

**BEFORE THE  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

**Turlock Irrigation District  
Modesto Irrigation District**

**FERC Project No. 2299**

**NOTICE OF INTENT  
TURLOCK IRRIGATION DISTRICT AND MODESTO IRRIGATION DISTRICT  
TO FILE AN APPLICATION FOR NEW LICENSE FOR THE  
DON PEDRO PROJECT (FERC No. 2299)**

**February 10, 2011**

Pursuant to 18 C.F.R. Section 5.5 of the Federal Energy Regulatory Commission (FERC) regulations, Turlock Irrigation District and Modesto Irrigation District (TID and MID, or collectively, the Districts), licensees for the Don Pedro Project (FERC No. 2299), hereby give notice and declare their intent to apply for a new license for the Don Pedro Project.

In accordance with 18 C.F.R. Section 5.5 and Section 16.6(b), the following information for the Don Pedro Project is provided:

**Licensees' Names, Addresses, Telephone Numbers and Contact Information are:**

Turlock Irrigation District  
P O Box 949  
Turlock CA 95381

Modesto Irrigation District  
P O Box 4060  
Modesto CA 95352

Contact:  
Robert M. Nees  
Director of Water Resources and Regulatory Affairs  
(209) 883-8214  
[rmnees@tid.org](mailto:rmnees@tid.org)

Contact:  
Greg Dias  
Project Manager  
(209) 526-7566  
[gregd@mid.org](mailto:gregd@mid.org)

**Project Number:**

The FERC Project Number for the Don Pedro Project is 2299.

**License Expiration Date:**

The expiration date of the existing Don Pedro Project license is April 30, 2016.

**Statement of Intent to File an Application for a New License**

TID and MID hereby state that it is their intent to file an application for a new license for the existing Don Pedro Project No. 2299 on or before April 30, 2014. The applicants will utilize the Integrated Licensing Process.

## **Declaration of Purpose of License**

The Don Pedro Project license application is for a power license.

## **Principle Project Works**

The principle Project works of the existing Don Pedro Project include (1) Don Pedro Dam and Reservoir, (2) controlled and uncontrolled spillways on the right (west) abutment of the main dam, (3) controlled outlet works located in the diversion tunnel in the left (east) abutment of the main dam, (4) the power intake and tunnel, also in the left abutment, (5) the Don Pedro powerhouse, (6) the Project switchyard located at the powerhouse, and (7) four dikes—the Gasburg Creek Dike and Dikes A, B, and C. The Project also includes three developed recreation areas and other small recreation facilities (restrooms and buoys) outside of the developed areas: Fleming Meadows Recreation area located just southeast of the main dam; Blue Oaks Recreation Area located just north of the emergency spillway portion of the dam; and Moccasin Point Recreation Area located near the upper end of the reservoir on the southwest side of what is called the Moccasin Arm of Don Pedro Reservoir.

## **Project Location**

The Don Pedro Project is located in Tuolumne County, California, on the Tuolumne River at River Mile (RM) 54.8. The Project lies about 40 miles east of the City of Modesto and 26 miles northeast of the City of Turlock.

## **Installed Plant Capacity**

The Don Pedro Project includes four generating units: the original three 45.5 MW units and a fourth, slightly smaller, 31.5 MW unit added in 1989. The authorized installed plant capacity is 168.015 MW.

## **Counties, Cities, Towns in which the Project is located and Federal Facilities to be used by the Project**

The name and mailing address of the county in which the Project is located is:

**Tuolumne County**  
2 South Green Street  
Sonora, CA 95370

The Project is not located within any designated cities, towns, subdivisions or Indian Tribe reservations.

The nearest cities, towns, subdivisions, or population centers to the Project with a population of 5,000 or less are the unincorporated communities of La Grange, Chinese Camp, and Moccasin.

No city, town, or subdivision with a population of 5,000 or more is located within 15 miles of the Project dam.

The Project does not use or include any federal or State of California facilities. The Project does occupy approximately 4,040 acres of federal land within the US Bureau of Land Management's Sierra Resource Management Unit.

**Irrigation Districts, Drainage Districts, and Special Purpose Political Subdivisions in which the Project is located**

The Project is not located within the boundaries of any irrigation, drainage or other special district.

**Other Political Subdivisions in the Project area that may be interested in the relicensing**

In addition to the county in which the Project is located, the Districts have reason to believe that the following political subdivisions in the general area may be interested in, or affected by, this relicensing:

Stanislaus County  
County Administrator  
1010 10<sup>th</sup> Street  
Modesto, CA 95354

Merced County  
County Administrator  
2222 M Street  
Merced, CA 95340

City of Modesto  
City Manager  
P.O. Box 642  
Modesto, CA 95353

City of Turlock  
City Manager  
156 S. Broadway Avenue  
Turlock, CA 95380

**Indian Tribes that may have an interest in the relicensing**

The Project does not occupy any known tribal lands; however the following tribes may have interest in the relicensing:

**Central Sierra Me-Wuk**  
Reba Fuller, Spokesperson  
P.O. Box 699  
Tuolumne, CA 95379

**Chicken Ranch Rancheria of Me-Wuk**  
Melissa Powell, Cultural Resources  
P.O. Box 1159  
Jamestown, CA 95327

**Chukchansi Tribe**  
Emmaline Hammond  
P.O. Box 852  
Oakhurst, CA 93644

**Chukchansi Tribe Choinumni/Mono**  
Lorrie Planas  
2736 Palo Alto  
Clovis, CA 93611

**North Fork Mono Rancheria**  
Judy Fink, Tribal Chairperson  
P.O. Box 929  
North Fork, CA 93643

**North Fork Mono Tribe**  
Ron Goode, Chairperson  
13396 Tollhouse Road  
Clovis, CA 93611

**North Fork Rancheria**  
Delores Roberts, Chairperson  
P.O. Box 929  
North Fork, CA 93643

**North Fork Rancheria**  
Michel Demers, Tribal Administrator  
P.O. Box 929  
North Fork, CA 93643

**Southern Sierra Miwuk**  
Jay Johnson, Spiritual Leader  
5235 Allred Road  
Mariposa, CA 95338

**Southern Sierra Miwuk Nation**  
Anthony Brochini, Chairperson  
P.O. Box 1200  
Mariposa, CA 95338

**Southern Sierra Miwuk Nation**  
Les James, Spiritual Leader  
P.O. Box 1200  
Mariposa, CA 95338

**Tuolumne Band of Me-Wuk Indians**  
Kevin Day, Chairperson  
P.O. Box 699  
Tuolumne, CA 95379

**Tuolumne Band of Me-Wuk Indians**  
Stanley Rob Cox, Cultural Resources  
P.O. Box 699  
Tuolumne, CA 95379

### **Federal, State and Local Agencies that may be interested in relicensing**

For informational purposes, the Districts provide to FERC the following addresses of federal, state, and local agencies that the Districts believe may have an interest in the relicensing of the Don Pedro Project. By including the following listing, the Districts do not imply that each of these agencies will be interested and the Districts recognize that there may well be other agencies not yet identified that will have an interest in the relicensing process.

#### *Federal Agencies*

**Advisory Council on Historic Preservation**  
Western Office of Project Review  
12136 West Bayaud Ave., Suite 330  
Lakewood, CO 80228-2115

**Federal Emergency Management Agency**  
Regional Office  
Presidio of San Francisco, Bldg. 105  
San Francisco, CA 94129-4052

**National Marine Fisheries Service**  
Sacramento Area Office  
650 Capitol Mall, Suite 8-300  
Sacramento, CA 95814-4708

**National Marine Fisheries Service**  
Santa Rosa Field Office  
777 Sonoma Avenue, Room 325  
Santa Rosa, CA 95404-6515

**National Park Service**  
Hydropower Licensing Coordinator  
626 East Wisconsin Ave.  
Milwaukee, WI 93202

**U. S. Army Corps of Engineers**  
1325 J Street  
Sacramento, CA 95814-2922

**U.S. Bureau of Indian Affairs**  
Regional Office  
2800 Cottage Way  
Sacramento, CA 95825-1885

**U. S. Fish and Wildlife Service**  
2800 Cottage Way, Suite W-2605  
Sacramento, CA 95825-1846

**U.S. Environmental Protection Agency**  
Pacific Southwest Regional Office  
75 Hawthorne Street  
San Francisco, CA 94105-3922

**U. S. Bureau of Land Management**  
Mother Lode Field Office  
5152 Hillside Circle  
El Dorado Hills, CA 95762

**U.S. Bureau of Reclamation**  
Mid-Pacific Region  
2800 Cottage Way  
Sacramento, CA 95825-1898

**U.S. Geological Survey**  
California Water Science Center  
6000 J Street  
Sacramento, CA 95819

*State of California Agencies*

**California Department of Boating  
And Waterways**  
2000 Evergreen Street, Suite 100  
Sacramento, CA 95815

**California Department of Fish and Game**  
Manager – Region 4  
1234 East Shaw Ave.  
Fresno, CA 93710

**California Department of Forestry  
and Fire Protection**  
Region 4 – Central Sierra  
1234 East Shaw Ave.  
Fresno, CA 93710

**State Office of Historic Preservation**  
P.O. Box 942896  
Sacramento, CA 94296-0001

**California Department of  
Transportation**  
Director – District 10  
P.O. Box 2048  
Stockton, CA 95201

**California Department of Water Resources**  
P.O. Box 942836  
Sacramento, CA 95814-5511

**Regional Water Quality Control Board**

Central Valley Region  
11020 Sun Center Drive #200  
Sacramento, CA 95670-3888

**State Water Resources Control Board**

Section 401 Coordinator  
P.O. Box 2000  
Sacramento, CA 95812-2048

**Non-governmental Organizations and Other Parties that may be interested in relicensing**

For informational purposes, the Districts provide to FERC the following addresses of non-governmental agencies that the Districts believe may have an interest in the relicensing of the Don Pedro Project. By including the following listing, the Districts do not imply that each of these organizations will be interested and the Districts recognize that there may well be other organizations not yet identified that will have an interest in the relicensing process.

**American Rivers**

432 Broad Street  
Nevada City, CA 95959

**Bay Area Water Supply and Conservation Agency**

155 Bovet Rd.  
San Mateo, CA 94402-3111

**California Farm Water Coalition**

6133 Freeport Blvd., 2<sup>nd</sup> Floor  
Sacramento, CA 95822

**California Sportfishing Protection Alliance**

3536 Rainier Ave.  
Stockton, CA 95204

**California Trout**

870 Market Street, Suite 528  
San Francisco, CA 94102-3023

**Environmental Defense Fund**

123 Mission Street, 28<sup>th</sup> Floor  
San Francisco, CA 94105-1551

**Federation of Fly Fishers**

Northern California Council  
P.O. Box 1017  
Meadow Vista, CA 95722-1017

**Forever Resorts, LLC**

Forever Corporate Plaza  
7501 East McCormick Parkway  
Scottsdale, AZ 85258

**Friends of the River**

915 20<sup>th</sup> Street  
Sacramento, CA 95814-3115

**Friends of Tuolumne**

1900 NE 3<sup>rd</sup> Street, Suite 106-314  
Bend, OR 97701

**Golden West Women FlyFishers**

1403 Willard Street  
San Francisco, CA 94117

**Merced County Farm Bureau**

646 South Highway 59  
Merced, CA 95340

**Natural Heritage Institute**

**California Rivers Restoration Fund**  
100 Pine Street, Suite 1550  
San Francisco, CA 94111

**Protect Our Waters**

3105 Yorkshire Lane  
Modesto, CA 95350

**San Francisco Public Utilities  
Commission**  
General Manager  
1155 Market Street  
San Francisco, CA 94103

**San Joaquin Raptor/Wildlife Rescue Center**  
958 East 22<sup>nd</sup> Street  
Merced, CA 95340

**Sierra Club**  
Mother Lode Chapter  
801 K Street, Suite 2700  
Sacramento, CA 95814-2700

**Sierra Club**  
The Yokuts Group  
P.O. Box 855  
Modesto, CA 95353

**Stanislaus County Farm Bureau**  
1201 L Street  
Modesto, CA 95353

**Stanislaus Fly Fishers**  
P.O. Box 4145  
Modesto, CA 95352

**Trout Unlimited**  
1808B 5<sup>th</sup> Street  
Berkeley, CA 94710-1915

**Tuolumne River Preservation Trust**  
111 New Montgomery Street, Suite 205  
San Francisco, CA 94105

#### **Notification to Parties Listed within the Notice of Intent**

In conformance with 18 C.F.R. Section 5.5(c), the Districts will provide all parties referenced herein with a copy of the Notice of Intent. In addition, the Districts have developed an initial comprehensive Relicensing Participants Contact List which is included in the Pre-Application Document filed concurrently with this NOI.

#### **Readily Accessible, Reviewable, and Reproducible Information**

This Notice of Intent as well as other information required under 18 C.F.R. Section 5.2 and Section 16.7, including the Pre-Application Document, are available on the Don Pedro Project relicensing website, [www.donpedro-relicensing.com](http://www.donpedro-relicensing.com) or through contacting the Districts' offices during regular business hours (8:00 a.m. - 5:00 p.m., Monday through Friday, excluding holidays) at the following locations. A postage and duplication charge may apply for any copies requested.

Turlock Irrigation District  
333 E Canal Drive  
Turlock, CA 95380

Modesto Irrigation District  
1231 11<sup>th</sup> Street  
Modesto, CA 95352

Persons wishing to receive the information should contact the following:

Contact:  
Michelle Reimers  
Public Information Division Manager  
209-883-8350  
[mareimers@tid.org](mailto:mareimers@tid.org)

Contact:  
Melissa Williams  
Public Affairs Specialist  
209-526-7390  
[melissaw@mid.org](mailto:melissaw@mid.org)

A copy of this Notice of Intent as well as the Pre-Application Document is also available at the following public libraries in the Project region:

Stanislaus County Library  
Turlock Branch  
550 N Minaret Avenue  
Turlock, CA 95380

Stanislaus County Library  
Modesto Branch  
1500 I Street  
Modesto, CA 95354

Tuolumne County Library  
480 Greenley Rd.  
Sonora, CA 95370

### **FERC's Notification of Notice of Intent**

Pursuant to 18 C.F.R. Section 16.6(d), the Districts understand that FERC will place a notice of the Districts' intent to file for a new FERC license for the Don Pedro Project in the Federal Register and in daily or weekly newspapers published in the counties in which the Project is located. To facilitate FERC's contact with local newspapers, the Districts provide the mailing addresses of newspapers with circulation in the Project area:

The Modesto Bee  
1325 H Street  
Modesto, CA 95354  
(800) 776-4237

The Turlock Journal  
138 S Center Street  
Turlock, CA 95380  
(209) 634-9141

The Union Democrat  
84 S Washington Street  
Sonora, CA 95370  
(209) 532-7151

The Merced Sun-Star  
3033 North G Street  
Merced, CA 95340  
(209) 722-1511

### **Request for Non-federal Representative Status for Consultation under Section 106 of the National Historic Preservation Act**

As provided for in 18 C.F.R. Section 5.5(e), the Districts are hereby requesting that they be designated by FERC as its non-federal representatives for the purpose of consultation under Section 106 of the National Historic Preservation Act and the implementing regulations at 36 C.F.R. Section 800.2(c)(4). Please note that 36 C.F.R. Section 800.2(c)(5) requires FERC to



notify the State Historic Preservation Officer, appropriate Tribal Historic Preservation Officers, and other consulting parties in writing (or email) if this authorization is granted.

**Request for Non-federal Representative Status for Consultation under Section 7 of the Endangered Species Act**

As provided for in 18 C.F.R. Section 5.5(e), the Districts are hereby requesting that they be designated by FERC as its non-federal representatives for purposes of consultation under Section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 C.F.R. Part 402, and under Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and the implementing regulations at 50 C.F.R. Section 600.920.

**Additional Information**

If there are any questions concerning this Notice of Intent or the attached Pre-Application Document, please contact the undersigned at the address or telephone listed:

Contact:  
Michelle Reimers  
Public Information Division Manager  
209-883-8350  
[mareimers@tid.org](mailto:mareimers@tid.org)

Contact:  
Melissa Williams  
Public Affairs Specialist  
209-526-7390  
[melissaw@mid.org](mailto:melissaw@mid.org)