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UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

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- Turlock Irrigation District : Project No. 2299-082
- Modesto Irrigation District : Project No. 14581-002

DON PEDRO AND LAGRANGE PROJECTS

Request for Comments on the DEIS

Evening Public Scoping Meeting

Doubletree Hotel  
1150 Ninth Street  
Modesto, California 95354  
Tuesday, March 26, 2019

The public comment session, pursuant to notice, convened  
at 5:10 p.m. before a Panel:

- JIM HASTREITER, Project Coordinator, Federal  
Energy Regulatory Commission
- CAROL EPERT, Federal Energy Regulatory Commission
- BRIAN MATTAX, Louis Berger, Aquatic Scientist
- FRED WINCHELL, Louis Berger Project Manager
- GEORGE GILMORE, Fisheries Biologist, Meridian  
Environmental.
- CHRIS DIXON, Louis Berger, Economist

1 P R O C E E D I N G S

2 MR. HASTREITER: Okay, folks, we're going to get  
3 started. My name is Jim Hastreiter, I'm with the Federal  
4 Energy Regulatory Commission. I am the project coordinator  
5 for relicensing the Don Pedro Project and licensing the La  
6 Grange Project. We're here tonight, our objective is to  
7 solicit comments on our Draft Environmental Impact Statement  
8 that we issued on February 11th.

9 In the notice issuing that impact statement, we  
10 included a 60 day comment period; so written comments are  
11 due, filed to the Commission by April 12th, a Friday.

12 I do want to mention that tomorrow we're going on  
13 a site visit, even though it's going to rain, and some  
14 people are not coming because it's raining -- I can't figure  
15 that out.

16 (Laughter)

17 I'm from Portland, Oregon, so we get lots of rain  
18 so I don't understand people--

19 AUDIENCE: We were, too. We got over it.

20 MR. HASTREITER: Sorry about that. So anyway,  
21 we're having a site visit tomorrow; we're going to meet at  
22 10 o'clock at the Don Pedro Agency parking lot, where the  
23 Visitors Center used to be. It's at 10200 Bonds Flat Road  
24 in La Grange, if you're interested. We plan on seeing the  
25 river downstream of La Grange and then looking at both

1 projects, the facilities; then going upstream at the head of  
2 Don Pedro Reservoir to look at Wards Ferry takeout area for  
3 rafters.

4 We're also now, tonight Dan Hawkins is with us,  
5 he's a court reporter, so he's recording all our words and  
6 he'll document those and then file it with the Commission  
7 within about a two week period.

8 With me here tonight are contractors that we work  
9 with; on complicated projects we get assistance from our  
10 contractors, and they've all played a big part in preparing  
11 this document, this draft document. So I'm going to have  
12 them introduce themselves and mention their expertise and  
13 what they worked on in the document.

14 MR. DIXON: My name is Chris Dixon. I work for  
15 Louis Berger; we're contracted to FERC for this project, and  
16 I'm an economist, and I worked on the economic analysis for  
17 this.

18 MR. GILMORE: Hello, everyone. My name is George  
19 Gilmore, I'm a fisheries biologist with Meridian  
20 Environmental, and I was responsible for the Aquatic  
21 Resources section of the document.

22 MR. WINCHELL: Hello, I'm Fred Winchell, with  
23 Louis Berger. I'm the Project Manager for the contract  
24 team.

25 MR. MATTAX: Hi, I'm Brian Mattax, an aquatic

1 scientist, and responsible for the water quality section.

2 MR. HASTREITER: And in the back is Carol Epert,  
3 who was signing everyone in. She handled recreation, land  
4 use and aesthetics.

5 MR. HASTREITER: All right. We don't have a  
6 whole lot of people here tonight, so it's always good for us  
7 to know who's here and who you're representing, and so I'd  
8 like to go around the room and everybody can just quickly  
9 give their name and why they're here; I mean, if you're a  
10 landowner, a farmer, recreationist, just mention something  
11 like that.

12 So let's start over in the cushy seats with Art.

13 MR. GODWIN: Mike Godwin, Turlock Irrigation  
14 District.

15 MR. WEINBERG: Josh Weinberg with TID.

16 MS. ANDERSON: Constance Anderson, TID.

17 MR. McMILLER: Brandon McMiller, TID

18 MR. BOYD: Steve Boyd, Turlock Irrigation  
19 District.

20 MR. PARIS: Bill Paris, MID.

21 MR. HASTREITER: Let's do this section.

22 Do you want to start, young lady?

23 MR. HENCKE: John Hencke with BBT.

24 MR. ROCK: Ron Rock, recreationist.

25 MR. SLOAN: Gary Sloan, fisherman.

1           MR. NIELSON: Steve Nielson, Modesto resident and  
2 recreationist.

3           MR. BOSE: Steve Bose, National Park Service.

4           MR. JOE CATON: Joe Caton, Fisherman.

5           MR. JACK CATON: Jack Caton, Fisherman.

6           MR. CARLSON: Ken Carlson, Modesto.

7           MR. RUIZ: Elias Ruiz, local teacher and business  
8 owner.

9           MR. DARPINIAN: Gary Darpinian, landowner and a  
10 farmer in Modesto Irrigation District.

11          MS. BOROVANSKY: Jenna Borovansky, with HDR.  
12 Consultant.

13          MS. DOSCH: Lisa Dosch with HDR.

14          MR. FRANCIS: Brian Francis, local fisherman.

15          Ms. BOSCH: Lisa Bosch, the Rod Fathers,  
16 fisherman.

17          MR. PADDACK: Todd Paddack, representing The Rod  
18 Fathers fishing club.

19          MR. MORRIS: Lee Morris, Tuolumne River  
20 Conservancy.

21          MR. BOUCHER: Dave Boucher, Tuolumne River  
22 Conservancy.

23          MS. BOUCHER: Allison Boucher, Tuolumne River  
24 Conservancy.

25          MR. VELLA: Gary Vella, fishing.

1 MR. HENDRICKS: Gary Hendricks, Fisherman.

2 MR. DUARTE: John Duarte, local farmer.

3 MR. COX: Paul Cox, Fisherman.

4 MR. LUCAS: Craig Lucas, Fisherman

5 MR. GOBER: Robert Gober, Fisherman.

6 MS. MILLSAP: Stephanie Millsap, U.S. Fish and  
7 Wildlife Service.

8 MR. SMITH: Kelly Smith, Modesto Ambassadors of  
9 Norcal High School bass fishing.

10 MR. SMITH: Aiden Smith, NorthCal High School  
11 bass fishing.

12 MR. MOORMAN: Don Moorman, bass fisherman.

13 MR. JONES: Wesley Jones, employee of Fishermens  
14 Warehouse, and Fisherman.

15 MR. HUGHES: I'm Noah Hughes, I'm a citizen, a  
16 recreationalist.

17 MR. DREKMEIER: Peter Drekmeier, Tuolumne River  
18 Trust.

19 MS. MARTINEZ: Martinez, Tuolumne River Trust.

20 MR. SCHOETTGEN: Scott Schoettgen, I'm a River  
21 Guide, and with the Tuolumne River Trust.

22 MR. [] with Tuolumne River Trust; I do community  
23 organizing here.

24 MS. GARCIA: Martha Garcia.

25 MR. MORENA: A community leader and resident.

1 MS. [inaudible] Lanswell.

2 MR. SANTORA: Bob Santora, fisherman.

3 MR. GOWVIN: Andy Gowvin, coalition of fishermen.

4 MS. BORGES: Katherine Borges, M.I.D. ratepayer.

5 MR. BORGES: Les Borges, fisherman.

6 MR. CHEVARRIA: I'm Coty Chevarria, a local  
7 angler.

8 MR. HASTREITER: Thank you all for coming  
9 tonight. We're looking forward to receiving comments. We  
10 have, eight people have signed up to provide comment. So  
11 what we'd like you to do is, we'll hand you a microphone,  
12 and if you would give your name and spell your name for the  
13 court reporter before you start your comments, we'd  
14 appreciate that.

15 So let's start the comment period.

16 Our first speaker is Katherine Borges.

17 MS. BORGES: My first name is Katherine, K-a-r-t-  
18 h-e-r-i-n-e. Last name is Borges, B-o-r-g-e-s.

19 I am an MID ratepayer, and married to a lifelong  
20 fisherman. The number one predator of salmon are humans.  
21 You can find salmon on the menu of any fine restaurant in  
22 the downtown area surrounding this hotel, and even in the  
23 hotel restaurant on the other side of this wall. Smoked  
24 salmon is the very first item listed on their brunch menu.

25 There's not been a ban on salmon fishing since

1 2009; and yet the proposed solution to increase native  
2 salmon populations is to suppress the bass populations. In  
3 my public comments at the MID Board meeting regarding the  
4 FERC report in October 2017, I asked what would be done with  
5 the bass caught in the weir, and the MID attorneys responded  
6 that they would be killed.

7           Referencing TID and MID predation report Don  
8 Pedro Project FERC No. 2299 on page 411, 19 largemouth bass  
9 were sampled, and the total number of salmon consumed by  
10 those 19 bass was one. That predation ratio works out to  
11 just a little over less than half of a percent per predator.

12

13           In 2012, 2046 fish were sampled including  
14 smallmouth bass, largemouth bass, striped bass, and  
15 Sacramento pikeminnow. Of those 246 fish, juvenile salmon  
16 made up only 12 percent of the samples. It's no surprise  
17 that the predation percentage is so low because the study  
18 estimates there were 11,074 largemouth bass in the Lower  
19 Tuolumne River in 1990. And less than 4,000 in 2012. No  
20 comparison could be made between those years for smallmouth  
21 bass, striped bass, and Sacramento pikeminnow because  
22 capture rates were insufficient.

23           So with the number of possible predators  
24 dropping, what is the justification from the State Water  
25 Resources Control Board demanding the unavoidable -- that's

1 a quote -- pain of 40 percent more water from our region's  
2 rivers to save the salmon? Especially when the method of  
3 increased flows caused a mass salmon die off on the  
4 Sacramento River in 2014. And it didn't work for the trout,  
5 either, with five billion additional gallons. If there  
6 can't be guaranteed that increased flows will help the  
7 salmon, then we shouldn't have to suffer this form of  
8 unavoidable pain to our region at all levels. And that goes  
9 for spending millions of ratepayer funds on predation  
10 suppression tactics like weirs and electroshocking. A  
11 compromise would be to transport the best bass caught in the  
12 weir to the delta. Continue habitat restoration and create  
13 a salmon hatchery. That wasn't even proposed in the FERC  
14 report, but that's what makes the Feather River such a  
15 popular fishing spot. Thank you.

16 (Applause)

17 MR. HASTREITER: Thank you, Katherine.

18 Our next speaker is Martha Garcia.

19 MS. GARCIA: My name is Martha Garcia.

20 MR. MORENO: And it's M A R T H A and then last  
21 name is G A R C I A?

22 MS. GARCIA: [Mr. Moreno:] She's just saying that  
23 recreation is important to her family and they go with a lot  
24 of different community members to the river and so she's  
25 saying that if there's a possibility to leave the river at

1 levels that are enough to have recreation; because at times  
2 when there isn't enough water that you see a lot of  
3 different debris on the river, so it's really important to  
4 her and the community to have these outdoor recreational  
5 opportunities.

6 Again stressing that the river is very important  
7 to her and her family and that with community, they've  
8 partnered with other community groups to do river clear up  
9 so her, she takes her children to all these cleanups so that  
10 they can learn to steward the river, so that's why the river  
11 is very important to her. And recreation is very important  
12 to her so, again, she - just paraphrasing her earlier  
13 comment about why the river is important to her and having  
14 the river at levels where they would be able to have  
15 outdoor recreation opportunities.

16 (Applause)

17 MR. HASTREITER: All right. Thank you, Martha.

18 Is your daughter going to speak?

19 No? Okay. Thank you.

20 Our next speaker is John Duarte.

21 MR. DUARTE: John Duarte, J O H N. D U A R T E.

22 Modesta resident. Modesto farmer. I just really want to  
23 think you guys for coming out. I know you've given the  
24 district's plan great consideration already. We're very  
25 thankful that it's going in the direction it's going in.

1 This is a special place. This is the first public  
2 irrigation districts in the State of California. The local  
3 community here put up the money for these districts. It was  
4 mainly localized water needs at first, but it's also  
5 included lots of from electric users and from domestic water  
6 users here in Stanislaus County also.

7 This was visionary. It was politically divisive  
8 at the time; many farmers didn't want to stop ranging cattle  
9 and grow improved crops. Our bronze statue on the main  
10 street is a peach farmer. Because this is one of the first  
11 areas where there was a lot of peaches and horticultural  
12 grows because we had control of the irrigation water. Now,  
13 today, we have the biggest canneries in the world, we have  
14 the biggest wineries in the world. If you want to shop for  
15 ag machinery and you're in Australia you come to Modesto,  
16 California and you look at all the great Ag companies. My  
17 family is a nursery family; we employ 600, 700 people here  
18 depending on the season. We produce almond trees, grape  
19 vines, sasha trees, and we have patented materials we're  
20 sending around the world. So does the Sager family. So  
21 does the Virgil family.

22 This is a very big ag cluster. The kind of  
23 industrial ag cluster that the government runs around  
24 looking to figure out how to make it happen. It's happened  
25 here because locally we've made it happen over generations.

1 I'm a fourth generation Nassau County farmer, fifth  
2 generation California farmer -- might get to be fifth and  
3 sixth generation. That doesn't matter, we've got newcomers  
4 coming into the industry all the time, all parts of the  
5 industry.

6           The district board that put together the FERC  
7 plan, the proposed plan that you looked at represents both  
8 Modesto city residents and the Turlock city residents, as  
9 well as the rural residents. The entire county virtually  
10 voted for this plan, through the Board of Directors that put  
11 this forth to you. It's a systematic plan. The  
12 infiltration parts of the plan that were set aside in your  
13 draft document could be reincorporated. The predator  
14 controls -- I fish, too; I've grown up fishing, should be in  
15 there. If the federal government is going to require that  
16 we protect salmon as an endangered species here at the  
17 southern end of its natural habitat, then we have to protect  
18 salmon as an endangered species.

19           I question that. I won't grow almonds in  
20 Medford, Oregon if they want to fish salmon here in the  
21 southern end of its habitat. There's going to be risks and  
22 ups and downs with that. But so long as that's the fact,  
23 then this community has got to come to a balanced approach,  
24 and that includes predator control. And the striped bass is  
25 a predator of salmon. When you don't have that many, you

1 don't find that many. When you're at the southern end of  
2 this habitat, you don't find it consistently. But if we're  
3 going to protect the small number that we have here, we've  
4 got to do the predator control. So, the river flows are  
5 well rationalized; we actually look for them when the salmon  
6 are present and we flow some water to make sure that they  
7 can make use of that water. And I've looked at the  
8 document. I think the document as a whole is better than a  
9 document piecemealed and as a cafeteria set of suggestions.  
10 I really, really encourage you -- we want to solve these  
11 problems here locally. We want to give a balanced  
12 protection of these, of the salmon, because if we don't do  
13 it through this process today, through your help, we'll have  
14 to revisit it one decade, two decades later from now. And  
15 it won't have been done right to begin with and we won't  
16 have you gentlemen here taking a thoughtful, comprehensive  
17 approach that we have at this opportunity.

18           So, please, follow the direction of the district  
19 boards, look at the document as a whole, and respect our  
20 community as having created this document and offered it to  
21 you to take a balanced approach to solving all of our  
22 problems and different interests here in the community.

23 Thank you very much.

24           (Applause)

25           MR. HASTREITER: Thank you, John.

1           Our next speaker is Noah Hughes.

2           MR. HUGHES: That's me. That's Noah Hughes. N O  
3   A H, H U G H E S. I'm a citizen of Modesto, I'm an MID  
4   ratepayer. I'm a recreationalist. I eat food. I've got  
5   two things I want to talk about today: The Wards Ferry  
6   takeout and its exclusion from your plan and then the flows  
7   below La Grange Dam.

8           Regarding the Wards ferry takeout. The Don Pedro  
9   Project inhibits a recreational economic activity; namely  
10  the access to the takeout for the Merrill full run on the  
11  Tuolumne River. Currently, anyone who wants to raft the  
12  Tuolumne in that stretch has no access to the preexisting  
13  takeout. Instead, they must haul their entire raft and all  
14  their camping gear and equipment, literally tons of gear, by  
15  hand up a narrow dangerous, rocky trail. In the document it  
16  says the agency and whitewater boating interests contend  
17  their conditions and recommendations are necessary because  
18  they believe a direct relationship exist between the project  
19  and whitewater boating. But none of the rationale provided  
20  by these entities described what aspects of the projects or  
21  its operations are responsible for such a relationship. So,  
22  I'd love to elucidate that relationship for you.

23           Our takeout used to be above the water. Now it's  
24  below the water. And it's gone. So, that's the  
25  relationship between the Don Pedro project and our ability

1 to use that river. And so I think that the rationale that  
2 you're using for excluding it is inadequate. So, anyway,  
3 regarding the flows below the La Grange Project, it's too  
4 low. It's below the criteria that are laid out by all the  
5 scientists and the State Water Resources Control Board which  
6 I believe has to provide a certificate at the end of this  
7 process anyway, as recommended. While they've said that we  
8 need 60 percent of unimpaired flows, they've recommended  
9 anywhere from 30 to 50 percent. I believe your document  
10 hovers around 20 percent; and so by all measures that's  
11 inadequate to maintain a healthy river whether you focus on  
12 an individual species like the salmon or whether you look at  
13 the river as a whole, which I encourage you to do while  
14 you're here. Go down and look at the river as a whole.

15           Here in Stanislaus County we're working really  
16 hard to diversify and grow our economy. We're investing in  
17 children and schools. We're creating access to quality jobs  
18 by attracting new businesses. We're creating new pathways  
19 out of poverty. We're building and training our next  
20 generation of leaders. We're cleaning up our river parks.  
21 We're building trails. We're tackling the homeless problem.  
22 We're addressing our brain drain problem by trying to  
23 produce, attract, and retain more college graduates. We're  
24 in the process of creating an economic Renaissance, but  
25 we're going to need a healthy river and those flows are

1 needed to have that healthy river. The flows outlined in  
2 the Draft Environmental Impact Statement are insufficient to  
3 provide us with that healthy river. The science says that.  
4 And that healthy river is needed to be an integral part of  
5 Modesto's future.

6           The DEIS does not adequately take into account  
7 the opportunity cost-- looking at the economist -- the  
8 opportunity cost associated with having, basically, for a  
9 lot of the year, a warm, fetid pond more suitable to  
10 aquarium plants instead of a healthy, vibrant river that can  
11 be part of our community.

12           I appreciate the work that you've done, so that's  
13 my input and thanks a lot for the time.

14           (Applause)

15           MR. HASTREITER: Thank you, Noah.

16           Our next speaker is Andy Doudne.

17           MR. DOUDNA: Good evening. Andy Doudne, A N D Y,  
18 D O U D N A. Delta Anglers Coalition. This was something  
19 we just kind of caught onto recently with you guys' course  
20 of action on removing fish from rivers. As an angler, we  
21 don't want to see the fish touched. There's no reason for  
22 it. There's got to be other solutions. We're willing to  
23 work with you guys where we can. That river sustains  
24 families. Having sunny afternoons, enjoying the river, kids  
25 are out fishing. Take those fish away -- we've just lost

1 out on those kids.

2 Another question was, did Fish and Game approve  
3 this eradication?

4 MR. HASTREITER: Did they agree to the predation  
5 reduction measures that were proposed by the districts? I'm  
6 trying to remember, I believe they did, but I can  
7 double check that for you.

8 MR. DOUDNE: They agreed to the predation?

9 MR. HASTREITER: I'm sorry, what?

10 MR. DOUDNE: They agreed to it, is what you're  
11 saying? And who was it that agreed to it?

12 MR. HASTREITER: From what I recall, we'd have to  
13 look at the document but they essentially agreed but wanted  
14 some modifications to it.

15 MR. DOUDNE: Okay, understandable. Well, that's  
16 good.

17 All I'm asking as a fisherman, or the fisherman  
18 that are in Modesto, people who travel here to fish,  
19 families who bring their kids to fish, please reconsider.  
20 There are other solutions that are possible. We don't have  
21 to eliminate these fish. Is it possible that there's a way  
22 that we can relocate these fish instead of killing them? Is  
23 that a possibility?

24 MR. HASTREITER: That's something we'll consider  
25 if that's your comment.

1 MR. DUODNE: Thank you guys. Appreciate it.

2 (APPLAUSE)

3 MR. HASTREITER: Thank you, Andy. Yes, sir. I  
4 just said thank you. Scott Schoettgen is our next  
5 speaker.

6 MR. SCHOETTGEN: Yes, Scott Schoettgen. S C O T  
7 T. Last name is spelled S C H O E T T G E N. I have  
8 friends I grew up with that still don't know how to say it.

9 My name is Scott Schoettgen, I've spent over 12  
10 years of my life guiding river trips on the Tuolumne River  
11 and other rivers around the world, and I actually now keep  
12 the Ridge, which is the headwaters to the north fork of the  
13 Tuolumne River. So, I've spent a lot of time on this water  
14 that is the Tuolumne River. There's a lot of talk that I  
15 hear down here and this is not personal, but there's a lot  
16 of talk that I hear when I come down to the valley about our  
17 water and our community and I can't help but say where are  
18 these dams located? They're located up the hill a little  
19 bit further and they're in our community, they're in  
20 Tuolumne County.

21 So, I speak on behalf of that area, recreation in  
22 that area. I worked all day today and rushed down here to  
23 be a part of this hearing and, you know, the whole way down  
24 here I had to ask myself, "Why am I coming down here to do  
25 this?" On my own time, on my own dime. You know, between,

1 guided river trips and ski patrol and, you know, I've had  
2 some of the most enjoyable jobs that are out there. But  
3 they really don't pay a whole lot. You know, so, at 31  
4 years old, you know, I find myself still living mostly out  
5 of my car and, you know, traveling all over the place, and a  
6 lot of my college friends are getting married, buying  
7 houses, starting families and that sort of thing, and I find  
8 myself a lot of times sleeping in the back of my car by  
9 myself, you know, in parking lots.

10           So, I ask myself, "Why would I drive all the way  
11 down here to lobby on behalf of something that in a lot of  
12 ways is, you know, perpetuating my own life-style of  
13 poverty, and realistically in an environment that hasn't  
14 been paying me for a sustainable adult life." Well, when I  
15 really get into it, when I get trips on the Tuolumne,  
16 through the wild and scenic section, I really would say that  
17 I get to experience something that a lot of people don't, in  
18 12 years of doing this. I see grown men who are, I see  
19 them set aside their suits and ties for a few days, and I  
20 get to listen to them laugh like children when they get  
21 splashed in the face by waves. I see women who are mothers.  
22 I see them swim in pools and just get to experience setting  
23 aside the need to be perfect moms and wives and just enjoy  
24 the freedom of life outside.

25           And I see their kids, you know, wide eyed and

1 just full of amazement at the sheer grandeur of these river  
2 canyons. They just get to just be kids and just run around  
3 and explore and just be free. You know, there's 27 miles of  
4 wild scenery on the Tuolumne River that stimulates a part of  
5 people's souls that's usually suppressed behind the  
6 latticework of life, and modern gridlock in the developed  
7 world. And in every day that I've guided for over 12 years,  
8 it's been one of the most memorable days of somebody's life  
9 in my boat, every single day.

10           Now, fresh, clean wild water it brings life out  
11 of people and that all comes to an end every time we float  
12 through the last few wild and scenic turns of the canyon and  
13 end up in Don Pedro Reservoir. The water stops; it's  
14 stagnant. When we get down there and there's just plastic  
15 jugs and there's oil sheens from motorboats, and they  
16 collect en masse on the banks below the reservoir. You have  
17 the fresh, cool air coming off the wild rivers replaced with  
18 the hot stench of decaying organic matter, motor boat  
19 exhaust, and trash. You know, the beautiful sounds of the  
20 river, the water, the birds, the wind and the trees, the  
21 voices of truly happy people that come on trips with us.  
22 They all depart, and they're replaced by motors, and  
23 speakers, and yelling, and it's all undisputedly  
24 unpalatable.

25           The laughter in my boat day in and day out stops

1 at this point, every single day. Every trip. You know, the  
2 weight of the over-industrialized world it just falls back  
3 on the shoulders of these fathers and these mothers and  
4 these children. Stress comes back and sometimes so does the  
5 family's bickering that's been absent from the time prior  
6 when we were in the wild canyon. You know, when we get to  
7 the end of trips by the Wards Ferry bridge, which, they were  
8 dealing with the dangers of an inadequate takeout; we're  
9 struggling in the heat, moving boats and gear and shuffling  
10 our guests on the bus quickly before they get hit by the  
11 traffic or consumed by the heat. Sometimes then I wonder,  
12 why can't we just keep going? Why can't we just keep going  
13 downstream?

14                   And I'm not just talking about a rafting trip  
15 when I say that, I'm really talking about a way of life.  
16 Now, I'm going to quote one of my favorite movies here,  
17 it's Forest Gump. But a man only needs so much in life and  
18 the rest is just for showing off. Our role as responsible  
19 people is to leave things better than we find them. So, I'm  
20 talking about living better. I'm talking about living with  
21 a little less of the gridlock and material stuff and gaining  
22 so much more in return. See, the problem with the DEIS,  
23 referring to that, is that it doesn't address the problems  
24 caused by the construction and operation of these dams in  
25 the first place. Going back pre-1966. You know, my great

1 grandfather used to fish for wild ocean-run salmon in rivers  
2 and the foothills when the numbers were in the hundreds of  
3 thousands. Annually. And now in a good year, it's a couple  
4 thousand at best. I'm talking about my great-grandfather,  
5 it wasn't that long ago. You know, the commercial salmon  
6 industry, an industry to the tune of a few thousand \*\* jobs  
7 and hundreds of millions in annual revenue, is on the break  
8 of collapse because of the way we abuse and exploit our  
9 river systems.

10           You know, low flows in rivers, they concentrate  
11 pollution, they raise water temps and decrease dissolved  
12 oxygen, making it unsuitable for wild fisheries. You know,  
13 last time I checked, people love to eat these fish. The  
14 DEIS, it doesn't even acknowledge the State Water Resources  
15 Control Board's new flow standards as part of the Delta  
16 water quality control plan; the new license should require  
17 dam operations to conform to modern life. That way of life  
18 I was describing earlier, the laughter, the freedom, the  
19 unity, places and communities designed around the health of  
20 wild rivers and their bounty -- these places exist around  
21 the world. I'm experienced them in my time traveling in  
22 South America and Africa following the summer rafting season  
23 around the world. It's a different way of life. And it's a  
24 really, really beautiful thing and in the next few years the  
25 communities around the Klamath River in Northern California,

1 they're going to start experiencing that vibrancy again when  
2 those dam systems come down.

3 I drive through the Valley sometimes and see the  
4 rhetoric on the signs. "Is growing food wasting water?"  
5 It's a great question. Well, when most of the food is  
6 getting shipped out of the State, effectively shipping our  
7 scarce resource of water out of the state for profit of a  
8 few, growing the water massively subsidized by the taxpayers  
9 of California, with nothing in return to the masses but  
10 polluted rivers running close to bone dry. Yes, that's  
11 exactly what it is. It's a waste of water.

12 Now, in a pilot pressurized irrigation system  
13 implemented in the South San Joaquin water district just  
14 north of the Tuolumne, you know, we found that using  
15 pressurized water systems, we reduce water demand by 30  
16 percent while increasing crop yields also by 30 percent.  
17 So, for the economist in the room, in California, the place  
18 that is the home of innovation, of technology, of medicine,  
19 of transportation, of communication, it all started here in  
20 California.

21 What are we doing to innovate the way we manage  
22 water? All right. And what are the economic potentials of  
23 all of the innovations in water technology? We're talking  
24 about water. Talking about a planet of over 7 billion  
25 people and we're talking about water. Every single person

1 needs water. So, I encourage the decision makers to take an  
2 aggressive stance on the restoration of the Tuolumne River  
3 fishery. Let our legacy in this drainage and in this state  
4 that is on the brink of ecological collapse. You can go  
5 into the science of that, you can look for it, it's out  
6 there. What's going on -- Let that legacy be that we left  
7 this river better than we found it. Thank you.

8 (Applause)

9 MR. HASTREITER: Thank you, Scott.

10 Next speaker is Elias Ruiz.

11 MR. RUIZ: I'm going to sit if you don't mind.

12 Elias. E L I A S. Ruiz. R U I Z. I'm just here to give my  
13 personal experiences on the Tuolumne River. I lived in  
14 Houston, so I'm less than a mile away from the river. I'm  
15 an avid outdoorsman so I'm always looking for that  
16 recreation angle on the river. Probably about five years  
17 ago though, I started seeing this plant called water  
18 hyacinths, and over about a three to four year period there  
19 were times where the water hyacinths would completely  
20 blanket the whole surface of the river, where it became non-  
21 navigable. And I know the constitution does protect  
22 navigable waters for all kinds of activities including  
23 recreation. So, it's not navigable when a warm water  
24 species invasive plant completely takes over the river.  
25 I've spent many, many hours trying to remove those plants as

1 well, I created a Facebook group called Tuolumne River AIS,  
2 where people would volunteer, get out there with hand tools  
3 and try to remove it so that we could navigate the  
4 waterway.

5           Speaking of navigation, from La Grange -- there's  
6 52 miles, there's 52 miles of the lower river if you didn't  
7 know that. And has a very gentle slope so there's not much  
8 water running through there; the currents don't move very  
9 fast. Sometimes it's down in the hundreds, 150 cubic feet  
10 per second. And between La Grange and Turlock Lake  
11 Campground on my raft, which has only 2 inches of draft, I'm  
12 still scraping to get through in the summer months. And  
13 that is a gorgeous piece of river if you've never been on  
14 it. It's about a five, six mile trip. I encourage you to  
15 go check that out some day.

16           What else? Let's see. I've even gone scuba  
17 diving to remove pylons over, at the bridge because the  
18 hyacinth was just backed up for hundreds and hundreds and  
19 hundreds of yards, literally to the point where you can walk  
20 on it because it gets so matted up it builds up underneath  
21 itself and now it's three feet thick and literally me and  
22 my buddies can walk right over it. And one of my friends is  
23 about 280 pounds. These mats are highly invasive, they clog  
24 up the rivers and make it very difficult to navigate.  
25 Anyway, that's one of my experiences on this river.

1           Also, ecosystems are extremely complicated, so  
2 I'm not trying to suggest any solutions other than giving  
3 you my personal experiences on the river. I've been on  
4 this river many times, many years, hunting. Duck hunting in  
5 the winter, fishing in the summer. Every single month I'm  
6 on the river at some point, somewhere. I've only seen  
7 three salmon in this river while navigating the river.  
8 Three living salmon and three dead ones, so six total. And  
9 you can fish for them, by the way. For two months of the  
10 year the whole river is closed for fishing because there's  
11 salmon in the river. I remember at one point there was only  
12 400 salmon that were recorded traveling through this river.  
13 400.           So, I know they're an endangered species, I know  
14 there should be measures in place to protect them. They are  
15 considered biomass, which sometimes gets recycled and gets  
16 back into the ecosystem; but so are bass, you know, striped  
17 bass, black bass, these other species that take their  
18 position when the conditions are not right for salmon, by  
19 the way. Since the river is so low at some point. Salmon  
20 always need that oxygenated, cold fresh water. I don't see  
21 how you can, you know, get rid of the bass to protect salmon  
22 for conditions that they won't even thrive in, anyway. So,  
23 again, I don't know what the solutions are; these are just  
24 my observations while being on the river.

25           Another thing I was highly involved with on the

1 Tuolumne River is cleaning up right here in Modesto. My  
2 buddies and I helped start the Operation 9 to 99 where we  
3 clean up trash along the riverways. There's also  
4 regulations on dumping so I don't know why that's not being  
5 enforced as well. Talked about the Endangered Species Act;  
6 we also have the EPA, which I've never seen them do anything  
7 about all the garbage, tons and tons and tons of garbage in  
8 the area. This river is highly, highly, underutilized for  
9 recreation. There's only three boat ramps. I'm talking  
10 with concrete where you can drive down to the water. One of  
11 them is Basco Bridge. It's open. You can use that one,  
12 it's free. The other one is Turlock Lake Campground. You  
13 do have to pay to access the river there. And the third one  
14 is right here in Modesto, Legion Park, which has a cable in  
15 front of it blocking it. So, of the 52 miles there's very,  
16 very little access. Private property goes right up to the  
17 water line or the permanent vegetation mark so the river,  
18 accessing this river is very, very difficult for recreation.  
19 It's, and I've owned a company where I designed, and I have  
20 a patent pending which is close to passing here any second -  
21 - ramp that is designed for these low draft rivers, and it's  
22 still hard to access this river.

23           So, recreation, I guess I'm speaking on behalf of  
24 the folks here for recreation. It is a difficult river to  
25 access via water, or by ramps and then to navigate it as

1 well because of some of the low flows that we experience.  
2 On the flip side too, we also have these high flows like  
3 we're experiencing this year which make it dangerous as  
4 well to get on the site. You know, you can't hold the water  
5 back, and it's going to spill over the dam anyway.

6 I think I'm done. I'm just giving you my  
7 observations on the river, again, sometimes, trying to do  
8 some recreation on the river is difficult.

9 (Applause)

10 MR. HASTREITER: Thank you, Elias. Our next  
11 speaker is Stephen Nielson.

12 MR. NIELSON: Thank you. That's Stephen Nielson.  
13 That's S T E P H E N. N I E L S O N. First of all, thank  
14 you for being here. I'm a Modesto resident as such I drink  
15 water, wash dishes and clothes, flush toilets -- Tuolumne  
16 River. For my house, water comes from the hydropower  
17 through the MID system. And sort of my job depends on  
18 agricultural products that are irrigated by the Tuolumne and  
19 other river sources in this area. I have a big heart and a  
20 big -- with a lot of stakes. As well as a recreationist who  
21 has been on the river a good bit.

22 But rather than go through a lot of things that  
23 you've heard tonight, I'd like to thank Noah -- you said  
24 several things that I was planning to say. I'll just state  
25 for the record what he said. Mr. Schoettgen, same thing.

1 You said several things I was planing to say, so for the  
2 record, what he said. And Mr. Ruiz, pretty much what you  
3 said. Further, Mr. Duarte, you mentioned the balanced  
4 approach; I agree with that. That's really what I came to  
5 talk about, is a balanced approach because we do need  
6 balance. And one of my points tonight is that, maybe the  
7 current draft statement is a little out of balance. So  
8 that's where we might differ a little bit.

9           But we do need, certainly the economic benefits,  
10 the irrigation, the agriculture, the electricity; we do need  
11 those things. That's why the dams are here. That's why the  
12 projects exist. And why our economy is what it is.  
13 Likewise, we need any help in the river. And a balanced  
14 approach, I think some of the other proposals, flow at times  
15 --I also participated in one of the projects for this  
16 relicensing which was a low water boating study. I got in  
17 at the Turlock Lake location that was mentioned, and  
18 floated down to Waterford. I say floated but I walked it.  
19 Right in the middle of the river. I walked it and if I had  
20 had flat feet when I started, I probably wouldn't have  
21 gotten the top of my shoes wet. Very, very low water. I'd  
22 like to say that my boat was dragging, but it was only  
23 dragging when I was out of it, it wouldn't move when I was  
24 in it. That said, we're talking about low flow. Likewise  
25 the water hyacinth, it becomes a little scary trying to get

1 through. Sometimes it's so good you can walk out.

2           So, again, think about the flows, think about the  
3 balance. We appreciate your openness to these things. And  
4 the last thing I have to say, I go back to, I believe it was  
5 Mr. Schoettgen mentioned, repairing the damage that's been  
6 done. We have held back a lot of water, sometimes more than  
7 we should have, sometimes we have to let too much out. I  
8 was here a few years ago, I think it was two years ago now,  
9 when the spillway had to be activated because the water  
10 coming down was so much that the dam couldn't hold it back,  
11 and we couldn't release it through the normal process. I'm  
12 glad those things are there.

13           Our community had to get together, our community  
14 had to help people who lived near the water. Some of them  
15 in mobile homes, services were out. Help them relocate to  
16 higher ground. Other volunteers were helping people. The  
17 river does go up and down, we all know that. And you just  
18 have to make peace with it. With that, I hope we can make  
19 peace with one another, and I'll go with the bomb I dropped  
20 the last time I was speaking before this group, to say when  
21 you have fish, you have farms, we have folks and hopefully  
22 the folks have fun.

23           And with that, I'd like to say thank you.

24           (Applause)

25           MR. HASTREITER: Thank you, Stephen.

1           Our next speaker is Darl Grissom.

2           MR. GRISSOM: My name is Darl Grissom. D A R L.  
3 G R I S S O M. Yes, I just found out about these waterways,  
4 about the salmon, and I've been fishing the Tuolumne River  
5 my whole life, and not only me but a lot of friends, we grew  
6 up here in Modesto and that's one place that we can go and  
7 take our boats out and do some fishing and I've got some  
8 really good days bass fishing out there. Some of my best  
9 days I've had out there fishing the Tuolumne and I also fish  
10 the Lake Don Pedro a lot.

11           I know that the water system sometimes we had a  
12 lot of hyacinth built up because we were in a drought; years  
13 before that we ain't been in a drought as bad as we've been  
14 in the last, what is it like, four or five years ago? We  
15 were in a major drought. The hyacinth was pretty much the  
16 whole river because it was stagnant and there was no flow.  
17 And the Lake Don Pedro went pretty low and not until the  
18 snow and the rain came to where it filled up and then they  
19 washed all that hyacinth down through the Delta.

20           Over the years during the summer on a normal  
21 year, the river doesn't flow that fast and it is low and  
22 it's normally, normally it stays at a certain level most of  
23 the year throughout the summer; and I know that the dam, the  
24 reservoir, the lake, they were trying to keep the snow melt,  
25 they were wanting to let the water out first before the

1 snow melts so they don't flood everything. They've flooded  
2 a lot of things over the years because we're getting too  
3 much water or we're not letting water out enough at Lake Don  
4 Pedro; and they're trying to stay in control of that that I  
5 know of.

6           As far as the salmon going up the river, when I  
7 was a lot younger, the salmon used to run up the Tuolumne  
8 just as much as they run up the American River, the  
9 Sacramento River, all the way. And you used to be able to  
10 keep one of them at that time. But I know they fixed below  
11 the bridge for the salmon run. They redid everything for a  
12 ways, and I fish that river quite a bit and salmon do come  
13 up that river but not like they used to. And I mean, I  
14 would like, I don't know much about how the salmon are  
15 endangered and things. I know they like coming up cleaner  
16 rivers and they go up different areas. It seems like they  
17 got a routine, and I know these are new salmon every year,  
18 but I do see salmon coming up the Tuolumne.

19           And killing the fish, I don't know how you -- how  
20 it all works and I don't know -- like I said, I'm just here  
21 about the fish. My opinion will continue to keep coming up  
22 the river. We got the Delta, we got Lake Don Pedro, I just  
23 don't know how, you know, for the salmon, if we're going to  
24 kill the bass or the stripers or anything; if it's that way,  
25 everything in that river will end up dying and like I said,

1 I want what's best for every situation. But I know that  
2 that's a place where we can go do some fishing, boating  
3 throughout the year and I'd, yes, I mean, like I said, the  
4 river is closed at the end of the year, nobody can fish for  
5 salmon. It's against the law to fish for salmon in the  
6 Tuolumne. And you can't keep none of them. And the river  
7 is closed during the time the salmon are up. So, yes, I  
8 just, I want what's best for each and every thing. Thanks  
9 for taking this time. I'm glad to be here at this meeting.

10 (Applause)

11 MR. HASTREITER: Thank you, Darl. Thank you.

12 So, that's the last speaker that's signed up.

13 Has anybody gained courage during the meeting that wants to  
14 speak and when you do, please spell your name. \*\*\*\*. MS.

15 MARTINEZ: My name is Victoria Martinez. V I C T O R I A.

16 Last name, M A R T I N E Z. I didn't sign up to speak

17 tonight because honestly I didn't think I was qualified.

18 I've never been to one of these meetings. I've been with

19 the Tuolumne River Trust now for a year this month. My

20 position is the main water quality monitor for the lower

21 water shed. So, anywhere basically from Waterford to

22 Modesto. I chose the Tuolumne River because I actually grew

23 up in Tuolumne City. My family still lives there. I

24 learned to swim in this river and I had my first broken arm

25 because of this river; jumping off a raft.

1                   And I don't want to say that my use of the river  
2 is any more important than anybody else's. I like to  
3 believe that we all want what's best for this river and our  
4 place of attachment to this river comes from the same place.  
5 So, I'm not here to make comments about agriculture or the  
6 banks, or the sediment deposits or anything but I've been on  
7 this river two weeks every month for the last twelve months  
8 and the numbers don't lie. I test for phosphates, nitrates,  
9 I test temperature, I test dissolved oxygen. I record how  
10 much water has been received. I record how low the river  
11 is. I record how much trash there is. Whether or not  
12 counts have been flooded out. Whether or not people have  
13 been littering in the river.

14                   And summertime is the worst because the water is  
15 so low and the river just gets trashed. The water flow is  
16 accessible to how many communities who don't have this  
17 outreach that the resources can treat it with respect. The  
18 pollution is concentrated; the phosphates are so high that  
19 we can't even read them with our readers, they stay maxed  
20 out. And like you said, you don't see fish. We get really  
21 excited when we see tiny little fish, or a bird, or a  
22 lizard. And it's not only that. You know, you see this  
23 stuff everywhere, you see birds, and you see snakes. And I  
24 was telling Peter that I met the Tuolumne River Trust on a  
25 field trip last year and when they told me it was the

1 Tuolumne River, I was like, 'This is the Tuolumne River?'  
2 Because it's so different, and I felt like an idiot but I  
3 was like, 'This is the Tuolumne River?'

4 So, as someone who has a background in  
5 environmental geography and a minor in agriculture, I think  
6 that this needs to be reevaluated full scale. And someone  
7 made a comment earlier, I don't remember who, that said, you  
8 know, when you're out tomorrow, look at the river as a  
9 whole. And I encourage you to stop in Ceres. Stop in  
10 Ceres or stop in the airport district. Go to Modesto.  
11 Because I don't really think that you'll have the same  
12 opinions if you see what the communities see every day.

13 Thanks, guys.

14 (Applause)

15 MR. HASTREITER: Thank you, Victoria. I'm glad  
16 you spoke up.

17 MS. BORGES: Actually, Mr. Filburn asked if I  
18 could read his comments for him, would that be okay?

19 MR. HASTREITER: Spell his name.

20 MS. BORGES: His first name is Robert. R O B E R  
21 T. And his last name. F I L B R U N. Mr. Filburn says: I  
22 find it extremely hard to believe that those in control of  
23 Lake Don Pedro and the subsequent outflow actually believe  
24 that the demise of the salmon in these waters or those  
25 downstream is caused by the presence of predator fish. Good

1 science will not support that conclusion. I recall my late  
2 grandfather telling me of runs of salmon schools so thick  
3 that they could actually raise the level of the river and if  
4 they were rocks you could walk bank to bank without getting  
5 your rolled up pants wet. There are those that are still  
6 living that tell of backing wagons into the river and  
7 pitchforking them full of salmon. Those same people would  
8 also tell of abundant schools of shad each year, of big  
9 black bass and stripers.

10 All of these different species coexisted and  
11 thrived in great numbers in the Tuolumne River. Those same  
12 people would also tell of huge floods each year that kept  
13 the river system clean from La Grange downstream and therein  
14 lays the answer to the demise of the salmon in our rivers.  
15 Salmon cannot successfully spawn unless they have sufficient  
16 cobbles and gravels in which to place their eggs. If salmon  
17 eggs are laid in an area that will cover them with silt,  
18 then the eggs will suffocate from lack of oxygen. What we  
19 have today are mostly river flows so low that the system is  
20 not flushed as in past times and silt is allowed to  
21 accumulate to egg suffocating levels in many areas. Salmon,  
22 unlike other fish, die after spawning so they are not  
23 protective parents which maintain the redds, see the nests  
24 until the eggs hatch.

25 No amount of eradication of so-called predator

1 fish will correct this. It is my experienced opinion that  
2 the salmon will continue to die off in the Tuolumne River  
3 even if no largemouth bass or stripers existed in the system  
4 due to the negatively impacted condition of the redds. Until  
5 this condition is corrected, no amount of predator  
6 eradication will matter. Eradication of so-called predator  
7 species will only slow the demise of the salmon. What we  
8 will be left with is a sterile system that allows water to  
9 be shipped and sold, which benefits a very few wealthy  
10 individuals. Maybe that is the whole point of this  
11 proposal. Eliminating the other sport fish under the guise  
12 of protecting the salmon sounds credible to someone that is  
13 not knowledgeable of the facts. But to those that know the  
14 truth it is faulty science that is designed to rob us of our  
15 natural resources for the benefit of a few.

16 Just a side note. Stripers migrate into the  
17 Tuolumne River from the Delta and black bass can enter the  
18 river from Don Pedro and the Delta. How can eradication of  
19 the other sport fish stop the demise of salmon unless all  
20 the other waters are sterilized. Will these other waters be  
21 their next targets?

22 (Applause)

23 MR. HASTREITER: Thank you, Robert and Datherine,  
24 thanks for reading.

25 Anybody else interested? If you haven't provided

1 oral you have somebody?

2 AUDIENCE: Just an answer to the question about  
3 Fish and Game. I was on the phone with them this morning,  
4 and they say they are definitely not on board with any  
5 eradication program.

6 (Applause)

7 AUDIENCE: I can address that, too, as well. I  
8 may not have been very clear in my answer but what I  
9 actually read opened up their comment letter and they  
10 support the implementation of habitat measures that would  
11 lead to a decrease in the abundance of the nonnative  
12 species, the Black bass.

13 AUDIENCE: The black bass is a native species to  
14 that river. I've grown up on that river my whole life, and  
15 my whole life they've been there. So, how is it not native  
16 when something has been there my whole freaking life? Now,  
17 spotted bass? They're not native to that river. They got  
18 put in there from a clerk -- well, somebody thought it would  
19 be a good idea to put them in Pedro which, the fishing does  
20 get better better with them, but they weren't in that river.  
21 But as far as black bass, it's always been in that river.

22 AUDIENCE: Come on, it's low flow is what's  
23 killed the salmon. Pure and simple, man, I'm sorry. But  
24 that's the truth of the matter. It's not the fish, it's not  
25 the -- it's not any --

1           MR. HASTREITER: Do you want to make a comment?  
2 We'll get your name down and you can provide a comment.

3           MR. SLOAN: Gary Sloan. G A R Y. S L O A N. I  
4 think I talk loud enough, I don't need a microphone.

5           MR. HASTREITER: Does that work for you, Dan?

6           THE REPORTER: It's all right for the moment.  
7 It's all right. Go ahead.

8           MR. HASTREITER: All right. Go ahead, Gary.

9           MR. SLOAN: Well, I'm just saying that it's not  
10 the salmon; the problem with the salmon isn't any other  
11 species of fish. It's the low water flows. I remember when  
12 I first come to Modesto when I was 20 years old, which was  
13 45 years ago, 35, I don't know, but anyway, you could go to  
14 Hills Ferry and watch the salmon swim up underneath there.  
15 But the water was never three feet deep or two feet deep or  
16 one foot deep. It was always five foot deep. Six foot  
17 deep. You couldn't walk across it.

18           So, I can't see why you guys are trying to blame  
19 everything on striped bass and black bass and all this, when  
20 if you had enough water, there would be plenty of salmon.  
21 Everybody would be happy. Except maybe some farmers  
22 upstream that need water for their almonds that are in the  
23 foothills. All right?

24           That's my opinion. Pure and simple. Sorry. I  
25 know you don't agree with me, but.

1 MR. HASTREITER: We didn't say that.

2 MR. SLOAN: Well, I can see it in your face.

3 (Applause)

4 MR. HASTREITER: What's your name?

5 MR. COX: Paul Cox. P A U L. C O X. I've lived  
6 in California and I grew up in Riverbank. I loved to  
7 California in 1955. We used to fish the Stanislaus River  
8 for salmon, black bass, steelhead, and everything and I can  
9 remember times in the winter, when that river, you could  
10 walk across it without getting up to your knees. You get in  
11 a ripple and you could go across it. But I can also  
12 remember going out in the ocean and fishing out there for  
13 salmon, and you wouldn't see maybe five commercial  
14 fishermen out there. Maybe five or six public fishermen out  
15 there. Now you go out there and you'll see how many  
16 commercial fishermen out there? You'll see twenty times  
17 more. You'll see that many more public fishermen out there.  
18 And the same way with the Stanislaus, or the Sacramento  
19 River.

20 I used to fish that from Rio Vista all the way up  
21 to Sacramento. And maybe you'd see five or six boats out  
22 there in a day. You go out there now and you run that,  
23 you'll see over a hundred boats up and down that river every  
24 day. They're taking one, two fish, you go up to Nimitz Dam,  
25 see how many people are lined up there. You can't even

1 hardly cast because there's so many people in there; and  
2 every one of them is taking a salmon out, two salmon. Used  
3 to, you could take five or six of them. So over thirty,  
4 forty years, the public has really destroyed the salmon.  
5 It's not the water. The water has something to do with it.  
6 But the biggest part is us. Everybody sitting in here.  
7 We've taken them. Commercial fishermen, they love them.  
8 They go out there and they catch tons of them things. They  
9 never make it back up the river. And that's where we're at.  
10 Thank you.

11 (Applause)

12 MR. HASTREITER: Thank you, Paul.

13 MR. MOORMAN: Hi, my name is John Moorman. I've  
14 never been to anything like this before, but I just fish  
15 black bass only. I've just fished black bass for over 30  
16 years now, and I've been up and down the river. I've done  
17 drifts from La Grange all the way down to Modesto. There's  
18 several day trips, you can fish it properly, and a lot of  
19 history and I just know that I'm here now because you're  
20 talking about eradication. Trying to get rid of something  
21 that I love. I don't catch salmon, I don't eat salmon. But  
22 I catch bass and I catch big bass and I give them a kiss and  
23 I let them go. All right?

24 And you're talking about killing them. Why?  
25 That's what I want to know. They mean something to me.

1 They mean something to a lot of these people here. These  
2 fish. I preach the stoke is real. Catching these fish is  
3 our life. It's our life, it's what we live for each  
4 weekend. And you're sitting up there talking about killing  
5 them. I have a problem with that. That's why I'm here. I  
6 don't think anything I'm saying to this mic is going to  
7 matter to those five minds up there. I really don't. Just  
8 like I think a lot of times when I vote this, it goes  
9 somewhere else in this state. Okay?

10 So, but I can't just sit here and not say  
11 anything. So, I want to tell you that you're trying to kill  
12 something that I love. And it's in the same water that I've  
13 spent much of my life with my kids. Drifting, pictures,  
14 videos, that's what I live for. All right. And Don Pedro  
15 and the Tuolumne River, that's my roots and bass fishing.  
16 That is where I started. I just think that there's got to  
17 be a different way. There are predators all up and down the  
18 river, there are predators in the ocean and you're going to  
19 sit and talk about one little stretch of river of trying to  
20 do that? Where does this go to? How many rivers are you  
21 going to destroy? It's not going to be one. I know it's  
22 not going to be one. That's getting the foot in the door.  
23 And then the next, and then the next, and then the next. Is  
24 that where you're going with this? I still think there's  
25 got to be, I agree with some of, things have to be good for

1 everybody. But I don't think, you can't just eradicate. I  
2 don't think that's the answer. There's got to be a  
3 different way.

4 (Applause)

5 MR. CHAVARRIA: Just real quick. My name is Coty  
6 Chavarria. C O T Y. C H A V A R R I A. Just real quick, I  
7 wanted to mention, I don't have any statistics or anything  
8 but if salmon is something you guys are concerned with, I  
9 think a huge influence would be the sea lion population.  
10 Those sea lions eat more salmon than a black bass can do all  
11 year long, in a single day. Those things are all up and  
12 down the delta and the waterway system, and if you look into  
13 that more, you will have a lot healthier salmon population  
14 based just off that alone.

15 (Applause)

16 AUDIENCE: I would like to make one more  
17 statement on just what he said about the sea lions. I was  
18 up there at the turning basin in Stockton one day and  
19 there's three sea lions out there getting them salmon, and  
20 within 20 minutes I bet they killed 15 salmon and they come  
21 up and just take the belly out and throw the rest away and  
22 go down and get another one. And then they chased them,  
23 from there, they went down into the San Joaquin River and  
24 they was chasing them up the San Joaquin River. AUDIENCE:  
25 I've seen them as far as --

1 (Simultaneous discussion)

2 MR. HASTREITER: Hold on folks, we have a  
3 speaker.

4 MR. BOUCHER: I'm Dave Boucher, President of the  
5 Tuolumne River Conservancy. D A V I D. B O U C H E R.  
6 There's been a lot said tonight. All of it, or much of it  
7 entirely accurate, and so I'm only going to add one little  
8 piece which has been around for a long time and is, the  
9 solution to pollution is dilution. And that applies to  
10 water temperatures as well. Water temperatures are one of  
11 the main limiting factors in this river way and the volume  
12 of water that comes down is what controls temperature in the  
13 river. Add more cold water, temperatures in the river go  
14 down. Don Pedro releases more flows, temperatures of the  
15 water go down, fishery mortality will go down as well.

16 (Applause)

17 MS. BOUCHER: Allison Boucher, Tuolumne River  
18 Conservancy. So, I want to stand on the temperature being a  
19 very concrete example. We manage a project called Bobcat  
20 Flats, and we did, we have done three projects. We restored  
21 where the dredger left it like -- it was straight. It was  
22 deep. It was straight sides, had a very sheer edge to the  
23 river. We lowered our flood plain, we toted the rock, and  
24 we put it in and made ripples and longitudinal gravel bars,  
25 and low and behold, the bass disappeared. They were gone

1 because now instead of the long slow step, stretch of river  
2 -- I should tell the audience, we're working nine miles down  
3 from La Grange. We're working in the part that should be a  
4 trout fishery. So, the bass moved back downstream, because  
5 they don't like ripples, they don't like fee, and it was a  
6 great trout fishery. The fishermen would tell our biologist  
7 that we had the best trout fishing on the river. Well,  
8 that was for a few years and then they started releasing  
9 flows as low as 94 CFS. And the bass came back and you'd  
10 never know that we had covered up their spawning beds. You  
11 would never guess we had done any restoration. Because you  
12 make the river warm enough, the bass leave down by Fox  
13 Grove, which by the way is a lot of fun -- and they move  
14 into what should be our ten miles of trout fishery. We're  
15 not asking for 52 miles of trout. We believe a ten mile  
16 tail run fishery is what every river should have.

17           And let me tell you one good story. We don't  
18 have a close family, and on Mother's Day they said 'What do  
19 you want to do?' I said "I want to go to Fox Grove. Let's  
20 go to Fox Grove and do Mother's Day.' That parking lot was  
21 full. Couldn't believe it was full. There were folks all  
22 over. And we looked around and we said, 'That's really  
23 sweet, they're all men with their little boys -- and little  
24 girls, but most of them were boys; it was Mother's Day.'  
25 What did mother ask for for Mother's Day? A day of her own,

1 and so the fathers took the kids fishing. It was really  
2 cute.

3 And that's all.

4 (Applause)

5 MR. HASTREITER: Thank you, Allison.

6 MR. SMITH: Thank you, my name is Kelly Smith.

7 K E L L Y. S M I T H. Just a couple observations. Some  
8 facts about how little salmon were actually in all these --  
9 it reminds me of years ago, I believe it was up at  
10 Pinecrest, they were playing fish. They stopped playing  
11 fish because they were nonnative, eating some microscopic  
12 something up there. Time goes by, 'Oops, our bad, it was  
13 the birds eating them.' We always come out with it's this,  
14 it's that. When really, like everybody mentioned, water  
15 flow, if there's no water. We have bass. I don't want to  
16 say they thrive, but they battled the odds, they lived  
17 there. They give a lot of people recreation. I'm an  
18 adviser for a high school bass fishing team. These kids,  
19 they'll fish wherever they can. A lot of times the only  
20 place they can get out is the river. For me knowing that I  
21 had that when I was little, to come here and say 'Hey, let's  
22 kill them for the salmon that you can't fish for, you can't  
23 see,' you know, that's -- it's real rough. You know, it  
24 hits me in the heart.

25 So if there's another way, we can do more

1 studies, we need it for agriculture, we need it for  
2 everything, but it just seems like if there's a little bit  
3 more water it would be the best of both worlds for  
4 everybody. And that's all.

5 (Applause)

6 MR. FRANCIS: Hi, my name is Brian Francis. B R  
7 Y A N. F R A N C I S. I've grown up in this area and I've  
8 fished everything from the Bay all the way up to, 10,000 -  
9 12,000 feet in the Sierra. I've fished for bass. I've  
10 fished for stripers. Salmon. Steelhead. Trout. All of  
11 it. I think my main concern with the proposal is that  
12 we're going to remove the stripers and bass. And we're  
13 still not going to have any salmon, because it's all about  
14 flow. If you have no water, no cold water, there will be  
15 no salmon. Doesn't matter how many fish you eradicate.  
16 Pretty much all I had to add.

17 (Applause)

18 MR. GRISSOM: Darl here again. I think the main  
19 problem is the water flow. But I do know in the last two,  
20 three years the water flow has been pretty good on the  
21 Tuolumne River. I know Lake Don Pedro has been trying to  
22 stay on top of everything and I know all the farmers, they  
23 get water from the Tuolumne as well. It is the part of not  
24 having a lot of water flow. I know when I was younger the  
25 salmon like I said, they'd come in there by the thousands;

1 they'd come in there just as much as they do up at Nimitz  
2 Dam, and I even fished that; and they closed Nimitz Dam off  
3 now. You can't even fish there. It's closed permanently  
4 from the wire up to the dam for the spawning for the salmon.  
5 And now you're only allowed one salmon, you're not allowed  
6 two. We can't even fish for them.

7           And I do know that I bought a fishing license  
8 every year to be able to have access to fish waterways and  
9 it's like, if I can't fish these waterways, and fish  
10 different waterways, it's hard to get on private property or  
11 different people's land just to be able to do some fishing,  
12 and it would take away our ability to have a place to go  
13 fishing, and it just takes my fishing rights away from being  
14 able to have access to do so recreational. You know, so,  
15 thank you.

16           (Applause)

17           MR. CATON: My name is Chad Caton. C A T O N.  
18 And I grew up probably half a mile from that river. My  
19 whole life I've fished it. And maybe my whole life I've  
20 seen maybe four salmon. Like your fellow back there said  
21 earlier. I've never seen salmon in that river hardly. Once  
22 in a while I'll see one dead here or there but taking the  
23 bass away isn't going to change that. We already give up  
24 two months out of the year on that river for bass fisherman.  
25 I'm not trying to catch salmon but I got to give up two

1 months out of the year already on that river for a fish that  
2 goes up there to die anyway and you guys don't have the  
3 flow, and they're not coming up that river anyway. So, I  
4 don't see why you're going to eradicate one species to save  
5 another. I just don't get that. That's all I have.

6 (Applause)

7 MR. HASTREITER: All right. So what we'll do.  
8 We'll address all the oral comments we received today as  
9 part of our Final Environmental Impact Statement. If anyone  
10 is interested in providing further comment, you can in  
11 letters to our agency, the Federal Energy Regulatory  
12 Commission. The deadline for filing those comments is  
13 April 12th, which is a Friday. And if anybody needs the  
14 address or they want to know how to do it electronically,  
15 through email, come up and see me after we're finished here.

16

17 So, again, we appreciate everybody coming and  
18 we're finished with the meeting today. Thank you.

19 (Applause)

20 [Whereupon at 8:23 p.m., the verbal comment  
21 session concluded.]

22

23

24

25

## 1 CERTIFICATE OF OFFICIAL REPORTER

2

3 This is to certify that the attached proceeding

4 before the FEDERAL ENERGY REGULATORY COMMISSION in the

5 Matter of:

6 Name of Proceeding:

7 DON PEDRO AND LAGRANGE PROJECTS

8

9

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12

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14

15

16 Docket No.: P-2299-082; P-14581-002

17 Place: Modesto, CA

18 Date: Tuesday, March 26, 2019

19 were held as herein appears, and that this is the original

20 transcript thereof for the file of the Federal Energy

21 Regulatory Commission, and is a full correct transcription

22 of the proceedings.

23

24 Dan Hawkins

25 Official Reporter