

INITIAL STATEMENT

BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

Application for License for Major Water Power Project, 5 Megawatt or Less – Existing Dam (18 C.F.R. §§ 4.60, 4.61, and 5.18).

(1) Turlock Irrigation District (TID) and Modesto Irrigation District (MID) (collectively, the Districts) apply to the Federal Energy Regulatory Commission (FERC) for an original 50-year license for the La Grange Hydroelectric Project (Project), FERC No. 14581, as described in the attached Exhibits.

(2) The location of the Project is:

State:	California
County:	Stanislaus and Tuolumne
Township or nearby town:	La Grange
Stream:	Tuolumne River

(3) The exact name, address, and telephone number of the applicants are:

Turlock Irrigation District 333 East Canal Drive Turlock, CA 95380 (209) 883-8300	Modesto Irrigation District 1231 11th Street Modesto, CA 95354 (209) 526-7337
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(4) The exact name, address, and telephone numbers of each person authorized to act as agent for the applicant in this application, if applicable, are:

<i>Turlock Irrigation District:</i> Steve Boyd Director of Water Resources and Regulatory Affairs P.O. Box 949 Turlock, CA 95381 (209) 883-8364 seboyd@tid.org	<i>Modesto Irrigation District:</i> Anna Brathwaite Staff Attorney, FERC Project Manager P.O. Box 4060 Modesto, CA 95352 (209) 526-7384 anna.brathwaite@mid.org
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(5) The applicants are both public agencies and are claiming preference under section 7(a) of the Federal Power Act. See 16 U.S.C. 796.

(6) (i and ii) The statutory or regulatory requirements of California, the state in which the Project is located, that affect the Project as proposed with respect to bed and banks and the appropriation, diversion, and use of water for power purposes, and with respect to the right to engage in the business of developing, transmitting, and distributing power and in any other business necessary to accomplish the purposes of the license under the Federal Power Act, are:

Regulation	Statutory or Regulatory Requirement	Status¹
California Fish and Game Code § 1601	Requires that parties notify the California Department of Fish and Wildlife prior to conducting any work in a streambed.	The Districts will submit a Section 1602 notification to California Fish and Wildlife should work in a streambed be required.
California Water Code § 101	Allows for appropriation and use of water for power purposes.	The Districts have acquired the water rights necessary to operate the Project.
California Water Code § 102	Allows for appropriation and beneficial use of water.	The Districts have acquired the water rights necessary to beneficially use water at the La Grange Project.
California Water Code § 13160	Designates the State Water Resources Control Board (SWRCB) as the state water pollution control agency for all purposes stated in the Federal Water Pollution Control Act.	The Districts will file an application for a water quality certificate with the SWRCB within 60 days from the date that FERC issues a notice that the Districts' application for new license is ready for environmental analysis [18 CFR § 4.34(b)(5)].
California Water Code § 13370	Provides for permit systems to regulate the discharge of pollutants and dredged or fill material to the navigable waters of the United States, and that permits may be issued by states which are authorized to implement the provisions of the Federal Water Pollution Control Act.	
California Code of Regulations, Title 23, Division 3, Chapter 28, Section 3830 et seq.	Regulates the filing and issuance of water quality certificate to applicants otherwise required to obtain such a certificate under federal law.	
California Water Code § 6102	Requires owners of dams to cooperate with the California Division of Safety of Dams (CDSOD) in the inspection and maintenance of dams.	The Districts cooperate with CDSOD on annual inspections of La Grange Diversion Dam.
Division 11 of the California Water Code	Allows irrigation districts such as the Districts to engage in the business of developing, transmitting, and distributing electricity.	The Districts have demonstrated the ability to engage in the business of developing, transmitting, and distributing power under the appropriate California statute.

¹ The steps which the applicants have taken or plans to take to comply with each of the laws cited.

(7) Brief project description:

The La Grange Diversion Dam (LGDD) is located on the Tuolumne River in Stanislaus County, California. LGDD is 131 feet (ft) high and is located at river mile (RM) 52.2 at the exit of a narrow canyon, the walls of which contain the headpond formed by the diversion dam. Under normal river flows, FERC has determined that the headpond formed by the diversion dam extends for approximately 2 miles upstream. When not in spill mode, the water level upstream of the diversion dam is between elevation 294 ft and 296 ft approximately 90 percent of the time. Within this 2-foot range, the headpond storage is estimated to be less than 100 acre-feet (ac-ft) of water.

The drainage area of the Tuolumne River upstream of LGDD is approximately 1,550 square miles. Tuolumne River flows upstream of LGDD are regulated by four upstream reservoirs: Hetch

Hetchy, Lake Eleanor, Cherry Lake (also known as Lake Lloyd), and Don Pedro. Inflow to the La Grange headpond is the sum of releases from the Don Pedro Hydroelectric Project, located 2.3 miles upstream, and very minor contributions from two small intermittent streams downstream of Don Pedro Dam.

LGDD was constructed from 1891 to 1893 displacing Wheaton Dam, which was built by other parties in the early 1870s. LGDD raised the level of the Tuolumne River to permit the diversion and delivery of water by gravity to irrigation systems owned by TID and MID. The Districts' irrigation systems currently provide water to over 200,000 acres of prime Central Valley farmland and drinking water to the City of Modesto. Built in 1924, the La Grange hydroelectric plant is located approximately 0.2 miles downstream of LGDD on the east (left) bank of the Tuolumne River and is owned and operated by TID. The powerhouse has a capacity of 4.7 megawatts (MW). The La Grange Hydroelectric Project operates in run-of-river mode. The LGDD provides no flood control benefits, and there are no recreation facilities associated with the Project or the La Grange headpond.

(i) The existing authorized installed generating capacity is approximately 4.7 megawatts (MW).

(ii) Check appropriate box:

existing dam unconstructed dam existing dam, major project (see §4.30(b)(14))

(8) Lands of the United States affected (shown on Exhibit G):

Land Ownership	Area (Acres)
(iii) National Forest	0
(iv) Indian Reservation	0
(v) Public Lands Under Jurisdiction of the Bureau of Land Management	14
Total U.S. Lands	14

(vi) Check appropriate box:

Surveyed land Unsurveyed land

Additional Information Required by 18 C.F.R. § 5.18(a)

(1) *Identify every person, citizen, association of citizens, domestic corporation, municipality, or state that has or intends to obtain and will maintain any proprietary right necessary to construct, operate, or maintain the project:*

The Districts presently hold and will continue to hold the necessary right, title and interests necessary to operate and maintain the Project, except for those federal lands occupied by the Project, which will be withdrawn from non-authorized public uses upon issuance of the FERC license.

(2) *Identify (providing names and mailing addresses):*

- (i) *Every county in which any part of the project, and any Federal facilities that would be used by the project would be located:*

Tuolumne County, CA
2 South Green Street
Sonora, CA 95370-4618

Stanislaus County, CA
1021 I Street
Modesto, CA 95354

- (ii) *Every city, town, or similar local subdivision:*

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.

- (A) *In which any part of the project, and any Federal facilities that would be used by the project, would be located:*

The Project does not use or include any federal or State of California facilities. The Project does occupy approximately 14 acres of federal land within the US Bureau of Land Management's Sierra Resource Management Unit.

- (B) *That has a population of 5,000 or more people and is located within 15 miles of the project dam:*

No city, town, or subdivision with a population of 5,000 or more is located within 15 miles of the La Grange Diversion Dam.

- (iii) *Every irrigation district, drainage district, or similar special purpose political subdivision:*

- (A) *In which any part of the project, and any Federal facilities that would be used by the Project, would be located:*

The Project is located on land owned by the Districts and on federal lands in unincorporated areas of Tuolumne and Stanislaus counties.

The Project does not use any federal facilities.

- (B) *That owns, operates, maintains, or uses any project facilities that would be used by the project:*

None identified.

- (iv) *Every other political subdivision in the general area of the project that there is reason to believe would likely be interested in, or affected by, the application:*

None Identified.

- (v) *All Indian tribes that may be affected by the project:*

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

Calaveras Band of Mi-Wuk Indians Debra Grimes, Cultural Resource Specialist PO Box 1015 West Point, CA 95255	California Valley Miwok Tribe Silvia Burley, Chairperson 4620 Shippee Lane Stockton, CA 95212
Central Sierra Me-Wuk Cultural & Historic Reba Fuller, Spokesperson PO Box 699 Tuolumne, CA 95379	Chicken Ranch Rancheria of Me-Wuk Melissa Powell, Chairwoman P.O. Box 1159 Jamestown, CA 95327
North Fork Rancheria of Mono Indians Elaine Fink, Vice-Chairperson PO Box 929 North Fork, CA 93643	North Valley Yokuts Tribe Katherine Perez, Chairperson PO Box 717 Linden, CA 95236
Picayune Rancheria of the Chukchansi Indians Claudia Gonzales, Chairperson 8080 N. Palm Ave, Suite 207 Fresno, CA 93711	Picayune Rancheria of the Chukchansi Indians Mary Motola, Cultural Specialist 8080 N. Palm Ave, Suite 207 Fresno, CA 93711
Southern Sierra Miwuk Nation Billy Leonard, Chairperson P.O. Box 186 Mariposa, CA 95338	Southern Sierra Miwuk Nation Jay Johnson, Spiritual Leader 5235 Allred Road Mariposa, CA 95338
Southern Sierra Miwuk Nation Les James, Spiritual Leader P.O. Box 1200 Mariposa, CA 95338	Tule River Indian Tribe Neil Peyron, Chairperson PO Box 589 Porterville, CA 93258
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 Department P.O. Box 699 Tuolumne, CA 95379
Tuolumne Band of Me-Wuk Indians Vicki Stone, Cultural Coordinator P.O. Box 699 Tuolumne, CA 95379	Tuolumne Band of Me-Wuk Indians Reba Fuller, Spokesperson P.O. Box 699 Tuolumne, CA 95379
Washoe Tribe of Nevada and California THPO Darrel Cruz, Cultural Resources Department 919 Highway 395 South Gardnerville, NV 89410	

VERIFICATION

The undersigned, being first duly sworn, deposes and states that the content of this license application are true to the best of his knowledge or belief. The undersigned applicant has signed the application this 10 day of October, 2017.

Casey Hashimoto

Casey Hashimoto, P.E.
General Manager
Turlock Irrigation District
P.O. Box 949
Turlock CA 95381

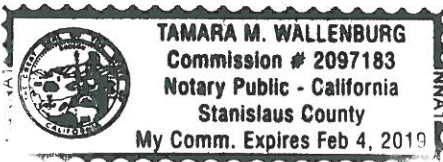
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS

Subscribed and sworn to before me, a Notary Public, this 10th day of October, 2017, by Casey Hashimoto, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Tamara M. Wallenburg

Tamara M. Wallenburg, Notary Public



SEAL

VERIFICATION

The undersigned, being first duly sworn, deposes and states that the content of this license application are true to the best of his knowledge or belief. The undersigned applicant has signed the application this 10th day of October, 2017.

Greg Salyer

Greg Salyer, P.E.
General Manager
Modesto Irrigation District
P.O. Box 4060
Modesto, CA 95352

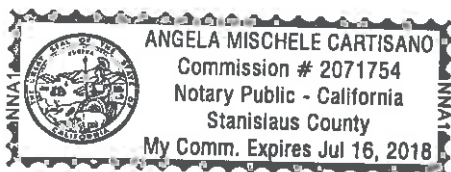
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF STANISLAUS

Subscribed and sworn to before me, a Notary Public, this 10th day of October, 2017, by Greg Salyer, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Angela Michele Cartisano

Angela Michele Cartisano, Notary Public



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