

### Bill would only correct overlap

By Rep. Tom McClintock

A March 20 commentary by Michael Martin criticizes HR 934, which I have introduced at the request of the Merced Irrigation District. When Congress established the Wild and Scenic River boundary for the Merced River in 1992, it overlapped with the Federal Energy Regulatory Commission boundary for the New Exchequer Dam by about 1,800 feet. HR 934 simply corrects this by conforming the Wild and Scenic River boundary to the pre-existing FERC boundary.



Rep. Tom McClintock Sacramento Bee

For the writer to equate this simple boundary change with flooding Yosemite Valley seems somewhat hyperbolic.

This modification is the necessary first step toward adjusting the existing dam spillway by about 10 feet, in order to capture and temporarily store about 70,000 acre-feet of water that would otherwise be lost during wet years. That's enough to support more than 800 agricultural jobs (or satisfy the annual water needs of 70,000 households) and generate enough electricity for 1,700 homes.

As water and electricity supplies become tighter and more expensive and as unemployment continues to stalk our communities, the necessity of this project should become increasingly clear and more and more compelling — even to the most hard-hearted environmentalists.

The writer is correct that if the dam is modified, it will still have to undergo extensive environmental and engineering review and meet all environmental laws — but there is no point to incurring these costs if the current boundary would prevent it from proceeding.

TOM McCLINTOCK

4th Congressional District

Elk Grove

<http://www.modbee.com/2013/04/03/2652574/bill-would-only-correct-overlap.html>

## Opinion, Letters to the Editor

Monday, Apr. 15, 2013

### Merced River bill is embarrassing

In his letter, Rep. Tom McClintock asserts that his bill to de-designate a portion of the Merced Wild & Scenic River is to simply conform the wild and scenic river boundary to the Federal Energy Regulatory Commission (FERC) project boundary near Lake McClure.

The congressman is misinformed. The Wild & Scenic Rivers Act protects free-flowing rivers; it has nothing to do with FERC administrative boundaries — boundaries that seldom, if ever, correspond to the boundaries between free-flowing rivers and reservoirs. They don't on the Merced, they don't on the Tuolumne, and they don't on the Feather: the three National Wild & Scenic rivers in California that end in FERC-licensed reservoirs. They were never intended to, nor should they.

If this “conforming” is the purpose of HR 934, perhaps the good congressman should withdraw his bill from consideration and save himself from further embarrassment.

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<http://www.modbee.com/2013/04/15/2671290/merced-river-bill-is-embarrassing.html>

### Rep. McClintock wrong about Merced River

In his letter “Bill would only correct overlap” (April 4), Rep. Tom McClintock, R-Elk Grove, lamely tries to explain his bill delisting a section of the Merced River from the National Wild & Scenic River system.

He says that when Congress established the Wild & Scenic boundaries those boundaries “overlapped with the Federal Energy Regulatory Commission (FERC) boundary for the New Exchequer Dam by about 1800 feet.” He tries to tell us that all his bill does is correct this supposed mistake.

But there is no mistake that needs correcting. Every FERC licensed reservoir below a Wild & Scenic river in California has FERC project boundaries that fall within the upstream Wild & Scenic River corridor. There is no conflict between the two, and there is no need to revise the Wild & Scenic boundaries.

Michael Martin's March 20 opinion piece, which McClintock attempts to disparage, remains valid. The Merced Irrigation District can do studies on improving the efficiency

of New Exchequer without McClintock's bill, and the true motivation behind the bill is highly suspect.

McClintock's failure to recognize the relationship and difference between FERC and Wild & Scenic boundaries suggests he needs better staff work or a heavy dose of truth serum.

Jerry Cadigan  
Sonora

<http://www.modbee.com/2013/04/15/2671292/rep-mcclintock-wrong-about-merced.html>

### Additional Friends of the River analysis

Re: Rep. McClintock April 3rd LTE on wild & scenic rivers

The Congressman's comments seem logical, but he is assuming facts not in evidence. In fact if he were to review the agency and Congressional deliberations at the time the Federal agencies recommended designation and Congress and President HW Bush designated the Merced River, he might wish to withdraw his bill from consideration to avoid further embarrassment.

FERC almost never draws its administrative boundaries at the end of reservoirs at FERC-licensed projects such as Merced ID's Lake McClure Reservoir. FERC's boundaries are bigger. Wild & Scenic River boundaries stop at reservoirs since the Act is intended to protect free-flowing rivers. Thus, they overlap. There is nothing in either the National Wild & Scenic Rivers Act or the Federal Power Act that would or is intended to prevent this.

FERC project boundaries happily and without conflict extend into Wild & Scenic Rivers corridors all the time. For example, they do on the Merced, they do on the Tuolumne, they do on the Feather: the three California Rivers that end in FERC-licensed reservoirs.