



June 30, 2010

VIA ELECTRONIC FILING

Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

RE: Don Pedro Project (FERC Project No. 2299); Revised schedules of Turlock and Modesto Irrigation Districts on Instream Flow Study and Water Temperature Modeling pursuant to the Federal Energy Regulatory Commission's May 12, 2010 Order (131 FERC ¶ 62,110) and status of *Oncorhynchus mykiss* Tracking Study pursuant to the Federal Energy Regulatory Commission's May 10, 2010 Order (131 FERC ¶ 62,097) Regarding Article 58

Dear Secretary Bose:

In its May 12, 2010 Order (131 FERC ¶ 62,110) on Modifying and Approving Instream Flow and Water Temperature Model Study Plans ("May 12 Order"), the Federal Energy Regulatory Commission ("Commission" or "FERC") in Ordering Paragraph (D) provided for the Turlock and Modesto irrigation districts ("Districts") to file, for Commission approval, a request for extension of time as may be required by the timing of the subject Order.

Accordingly, the Districts' sent proposed revised schedules to the fishery agencies on May 28, 2010 (provided in Attachment 1 attached hereto) and allowed for a 30-day comment and review period. There were no agency comments received.

Therefore, the Districts respectfully request Commission approval of the revised schedules contained in Attachment 1.

In its May 10, 2010 Order (131 FERC ¶ 62,097) Modifying and Approving in Part the Tuolumne River *Oncorhynchus mykiss* Ten-Year Monitoring Report Pursuant to Article 58, the Commission in Ordering Paragraph (B) requested the status of permit

issuance for the *O. mykiss* tracking study. The Districts' consultants did receive necessary agency permits and approval in March 2010 to conduct the tracking study and it was initiated that same month. The results of the first season of the tracking study will be included in the annual report specified in Ordering Paragraph (C) to be filed by January 15, 2011.

Sincerely,



Tim Ford
Aquatic Biologist
Turlock and Modesto
Irrigation Districts

Attachment 1. Revised Schedule Transmittal Letter (dated May 28, 2010)



May 28, 2010

(via e-mail)

Tim Heyne
California Dept. of Fish and Game
P.O. Box 10
La Grange, CA 95329

Kim Webb
U.S. Fish and Wildlife Service
2800 Cottage Way, W-2605
Sacramento, CA 95825

Maria Rea
National Marine Fisheries Service
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Sacramento, CA 95814-4708

RE: FERC Project 2299 – Revised Instream Flow and Water Temperature Study Plan Schedules

Dear Fishery Agency representatives:

In its May 12, 2010 *Order Modifying and Approving Instream Flow and Water Temperature Model Study Plans*, the Federal Energy Regulatory Commission (FERC) approved the October 2009 Instream Flow and Water Temperature Model Study Plans submitted by the Turlock and Modesto Irrigation Districts (Districts) pursuant to ordering paragraph (F) of the July 16, 2009 *Order on Rehearing, Amending License, Denying Late Intervention, Denying Petition, and Directing Appointment of a Presiding Judge for a Proceeding on Interim Conditions*.

Because the FERC approval of the above-referenced study plans was issued four months later than the assumed January 2010 date of the October 2009 plans, it is no longer feasible to conduct these studies according to the original schedules. As provided for in ordering paragraph (D) of the May 12, 2010 Order, the Districts intend to file a request for an extension of time with the FERC by June 30, 2010.

Please see the proposed revised schedules (Attachment 1) which contain the rationale for the proposed changes. The revised Water Temperature Modeling Study schedule reflects only a few months change due to a later start date. However, the high degree of Resource Agency consultation anticipated in the Instream Flow Study will require several planning meetings and necessitates a field work schedule delay until about water year 2011, with

most high flow data collection anticipated in winter/spring 2011. Please provide any comments to me no later than 5 p.m. PDT on Monday, June 28, 2010. Since the schedule is accelerated, we should plan to establish meeting dates starting in August 2010 to initiate IFIM study site selection.

This letter is also being sent electronically to other parties to the proceeding. Please contact me at 209-883-8375 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Tim Ford". The signature is written in a cursive, slightly slanted style.

Tim Ford
Aquatic Biologist

Cc: Modesto Irrigation District, City and County of San Francisco, U.S. Department of the Interior, San Francisco Bay Area Water Users Association, Stanislaus Flyfishermen, Friends of the Tuolumne, Conservation Groups, FERC staff (Gaedeke) – Portland, OR

Attachment I May 28, 2010

DISTRICTS' IFIM STUDY PLAN REVISED IMPLEMENTATION SCHEDULE

Task	Schedule in May 12, 2010 FERC Order	Revised Start Date	Revised End Date	Revised Days Duration	Comments
FERC Order on Study Plan*		May 12, 2010	May 12, 2010	0	
Develop Revised Schedule*		May 12, 2010	May 27, 2010	15	Necessitated by 4 month slippage in receipt of FERC Order.
Agency Review of Revised Schedule*		May 28, 2010	June 27, 2010	30	Per FERC Order of 14 May 2010, page 32, Paragraph D
FERC Determination on Revised Schedule*		June 28, 2010	July 28, 2010	30	Per FERC Order of 14 May 2010, page 32, Paragraph D
Study Planning and Site Selection	January 13 to March 13, 2010 (60d)	July 28, 2010	September 26, 2010	60	Consistent with Districts' originally proposed duration for this task
HSC Consultation	March 13 to September 9, 2010 (150d)	September 26, 2010	February 23, 2011	150	Consistent with Districts' originally proposed duration for this task
Cross Section Placement	March 14 to April 27, 2010 (45d)	September 26, 2010	November 10, 2010	45	Consistent with Districts' originally proposed duration for this task
Progress Report #1	July 1, 2010	November 11, 2010	December 11, 2010	30	Scheduled to occur after expected milestones
Field Data Collection (Hydraulic)	April 28 to September 24, 2010 (150d)	September 16, 2010	June 30, 2011	287	Includes Fall Pulse Flow test and extends through Spring 2011, due to later start date.
Field Data Collection (HSC)	April 1, 2010 to March 31, 2011 (365d)	September 26, 2010	June 30, 2011	277	Extended through Spring 2011, as necessitated by later start date
Data Analysis	April 1 to July 29, 2011 (120d)	July 1, 2011	October 29, 2011	120	Consistent with Districts' originally proposed duration for this task
High Flow Stage Discharge Data Collection	January 15 to June 1, 2011 (137d)	January 15, 2011	June 1, 2011	137	Restricted to a 1-year window due to later start date; same duration as original proposal
Pulse Flow Study Data Analysis and Modeling	June 1, 2010 to June 30, 2010 (394d)	September 16, 2010	June 30, 2011	287	Shorter duration due to later start date
Progress Report #2	July 1, 2011	July 1, 2011	July 31, 2011	30	Scheduled to occur after expected milestones
Draft Report	October 27, 2011 (90d)	October 30, 2011	January 28, 2012	90	Consistent with Districts' originally proposed duration for this task
Resource Agency Review	November 26, 2011 (30d)	January 29, 2012	February 28, 2012	30	Consistent with Districts' originally proposed duration for this task
Final Report to Commission	January 25, 2012 (60d)	February 28, 2012	April 28, 2012	60	Consistent with Districts' originally proposed duration for this task

*Task added based on FERC Order issuance date.

DISTRICTS' WATER TEMPERATURE MODELING PLAN REVISED IMPLEMENTATION SCHEDULE

Task	Schedule in May 12, 2010 FERC Order	Revised Start Date	Revised End Date	Revised Days Duration	Comments
FERC Order on Study Plan*		May 12, 2010	May 12, 2010	0	
Develop Revised Schedule*		May 12, 2010	May 27, 2010	15	Necessitated by 4 month slippage in anticipated receipt of FERC Order.
Agency Review of Revised Schedule*		May 28, 2010	June 27, 2010	30	Per FERC Order of 12 May 2010, page 32, Paragraph D
FERC Determination on Revised Schedule*		June 28, 2010	July 28, 2010	30	Per FERC Order of 12 May 2010, page 32, Paragraph D
Validate Existing Water Temperature Model	January 13 to April 12, 2010 (90d)	May 12, 2010	August 10, 2010	90	Consistent with Districts' originally proposed duration for this task
Initial Scenario Development and Evaluation	January 13 to May 21, 2010 (139d)	May 12, 2010	September 9, 2010	120	Reduced task duration from Districts' original proposal for this task
Model Simulations and Analysis	June 1 to July 30, 2010 (60d)	September 10, 2010	October 25, 2010	45	Reduced task duration from Districts' original proposal for this task
Progress Report	July 30, 2010	October 25, 2010	November 9, 2010	15	Scheduled to occur after expected milestones
Agency Review Draft**		October 26, 2010	December 10, 2010	45	Reduced task duration from Districts' original proposal for this task
Agency Review Comments**		December 11, 2010	January 10, 2011	30	Consistent with Districts' originally proposed duration for this task
Final Report to Commission**	October 28, 2010 (90d)	January 11, 2011	March 12, 2011	60	Consistent with Districts' originally proposed duration for this task
Instream Flow and Effective Habitat Evaluations	September 27, 2011 (180d)	October 29, 2011	January 28, 2012	91	Dependent on completion of IFIM Study tasks; reduced task duration from original proposal

*Task added based on FERC Order issuance date.

**Detail on duration added in response to FERC Order discussion.