



March 20, 2010

RE: Comments on PCWA's Draft Instream Flow Study Results

Dear Mr. Andy Fecko,

In response to request for comments on PCWA's Draft Instream Flow Study Results, the Foothills Water Network is submitting this comment letter.

The Instream Flow Study Report (IFIM Study) should include:

1. Habitat Suitability Curves for Chinook and a desktop analysis of Chinook passage and instream flow relationship from Folsom Reservoir up to Ralston Reservoir. In our flow negotiations, we would like to discuss instream flows to enhance the planted and spawning Chinook fish population in Folsom Reservoir. As currently drafted, PCWA's IFIM Study does not include Chinook.

2. Winter-spawning O. mykiss in the analysis of weighted usable area (WUA) for spawning at different times of year. For winter-spawning O. mykiss, this analysis should inform management decisions for winter spawning flows, winter base flows and flows during fall and winter outage periods for the bypass and peaking reaches. In addition, the WUA analysis should inform management of flows for juvenile rearing habitat, for winter-spawning O. mykiss, which takes place earlier than for spring spawning O. mykiss. As currently written, PCWA's Draft IFIM Study Report does not analyze flows for winter-spawning O. mykiss.

Chinook

In a Bob Simms Outdoor Show podcast on February 21, 2010, Mickey Thomas reported catching a "King" on Folsom Reservoir with Jay Rowan, Reservoir Biologist for CDFG. Rowan took a scale sample and later confirmed that the fish was a 1-year juvenile Chinook. The ImHooked.com blog receives regular posts about catching 12-14 inch Chinook in Folsom Reservoir (see: <http://www.imhooked.com/cgi-bin/forumsyabb/YaBB.pl?board=kokes> .) The size of the Chinooks indicate that the Chinook originally planted by DFG are spawning. Individual angler reports of catching and sighting other Chinook at Mammoth Bar in the late

summer to early fall of 2008 seem to indicate that the Chinook are migrating up the Middle Fork American River. As stated above, the Network members are interested in managing flows that provide migration and spawning habitat for these Chinook.

Winter-spawning O. mykiss

With this letter, we are submitting new evidence to support our contention that winter-spawning O. mykiss should be included as a target species for relicensing negotiations on the Middle Fork American and the Rubicon Rivers. The new evidence includes:

- Photos of winter-caught O. mykiss with roe. (Appendix A)
- Reports supporting the concept that habitat and remnant steelhead populations exist in the Upper American River.

PCWA responded on July 21, 2009 to a comment letter from the Foothills Water Network on the Draft Fish Passage Study, which requested PCWA to take into account the winter-spawning O. mykiss as a target species during license negotiations. In PCWA's response letter, Mr. Fecko cites statements attributed to Mr. Stafford Lehr of the California Department of Fish & Game stating that the specimens referred to as remnant steelhead or winter-spawning O. mykiss by members of the Foothills Water Network were either brown trout or remnant planted fish.¹ According to Mr. Fecko, Lehr stated that the trout were from the Coleman strain of fall-spawning rainbows planted in Folsom Reservoir by CADFG.

We agree that fall-spawning trout could be derived from the Coleman strain planted in Folsom Reservoir though DFG has not yet been able to produce planting records to confirm this. However, the existence of the planted Coleman strain does not preclude the existence of a remnant population of steelhead that are winter-spawning O. mykiss in the Middle Fork American and the Rubicon reaches.

Members of the Foothills Water Network have observed and caught the winter-spawning O. mykiss on the Rubicon and Middle Fork American Rivers. These anglers have caught and landed these winter-spawning O. mykiss containing eggs from October to January. The anglers do not believe these fish to be either "brown trout" or "planted" fish. Please see the photos in Appendix A.

In addition to this first-hand evidence of the winter-spawning O. mykiss, the following reports establish that within the Upper American River watershed, including the Middle Fork drainage, there is habitat suitable for winter-spawning O. mykiss or remnant steelhead, and that the watershed supported populations of these fish prior to the construction of migration barriers that

¹ These statements, if indeed made by Mr. Lehr, do not appear in the study report, and no reference or citation to them in the record is specified by Mr. Fecko.

now exist. It is our position, based upon actual angler observations that it is likely that winter-spawning *O. mykiss* populations exist within the watershed.

1. D.R. McEwan, 2001, Central Valley Steelhead, Fish bulletin 179, volume 1.
2. Gerstung, Eric, 2002, Fishes and Fishing in the Forks of the American River: Then and Now; p.302-305 in Protect American River Canyons, 2002, The American River: a Recreational Guide Book, 336 p.
3. J. L. Nielsen, et al, 2005, Genetics of Central Valley *O. mykiss* populations: Drainage and watershed scale analyses, San Francisco Estuary and Watershed Science, Vol. 3, Iss. 2 (September, 2005) Art 3.
4. J.C. Garza, D.E. Pearse, 2009, Final Report for California Department of Fish and Game Contract #P0485303.

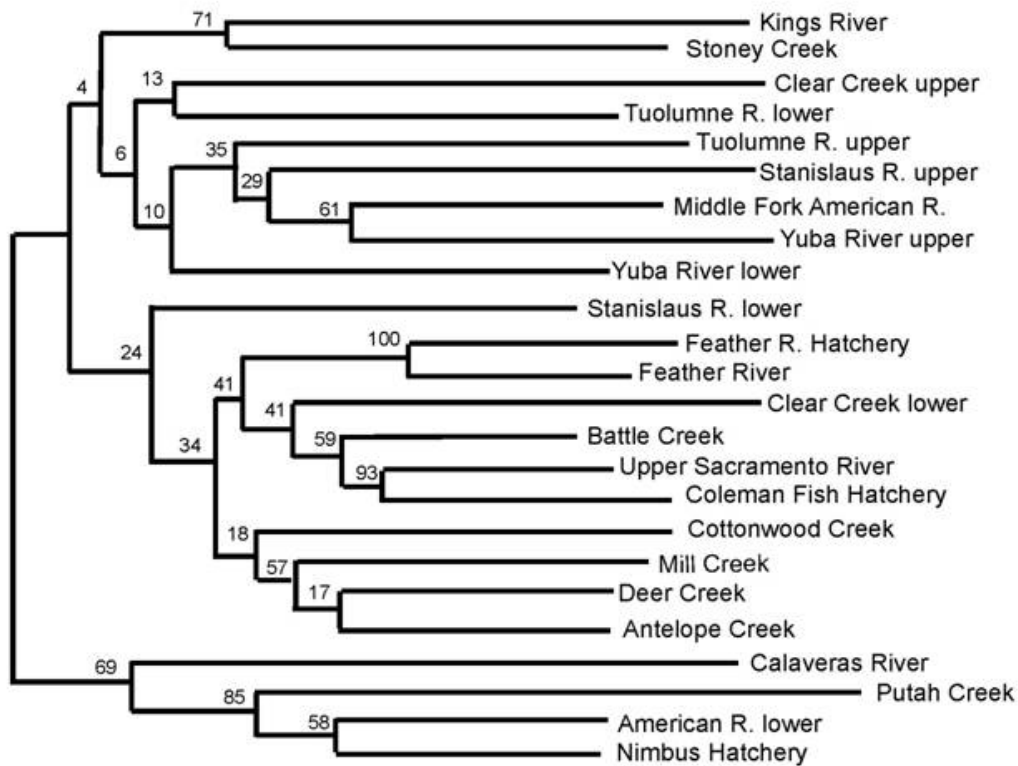
Specifically, Nielsen et al. in their paper “Genetic Analyses of Central Valley Trout Populations 1999-2003” concluded the following:

Significant allelic differences were found in trout collected above and below impassable dams on the American, Yuba, Stanislaus and Tuolumne rivers.... These data suggest that significant genetic population structure remains for steelhead populations within the Central Valley, and careful consideration of this genetic diversity should be part of future conservation and restoration efforts.

Statements such as the above citation in published reports, provide sufficient scientific basis that would require a genetic study to preclude the existence of such winter-spawning *O. mykiss* or remnant steelhead. In the absence of such a study, and taking into account the photo evidence of winter-spawning rainbows, the IFIM study analysis should take into account spawning and juvenile rearing flows for this fish population.

The figure set forth below, supports the proposition that remnant steelhead populations are likely to exist irrespective of whether fish were planted within the watershed. There is no evidence in Mr. Fecko’s letter or in the PCWA relicensing studies that Middle Fork American River winter-spawning *O. mykiss* are only derived from a hatchery stock.² In the absence of genetic studies, the relicensing process needs to consider the winter-spawning *O. mykiss* as a possible target species for management under PCWA’s FERC license.

² The figure was taken from the Nielsen report entitled “Genetic Analyses of Central Valley Trout Populations 1999-2003.”



The population of winter-spawning *O. mykiss* were not referenced in the Fish Population, Fish Passage, nor Instream Flow Studies. In addition, no data on young of the year for the winter-spawning *O. mykiss* appears in the Fish Population Study Results.

The Network would like PCWA to develop the requested desktop analyses in order to inform ongoing flow negotiations. The Network would like to consider these two fish populations as stakeholders collaboratively develop flow regimes and objectives for PCWA's Middle Fork American Hydroelectric Project.

Sincerely,
 Julie Leimbach
 Foothills Water Network

Middle Fork Working Group

Bill Carnazzo, Spring Creek Guide Service, Upper American River Foundation, and Northern California Federation of Flyfishers

Bill Templin, Upper American River Foundation

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Tom Bartos, Horseshoe Bar Preserve

Dan Crandall, Current Adventures

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Gary Estes, Protect American River Canyons