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VIA EXPRESS MAIL AND ELECTRONIC MAIL
(orovillep2100@water.ca.gov)

Mr. Len Marino
Department of Water Resources
State Water Project Analysis Office
1416 Ninth Street
P.O. Box 942836
Sacramento, CA 94236-0001

Re: Oroville Facilities Relicensing

Dear Mr. Marino:

On behalf of the Santa Clara Valley Water District (District), we are providing you with comments on the draft NEPA Scoping Document 1 and CEQA Notice of Preparation, Oroville Facilities Relicensing FERC Project No. 2100, which was published on or about September 27, 2001.

The District is the public agency responsible for comprehensive water resource management for Santa Clara County, including wholesale water supply, flood management, and stream stewardship. The District encompasses all of the County's 1,300 square miles and 15 cities, including the 1.7 million residents and 200,000 commuters. The District provides water for use by people in homes, and supports agricultural, business, and industrial communities throughout the County, including the vital high technology industry in the area known as "Silicon Valley." At this time, the County generates approximately $100 billion per year in gross annual product. It is essential that the reliability of the District's water supply be maintained or enhanced to protect this thriving economy.

An important part of maintaining or enhancing the District's water supply is the water it receives from the State Water Project (SWP). Through a contract with the State of California, the District has a right to 100,000 acre-feet of SWP water per year, which is principally

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developed by the Oroville facilities. Under current regulatory restrictions, our understanding is that the District can expect to receive only 65 to 70 percent of this contract amount on a long-term average basis. In critical dry periods, this annual average may be as little as 35 percent. The District supplements SWP supplies with other local and imported water sources, but those also are subject to shortages. Furthermore, each source is different in its water quality, hydrologic availability and other characteristics. For this reason, the SWP water plays a unique and important role in meeting the overall operational objectives of the District, and thus, it is essential that the relicensing of the Oroville facilities results in no reduced water supply from those facilities. W-06-01

The SWP water supply and the resulting benefits to California's economy are closely tied to the power generated by the Oroville hydroelectric facilities. Those facilities, which have a combined licensed capacity of approximately 762 megawatts, are used to generate a portion of the power the State of California needs to supply SWP water to its water supply contractors. Without a reliable supply of power from the Oroville hydroelectric facilities, the benefits to California's economy, including those from Santa Clara County, could be diminished. W-06-02

The District has been participating in the relicensing process to protect its vital interest in the SWP and submits this comment letter for the same purpose. As part of its participation in the relicensing, on or about July 9, 2001, the District submitted comments on the June 11, 2001 Draft NEPA Scoping Document 1 and CEQA Notice of Preparation, Oroville Facilities Relicensing, FERC Project No. 2100. On that same date, the State Water Contractors (SWC) also submitted comments on that draft document. The District appreciates the effort of the Department of Water Resources (DWR) to address those comments. Unfortunately, not all of the comments were incorporated into the most recent draft of the Scoping Document 1 and Notice of Preparation. Accordingly, the District incorporates the July 9, 2001 comments of the District and SWC herein by reference and requests that DWR reconsider and address those earlier comments in the final Scoping Document 1 and Notice of Preparation. W-06-03

In addition, the District is aware and has reviewed the SWC comments on the September 27, 2001 draft NEPA Scoping Document 1 and CEQA Notice of Preparation. The District agrees with and incorporates those comments herein by reference. W-06-04

Thank you for your consideration of the District's concerns.

Sincerely,
Duane, Morris & Heckscher LLP

By: Jon D. Rubin

cc: Joan Maher (SCVWD)
Frank Cotton (SCWVD)
Craig T. Jones (SWC)