



March 31, 2009

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
Mail Code: DHAC, PJ-12.3
888 First Street, NE
Washington, D.C. 20426

Re: FERC No. 2299 Don Pedro Project Fishery Studies

Dear Secretary Bose:

The Turlock Irrigation District and Modesto Irrigation District (Districts) provide this notification regarding certain *O. mykiss* studies pursuant to the *Order on Ten-Year Summary Report Under Article 58* (Order) issued April 3, 2008.

The Districts identified by letter dated August 26, 2008 that Section 4(d) annual permits would be sought to proceed in 2009 with the Order Section (C) (2) – sampling for anadromy study (otoliths) and (C) (3) – adult winter tracking study. The Districts had their fishery consultant submit timely study permit applications in October 2008. The Districts' consultant was informally told by NOAA Fisheries permit staff this month that the California Department of Fish and Game had denied approval of the ESA Section 4(d) permit applications, so those two studies cannot be done in 2009 due to that resource agency decision.

The Order Section (C) (1) population estimate surveys of February-March and June-July are being conducted by the Districts in 2009, subject to the sampling method limitation identified in our letter of July 3, 2008. The first 2009 field survey work was completed this month.

Respectfully submitted,

MODESTO IRRIGATION DISTRICT

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Water Operations

TURLOCK IRRIGATION DISTRICT

Jeffrey T. Barton
Assistant General Manager
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