

**GOLDEN WEST WOMEN FLYFISHERS**

790 27th Avenue • San Francisco, California 94121

September 24, 2007

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Re: Don Pedro Project 2299

Dear Secretary Bose:

I was not able to attend the August 8<sup>th</sup> public meeting in Sacramento, CA concerning the Fisheries Study Plan currently undergoing review by the Commission and would like to submit additional comments on behalf of the Golden West Women Flyfishers (GWWF).

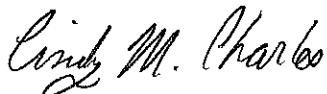
On May 2, 2003, the National Marine Fisheries Service (NMFS) filed a petition to amend the license for the Don Pedro Project No. 2299 to modify the minimum flow provisions to Article 37 of the license as necessary to protect both steelhead and chinook salmon in the Tuolumne River. On December 22, 2003, the Commission issued an order deferring action on the petition pending completion of informal consultation on the effects of the Project on steelhead in the Tuolumne River. Given that nearly four years has passed since this order, we wish to inquire when the Commission will uphold its obligation under Section 7(a)(2) of the Endangered Species Act to protect the Central Valley Steelhead which has been listed as a threatened species since 1998? Section 7 of the ESA requires all federal agencies "in consultation with and with the assistance of the [Commerce or Interior] Secretary, " to further the ESA's purpose by "carrying out programs for the conservation of listed species". We believe immediate action should be taken to provide adequate year round flows for both juvenile and adult steelhead. We believe the established flow schedules were developed to accommodate only chinook salmon biology and do not consider impacts to steelhead. A delay of nearly four years on responding to the petition is unreasonable.

Now that we have 2007 estimated salmon production numbers (FISHBIO, 2007), we can plainly see that the chinook salmon population is about to completely collapse given that only an estimated 937 salmon smolts were calculated at the Grayston trap. Since 1998, the previous lowest smolt estimate was 9,960, and therefore the 2007 estimate represents only 10% of the lowest recent estimate. This is obviously an extreme decline

and action should be taken immediately before this population becomes extinct in the Tuolumne. The California Department of Fish and Game's report: Restoring Central Valley Streams: A Plan for Action (November, 1993) cites that in 1988 the State Legislature established a goal of doubling the 1988 population numbers with the passage of the Salmon, Steelhead Trout and Anadromous Fisheries Program Act. (Chapter 1545/88) We are far short of that goal, even with all the numerous studies and data collection completed over recent years and therefore we urge the Commission to take action on mandating adequate flows for the anadromous fish.

Another concern we wish the Commission to address is the current effectiveness of the Tuolumne River Technical Advisory Committee (TRTAC) to resolve issues of the Study Plan. I attended the TRTAC meeting on September 13, 2007, and found attendance to be very poor—with no representation from the Department of Fish and Game, National Marine Fisheries or any of the involved conservation groups. In addition, no minutes or notes of the meeting appear to have been taken. There were no action items. This Committee is not working as organized and we request that the Commission prescribe changes to the operation of this body in order to enable effective improvements on the lower Tuolumne fisheries.

Respectfully submitted,



Cindy M. Charles  
Conservation Chairperson

Golden West Women Flyfishers  
1403 Willard Street  
San Francisco, CA 94117