



October 11, 2017
E-Filing

Don Pedro Hydroelectric Project
FERC Project No. 2299 - California

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Subject: Don Pedro Hydroelectric Project, FERC Project No. 2299
Amendment of Application for License

Dear Secretary Bose:

On April 28, 2014, in accordance with Federal Energy Regulatory Commission (“Commission” or “FERC”) regulations at 18 C.F.R. § 5.17(a), Turlock Irrigation District (“TID”) and Modesto Irrigation District (“MID”) (collectively, the “Districts”) filed with FERC the Final License Application (“FLA”) for the Don Pedro Hydroelectric Project (“Project”), FERC No. 2299. As noted in the filing and acknowledged by FERC, several FERC-approved studies were ongoing which were likely to inform the development of additional protection, mitigation, and enhancement measures. The Districts have now completed these studies and herewith submit this amendment of application to FERC, referred to herein as the amendment to the Final License Application (“AFLA”). For ease of review and reference, this AFLA replaces the Districts’ April 28, 2014 filing in its entirety.

The Don Pedro Project is located on the Tuolumne River in the Central Valley region of California and provides water storage for irrigation and municipal and industrial (“M&I”) use, flood control, hydroelectric generation, recreation, and natural resource protection. The Don Pedro Project is operated to fulfill the following primary purposes and needs: (1) to provide water supply for the Districts for irrigation of over 200,000 acres of Central Valley farmland and M&I use, (2) to provide flood control benefits along the Tuolumne and San Joaquin rivers, and (3) to provide a water banking arrangement for the benefit of the City and County of San Francisco and the 2.6 million people in the Bay Area served by its Regional Water system. The Project also provides important protection and enhancement measures benefiting the natural resources associated with the lower Tuolumne River and Don Pedro Reservoir.

This AFLA is the culmination of a multi-year, comprehensive effort by the Districts in consultation with numerous federal and state resource agencies, Indian tribes, and members of the public, working under the Commission’s Integrated Licensing Process, to identify and assess the effects of ongoing Project operations on environmental resources. As part of this effort, the Districts worked closely with relicensing participants to compile and review existing information and conduct over 35 FERC-

approved resource studies, including holding 20 Consultation Workshops with relicensing participants, covering the full range of environmental resources in the Project area.

Some of the information in the AFLA contains detailed Project facility drawings and other information related to the “production, generation, transportation, transmission, or distribution of energy” (See 18 C.F.R § 388.113(c)). Pursuant to 18 C.F.R. § 388.112(b), the Districts request that the Commission treat this information as Critical Energy Infrastructure Information (“CEII”). In accordance with the Commission’s filing guidelines, all proposed CEII has been removed from the public version of the AFLA and is being e-filed as CEII.

Additionally, the Districts note that the draft Historic Properties Management Plan (“HPMP”) contains sensitive information regarding the specific location of cultural resources and historic properties, which is not to be disclosed to the public. See 18 C.F.R. § 5.6(d)(3)(x)(C); 36 C.F.R. § 800.11(c). Accordingly, pursuant to 18 C.F.R. § 388.112(b), the Districts hereby request that the draft HPMP be accorded Controlled Unclassified Information//Privileged treatment (CUI//Privileged) and placed within the Commission’s non-public file. See 5 U.S.C. § 552; 18 C.F.R. § 388.107; 18 C.F.R. § 388.113.

The Districts will make available the AFLA, with the exception of CEII and CUI//Privileged materials, by posting it on the Project relicensing website (www.donpedro-relicensing.com) in the DOCUMENTS section. In addition, the Districts will publish notice of the filing in the county in which the Project is located, and promptly provide the Commission with proof of publication of the notice. The Districts will be making copies available to the public and interested parties as required by FERC regulations. The Districts will also send, via certified mail, copies of the FERC e-filing notice and Exhibit G Project Maps to the owners of lands proposed for inclusion in the FERC Project Boundary.

FERC has indicated its intent to prepare a single environmental document for the Don Pedro and the La Grange licensing proceedings. Because of this, and for ease of reference for the Commission and all other licensing participants, the Districts are filing the applications and supporting materials for each project in the eLibrary dockets for both license proceedings. While the projects are operationally distinct, many of the studies and technical materials prepared for the separate applications apply generally to the shared Tuolumne River and the resources located therein, and are pertinent to assessing the projects’ cumulative impacts.

The Districts also want to take this opportunity to make the Commission aware that we are participating in good-faith settlement negotiations, the most active being discussions sponsored by the Honorable Governor Edmund G. (Jerry) Brown and being led by former Secretary of the Interior Bruce Babbitt. We are hopeful that these negotiations will prove fruitful, and we will keep FERC closely apprised of progress.

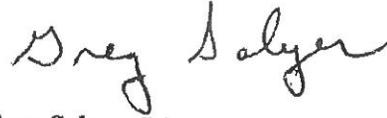
The Districts look forward to continuing to work with Commission and its staff toward a new license for the Don Pedro Hydroelectric Project.

Respectfully submitted,

Kimberly D. Bose
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Cc: Relicensing Participants' Email Group

Enclosure: Amendment of Application for License for the Don Pedro Hydroelectric Project