



March 5, 2015

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Mr. David Murrillo
Regional Director, Mid-Pacific Regional Office
Bureau of Reclamation
Federal Office Building
2800 Cottage Way
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SUBJECT: NCPA and REU Comments on Draft Long-Term Plan for Protecting Late Summer Adult Salmon in the Lower Klamath River

Dear Mr. Murrillo:

The Northern California Power Agency (NCPA) and Redding Electric Utility (REU) appreciate the opportunity to comment on the Bureau of Reclamation's (Reclamation) "Draft Long-Term Plan for Protecting Late Summer Adult Salmon in the Lower Klamath River" (Draft Plan). NCPA Members including REU purchase about 40 percent of the electricity marketed by the Western Area Power Administration from the Federal Dams in Northern and Central California that make up the Central Valley Project (CVP). As a result, Trinity River flow changes that impact CVP power deliveries can significantly affect NCPA and REU.

NCPA and REU are supportive of maintaining the health of the Trinity & Klamath River fisheries; however, we believe the Draft Plan fails to adequately justify the criteria and necessity for any proposed additional water released above those that were authorized for the Trinity River in the Trinity River Record of Decision (ROD). We recommend that the Reclamation conduct a full NEPA environmental review.

Section 4.1 of the Draft Plan states that Reclamation has a statutory obligation to release water to Humboldt County and that Reclamation may consider requests by Humboldt County for flow augmentation. The water reservation for Humboldt County was initially set at 100,000 acre-feet for consumptive use and later reduced to 50,000 acre-feet when the Trinity River Diversion Authorization Act of August 12, 1955 (TRD) was authorized by Congress. Legislative history reveals the releases in Proviso 2 of the TRD were designated for consumptive use, whereas flow augmentation is administered in Proviso 1 of the TRD. Thus, Humboldt County can only use their reservation for consumptive use and not for the proposed flow augmentations described in the Draft Plan. In addition, water releases for consumptive use would be made in a year-round pattern whereas water released for flow augmentation as identified in the Draft Plan would be in the fall.

Section 6.3.1 states that Humboldt County cannot utilize water for consumptive use in the foreseeable future. The section further states, however, that no compensation will be owed to water or power users for releasing water requested by Humboldt County. If water is released for fishery augmentation and enhancement, compensation needs to be made to CVP water and power users

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regardless of the Proviso used to create those flows. Reclamation must compensate power users of the CVP for all power losses caused by Trinity flows that exceed the original ROD. Reclamation has committed to compensate power users for all lost power generation, and not just that above 50,000 acre-feet, prior to the revised 2014 solicitor's decision.

Section 6.4. shows augmentation releases impacted power generation by a total of 132,550 MWh during 2012, 2013, and 2014. Reclamation correctly proposes compensating power users for the foregone generation by modifying the operation and maintenance cost allocation. NCPA and REU believe the proposed method of modifying the operation and maintenance allocation is appropriate, however further discussion is required between Reclamation and the power users to identify the appropriate compensation values. No supporting documentation was included in the Draft Plan on the derivation of the proposed \$21 per MWh rate; we believe the replacement power costs were greater than the proposed rate.

We look forward to working with you further on this issue.

Sincerely,



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