

Public Comments and Response to Comments on  
LCP Volume II

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## **Introduction & General Comments**

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Comment	Commenter	Edit to Vol II Made	Response
<b>VOLUME II</b>			
<b>General Comments</b>			
<p>[Condensed from letter] I think the Stewardship Council's Draft Land Conservation Plan (LCP) Volumes I and II improperly evaluates the Public Beneficial Value (BPV) Preservation of Historic Values. If the evaluation was improper, it stands to reason that the potential measures to preserve and enhance the BPV are flawed. The intent of the LCP is clear and is stated as "Objective: Identify and manage cultural resources in order to insure their protection." Native-American sites and artifacts are <u>always</u> identified as cultural resources (a defined term) and SC proposals <u>always</u> suggest enhancement and protection, frequently under a cloak of secrecy and confidentiality, and <u>always</u> under "...close coordination with Native American entities." On the other hand, Euro-American sites and artifacts are described in undefined terms such as historic site, Euro-American settlement, hydropower development, pioneer cultural site, pioneer resource, historic value, obsolete building, historic-era properties, remains from the settlement era, pioneer history, structures, and historic tradition. It seems that the overarching objective does not cover these undefined terms and there is <u>never</u> the suggestion that Euro-American sites and artifacts are confidential and ultimately public access from them would be restricted or prohibited. There is no logical reason for this historical era prejudice in the LCP. The fact that it exists should be acknowledged and corrected. American cultural resources do not need hyphenation to make one group more important than another!</p>	Ron Cooke	No	<p>Comment noted. There are specific laws that deal with Native American cultural resources, and as such these laws (both federal and state) create a special status for such resources. As per the Settlement Agreement and Stipulation, PG&amp;E must protect the Watershed Lands with perpetual conservation easements, or some equivalent legal mechanism, to preserve and enhance six Beneficial Public Values (BPVs), including historic resources.</p>
<b>Introduction to Volume II</b>			
<p>Add mention of water quality and supply to end of fourth paragraph as an "other factors". Suggest the following "...for example, honoring existing agreements for economic uses, ensuring the continued ability of hydroelectric and water delivery facilities to operate, the preservation and enhancement of current and future water quality and supply, and the preservation and enhancement of public access."</p>	EBMUD	No	<p>As per the Settlement Agreement and Stipulation, PG&amp;E must protect the Watershed Lands with perpetual conservation easements, or some equivalent legal mechanism, to preserve and enhance six Beneficial Public Values (BPVs), of which water resources is not specifically included. Water resources protection was considered in the development of the potential measures.</p>

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Beneficial Public Values Overview; Again, water resources are not considered a BPV or a priority management issue in the draft LCP. The Draft LCP is shortsighted in addressing only the issues within a specific property boundary (which does not always coincide with the topographic boundaries of the physical watershed basin). As with wildlife, water resources do not recognize man-made boundaries. Another similar issue that the draft LCP does not recognize as a issue/constraint is public safety.	EBMUD	No	As per the Settlement Agreement and Stipulation, PG&E must protect the Watershed Lands with perpetual conservation easements, or some equivalent legal mechanism, to preserve and enhance six Beneficial Public Values (BPVs), of which water resources is not specifically included. Water resources protection was considered in the development of the potential measures.
Purpose of Volume II; "Extensive community input and coordination with future land stewards (donee organizations) will precede implementation of Stewardship Council's recommendations"; <i>Community input during the development of disposition packages also needs to include watershed stakeholders other than the potential donee organization.</i>	EBMUD	No	Comment noted. Disposition Packages, consistent with the LCP, Settlement Agreement and Stipulation, will be developed through a multi-step process described generally in Volume I, which will include stakeholder participation. There will be opportunities for the public and stakeholders (including watershed based organizations) to engage with the Stewardship Council and other stakeholders on topics related to the disposition and future management and stewardship of the lands. The Stewardship Council will provide public notice and encourage participation in meetings, workshops, and other appropriate methods of participation in the planning process.
Each page of "Objectives ..." tables in Volume II states several times that the recommended actions are only possibilities and are not requirements for future land management. However, the recommendation to preserve open space by "Apply[ing] permanent conservation easements to ensure a higher level of open space protection" is surely not optional. The Settlement Agreement and Stipulation clearly require that conservation easements be applied to all lands and that they must preserve open space. This potential measure should be identified as a mandatory action in the tables of Volume II.	John K Moore, Sierra Club	No	Comment noted. As per the Settlement Agreement and Stipulation, PG&E must protect the Watershed Lands with perpetual conservation easements, or some equivalent legal mechanism, to preserve and enhance six Beneficial Public Values (BPVs). Conservation easements will be developed as part of the disposition process and will be included in the Disposition Packages. The easements will describe all prohibited uses to maintain open space values, including the level of uses allowed.

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<p>PG&amp;E has recognized both the diversity of forests and the diversity of recreation use and other factors affecting forest management in many planning units by managing the units' forests by several prescriptions. The discussions of sustainable forestry merely list the several prescriptions and do not indicate which areas are managed by which prescription. The public is not told by which prescription lands of special concern, such as heavily visited recreation lands in the Grouse Lakes area, are managed. This is a very serious omission.</p>	<p>John K Moore, Sierra Club</p>	<p>No</p>	<p>Comment noted. Details regarding how forest resources would be managed in the future, including timber management and forest prescriptions, would be developed as part of the recommended potential measure to develop a forest management plan for this planning unit. Conservation easements, and overall objectives for management plans, will be developed as part of the disposition process and will be included in the Disposition Packages. Specifics of management plans will likely be developed post transaction.</p>
<p>The description of the Recreation and Timber Management prescription, "...meaning that recreation in this area is compatible with timber management", is curious. We would assume that the purpose of a Recreation and Timber Management prescription is to restrict timber management in an important recreation area to minimize adverse effects on recreation.</p>	<p>John K Moore, Sierra Club</p>	<p>No</p>	<p>This description of PG&amp;E's Recreation and Sustainable Timber Management Category was provided to the Stewardship Council by PG&amp;E.</p>
<p>The discussion of sustainable forestry in the Introduction is the appropriate location for a list of and descriptions of all the timber management prescriptions, which should be added to the discussion. The names of some of the prescriptions are found only by laborious searching of the text for individual planning units.</p>	<p>John K Moore, Sierra Club</p>	<p>Yes</p>	<p>Text has been added to describe the three timber management prescriptions that were previously not included within the Introduction.</p>
<p>The timber management prescriptions used in individual planning units are listed for some units and not listed for other units. They should be listed for all units. In fact, the TMU's should be displayed on maps.</p>	<p>John K Moore, Sierra Club</p>	<p>Yes</p>	<p>All of the Existing Conditions maps for planning units with forest resources state the number of PG&amp;E Timber Management Units (TMUs) and number of timbered acres. The TMUs are not delineated on the maps in an effort to keep the maps readable. The TMUs will likely be delineated on the parcel level maps in the next phase of work. Text has been updated, where needed, in the Existing Conditions for all planning units with forest resources to describe current PG&amp;E forest management.</p>

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Left col, second para: Assume Vol II will not be regulatory but only receive authorization to proceed to Vol III?	William A. Nicholau	No	PG&E will submit the Final LCP Volumes I and II, along with a Master Section 851 Application, to the California Public Utilities Commission (CPUC). The CPUC will review and approve the Master Section 851 application, which will give the Stewardship Council the ability to proceed with the development and submittal of the Disposition Packages (Volume IIIs). The Disposition Packages will include the transaction documents. Each Disposition Package will be accompanied by a Section 851 Application to be developed by PG&E. The Section 851 Applications will effectuate the transactions.
Left col, third para: For Bucks Lake, reduce cost by using existing and updated documents.	William A. Nicholau	No	The Stewardship Council will endeavor to utilize all available data and existing management plans, and to coordinate with ongoing efforts, in developing the Disposition Packages, including the future management and stewardship of the lands.
open space: Does the 140,000 acres include the water covered land?	William A. Nicholau	No	The total acreage includes both dry and inundated land acreage.
Purpose, last para: "The objectives will guide future land conservation plans...". What Plans if a CE were to be implemented?	William A. Nicholau	No	The management objectives stated for each planning unit will be used as guidance in the disposition process. Determinations regarding which measures move forward to implementation in particular will be made during the development of the Disposition Packages.
sustainable forestry: The requirement to develop the various plans is expensive verses reviewing and adopting existing plans...they exist.	William A. Nicholau	No	The Stewardship Council will endeavor to utilize all available data and existing management plans, and to coordinate with ongoing efforts in developing the Disposition Packages. Details regarding how forest resources would be managed in the future, including timber management and forest prescriptions, would be developed as part of the potential measure to develop a forest management plan for each planning unit, as appropriate. Conservation easements, and overall objectives for management plans, will be developed as part of the disposition process and will be included in the Disposition Packages. Specifics of management plans will likely be developed post transaction.

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<p>The information available on FERC land confirms the value and success of the FERC/PG&amp;E process to enhance and preserve the BPVs outlined by the Stewardship Council. This process is stringent enough to implement, monitor and enforce, yet flexible enough to adapt to the changing environment. This should be the process to implement any CE requirement, not another land overlay.</p>	<p>William A. Nicholau</p>	<p>No</p>	<p>As per the Settlement Agreement and Stipulation, PG&amp;E must protect the Watershed Lands with perpetual conservation easements, or some equivalent legal mechanism, to preserve and enhance the six Beneficial Public Values (BPVs). The conservation easements must be held by third parties.</p>

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