

**Pinecrest Lake Level Modification Project  
(Spring Gap-Stanislaus Hydroelectric Project,  
Federal Energy Regulatory Commission Project No. 2130)**

**Initial Study and  
Mitigated Negative Declaration**

The following Initial Study has been prepared in compliance with  
the California Environmental Quality Act.

**PREPARED BY:**

**IMPACT SCIENCES**

**PREPARED FOR:**

**State Water Resources Control Board  
Division of Water Rights  
1001 I Street  
Sacramento, CA 95814**

**August 2020**

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## **ATTACHMENTS**

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**ATTACHMENT B – MITIGATION MONITORING AND REPORTING PLAN**

**STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000  
SACRAMENTO, CA 95812-2000**

**INITIAL STUDY /  
MITIGATED NEGATIVE DECLARATION**

**1. BACKGROUND**

PROJECT TITLE: Pinecrest Lake Level Modification Project

APPLICANT: Pacific Gas & Electric Company

APPLICANT'S CONTACT PERSON: Neil Wong

**1.1. INTRODUCTION**

This Initial Study addresses the environmental impacts associated with a proposed change in one of the conditions in the Clean Water Act (33 U.S.C. §1251 et seq.) Section 401 water quality certification (certification) issued by the State Water Resources Control Board (State Water Board) for Pacific Gas and Electric Company's (PG&E) Spring Gap-Stanislaus Hydroelectric Project (Hydro Project), Federal Energy Regulatory Commission (FERC) Project No. 2130. Approval of a change to the existing certification is a discretionary action under the California Environmental Quality Act (CEQA), Cal. Public Resources Code Section 21000 et seq. Accordingly, the State Water Board is required to comply with CEQA before it approves changes to the conditions of the certification.

This CEQA document evaluates the environmental effects of lowering Pinecrest Lake between the range of 5,608 feet above mean sea level (msl)<sup>1</sup> to 5,600 feet before Labor Day of each year. The entire Hydro Project was evaluated under CEQA prior to issuance of the certification in 2009;<sup>2</sup> however that CEQA document did not consider Pinecrest Lake levels below 5,608 feet before Labor Day. The State Water Board will consider this CEQA document, along with the Hydro Project and associated Hydro Project records, before making a decision on PG&E's request, which is explained below. If the State Water Board decides to make changes to the existing certification based on PG&E's request, the State Water Board<sup>3</sup> will issue an amended certification for the Hydro Project.

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<sup>1</sup> All elevation levels in this document are measured using msl as the point of reference.

<sup>2</sup> The Hydro Project CEQA documents, along with other documents related to the Hydro Project and Pinecrest Lake can be found at:  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/springgap\\_ferc2130.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/springgap_ferc2130.shtml)

<sup>3</sup> The State Water Board's Executive Director has been delegated the authority to issue a decision on a water quality certification application. (Cal. Code Regs., tit. 23, § 3838, subd. (a).)



## 1.2. PG&E'S REQUEST

A request to modify Condition No. 4 of the certification for the Hydro Project was filed by PG&E with the State Water Board on December 16, 2011.<sup>4</sup> PG&E requested that Condition No. 4 be modified to reduce the level of Pinecrest Lake (also referred to as Pinecrest Reservoir) between the end of spill<sup>5</sup> and Labor Day from the current minimum elevation of 5,608 feet to a minimum of 5,606 feet in wet water years, 5,604 feet in normal-wet water years, and 5,600 feet in normal-dry and dry water years (PG&E's proposed project).

PG&E's proposed project area is within the Stanislaus River watershed in Tuolumne County, is located in Sections 15 and 16, Township 4 North and Range 18 West, Mount Diablo Base & Meridian, and is on the Pinecrest 7.5-minute U.S. Geological Survey (USGS) topographic quadrangle. The proposed project area can be accessed from State Route 108 through the Stanislaus National Forest.

## 1.3. PROJECT DESCRIPTION

PG&E proposes to continue to operate the Spring Gap-Stanislaus Hydroelectric Project (Hydro Project) as it has historically been operated, but with modified Pinecrest Reservoir operations. PG&E requested a modification to Condition No. 4 of its certification for the Hydro Project, issued by the State Water Board under Order WR 2009-0039.<sup>6</sup> Currently, Condition No. 4 requires that after End of Spill<sup>7</sup> each year, PG&E maintain Pinecrest Reservoir above an elevation of 5,608 feet prior to and including Labor Day. In addition, PG&E is required to prepare a drawdown curve for Pinecrest Reservoir by April 15 of each year, which estimates what the lake level will be on Labor Day for that year. After Labor Day, PG&E is allowed to release water from Pinecrest Reservoir down to a minimum storage of 500 acre-feet (AF). Pinecrest Reservoir is generally drawn down by an additional 71 to 94 feet after Labor Day to generate hydropower and supply water to Tuolumne Utilities District (TUD).

If approved, PG&E's proposed project, to modify Condition No. 4, would allow PG&E to lower Pinecrest Reservoir between the end of spill and Labor Day from the current minimum elevation of 5,608 feet to a minimum of 5,606 feet in wet water years, 5,604

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<sup>4</sup> The request from PG&E can be found at:  
[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/docs/springgap\\_stanislaus\\_ferc2130/mtgtn\\_prpsl121611.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/docs/springgap_stanislaus_ferc2130/mtgtn_prpsl121611.pdf)

<sup>5</sup> End of Spill is defined in the certification as when the reservoir elevation falls below 5,617 feet and the inflow to Pinecrest Reservoir decreases so that the diurnal fluctuation does not cause the water surface elevation to approach 5,617 feet and the outlet valve is used by PG&E to control water releases from Strawberry Dam. End of spill at Pinecrest Reservoir typically occurs around mid-July in wet water years, early July to late June in normal water years, and mid-June in dry water years.

<sup>6</sup> WR 2009-0039 can be found at:  
[http://www.waterboards.ca.gov/waterrights/board\\_decisions/adopted\\_orders/orders/2009/wro2009\\_0039.pdf](http://www.waterboards.ca.gov/waterrights/board_decisions/adopted_orders/orders/2009/wro2009_0039.pdf)

<sup>7</sup> Per Condition No. 4 of the certification, "End of Spill is when the reservoir elevation falls below elevation 5,617 feet and the inflow to Pinecrest Lake decreases so that the diurnal fluctuation does not cause the water surface elevation to exceed elevation 5,617 feet and the outlet valve is used by Licensee to control water release from Strawberry Dam."

feet in normal-wet water years, and 5,600 feet in normal-dry and dry water years.<sup>8</sup> PG&E notes that these elevations are not planned drawdown elevations; they are the minimum elevations to which the Reservoir may be drawn down in the event of a water shortage. The actual yearly drawdown will continue to vary depending on annual runoff. No physical improvements to PG&E's infrastructure are necessary to lower the lake levels under PG&E's proposed project. However, in the study discussed below there were mitigation measures identified to protect recreation at Pinecrest Lake that PG&E would need to employ in order to draw down the lake to 5,600 feet prior to Labor Day.

As part of the certification, PG&E was required to complete a Pinecrest Reservoir minimum lake-level study plan to determine the minimum Pinecrest Reservoir elevation between End of Spill through Labor Day that protects recreational uses (specifically, Day-Use Area beaches, the marina just to the east of the handicap fishing access, and other areas as directed by the State Water Board). PG&E consulted with the United States Forest Service (USFS), California Department of Fish and Wildlife (CDFW; formerly the California Department of Fish and Game), TUD, and the State Water Board in the development of the study plan. The study plan was approved by the Deputy Director for Water Rights (Deputy Director) on May 6, 2010. PG&E conducted the study per the study plan and submitted the *Pinecrest Reservoir Lake Level Study Report* (Study Report) in April 2011. On December 16, 2011, PG&E submitted the above-referenced request to the State Water Board to revise Condition No. 4 of the certification. The report identified impacts to certain recreational uses as a result of lower Pinecrest Lake levels before Labor Day, and PG&E put forth a mitigation plan to address the impacts identified in the report. The environmental impacts of lowering the Pinecrest Lake level from 5,608 feet to 5,600 feet prior to and including Labor Day are assessed in this Initial Study/Mitigated Negative Declaration (IS/MND).

#### 1.4. ENVIRONMENTAL SETTING

Pinecrest Lake is approximately 25 miles northeast of Sonora off of State Route 108 on the upper reaches of the South Fork of the Stanislaus River (SFSR) within the Stanislaus National Forest (see **Figure 1, Regional Location**) in Tuolumne County. Pinecrest Lake stores approximately 18,000 AF of water with a maximum water surface elevation of approximately 5,617 feet. Water stored in Pinecrest Reservoir is used for: (1) hydroelectric generation by PG&E; (2) minimum instream flows in the SFSR; (3) water supply for local and downstream users; and (4) multiple recreational activities, including swimming, boating, fishing, camping, and picnicking. Recreational facilities are located on the southwest shoreline of the Pinecrest Reservoir. These facilities include, but are not limited to: a dock with fueling facilities and boat slips; a boat ramp and courtesy dock; a buoyed swimming area; a mixed day-use area; two Americans with Disabilities Act (ADA)-accessible fishing platforms; and beach areas.

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<sup>8</sup> Water year types are defined in Condition No. 1 of the certification using the Department of Water Resources Annual Unimpaired Inflow to New Melones Reservoir.

Pinecrest Reservoir is owned by the USFS and is operated by PG&E as part of the Hydro Project. The Hydro Project is composed of the Relief, Strawberry, Spring Gap, and Stanislaus Developments. Pinecrest Reservoir is a component of the Strawberry Development.

Pinecrest Lake is impounded by Strawberry Dam (see **Figure 2, Project Location**), which is 133 feet high, 720 feet long and has a 108-foot-long spillway that is controlled by 6-foot flashboards from May to September and a 6-foot diameter low level outlet with a 30-inch fixed cone valve. Strawberry Dam is located along the northwestern portion of Pinecrest Reservoir. Pinecrest Reservoir has a gross storage capacity of 18,312 AF at lake elevation 5,617.5 feet and a usable storage capacity of 18,266 AF. The existing certification imposes a minimum storage requirement of 500 AF year-round, which cannot be reduced except after approval of the Deputy Director.

The water released from Pinecrest Reservoir at Strawberry Dam<sup>9</sup> flows to the SFSR (also called the Pinecrest Reach), and is either diverted through the Philadelphia Ditch to the Spring Gap Powerhouse<sup>10</sup> or continues downstream to Lyons Reservoir. Per Condition No. 4 of the certification, PG&E is required to provide minimum instream flows of 5 cubic feet per second (cfs) in the SFSR below Strawberry Dam year-round. PG&E is also required to provide minimum instream flows below Strawberry Dam as outlined in Table 1 below.

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<sup>9</sup> Water can be released to the SFSR either through an outlet valve below the dam that draws water from below the surface of Pinecrest Lake or down the spillway around the dam if the lake's water surface is high enough.

<sup>10</sup> Water diverted to the Philadelphia Ditch does not return to the SFSR; it is ultimately released into the Middle Fork Stanislaus River.

**Table 1<sup>11</sup> - Pinecrest Reach Minimum Streamflow (cfs)<sup>a, b</sup>**

Month	Dry WY <sup>c</sup>	Normal-Dry WY	Normal-Wet WY	Wet WY
October 1-31	10	10	15	15
November 1-30	10	10	15	15
December 1-31	10	10	10	15
January 1- February 9	10	10	10	15
February 10 - March 9	10	10	10	15
March 10 – April 9	10	10	10	15
April 10 – May 9	10	10	15	15
June 1 – 30	10	10	15	15
July 1 – 31	10	10	15	15
August 1 – 31	10	10	15	15
September 1 – 30	10	10	15	15

<sup>a</sup> The compliance location for the minimum streamflows shall be USGS gauge 11296500 (PG&E gauge S-61) on the SFSR below Herring Creek.

<sup>b</sup> Once Pinecrest Lake has reached the specified minimum storage of 500 AF, the minimum required streamflow is the amount indicated, or the inflow to Pinecrest Lake plus accretion flows from Herring Creek, whichever is less.

<sup>c</sup> WY – Water Year Type

PG&E is under contract with TUD to deliver water to meet TUD's consumptive demand. Per the contract, a base supply of 10,000 AF of water is available at no cost to TUD from Lyons Reservoir, through the Tuolumne Main Canal (Main Canal). Lyons Reservoir is part of PG&E's Phoenix Hydroelectric Project, FERC Project No. 1061, and is located approximately 11 miles southwest of Pinecrest Reservoir. The Main Canal has a maximum capacity of 50 cfs of water, but normally diverts between 36 and 45 cfs. In addition to the base supply, TUD can request a supplemental supply of up to 9,500 AF of water available to PG&E from the SFSR. The supplemental supply primarily comes from Pinecrest Reservoir releases, as they are usually needed towards the end of summer when inflow to the SFSR and Lyons Reservoir from snowmelt has ceased.

### **1.5. PG&E'S PROPOSED PROJECT NEED AND OBJECTIVES**

Domestic water for approximately 44,000 people living in and around the Sonora area is diverted from the SFSR at Lyons Reservoir. In the summer, water is supplied to TUD customers from the storage volume within Lyons Reservoir and is supplemented later in the summer with water from Pinecrest Reservoir. According to PG&E and TUD, the Pinecrest Lake minimum elevation condition in the certification (Condition No. 4) restricts delivery of supplemental water supply prior to Labor Day if doing so causes Pinecrest Lake to drop below 5,608 feet prior to and including Labor Day. Hydrologic

<sup>11</sup> Table 1 is taken directly from the certification issued under Order WR 2009-0039.



records show that Lyons Reservoir received supplemental supply from Pinecrest Reservoir in 11 out of the 36 years between 1974 and 2010 (TUD 2011). These deliveries occurred in critically dry, dry, and normal-dry water years. From 1974 through 2011, the earliest end of spill at Lyons Reservoir occurred in 2007; during that same period, 2007 marked the year that the largest amount of water was delivered to Lyons Reservoir from Pinecrest Reservoir prior to and including Labor Day. Pinecrest Reservoir was at an elevation of approximately 5,604 feet on Labor Day in 2007 (prior to implementation of the new Pinecrest Lake level requirement of 5,608 feet, which became effective in 2009).

PG&E's proposed project objectives are to:

- Provide a reasonable supplemental domestic water supply to existing TUD customers; and
- Maintain usability of recreational facilities at Pinecrest Reservoir prior to and including Labor Day.

#### **1.6. PG&E'S PROPOSED PROJECT MITIGATION MEASURES**

The following mitigation measures were included as part of PG&E's proposed project. The full text of the mitigation measures can be found within PG&E's 2011 request letter at:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/docs/springgap\\_stanislaus\\_ferc2130/mtgtn\\_prpsl121611.pdf](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/docs/springgap_stanislaus_ferc2130/mtgtn_prpsl121611.pdf) , and are summarized here.

##### **Mitigation Measure 1 – Substrate Improvement**

Lowering the lake level exposes rocks, stumps, and mud flats that can impede the quality of shoreline recreation and/or present a hazard to boating. PG&E proposes to remove stumps and rocks at the direction of the USFS. Rocks would be moved to a staging area away from the site and later removed as appropriate. Stumps would either be removed in the same manner as rocks or cut up/ground down as directed by the USFS. Rounded gravel would be used to backfill any holes created by the removals. Mud flats would be similarly excavated and back filled with rounded gravel.

##### **Mitigation Measure 2 – Buoy Line Modification**

The area designated as a swim area is currently defined with a fixed stationary buoy line. PG&E proposes to provide a new buoy line that could either permanently encompass a larger area to compensate for lost swimming area as the reservoir level drops, or that could be actively moved to present a constant swim area as the reservoir level drops. PG&E plans to work with the affected parties to develop the preferred option to maintain the swimming area at lower lake levels.

### **Mitigation Measure 3 – Increased Public Awareness**

As Pinecrest Lake is a major source of contact and non-contact water recreation within Tuolumne County, the public should be made aware of what the conditions will be at the reservoir throughout the summer. PG&E proposes to develop multiple avenues of communication with the public, including website sources of information, physical posting of information about the lake level at the lake and in the surrounding community, and a communication plan to inform the Pinecrest Lake Resort and other affected parties about the planned lake levels for each year.

#### **1.7. RECENT PROJECT HISTORY**

On May 18, 2012, PG&E requested authority to draw down Pinecrest Lake to an elevation of 5,606 feet by Labor Day 2012.<sup>12</sup> The request was made in accordance with Condition No. 4 of the certification pursuant to a request by TUD. The request was made because TUD indicated it would have difficulty meeting its customers' consumptive needs (including irrigation needs) at a lake level elevation of 5,608 feet. The State Water Board approved the variance on July 10, 2012, with additional restrictions that TUD enter into its highest level of water conservation and that PG&E report the actual water use for the year after Labor Day. The actual Pinecrest Lake elevation on Labor Day 2012 was 5,608 feet.

On January 17, 2014 Governor Brown issued a Drought Emergency Proclamation due to continued drought conditions, which included relatively low precipitation levels starting in 2011 and continuing through the present. TUD began implementing water conservation measures in January 2014. The State Water Board met with PG&E, TUD, and other state and federal agencies in April 2014 to discuss the dry weather conditions and the planned operations at Pinecrest Reservoir for the year. TUD issued a letter in May 2014 requesting that PG&E ask the State Water Board to modify the Labor Day Pinecrest Lake minimum elevation to 5,606 feet, similar to 2012. PG&E made the request for a 5,606 foot minimum elevation to the State Water Board on July 10, 2014, which was approved on the same day. (See footnote 13.) The actual Pinecrest Lake elevation on Labor Day 2014 was at 5,608 feet.

#### **1.8. ACTION ON PG&E'S REQUEST**

As the public agency responsible for issuing water quality certification for PG&E's proposed project, the State Water Board is the Lead Agency under the California Environmental Quality Act (CEQA) and is responsible for reviewing and certifying the adequacy of the environmental document before taking action on PG&E's request.

This IS/MND has been prepared to evaluate the range of Pinecrest Lake levels included in PG&E's request to the State Water Board, and covers the range of lake levels the State Water Board may consider in taking action on PG&E's request.

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<sup>12</sup> PG&E's request along with other documents related to the Hydro Project can be found at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/water\\_quality\\_cert/springgap\\_ferc2130.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/springgap_ferc2130.shtml)

## 1.9. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by PG&E's proposed project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics                 | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources       | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology and Soils                  |
| <input type="checkbox"/> Greenhouse Gas Emissions   | <input type="checkbox"/> Hazards and Hazardous Materials    | <input type="checkbox"/> Hydrology and Water Quality        |
| <input type="checkbox"/> Land Use and Planning      | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population and Housing     | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation and Traffic | <input type="checkbox"/> Utilities and Service Systems      | <input type="checkbox"/> Mandatory Findings of Significance |



## 2. DETERMINATION

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that PG&E's proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although PG&E's proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION has been prepared.
<input type="checkbox"/>	I find that PG&E's proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
<input type="checkbox"/>	I find that PG&E's proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by migration measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although PG&E's proposed project could have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards; and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon PG&E's proposed project, nothing further is required.

**Ann Marie Ore**



Digitally signed by Ann Marie Ore

Date: 2020.08.06 14:02:13 -07'00'

Ann Marie Ore  
Environmental Program Manager  
**State Water Resources Control Board**

Date



## 2.1. AESTHETICS

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

Pinecrest Lake is surrounded by forested land and rocky outcroppings. The Sierra Nevada Mountains are east of the project area. Views of the nearby mountain range are primarily available from the publically accessible Pinecrest Recreation Area on the southwestern edge of Pinecrest Lake. The shoreline, beach, and boat docks in the Pinecrest Recreation Area are accessible from Lakeshore Avenue and Lakeshore Drive/ Pinecrest Lake Road.

### Findings

a) A scenic vista is defined as a publicly accessible viewpoint that provides expansive views of a highly valued landscape. The Sierra Nevada Mountains to the east of Pinecrest Lake are visible from the Pinecrest Recreation Area, including the marina and beach. PG&E's proposed project would decrease the elevation of the lake water which would result in an additional few feet of exposed shoreline. The exposed shoreline would not interfere with the views of the nearby mountains. Any decrease in mountain viewing access from the lake surface would likely be offset by the slight increases in

shoreline viewing access. Given the size of Pinecrest Lake and the small change in elevation (maximum of 8 feet in normal-dry and dry water years), the change to the shoreline that would result due to PG&E's proposed project would generally not be noticeable. Furthermore, Pinecrest Lake levels and the area of exposed shoreline fluctuate seasonally every year, and the changes in the shoreline are part of the scenic vista at the present time. For all of these reasons, PG&E's proposed project would have a less than significant impact on the scenic vista.

b) There are no state scenic highways near the project area, and PG&E's proposed project would therefore have no impact on scenic resources within a scenic highway.

c) As discussed under "a" above, PG&E's proposed project would result in a few additional feet of exposed shoreline. The decrease in elevation of the lake level would result in an additional few feet of barren mud, rocks, and sand exposure around the shoreline (estimated increase of up to approximately 125 feet of exposed shoreline with change in Pinecrest Lake level from 5,608 to 5,600 feet). Given the size of Pinecrest Lake, the small change in elevation, and the fact that the level fluctuates seasonally every year, the additional exposed shoreline would not significantly change the visual character of Pinecrest Lake. For these reasons, PG&E's proposed project would have a less than significant impact on visual character.

d) PG&E's proposed project does not involve construction of any facilities that would create lighting or glare. PG&E's proposed project would have no impact related to light or glare.

## 2.2. AGRICULTURE AND FORESTRY RESOURCES

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code [PRC] section 12220(g)), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **Environmental Setting**

PG&E's proposed project is located within the Stanislaus National Forest. While some land within the Stanislaus National Forest is designated for timber production, land in the project area is not designated for agricultural use or timber production.

## **Findings**

- a) There is no impact as the project area only includes Pinecrest Lake, and would not involve the conversion of any project area into Farmland.
- b) PG&E's proposed project would not conflict with an existing Williamson Act contract or conflict with existing land zoned for agriculture use.
- c) The project area is within the Stanislaus National Forest, portions of which are designated for Timber Production. However, PG&E's proposed project is located within an existing area managed for recreation and would not conflict with existing zoning or cause rezoning of forest land or timberland. Additionally, the only physical changes within PG&E's proposed project would occur on existing lake bed, no living trees would be altered nor would there be any rezoning required. There would be no impact under this criterion.
- d) PG&E's proposed project would not have impacts related to loss or conversion of forest lands to non-forest use because the Hydro Project area experiences an annual water elevation fluctuation greater than what is being proposed before Labor Day of each year. PG&E's proposed project would have no impact related to loss of forest lands.
- e) There is no Farmland on or in the immediate vicinity of the project area. For this reason and the reasons discussed under items 2(a), (b) and (d) above, PG&E's proposed project would not involve changes to the existing environment that could cause the conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use.

## 2.3. AIR QUALITY

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

PG&E's proposed project is located within an area under the jurisdiction of the Tuolumne County Air Pollution Control District (TCAPCD). TCAPCD is responsible for the protection and management of air quality in Tuolumne County, and has established a set of rules and regulations to evaluate and manage sources of air pollutants.

Air quality in the area is a function of the criteria air pollutants emitted locally, the existing regional ambient air quality, and the meteorological and topographic factors that influence the intrusion of pollutants into the area from sources outside the immediate vicinity.

## **Findings**

a) PG&E's proposed project does not involve any construction activities or any permanent operational sources of air pollutants. The mitigation measures in the Recreation section could involve minimal use of combustion engines (e.g., chain saws) and would likely involve limited delivery and/or removal of materials by vehicles to aid remediation of boating hazards. Neither PG&E's proposed project nor any mitigation measures would conflict with TCAPCD plans.

b) As described in 3(a) above, PG&E's proposed project would involve limited activities that could impact air quality, but would not result in a violation of an air quality standard or contribute substantially to an existing or project air quality violation. Therefore, PG&E's proposed project would have no impact related to a violation of an air quality standard.

c) By its very nature, air pollution is largely a cumulative impact. However, PG&E's proposed project would not produce substantial air quality emissions. Therefore, PG&E's proposed project would not result in a cumulatively considerable net increase of any criteria pollutant. PG&E proposed project would also not cause the project region to be out of attainment with applicable federal or state ambient air quality standards. There would be no impact.

d) PG&E's proposed project would not generate substantial pollutant concentrations, as outlined in 3(a) above. Therefore, PG&E's proposed project would not expose sensitive receptors to substantial pollutant concentrations and there would be no impact.

e) PG&E's proposed project would not involve activities that could create permanent sources of odors. Additionally, any temporary odors from use of combustion engines would likely occur when recreation visitors are not present. There would be no impact with regard to this criterion.

## 2.4. BIOLOGICAL RESOURCES

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any applicable policies protecting biological resources?	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

### Environmental Setting

Pinecrest Lake is located on the SFSR in the Stanislaus National Forest. The SFSR feeds Pinecrest Lake from the northeastern edge of the lake and exits via the Strawberry Dam at the northwestern portion of the lake. The SFSR flows into Lyons Reservoir approximately 11 miles southwest of Pinecrest Lake. There are several special-status species that occur in the Hydro Project area, including mountain yellow-legged frog, foothill yellow-legged frog, California roach, and hardhead (State Water Board 2008). A search of the California Natural Diversity Database (CNDDDB) was conducted to identify sensitive biological resources that have been documented in the USGS 7.5-minute Pinecrest quadrangle containing the Pinecrest Lake. In addition to the database search, information was obtained from existing environmental documents for the project area.

The CNDDDB search indicated that 13 special-status plant and wildlife species could potentially occur in PG&E's proposed project area. The species are listed in Table 2, Pinecrest Quadrangle CNDDDB Results.



**Table 2 – Pinecrest Quadrangle CNDDDB Results  
Special Status Plant and Wildlife Species**

Scientific Name	Common Name	Federal Status	State Status	CNPS*
<b>Wildlife Species</b>				
<i>Accipiter cooperii</i>	Cooper's hawk	None	None	
<i>Accipiter gentilis</i>	northern goshawk	None	None	
<i>Antrozous pallidus</i>	pallid bat	None	None	
<i>Gulo gulo</i>	California wolverine	Candidate	Threatened	
<i>Haliaeetus leucocephalus</i>	bald eagle	Delisted	Endangered	
<i>Lepus americanus tahoensis</i>	Sierra Nevada snowshoe hare	None	None	
<i>Martes pennant</i>	fisher – West Coast Distinct Population Segment	Candidate	None	
<i>Pandion haliaetus</i>	Osprey	None	None	
<i>Vulpes vulpes necator</i>	Sierra Nevada red fox	None	Threatened	
<b>Plant Species</b>				
<i>Allium tribracteatum</i>	three-bracted onion	None	None	1B.2
<i>Carex limosa</i>	mud sedge	None	None	2.2
<i>Potamogeton epihydrus</i>	Nuttall's ribbon leaved pondweed	None	None	2.2
<i>Schoenoplectus subterminalis</i>	Water bulrush	None	None	2.3

\*California Native Plant Society ranking number.

## Findings

a) The project area is located in the Stanislaus National Forest, which provides habitat for numerous special-status wildlife and plant species, as indicated in table 2 above. PG&E's proposed project would allow PG&E to release more water downstream into the SFSR, depending on the water year type, which would result in reduction of the Pinecrest Lake elevation prior to Labor Day. PG&E's proposed project would draw down the lake by a few additional feet prior to Labor Day but not lower than pre-Labor Day lake elevations the reservoir experienced before the certification imposed the minimum elevation condition in 2009. In general Pinecrest Lake levels have varied by year and season. Therefore fish and amphibians in the lake would not be impacted. The additional releases to the SFSR would not impact fish or amphibians that may live

in the area, as there are already ramping rates restricting the change in flow below Strawberry Dam in the certification and the flows in the last 10 years below Pinecrest included lower Labor Day Pinecrest Lake levels. Construction activities associated with PG&E's Mitigation Measure 1 – Substrate Improvement will likely occur between September and November when peak recreation activities have passed and before winter snowfall. Nesting season for birds are generally from February to mid-September. The nesting season for bald eagle is approximately between March and early July. It is unlikely that construction would occur during between March and July as the area would either be covered in snow or the reservoir would be at a water elevation too high to facilitate shoreline modifications. PG&E's proposed project would therefore have a less than significant impact to special-status wildlife species.

b) Riparian areas are present around Pinecrest Lake and along the SFSR. Under PG&E's proposed project, the water level in Pinecrest Lake could be lowered earlier in the year than under existing conditions. However, the change in water elevation would be within the range of normal lake level fluctuations throughout the year and would not adversely affect riparian plants and animals. Therefore, the impact would be less than significant.

c) PG&E's proposed project would not involve any direct removal, filling, hydrological interruption, or other changes to wetland areas. There would be no impact with respect to this criterion.

d) PG&E's proposed project would affect the water level of the Pinecrest Lake and increase the water flowing into the SFSR. The change in water level would not inhibit fish from using the Stanislaus River as the existing minimum flows and ramping rate conditions would still be in effect for the Hydro Project as a whole. Pinecrest Lake is dammed under existing conditions and prevents migration of fish further upstream. Therefore, PG&E's proposed project would not interfere with the movement of any fish or wildlife species, interfere with established wildlife corridors, or impede use of native wildlife nursery sites. Therefore, there would be no impact.

e) PG&E's proposed project would be consistent with the Tuolumne County General Plan policy relates to protection and maintenance of native wildlife and vegetation.

4.J.7 Recognize that wildlife, fish and their habitats are important resources, which are valued by the [Tuolumne] County's citizens for recreational nature study, hunting and fishing, scientific research, education, shade, beauty, and open space. These resources enhance property value and attract visitors, a major source of revenue for the local economy. [added to Tuolumne County General Plan under Resolution 41-98 adopted March 24, 1998]

PG&E's proposed project would not conflict with this policy and would have a less than significant effect.

f) There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan applicable to the project area. Therefore, there is no impact.

## 2.5. CULTURAL RESOURCES

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The Hydro Project area was historically used by Native Americans. Sixteen archaeological resource investigations of various portions of the Hydro Project area were conducted between 1976 and 1999. The investigations were conducted by the USFS and private consultants. Additional archaeological investigations were commissioned by PG&E in association with its Hydro Project license application for unsurveyed areas and to verify locations of previously recorded resources. Studies of the Hydro Project area identified 42 cultural resource sites within the Hydro Project area (PG&E 2002). Of the cultural resources identified, 11 were prehistoric sites, 30 were historic sites, and one site had both prehistoric and historic components.

The 30 historic sites include ditches, flumes, campsites, roadways, prospect pits, and wall or building remains. Of the 30 historic sites, 16 were determined to be potentially eligible for the National Register. Only one of these sites occurs in PG&E's proposed project area, and consists of a quarry site associated with the construction of Pinecrest

Dam. The one site with prehistoric and historic components, including lithic scatter, milling features, and historic structure remains, was determined to be eligible for the National Register. The prehistoric sites consist generally of lithic scatter and milling sites. Of the 11 prehistoric sites, nine were determined to be potentially eligible for the National Register. None of the 11 prehistoric sites were located in PG&E's proposed project area.

## Findings

a) As noted above, studies of the Hydro Project area identified 42 cultural resource sites consisting of 30 historic sites and one site with both prehistoric and historic components. PG&E's proposed project would not disturb any known historic sites. Therefore, historical resources as defined in Section 15064.5 of the *State CEQA Guidelines* would not be disturbed by PG&E's proposed project and there would be no impact.

b) Studies of the Hydro Project area identified 42 cultural resource sites consisting of 11 prehistoric sites and one site with both prehistoric and historic components. PG&E's proposed project would not disturb any existing archaeological sites. Therefore, archaeological resources as defined in Section 15064.5 of the *State CEQA Guidelines* would not be disturbed by PG&E's proposed project. Furthermore, the change in water elevation would be within the range of normal water fluctuations that occur throughout the year. Therefore, to the extent any unknown prehistoric sites are present near the lake edge, they already experience alternating period of inundation and exposure. PG&E's proposed project would not change that condition and there would be no impact.

c) The area affected by Pinecrest Lake level changes does not contain unique geologic features or paleontological resources. Furthermore, PG&E's proposed project would not result in any activities that may destroy a unique geologic feature or a unique paleontological resource or site. PG&E's proposed project would have no impact.

d) The Hydro Project area includes locations that are culturally significant and may have human remains. However, PG&E's proposed project would not result in any activities that may disturb potential human remains. Therefore, PG&E's proposed project would have no impact to human remains.

## 2.6. GEOLOGY AND SOILS

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

### Environmental Setting

There are no fault zones within the project area. In addition, PG&E's proposed project is not located in an Alquist-Priolo fault-rupture hazard zone.

### Findings

a)(i) The project area is not located within an Alquist-Priolo fault zone as defined in the Alquist-Priolo Earthquake Fault Zoning Act, which is designed to prohibit the construction of structures for human occupancy across active faults. In addition, PG&E's proposed project does not include any facilities that may be affected by a fault rupture. There would be no impact related to this criterion.

a)(ii) The project area is not located near or within an active fault. In addition, PG&E's proposed project does not include any facilities that may be affected by seismic ground shaking. Therefore, there would be no impact associated with risks from seismic ground shaking.

a)(iii) Liquefaction in soils and sediments occurs during earthquake events, when soil material is transformed from a solid state to a liquid state, generated by an increase in pressure between pore space and soil particles. Earthquake-induced liquefaction typically occurs in low-lying areas with soils or sediments composed of unconsolidated, saturated, clay-free sands and silts, but it can also occur in dry, granular soils or saturated soils with partial clay content. In addition to necessary soil conditions, the ground acceleration and duration of the earthquake must be of sufficient energy to induce liquefaction. However, as stated above, the project area is not near or within a fault zone and PG&E's proposed project does not include construction of any facilities that could be affected by liquefaction or ground failure. There would be no impact related to ground failure or liquefaction hazard in the project area.

a)(iv) There are hilly and steep sloped areas within the project area. However, as stated above, PG&E's proposed project does not propose any facilities that could be affected by landslides. There would be no impact related to landslides.

b) Soils along the shoreline of Pinecrest Lake are primarily Gerle and Fiddleton series and rock outcrops. PG&E's proposed project would reduce the water level of Pinecrest Lake prior to Labor Day, which would expose the lake side slopes earlier in the year than under existing conditions. However, this exposure would occur during the dry season even without any change to the Hydro Project operations and therefore the slopes are not expected to experience increased erosion. The impact from soil erosion or loss would be less than significant.

c) See the discussion under items 6(a)(ii) through (iv) above. There would be no impacts related to unstable soils or geologic units.

d) Expansive soils contain mixed-layer clay minerals that increase and decrease in volume upon wetting and drying, respectively, and can destabilize building foundations. However, as described above, PG&E's proposed project does not include any facilities that could be affected by expansive soils. There would be no impact from expansive soils.

e) PG&E's proposed project does not include any septic tanks or alternative wastewater disposal systems that could be affected by unsuitable soil types. Therefore, there would be no impact.



## 2.7. GREENHOUSE GAS EMISSIONS

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The natural process through which heat is retained in the troposphere<sup>13</sup> is called the greenhouse effect. The greenhouse effect traps heat in the troposphere through a threefold process as follows: (1) short-wave radiation in the form of visible light emitted by the Sun is absorbed by the Earth as heat; (2) long-wave radiation is re-emitted by the Earth; and (3) greenhouse gases (GHGs) in the upper atmosphere absorb or trap the long-wave radiation and re-emit it back towards the Earth and into space. This third process is the focus of current climate change actions because increased quantities of GHGs in the Earth's atmosphere result in more of the long-wave radiation being trapped in the atmosphere.

While water vapor and carbon dioxide (CO<sub>2</sub>) are the most abundant GHGs, other trace GHGs have a greater ability to absorb and re-radiate long-wave radiation. To gauge the potency of GHGs, scientists have established a Global Warming Potential (GWP) for each GHG based on its ability to absorb and re-emit long-wave radiation over a specific period. The GWP of a gas is determined using CO<sub>2</sub> as the reference gas, which has a GWP of 1 over 100 years (IPCC 1996).<sup>14</sup> For example, a gas with a GWP of 10 is 10 times more potent than CO<sub>2</sub> over 100 years. The use of GWP allows GHG emissions to be reported using CO<sub>2</sub> as a baseline. The sum of each GHG multiplied by its associated

<sup>13</sup> The troposphere is the bottom layer of the atmosphere, which varies in height from the Earth's surface from 6 to 7 miles.

<sup>14</sup> All GWPs are given as 100-year values.

GWP is referred to as “carbon dioxide equivalents” (CO<sub>2</sub>e). This essentially means that 1 metric ton of a GHG with a GWP of 10 has the same climate change impacts as 10 metric tons of CO<sub>2</sub>.

The State of California enacted legislation targeting GHG emissions. Chief among these is the California Global Warming Solutions Act of 2006 (Act or Assembly Bill [AB] 32) (Statutes of 2006, Chapter 488, Nunez). AB 32 represents the first enforceable statewide program to limit GHG emissions from all major industries with penalties for noncompliance. The Act requires the State of California to reduce its emissions to 1990 levels by 2020. The Act establishes key deadlines for certain actions the State of California must take in order to achieve the reduction target. As required under AB 32, on December 6, 2007, the California Air Resources Board approved the 1990 GHG emissions inventory, thereby establishing the emissions limit for 2020. The 2020 emissions limit was set at 427 million metric tons of CO<sub>2</sub> equivalents (MMTCO<sub>2</sub>e).

### **Findings**

a) PG&E’s proposed project would allow the release of more water from Pinecrest Reservoir before Labor Day and would allow PG&E more operational flexibility to continue hydroelectric generation at the Spring Gap Powerhouse during the summer (when electricity demand is high), offsetting the need for the same amount of electric generation from other generating sources.

The mitigation measures included in section 15 (Recreation) may involve additional vehicle trips to the area for delivery of gravel to supplement beach substrate; however, the level of vehicle usage to enact the mitigation measures in section 15 would likely fall within the normal fluctuation of vehicle usage needed to maintain Pinecrest Lake and its associated recreation facilities. Therefore, PG&E’s proposed project would not generate significant new GHG emissions and there would be a less than significant impact.

b) The primary GHG emissions regulation in California is AB 32, which requires the State to reduce its GHG emissions to 1990 levels by 2020. As outlined in 7(a) above, PG&E’s proposed project would not generate significant new GHG emissions. Thus, PG&E’s proposed project would not conflict with AB 32 and there would be no impact.

## 2.8. HAZARDS AND HAZARDOUS MATERIALS

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

According to the California Department of Toxic Substances Control (DTSC) Envirostor database and the United States Environmental Protection Agency (U.S. EPA) EnviroMapper database, the project area is not identified as a hazardous materials site. There is a hazardous materials site at the location of a small logging and disposal company in Cold Springs, approximately four miles to the southwest of the project area (DTSC 2013 and U.S. EPA 2013).

California Department of Forestry and Fire Protection (CAL FIRE) and the Tuolumne County Fire Department (TCFD) provide fire protection services to the recreational residences (cabins) and recreational facilities around Pinecrest Lake. Based on information from the Pinecrest Permittees Association, the cabins can be resided in from mid-May, when cabin service begins, to the Tuesday after Columbus Day in mid-October, when the water and sewer services to the cabins are turned off (personal communication, email from Caitlan Gilleran to Pat Smith, October 21, 2013).

## Findings

a) PG&E's proposed project would not involve routine transport, use, or disposal of hazardous materials. There would be no impacts with regard to the routine transport, use, or disposal of hazardous materials.

b) PG&E's proposed project would involve the modification of sediment and/or the removal of large rocks and stumps within the shoreline and lake bottom (see Section 15(b), Recreation). As discussed in the Recreation Section below, PG&E's sediment modification would be directed in the field by USFS personnel, as Pinecrest Lake is located within USFS lands. PG&E's proposed project does not include a spill prevention and containment plan. A spill prevention and containment plan would be required to ensure that there is a less than significant impact from hazardous materials.

**Mitigation Measure HAZ-1** would be implemented to prevent and contain fuel spills during sediment modification work, including the removal of large rocks and stumps within the shoreline and lake bottom.

### **Mitigation Measure HAZ-1:**

PG&E shall develop and implement a spill prevention and containment plan for any equipment that would be used during the sediment modification work. The USFS shall be consulted with during the development of the spill prevention and containment plan. PG&E shall submit the spill prevention and containment plan to the Deputy Director for review and approval prior to any construction activities.

c) PG&E's proposed project is not located within 0.25 mile of a school. There would be no impact.

d) PG&E's proposed project is not included on any lists of hazardous materials sites maintained by local and State agencies. There would be no impact.

e, f) There are no public airports or private airfields located within two miles of the project site. There would be no impact with regard to these criteria.

g) The Emergency Operations Plan for Tuolumne County is applicable to the Pinecrest Recreation Area and would provide guidance during an emergency (Tuolumne County 2012). Implementation of PG&E's proposed project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. There would be no impact.

h) The project area is located in a wildland area which carries a risk of wildland fires. PG&E's proposed project does not include any facilities which could place people or structures at risk from wildland fires. Comments from the public were received by the State Water Board expressing concern that the lowering of Pinecrest Lake elevation earlier in the season could affect the fire safety of the persons residing in or using the cabins and campgrounds that are accessed from the southern shore of Pinecrest Lake. Concerns were expressed that the lowered lake elevation could potentially increase

emergency response time in the case of a wildfire and make it difficult for the fire responders to pump water from the lake.

Based on consultation with CAL FIRE, the lowered Pinecrest Lake elevations would not block the ability to pump water from the lake. However, as lake levels drop, longer hose lines would be required to reach a cabin on fire and deployment of longer hose lines would require more personnel and/or more time. In addition, lower lake levels would not allow the fire boat to be docked and tied at the personal docks near the cabins, making it necessary for some fire personnel to remain in the boat (personal communication, email from Caitlan Gilleran to Berry Rudolph, October 2, 2013).

In addition, CAL FIRE expressed a concern that an earlier drop in water surface elevation could potentially affect the provision of fire service to the cabins by shortening the period of time that the cabins would be serviceable via the fire boat. According to CAL FIRE, the fire boat is used to access the cabins from the southern lake shore during fires and emergencies. The fire boat remains in the water at the floating dock north of the marina through the summer and is removed from the water before the lake elevation drops below the boat launch ramp unusable level.

According to the Lake Level Study, the lowest water surface elevation that the boat launch ramp can be used at is 5,589 feet, when there is three feet of water above the toe of ramp (PG&E 2013). However larger boats such as the fire boat may require a higher water surface elevation to be safely removed from the water. Ideally, the fire boat would remain in the water until cabin services are turned off in mid-October, but the fire boat must be removed via the boat launch ramp and thus the timing of removal is dependent on how fast Pinecrest Lake is drawn down after Labor Day. CAL FIRE removed the fire boat on October 1 in 2013 (personal communication, email from Caitlan Gilleran to Berry Rudolph, October 21, 2013), when the reservoir water elevation was at approximately 5,595 feet. This left a window of several weeks where cabins were still habitable but were without the protection of the fire boat. As there are no roads connecting to many of the cabins, it is expected that fire services would be provided by air or by foot if the fire boat is not in service.

With PG&E's proposed project, the water surface elevation on Labor Day could be drawn down to a minimum of 5,606 feet in wet water years, 5,604 feet in normal-wet water years, and 5,600 feet in normal-dry and dry water years, with additional drawdown from Pinecrest Lake occurring after that point in time. If water is discharged from Pinecrest Lake in the same manner as it is currently discharged after Labor Day, PG&E's proposed project could reduce water surface elevations in dry years such that the fire boat would need to be removed from the water earlier than under current operations. This would create a longer period of time between the removal of the fire boat and the end of cabin services.

However, under current operations the water surface elevation on Labor Day does not directly affect the rate at which Pinecrest Lake is drawn down after Labor Day. For example, although the fire boat was removed on October 1, 2013, when the reservoir was at 5,595 feet, the 2013 Labor Day water surface elevation was at 5,610 feet, above

the current minimum. The record of water surface elevations between and including the years 2003-2013 confirm that in eight out of 11 years the fire boat was likely removed before October 10, regardless of variable Labor Day water surface elevations. Based on the last 11 years of operation records, PG&E's proposed project could increase the amount of time that Pinecrest is without the CAL FIRE fire boat's services, but will not create an impact that did not already exist under current operations.

**Mitigation Measure HAZ-2** would be implemented to increase public awareness and preparation for the reduction of fire protection services and reduce the impact to less than significant.

**Mitigation Measure HAZ-2:**

In addition to the public notification included in PG&E's proposed project, PG&E shall notify CAL FIRE, USFS - Stanislaus National Forest, Pinecrest Lake Resort, Pinecrest Permittees Association, and the State Water Board when the drawdown curve for Pinecrest Reservoir predicts that the water surface elevation will be less than 5,595 feet prior to the Tuesday following Columbus Day in October. This notice shall provide the anticipated date when the water surface elevation will be less than 5,595 feet and briefly describe the reason why that water surface elevation is important to cabin owners, day use recreationists, and overnight campers in the vicinity. Additionally, PG&E shall post a copy of this notice by Labor Day on any appropriate notice boards in the Pinecrest Lake area.

## 2.9. HYDROLOGY AND WATER QUALITY

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
j) Cause inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

### Environmental Setting

Pinecrest Lake is located on the SFSR in Tuolumne County. Pinecrest Lake is impounded by Strawberry Dam, located along the northwestern portion of the lake. Pinecrest Reservoir has a gross storage capacity of 18,312 AF at a lake elevation 5,617 feet and a usable storage capacity of 18,266 AF. The existing certification imposes a minimum storage requirement of 500 AF, which cannot be reduced except after Deputy Director approval. (State Water Board Order WR 2009-0039.) The water released from Pinecrest Lake proceeds through Strawberry Dam to the SFSR, and is either diverted

through the Philadelphia Ditch to the Stanislaus Powerhouse, or continues downstream to Lyons Reservoir.

Water quality objectives for the region of PG&E's proposed project are defined in the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (Basin Plan), which was adopted by the Central Valley Regional Water Quality Control Board (Regional Water Board, October 2011 Basin Plan revision).

## **Findings**

a) PG&E's proposed project would involve the modification of sediment and/or the removal of large rocks and stumps within the shoreline and lake bottom (see Section 15(b), Recreation). Both of these activities could cause a water quality impact in the form of increased turbidity. Acceptable limits for turbidity increases over background are defined in the Basin Plan issued by the Central Valley Regional Water Board. As discussed in the Recreation Section below, PG&E's sediment modification would be directed in the field by USFS personnel, as Pinecrest Lake is located on USFS lands. PG&E's proposed project does not include a turbidity control plan. Appropriate sediment and erosion control best management practices (BMPs) will be required to ensure that there is a less than significant impact.

**Mitigation Measure WQ-1** would be implemented to prevent and/or contain increased turbidity during sediment modification work, including the removal of large rocks and stumps within the shoreline and lake bottom.

### **Mitigation Measure WQ-1:**

PG&E shall implement appropriate erosion and sediment control BMPs for any sediment modification work, including the removal of large rocks and stumps within the shoreline and lake bottom. The erosion and sediment control BMPs must address at a minimum:

- Preservation of existing vegetation, if applicable, to minimize exposed erodible soil and/or reduce the need for soil stabilization;
- Scheduling of sediment modification work in a manner to minimize any potential sediment discharges; and
- Sediment control measures that would reduce sediment discharges from construction activities, including increases in turbidity as defined in the Basin Plan.

b) Operation of PG&E's proposed project would not require any groundwater or have a detrimental change on the existing groundwater pumping practices. Therefore, PG&E's proposed project would not deplete groundwater supplies or interfere with groundwater recharge activities. There would be no impact.

c) PG&E's proposed project would not substantially alter the existing drainage patterns of the area. PG&E's proposed project would potentially result in the release of

additional water from Pinecrest Lake into the SFSR, prior to Labor Day, which is earlier in the year than under existing conditions, but not earlier compared to historic operations. Also, the release of additional water would not affect the course of the river such that erosion or siltation could result. Pinecrest Lake erodes very little and would provide minimal sediment to the SFSR. In addition, SFSR generally has very low suspended sediment levels, indicating that minimal sedimentation due to erosion occurs (FERC 2005). Furthermore, the release of water to the river would be in accordance with the existing ramping rate conditions outlined in the certification. Therefore, it is unlikely that the increased flow of water earlier in the year would result in significant erosion and sedimentation in the SFSR. The impact would be less than significant.

d) PG&E's proposed project would not affect the course of a stream or river and, as discussed under item 9(a) above, would not increase the rate or quantity of surface runoff. PG&E's proposed project does not affect the risk of flooding in the project vicinity or downstream of Pinecrest Lake. The potential release of water from Pinecrest Lake as part of PG&E's proposed project would not result in flooding as the release would happen during the dry season when the water levels are low downstream of the lake and the release would be in accordance with existing ramping rate conditions. The impact would be less than significant.

e) As discussed under item 9(a) above, PG&E's proposed project would not cause an increase in stormwater runoff. There would be no impact.

f) There are no additional aspects of PG&E's proposed project that have a potential to affect water quality apart from those discussed in item 9(a).

g, h) The project site is not within the 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map. In addition, housing is not proposed as part of PG&E's proposed project. There would be no impact.

i) See item 9(d) above regarding downstream flooding. PG&E's proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

j) PG&E's proposed project would not result in inundation by a tsunami, seiche, or mudflow.

## 2.10. LAND USE AND PLANNING

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the Long Range Development Plan, general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

PG&E's proposed project is within the Stanislaus National Forest, and is designated by the USFS as land for Public, Parks and Recreation, or for Timber Production depending on the specific portion of the forest. The Pinecrest Recreation Area, located along the western shore of Pinecrest Lake, is used for recreation. In addition, there are single family dwelling units located on the western edge of Pinecrest Lake.

### Findings

a) PG&E's proposed project does not exceed the range of water elevation change that Pinecrest Lake already experiences on an annual basis. Nothing under PG&E's proposed project would divide the existing cabins on the western edge of the lake. There would be no impact with regard to this criterion.

b) As discussed under item 2(c) above, some parts of the project area are designated as Forest Land in the Tuolumne County General Plan. PG&E's proposed project would

not establish any new land use on the project site. PG&E's proposed project would not conflict with existing zoning for Forest Land, Timberland, or Timberland Production. PG&E's proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

c) There is no adopted habitat conservation plan or natural community conservation plan that includes the project site, and there would be no impact with regard to this criterion.

## 2.11. MINERAL RESOURCES

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

There are no known mineral resources on the project site.

### Findings

a, b) There are no known mineral resources on the project site, and neither the site nor any other location in its vicinity is used for mineral extraction. PG&E's proposed project does not propose construction of any facilities and would not cause a loss of availability of mineral resources.

## 2.12. NOISE

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in any applicable plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (including construction)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **Environmental Setting**

PG&E's proposed project is located within the Stanislaus National Forest. The Pinecrest Recreation Area experiences a large influx of day-use and overnight visitors during the summer making use of the campground, Lake Resort, and Pinecrest Lake. In addition, there are single family dwelling units located on the western edge of Pinecrest Lake. The sources of noise in the area also include vehicles around Pinecrest Lake and boats on the lake.

## **Findings**

a) Tuolumne County does not have a noise ordinance. PG&E's proposed project does not include any substantial long term noise-generating activities or operations. There would be incidental high decibel noise sources during daytime hours, such as trucks loading or unloading sediment or use of chainsaws involved with stump removal. PG&E's proposed project does not include noise control measures. Noise control measures will be implemented to ensure that there is a less than significant impact from noise during construction activities.

**Mitigation Measure Noise-1** would be implemented to reduce impacts from noise.

### **Mitigation Measure Noise-1:**

PG&E will implement appropriate noise control measures for any equipment used during the sediment modification work. The noise control measures would address, at a minimum: the timing of construction activities in relation to the recreation season; and isolation of the construction activity so as to prevent the public from entering areas with high decibel noise sources.

Noise reduction measures also include, but are not limited to, the following:

- Equip construction equipment with manufacturer's specified noise-muffling devices or use newer construction equipment manufactured to reduce noise;
- Place stationary noise-generating equipment as far away as feasible from sensitive noise receptors or in an orientation that minimizes noise impacts (e.g., behind existing barriers, storage piles, unused equipment);
- Turn off all engines when not in use; and
- Maintain low vehicle speeds in and around the construction areas (less than 15 miles per hour).

This mitigation measure falls outside the purview of the State Water Board. However, PG&E has agreed to implement Mitigation Measure Noise-1, as proposed, in an email dated December 29, 2014 (personal communication, email from Richard Doble to Jeffrey Parks, December 29, 2014).

b) PG&E's proposed project would not produce ground borne vibration or noise. There would be no impact.



c) PG&E's proposed project would not result in permanent increase in ambient noise levels above levels existing without the project. There would be no impact.

d) As described in finding 12(a) above, PG&E's proposed project could involve temporary high decibel sources of noise. **Mitigation Measure Noise-1**, located in item 12(a) above, would be implemented to reduce the impact to a less than significant level.

e, f) There are no public airports or private airstrips in the vicinity of the project site and no airport land use plan is applicable to the project vicinity. There would be no impact with regard to these criteria.

## 2.13. POPULATION AND HOUSING

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

### Environmental Setting

Pinecrest Lake is located within the Stanislaus National Forest. There are residential dwellings along the western edge of the lake adjacent to the Pinecrest Recreation Area.

### Findings

a) PG&E's proposed project would not construct any residences that would induce population growth in the project area. PG&E's proposed project would allow PG&E to maintain a lower lake elevation prior to Labor Day during certain water years. The objective of PG&E's proposed project is not to increase the total water supply available to TUD, but rather to create a more reliable supplemental water supply for TUD. It is not expected that PG&E's proposed project would induce substantial population growth as the increased reliability of the existing water supply to TUD would not create new additional water for TUD. The water contract between PG&E and TUD remains the same under PG&E's proposed project. There are many other factors in Tuolumne County that affect population growth that are outside the scope of this analysis. There would be a less than significant impact with regard to this criterion.

b) PG&E's proposed project would not displace housing. No impact would occur with regard to this criterion.

c) PG&E's proposed project would not displace people. No impact would occur with regard to this criterion.

## 2.14. PUBLIC SERVICES

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create other public service impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The project area is located in Stanislaus National Forest. Fire protection services for the project area are provided by the CAL FIRE and TCFD. A boat dock to the north of the gas docks and slip is used by CAL FIRE and TCFD to access the fire boat when it is in Pinecrest Lake. Police services are provided by the Tuolumne County Sheriff's Office located in Sonora.

### Findings

a) PG&E's proposed project would not construct any facilities that would necessitate fire protection. As discussed in Section 8(h) (Hazards and Hazardous Materials) the fire boat used by CAL FIRE and TCFD could be removed from Pinecrest Lake earlier than

under current conditions, increasing the length of time the cabins are without this fire protection resource. **Mitigation Measure HAZ-2** (located in Section 8(h)) would be implemented to address the impact to fire protection services and reduce the impact to a less than significant level.

b) PG&E's proposed project would not construct any facilities or add residents to the project area that would necessitate changes to police protection. There would be no impact to police services.

c) PG&E's proposed project would not include an increase in residents and would therefore not increase school enrollment. There would be no impact on schools.

d) PG&E's proposed project would not provide housing and there would be no increase in residents. Therefore, no additional parks or recreational facilities would be required. There would be no impact.

e, f) PG&E's proposed project would not construct any facilities or add residents to the project area that would require other public services or facilities. There would be no impact to other public services.

## 2.15. RECREATION

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

Pinecrest Lake is located within the Stanislaus National Forest. The baseline average elevation of Pinecrest Lake on Labor Day was considered 5,610 feet when PG&E initiated the Pinecrest Reservoir Lake Level Study Report (Study Report, PG&E 2011). For PG&E's proposed project the impacts are considered against a baseline lake elevation of 5,608 feet, which is consistent with the requirements in the exiting certification (Order WR 2009-0039). Recreational facilities are located on the southwest shoreline of Pinecrest Lake. These facilities include a gas dock and boat slips, a boat ramp and courtesy dock, a buoyed swimming area, a mixed day-use area, an ADA-accessible fishing platform, and beach areas (PG&E 2011). Located to the west of the recreational facilities are the Pinecrest Campground and Pinecrest Lake Resort.

### Findings

a) PG&E's proposed project would not construct any recreational or other facilities or residences that would result in additional visitors or residents in the project area. Therefore, PG&E's proposed project would not increase the use of exiting neighborhood and regional parks or other recreational facilities. There would be no impact.

b) PG&E's proposed project does not include construction of any recreational facilities. However, PG&E's proposed project would affect the lake level of Pinecrest Reservoir. As stated above, Pinecrest Lake is used for recreation by the local residents and visitors who camp or stay at the Lake Resort, or who use the day-use facilities. Pinecrest Lake

is used for boating, swimming, and fishing. The decrease in lake level elevation could affect the use of the existing recreational areas which may require mitigation measures as discussed below.

The impact of lowering lake elevations on recreation was studied in the Study Report finalized by PG&E in April 2011. The Study Report analyzed the effects of lake elevation changes from 5,610 feet to 5,595 feet on seven different recreational facilities along the southwestern edge of Pinecrest Lake, as shown in Figure 3 (taken from the Study Report). The seven facilities include boat docks and slips, a boat ramp and courtesy dock, a buoyed swim area, a mixed day-use area, an ADA accessible fishing platform, the overflow area on the south shore, and the overflow area north of the marina.

For purposes of analysis in the Study Report, wading area in the Pinecrest Lake was defined as 0 feet to 4 feet deep and the swimming area was defined as 4 feet deep or greater. Potential hazards to boats were defined as objects located within 2 feet of the water surface. Potential hazards to swimmers were defined as submerged objects such as rocks and stumps from 0 feet to 6 feet deep. The results of the study are summarized below.

### ***Boat Docks and Slips***

The docks are located in the northwest section of the Pinecrest Lake recreation area. The dock is composed of 11 fingers, each containing approximately 44 boat slips for private and rental boats to dock, load/unload supplies, and store boats. The first finger has a gas pump available for fueling motorized boats.

The analysis in the Study Report showed that all boat dock fingers would remain usable down to a Pinecrest Lake elevation 5,603 feet and a portion of one finger would no longer be usable below the elevation of 5,602 feet. However, this reduction in use is not considered a significant impact given that the loss of less than one finger represents approximately six percent (6%) of the total dock capacity. The boat access to the gas dock is available at the lowest elevation under PG&E's proposed project (5,600 feet). There is a less than significant impact on boat access to the docks and slips, and PG&E has stated as part of its proposed project (Mitigation Measure 3: Increased Public Awareness) that it will post public notices each year to increase public awareness of the expected Labor Day elevation (Request for Modification, PG&E, 2011.) However **Mitigation Measure REC-1** is a more specific description of mitigation for this impact that would be implemented to notify users of the boat docks what the expected Labor Day water surface elevation will be each year.

### **Mitigation Measure REC-1:**

PG&E shall, within 10 days of the drawdown curve approval by the Deputy Director, notify the USFS - Stanislaus National Forest, Pinecrest Lake Resort, Pinecrest Permittees Association, and the State Water Board when the drawdown curve for Pinecrest Reservoir predicts that the water surface elevation will be less than 5,608 feet

on Labor Day of that year. This notice shall briefly describe what the expected Labor Day elevation will be, and how that water surface elevation could impact boaters, cabin owners, day use recreationists, and overnight campers in the vicinity. Additionally, PG&E shall post a copy of this notice on any appropriate notice boards in the Pinecrest Lake area.

Pedestrian access to the boat docks would remain usable at all elevations.

### ***Boat Ramp and Courtesy Dock***

The concrete boat ramp and wooden courtesy dock are located to the south of the gas dock and slips, and are usable down to an elevation of 5,589 feet. Use of the boat ramp and courtesy dock would not be impaired by the changes in lake elevation under PG&E's proposed project, and there would be no impact.

### ***Buoyed Swim Area***

The buoyed swim area is located southeast of the boat ramp and is comprised of a beach and a swim area delineated with a buoy line. The beach is made up primarily of sand, with rocks and stumps of various sizes. Wading and swimming occur in the swim area. Fishing, although prohibited, also occurs.

The Study Report identified that pedestrian access to the shoreline would be impaired at various lake elevations below the current minimum. PG&E's proposed project includes a mitigation measure (Study Report Mitigation Measure 1: Substrate Improvement) that would remove rocks and/or stumps to establish access corridors to the shoreline at water surface elevations between 5,608 feet and 5,600 feet. Additionally, PG&E would be directed on site by the USFS while moving or removing obstacles. Since the mitigation measure is included in PG&E's proposed project, the impact on shoreline access would be less than significant.

The Study Report also identified that beach quality would be impaired at lake elevations within PG&E's proposed project. PG&E's substrate improvement mitigation measure would replace mud flats exposed under the proposed project elevations with rounded gravel of an appropriate size as directed on site by the USFS. Therefore, the usability of the beach would have a less than significant impact under PG&E's proposed project.

The available swimming area at this site is marked by a floating buoy string, and is reduced as the lake elevation drops. PG&E's proposed project includes a plan to adjust the buoyed markers as the lake level drops to maintain both the wading and swimming usable area. PG&E's proposed project would have a less than significant impact to the buoyed swim area.

### ***Mixed Day-Use Area***

The mixed day-use area is located in the southeastern portion of Pinecrest Lake, directly adjacent to the buoyed swim area. This area provides beach and shoreline access but is outside the buoyed swim area and therefore does not provide exclusion



from boats or anglers while swimming or wading. Beach activities, wading, swimming, fishing, and boating take place in this area. Pedestrian access to the shoreline in the mixed day-use area would not be impaired at any lake elevation.

Beach quality could be impaired at lake elevations below 5,608 feet, however PG&E's substrate improvements (Study Report Mitigation Measure 1: Substrate Improvement) within the proposed project area would reduce potential impacts to less than significant. The usable beach area increases as the elevation of the lake decreases. Therefore, the usability of the beach would not be impaired by the changes in elevation.

The usability of the wading area would not be impaired at any elevation. The usability of the swimming and boating area would be impaired due to potential underwater hazards. However, these impairments would be addressed with substrate improvements (Study Report Mitigation Measure 1: Substrate Improvement), such as rock/stump removal, rock/stump relocation, and importing sand to create a suitable beach use. Potential impacts to the mixed day-use area would be less than significant.

### ***ADA Accessible Fishing Platform***

The ADA accessible fishing platform is located in the southeastern portion of Pinecrest Lake adjacent to the mixed day-use area. The facility is composed of two semicircular platforms connected by a concrete walkway that are accessible to persons with disabilities and allow anglers to cast directly into the water and fish between the elevations of 5,617 to 5,610 feet, assuming that the platforms are usable when water is touching the base of each platform. Shoreline fishing also occurs in the area.

The ADA accessible fishing platform consists of an upper and lower platform. The upper platform is usable between the elevations 5,617 and 5,612 feet, while the lower platform is usable when the water elevation is between 5,612 and 5,610 feet. Because the platforms are already unusable at the current minimum lake level elevation of 5,608 feet, lowering the lake level under PG&E's proposed project would not add any new impacts to the platforms. Therefore, there is no impact to the ADA accessible fishing platforms.

### ***Overflow Area, South Shore***

The overflow area, south shore, is located in the eastern portion of Pinecrest Lake and includes a public beach area. Swimming, wading, and general beach, fishing, and boat activities occur in the area. The impacts on the overflow area, south shore, associated with PG&E's proposed project are the same or comparable to those in the mixed day-use area. The Study Report Mitigation Measure 1 (Substrate Improvement) similarly reduces any impacts in this area to a less than significant level.

### ***Overflow Area, North of Marina***

The overflow area north of the marina is located in the northern section of the study area and includes a public beach area. The area also provides access to a dock used by the Tuolumne County Fire Department (TCFD). The impacts on the overflow area

north of the marina associated with PG&E's proposed project are the same or comparable to those in the mixed day-use area. The Study Report Mitigation Measure 1 (Substrate Improvement) similarly reduces any impacts in this area to a less than significant level, with one exception as described below.

The exception is the TCFD dock that is located in this area. As discussed in Section 8(h) (Hazards and Hazardous Materials), PG&E's proposed project has the possibility to impact the accessibility of the TCFD fire boat located at this dock. However, with incorporation of **Mitigation Measure HAZ-2** the impact would be less than significant. **Mitigation Measure REC-1** would also aid CAL FIRE and the TCFD in assessing when access to the dock is available for boating rescue at this area.

### ***Conclusion***

PG&E's proposed project could result in a significant impact to recreational areas at Pinecrest Lake. **Mitigation Measure REC-1** and **Mitigation Measure HAZ-2** would reduce any potential impacts to less than significant.

## 2.16. TRANSPORTATION/TRAFFIC

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

California State Route 108 provides access to Pinecrest Road which leads to the Pinecrest Recreation Area, Pinecrest Lake Resort, Pinecrest Campground, and the Pinecrest Reservoir. Lakeshore Avenue and Lakeshore Drive/ Pinecrest Lake Road provide access to the lake shore and beaches.

### Findings

a) PG&E's proposed project would not construct any facilities that would result in an increase in traffic to the Pinecrest Reservoir and recreation area. There would be no impact to the performance of the circulation system.

b) Tuolumne County does not have a congestion management agency and has no adopted congestion management plan. Caltrans has established standards for operation on the State Route 108 corridor, which provides access to the project area from the Bay Area. There would be minimal additional trips generated as a result of enacting the mitigation measures for PG&E's proposed project, but these trips would not create congestion as they would be infrequent, and would occur during low recreation use periods. There would be no impact to PG&E's proposed project area roadways.

c) PG&E's proposed project would not affect air traffic levels or air traffic patterns. There would be no impact with regard to this criterion.

d) PG&E's proposed project would not alter the existing roads that provide access to the Pinecrest Reservoir and would not introduce incompatible uses along the roadway. There would be no impact with regard to this criterion.

e) PG&E's proposed project would not affect local or regional emergency access routes by road or air. Impacts related to access routes by boat over the lake surface are discussed in Section 8(h) (Hazards and Hazardous Materials) above, and show that PG&E's proposed project could have a significant impact on emergency service access to residential cabins on Pinecrest Lake, as the CAL FIRE response boat is located on a

dock that is no longer usable at water surface elevations below 5,595 feet. However, implementation of **Mitigation Measure HAZ-2** (located in Section 8(h)) would reduce the impact to less than significant.

f) There are no adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities that are relevant to PG&E's proposed project. The project site is not served by any public transit system and PG&E's proposed project would have no effect on transit service. Bicyclists and pedestrians may use Pinecrest Road and other roads within the Pinecrest Campground and Recreational Area. However, PG&E's proposed project would not result in any change to the roadways which could interfere with bicycle and pedestrian traffic. There would be no impact with regard to this criterion.

## 2.17. UTILITIES AND SERVICE SYSTEMS

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
g) Comply with applicable federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
h) Create other utility and service system impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

### Environmental Setting

PG&E is under a contract with TUD to provide up to 10,000 AF of water to TUD from Lyons Reservoir, the natural flow of the SFSR, the Main Canal, and PG&E's releases to SFSR at Philadelphia Diversion Dam. In addition to the base supply, TUD can request a supplemental supply of up to 9,500 acre-feet of water available to PG&E from the SFSR. The supplemental water primarily comes from Pinecrest Reservoir releases.

### Findings

a) PG&E's proposed project would not exceed wastewater treatment requirements of the Central Valley Regional Water Quality Control Board. There would be no impact.

b) PG&E's proposed project would not require or result in construction of new water or wastewater facilities, or expansion of existing facilities. There would be no impact.

c) PG&E's proposed project would not result in any additional stormwater runoff and would not require expansion or construction of new stormwater drainage facilities. There would be no impact.

d) PG&E's proposed project would not require new or expanded entitlements. PG&E's proposed project requests to maintain a lower lake elevation prior to Labor Day during certain water years. The objective of PG&E's proposed project is not to increase the total water supply available to TUD, but rather create a more reliable water supply for TUD. In addition, both the water supply contract between PG&E and TUD (TUD 2012), and TUD's own Urban Water Management Plan, include water conservation measures that TUD either may or must implement, when appropriate. Therefore, there would be no impact.

e) PG&E's proposed project would not impact the wastewater treatment provider's ability to provide adequate capacity to serve commitments. In the short-term, during implementation of mitigation measures (e.g., removal of stumps, modification of shoreline sediment, etc.), workers would likely use existing wastewater (i.e., restrooms) and drinking water facilities. Overall this minimal amount of usage is in line with existing uses and would result in no impact to the demand and capacity of the wastewater system.

f) PG&E's proposed project could result in the removal of tree stumps and boulders along the shoreline or on exposed portions of the lake bottom. However, the USFS would be directing the removal of these objects, and these objects and other waste would be disposed of properly. The impact would be less than significant.

g) PG&E's proposed project would not conflict with any solid waste regulations. There would be no impact.

h) No additional utility and service system impacts would be created by PG&E's proposed project. There would be no impact.



## 2.18. MANDATORY FINDINGS OF SIGNIFICANCE

The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur. Where prior to commencement of the environmental analysis a project proponent agrees to mitigation measures or project modifications that would avoid any significant effect on the environment or would mitigate the significant environmental effect, a lead agency need not prepare an EIR solely because without mitigation the environmental effects would have been significant (per Section 15065 of the State CEQA Guidelines):

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporate d	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Findings

a) As discussed in subsections 4 and 5 (Biological Resources and Cultural Resources, respectively) above, PG&E's proposed project would have less than significant effects on fish and wildlife species, special status plants, and cultural resources.

b) PG&E's proposed project's potential impacts are discussed in the topic sections above. PG&E's proposed project would have a less than significant impact under all topics with the incorporation of the mitigation measures included in the public services, transportation/traffic, recreation, hazards, noise, and water quality sections. Furthermore, there are no other past, present and reasonably foreseeable future projects in the vicinity of PG&E's proposed project that would result in impacts that could cumulate with the minimal impacts of PG&E's proposed project. There would be no significant cumulative impact.

c) PG&E's proposed project, located within the Stanislaus National Forest, was evaluated for PG&E's request to lower the Pinecrest Reservoir level between the end of spill and Labor Day from the current minimum elevation of 5,608 feet to a minimum of: 5,606 feet in wet water years; 5,604 feet in normal-wet water years; and 5,600 feet in normal-dry and dry water years. PG&E's proposed project does not include elements that could cause substantial direct or indirect adverse effects on humans.

### **3. INFORMATION SOURCES**

- California Department of Toxic Substances Control. 2013. Envirostor: Stanislaus National Forest. <http://www.envirostor.dtsc.ca.gov/public/>. August.
- California Natural Diversity Database (CNDDDB). 2013. CNDDDB Element Query Results for Pinecrest Quad. <http://www.dfg.ca.gov/biogeodata/cnddb/>. August.
- Federal Energy Regulatory Commission. 2005. Pacific Gas and Electric Company and Tri-Dam Project: Stanislaus River Projects Environmental Impact Statement. March.
- PG&E. 2011. Request for Modification of State Water Resources Control Board Target Elevation for Pinecrest Lake by Labor Day. December 16.
- PG&E. 2011. Pinecrest Reservoir Lake Level Study Report Final Spring Gap-Stanislaus Hydroelectric Project. April.
- PG&E. 2002. Spring Gap-Stanislaus Hydroelectric Project Final Application for a New License. December.
- Regional Water Board, 2011, Water Quality Plan for the Sacramento River and San Joaquin River Basins. October Revision.
- State Water Board. 2008. Spring Gap-Stanislaus Project, FERC Project No. 2130 Initial Study. August.
- State Water Board. 2009. State Water Board Order WR 2009-0039. June 19.
- Tuolumne Utilities District. 2012. Response from Tuolumne Utilities District to Additional Information Request. June 16.
- Tuolumne County. 1996. General Plan Policy Document for Tuolumne County. Tuolumne County Board of Supervisors. December 26. Revisions to General Plan Policy Document up to the date this MND was published are incorporated by reference.
- Tuolumne County. 2012. Emergency Operations Plan for Tuolumne County. June.
- U.S. Environmental Protection Agency (U.S. EPA). 2013. EnviroMapper: Stanislaus National Forest. <http://www.epa.gov/emefdata/em4ef.home>. August.

#### **Personal Communications**

- E-mail from Caitlin Gilleran of Impact Sciences, forwarding communication between herself and Barry Rudolph, California Department of Forestry and Fire Protection (CAL FIRE) Battalion Chief in Pinecrest area on October 2, 2013 regarding fire department impacts from Pinecrest lake elevation changes.

E-mail from Caitlin Gilleran of Impact Sciences, forwarding communication between herself and Barry Rudolph, CAL FIRE Battalion Chief in Pinecrest area, on October 21, 2013 regarding fire department impacts from Pinecrest lake elevation changes.

E-mail from Caitlin Gilleran of Impact Sciences, forwarding communication between herself and Pat Smith of the Pinecrest Permittees Association on October 21, 2013 regarding cabin owner impacts from Pinecrest lake elevation changes.

E-mail from Richard Doble of PG&E, communication between himself and Jeffrey Parks of the State Water Board on December 29, 2014 regarding Pinecrest [proposed project] objective and mitigation measures.



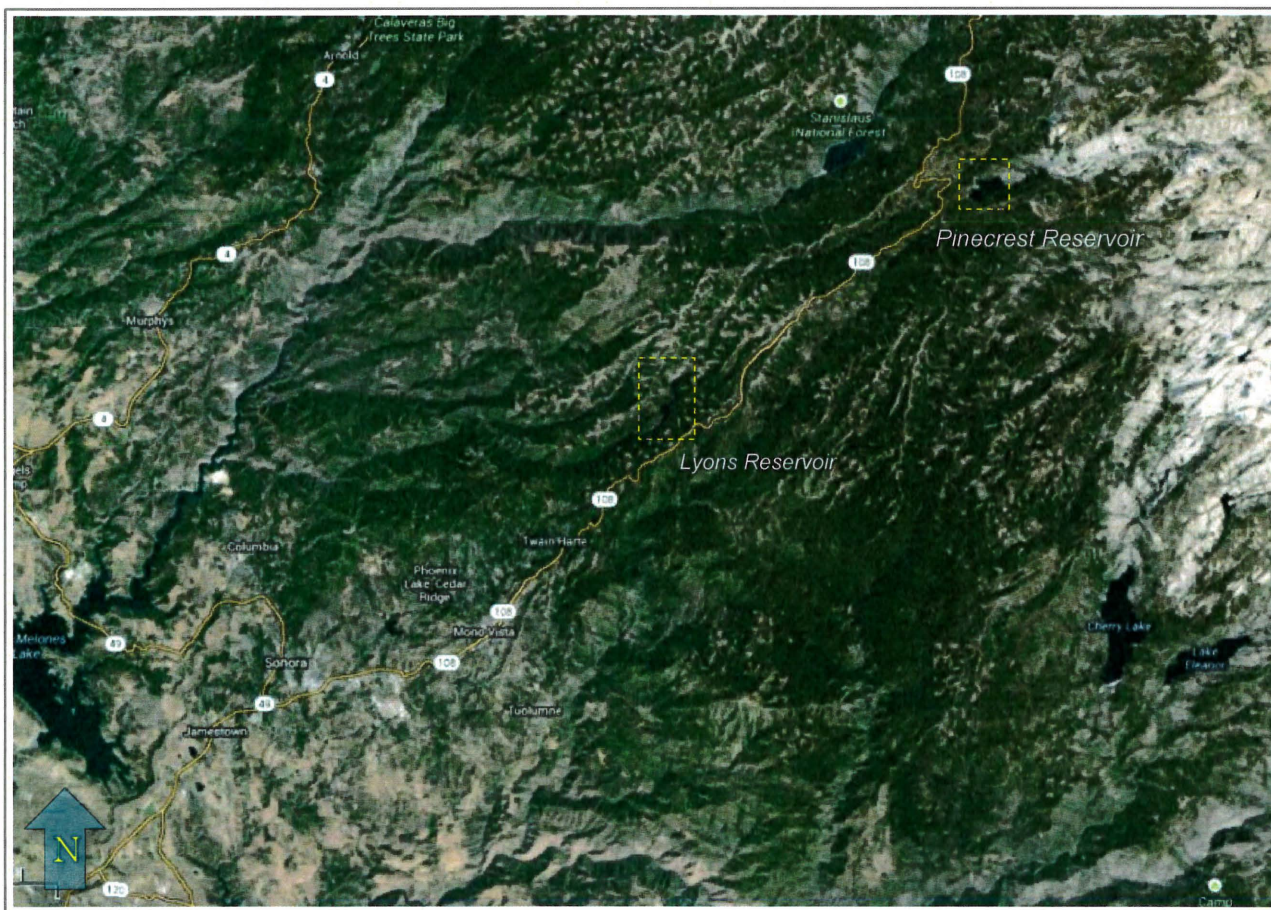
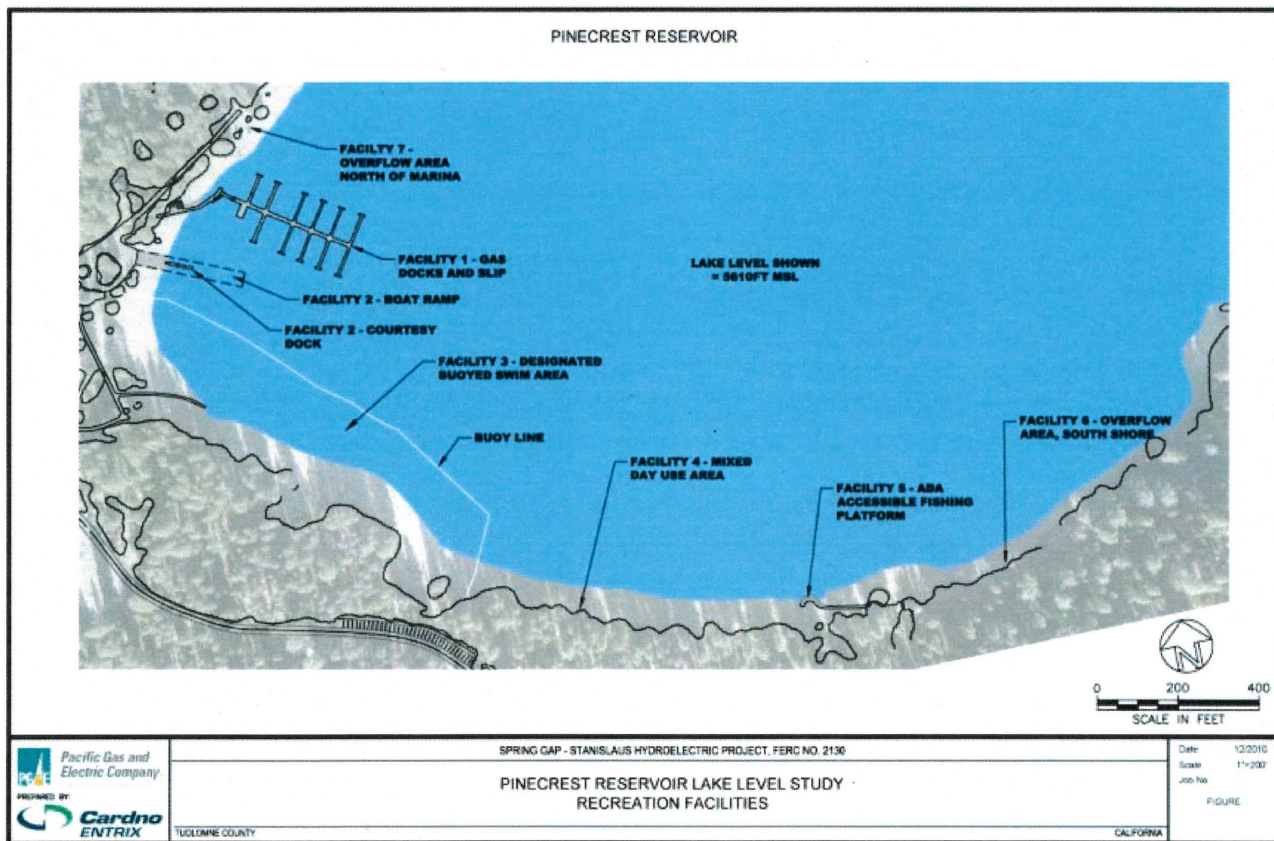


Figure 1 – Regional Location of PG&E's Proposed Project (source: Google Inc. July 2012)



Figure 2 – Project Location (source: Google Inc. July 2012)





**Figure 3 – Pinecrest Reservoir Lake Level Study Recreation Facilities**  
 (Source: PG&E Pinecrest Reservoir Lake Level Study Report, 2011)

## **Attachment A**

### **Response to Comments on the draft Initial Study/Mitigated Negative Declaration Pinecrest Lake Level Modification Project Spring Gap-Stanislaus Hydroelectric Project (FERC No. 2130) August 2020**

On March 16, 2015, the State Water Resources Control Board (State Water Board) circulated a draft Initial Study and Mitigated Negative Declaration (IS/MND) to modify the existing Clean Water Act Section 401 water quality certification (certification) condition pertaining to the minimum Pinecrest Lake level. Pinecrest Lake is part of Pacific Gas and Electric's (PG&E) Spring Gap-Stanislaus Hydroelectric Project, Federal Energy Regulatory Commission Project No. 2130. PG&E's Pinecrest Lake Level Modification Project (Project) proposes a lower water surface elevation of Pinecrest Lake on Labor Day of each year. The current minimum elevation is 5,608 feet and the proposed minimum elevation ranges between 5,606 and 5,600 feet, depending on the water year type as determined in the existing certification. The public comment period closed on April 15, 2015. During the comment period, the State Water Board received comment letters on the draft IS/MND from: the United States Forest Service (USFS), dated April 15, 2015; the California Department of Fish and Wildlife (CDFW), dated April 15, 2015; the Pinecrest Lake Resort, dated April 14, 2015; the Central Sierra Environmental Resource Center (CSERC), dated April 1, 2015; the Pinecrest Permittees Association, dated April 15, 2015; and the Friends of Pinecrest, dated April 11, 2015. In accordance with the California Environmental Quality Act (CEQA) Guidelines, the comments were considered. This document is a summary of the written comments received on the draft IS/MND, State Water Board's response to those comments, and the page(s) and paragraphs of the IS/MND where text was revised to address each comment, where applicable.

#### **1. Federal Agencies**

##### **U.S. Forest Service**

##### **Comments**

- 1. The aesthetics and scenic views of Pinecrest Lake are one of the specific reasons the public comes to enjoy the area. In addition to the water itself, the view includes the backdrop of Pinecrest Lake with the granite mountains and surrounding forest. The foreground - the lake itself - is the most sensitive part of the scenery objective. The desired aesthetic and the recreation experience may be compromised at the proposed lake level of 5,600 foot elevation.*

##### **Response**

**Section III.1 - Aesthetic:** While it is true that the water level dropping does expose additional shoreline, Pinecrest Lake is routinely drawn down far lower than the 5,600 feet analyzed in the MND.



2. *PG&E's proposed project would involve the modification of sediment and /or the removal of large rocks and stumps within the shoreline and from the lake bottom. The MND contains mitigation measures (best management practices) to be implemented during the project to minimize impacts to water quality and to minimize noise impacts (noise control measures). The MND does not recognize/discuss, however, what the long term effectiveness/sustainability of the proposed project is. The modification of sediment and removal of large rocks and stumps has already been completed for the 5608 to 5610 foot lake level elevation. Based on this effort and observations since, the proposed mitigation may not be sustainable at the 5600 foot elevation without multiple, repeated efforts over the course of the license to maintain the desired condition. Consideration of the proposed project effectiveness and the possible need to consider multiple entries to sustain the identified benefits/conditions may be warranted. Multiple entries may have cumulative effects on water quality and noise considerations.*

**Response**

Section III.9 - Hydrology and Water Quality and Section 12-Noise: The water quality and noise impacts from the multiple entries for improvements are temporary in scope and the likelihood of cumulative impacts is less than significant. The amended water quality certification has conditions which include monitoring the effectiveness of the improvements and implementation of actions to ensure continued effectiveness.

3. *The Environmental Setting description of the Recreation component is missing critical and affected elements. The highly used 4 mile National Recreation Trail that provides recreational opportunities around the lake needs to be included and addressed. In addition to the use of the trail itself (hiking, fishing access, scenery enjoyment, photography, etc.), associated facilities include a new picnic area, restroom facility, and boat launch/dock on the east side of the lake.*

**Response**

The east side facilities include a courtesy dock that leads to a new pit restroom were not considered in the MND because construction of the courtesy dock along the east shore was completed in 2014. The baseline for the impact analysis is December 2011 when the application to amend the certification was submitted. Per the as-built drawings provided by PG&E the courtesy dock is usable until a lake elevation of 5,610 feet.

Access to the National Recreation Trail is not prohibited with lake levels lower than 5,608 feet as the trailhead is located at the beach and the trail continues around Pinecrest Lake.

4. *The MND findings refer to the Pinecrest Reservoir Lake Level Study Report (Study Report). The Study Report recommends moving the floating buoy string that provides markers for the wading and swimming usable area. PG&E's proposed project includes a plan to adjust the buoyed markers as the lake level drops to maintain the wading and swimming useable area. The study failed to describe the*

*proximity of the buoy line to the launch ramp and the Marina. The buoy line cannot be moved any further into the lake without putting swimmers dangerously close to the launch and marina facilities. The Study Report refers to Available Swimming Area, Criterion 4. On page 63 "As the elevation drops to approximately 5,603 ft., there is no water in the designated buoyed swimming area." The Study considered this severely impaired at approximately 5605 foot elevation. The mitigation to move the buoy line on the south side of the buoy line (nearest the fishing platform), could mitigate the impaired swimming area, however, it then interferes with the mooring of small boats in the adjacent area to the south of the beach buoy line.*

### **Response**

**Section III.15 - Recreation:** PG&E's Mitigation Proposal (December 2011) for the Project did consider the placement of the extended buoy line and cites that the modified buoy line would need to maintain the existing 75 foot clearance between the swim area and the boat launch. Additionally, the swim area is already minimal towards the end of the recreation season, the interaction between swimming and boating was noted in the Pinecrest Lake Level Study Report (April 2011) as being intermixed with the swim area regardless of buoy markers.

## **2. State Agencies**

### **California Department of Fish and Wildlife**

#### **Comment**

- 1. Mitigation Measure #1 indicates rocks, stumps, and mud flats, exposed by the lowering of the lake water level, may be removed at the direction of the United States Forest Service. It is unclear what type of disturbance (e.g. vegetation, vibrations, and noise) may occur during these project related activities. The trees, shrubs, and grasses within and in the vicinity of the Project site likely provide nesting habitat for songbirds and raptors. Based on the information provided, it is assumed these activities will take place during water level draw down, anytime from mid-June through early September. The Department encourages Project implementation to occur during the non-nesting bird season. However, if ground-disturbing activities must occur during the breeding season (February through mid-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in any violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above. Prior to work commencing; including staging, clearing, and grubbing, the Department recommends surveys for active nests be conducted by a qualified wildlife biologist no more than 10 days prior to the start of Project commencement and that the surveys be conducted in a sufficient area around the work site to identify any nests that are present and to determine their status. A sufficient area means any nest within an area that could potentially be affected by noise, vibration, odors, and movement of workers or equipment. Identified nests should be continuously surveyed for the first 24 hours prior to any construction related activities to establish a behavioral baseline. Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of the Project. If behavioral changes are observed, the work causing that change should cease and the Department consulted for additional avoidance and*

*minimization measures. If continuous monitoring of identified nests by a qualified biologist is not feasible, the Department recommends a minimum no disturbance buffer of 250 feet around active nests of non-listed bird species and a 500 foot no-disturbance buffer around the nests of unlisted raptors until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest by topography. Any variance from these buffers is advised to be supported by a qualified wildlife biologist and it is recommended the Department be notified in advance of implementation of a no disturbance buffer.*

*The State endangered and State fully protected bald eagle is known to occur in the Project area vicinity. Mitigation Measure #1 indicates rocks, stumps, and mud flats, exposed by the lowering of the lake water level, may be removed at the direction of the United States Forest Service. The Department recommends this work is conducted outside the bald eagle nesting season (approximately March through early July), or until a qualified wildlife biologist has determined that the young have fledged and are no longer reliant on parental care for survival. The Department recommends following the Protocol for Evaluating Bald Eagle Habitat and Populations in California (Jackman and Jenkins, 2004), and if breeding bald eagles are detected within the Project area the Department requests the project proponent follow CDFW's Bald Eagle Breeding Survey Instructions (2010). CDFW advises the bald eagle be fully addressed in the CEQA document for the Project, including all avoidance, minimization, and mitigation measures, and that these measures be made enforceable conditions of Project approval.*

**Response**

It is unlikely that any ground disturbing activities would occur between March through July as the location would either be covered in snow or the reservoir would be at a water level too high to facilitate shoreline modifications. The most likely time for construction would be between late September through November when peak recreation has passed and before winter snowfall. This puts construction outside of the general bird nesting season and well outside the Bald Eagle nesting period.

**California Department of Transportation**

**Comment**

*The project would not significantly affect the State Highway System. Thank you for including Caltrans District 10 in the routing of your project.*

**Response**

Thank you for your comment.

### **3. Local Agencies**

#### **City of Sonora**

##### **Comment**

*As a Tuolumne Utilities District customer, and on behalf of our residents, the City of Sonora strongly supports the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification.*

*Last year, the City and our residents, supported significant water conservation measures due to drought conditions facing our community. It is essential for the health and well-being of the City, its residents and Tuolumne County that TUD be able to draw down Pinecrest Lake as described above for the water consumption needs and safety of the community.*

##### **Response**

*Thank you for your comment.*

#### **Del Oro Water Company Inc.**

##### **Comment**

*As CEO of Del Oro Water Company and its Strawberry District, a neighboring district and an emergency supply customer of Tuolumne Utilities District, our company is in strong support for the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project. Del Oro cannot stress enough the need for PG&E's proposal to be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification.*

*Last year our community exhibited strong water conservation efforts due to drought conditions facing our region. It is essential for the health and well-being of Tuolumne County residents that TUD be able to draw down Pinecrest Lake as described above for the water consumption needs and safety of the community.*

##### **Response**

*Thank you for your comment.*

#### **Tuolumne County**

##### **Comment**

*As a regulatory agency linked to the agricultural community of Tuolumne County, I am in strong support for the Tuolumne Utility District (TUD) Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum*

*elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification.*

*Last year the agricultural, residential, industrial, and institutional community exhibited strong water conservation efforts due to drought conditions facing our region. It is essential for agriculture and the health and well-being of Tuolumne County that TUD be able to draw down Pinecrest Lake as described above for the water consumption needs and safety of the community.*

**Response**

Thank you for your comments.

**Tuolumne County Board of Supervisors**

**Comment**

*The Tuolumne County Board of Supervisors supports the proposed Notice of Intent to adopt a Mitigated Negative Declaration for Pacific Gas and Electric (PG&E) Company's Pinecrest Lake Level Modification Project. By modifying the minimum pre Labor Day lake level from the current 5,608 feet to the lower range of between 5,600 and 5,606 feet, PG&E and ultimately Tuolumne Utilities District are provided much needed flexibility to provide water to downstream customers.*

*The current drought has been particularly difficult for TUD and its customers due to the reliance on reserves mainly in Lyon's Reservoir which receives little water during the dry summer months. In 2014, TUD implemented a water conservation program and its customers responded by using 30 percent less water. This led to customer hardships ranging from agriculture to loss of residential gardens. TUD and other water utilities suffered financial losses due to less water usage.*

*This Notice of Intent (NOI) will also provide recreational benefits to Pinecrest Lake users. It calls for the removal of tree stumps and boulders which would become part of the beachscape should the lake levels be reduced. In addition, the plan calls for placing more sand at the lower elevation levels.*

*The NOI is responsive to Tuolumne County's May 21, 2013 letter sent on this topic. The Tuolumne County Board of Supervisors speaks for the consumptive and recreational/tourism interests of this County and believes that the NOI provides a balanced approach. This proposed action balances the needs of the various users of Pinecrest Lake's water and the winners include recreation, municipal consumption, public safety, and Tuolumne County's economy. Pinecrest Lake is a critical piece in this County's water puzzle. It is heartening for various public and private agencies to work together for a common beneficial solution. This Board looks forward to seeing final approval of a flexible lower elevation for Pinecrest Lake during the summer months.*

**Response**

Thank you for your comment.

## **Tuolumne County Building Industry**

### **Comment**

*As we enter our third year of an unprecedented drought, we customers of Tuolumne Utility District ask that you help our community survive the drought by supporting and rewarding our unparallel conservation efforts. While our efforts to conserve water started well before the rest of the state and have gone much further than any other area in the state, we have unfortunately had to admit it just won't be enough.*

*We ask that you join us in supporting the mitigated negative declaration for PG&E's Pinecrest Lake Level modification request. A flexible lake level between 5,608 and 5,600 will insure we have the water necessary to maintain the minimum safe water requirements for our county and are able to survive this emergency water supply situation*

### **Response**

*Thank you for your comment.*

## **Tuolumne County Chamber of Commerce**

### **Comment**

*As a customer of Tuolumne Utilities District (TUD) and representing the business community of Tuolumne County, the Tuolumne County Chamber of Commerce is in strong support for the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project. This project proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification.*

*Last year our entire community exhibited amazing water conservation efforts due to drought conditions facing our region. It is essential for the health and well-being of Tuolumne County that TUD be able to draw down Pinecrest Lake as described above for the water consumption needs and safety of our community.*

*In short, the Tuolumne County Chamber of Commerce representing approximately 300 businesses who employ over 6,000 employees, ranging from our local hospital to real estate companies, to restaurants and lodging, enthusiastically supports this much-needed project relative to PG&E and Pinecrest Lake for the health and safety of Tuolumne County residents and visitors alike.*

### **Response**

*Thank you for your comment.*

## **Tuolumne Utilities District**

### **Comment**

*We would like to thank the State Board and staff for developing a balanced approach to the lake level at Pinecrest. TUD believes that the MND meets all the requirements of CEQA and more than adequately address the minimal impacts of the Project.*

**Response**

Thank you for your comment.

**Twain Harte Community Services District**

**Comment**

*Thank you for this opportunity to comment on the subject mitigated negative declaration. The Twain Harte Community Services District would like to express its strong support for the for PG&E's Pinecrest Lake Level Modification Project. This project is greatly needed for the health and safety of our community.*

**Response**

Thank you for your comment.

**4. Non-Governmental Organizations**

**Central Sierra Environmental Resource Center**

**Comments**

1. *For recreation above the waterline at beaches or along the Lake, the suggestion is made in the MND that round gravel being placed onto the mud by PG&E will somehow make the additional drawdown below 5,608' palatable and pleasant for beachgoers, those hiking along the water's edge, or other recreational users.*

*CSERC questions whether those writing that claim have walked on the muddy slopes below the beaches as the Lake drops. Perhaps not the first year, but at some point after placement the overwhelming majority of the gravel will have sunk into the gooey mud and will provide minimal ambiance or minimal appropriate footing for those walking from the beach down to the water.*

*Put most simply, spreading a huge amount of gravel is not going to either make the lowered lake slopes attractive or desirable for recreation compared to the beaches. More likely over time the slopes leading down to the water will simply become muddy, mucky slopes with lots of gravel mixed in.*

**Response**

Comment noted. Mitigation measures will include a monitoring and maintenance component that will ensure effectiveness. The certification amendment includes an adaptive management framework that requires maintenance and/or improvements based on monitoring results.

2. *Under SCENIC Findings (a), the MND states: "PG&E's proposed project would decrease the elevation of the lake water which would result in an additional few feet of exposed shoreline. The exposed shoreline would not interfere with the views of the nearby mountains. Any decrease in mountain viewing access from the lake surface would likely be offset by the slight increases in shoreline viewing access. Given the size of Pinecrest Lake and the small change in elevation (maximum of 8 feet in normal-dry and dry water years), the change to the shoreline that would result due to PG&E's proposed project would generally not be noticeable. Furthermore,*

*Pinecrest Lake levels and the area of exposed shoreline fluctuate seasonally every year, and the changes in the shoreline are part of the scenic vista at the present time. For all of these reasons, PG&E's proposed project would have a less than significant impact on the scenic vista.*

*CSERC respectfully disputes the wording of that finding. To suggest that dropping the lake level by 8 feet "would generally not be noticeable" is obviously not accurate.*

**Response**

Section III.1.a - Scenic Findings: The evaluation of impacts to the scenic vistas to the Sierra Nevada Mountains, not necessarily the views to the shoreline. Also, the lake is normally drawn down below 5,608 feet after Labor Day. The shoreline, mud flats, and steep mud and rock slopes are exposed annually after Labor Day.

3. *The area of exposed shoreline created, especially along the entire southwestern and southern end of the Lake, if the lake is lowered to 5,600', further exacerbates the area already exposed by the lowering from the full lake level of 5,617'. It significantly widens the mudflats (graveled or not) and the steeper mud and rock slopes above the Lake all the way around the perimeter where no gravel placement is planned or is realistic. The 8' drop in Lake level also means that stumps all the way around the rest of the perimeter of the lake now protrude adding to the bare muddy shoulders of the shoreline.*



**Response**

It is likely that removal of stumps and rocks may be required on a regular basis to ensure effectiveness of mitigation measures. If the improvements are effective and are maintained, the mitigation measures will reduce the impacts to recreational use of Pinecrest Lake.

4. *CSERC asks that the Lake level be adjusted to be 5,608' in Wet years, 5,606' in Normal-Wet years, 5,604' in Normal-Dry years, 5,602' in Dry water years, and 5,600' in Critically Dry water years.*

**Response**

Suggested lake levels have been noted. The Labor Day lake levels in the certification amendment are similar and slightly higher.

5. *CSERC is puzzled that there is no apparent requirement anywhere in the MND and the description of the proposed Project that ties the lowest levels of Lake drawdown prior to Labor Day to a commensurate requirement for TUD to mandate at least 20% water conservation savings by its customers in Normal-Dry and Dry years.*

**Response**

At this time, statewide water conservation regulations are under development. Also, the certification for PG&E's Spring Gap-Stanislaus Hydroelectric Project has no authority to impose conservation requirements on third parties. However, the Labor Day lake levels included in the certification amendment factor-in increasing levels of conservation by TUD with lowering elevation requirements.

6. *For the IS/MND to contain the following text in Findings is incorrect:*

*"The objective of PG&E's proposed project is not to increase the total water supply available to TUD, but rather to create a more reliable supplemental water supply for TUD. It is not expected that PG&E's proposed project would induce substantial population growth as the increased reliability of the existing water supply to TUD would not create new additional water for TUD. The water contract between PG&E and TUD remains the same under PG&E's proposed project. There are many other factors in Tuolumne County that affect population growth that are outside the scope of this analysis. There would be a less than significant impact with regard to this criterion."*

*In direct contrast to that Finding in the IS/MND, TUD director Scesa has clarified that TUD sees the extra supplemental water available due to the lower Labor Day lake level target as water that could allow service to thousands of new residences.*

**Response**

Comment noted. The Labor Day lake levels in the amended certification consider and address these concerns. The lake levels balance the need of TUD summertime water demand and the recreational activities at Pinecrest Lake.

7. *On page 6 the final sentence of the second paragraph under RECENT PROJECT HISTORY states that the actual Lake elevation on Labor Day 2012 was 5,608'. The correct date in the context of that paragraph is Labor Day 2014.*

**Response**

Text has been revised on page 7 paragraph 3.

**Friends of Pinecrest, Allen Green**

**Comments**

1. *Safety impacts were not studied or considered as a part of the Environmental Impact Statement for the Hydro Project FERC No. 2130, nor were safety factors evaluated in the Lake Level Study. Safety issues of concern to FOP include the following:*

*The Tuolumne County Fireboat, docked at Pinecrest Lake, is inaccessible below 5604 feet. Additionally, many of the docks along the shoreline become unusable at or around this level. North Shore and South Shore cabins are not accessible by auto and rely on the Fireboat and Association boat for servicing the needs of these dwellings. Therefore, 5604 feet should be maintained as the lowest approved level, as an exception to 5605 feet, prior to Labor Day.*

**Response**

See Section III.8.h of the MND. The CALFIRE fire boat at Pinecrest Lake can remain in the lake until elevation 5,595 feet.

2. *Below 5604 feet, serious safety and public health risks of the following natures have occurred in the past and are presumed to occur in the future:*

2.a. Greater exposed shoreline and inability to access docks poses safety and health risks when emergency access is required for fire, search and rescue, accidents, and medical calls.

**Response**

The lake is regularly drawn down below 5,608 feet after Labor Day. The access issues to the North and South Shore cabin docks occurs even during years when the lake level at Pinecrest Lake is 5,608 feet on Labor Day.

2.b. Greater exposed shoreline and inability to access docks presents service district difficulties for garbage collection and routine maintenance of things like water and sewer lines.

**Response**

The lake is regularly drawn down below 5,608 feet after Labor Day. The access issues to the North and South Shore cabin docks occurs even during years when the lake level at Pinecrest Lake is 5,608 feet on Labor Day.

2.c. Access to the Forest Service courtesy dock that services the Sunrise Point picnic and restroom facilities will be compromised, posing the likelihood of reduced maintenance, cleaning, and official oversight and presence at this location.

**Response**

The east side facilities include a courtesy dock that leads to a new pit restroom were not considered in the MND because construction of the courtesy dock along the east shore was completed in 2014. The baseline for the impact analysis is December 2011 when the application to amend the certification was submitted. Per the as-built drawings provided by PG&E the courtesy dock is usable until a lake elevation of 5,610 feet.

2.d. Submerged rocks in various portions of the upper and lower lake as well as the shoreline create boating hazards below 5605 feet.

**Response**

The MND contains a substrate improvement mitigation measure that will likely require removal of stumps and rocks on a regular basis and a monitoring component that will ensure the mitigation measure is effective. If the improvements are effective and are maintained, the mitigation measures will reduce the impacts to recreational use of Pinecrest Lake.

2.e. As the lake level recedes, surface availability is reduced and lake users are more concentrated, thereby increasing the potential for accidents.

**Response**

Comment noted.

3. *5605 feet enables all Marina dock fingers and gas dock to remain at a depth that will allow safe draft clearance of watercraft.*

**Response**

Correct. Based on the Pinecrest Lake Level Study Report (April 2011), one dock finger becomes unusable at elevation 5,603 feet.

**Friends of Pinecrest, Keri Green**

**Comments**

*Governor Brown's Executive Order B-29-15, dated April 1, 2015, requires a statewide 25% reduction in potable urban water usage as compared to the amount used in 2013. TUD should be held to this standard. TUD has effectively and successfully implemented water conservation in recent years. It is reasonable to require the agency to commit to continued wise use of water. Pinecrest is doing its part for conservation 'up the hill'. In 2008-09, the Pinecrest Permittees Association conducted major repairs on its water*

distribution system resulting in a 60% annual decrease in water use. Pinecrest uses 4,000,000 gallons less water every year than in 2007. Thank you for considering the conservation standard.

### **Response**

At this time, statewide water conservation regulations are under development. Also, the certification for PG&E's Spring Gap-Stanislaus Hydroelectric Project has no authority to impose conservation requirements on third parties. However, the Labor Day lake levels included in the certification amendment factor-in increasing levels of conservation by TUD with lowering elevation requirements.

## **Pinecrest Lake Resort**

### **Comments**

1. ***Mitigation Measure 1- Substrate Improvement*** *Pinecrest Lake Resort finds this measure to be inadequate. A lower lake level would expose a significant amount of stumps and rocks, in order to effectively mitigate this problem their removal would need to be done on an annual basis since the inflow of water moves rocks, stumps and logs consistently. Additionally, placing backfill gravel into the lakebed does not enhance the visitor experience or visual esthetics, instead it will make Pinecrest look like a gravel pit. Additionally, this measure does not address the loss of use associated with the East Shore restroom and dock (unusable below 5609') or the limited operations the Pinecrest Lake Marina begins to incur below 5608'.*

***Proposed Alternative:*** *Provide consultation with the United States Forest Service to omit the "two foot drop" from 5617' to 5615' and allow for the additional water to remain in Pinecrest Lake. This will alleviate a large amount of the rocky and stump riddled shoreline and provide a better visitor experience while holding the water to be used later. This would allow continued operation at the Pinecrest Lake Marina and would not require movement or additional area to be added to the dock.*

### **Response**

It is very likely that removal of stumps and rocks may be required on a regular basis to ensure effectiveness of mitigation measures. If the improvements are effective and are maintained, the mitigation measures will reduce the impacts to recreational use of Pinecrest Lake.

Regarding the placement of gravel into the lakebed, this visual esthetic concern will normally occur after Labor Day, when Pinecrest Lake is drawn down below 5,608 feet and the lakebed is exposed. Pinecrest Lake is historically drawn down below 5,608 feet after Labor Day each year. Also, gravel will only be placed at the beach area of the lake, not necessarily the whole lake.

The east side facilities include a courtesy dock that leads to a new pit restroom were not considered in the MND because construction of the courtesy dock along the east shore was completed in 2014. The baseline for the impact analysis is December 2011 when the application to amend the certification was submitted. Per the as-built

drawings provided by PG&E the courtesy dock is usable until a lake elevation of 5,610 feet.

The effects on the Pinecrest Lake Marina docks includes the loss of one dock finger. There are 12 fingers available at the Marina dock. Based on the Pinecrest Lake Level Study Report (April 2011), one finger becomes unusable at elevation 5,603 feet. Since there is a total of 12 fingers at the Marina dock, the impact at this elevation is not considered significant.

2. **Mitigation Measure 2- Buoy Line Modification** *Pinecrest Lake Resort finds this measure to inadequate and unrealistic. As all are aware Pinecrest Lake has a small surface area, there is very little room to redesign the buoy lines to adjust without jeopardizing the boat traffic at the boat ramp and marina.*

**Proposed Alternative:** *Provide consultation with the United States Forest Service to omit the "two foot drop" from 5617' to 5615' and allow for the additional water to remain in Pinecrest Lake. By maintaining a higher water level the swimming area and adjacent beach are usable and provide adequate space for recreation users. This will also maintain the historical use of Pinecrest Lake.*

#### **Response**

**Section III.15 - Recreation:** PG&E's Mitigation Proposal (December 2011) for the Project did considered the placement of the extended buoy line and cites that the modified buoy line would need to maintain the existing 75 foot clearance between the swim area and the boat launch. Additionally, the swim area is already minimal towards the end of the recreation season, the interaction between swimming and boating was noted in the Pinecrest Lake Level Study Report (April 2011) as being intermixed with the swim area regardless of buoy markers.

3. **Aesthetics.** *This factor is significant, the exposed shoreline would be at least 125ft. We have attached pictures of the shoreline, taken today, April 14, 2014 the lake elevation is 5600.7'. As is visible the visual implications of the low water level and "dry" portions of the marina are significant and should the proposed elevations be approved, would require greater mitigation than proposed.*

#### **Response**

**Section III.1 - Aesthetic:** While it is true that the water level dropping does expose additional shoreline, Pinecrest Lake is routinely drawn down far lower than the 5,600 feet analyzed in the MND.

4. **Agriculture and Forestry Resources.** *The project occurs on National Forest Lands. Lower water levels are significant to user access (East Shore Dock and Restroom, National Recreation Trail, Handicap water access, Boat Hand Launches) All of which are not useable below elevations of 5608'-5610', plus limiting operations at the Pinecrest Lake Marina. These are significant impacts to public land.*

### **Response**

With regards to the East Shore Dock and Restroom, see response to U.S. Forest Service Section III.15 – Recreation comment on page 2. Access to the National Recreation Trail is not prohibited with lake levels lower than 5,608 feet as the trailhead is located at the beach and the trail continues around Pinecrest Lake. With regards to the Boat Hand Launches, the boat launch remains usable until elevation 5,589 feet. With regards to the limited operations of the Pinecrest Lake Marina, see response to Mitigation Measure 1 – Substrate Improvement comment in this section above.

5. **Public Services.** *Fire is a major concern in the Pinecrest basin. Posting of fliers and education will not provide fire suppression. The boat is essential to fire suppression and can be used 24 hours a day and can provide additional medical support. While more manpower would be beneficial it is important to note that this manpower is at minimum 20 minutes away. Having recently experienced the Rim Fire we can all agree how quickly flames can spread in a Forest setting and every effort should be made to prevent longer response times. There are no access roads to the 48 cabins on Pinecrest Lake, thus efforts made by means other than the boat would be done by foot or air. For every day that the boat is out of the water creates greater potential for fire, medical and safety issues in the area.*

### **Response**

Public notification will inform individuals of the reduction of fire protection services. Also, see section III.8.h of the MND for a discussion of the impacts to the fire boat at Pinecrest Lake.

### **Pinecrest Permittee Association, Tim Fisher**

#### **Comments**

1. *Conservation & systemic problems within TUD service areas have not been addressed.*

#### **Response**

At this time, statewide water conservation regulations are under development. Also, the certification for PG&E's Spring Gap-Stanislaus Hydroelectric Project has no authority to impose conservation requirements on third parties. However, the Labor Day lake levels included in the certification amendment factor-in increasing levels of conservation by TUD with lowering elevation requirements

2. *Reduced Lake Levels during Recreation Season have potentially significant firefighting & rescue impacts. Posting flyer's and education will not put out fires or save lives.*

#### **Response**

See MND Section III.8.h for a discussion of impacts to fire suppression.

3. *The TCFD owns the fireboat and it must be removed from the Lake when level gets to 5600'.*

**Response**

The fire boat is removed when the lake level reaches 5,595 feet, typically on October 1 each year.

4. *Fireboat water hoses cannot reach the shore structures at 5604'.*

**Response**

The lake is normally drawn down lower than 5,608 feet after Labor Day. The fire hose length is already an existing issue.

5. *While firefighting & rescues can be accomplished with additional manning & water hoses...additional manning is more than twenty minutes away in Mi-Wuk.*

**Response**

The lake is normally drawn down lower than 5,608 feet after Labor Day. The length of time for additional fire suppression resources to reach Pinecrest Lake is already an existing issue.

6. *PG&E recently built a restroom and dock to service the east end of the Lake and the popular trailhead into the South Fork Stanislaus River (SFSR). This dock is unusable by fire & rescue or anyone below 5610'.*

**Response**

The east side facilities include a courtesy dock that leads to a new pit restroom were not considered in the MND because construction of the courtesy dock along the east shore was completed in 2014. The baseline for the impact analysis is December 2011 when the application to amend the certification was submitted. Per the as-built drawings provided by PG&E the courtesy dock is usable until a lake elevation of 5,610 feet.

**5. Local Residents**

**Bohnen, David**

**Comment**

*This is a letter of support for new regulations for the elevation requirements of Pinecrest Lake. Elevation regulations should be flexible based upon current water needs for the 44,000 customers of TUD.*

**Response**

Thank you for your comment.

**Brown, Delyle and Annette**

**Comment**

*We are deeply concerned that we will run out of drinking & household water prior to the Labor Day weekend. We have done our part in cutting back our water usage by 40% from last year and installing two 100 gallon tanks to utilize our grey water. Here in Tuolumne County residents have greatly reduced their usage of public water. Huge*

*trees in yards have or are dying, lawns are dead, and private wells are going dry. Yet when we travel to the valley, we see green lawns on public & private property with no sign of water conservation.*

*As a customer of Tuolumne Utilities District and of the community of Tuolumne County, I am in strong support for the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification.*

*Last year our community showed strong water conservation efforts due to drought conditions facing our region. It is essential for the health and well-being of Tuolumne County that TUD be able to draw down Pinecrest Lake as described above for the water consumption needs and safety of the community.*

**Response**

Thank you for your comment.

**Cowell, Juliette**

**Comment**

*With this drought and having gone one year already at a 50% reduction and water my few living plants by the cup, I find it very negative that other areas of the state do not have "mandatory" conservation. I believe where the water is or falls as rain and snow should be the "native source" and given priority of it as a mineral and be paid in accord as our timber used to be to each county. Basically S.F. and PG&E own our water, and this should not be.*

- 1. All coastal counties should have their main source of water from desalting plants or sun evaporation systems.*
- 2. Mountain water should go to the local community(ies), rivers, and refilling the underground aquifers (that are being drained by wells) and to our food growers.*
- 3. Coastal farms (within 50 miles of coast) should also have water from desalting or local rainfall ponds.*
- 4. L.A. area needs to be cut off from mountain water and only use desalting.*

*It's not just climate changes, its people and their greed about water usage.*

**Response**

Thank you for your comment.



**Doten, Leonard**

**Comment**

*I wish to comment on the proposed action to increase the allowable drawdown of Pinecrest Lake during the recreational season in dry years. I live a few miles from Pinecrest but I am not a Tuolumne Utility District (TUD) customer and the water system I am on does not draw water from the Stanislaus watershed. I hope those who have supported the present restriction will also support the modification of it as they reasonably should. The present rule is obviously too blunt in view of the highly variable circumstances that are occurring now and have in the past.*

*There should not be any entitlement that places a higher value on a limited recreational use above the value of the ordinary lives of tens of thousands of people. Yes, like all Californians, TUD customers need to curtail their water use as they have shown a previous willingness and ability to do. A similar or greater curtailment of one of the recreational opportunities in Pinecrest should also be expected. Those activities should never be valued more highly than the lives of the non-transient population in the area who are dependent on the same water to have a somewhat customary existence.*

*Recreation is after all an optional activity. Conducting one's life from one's home in a restricted but largely conventional manner, or operating a local business is not. These day-to-day activities cannot just be suspended for the duration of the drought at no great cost - unlike surface water recreation. Thank you for the opportunity to comment.*

**Response**

Thank you for your comment.

**Everhart, Tom**

**Comment**

*As a taxpayer in Tuolumne County and a user of Pinecrest Lake for fishing and boating, I respectfully request that the water levels of the lake be maintained as close to their historic levels as possible. Given that California is experiencing unusual drought conditions, I understand that some adjustments may become necessary. Hence I support the following proposed levels for Pinecrest Lake going forward:*

*5608 feet in wet water years;*

*5606 feet in normal-wet water years;*

*5605 feet in normal-dry years as the lowest minimum level;*

*5604 feet allowed as an exception to 5605 feet in dry and critically dry years.*

*I hope that the water authorities of the state can support these levels.*

**Response**

Thank you for your response.

**Freer, John**

**Comment**

*As a customer of TUD and of the community of Tuolumne County, I am in strong support for the Mitigated Negative Declaration of PG&E's Pinecrest Lake level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current level.*

*It seems reasonable to me, that people having drinking water should be the priority of this issue and hope common sense should prevail. Please do the right thing for the people of Tuolumne County.*

**Response**

Thank you for your comment.

**Goularte, Jeff**

**Comment**

*I am a 5 generation Tuolumne County resident. Our water problems in Tuolumne County has always been at the mercy of PGE. And now with a few cabin owners at Pinecrest Lake. I feel that even with all the conservation in the world, Tuolumne County cannot get by without tapping into Pinecrest Lake waters before the Labor Day restriction. Also, with the current drought, more wells are going dry putting more demand on TUD. to supply water.*

*Thank You for your time in this matter.*

**Response**

Thank you for your comment.

**Hanville, Stephanie**

**Comment**

*As a customer of Tuolumne Utilities District and of the community of Tuolumne County, I am in strong support for the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification. Last year our community exhibited strong water conservation efforts due to drought conditions facing our region. It is essential for the health and well-being of Tuolumne County that TUD be able to draw down Pinecrest Lake as described above for the water consumption needs and safety of the community.*

**Response**

Thank you for your comment.

**Kinnear, John**

**Comment**

*As a customer of Tuolumne Utilities District and of the community of Tuolumne County, I am in strong opposition to the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification.*

*For untold years the TUD has dragged its heels with regard to intelligent, permanent water conservation proposals, so it seems inappropriate to grant TUD any kind of consent that allows it to continue in its irresponsible practices. Please deny any TUD proposals until its board gets serious about long-term solutions to our water supply.*

**Response**

Thank you for your comment.

**Lima, August**

**Comment**

*Consider this E-Mail as my support for allowing Pinecrest Lake water level to be controlled to better provide the public/TUD Customers with drinking water during these dry times.*

**Response**

Thank you for your comment.

**Lobdell, William and Catherine**

**Comment**

*As a customer of TUD, we support the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification.*

**Response**

Thank you for your comment.

**Medearis, Ron**

**Comment**

*As a customer of Tuolumne Utilities District and of the community of Tuolumne County, I am in strong support for the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification.*

*Last year our community exhibited strong water conservation efforts due to drought conditions facing our region. It is essential for the health and well-being of Tuolumne County that TUD be able to draw down Pinecrest Lake as described above for the water consumption needs and safety of the community.*

*Since all residents of California are being required to substantially reduce water use, it only seems reasonable that recreationists should share in the conservation efforts. The compromise being offered would be mitigated by the PG&E proposal, so the effect of a lower reservoir level would be minimal, compared to other reservoirs throughout the State, where recreational use will be severely limited due to much lower water levels.*

**Response**

Thank you for your comment.

**Reichle, Susan**

**Comment**

*My name is Susan Reichle and I am a nurse living in Jamestown. I am writing you today concerning our current dire water situation in Tuolumne County. 'm sure you are aware of the details.*

*As a resident and a nurse, I am aware of the need for water for both safety and public health. As a gardener and former cabin owner in Pinecrest, I know it's value in bringing food, beauty, and fun. I would never compromise the form for the latter, and I hope that is your perspective as well as you consider the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project. The flexibility it contains will go a long way towards assuring the health and safety of our community.*

**Response**

Thank you for your comment.

**Roel, James**

**Comment**

*I am a current customer with T.U.D. and have been a customer since 2005.*

*I have continually made effort to conserve and control my water use located at 18142 4th Ave. in Jamestown, Ca. Records will show this is so and I will continue to conserve as best as I can. I see my friends and neighbors doing all they can to conserve as well.*

*I believe we are all concerned with water and about this current drought we are in. There is a quality of life that needs be addressed also...Clean clothes, clean bodies, clean dishes and property care and appreciation and maintenance to name a few.*

*In regards to Pine Lake...I believe that T.U.D. and it's agents are and have always looked out for the community and Tuolumne County at large. I have always been treated fairly and they seem to know what they're doing inasmuch as I have always had clean, tasty water and enough of it to make my life here in Tuolumne Co. worth living. We are ALL concerned but these people ARE the experts....Listen to them.*

**Response**

Thank you for your comment.

**Serhan, George**

**Comment**

*Last year due to the drought and a 50% mandate to reduce watering, I lost 8 fruit trees, many grape trees, 4 Japanese maples, and all my vegetable plants... I am not willing to lose more. The state is so screwed up in a number of ways:*

- 1. The population keeps increasing without thinking about the consequences*
- 2. The state is not building reservoirs as it should. This should happen consistent with the population growth.*

*As a customer of Tuolumne Utilities District and of the community of Tuolumne County, I am in strong support for the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification. Last year our community exhibited strong water conservation efforts due to drought conditions facing our region. It is essential for the health and well-being of Tuolumne County that TUD be able to draw down Pinecrest Lake as described above for the water consumption needs and safety of the community.*

*I AM NOT going to destroy my hard work and huge expenses in killing the rest of my vineyard, fruit trees, and vegetables this year. If you have not thought about building more dams, and reducing the population of the state, then I suggest you better start pushing the brainless governor and politicians to start doing so.*

**Response**

Thank you for your comment.

**Siewert, Sherry**

**Comment**

*I support the change in water levels at Pinecrest to ensure that all Tuolumne County residents have the water they need for personal hygiene, proper hydration, and watering gardens for food. My family is willing to reduce our water usage by purchasing drinking water as much as possible. Please help.*

**Response**

Thank you for your comment.

**Sipperley, Gary**

**Comment**

*I am writing in support of the Mitigated Negative Declaration and, by extension, the "Pinecrest Lake Level Modification Project."*

*As a resident of Tuolumne County for over 20 years, I know and deeply appreciate the value that Pinecrest provides to residents and visitors to the county and to the economy of our area. In an ideal world Pinecrest could be kept at – or even above – the 5608' elevation throughout the summer season. In fact, this change may create more beach to enjoy – mitigating a complaint that is often heard throughout the summer when water levels are above 5608'.*

*However the current drought, as well as the prospect of continued and future droughts and water shortages as a result of climate change, make it essential that residents, businesses and agriculture in the county have an adequate supply of water to sustain our population. As the MND clearly states, "The objective of PG&E's proposed project is not to increase the total water supply available to TUD [and by extension, to other water purveyors dependent upon TUD], but rather to create a more reliable supplemental water supply for TUD."*

*Without a reliable water supply no civilization can exist. Most of the population of Tuolumne County is dependent on water which ultimately flows from or through Pinecrest. The relatively minor tradeoffs required by this change are far outweighed by its benefits, and I urge its adoption as quickly as possible.*

*Thank You!*

**Response**

Thank you for your comment.

**Stark, Richard**

**Comment**

*I am a resident of Twain Harte and I have been following water issues in the west since reading a book by the name of Cadillac Desert many years ago. In this drought it seems to make sense to allow PG&E to lower the level of Pinecrest Lake before labor day if it seems to be indicated at the time. I am strongly in favor of you adopting the MND. I have been telling my kids for years that 100 years from now the Los Angeles army will be coming north to attack the north and the issue will be water. I do hope that does not happen but it will require some real leadership to prevent it.*

**Response**

Thank you for your comment.

**Van Dyke, Heather**

**Comment**

*I am a resident of Tuolumne County. I strongly support lowering the levels of Pinecrest Lake for use in the community. Last year we conserved much more water than other areas, we don't waste water in our community and need all we can get for our survival and safety. Thank you for your consideration.*

**Response**

Thank you for your comment.

**Varellas, Triant (4/6/2015)**

**Comment**

*March Madness is well upon us. It is not the NCAA Basketball playoffs, but the madness of the Tuolumne Utility District, known as TUD.*

*On March 13, 2015, TUD reported (Union Democrat) that they would have enough water for all of its customers, as well as enough water for all new proposed developments now on the books. This would include:*

- The Yosemite National Golf & Wetland Preserve, a \$100 million dollar golf, hotel, & condominium resort at Yosemite Junction, at Highway 120 & Highway 108,*
- Oakview Estates, a 123 home residential project,*
- Mountain Springs, more than 800 residential homes. (see enclosed)*

*On March 18, 2015 TUD stated publicly, as reported on MyMotherlode.com news service, that both Pinecrest Lake and Lyons Reservoir were expected to "fill and spill!" (see enclosed)*

*On March 25, 2015, (Union Democrat) PG&E stated that Pinecrest Lake will only reach 5,602 feet above sea level by April or May, and will not "fill & spill." (see enclosed)*

*On March 26, 2015, (Union Democrat) PG&E notified TUD of the dire water conditions at Pinecrest Lake. (see enclosed)*

*I am quite sure that the water level will drop below 5,600 feet during the summer months due to evaporation and normal water releases into the South Fork of the Stanislaus River. The current projected levels reported in the application for certification by the State Water Resources Board and the California Environmental Quality Act, are now null and void. New lake water levels must now be incorporated into PG&E's Lake Level Modification Project to meet both your requirements and CEQUA's standards.*

*It was abject lunacy for water Hydrologists from either PG&E or TUD to project that Pinecrest & Lyons reservoir would "fill & spill," given the serious nature of the drought.*

*Did they forget to check the snow surveys taken this winter on the South Fork of the Stanislaus watershed above Pinecrest Lake? Citizens of this county know all too well that this has been an extremely dry year!*

*TUD had ample opportunities to enlarge Lyons Reservoir in the late 1980's. This would have allowed for 2 plus years of water storage with conservation. They also had plans to pipe the open ditch system, which delivers our water and was built by gold miners in the mid 1800's. By doing so they would prevent loss by both evaporation and leakage. TUD chose not to do either project thinking, falsely, that that they would always have sufficient water storage capacity. In the meantime our population has doubled, and they keep approving new building projects.*

*I do not know if any more water will be allowed from Pinecrest Lake. If more water is allowed/or TUD, then it must be stipulated that it will be used for current water customers only, and not for new developments!*

*Please explain how TUD is going to meet our Governor's 25% cut in water usage, if they approve "thousands of additional hookups?" (Union Democrat, 3/13/15) You may need to come up here to see for yourself.*

*March Madness is marching right into April!*

**Response**

Thank you for your comments. With regards to requiring TUD to use any supplemental water for current customers only, the certification amendment does not give PG&E the authority to impose requirements on third parties.

**Varellas, Triant (4/8/2015)**

**Comment**

*Last week I sent you a detailed reply to the proposed lowering of Pinecrest Lake levels.*

*I am enclosing two more documents that illustrate the confusion that emanates from Tuolumne Utilities District.*

*I very much believe that someone needs to come to Tuolumne County to see first hand Pinecrest Lake and to meet with both PG&E and Tuolumne Utilities District officials before they get any more water from Pinecrest Lake.*

*I do not know what damage may be done to the Pinecrest Lake ecological environment by taking more water from it. However if you are going to permit the taking of more water for Tuolumne Utilities District, then you must stipulate that the water be used for current users and not for the proposed thousands of new connections as suggested by TUD.*

*The new Environmental Impact Report may indicate that no more water should be taken from Pinecrest Lake, and that is fine. We may need the water for next year.*

**Response**

Thank you for your comment. With regards to requiring TUD to use any supplemental water for current customers only, the certification amendment does not give PG&E the authority to impose requirements on third parties.

**Whitcher, Jack and Marilyn**

**Comment**

*We agree with the Friends of Pinecrest concerning the water level. The absolute minimum should be 5604 for all the reasons stated in their letter to you.*

**Response**

Thank you for your comment.



## 6. Template Letters

Template letters in support of lowering the Pinecrest Lake level on Labor Day were received from the following individuals:

Sally Allison	Gail Anderson	Robbie Arellano
William Bamford	Bill & Helen Betzler	Karen Boatright
David Bou. . . (unclear)	Sandra Bray	Ursula Brown
Sheila Burmester	Michael Bustamante	David Campbell
Eileen Carlen	James & Patricia Carter	James Cherry
Margaret Clark	Mary Colston	Betty Corner
Shari Crawford	William Davis	John Dickson
Virginia Ellefsen	David Evans	Roland Federly
Joseph & Suzanne Gallardo	Richard & Karen Gila	Cynthia & Peter Hade
Steven Hall	Tom Hancock	Barbara Harvey
Howard & Sheila Hefe	Judy Herring	Jimmy Hockett
Frank & Judith Hodges	John Hofer	Tim Holden
Patricia Ingalls	Erik Johnson	James Johnson
Richard & Regina Kardash	Crater Kennedy Jr.	Mary Kennedy
Ralph Legg	George Leontovich	Jeannine Loomis
John Maciel	Mary McHugh & George Morris	Kathleen McKenna
Rebecca Medina	Connie Moomey	Robert Morrison
Mildred Nelms	Susan Nelson	Doris Newberger
Gerald Norton	Art Nugent	William Nyquist
Constance O'Connor	Steve & Denise Ornoski	Claude & Abby Parcon
Dennis & Lisa Perrotta	Robert Perry	Deborah Peters
Jutta Peterson	Judie Pollard	Warren Rauscher
Clyde Reisswig	John & Cheryl Roberts	Stella Sauls
Peggy Scheer	Rich Schwarzmenn	Don Smith
Harold Smith	Roy Stokes	Joyce Strohffolino
Anne Sturm	Gordon Sturm	Kathy Tellin & Kevin Ric
Susan Tully	Aleja Watkins	Kayla Weldor
Douglas & Linda White	Barbara Whitley	Karen Wickman
Thelma Williams	Mark & Lynette Wilson	

### **Comment**

*As a customer of Tuolumne Utilities District and of the community of Tuolumne County, I am in strong support for the Mitigated Negative Declaration of PG&E's Pinecrest Lake Level Modification Project that proposes that PG&E be allowed to lower the surface elevation of Pinecrest Lake, until and including Labor Day each year, from the current*

*minimum elevation of 5,608 feet to a range of minimum elevations between 5,606 feet and 5,600 feet, depending on the water year type as defined in the existing certification.*

*Last year our community exhibited strong water conservation efforts due to drought conditions facing our region. It is essential for the health and well-being of Tuolumne County that TUD be able to draw down Pinecrest Lake as described above for the water consumption needs and safety of the community.*

**Response**

Thank you for your comment.

**Attachment B**

**Spring Gap-Stanislaus Hydroelectric Project  
Federal Energy Regulatory Commission Project No. 2130**

**Mitigation, Monitoring, and Reporting Program  
For the Pinecrest Lake Level Modification**

**August 6, 2020**

## **Attachment B**

### **1 Mitigation Measure Noise-1:**

PG&E will implement appropriate noise control measures for any equipment used during the sediment modification work. The noise control measures would address, at a minimum: the timing of construction activities in relation to the recreation season; and isolation of the construction activity so as to prevent the public from entering areas with high decibel noise sources.

Noise reduction measures also include, but are not limited to, the following:

- Equip construction equipment with manufacturer's specified noise-muffling devices or use newer construction equipment manufactured to reduce noise;
- Place stationary noise-generating equipment as far away as feasible from sensitive noise receptors or in an orientation that minimizes noise impacts (e.g., behind existing barriers, storage piles, unused equipment);
- Turn off all engines when not in use; and
- Maintain low vehicle speeds in and around the construction areas (less than 15 miles per hour).

This mitigation measure falls outside the purview of the State Water Board. However, PG&E has agreed to implement Mitigation Measure Noise-1, as proposed, in an email dated December 29, 2014 (personal communication, email from Richard Doble to Jeffrey Parks, December 29, 2014).

### **2 Pinecrest Lake Plan**

No later than one year following issuance of the FERC license amendment, the Licensee shall submit a Pinecrest Lake Plan to the Deputy Director for review and approval. The Deputy Director may require modifications as part of any approval. The Pinecrest Lake Plan shall be developed in consultation with representatives from USFS, CDFW, Central Sierra Environmental Resource Center, Pinecrest Lake Resort, Pinecrest Permittees Association, and the State Water Board. The Pinecrest Lake Plan shall describe how the Licensee will address substrate improvement, buoy line modification, and public communications. At a minimum, the Pinecrest Lake Plan shall include the following elements related to substrate improvement, buoy line modification, and public communications:

#### **2.A.1 Substrate Improvements**

The substrate improvements portion of the plan shall include:

- a. Description of goals and objectives associated with substrate improvement activities;
- b. Description of activities to improve the quality and safety of recreation at Pinecrest Lake due to lower lake levels prior to Labor Day, which shall include but not be limited to:

## **Attachment B**

- i) Rock removal;
  - ii) Stump removal; and
  - iii) Improvements to mud flats;
- c. List of necessary permits;
- d. Proposed measures to protect water quality and beneficial uses during construction and maintenance activities, which shall include, at a minimum:
  - i) A Spill Prevention and Containment Plan for all equipment used during construction and maintenance activities; and
  - ii) An Erosion and Sediment Control Plan that includes:
    - o Scheduling of sediment modification work in a manner to minimize potential sediment discharges; and
    - o Sediment control measures to reduce sediment discharges and increases in turbidity from construction and maintenance activities;
- e. Proposed schedule for construction, maintenance, monitoring, and reporting;
- f. Development of, and monitoring for, substrate improvement success criteria;
- g. An adaptive management framework that requires maintenance or additional improvements based on monitoring results; and
- h. A summary of consultation, including comments received and how the comments were addressed.

### **2.A.2 Buoy Line Modifications**

The buoy line modifications portion of the plan shall include:

- a. Description of goals and objectives;
- b. A proposal and associated support regarding whether the swimming buoy line at the Pinecrest Lake swimming area, located southeast of the boat ramp, will be movable or permanently established for the summer (i.e., from End of Spill through Labor Day);
- c. Proposed location and schedule for the deployment and adjustment of the swimming buoy line, if movable. Description of how the buoy line will be deployed, moved, and maintained; and

## **Attachment B**

- d. A summary of consultation, including comments received and how the comments were addressed.

### **2.A.3 Public Communications**

The public communications portion of the plan shall include:

- a. Description of goals and objectives;
- b. Notification of the anticipated Labor Day Pinecrest Lake level if an elevation below 5,608 feet is forecasted (Pinecrest Lake drawdown curve, above). With reference to the information in the Pinecrest Lake Level Study Report, the notification shall include a summary of impacts to the following facilities at Pinecrest Lake based on the forecasted Labor Day Pinecrest Lake level: gas dock and boat slips, boat ramp and courtesy dock, buoyed swim area, mixed day-use area, Americans with Disabilities Act-accessible fishing platforms, and overflow areas (south and north shores);
- c. Notification of the anticipated date when the Pinecrest Lake level will reach 5,595 feet if the forecasted lake level (Pinecrest Lake drawdown curve, above) will be below 5,595 feet on Columbus Day. The notification shall include a summary of fire protection services at Pinecrest Lake and a description of impacts to fire protection services based on the anticipated date;
- d. A list of parties that will receive notifications referenced in 4.A.3.b and 4.A.3.c, which shall at a minimum include: USFS, Pinecrest Lake Resort, Pinecrest Permittee Association, TUD, Tuolumne County, local businesses and facilities within the Pinecrest Lake area, California Department of Forestry and Fire Protection, Tuolumne County Fire Department (TCFD), and State Water Board staff;
- e. A summary of communication methods to be used, which at a minimum shall include: website notifications, mail, email, flyers/handouts on notice boards, local businesses, facilities in the Pinecrest Lake area, and one centrally located sign;
- f. Proposed schedule for notifications; and
- g. A summary of consultation, including comments received and how the comments were addressed.

The Licensee shall implement the Pinecrest Lake Plan upon Deputy Director approval and any other required approvals, in accordance to the schedule and requirements specified therein. The Licensee shall provide a report documenting implementation of the Pinecrest Lake Plan to the Deputy Director for review and approval. The Licensee shall file with FERC Deputy Director approval of: (1) the

## **Attachment B**

Pinecrest Lake Plan; and (2) implementation report for activities outlined in the Pinecrest Lake Plan.