



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003

IN REPLY REFER TO:  
PAS 643.690.3447

April 7, 2005

Eva Begley, Ph.D., Chief  
License and Regulatory Compliance Section  
Department of Water Resources  
1416 Ninth Street, Room 620  
Sacramento, California 95814

Subject: Water Releases from Pyramid Dam into Piru Creek, Los Angeles County, California

Dear Dr. Begley:

In response to a recent statement by the Department of Water Resources (Department) in their application to the Federal Energy Regulatory Commission regarding amendment to FERC Project 2426 for discharges from Pyramid Dam into Piru Creek, we believe some clarification is necessary regarding the U.S. Fish and Wildlife Service's (Service) role in revising the discharges to protect the federally endangered arroyo toad (*Bufo californicus*).

The cover letter of your application states that, "The Fish and Wildlife Service has directed the Department of Water Resources to simulate natural flows in Piru Creek" to avoid incidental take of the arroyo toad. We do not consider the actions that resulted in the Department's proposal to alter the flows to be a directive from the Service. Rather, the proposal to revise the discharges should be viewed as a recommendation reached through consensus by several agencies and experts convened by the Department. These agencies and experts included the Department, the Service, the California Department of Fish and Game, the U.S. Forest Service, United Water Conservation District, and herpetologist Dr. Sam Sweet.

We continue to support the Department's proposal to simulate natural flows in Piru Creek as it would prevent the unnatural release of excessive flows during the arroyo toad breeding season when eggs and tadpoles could potentially be washed away. It would also help to restore the natural flooding regime that maintains suitable arroyo toad habitat and help reduce populations of exotic species that prey on arroyo toads, such as bullfrogs and crayfish. However, our support of the current proposal should not imply that other flow regimes could not be considered. If the Department wishes to entertain other discharge regimes, we would be available to engage in those discussions.

If you have any questions or would like to meet to discuss this matter further, please contact Creed Clayton or myself at (805) 644-1766.

Sincerely,

Diane K. Noda  
Field Supervisor