Appendix A - Comment Letter and Reclamation Responses

Comment letter was received from:

Arvin Edison Water Storage District

ARVIN-EDISON WATER STORAGE DISTRICT

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DIVISION 8
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Kevin Pascoe

June 4, 2008

Patti Clinton
United States Bureau of Reclamation
South-Central California Area Office
1243 N. Street
Fresno CA 93727

RE: Draft Environmental Documents for the Partial Assignment of CVP Contract Water Supply from Ivanhoe Irrigation District to Kaweah Delta Water Conservation District

Dear Patti,

Thank you for the opportunity to provide comments on the subject environmental document.

Arvin-Edison Water Storage District (AEWSD) has some concern that by providing a contract to a new contractor, namely KDWCD, the historic availability and delivery of AEWSD's water supplies could be negatively impacted.

We see the possibility to be negatively impacted in two areas. First, KDWCD's priority to take water under Uncontrolled Season or 215 conditions would be greatly enhanced as a new Friant-Kern contractor whereas historically KDWCD's priority to such supplies was only after all water needs were met for Friant-Kern Contractors. Has the Bureau evaluated, or provided safeguards against, such negative impacts?

Secondly, Ivanhoe's original contract was assigned and approved with the understanding that they had specific Points-of-Delivery in the Friant-Kern Canal, and in fact, the size and hydraulics of the canal were built with that in mind. As you are aware, the Friant-Kern Canal is undersized, and prorate constraints are frequently in place when high-flow short-duration supplies are available. Subsequently, almost any change in point of diversion has the potential to further restrict deliveries to current Friant-Kern Contractors under those conditions. Has the Bureau evaluated, or provided safeguards against, such impacts?

AEWSD is generally in favor of creative water management programs such as this, we believe however that an assignment of CVP Contract Water Supply **should not** restrict AEWSD's, nor other long term contractors', access to supplies or conveyance capacity beyond that which would exist absent such assignment.

Thank you for your consideration on these matters.

Sincerely,

Steve Collup,
Engineer-Manager

cc: Steve Lewis, Staff Engineer
Jeevan Muhar, Engineer

JSM [illegible] 08 03 04

Reclamation's Responses

Comment #1 – KDWCD's priority to take water under Uncontrolled Season or 215 conditions would be greatly enhanced as a new Friant-Kern contractor whereas historically KDWCD's priority to supplies was only after all water needs were met for Friant-Kern contractors. Has Bureau evaluated or provided safeguards against such negative impacts?

Reclamation Response – KDWCD has a long history of contracting with Reclamation for Friant Division CVP water supplies. KDWCD has taken delivery of this water only when has Reclamation determined that Section 215 contract supplies were available.

Additionally, Reclamation considered the contract position of IID, their history of delivery of CVP contract supplies and the capabilities which they have had and continue to have under their existing contract to take delivery of supplies classified as Section 215. Similar to the contract position of all long-term Friant Division CVP contractors, IID has had and continues to have the capability to enter into arrangements to take delivery of water in excess of their historical deliveries.

Reclamation has not identified any impacts on existing long-term Friant Division CVP contractors brought about by this proposed assignment that would be adverse to these contractors.

Comment #2 – Ivanhoe's original contract was assigned and approved with the understanding that they had specific points-of-delivery in the Friant-Kern Canal, and in fact, the size and hydraulics of the canal were built with that in mind. Prorate constraints are frequently in place when high-flow, short-duration supplies are available because the Friant-Kern Canal is undersized. Almost any change in point of diversion has the potential to further restrict deliveries to current Friant-Kerm contractors under those conditions. Has the Bureau evaluated or provided safeguards against such impacts?

Reclamation has evaluated and determined that the capability of KDWCD to take delivery of the assigned water supply would not create adverse impacts on other long-term Friant Kern Division CVP contractors beyond that which currently exists. KDWCD would be taking assignment of a portion of the IID water supply and would be subject to the identical terms and conditions that IID is subject to. KDWCD would not be gaining any rights beyond those which are currently available to IID, including capacity availability to specific points of diversion.