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TPPA *Tuolumne Public Power Agency*
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July 22, 1997

Roger Patterson
Regional Director
U.S. Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825-1898

RE: CVPIA Administrative Proposal on Urban Water Supply Reliability, Central Valley Project Improvement Act Administrative Proposal on the Stanislaus River, Administrative Proposal on the San Joaquin River, CVPIA Administrative Proposal on Anadromous Fish Restoration Plan

Dear Mr. Patterson:

The Tuolumne Public Power Agency (TPPA) has received and reviewed the above referenced documents developed by the Department of the Interior (Bureau of Reclamation and Fish and Wildlife Service) in dealing with the implementation options regarding the Central Valley Project Improvement Act. The following comments are presented in general response to those documents and speak to the CVPIA process as well.

We do not find that the referenced documents, or the CVPIA implementation process being pursued by the Interior Department, recognizes the provisions of the 1962 Flood Control Act (Public Law 87-874.) That Law authorizes the construction of the New Melones project and provided that 25% of the power be available to public entities in Tuolumne and Calaveras counties on a first preference basis. This requirement was placed in the Legislation in recognition of the negative impacts which the hydroelectric project would have on Tuolumne County.

In previous comments to Interior, TPPA has indicated that as a customer of the Western Area Power Administration, we rely on CAP generation - particularly New Melones generation - for our allocation of First Preference Power as established in the 1962 Flood Control Act. Any reoperation of New Melones releases, which places additional demands for water releases for downstream fisheries enhancement, commits to ensuring urban water supply reliability, or is a result of brokered arrangements within "stakeholder" work groups, does not relieve the United States Government from the obligation of the above referenced Act. Furthermore, to the extent that such operations could impact the amount and value of power produced at the power plants, this <u>must</u> be identified as a issue in the scope of your analysis. The full impacts of any proposed reoperation must be discussed clearly in a forthright manner. Mitigation of any potential impacts on power generation must be provided and alternatives offered to deal with those impacts. To date, the Department's process has not adequately addressed this critical issue. At best, it has been glossed over and at worst completely ignored.

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As an Agency which provides power to over thirty public entities in Tuolumne County, a County of Origin, our main concern is that the power benefits established in the 1962 Flood Control Act not be diminished. We urge that the Department of Interior's process and the Bureau of Reclamation's analysis include an assessment of the impacts which the operation of New Melones will have on power generation and how those impacts will be addressed.

Thank you for the opportunity to comment and for your consideration of this most important issue. If you would like to meet with our staff to discuss this issue in more detail please contact us at your earliest convenience.

Sincerely,

Mark A. Mitton
Agency Coordinator