



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Sacramento Fish and Wildlife Office  
3310 El Camino Avenue, Suite 130  
Sacramento, California 95821-6340

IN REPLY REFER TO:

1-1-98-TA-2149

September 29, 1998

Mr. Steve Hutchings  
Senior Engineer  
El Dorado Irrigation District  
2890 Mosquito Road  
Placerville, California 95667

Subject: Weber Dam Reconstruction, El Dorado County, California

Dear Mr. Hutchings:

This responds to your letters dated August 24, 1998, and September 22, 1998, regarding reconstruction of Weber Dam in El Dorado County, California. At issue are the effects of the proposed action on the federally threatened California red-legged frog (*Rana aurora draytonii*).

These letters notified the Fish and Wildlife Service (Service) that the El Dorado Irrigation District (District) has conducted surveys for California red-legged frogs, and since no red-legged frogs were located, the District has not proposed any measures to minimize impacts to red-legged frogs in the North Fork Weber Creek drainage. In addition, District intends to categorically exempt the reconstruction of Weber Dam, pursuant to the California Environmental Quality Act (CEQA). The Fish and Wildlife Service (Service) has several concerns over this approach and provides the following comments.

As you are aware, a breeding population of red-legged frogs is located approximately 1.5 miles upstream of the reservoir and red-legged frogs were observed by District consulting herpetologist George Hansen on the District's Weber Reservoir property in 1996. The Service considers the North Fork Weber Creek drainage to be occupied by California red-legged frogs.

The proposed removal of the existing dam and the reconstruction of a dam will likely have adverse impacts to the California red-legged frog and its habitat within the Weber Creek watershed, by significantly modifying downstream habitat due to sedimentation, providing habitat for non-native fishes and other predatory species, and providing a dispersal barrier to frogs moving through the watershed. The Service believes that reconstruction of the dam and associated activities do not meet the requirements of a categorical exemption since there is a reasonable potential for these activities to have a significant impact on the California red-legged frog and its habitat.

Prior to surrender of your hydropower license to the Federal Energy Regulatory Commission (Commission), the Commission will be required to complete an environmental assessment or an environmental impact statement pursuant to the National Environmental Policy Act (NEPA). As

Mr. Steve Hutchings

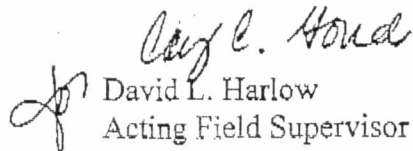
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part of the NEPA process, the Commission is required to consult with the Service pursuant to section 7 of the Endangered Species Act of 1973, as amended (Act). The potential impacts to listed species should be addressed during this process.

The Service met with you and District staff on several occasions and provided documentation of one such meeting on August 11, 1998 (file # 1-1-98-TA-1774). We have discussed California red-legged frog biology, potential effects of the proposed action, and the process associated with compliance with the Act, and we have provided some broad ideas on strategies to minimize impacts of the proposed action to this important population of red-legged frogs.

The Service recommends that District and Commission staff meet to discuss what measures will be implemented to minimize the effects of the proposed action on California red-legged frogs, and to assure a timely environmental review process. If you have any questions regarding this response, please contact Ken Sanchez or Maria Boroja of my staff at (916) 979-2749.

Sincerely,

  
David L. Harlow  
Acting Field Supervisor

cc: Federal Energy Regulatory Commission, ATTN: Noel Folsom, San Francisco, CA  
Federal Energy Regulatory Commission, ATTN: Hillary Berlin, Washington, D.C.  
California Department of Fish and Game, ATTN: Stafford Lehr, Rancho Cordova, CA  
California Department of Dam Safety, ATTN: Vernon Persson, Sacramento, CA