

**DRAFT**  
**Spring Gap-Stanislaus Hydroelectric Project**  
**Water Quality Certification Amendment,**  
**Federal Energy Regulatory Commission Project No. 2130**

State Water Resources Control Board (State Water Board) staff proposes the following amendments to the water quality certification (certification) for Pacific Gas and Electric Company's (Licensee) Spring Gap-Stanislaus Hydroelectric Project (Project). Text from the June 16, 2009 certification ([Order WR 2009-0039](#)<sup>1</sup>), which was incorporated into the January 13, 2010 Federal Energy Regulatory Commission (FERC) license, is shown in *italicized* text. Proposed deletions are shown in ~~strike-out~~. Proposed additions are shown in **bold**, *italicized*, and underlined text.

Modify text on pages 19-21 of Order WR 2009-0039, as follows:

4. *The Licensee shall maintain the minimum streamflow schedule for the Pinecrest Reach between Strawberry Dam and the Philadelphia Diversion and in the Philadelphia Reach below the Philadelphia Diversion Dam in the SFSR, as specified in the following tables. In addition, the Licensee shall maintain a year-round minimum streamflow of 5 cfs in SFSR below Strawberry Dam. ~~In years when Pinecrest Reservoir cannot be maintained above target elevation 5,608 feet, water releases during the period from the End of Spill through Labor Day shall only be made to meet the minimum streamflow schedule and Spring Gap Powerhouse Demand.~~ **Each year immediately after the End of Spill has occurred, the Licensee shall draw down Pinecrest Lake Reservoir to reach an target elevation of 5,615 feet as early as reasonably feasible each year after the End of Spill, provided ~~that~~the minimum streamflow schedule, and Spring Gap Powerhouse Demand can be met, and minimum Labor Day Pinecrest Lake levels Reservoir (outlined below) can be met. elevation can be maintained above a target elevation of 5,608 feet prior to and including Labor Day.***

*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~~**lake level** to exceed elevation 5,617 feet and the outlet valve is used by the Licensee to control water releases from Strawberry Dam.*

**Spring Gap Powerhouse Demand**

*During the period from the end of spill at Strawberry Dam until Labor Day, diversion of water to the Philadelphia Canal shall be a maximum flow of 6 cfs (the maximum flow is the mean flow over a continuous 24-hour period; the instantaneous streamflow may, on an infrequent basis, exceed the specified maximum flow by up to 1 cfs), except:*

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<sup>1</sup> Order WR 2009-0039 is available online at:  
[https://www.waterboards.ca.gov/waterrights/board\\_decisions/adopted\\_orders/orders/2009/wro2009\\_0039.pdf](https://www.waterboards.ca.gov/waterrights/board_decisions/adopted_orders/orders/2009/wro2009_0039.pdf)

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- a. During transmission line outages that require Spring Gap Powerhouse to govern local electric system load, or for Spring Gap Powerhouse maintenance, including start-up testing. Licensee shall use the minimum flow amount necessary to meet local load requirements or start-up testing procedures.
- b. When excess storage is available in Pinecrest Reservoir above that needed to meet the minimum stream flow schedule and maintain a reservoir elevation above **the minimum Labor Day Pinecrest Lake levels** ~~target elevation 5,608 feet prior to and including Labor Day.~~
- c. When flow is available from Herring Creek above that needed to meet the minimum streamflow schedule.

**Minimum streamflow schedule for the Pinecrest Reach (cfs) <sup>1, 2</sup>**

<b>Month</b>	<b>Dry Water Year</b>	<b>Normal-Dry Water Year</b>	<b>Normal-Wet Water Year</b>	<b>Wet Water Year</b>
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
May 10 – May 31	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>1</sup> The compliance location for the minimum streamflows shall be USGS gage 11296500 (PG&E gage S-61) on the SFSR below Herring Creek.

<sup>2</sup> Once Pinecrest Lake has reached the specified minimum storage of 500 acre-feet, the minimum required streamflow is the amount indicated, or the inflow to Pinecrest Lake plus accretion flows from Herring Creek, whichever is less.

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**Minimum streamflow schedule for the Philadelphia Reach (cfs) <sup>1, 2</sup>**

<b>Month</b>	<b>Dry Water Year</b>	<b>Normal-Dry Water Year</b>	<b>Normal-Wet Water Year</b>	<b>Wet Water Year</b>
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
January 1 – February 9	10	10	10	15
March 10 - April 9	10	10	10	15
April 10 - May 9	10	10	15	15
May 10 – May 31	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>1</sup> The compliance location for the minimum streamflows shall be USGS gage 11297200 (PG&E gage S-83) below Philadelphia Diversion.

<sup>2</sup> Once Pinecrest Lake has reached the specified minimum storage of 500 acre-feet, the minimum required streamflow is the amount indicated, or the inflow to Pinecrest Lake plus accretion flows between Strawberry Dam and Philadelphia Diversion, whichever is less.

The Licensee shall, within one year of license issuance, develop and file a plan for monitoring compliance with the 5 cfs minimum streamflow requirement below Strawberry Dam for approval by the Deputy Director. The specified minimum streamflow schedule in this condition is the mean flow over a continuous 24-hour period. Instantaneous streamflow may, on an infrequent basis, deviate below the specified minimum streamflow by up to 10 percent. However, the Licensee shall make a good faith effort to meet the specified minimum streamflows at all times.

**Pinecrest Lake**

Pinecrest Reservoir **Lake** shall not be drawn down below 500 acre-feet (af), except after approval of the Deputy Director. From Labor Day to December 31, regulated streamflows in the Philadelphia Reach shall not be greater than 60 cfs.

No later than April 15 of each year, the Licensee shall ~~develop and~~ submit a Pinecrest Lake drawdown curve to USFS, DFG, and ~~Tuolumne Utilities District TUD~~, State Water Board, and others that request such information. **At a minimum, the drawdown curve shall include the following:**

- **Forecasted End of Spill date:**

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- **Current water year determination (Condition 1);**
- **Evaporation loss rates assumptions;**
- **Monthly flow rates forecasted at gages S-61 (USGS gage 11296500), S-9 (USGS gage 11297000), and S-83 (USGS gage 11297200);**
- **Schedule of any planned transmission line outages that require the Spring Gap Powerhouse to govern local electricity system load and the anticipated minimum flow rates necessary;**
- **Schedule of any planned maintenance activities at the Spring Gap Powerhouse that require start-up testing procedures and the anticipated minimum flow rates necessary;**
- **Forecasted Labor Day Pinecrest Lake level; and**
- **Forecasted Columbus Day Pinecrest Lake level.**

**Within 15 days of the End of Spill date each year, the Licensee shall submit a revised drawdown curve to USFS, DFG, TUD, State Water Board, and others that request such information. The revised drawdown curve shall include the following:**

- **Actual End of Spill date;**
- **Updated evaporation loss rate assumptions, if applicable;**
- **Updated monthly flow rates forecasted at gage S-61, S-9, and S-83, as applicable;**
- **Revised forecasted Labor Day Pinecrest Lake level, if applicable; and**
- **Revised forecasted Columbus Day Pinecrest Lake level, if applicable.**

**Within 15 days after Labor Day of each year, the Licensee shall submit to USFS, DFG, TUD, State Water Board, and other that request such information the actual Labor Day Pinecrest Lake level and a revised forecasted Columbus Day Pinecrest Lake level, if applicable.**

**The Licensee shall provide telemetered flow data for gages S-61 (USGS gage 11296500), S-9 (USGS gage 11297000), and S-83 (USGS gage 11297200) via a public website that, at a minimum, displays daily flow data and is updated weekly. The data shall be provided to the State Water Board upon the request of the Deputy Director in a format retrievable and viewable using Microsoft Excel, Microsoft Access, or other software program authorized by the Deputy Director.**

**Unless approved by the Deputy Director in accordance with Condition 5, the Licensee shall not implement Labor Day Pinecrest Lake levels below 5,608 feet until the Licensee's implementation of the Pinecrest Lake Plan (see Condition 4.A) has been approved by the Deputy Director. Following Deputy**

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**Director approval of Pinecrest Lake Plan implementation, the minimum Labor Day Pinecrest Lake levels shall be determined by the End of Spill date outlined in the following table:**

**Minimum Labor Day Pinecrest Lake Level**

<b><u>End of Spill Date</u></b>	<b><u>Minimum Labor Day Pinecrest Lake Level<sup>1</sup> (feet)</u></b>
<b><u>July 15 or later</u></b>	<b><u>5,608</u></b>
<b><u>July 1 – 14</u></b>	<b><u>5,606</u></b>
<b><u>June 25 – 30</u></b>	<b><u>5,605</u></b>
<b><u>June 18<sup>2</sup> – 24</u></b>	<b><u>5,603</u></b>

**<sup>1</sup> Minimum lake level includes Labor Day.**

**<sup>2</sup> If End of Spill occurs prior to June 18, refer to Condition 5.**

~~Within nine months of license issuance the Licensee shall submit a Pinecrest Reservoir minimum lake level study plan (Lake-level Study), developed in consultation with the USFS, DFG, State Water Board staff, and TUD, to the Deputy Director for modification and approval that will determine the minimum Pinecrest Reservoir elevation between End of Spill through Labor Day that protects recreational uses (specifically, Day Use Area beaches, the marina to just east of the handicap fishing access, and other areas as directed by the State Water Board). Licensee shall complete the Lake-level Study as approved by the Deputy Director by the end of the first full calendar year after license issuance. The completed study shall be provided to the USFS, DFG, State Water Board staff, and TUD for review and comment. By March 1 of the year following completion of the Lake-level Study, the Licensee shall submit to the Deputy Director for approval the completed study, including any comments received.~~

~~Within six months of approval of the Lake-level Study by the Deputy Director, Licensee may request the State Water Board modify the target elevation of 5,608 feet based on the results of the Lake-level Study, after the State Water Board provides notice to affected parties.~~

**4.A. 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, DFG<sup>2</sup>, Pinecrest Lake Resort, Pinecrest**

**<sup>2</sup> Effective January 1, 2013, DFG was renamed the California Department of Fish and Wildlife.**

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**Permittees Association, and the State Water Board. The Pinecrest Lake Plan shall describe how the Licensee will address substrate improvement, buoy line modification, and communications prior to implementing the lake levels outlined in the Minimum Labor Day Pinecrest Lake Level table. At a minimum the Pinecrest Lake Plan shall include the following elements related to substrate improvement, buoy line modification, and public communications:**

**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 limited to:**
  - 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, which includes, at a minimum:**
  - i) **A Spill Prevention and Containment Plan for all equipment used during construction; and**
  - ii) **An Erosion and Sediment Control Plan that includes:**
    - o **Scheduling of sediment modification work in a manner to minimize any potential sediment discharges; and**
    - o **Sediment control measures that would reduce sediment discharges and increases in turbidity from construction activities;**
- e. **Proposed schedule for construction, monitoring, and reporting;**
- f. **An adaptive management framework that requires maintenance or additional improvements based on the results of monitoring; and**
- g. **A summary of consultation, including comments received and how the comments were addressed.**

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

**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 (Condition 4 of the certification). 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 (Condition 4 of the certification) 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 summary of parties that will be notified, 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, and Tuolumne County Fire Department (TCFD);**

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- 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, and 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 Pinecrest Lake Plan; and (2) implementation of the activities outlined in the Pinecrest Lake Plan.**

5. **In Critically Dry water-years or in years in which End of Spill occurs prior to June 18, the Licensee may propose modifications to Condition #4 above. Licensee shall consult with the Deputy Director and provide justification for modifications to Condition #4. The Licensee shall maintain the minimum streamflow requirement below Strawberry Dam dry year flows until modifications are approved by the Deputy Director. In addition, until the State Water Board issues a decision modifying the target elevation, the Licensee may propose modifications to Condition #4. Licensee shall consult with the Deputy Director and provide justification for modifications to Condition #4. In years when Pinecrest Lake cannot be maintained at or above the minimum Labor Day lake levels identified in the Minimum Labor Day Pinecrest Lake Levels table, water releases during the period from the End of Spill through Labor Day shall only be made to meet the minimum streamflow schedule and Spring Gap Powerhouse Demand.**