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OUR FILE # 7324.3
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January 12, 2001

Via Facsimile

Mr. John Davis
Mid-Pacific Region
Bureau of Reclamation
2800 Cottage Way
Sacramento, California 95825

RE: Central Valley Project
SUBJ: M&I Water Shortage Policy of December 22, 2000

Dear John:

As you know, this office represents the City of Fresno (City) on matters related to its Central Valley Project (CVP) water supply contract. The following brief comments on the above-referenced matter are meant to supplement those previously submitted by the five large CVP M&I contractors on January 10, 2001 (M&I Comment Letter).

The City generally reiterates its support for a water shortage policy that recognizes the unique public water supply responsibilities of the CVP M&I contractors. As noted in the M&I Comment Letter, the December 22, 2000 draft policy does not provide the full extent of the water supply certainty the CVP M&I contractors believe is necessary to protect the health and safety of their communities, however, it certainly makes meaningful strides in that direction. The City repeats the gratitude expressed in the M&I Comment Letter with respect to the time and effort you and your staff have dedicated to the refinement of this policy.

The City also wishes to acknowledge that it is differently situated from the other large CVP M&I contractors because of the City's location in the San Joaquin Valley and its status as a Friant Unit contractor. The availability of local groundwater resources (albeit overdrafted) and the applicability to most of the Friant contractors of the Class 1 and Class 2 allocation scheme make the City unique among the CVP M&I contractors.

Therefore, the City separately wishes to make the Bureau of Reclamation aware that the City has had discussions with the Friant Water Users Authority (FWUA) regarding the propriety of applying the CVP M&I Water Shortage Policy in the Friant Unit. (Since the City is not yet a member of the FWUA, the City has not been party to the FWUA decisions with respect to CVP water supply policies.) Notwithstanding the outcome of the City's discussions with FWUA, the City believes that as a matter of sound public policy, the CVP M&I Water Shortage Policy should be applicable to all CVP contractors. The water supply certainty and integrity it is intended to provide for public water purveyors should be made available to all CVP M&I contractors, unless an individual M&I contractor elects not to obtain its protection.

The City will keep the Bureau informed of its discussions with the FWUA concerning the application of the CVP M&I Water Shortage Policy to the City. Should you have any questions on this matter, please contact me or Martin McIntyre at the City.

Best regards,

Robert J. Saperstein
For HATCH AND PARENT

ROB/gml
255827.1

cc: Mr. Lester Snow
Mr. Martin McIntyre
Ms. Betty Riley-Simpson
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FROM:	Robert J. Saperstein	DATE:	January 12, 2001
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