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United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

In Reply Refer To:
81420-2008-I-1103-8

Ms. Jessica Albeitz
License Coordinator, Hyrdo Licensing
Pacific Gas and Electric Company
Mail Code: N11C
P.O. Box 770000
San Francisco, California 94177

STATE WATER RESOURCES CONTROL BOARD
MAR 19 2015
2015 MAR 23 AM 11:59
DIV OF WATER RIGHTS
SACRAMENTO

Subject: Informal Section 7 Consultation for the Temporary Suspension of the Flushing Flow Requirement at the Pit No. 1 Hydroelectric Project (FERC Project No. 2687), Shasta County, California

Dear Ms. Albeitz:

This letter is in response to your February 23, 2015, letter requesting concurrence with the determination that the temporary suspension of the flushing flow requirement at the Pit No. 1 Hydroelectric Project for 2015 is not likely to adversely affect the federally endangered Shasta crayfish (*Pacifastacus fortis*). Your request was received by the U.S. Fish and Wildlife Service's (Service) Sacramento Field Office on February 25, 2015. This response is provided under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

The Service provided a not likely to adversely affect concurrence to the Federal Energy Regulatory Commission's (FERC) on May 3, 2010 for temporary suspension of the flushing flows. At the time, it was assumed the suspension of flushing flows would occur in 2010 and 2011. The Service provided additional letters of concurrence to FERC on July 19, 2012, May 16, 2013, and April 18, 2014, for the continued suspension of flushing flows in 2012, 2013, and 2014. The Pacific Gas and Electric Company, acting as the non-Federal representative for FERC, is proposing to add another year to the temporary suspension of flushing flows to facilitate completion of the California State Water Resources Control Board's California Environmental Quality Act analysis. The Service's concerns regarding the implementation of the flushing flows remain the same. Because the only change to the action is to continue the suspension of flushing flows for 2015, the Service concurs that the action is not likely to adversely affect the federally endangered Shasta crayfish. We base this concurrence on the best available science that has shown the flushing flows create detrimental effects to this species' habitat and potentially create a favorable environment for non-native crayfish. Therefore, unless new information reveals effects of the temporary suspension of flushing flows that may affect federally listed species or critical habitat in a manner not identified to date, or if a new species is listed or critical habitat is designated that may be affected by the proposed action, no further action pursuant to the Act is necessary.

If you have any questions regarding this response, please contact Josh Hull, Recovery Division Chief (Josh_Hull@fws.gov) or Ryan Olah, Coast Bay/Forest Foothills Division Chief (Ryan_Olah@fws.gov) at the letterhead address or telephone (916) 414-6600.

Sincerely,

for Eric Tattersall
Deputy Assistant Field Supervisor

cc:
Barbara Evoy, State Water Resources Control Board, Sacramento, California
Peter Barnes, State Water Resources Control Board, Sacramento, California
Matt Meyers, California Department of Fish and Wildlife, Redding, California
Steve Baumgartner, California Department of Fish and Wildlife, Redding, California
Maria Ellis, Spring Rivers Ecological Sciences LLC, Cassel, California