



March 20, 2007

Philis J. Posey  
Acting Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

Re: FERC No. 2299 – Don Pedro Project

Dear Secretary Posey:

Enclosed are an original and seven copies of the Tuolumne River Fisheries Study Plan (Enclosure A) prepared in response to a letter dated December 20, 2006, from George H. Taylor, Chief of the Biological Resources Branch, Division of Hydropower Administration and Compliance of the Federal Energy Regulatory Commission, requesting that the Districts submit the plan within 90 days for Commission approval (Enclosure B). A copy of the plan and associated documents are also being sent separately to Mr. Philip Scordelis at the San Francisco FERC office as requested.

The Districts not only circulated a draft of the study plan (Enclosure C) to the parties identified in the December 20, 2006 letter as instructed, but also to all known interested parties and stakeholders. Following a review period of more than 30-days, the Districts scheduled a public presentation and discussion on the plan at a meeting of the Tuolumne River Technical Advisory Committee. All comments, suggestions, and recommendations received through this process (Enclosures D–G) were taken into consideration in finalizing the enclosed plan (Enclosure A). The rationale for not incorporating various comments and recommendations made by the interested parties is described in our detailed responses to those comments (Enclosure H).

In developing the study plan, the Districts relied on the expertise of its own staff biologist, Timothy J. Ford. Mr. Ford has spent the last 25 years studying the aquatic life of the Tuolumne River and is recognized as an expert on the Tuolumne River and its fish. Assisting Mr. Ford was Stillwater Sciences of Berkeley, California. Stillwater is a nationally recognized biological firm specializing in fisheries and wildlife biology, riparian ecology, and fluvial geomorphology. Its principals have extensive experience in riverine investigations and have been part of the Districts study team for the past 20 years. Dr. Noah Hume is currently the lead scientist working on Tuolumne River issues for Stillwater. Also assisting with the study plan was Dr. Ronald Yoshiyama of the University of California, Davis who serves as a consulting fishery biologist for the City and County of San Francisco. Dr. Yoshiyama is intimately familiar with the Tuolumne River and its environs.

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We believe that the study plan presented is responsive to the request of Mr. Taylor. It addresses each of six study areas described in his December 20, 2006 letter in a scientifically sound manner that in many respects goes far beyond the basic questions raised. The study plan is well thought out and thorough.

As the Commission is aware, a tremendous amount of effort, time, and resources have been expended on the Tuolumne River since the Don Pedro Project was licensed in 1966. Over the life of the license, all FERC requirements have been met or exceeded. At this time, we respectfully request that the Commission approve the study plan as proposed to enable the additional monitoring and studies to progress without delay.

Respectfully submitted,

MODESTO IRRIGATION DISTRICT



Allen Short  
General Manager

TURLOCK IRRIGATION DISTRICT



Larry Weis  
General Manager

Enclosures:

- A – Tuolumne River Fisheries Final Study Plan (March 20, 2007)
- B – FERC letter of December 20, 2006, from George H. Taylor to the Licensees
- C – Tuolumne River Fisheries Draft Study Plan (February 2, 2007)
- D – NHI letter of February 14, 2007 to Licensees
- E – District Response of February 22, 2007 to NHI Letter
- F – USFWS letter of March 5, 2007 to Licensees
- G – NHI letter of March 5, 2007 to Licensees
- H – Licensees Response to technical comments of the Fish Agencies

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