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

January 22, 2007

Shawn E. Oliver
Natural Resource Specialist
Bureau of Reclamation
Central California Area Office (Folsom)
7794 Folsom Dam Road
Folsom, CA 95630

Subject: Draft Environmental Impact Statement for the Folsom Dam Safety and Flood Damage Reduction Project (CEQ# 20060493)

Dear Mr. Oliver:

The U.S. Environmental Protection Agency (EPA) has reviewed the above project pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. Our comments are provided in accordance with the EPA-specific extension granted by you on January 8 (email verification received on January 17) from January 22, 2007 to January 29, 2007. We greatly appreciate the additional time provided for our review. Our detailed comments are enclosed.

Based upon our review, we have rated this DEIS as EC-2, Environmental Concerns - Insufficient Information (see attached "Summary of the EPA Rating System). We have concerns with the potential adverse effects of the proposed project on air quality. We urge implementation of aggressive mitigation measures to reduce project-related emissions to the maximum extent feasible. Furthermore, the required General Conformity Determination should be included in the Final EIS (FEIS).

A number of actions were evaluated at a programmatic level pending completion of the detailed engineering design. Actions such as the updated Folsom Facilities operations manual and Auxiliary Spillway dredging are of specific interest to EPA given their potential water quality effects. We request notification of these actions and receipt of the project-level environmental documentation.

The Folsom Dam Safety and Flood Damage Reduction Project integrates the engineering solutions addressing hydrologic control, seismic, and static issues authorized in the US Corps of Engineers Folsom Dam Modification and Folsom Dam Raise projects. EPA comments regarding these projects are enclosed for your reference and consideration.

We appreciate the opportunity to review this DEIS. Please send two copies of the FEIS to the above address (mail code: CED-2) when it is released for public review. If you have any questions, please call Nova Blazej, the new Manager of the Environmental Review Office, at 415-972-3846, or Laura Fujii, the lead reviewer for this project, at 415-972-3852, or at fujii.laura@epa.gov.

Sincerely,

/s/

Paula Bisson, Manager
Environmental Review Office
Communities and Ecosystems Division

Enclosure: Summary of PEA Rating Definitions
Detailed Comments
EPA Comments on the DSEIS American River Long-Term Study
EPA Comments on the DSEIS American River Watershed Investigation

cc: Brigette Tollstrup, Sacramento Air Quality Management District
Gary Honcoop, California Air Resources Board
Sacramento Area Flood Control Agency
California State Reclamation Board
State Water Resources Control Board

EPA DETAILED COMMENTS, DEIS FOLSOM DAM SAFETY AND FLOOD DAMAGE REDUCTION PROJECT, FOLSOM, CA, JANUARY 22, 2007

Air Quality Comments

Implement aggressive air quality mitigation measure and include the General Conformity Evaluation in the Final Environmental Impact Statement. The project area is located in an area designated as non-attainment for ozone and fine particulate matter. Construction-related emissions of nitrogen oxides (NOx), a precursor for ozone, and particulate matter less than 10 and 2.5 microns in diameter (PM10 and PM2.5) would exceed Federal and/or California air quality standards (pps. 3.3-29 to 3.3-37). Mitigation measures are necessary to reduce these adverse emissions. Even with mitigation, NOx, PM10 and carbon monoxide (CO) emissions would be greater than the General Conformity *de minimis* thresholds, triggering the requirement for a full general conformity evaluation for the selected preferred alternative prior to the Record of Decision (ROD) (p. 3.3-37). We note that the incremental effects of the NOx, PM10, and CO emissions would be significant under the cumulative condition (p. 3.3-38).

Recommendations:
EPA recommends aggressive implementation of all feasible mitigation measures to address exceedences of air quality standards. The FEIS should include a detailed mitigation plan providing an implementation schedule, the responsible parties, and monitoring and reporting requirements.

We recommend the required General Conformity Determination be included in the final environmental impact statement (FEIS) with a description of the mitigation/offset measures that will be implemented prior to the project start date.

The FEIS should also include a description of the projected operational emissions that will be generated by the completed project.

NEPA Compliance

Commit to future NEPA compliance for project changes. Alternative 5 would raise the Folsom facilities by 17 feet in order to increase the reservoir capacity to contain the Probable Maximum Flood. While we recognize this would be a "dry" raise providing for an increase in flood storage capacity, there is concern with the potential future conversion of this storage and flood surcharge space to water supply or multipurpose use ("wet" dam raise). Of specific concern is the potential for changes in use without appropriate public and environmental review.

Recommendation:
We recommend the FEIS and ROD include a commitment to future NEPA compliance, with appropriate public review processes, prior to any decision to modify the use of the additional flood storage capacity.

General Comments

Notify EPA of supplemental environmental compliance documentation. A number of actions were evaluated at a programmatic level pending selection of the final preferred alternative and completion of the detailed engineering design. For example, the lead agencies plan to complete a revised water plan and control manual (p. 1-9), and the US Corps of Engineers (Corps) may dredge the proposed Auxiliary Spillway approach 40 feet deeper than planned by the Bureau of Reclamation (Reclamation) (p. 3.10-18). Both future actions would be evaluated in supplemental NEPA compliance documentation. EPA has an interest in these actions, given their potential effects on water quality and beneficial uses within Folsom Reservoir and downstream in the American River.

Recommendation:
Please send two copies of the supplemental environmental compliance documentation and a copy of the Final Updated Flood Management Plan to the address above (mail code: CED-2) when they are released for public review.

Document final decisions in separate Joint Federal Project, Reclamation, and Corp Record of Decisions. The DEIS evaluates a Joint Federal Project that will meet Reclamation's dam safety hydrologic objective and the Corps' flood damage reduction objective, plus a range of alternatives that address other stand-alone flood damage reduction, dam safety, and security actions (p. 1-25).

Recommendation:
The FEIS should clearly identify the specific decisions and responsible parties for the Joint Federal Project and stand-alone flood damage reduction, dam safety, and security actions. We recommend the final decisions be documented in three distinct Record Of Decisions for the Joint Federal Project, Reclamations' stand-alone actions, and the Corps' stand-alone actions.

Complete and include in the FEIS all Federal requirements. Various Federal requirements will be completed prior to completion of the FEIS or ROD. For instance a draft US FWS biological opinion will be obtained prior to completion of the Final EIS/EIR and a General Conformity Determination completed prior to issuance of the ROD (pps. 1-32 to 1-35).

Recommendation:
The NEPA process is intended to assist public officials make decisions that are based on an understanding of the environmental consequences, and take actions that protect, restore, and enhance the environment (40 CFR Part 1500.1(c)). We recommend that information sources such as the US FWS Biological Opinion and General Conformity Determination be completed prior to the ROD and included in the FEIS.