JUN 5 2012

Dear Reviewer:

In accordance with provisions of the National Environmental Policy Act (NEPA), we enclose for your review the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) Final Environmental Impact Statement (FEIS) for Authorization for Incidental Take and Implementation of a Multi-Species Habitat Conservation Plan (HCP) for the Fruit Growers Supply Company (FGS) lands located in Siskiyou County, California. This FEIS is prepared pursuant to NEPA to assess the environmental impacts associated with the Services proceeding with issuance of Incidental Take Permits (ITPs) to FGS pursuant to Section 10 of the federal Endangered Species Act of 1973, as amended.

This FEIS was jointly prepared by NMFS and the USFWS (collectively "Services") as two species managed by the USFWS, the federally threatened northern spotted owl (*Strix occidentalis caurina*) and endangered Yreka phlox (*Phlox hirsuta*), are "Covered Species" in the HCP in addition to three salmonids managed by NMFS.

The Services sought public comment on a Draft EIS (DEIS), which included alternatives for the proposed HCP through a Notice of Availability (NOA) in the *Federal Register* (74 FR 58602) published on November 13, 2009, with a 90-day comment period. Two public meetings on the DEIS and draft HCP were held after publication of the NOA, and the Services received two oral comments at these public meetings. In addition, the Services received 281 individual written comments during the 90-day review period, many of which were of the "postcard" e-mail type generated from non-governmental conservation organizations. Out of this total, the Services received four individual comment letters from three agencies of the State of California, and one comment letter from the U.S. Environmental Protection Agency. All of the public comments received have been addressed in the FEIS and Final HCP.

Several commenters raised similar issues regarding the DEIS and Draft HCP, and the Services categorized these comments into ten "themes" based upon the similarities in the comments received. These ten themes and the key issues commented on are:

1) The applicant's ability to conduct sustainable timber harvesting and funding of the HCP throughout the duration of the proposed permit term (50 years)
2) Northern spotted owl: concern that the proposed HCP will not contribute towards the recovery of the northern spotted owl; concerns regarding the adequacy of the spotted owl impact of the takings analysis; concern that the applicant will not mitigate impacts to spotted owl to the maximum extent practicable

3) Biased purpose and need statement in the DEIS to favor the applicant's financial objectives

4) Adequacy of the level of detail and data analysis provided in the DEIS; failure to take the "hard look" NEPA requires of federal agencies
5) Uncertainty regarding the risks climate change poses to the HCP Covered Species and concern that a 50 year permit is too long to adequately consider a changing climate
6) Opposed to an incidental take permit in general and for a duration of 50 years
7) Concern that HCPs in general do not contribute to the recovery of federally listed species
8) Concern that the HCP does not meet water quality standards
9) Concern that the HCP does not adequately protect salmonids
10) Letters of support for issuance of the ITPs and implementation of the HCP

Based upon an analysis of the public comments received, including the ten themes described above, the Services made revisions to the EIS and the applicant also agreed to revise sections of the proposed HCP. The public comments received on the DEIS and proposed HCP, and the Services response to public comments, have been incorporated into volume II of the enclosed FEIS.

The Services are not required to respond to comments received as a result of issuance of the FEIS. However, comments submitted will be reviewed and considered prior to issuance of a record of decision (ROD) which must be conducted for each of the Services. Please send your comments to the responsible official identified below. The ROD will be made publicly available following final action by the Services on or after Monday, August 6, 2012.

Responsible Official:

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Supervisor, Klamath Branch
Northern California Office
Southwest Region
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Sincerely,

Patricia A. Montanio
NOAA NEPA Coordinator

Enclosure:

1. *Final Environmental Impact Statement for Authorization for Incidental Take and Implementation of the Fruit Growers Supply Company's Multi-Species Habitat Conservation Plan* including public comments and responses (CD)
2. *Final Fruit Growers Supply Company Multi-Species Habitat Conservation Plan* (CD)