

**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

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| Modesto Irrigation District     | ) |             |
| Turlock Irrigation District     | ) |             |
|                                 | ) |             |
| Don Pedro Hydroelectric Project | ) | P-2299-082  |
| La Grange Hydroelectric Project | ) | P-14581-002 |
| _____                           | ) |             |

**COMMENTS OF  
TUOLUMNE RIVER TRUST,  
AMERICAN WHITEWATER,  
CENTRAL SIERRA ENVIRONMENTAL RESOURCE CENTER,  
FRIENDS OF THE RIVER,  
CALIFORNIA SPORTFISHING PROTECTION ALLIANCE,  
AMERICAN RIVER TOURING ASSOCIATION, INC.,  
SIERRA MAC RIVER TRIPS, INC.,  
O.A.R.S. WEST, INC., AND  
ALL OUTDOORS CALIFORNIA WHITEWATER RAFTING, INC.  
ON  
REVISED CONDITIONS AND RECOMMENDATIONS FILED BY THE U.S.  
DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT,  
ON AUGUST 23, 2018 IN THE RELICENSING OF THE DON PEDRO PROJECT**

November 6, 2018

Ms. Kimberley Bose, Secretary  
Federal Energy Regulatory Commission

Dear Secretary Bose:

The Tuolumne River Trust, American Whitewater, Central Sierra Environmental Resource Center, Friends of the River, California Sportfishing Protection Alliance, (hereinafter, Conservation Groups), American River Touring Association, Inc., Sierra Mac River Trips, Inc., O.A.R.S. West, Inc., and All Outdoors California Whitewater Rafting, Inc. (hereinafter, Outfitters) write in response to Revised Conditions and Recommendations filed by the U.S. Department of Interior, Bureau of Land Management (BLM) on August 23, 2018 in the Relicensing of the Don Pedro Project (FERC no. 2299). The Project is located on the Tuolumne

River, and the joint licensees are Modesto Irrigation District and Turlock Irrigation District (hereinafter, the Districts). Conservation Groups and Outfitters generally support the BLM's Revised Conditions and Recommendations, but have several specific concerns described below.

## **Background**

On October 11, 2017, the Districts filed an Amended Final License Application ("AFLA") for a new license for the Project. In response to the Commission's November 30, 2017 notice accepting the AFLA and soliciting conditions and recommendations, on January 29, 2018, Interior filed preliminary conditions pursuant to Section 4(e) of the Federal Power Act ("FPA"), 16 U.S.C. § 797(e), on behalf of BLM and recommendations pursuant to FPA Section 10(a), 16 U.S.C. § 803(a), on behalf of BLM and Interior's National Park Service ("NPS"). Also on January 29, Conservation Groups filed a response to the Amended Final License Application. Outfitters individually filed comments on the Amended Final License Application in the days leading up to the January 29 deadline for filing comments.

On February 28, 2018, the Districts filed a Request for Trial-Type Hearing on Disputed Issues of Material Fact pursuant to 43 C.F.R. § 45.21 with respect to BLM's preliminary Section 4(e) Condition Nos. 4, 12, and 13 ("Hearing Request"). The Districts also submitted proposed alternatives to Condition No. 13 pursuant to 43 C.F.R. § 45.71 ("Alternatives Filing"). Soon after on March 14, 2018, the Conservation Groups and Outfitters submitted a letter to BLM to give notice of their intention to intervene and to provide BLM potential settlement terms (Appendix A). On March 20, 2018, Conservation Groups and Outfitters filed Notice of Interventions, Appearances, and Responses with the U.S. Department of Interior Office of Environmental Policy and Compliance regarding the Districts' request for a Trial-Type Hearing Under Federal Power Act Section 4(e). Subsequent to these filings, the Districts and BLM entered into discussions to settle the issues raised in the Hearing Request and Alternatives Filing, and agreed to stay the hearing process pursuant to 43 C.F.R. § 45.24(a) for a period not to exceed 120 days from April 13, 2018.

The Districts and BLM entered bilateral discussions to settle the issues leading to the request for a trial-type hearing and filed notice to stay the hearing process on April 13, 2018. Conservation Groups and Outfitters were not invited to participate in these negotiations. The Districts and BLM reached agreement on August 16, 2018, to resolve the issues raised by the Hearing Request and the Alternatives Filing. Consistent therewith, on August 23, 2018, BLM submitted to FERC revised versions of Condition Nos. 4 and 13, and notified FERC of its withdrawal of Condition No. 12 and its sole Section 10(a) recommendation. In addition, BLM notified FERC that the NPS was withdrawing two of its three Section 10(a) recommendations included in the January 29, 2018 filing (Recommendation Nos. 1 and 2). BLM's August 23, 2018 filing includes the same Section 4(e) conditions filed by BLM on January 29, 2018, except for the revisions to Conditions Nos. 4 and 13, and the withdrawal of Condition No. 12. The versions of the referenced Section 10(a) recommendations of BLM and NPS included in the January 29, 2018 filing are omitted from the August 23, 2018 filing.

On August 28, 2018, in recognition of BLM's August 23, 2018 filing, the Districts filed a notice of withdrawal of the Hearing Request and the Alternatives Filing ("Withdrawal"), and served a

copy of the Withdrawal on the Commission. On September 10, 2018, Interior filed a letter with FERC acknowledging the Districts' Withdrawal and indicating that it will not proceed with conducting a trial-type hearing and will not consider the alternative conditions submitted by the Districts.

### **Comments on BLM Revised 4(e) Conditions**

Conservation Groups' and Outfitters' primary interest is that safe and efficient takeout activities for whitewater boaters be accommodated at the Ward's Ferry Bridge. In our comments on the Amended Final License Application, we proposed vehicle and pedestrian access to the water at all reservoir levels, parking and staging areas, gates, signage, maintenance and management, toilets, and other facilities that we felt would meet the overall goals. We also included a provision to manage large woody debris in the reservoir to maintain navigability to the Ward's Ferry Bridge. Our proposal was largely consistent with BLM's original Section 4(e) conditions for a take-out facility at the Ward's Ferry Bridge.

BLM's revised conditions for the whitewater takeout facility at the Ward's Ferry Bridge meet many of our goals to provide safe egress from the river for whitewater boaters. Rather than ramps that accommodate vehicles all the way to the water, BLM specifies on river left a truck access road to a hoisting platform for 2-3 truck-mounted cranes. From the hoisting platform to the river, BLM specifies hardened pedestrian access trails (10 feet wide above elevation 830 feet and at least 6 feet wide at elevations 770 ft-830 ft) to manually carry boating equipment from the river. On river right, BLM specifies a vehicular service road with a turnaround to the elevation of 835-840 feet and the same river left specifications for pedestrian trails.

BLM also specifies 4-8 hardened parking spaces utilizing existing pullout locations along the Ward's Ferry Road, a staging area for a 20-30 passenger bus/vehicle and an ADA-compliant two-vault toilet on river right. Finally, under a separate condition, BLM specifies that the Districts remove large woody debris from the river/reservoir.

As noted above, Conservation Groups and Outfitters were not invited to participate in discussions regarding the whitewater takeout facilities and large woody debris management in the vicinity of Ward's Ferry Bridge. We therefore provide the following comments and recommendations for the Commission's and BLM's consideration. The recommendations are intended to clarify and supplement the improvements to recreational boating management at Ward's Ferry that are required by the revised 4(e) conditions. We understand that the Commission is required to incorporate BLM's revised 4(e) conditions into any new license without modification. However, the Commission has authority to require additional measures necessary to protect recreation at the Don Pedro Project, so long as they do not conflict with BLM's 4(e) conditions.

Our recommendations are consistent with the intent of BLM's conditions, but will provide greater recreational benefits and better protect public safety. The recommendations are consistent with the Commission's policy to "seek, within its authority, the ultimate development of these resources, consistent with the needs of the area to the extent that such development is not inconsistent with the primary purpose of the project." 18 C.F.R. § 2.7. While BLM's revised

Section 4(e) conditions are not as extensive as proposed by Conservation Groups and Outfitters, we are amenable to these revised conditions and provide the following recommendations and comments to augment the overall goal of a safe and efficient take-out at Ward's Ferry Bridge.

**1. Design boom platform to maximize safety and provide access at all reservoir levels**

It appears that the revised conditions can provide an acceptable method of egress from the reservoir for whitewater boaters using truck-mounted cranes, depending on the design details. We recommend that the Districts engineer and design a hoisting platform that considers all physical constraints such as up-canyon winds to maximize safety for all public users. Also, the design of the hoisting platform should extend out from the canyon wall far enough to ensure that, even when the reservoir is low, cables extend directly down to the rafts when they are at rest on the water along the shoreline. If not, the hoisting platform may not be usable at low reservoir levels.

**2. Provide ramp to water's edge to allow rafts to ground heavy loads & allow emergency vehicle access.**

To give rafts the ability to ground loads and to facilitate emergency vehicle access to the water's edge, we recommend a ramp on river left, upstream of the platform that is wide enough for turnaround and two vehicles to access the water's edge at all reservoir/river levels. At a minimum, this would allow heavier loads from rafts to be grounded and transferred to vehicles before they are hoisted up off the water at the booming platform. The ramp would also allow emergency vehicle egress from the water's edge when needed.

**3. Improve and maintain multiple pedestrian access trails on river right.**

The Districts' concept designs filed with FERC only identify one pedestrian access trail to be improved on river right.<sup>1</sup> Having a single pedestrian access trail on river right will create a bottleneck for boaters getting out at the same time. We therefore note the revised BLM 4(e) condition specifically states a plurality of pedestrian trails on river right will be improved and maintained.

**4. Provide pedestrian trails that are at least 10-feet wide.**

While we expect that many boaters will take advantage of truck-mounted cranes, should it be made available, some will choose to save money and carry their rafts and gear up the newly hardened paths. The BLM conditions include 6-foot wide hardened footpaths on both sides of the river between elevations 770ft - 830ft. To the non-boater, this may appear to be a significant improvement. However, recognizing that most rafts used on the Tuolumne are over 6-feet wide<sup>2</sup>, a 6-foot hardened footpath may create a new set of problems and hazards for rafters. Rafts of this size, when empty, take a least four people to carry them, with two people on each side of the raft. Providing 2 feet on each side for people carrying the raft means that the path should realistically be at least 10 feet wide. Without this, people will be at real risk of being inadvertently pushed off the path and down the slope of the canyon, with a heavy raft pushing them down with even greater velocity. This problem would be exacerbated if the surface of the path is at all elevated above the grade, creating a "step" down from the path to the ground. Even just a 1 or 2-inch

<sup>1</sup> See eLibrary no. 20180920-5046

<sup>2</sup> For example, a Sotar STR 14, a commonly used raft on the Tuolumne and on rivers throughout California, is 80 inches or 6.7 feet wide.

difference will result in twisted ankles or worse. As such, we strongly recommend that FERC require 10-foot wide hardened footpaths on both sides of the river from elevation 770 to Ward's Ferry Road.

#### **5. Remove designation of commercial and private boater facilities.**

We strongly recommend that the Districts work with stakeholders to establish a system that enables companies with access to truck-mounted cranes to act as concessionaires to lift any rafts out of the river/reservoir. If the hoisting platform is only available to commercial outfitters, then private boaters will be left with a minimally improved egress system that will not provide the safety or improvements that we seek and will be unacceptable. In general, we suggest that any reference to segregation of commercial and private boaters by river left/river right should be removed and that both sides of the river be available to any boater, regardless of whether they are with a paid service or not. This will enable greater flexibility and efficiency as the situation dictates. As boaters approach the Ward's Ferry Bridge, they will be able to select the side of the river that is least congested or otherwise best suits the situation.

#### **6. Provide 10-12 parking spaces**

The BLM 4(e) Conditions require 4-8 hardened parking spaces be created. However, there are often many more cars parked precariously along Ward's Ferry Road. As we described in our comments on the AFLA, the Ward's Ferry Bridge is used not only by whitewater boaters, but also by day-users. Often, there are many cars in excess of 8, creating congestion, conflicts between users, and hazards along the road. Thus, we strongly recommend that FERC require 10-12 hardened parking spaces be developed along Ward's Ferry Road.

#### **7. Provide mode of communication for public safety and emergency situations.**

Ward's Ferry Bridge lacks a feasible mode of communication available for public safety and emergency situations. The Districts should work collaboratively with County, State, DPR, BLM and USFS law enforcement agencies to provide for reliable public communication like cellular phone service for public safety and radio coverage for emergencies.

#### **8. Accommodate Day Use**

The revised BLM 4(e) conditions make no accommodation for day users. Day use is an existing use identified throughout the relicensing process at Ward's Ferry Bridge and the new license needs to satisfy existing use at a minimum and realistically meet day use demand for the duration of the license. We point out that this does not need to be expansive, for example, adding 1-2 picnic tables to level turn-out points on the pedestrian trails to keep day users from picnicking and interfering with users on the open pedestrian trails.

#### **9. Fees shall be consistent with BLM permitting policy and include procedures for public review and comment.**

Any fees charged by the Districts for recreation use at Ward's Ferry shall be consistent with the goals of BLM's recreation permitting policy which are to satisfy recreational demand within allowable use levels in an equitable, safe and enjoyable manner while minimizing adverse resource impacts and user conflicts, and otherwise reasonable in accordance with FERC's policy on recreational development at license facilities. It is important that any fees not pose an

unreasonable barrier to public use. Any effort to establish a fee program should include procedures for public review and comment.

#### **10. Construct take-out facilities without delay**

In its Condition No. 13, BLM provides the following:

The Licensees have the option to delay submission of a Take-Out Plan to the Commission until one year after the earlier of: (1) December 31, 2025; (2) the National Marine Fisheries Service's ("NMFS") and the U.S. Fish and Wildlife Service's ("FWS") confirmation of their respective decisions not to exercise their Federal Power Act Section 18 reservation of authority to prescribe fishways at the Project; or (3) NMFS' and FWS' respective exercise of such reservation of authority in a manner not significantly impacting the construction and utilization of the improvements at Ward's Ferry. Licensees shall begin implementing the Take-Out Plan no later than one year after Commission approval of the Take-Out Plan and shall complete construction within five years of Commission approval of the Take-Out Plan, unless an extension is requested and approved by BLM and the Commission.<sup>3</sup>

We strongly object to this delay in construction of an improved take-out facility and believe that it is unwarranted. We believe there is no conflict between a fish passage facility and an improved take-out facility at Ward's Ferry Bridge, and in any event, we would strongly object to any fish passage facility that would adversely affect the whitewater takeout and whitewater experience. The Licensees, who evidently negotiated this delay with the BLM, appear to be using the apparent conflict to delay the project. In the intervening time, the conditions at Wards Ferry Bridge will remain unsafe and extremely poor for whitewater boaters, who have waited over 50 years for an improved facility.

#### **11. Manage large woody debris consistent with existing license requirements.**

We are concerned with the somewhat limited focus of the revised BLM 4(e) condition for large woody debris (LWD) Management. It appears from the language in this condition that BLM was primarily concerned with the manner in which the Districts are burning or otherwise removing LWD. However, boaters are primarily concerned that LWD does not interfere with safe and efficient navigation to the Ward's Ferry Bridge. Details are provided in previously filed comments that there can be an abundance of LWD that is washed into the reservoir, and that if it is not managed this can seriously impede the ability of boaters' to navigate to the bridge. The revised BLM 4(e) condition states: "Licensees shall make all reasonable efforts to prevent large woody debris from interfering with accessible takeout areas for whitewater boaters at Wards Ferry." While we trust those who are currently negotiating and working on behalf of the Licensees would continue clearing LWD as has been done for the past 31 years, we are concerned that several decades into the license, those responsible for interpreting the words "all reasonable efforts" may be less generous.

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<sup>3</sup> See eLibrary no. 20180823-5119

Instead, we recommend FERC maintain the existing language from Article 52 (updating the list of relevant stakeholders):

Licensees, after consultation and coordination with the conservation groups, whitewater outfitters, and other interested stakeholders, shall establish a plan for removing logs and debris from the Don Pedro Reservoir. This plan shall include an implementation schedule, monitoring, and notification procedures, and evidence of consultation. Within 1 year from the date of issuance of the new license, the plan shall be filed with and approved by the Commission's Regional Engineer in San Francisco, California.

This language more clearly states the action and leaves less room for interpretation.

Thank you for your attention to this matter.

Respectfully submitted,



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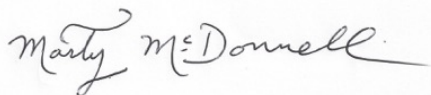


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## **Appendix A**



March 14, 2018

Este Stifel  
Central California District Manager  
Bureau of Land Management  
5152 Hillside Circle  
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Re: Modesto and Turlock Irrigation Don Pedro Hydroelectric Project (P-2299)  
Trial Type Hearing under Federal Power Act section 4(e)

Dear District Manager Stifel,

American Whitewater, California Sportfishing Protection Alliance, Central Sierra Environmental Resource Center, Friends of the River, Merced River Conservation Committee, Tuolumne River Outfitters and Tuolumne River Trust (collectively, NGOs) write in support of the Bureau of Land Management's (BLM) preliminary condition under Federal Power Act (FPA) section 4(e) for a safe, multi-user recreation area at Ward's Ferry Bridge. On February 28, 2018, the Modesto and Turlock Irrigation Districts (collectively, Districts), the licensees for the Don Pedro Hydroelectric Project (Project) filed a request for trial-type hearing regarding this condition. The NGOs, many who are also members of the Don Pedro Relicensing Recreation Working Group

(RWG), intend to formally intervene in the trial-type hearing by the March 20, 2018 deadline. While the NGOs are prepared to actively participate in the hearing, we are also prepared to meaningfully engage in any settlement discussions convened by BLM pursuant to 43 C.F.R. § 45.24.

Under 43 C.F.R. § 45.24(a), prior to referral to the Administrative Law Judge, the Department of Interior and Districts may agree to stay the hearing process for 120 days to allow for settlement discussions. In the event that BLM is considering this option, we request that it include the members of the Don Pedro Relicensing Recreation Working Group already at the negotiating table. We have worked productively with BLM staff on the RWG and will bring the same ethic of collaboration and hard work to any settlement negotiations. To that end, we have begun to develop potential terms for settlement based on the District's Alternative 1 for the BLM's consideration, which we outline below.

### **Background**

Before we detail potential terms for settlement it is important to note the milestones specifically regarding Ward's Ferry Recreation Area in the relicensing process:

February 2011 – The Districts file with FERC the Notice of Intent and Pre-Application Document for the Don Pedro Hydropower Project 2299.

January 2013 – The Districts file the Whitewater Boating Take-Out Improvement Feasibility Study Report Don Pedro Project FERC No. 2299 which finds that improving access for a whitewater boating take-out at the existing Ward's Ferry take-out location appear to be technically feasible.

November 2013 – The Districts file with FERC the Draft License Application (DLA) for the Don Pedro Hydropower Project 2299

February 2014 - Recreation stakeholders file comments regarding Ward's Ferry take-out in the DLA. The stakeholders include BLM, Tuolumne River Outfitters (ARTA, OARS and Sierra Mac) Conservation Groups (American Rivers, American Whitewater, California Sportfishing Protection Alliance, California Trout, Inc., Central Sierra Environmental Resource Center, Friends of the River, Golden West Women Flyfishers, Northern California Council Federation of Fly Fishers, Trout Unlimited & Tuolumne River Trust), National Park Service, U.S. Forest Service and Tuolumne County.

June 2015 - November 2017 – The Don Pedro Relicensing Recreation Working Group forms to negotiate within the framework of the Don Pedro Relicensing Settlement Group and works on collaborative solutions for a multi-use recreational facility at Ward's Ferry Bridge. The group includes American Whitewater, Bureau of Land Management, Central Sierra Environmental Resource Center, Tuolumne River Outfitters (All Outdoors, ARTA, OARS and Sierra Mac), National Park Service, Tuolumne County, Tuolumne River Trust, and the U.S. Forest Service.

June 2015 – The RWG develops and records objectives for recreational facilities at Ward’s Ferry Bridge.

January 2016 – The RWG participates in a conference call and formulates a consensus on minimum improvements acceptable at Ward’s Ferry Bridge.

January 2018 - Recreation stakeholders file motions to intervene in the Don Pedro Hydroelectric Project. The stakeholders include Tuolumne River Outfitters (All Outdoors, ARTA, OARS and Sierra Mac) Conservation Groups (California Sportfishing Protection Alliance, Tuolumne River Trust, Trout Unlimited, American Rivers, American Whitewater, Merced River Conservation Committee, Friends of the River, Golden West Women Flyfishers and Central Sierra Environmental Resource Center) the Department of Interior (Bureau of Land Management, National Park Service and U.S. Forest Service) and Tuolumne County.

January 2018 - Recreation stakeholders file comments and recommendations regarding the Ward’s Ferry Bridge Recreation Area for the FERC Ready for Environmental Analysis Notice for the Don Pedro Hydroelectric Project. The stakeholders include Tuolumne River Outfitters (All Outdoors, ARTA, OARS and Sierra Mac) Conservation Groups (California Sportfishing Protection Alliance, Tuolumne River Trust, Trout Unlimited, American Rivers, American Whitewater, Merced River Conservation Committee, Friends of the River, Golden West Women Flyfishers and Central Sierra Environmental Resource Center), the Department of Interior (Bureau of Land Management, National Park Service and U.S. Forest Service), Tuolumne County and 64 members of the public.

### **Potential Settlement Terms**

We believe that the following terms could form the basis for an acceptable settlement of disputes related to recreational use at Ward’s Ferry. While not authorized to represent their positions, we have consulted with the National Park Service, the U.S. Forest Service and Tuolumne County in developing these draft terms. We believe that modest changes to the Districts’ Alternative 1 would be a reasonable outcome and we request that BLM continue working with us towards a resolution that will be supported by the boating community and other recreationists, be it through negotiation or a trial-type hearing.

**Within one year of license issuance**, Licensees shall develop a Wards Ferry Recreation Resource Management Plan that will include the following components:

- Ramp sufficient to allow turnaround and two vehicles to simultaneously access the water’s edge at all reservoir/river levels and during all daylight hours. The ramp will also be sufficient to allow for pedestrian use.
- Pedestrian access trails to better facilitate egress from the river by private boaters, fishermen, or other day-use visitors. The trail shall be 10-foot wide, contain erosion protection water bars, and meet BLM standards for general use hiking trails.

- A feasible mode of communication at the site that is accessible to the public. Agencies, the County, and NGO's may collaboratively work with the Licensees to find the best possible communication solution at a low cost.
- An elevated hoisting platform located on river left near the existing bridge abutment that is sized and suitable to support three truck-mounted cranes and associated vehicles to allow equipment and boat extraction to occur without blocking Wards Ferry Bridge road.
- A road on river left extending from Ward's Ferry Road to the elevated platform. Road will be at least 15 feet wide and have passing areas.
- Replacement of the existing vault toilet on river left with 2 new ADA vault toilets. Toilet facilities will be open to the public on a daily basis from May 1st – October 15th. Licensees will maintain regular cleaning and upkeep of toilet facilities.
- Provide changing areas. The locations and style of changing areas should be reviewed and approved by the BLM.
- A total of at least 20 parking spaces off Ward's Ferry Road. Parking spaces will have barrier structures approved by BLM to keep vehicles from being pushed into the reservoir or down the embankment. Two of the parking spaces will be ADA approved. Parking surfaces should be paved, striped, painted, and well-lit at night for additional safety and security.
- A passenger-loading zone capable of accommodating up to two 24-passenger buses.
- A day use area for non-boaters that disperses use to avoid conflicts with take out activities. The facility will include at least two theft-proof, ADA picnic tables with aesthetically pleasing shade structures and bear-proof trash containers. Location and number of trash containers will be determined based on need and upon approval of BLM. Day use area will be maintained by the Licensees for the duration of the license.
- Maintenance, management, and staffing of the facility from May 1st – October 15<sup>th</sup>, from at least 2 PM – dusk, for at least five days per week, for the duration of the license to ensure that the facility is available and is being utilized in an orderly and safe fashion.
- Daily and long-term maintenance of the facility that meets BLM VRM management objectives.
- Interpretive and information signage, including two BLM approved kiosk signs, one on each side of the river. All information placed on the kiosk signs must be approved by BLM. Signs that are in disrepair, damaged, vandalized, or stolen

shall be replaced at the Licensee's expense.

Additionally:

- Licensees will consult with Tuolumne County to establish a five-year pilot program under which the Districts would provide annual funding to the County for road maintenance and improvements and additional public safety services in the vicinity of Wards Ferry Bridge.
- Any fees charged by the Districts to help defray the cost of the facilities, features, and services at Wards Ferry Bridge will be consistent with federal agencies' policies. Processes to set fees charged at the facility will allow for input from affected stakeholders.
- The overall planning for facilities and improvements at Wards Ferry shall be designed to safely accommodate both private and commercial groups. The facility's design shall be developed in coordination with the U.S. Bureau of Land Management, U.S. Forest Service, California State Water Resources Control Board, and Tuolumne County and in consultation with representatives of the recreation and boating community, including American Whitewater, Tuolumne River Outfitters, Tuolumne River Trust, and the Central Sierra Environmental Resource Center.

**Within four years of license issuance**, Licensees shall complete the construction of the BLM approved Ward's Ferry Day Use Recreation Area Facility as outlined above.

### **Conclusion**

Thank you for considering these comments. We look forward to working with BLM to protect and restore recreation resources on the Tuolumne River that are on and adjacent to BLM lands. This relicensing offers the best opportunity to achieve that goal in the next 30-50 years. We would welcome the opportunity to discuss it further with you. Please let us know a convenient time to meet with you and State Director Perez. Feel free to follow up with Theresa Simsiman at American Whitewater at 916-835-1460 or [theresa@americanwhitewater.org](mailto:theresa@americanwhitewater.org).

Sincerely,

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**BEFORE THE  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

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| Turlock Irrigation District, Modesto Irrigation District | ) |             |
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| Don Pedro Hydroelectric Project                          | ) | P-2299-082  |
| La Grange Hydroelectric Project                          | ) | P-14581-002 |
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**CERTIFICATE OF SERVICE**

Pursuant to Rule 2010 of the Commission’s Rules of Practice and Procedure, I hereby certify that I have this day caused the foregoing *Comments of Tuolumne River Trust, American Whitewater, Central Sierra Environmental Resource Center, Friends of the River, California Sportfishing Protection Alliance, American River Touring Association, Inc., Sierra Mac River Trips, Inc., O.A.R.S. West, Inc., and All Outdoors California Whitewater Rafting, Inc. on Revised Conditions and Recommendations Filed by the U.S. Department of Interior, Bureau of Land Management, on August 23, 2018 in the Relicensing of the Don Pedro Project* to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 6th day of November 2018



Theresa L. Simsiman  
American Whitewater

Document Content(s)

CG Outfitters Comments Revised Conditions.PDF.....1-17