mitigation Blueprint for Greater Sage-Grouse (Blueprint) provides IPC cohesive guidance on assessing Project impacts to sage-grouse habitat. Guidance in the Blueprint diverges from Department policy in one area. Specifically, the Blueprint states that only new or improved roads outside of the transmission line buffer (i.e. 0.6 mile) will be used to assess impacts. The guidance should indicate that in locations where Project road and transmission line impacts overlap, the mitigation responsibly would be the impact that has that greatest effect on the habitat.	Correction in Blueprint: Revise this error in interpretation of the 2012 Sage-grouse Mitigation Framework.
3.2.3.5	126	Table 3-39: This table quantifies the total impact acreage to native and non-native grasslands by the Project. This analysis uses a coarse scale, remote sensory GIS approach to determining vegetative cover and habitats. The Department is concerned about the accuracy of these acreages. We have similar concerns with the accuracy and/or precision associated with this analysis technique in determining the impact to other habitat types as well.	Table 3-39: Use a more precise and accurate assessment technique to identify vegetation types and habitats. Remotely sensed data used for analysis should be ground truthed to ensure accuracy.
3.2.3.5	132/1-17	Noxious Weed Section: This section could benefit by including additional detail. The information provided includes only the total number of noxious weeds for a segment and a brief description of one or two noxious weed species. A more	Noxious Weed Section: Provide information on weed species having the greatest impact in the analysis area. Describe how weed species impact fish and wildlife habitat over time and may be influenced by implementation of the project.

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		complete analysis would help reviewers better understand habitats already affected by noxious weeds and how fish and wildlife habitat function has been compromised. Identifying weed species that are the most pervasive and the highest priorities for state and federal agencies for treatment would be helpful.	
3.2.3.6	162	Table 3-42: This table provides criteria for assessing direct and indirect Project impacts to vegetative communities within the analysis area. The last assessment item in the Low intensity impact category is the spread of noxious weeds to previously un-infested areas from Project activities. The potential spread of noxious weeds species is a significant impact and should be analyzed more completely. There is potential for large scale impact considering the amount of direct ground disturbance by the Project and the prolific nature of noxious weeds.	Table 3-42: Re-analyze the Project risk from noxious weeds.
3.2.3.6	166/28-32	Risk of noxious weed spread: The DEIS suggests the main period of risk for the spread of noxious weeds is during the Project construction phase when most of the ground disturbing activities will occur. Weed transmission will occur throughout the Project operation phase as well from public and IPC use of Project roads.	Risk of noxious weed spread: Analyze future public traffic on project roads as dispersal mechanism for noxious weeds. The analysis should include long-term effects of the continued transmission of weeds from all traffic types (i.e. both IPC and public) and the potential to eliminate those transmission risks.
3.2.3.6	170	Table 3-44: This table provides acres of native and non-native grassland occurring in the Project analysis area. The analysis does not identify the acres impacted by project roads.	Table 3-44: Revise this table to include the number of acres for each vegetation classification type impacted by Project roads.

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3.2.3.6	170/6-9	Impacts to special status species: There is no information acknowledging an analysis of the impact of Project roads on special status species and their habitats.	Impacts to special status species: Analyze the impact of Project roads on special status species and their habitats.
3.2.3.6	171/5-11	Segment description of noxious weeds: The DEIS Environmental Consequences section (page 166) provides a general description of impacts from noxious weeds. It could benefit from additional detail including: the current extent of noxious weeds infestation; potential impacts of specific noxious weed to specified habitat types; potential for noxious weeds to invade the Project area; and the future risk of noxious weeds impacts.	Segment description of noxious weeds: Add detail to each segment's noxious weed section about the impact of noxious weeds and whether Project features (transmission line, roads, other facilities, etc.) is expected to increase the spread of those weeds.
3.2.3.6	188/35-40	OM-7: OM-7 indicates IPC will rehabilitate significantly disturbed areas. The term "significant" is undefined.	OM-7: Define the term "significant" and reference the definition in sections of the DEIS that discuss project impacts. Also provide descriptive language for each "significant" Project impact to improve clarity and understanding of its effect on fish, wildlife and their habitats.
3.2.4.2	198/20	Oregon Fish and Wildlife Habitat Mitigation Policy: This section provides a brief description of the Department's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-0000 through 0025). It doesn't describe the Policy in enough detail so that readers can understand Habitat Categories and how they should be used.	Oregon Fish and Wildlife Habitat Mitigation Policy: Provide a more complete description of the Department's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-0025). See http://www.dfw.state.or.us/lands/mitigation_policy.asp for more detail.
3.2.4.5	210/16	Black-backed woodpecker: The black-backed woodpecker is the only species identified in this paragraph that is not identified in Table 3-54.	Black-backed woodpecker: Insert the black-backed woodpecker into Table 3-54 for consistency and documentation of occupancies across Project segments.
3.2.4.5	246/23-25	Washington ground squirrels: This sentence introduces the terms, "primary" and "secondary", to	Washington ground squirrel: BLM should identify WGS habitat consistent with the Department's Habitat Mitigation Policy

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		describe WGS habitat. These terms are not defined in the DEIS. The Department does not recognize primary or secondary as habitat categories.	(OAR 635-415-0025).
3.2.4.5	255/10	Sage-grouse population estimates: Population estimates for the Baker sage-grouse population in this sentence are outdated.	Sage-grouse population estimates: Use the most current population data.
3.2.4.6	271/Tab le 3-63	Moderate intensity of Impacts: One of the bulleted items states “Permanent modifications to viewshed for big game”. The terms “permanent” and “viewshed” are undefined.	Moderate intensity of Impacts: If the impacts to viewsheds for big game are considered an important issue, BLM should define the terms and more completely describe these impacts.
3.2.4.6	272/9- 13	Impacts to species in peril: This section provides a list of the direct and indirect Project impacts to federally proposed, candidate and listed endangered, threatened species. However, the indirect impact from increased use of Project roads was not listed as a source of impact to these species and their associated habitats.	Impacts to species in peril: Present an analysis of indirect effects to federally proposed, candidate and listed endangered, threatened species from the increased use of roads. Specific recommendation are to: <ul style="list-style-type: none"> • Provide discussion of the impact of roads on species within the project analysis area • Address the duration and extent of those impacts • Utilize this information in segment descriptions where clarification of road impacts should be addressed.
3.2.4.6	272/31- 33	Short-term direct impacts: According to the DEIS, short-term construction impacts would likely result from actions such as the clearing/use of staging areas or fly yards for storage and assembly of structures. The removal of vegetation in most of the impacted habitats (with the potential exception of grasslands) will likely result in impacts that remain on the landscape for decades due to the regeneration time. Even if the vegetation was not removed in all	Short-term direct impacts: Reanalyze impacts that affect a species for more than a generation or multiple generations as long term or permanent in duration.

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		cases, the crushing of vegetation will degrade the structural components important to many species. The structure of the vegetation would likely return as new growth matures, which could take several decades depending on the habitat type assuming they are not infested with noxious weeds or annual grasses in the meantime. Direct impacts to slow maturing habitat communities from construction should not be classified as short-term.	
3.2.4.6	274/14-26	Traffic impact on fire and dust: Public and IPC vehicle use during construction and operation can increase fire risk and fugitive dust. A more detailed description of these risks would help DEIS readers.	Traffic impact on fire and dust: The DEIS should more completely evaluate the impacts of increased use of project roads by the public and IPC vehicle on fire risk and fugitive dust.
3.2.4.6	275/20-22	Definition of mid-term: It's unclear what BLM means by the phrase "mid-term" here.	Definition of mid-term: The phrase "mid-term" should be defined.
3.2.4.6	280/24-25 and 31	Impacts to grassland: The DEIS indicates construction related impacts to grasslands would recover quickly if protected from grazing although they don't define what this means. The DEIS could benefit from a more complete evaluation of invasive species infestation risk to grasslands.	Impacts to grassland: Provide less subjective descriptors for quantifying the timeframes for each grassland habitat or various grassland habitat communities. Analysis should consider the anticipated recovery time of the different grassland communities encountered in segment 1. Also address risk of invasive plants becoming established during construction or as a result of construction.
3.2.4.6	280/2	Washington ground squirrel habitat: The WGS section describes current Department guidance on colonies and identifies the 785 foot buffer around colonies. It does not however indicate that each colony and buffered area are classified as Category 1 habitat or provide rationale (OAR 635-415-0025) as to how Project impacts are to be	Washington ground squirrel habitat: Include clear definitions for Category 1 and 2 WGS habitats that describe mitigation goals and objectives. Describe Project impacts within Category 1 and 2 WGS habitat.

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		avoided in the buffered area. Additionally, there was no acknowledgement of the Department's designation of Category 2 habitat that may be impacted by the Project and the possible implications of those impacts.	
3.2.4.6	280/19-22	Washington ground squirrel impacts: This sentence describes Project impacts in to Category 1 WGS habitat.	Washington ground squirrel impacts: The Department recommends avoiding impacts to Category 1 WGS habitats (OAR 635-415-0025).
3.2.4.6	285/13-15	Unauthorized human activity: The DEIS states "Potential impacts to raptors could come from non-Project related, unauthorized human activity along the right-of-way and Project roads." It suggests that there are regulatory or other mechanisms in place that prevent public access to the protect facilities.	Unauthorized human activity: The Department recommends the BLM: <ul style="list-style-type: none"> • Better define or describe the term "unauthorized". • Describe the regulatory mechanisms that are in place to preclude the general public from accessing Project roads and right-of-way and how those will be enforced. • Use this discussion to address the impact of motorized traffic on Project roads to other resources throughout the DEIS.
3.2.4.6	286/21-28	Indirect impacts to big game: This section acknowledges Indirect impacts to big game from increased human presence. It should also acknowledge impacts from the introduction of invasive species from human activities.	Indirect impacts to big game: Include information on how human activity can introduce invasive plant species and the potential impact that they may have on big game and their associated habitats.
3.2.4.6	286/21-28	Indirect impacts to big game - 2: The Department is near completion of a Rocky Mountain Elk Mitigation Framework document that outlines the impact of motorized access within elk habitat. The document provides impact assessments to identify the magnitude of indirect impact from	Indirect impacts to big game - 2: Utilize the Department's guidance for analyzing indirect impacts to elk, specifically, increased traffic resulting from the Project.

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		new or improve Project roads dependent on the level of traffic or the increase in traffic. The framework also provides a method to calculate the mitigation responsibility for different traffic rates.	
3.2.4.6	289/3-5 and 298/1-6	Indirect effects to sage-grouse: See General Comment #4.	Indirect effects to sage-grouse: See General Comment #4.
3.2.4.6	303/25-31	Impact to Columbia spotted frog: There are several impacts to the Columbia spotted frog outlined in this paragraph, most of which are direct impacts. However, there are other impacts that should be address in this section including: fugitive dust; human interaction; increased traffic rates; introduction of invasive weeds species; and, potential variations in predations rates from altered habitats.	Impact to Columbia spotted frog: Analyze the following additional potential Project impacts: <ul style="list-style-type: none"> • Fugitive dust: will increased traffic produce dust at a rate that may be detrimental to the habitat or reduce forage resources? • Human interactions: will increased human access, traffic, and interactions degrade habitat or cause physical harm to the frogs? • Invasive weeds: will the introduction of invasive weeds potentially alter vegetation composition or habitat structure to the point it becomes unsuitable? • Increased predation rates: will changes in habitat structure or composition alter potential predation rates?
3.2.4.7	330/2-3	Compensatory mitigation: This statement indicates that only those resources with a high residual impact will require mitigation. Any impact that results from the implementation of the Project, regardless of impact type (direct or indirect), may require mitigation dependent on the nature, extent, and duration of the impact and the Category of habitat (OAR 635-415-0025) being impacted. The table on page 330 provides the level of residual effect/impact of the project	Compensatory mitigation: All impacts should be mitigated consistent with the Department's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-00025). Department and BLM collaboration is highly recommended to: <ul style="list-style-type: none"> • Streamline similarities and reconcile differences in interpretation of Project impacts • Provide clear and concise information to IPC where applicable

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		on specific wildlife species or groups of species. Big game, migratory birds, and management indicator species all are listed as moderately impacted. This suggests that few or none of the Project impacts to these resources would be mitigated.	<ul style="list-style-type: none"> Request mitigation actions that can fulfill both the federal and state policy requirements whenever possible <p>The Department recommends BLM also provide further discussion in this section to address the meaning of high residual impacts for various habitats and types of project impacts. Outline the main differences between the Department and federal policies on mitigation in this section.</p>
3.2.4.7	330/4	Mitigation: This sentence indicates that preservation is one form of mitigation. The Department's Mitigation Policy does not recognize preservation alone as mitigation. Instead, mitigation should include the improvement of habitat (uplift) that demonstrates durability through proper legal protections (acquisition or easement) or similar mechanisms (laws and enforcement). These protect the improved area from future degradation from anthropogenic disturbances for the life of the project.	Mitigation: Do not consider preservation as mitigation. Also add details on how the BLM required Project mitigation would satisfy both state and federal requirements.
3.2.4.7	330/1	Mitigation Planning: This section provides reference to the Compensatory Mitigation Plan (CMP) and goes on to describe mitigation guidance for sage-grouse. In the current form, this section of the DEIS is very incomplete. Big game, WGS, migratory birds, and other special status species should be addressed.	Mitigation Planning: Complete the Mitigation Planning section by providing information on other species impacted by the project.
3.2.5.4	338/30-39	Streams considered in analysis: This section describes the data sources and stream types that were selected to analyze project impacts. Ephemeral streams were not included in the analysis. However, ephemeral	Streams considered in analysis: Address impacts to ephemeral streams to capture all potential Project impacts to fish habitat. This would also help identify potential impacts to downstream fish rearing and seasonal use habitats and will

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		streams can play a vital role in certain life cycle processes of many native migratory fish through adulthood, namely as high-water refugia habitats during severe discharge periods. Any Project impact to ephemeral stream habitats should be analyzed to determine potential effects to fish.	inform better BMP selection and impact minimization efforts. Utilize existing data collected by IPC to analyze potential Project impacts to ephemeral streams.
3.2.5.6	338/30-39 And 339/32 And 355-356 And 362/25-29 And 363/13-15	<p>Fish passage issues: The Department has identified several fish passage related issues in Section 3.2.5.6.</p> <ul style="list-style-type: none"> Locations where Project roads cross streams (perineal, intermittent, or ephemeral) that have historic or current populations of native migratory fish (OARs 635-412-0005(32)) may trigger state and federal fish passage rules and regulations. The two pages (355-356) that describe impacts for Project proposed Type 2 (fords) and Type 3 (culverts) stream crossings should address Department ORS 509.586 and ORS 509.645 on stream crossing designs. Insert pertinent information from OAR 635-412-0035(1) and OAR 635-412-0035(3) to address the main passage concerns as IPC will have to adhere to state fish passage law as well as federal requirements including BLM standards. The DEIS analysis of Project impacts include all anadromous species and redband trout. The Department has fish passage authority over all native migratory species in Oregon (OARs 635-412-0005(32)) because of their intrinsic value within stream 	<p>Fish passage issues: The DEIS should reflect the Departments authority to require fish passage for any Project road/stream crossing on streams with historic or current presence of native migratory fish. The Department recommends additional information about the Department's fish passage authorities be added to the appropriate locations throughout the 3.2.5 Fish section. This additional information should address:</p> <ul style="list-style-type: none"> The Department recommendation for the BLM to condition the right of way application such that fish passage related portions of the proposed Project meet both state and federal crossing design criteria. The Departments authority to assess Project impacts to fish passage in streams where there is a documented historic or current presence of redband trout, salmonids, or other native migratory fish. IPC will be required to provide fish passage for road crossing impacts to streams with migratory fish listed in OARs 635-412-0005(32). The Departments fish passage authority includes Project road/stream crossing impacts to perennial, intermittent, and ephemeral streams that historically or currently contain native migratory

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		<p>systems and water quality. These fishes inhabit a variety of habitats present in perennial, intermittent, and ephemeral streams. Therefore, project impacts to perennial, intermittent, and ephemeral streams containing any native migratory fish should be included in the analysis.</p> <ul style="list-style-type: none"> • The DEIS indicates that at a minimum, IPC will have to adhere to ODFW fish passage designs at new stream crossings of fish bearing streams (page 362). The Department disagrees with that statement as the Department has the authority to require fish passage at <u>any</u> new or improved Project road/stream crossing where Project activities trigger state fish passage law. Therefore, The Department will request that IPC address fish passage, through submittal of fish passage plan applications at any component of a Project road/stream crossing that is constructed or altered in a way that triggers state law pursuant to OAR 635-412-0005 through 0040. • The DEIS states that there may be some short-term or long-term effects to fish passage at stream ford-type road crossings for any intermittent streams occupied by seasonally migratory fish species. The Department has not approved any short-term to long-term impacts to fish passage on any stream (perennial, intermittent, or ephemeral) subject to OAR 635-412-0005 	<p>fish.</p> <ul style="list-style-type: none"> • The Department has fish passage authority on all new or existing stream crossings used for the Project where Project activities impede the potential movement of historic or current native migratory fish up or downstream pursuant to Department OAR 635-412-0005 through 0040. • The importance of frequent and iterative coordination with the Department to help identify when and where road/stream crossings may trigger fish passage pursuant to OAR 635-412-0005 through 0040. Proper coordination will also help streamline the fish passage processes between the Department and federal policies.

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		through 0040 and suggests it be addressed and remedied through appropriate regulatory process; a submittal of a fish passage plan for review and approval by the Department. The Department will require adequate fish passage at all road/stream crossing locations that will potentially impact historic or current native migratory fish (OARs 635-412-0005(32)) populations.	
3.2.5.6	357/11-12	<p>Indirect effects to special status species: Two indirect impacts that were not covered or analyzed in the DEIS are:</p> <ul style="list-style-type: none"> • Impacts that would result from the introduction of invasive weeds species adjacent to stream channels. • Increase predation of special status species (e.g. chinook, etc.) by other fish and avian predators. 	<p>Indirect effects to special status species: Analyze indirect impacts from the introduction of invasive weeds from Project construction or use of Project roads (IPC and public traffic). Address any indirect impacts to fish that may result from alterations to the adjacent terrestrial habitat that increase potential avian predation of fish or reduce foraging opportunity.</p>
3.3.2.1	999	Table 3-313: The rationale provided for impacts to resources described in this table are difficult to understand.	Table 3-313: See comment 2
3.3.4.4	1064	Table 3-316: The table indicates that the Project has moderate cumulative effects on the Columbia spotted frog. However, the text throughout the wildlife resources section indicates high cumulative impacts.	Table 3-316: Revisit this analysis and rectify inconsistencies in the analysis and conclusions.
3.3.4.5	1068	Segments are missing: Segments 2 and 3 are missing from the cumulative effects section.	Segments are missing: Include cumulative effects analysis discussion for segments 2 and 3.
App. D		Compensatory Mitigation Plan: The Compensatory Mitigation Plan (CMP) is based on sound mitigation principles and standards for Project impacts. However, many of the Department's comments provided above will likely result in changes to	<p>Compensatory Mitigation Plan: Address Department concerns expressed in previous comments within the CMP.</p> <p>The Department recommends continual utilization of the Biological Resources Task Group as a tool for coordinating</p>

Oregon Department of Fish & Wildlife comments on the DEIS for the B2H Transmission Line Project			
Comments by Section			
Section No.	Pg. / line	Issue Identified	Recommended Resolution
		the CMP.	agencies to provide valuable input into the development of the CMP.