

GOLDEN WEST WOMEN FLYFISHERS
790 27th Avenue • San Francisco, California 94121

March 2, 2009

ELECTRONIC FILING

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

Re: Merced River Hydroelectric Project No. 2179-042

Dear Secretary Bose,

The Golden West Women Flyfishers (GWWF) would like to submit the following comments on Project No. 2179-042 with regard to the Scoping Document 1 and the Pre-Application Document (PAD). We are a 27-year old angling club based in California with a strong interest in protecting and restoring native fish populations in the Central Valley and have been active in several projects/issues in the region.

With regard to the geographic scope of the Project and its impacts on the Merced River watershed, we firmly believe that the presence and operation of the both the New Exchequer and McSwain facilities have major cumulative impacts on the coldwater fisheries which would include the ESA-listed Central Valley steelhead and the federally designated Species of Special Concern fall-run Chinook salmon. Clearly these structures have altered natural river flows and the riverbed, and therefore critical water quality elements including temperature which affects the spawning and rearing of these fish. In addition, the projects are barriers to fish passage and by dismissing the presence of anadromous fish within the project boundaries due to the blockage of the Crocker Huffman diversion dam downstream does not diminish the impact of MID's project operations for the demise of these fish populations.

In 1995, the Commission contracted with the Oak Ridge National Laboratory (ORNL) to evaluate the impacts of its licensing actions on listed species in the Delta. ORNL analyzed the direct and indirect adverse impacts to sensitive fish populations from hydroelectric project

operations in the Central Valley. The results of this analysis are contained in a FERC report concluding that 27 FERC licensed hydroelectric projects adversely alter stream flows in areas where threatened or endangered fish species are located. In its report, FERC further concludes that the continuing operations of nine FERC licensed hydro projects appear to have significant direct and cumulative impacts. One of the nine projects is the New Exchequer. We strongly believe that the Commission needs to take into account the entire Merced watershed from above the McSwain Reservoir to the confluence of the Merced River with the San Joaquin River. This approach would include decisions and actions involving the adjacent Merced Falls Hydroelectric Project (FERC Project No. 2467)

GWFF is also concerned about the proposal of MID to increase operating storage at McSwain Reservoir which would encroach on the Merced River's Wild and Scenic section. We strongly oppose any expansion of the project which would impact this designated water.

We support the recommended studies submitted by the Merced River Conservation Committee and urge the Commission to require these essential studies in order for sound and scientifically supported decisions to be made which will have long ranging affects for decades. In particular, we believe that it is essential to pursue the studies related to the population size, habitat needs and impact of the project on the listed Central Valley steelhead. The literature clearly states that their range within the Merced River watershed has been limited by over 95% due to the presence of the dams without fish passage. In addition, fall-Run Chinook Salmon returns have been at extremely low numbers in recent years and we are concerned about the near-term extirpation of this species within the Merced River. In the California Dept. of Fish and Game's report Restoring Central Valley Streams: A Plan for Action, it states on page VII-92 in discussing the Merced River:

“Physical habitat for salmon spawning and rearing has been lost or degraded due to low flow releases, siltation of spawning gravel, lack of spawning gravel recruitment below the reservoirs, removal of bank-side riparian vegetation reducing stream shading and bank stability.....”

The report goes on to say that: “Spawning and rearing habitat in the Merced River is the most degraded among the San Joaquin basin tributaries. Legally required summer flow releases are low and are usually depleted before they reach the mouth of the river due to riparian diversions throughout the lower river.Significant numbers of juvenile salmon are probably entrained at the six medium-sized irrigation diversions on the salmon spawning portion of the Merced River.”

Another important factor that the report discusses is:

“Flow releases are not sufficient to accommodate salmon migration, spawning, egg incubation, juvenile rearing, and smolt emigration on the Merced River. Flows within the spawning reach

during the spawning and early rearing period are further depleted due to riparian diversions. Spring flows for smolt emigration are particularly inadequate.”

The impact of inadequate flows on salmon populations has been recently supported by Dr. Carl Mesick’s 2008 paper: The High Risk of Extinction for the Natural Fall-Run Chinook Salmon Population in the Lower Tuolumne River due to Insufficient Instream Flow Releases.

We believe that studies need to be completed to establish the effects of altered flows and temperatures on the life history of both wild fall run Chinook and Central Valley steelhead. We are concerned that the wild population of Chinook salmon in the Merced is at non-sustainable numbers and that the projects’ operations have contributed to this demise. We urge the Commission to require studies and subsequent actions which would help meet the population goal of 18,000 adult Chinook salmon as established by the U.S. Fish and Wildlife Service’s report: FINAL RESTORATION PLAN FOR THE ANADROMOUS FISH RESTORATION PROGRAM: A Plan to increase Natural Production of Anadromous Fish in the Central Valley of California (2001) In the 2008 season, preliminary data collected by the Dept. of Fish and Game indicated only about 250 adults returned to spawn in the Merced River and this number is not an acceptable level to sustain the population.

Native tail-water and above-barrier populations in the San Joaquin Basin are critical for conservation since they could represent a limited pool of an ecologically distinct segment of the Evolutionary Significant Unit (ESU) which is important for restoration efforts currently planned.

Given that the San Joaquin River Restoration Project plans to reestablish Spring-run Chinook salmon in the watershed in 2012, this fact should be evaluated by the licensee and the Commission since the Merced River is a tributary of the San Joaquin and these ESA listed salmon could be introduced to the Merced as well. In Dr. Peter Moyle’s et al 2008 report, Salmon, Steelhead, and Trout in California: Status of an Emblematic Fauna, he writes:

“In the San Joaquin drainage, lingering snow and glaciers at high elevations created a long spring hydrograph that favored Central Valley spring run Chinook, making them the dominant run in the region. They apparently ascended the Kings, upper San Joaquin, Merced, Tuolumne, and Stanislaus Rivers...”

Spring-run salmon have different needs than the fall-run population so the spring-run populations should be included in all analysis, planning and decisions.

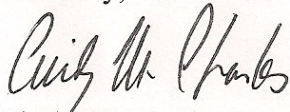
We urge the licensee and the Commission to formally consider fish passage over the project’s structures since there is substantial suitable habitat for Central Valley steelhead upstream.

It is a fact that the historically available habitat to Central Valley steelhead and the Central Valley Fall run Chinook salmon has been severely degraded for spawning and residency for

these fish. A paper entitled: The Maternal Origin and Migratory History of *Oncorhynchus mykiss* captured in rivers of the Central Valley, California (Zimmerman, Edwards, Perry, 2008) reported that in a very limited survey of otoliths collected from Merced River fish, one fish was determined to be anadromous. We urge a more comprehensive study of the Merced River fish in order to devise and implement an immediate and effective plan to protect and restore this Central Valley steelhead population within this federally designated Critical Habitat.

Thank you for the opportunity to submit comments on this project.

Sincerely,



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