



United States Department of the Interior

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OFFICE OF THE
SECRETARY



FISH AND WILDLIFE SERVICE

California/Nevada Operations Office

2800 Cottage Way W-2606

Sacramento, California 95825

MAY - 7 P 12: 14

FEDERAL ENERGY
REGULATORY COMMISSION

In reply refer to:

MAY 04 2007

Kimberly D. Bose, Secretary
Philis J. Posey, Deputy Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Subject: Upper North Fork Feather River Hydroelectric Project,
FERC No. 2105
Pacific Gas and Electric Company
Department of the Interior Modified Reservation of Authority
Pursuant to Section 18

Dear Ms. Bose and Ms. Posey:

Pursuant to its authority under Section 18 of the Federal Power Act, the Fish and Wildlife Service (Service) submits for inclusion in any new license issued for the Upper North Fork Feather River Hydroelectric Project (UNFFRP) the following Modified Reservation of Authority. This Modification is to correspond to terms of a Habitat Expansion Agreement (HEA) currently under negotiation among the Fish and Wildlife Service, the National Marine Fisheries Service, the California Department of Water Resources, Pacific Gas & Electric Company, the State Water Contractors, American Rivers and the United States Forest Service and applicable to the Oroville (P-2100), Poe (P-2107) and Upper North Fork Feather River Projects. The HEA, when finalized, will require the Service to submit a modified fishway prescription to correspond to the terms of the HEA within 120 days of its Effective Date; the Service submits the Modified Prescription for inclusion, should the Commission issue a new license for the Project before the HEA is finalized.

The Department of the Interior submitted its original fishway prescription through its December 1, 2003, response to the Commission's Notice that the UNFFRP was ready for environmental analysis. That filing further contained a recital of the Department's various authorities, resource goals and objectives and description of project effects on resources of concern to the Department of the Interior, and to the Fish and Wildlife Service. The general reservation of authority that was included in the Department's REA response should now be replaced by the following specific language:

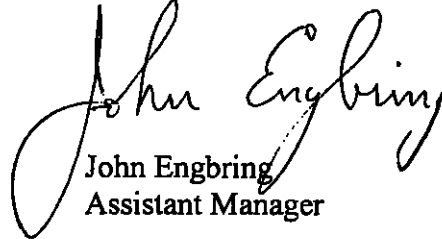
Kimberly D. Bose
Philis J. Posey

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Authority is reserved for the National Marine Fisheries Service and the Department of the Interior to prescribe the construction, operation, and maintenance of fishways at the project, including measures to determine, ensure, or improve the effectiveness of such prescribed fishways, pursuant to Section 18 of the Federal Power Act, as amended, during the term of the project license, as provided in the Habitat Expansion Agreement.

Consistent with its reservation of authority, the Service reserves the right to submit additional comments or to exercise this reserved authority should the HEA not be finalized and signed or should the final version differ from the 2006 Final Draft which has served as the basis for this modified fishway prescription.

Sincerely,

A handwritten signature in black ink that reads "John Engbring". The signature is written in a cursive style with a large, looping initial "J".

John Engbring
Assistant Manager

cc:
FERC Original and 8 hard copies
Service List

PROOF OF SERVICE

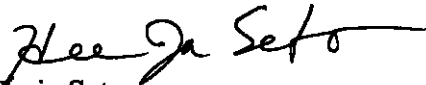
Federal Energy Regulatory Commission

Project No.: FERC #2105, Upper North Fork Feather River Hydroelectric Project

I hereby certify that I have this day served by regular mail, the foregoing letter, Subject: Upper North Fork Feather River Hydroelectric Project, FERC No. 2105, Pacific Gas and Electric Company, Department of the Interior Modified Reservation of Authority Pursuant to Section 18, to each person designated on the official FERC Service list.

Dated at Sacramento Fish and Wildlife Office, Sacramento, CA this 4th of May, 2007.

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2007 MAY -7 P 12:15
2007 May 7


Heeja Seto
Office Assistant
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