

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

September, 19 2011

David Robinson  
Central California Area Office  
Bureau of Reclamation  
7794 Folsom Dam Road  
Folsom, CA. 95630-1799

Subject: Final Environmental Impact Statement for Nimbus Hatchery Fish Passage Project, Lower American River, Sacramento County, California.  
[CEQ # 20110266]

Dear Mr. Robinson:

The U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement (FEIS) for the above project. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

EPA reviewed the Draft Environmental Impact Statement (DEIS) for Nimbus Hatchery Fish Passage Project and provided comments to the Bureau of Reclamation on November 24, 2010. Based upon our review, EPA rated the DEIS as *Lack of Objections* (LO). In addition, we provided a number of recommendations for additional documentation regarding noise mitigation, enforcement, and fisheries, which would help to ensure full disclosure of proposed actions and potential impacts. EPA would like to thank the Bureau of Reclamation for its efforts to respond and incorporate those recommendations into the FEIS.

We note that, in response to EPA's comments on the DEIS, the Bureau of Reclamation states that concurrent construction of the Nimbus Shoals side channel habitat project and the Nimbus Hatchery fish passage project would likely be infeasible. The Bureau goes on to state that "Coordination between the two projects would occur to identify opportunities to work together" (FEIS page F-5, response F-1-6). EPA acknowledges the difficulty presented by incompatible funding sources and prioritization, however, we continue to believe that engineering and construction efficiencies, as well as a reduction of potential adverse environmental effects, may be gained by building these two features concurrently. We encourage the Bureau of Reclamation to formalize its intentions to coordinate with the side channel habitat project, to the extent feasible, by explicitly committing to do so in the Nimbus Hatchery Fish Passage Project Record of Decision.

EPA appreciates the opportunity to provide input regarding the proposed project. Should you have any questions regarding our comments, please contact me at (415) 972-3521, or contact Carter Jessop, the lead reviewer for the FEIS. Carter can be reached at (415) 972-3815.

Sincerely,

/s/

Kathleen M. Goforth, Manager  
Environmental Review Office (CED-2)

Cc: Joe Johnson, CDFG