

Stanislaus River Watershed

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| STANISLAUS RIVER WATERSHED | | | |
| Lyons Reservoir Planning Unit | | | |
| <p>There is a lot of mention of Native American culture in the document, but virtually no mention of other very important habitants of this land. The Rushing is lined with ditches originally created by the '49ers. The pioneers traversed the emigrant trail when coming to California in the 1800's. Nomadic shepherders once roamed the entire area. The original homesteaders of the county used to have weeklong cattle drives into and out of the area in the early 1900's and probably earlier than that. The Sugar Pine Railway ran right through the area, but the all the respect it gets is allowing hikers to walk on the old track. All of the early American history ignored but there are lots of mentions about potential habitat for animals that have never actually been found there.</p> <p>There is an extraordinary opportunity for the youth to learn about the history of this county and the role it played before California was a state. Instead more politically correct things are mentioned like endangered species and wildlife habitat. Please specifically list out that the cultural heritage of the area from the time of the pioneers and forward should be a part of the youth education.</p> <p>Along with the neglect of "immigrant" American history using the term 'grazing', like it is a large commercial enterprise is turning a convenient blind eye to this counties heritage. It is real easy to listen to people who don't like cattle talk about how they are destroying the environment, but a little harder to ask them to prove it, especially when you take into account how long cattle, horses, and sheep have been grazing the high country for over 150 years in some areas. Studies done on the effects of cattle grazing should take into consideration things like why there are no Yosemite Toads in Yosemite, but they happily exist in many spots that cattle exist.</p> <p>Local historical organizations should be consulted along with Native [COMMENT CONTINUED ON NEXT PAGE]</p> | Cody Ritts | Yes | <p>Comment noted. Volume II Existing Conditions text for this planning unit notes that both prehistoric and historic sites have been identified in this planning unit and describes the Sugar Pine Railroad trail. The Stewardship Council developed a potential measure to install interpretive signage along the trail to educate the public about "drinking water quality protection, prehistoric uses, the history of logging in the area, and rare species." Text has been added to the Supporting Analysis for Recommendations discussion of youth program topics to add the heritage of the area as a potential topic. Text has not been added to describe pioneer use of the area because information was not verifiable. The Stewardship Council has develop a potential measure to continue grazing, as it is recognized as an existing economic use and as agriculture is one of the Beneficial Public Values (BPVs) the Stewardship Council is directed to preserve and enhance. The Stewardship Council also developed a potential measure to develop a baseline conditions report and rangeland management plan. Disposition Packages (Volume IIIs), 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 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.</p> |

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| <p>[COMMENT CONTINUED FROM PREVIOUS PAGE. RESPONSE TO COMMENT PROVIDED ON PREVIOUS PAGE.]</p> <p>Americans when choosing what to do with the land. Traditions like cattle grazing should have efforts made to PROTECT it as a local heritage rather than terminating it, and children should be able to hear the history of the land and the state that they live in.</p> | | | |
| <p>Friends of the River recommends that the PG&E parcels available for disposal upstream of Lyons Reservoir be transferred to the Stanislaus National Forest to expand public holding in the area and enhance recreation and public resource protection.</p> | <p>Friends of the River</p> | <p>No</p> | <p>Comment noted. The Stewardship Council is developing an explicit set of criteria that will be used to determine which potential donees are qualified to participate in the disposition process. Qualified conservation easement and fee simple donees will be determined during the disposition process (Volume III). There will be opportunities for the public and stakeholders to engage with the Stewardship Council and other stakeholders on this topic as well as other 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.</p> |
| <p>[Condensed from website comment] CSERC does not agree that there should be limits on new construction at the reservoir, since we believe that this close-to-communities reservoir has high potential to be an excellent location for environmental education and youth outings IF buses are able to access the parking area at the reservoir through route improvement and IF management of the property first restores many of the degraded areas that need restoration.</p> | <p>John Buckley, Central Sierra Environmental Resource Center</p> | <p>No</p> | <p>Although the road to Lyons Reservoir crosses the planning unit parcels, it also crosses mostly private (Sierra Pacific Industries (SPI)) land and therefore enhancements to this road were not suggested by the Stewardship Council. The Recommended Concept is a set of potential measures for the preservation and enhancement of Beneficial Public Values (BPVs), and is not intended to be a set of requirements for future land management.</p> |

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| <p>[Condensed from website comment] CSERC strongly, strongly urges that the Stewardship Council utilize the Stanislaus National Forest as the best public value manager of this property for whatever portions PG&E does not decide to keep in its ownership. The Tuolumne Utilities District has reportedly considered applying for management of the Lyons Reservoir planning unit, but putting the fox in charge of the henhouse would appear to be totally in conflict with the goals of the Stewardship Council. Since any "far in the distant" future dam expansion project by TUD could certainly be thwarted by the presence of Threatened and Endangered Species or Special Status species that might be negatively affected, it would be unreasonable for the Stewardship Council to expect TUD or the Tuolumne County Resource Conservation District to manage the property for the long-term viability and recovery of numerous at-risk, high visibility wildlife species. It is also unlikely that TUD as the land manager would make public recreation benefits along the river system a high priority if the utility continues to envision damming the river further at some point in the future. Accordingly, when it comes to the question of which entity is superior for managing this landscape, CSERC urges the Stewardship Council to use the Forest Service – which already has hydrologists, wildlife biologists, soil scientists, fuels managers, recreation contact specialists, and law enforcement personnel who are actually stationed only 10 minutes away from the reservoir. CSERC also notes that the forest management would be consistent with the more sensitive forestry policies of the Forest Service, plus the agency's assured continuation as a funded resource of the government provides long-term assurance that the management will be funded and secure.</p> | <p>John Buckley, Central Sierra Environmental Resource Center</p> | <p>No</p> | <p>Comment noted. The Stewardship Council is developing an explicit set of criteria that will be used to determine which potential donees are qualified to participate in the disposition process. Qualified conservation easement and fee simple donees will be determined during the disposition process (Volume III). There will be opportunities for the public and stakeholders to engage with the Stewardship Council and other stakeholders on this topic as well as other 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.</p> |
| <p>[Condensed from website comment] CSERC supports biological studies and treatment of the noxious weed populations at the property. We strongly, strongly support restoration and closure of OHV trails that cause sedimentation into the reservoir and which speed the drying out of hillsides by lowering the water table through the route ruts.</p> | <p>John Buckley, Central Sierra Environmental Resource Center</p> | <p>No</p> | <p>Comment noted.</p> |

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| <p>[Condensed from website comment] CSERC supports efforts to utilize the connection of this property with the Sugar Pine trail and the Forest Service’s trail up to Strawberry. We also believe that additional management objectives should be to (1) clean up much of the slash and trash around the reservoir to reduce fire risk and improve scenic values; (2) to actively plant willows, alders, and other moisture loving trees and bushes along appropriate portions of the reservoir perimeter to improve the ecological value of the area, even when reservoir levels lower during dry periods.</p> | <p>John Buckley, Central Sierra Environmental Resource Center</p> | <p>No</p> | <p>The Stewardship Council has recommended a potential measure to develop a forest management plan as well as a fuels management plan to deal with fire risk in the planning unit. In addition, the Stewardship Council developed a potential measure to conduct surveys of lands outside the FERC boundary to identify biological resources and enable their protection, as well as development of a wildlife and habitat management plan. These potential measures are intended to be illustrative in nature, not prescriptive. 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 (Volume IIIs). Specifics of management plans will likely be developed post transaction.</p> |
| <p>[Condensed from website comment] These comments are provided by the Central Sierra Environmental Resource Center, and we recognize that they may be too late to affect your decision-making. Nevertheless, we are struggling to get our input in despite a multitude of competing commitments and demands. In terms of the Lyons Reservoir planning unit, our Center has very strong knowledge of the issues and conflicts. We participated in more than five years of FERC meetings related to the South Fork Stanislaus River and the area immediately up-river from Lyons Reservoir, so our staff has a deep base of knowledge concerning the planning unit. We also have engaged in Tuolumne Utilities District meetings over the past 15 years and are fully up to speed on the actual, versus the purported, plans that TUD has for Lyons Reservoir. In terms of the Planning Unit text concerning an overview of the Lyons Reservoir area and existing conditions and uses, there is obviously misinformation or at least misleading information in the Stewardship Council document. The document claims that the Tuolumne Utilities District “has plans to expand Lyons Reservoir in the future to gain additional water storage. Raising the dam would inundate the meadow area north of Lyons Reservoir.” This is a significant twisting of the real situation. First, TUD’s board of directors voted two years ago to shelve any plans to raise the dam at Lyons [COMMENT CONTINUED ON NEXT PAGE]</p> | <p>John Buckley, Central Sierra Environmental Resource Center</p> | <p>No</p> | <p>Comment noted. The Stewardship Council's actions must not affect current and future operations of water delivery and water supply systems. Appendix E of the Proposed Settlement Agreement states: “Conservation easements on the Watershed Lands will include an express reservation of a right for continued operation and maintenance of hydroelectric facilities and associated water delivery facilities, including project replacements and improvements required to meet existing and future water delivery requirements for power generation and consumptive water use by existing users, compliance with any FERC license, FERC license renewal or other regulatory requirements. In addition, easements will honor existing agreements for economic uses, including consumptive water deliveries.” The Stipulation further states that any conservation easement that is created as part of the Disposition Package will: “expressly reserve the authority of PG&E or other holders of applicable water rights to apply to the applicable regulatory authority to increase or otherwise modify the water storage capacities of existing licensed facilities.”</p> |

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| <p>[COMMENT CONTINUED FROM PREVIOUS PAGE. RESPONSE TO COMMENT PROVIDED ON PREVIOUS PAGE.]</p> <p>Reservoir and to postpone any decision on moving forward with such a plan. That decision was based in part on computer modeling that shows that TUD can provide for all projected, estimated growth in water demand through the year 2037. That decision was also based in part on the simple reality that the Lyons expansion project would cost TUD at least \$80,000,000 in construction costs, that no hydro-electric generation revenue is deemed even remotely feasible to reduce TUD's costs, and TUD doesn't even remotely have the customer base to pay for such an incredibly expensive reservoir expansion project. It may be accurate that the current TUD manager and the existing board of directors have long-term visions that include expansion of the Reservoir. However, the Stewardship Council should not base management decisions on pie in the sky assumptions that are financially infeasible. Accordingly, the Stewardship Council should NOT assume that any expansion of Lyons Reservoir will ever be economically feasible, nor should decisions on management of the Lyons Reservoir Planning Unit be made based on any assumption that TUD will raise the existing Lyons dam. To underscore that important point, here are some underlying facts. First, TUD has no proven water rights to the Stanislaus River, and actually only receives water for its customers based upon a contractual agreement with PG&E. Second, even in future decades, there is a strong likelihood that TUD would not be granted State and Federal approval for any expansion of the reservoir, because TUD has never made any intensive effort to implement conservation measures by customers or to use water pricing incentives to reduce water waste. Given that TUD has consistently spurned pleas by the conservation community to be more pro-active in reducing water waste and providing low flow fixtures or other water saving devices, it is unlikely that state and federal regulators will find any expansion of Lyons reservoir to be a valid need when the cheaper and environmentally superior option of water conservation has not been applied. If somehow in the distant future there ever is a time when TUD gains approval for exploring options</p> <p>[COMMENT CONTINUED ON NEXT PAGE]</p> | | | |

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| <p>[COMMENT CONTINUED FROM PREVIOUS PAGE. RESPONSE TO COMMENT PROVIDED ON PREVIOUS PAGES.]</p> <p>to raise Lyons Reservoir, that project (as presently designed by TUD) would result not only in a meadow area being flooded, but three miles of the river upstream of Lyons Reservoir would be also flooded by the expanded reservoir. This would wipe out habitat suitable for the Foothill Yellow-legged Frog, the willow flycatcher, and other at-risk wildlife species. The Stewardship Council should plan to provide public and environmental benefits through management protection of the existing property and the undammed stretch of the South Fork of the Stanislaus River, rather than appearing to side with the utility district in discussing abstract, financially infeasible reservoir expansion at the site.</p> | | | |
| <p>[Condensed from website comment] Unlike many planning units, the Lyons Reservoir planning unit contains both the reservoir and a free-flowing river segment that provides habitat for the Bald Eagle and the Osprey, as well as a wide range of other species of concern. The Northern Goshawk, Great Gray Owl, Great Blue Heron, various egrets, a multitude of duck species, as well as the willow flycatcher, migratory deer, and other species have suitable habitat or occupied habitat within or close to the planning unit. The THP surveys done for Special Status amphibian species were not full protocol surveys of all suitable habitat, so the potential is still high for Foothill yellow legged frog or other amphibians to be present at the property.</p> | <p>John Buckley, Central Sierra Environmental Resource Center</p> | <p>No</p> | <p>Comment noted. Foothill yellow-legged frog was identified within 1 mile of the planning unit in the California Natural Diversity Database (CNDDDB). The report states that "Wetland and meadow areas located along the South Fork Stanislaus River, north of Lyons Reservoir, provide habitat for special status species including foothill yellow-legged frog and willow flycatcher." The Existing Conditions for Fish, Plant, and Wildlife Habitat also lists: bald eagle, northern goshawk, and great gray owl, osprey, willow flycatcher, black bear, black-tailed deer, mountain lion, gray fox.</p> |

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| <p>[Condensed from website comment] Unlike some areas, the amount of recreational use at the Reservoir is only a small percentage of what is possible if the area received better road maintenance, better enforcement of regulations, better maintenance of toilet facilities, and more signage and resource information. If this property is managed by the Stanislaus National Forest, there is a high potential for recreational usage to increase, monitoring to increase, and enforcement to increase.</p> | <p>John Buckley, Central Sierra Environmental Resource Center</p> | <p>No</p> | <p>The Stewardship Council understands that conditions of the access road to Lyons Reservoir varies throughout the year; however, this road is mostly on private (Sierra Pacific Industries) land and therefore development of potential measures to better maintain the road were not included in the LCP. A caretaker is employed by PG&E during the recreation season to maintain the restroom and patrol the reservoir area to serve as a visual deterrent to unauthorized behavior. It is understood, however, that unauthorized behavior continues in places. The Stewardship Council recommended a potential measure to develop additional interpretive signage as well as signage indicating appropriate uses (e.g., to discourage trespassing and illegal camping). Qualified conservation easement and fee simple donees will be determined during the disposition process (Volume III). There will be opportunities for the public and stakeholders to engage with the Stewardship Council and other stakeholders on this topic as well as other 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.</p> |

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| <p>[Condensed from letter] I am contacting you as to the Council's plan if any, of what they plan to develop. I am looking at a map that indicates (ADD ADA PICNIC TABLES & OTHER DAY USE AMENITIES), I would like to know the meaning of that statement. I am a retired PG&E employee and live within 100 ft. of the area mentioned. Whatever is developed at the area will impact my standard of tranquility. Originally the area was open with no barriers. The result of that, it became a beer and drug party location for all the undesirable type of people. They left their trash, beer cans, paper etc. on the ground. I had the Blacksmith cut the top off a 50 gallon barrel and I chained that to a pine tree, hoping they would deposit the above in the barrel and it would not end up in the water that we all drink. That idea did not work out, as the first week after the weekend, the can was full and garbage stacked around the barrel, left by the people exiting Jupiter out South Fork Rd. and the beer cans and trash were still left on the ground at the PG&E ditch area. I finally had endured enough and got permission to install the post barriers to keep the area clear of the undesirable's especially the vehicles at night. During the Relicensing of the Phoenix Power Plant, a FERC representative required PG&E, as part of the Licensing to develop the parking area and remove some of the barrier's and install a gate to be opened in the morning and closed at night, day use only. I am quite concerned regarding the plan and would appreciate that you address all the issues as I have more.</p> | Robert Kennedy | No | <p>Comment noted. It appears that this comment is referring to the recreation enhancement proposed at the Section 4 Canal fishing access area. The measures are intended to be illustrative in nature, not prescriptive. Specifics of potential day use amenities at this location would be evaluated further before any specific actions are taken. The Supporting Analysis for Recommendations specifies that prior to implementation, studies would be completed to further evaluate the need for day use facilities as well as determine if a suitable location exists. The LCP also includes a measure to install signage to inform anglers of public fishing locations and minimize trespassing on adjacent private lands.</p> |
| <p>a. The historic Sugar Pine Railroad should receive more attention as an historical asset. Long time residents have fathers and grandfathers who worked on the railroad and in the lumber mills here. It is an important part of our heritage and the land's history. The Tuolumne City Memorial Museum has a significant amount of information about the history of logging via the old railroads system. An interpretive element featuring this aspect of the land's history would be an important enhancement. The long-awaited Sugar Pine Trail is still moving along – the environmental process in the 2+ mile portion near Twain Harte is completed and the county is about to begin purchasing the right of way.</p> | Teri Murrison | No | <p>The Supporting Analysis for Recommendations states that if in the future, the portion of the Sugar Pine Railroad trail (that crosses planning unit lands) is formalized as part of the larger trail, the Stewardship Council recommends the addition of interpretive displays along this trail to enhance the recreation experience. The Stewardship Council also developed a potential measure to add interpretive signage at Lyons Reservoir. Text in the Supporting Analysis for Recommendations states: "The Stewardship Council also recommends installation of interpretive signage or displays at the southern end of Lyons Reservoir to educate the public about drinking water quality protection, prehistoric uses, the history of logging in the area, and rare species."</p> |

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| <p>b. The land in this unit was once owned and operated as a cattle ranch by the relatives of a board member on the Tuolumne County Resource Conservation District. This history (ranching) should also be acknowledged and preserved to the extent possible (interpretive displays). Perhaps a relationship could be established with an agricultural university to develop a rangeland laboratory and opportunity for youth to learn and academia to conduct research on holistic range management practices in the summer rangelands of the high country.</p> | Teri Murrison | Yes | Text has been added to the Supporting Analysis for Recommendations to include ranching as an element to be considered in developing the Youth Investment Program opportunities, as well as element to be included in interpretive signage measures. |
| <p>c. Pg. SR-12's Potential Measure to "Assess the potential for youth program opportunities at Lyons Reservoir" states that the unit can be utilized to educate youth on a variety of topics including: "topics such as wildlife and botanical resources, including threatened and endangered species, as well as cultural resources and how they can contribute to protecting local drinking water quality." This unit should also be used to teach youth about sustainable forestry, fuels management, sustainable agricultural practices, and ranching and logging history.</p> | Teri Murrison | Yes | Text has been added to Supporting Analysis for Recommendations to include the topics of sustainable forestry and agricultural uses as elements to be considered in design or consideration of Youth Investment Program opportunities. |
| <p>The Tuolumne Utilities District (TUD) is concerned that the objectives proposed in the Draft LCP allow the future owner of the Lyons watershed lands, with only minimal effort to coordinate with TUD and PG&E, to construct significant improvements within the lands proposed for inundation by TUD in the enlargement of Lyons Reservoir. We therefore strongly encourage the insertion of the following clear statement at the end of the Stewardship Council Recommendations paragraph, prior to the first objective: We therefore recommend the avoidance of committing resources to those portions surrounding Lyons Reservoir that may be inundated when the reservoir is enlarged by TUD.</p> | Tuolumne Utilities District (Pete Kampa) | No | The Stewardship Council understands that resources would be wasted if investment was made in an area that will imminently be inundated, but this project may not occur for many years (the timing of the project is undefined) and the Stewardship Council has a responsibility to protect and enhance the six Beneficial Public Values (BPVs) in the meantime. Enhancement measures may be enjoyed for many years before the enlargement of Lyons Reservoir becomes a reality. |