



Central Sierra Environmental Resource Center

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June 8, 2017

Allan Laca
State Water Resources Control Board
Division of Water Rights
Water Quality Certification Program
P.O. Box 2000
Sacramento, CA 95812-2000

Comments for the IS/ND for PG&E's Relief Reach-Kennedy Meadows Riparian Restoration and Streambank Stabilization Project

Dear Allan:

As one of the participants in the many-years-long FERC relicensing process for the Spring Gap-Stanislaus Project, I have familiarity with the intent and the broad support by SPLAT collaborative process participants for restoration treatments along the Middle Fork Stanislaus River in the Relief reach. It is somewhat surprising that it has taken so many years for a proposed project to move forward for approval.

BACKGROUND FOR THESE COMMENTS

During the relicensing process, a variety of interests expressed concern at the Kennedy Meadows property (then belonging to PG&E) due to impacts from livestock (cattle concentrating in the fall for gathering), from horses/pack stock associated with the stable and pack stock operations, from off-highway vehicle use, from potential contamination due to poorly designed or managed RV and trailer hookups for septic, and from the driving of trucks loaded with manure right across the river to spread the manure along meadow areas.

All of those environmental concerns were additive to the concern about significant streambank erosion, areas with bare streambanks rather than with lush riparian vegetation, an overall lack of cottonwoods and willows, and the lack of deep rooted vegetation that could reliably hold streambanks during high flow conditions.

As a result of field visits and SPLAT collaborative discussions, a license condition required PG&E to deal with the riparian vegetation deficit and the lack of streambank stability. Unfortunately, whether it was from intensive political lobbying by Tuolumne County, the pack station operators, local region supporters of use vs preservation, or the combination of all of those lobbying interests, but during the Pacific Forest and Watershed Lands Stewardship Council lands distribution process, the Stewardship Council awarded Tuolumne County the 240-acre parcel at Kennedy Meadows. Because of the County's close ties to the owners/operators of the Kennedy Meadows Resort and Pack Station, County ownership assured that certain activities would likely continue as in the past. Those included utilization of the property for cattle gathering/concentration in the fall, use of OHVs, and the operations of horses and pack stock along the general river corridor area.

The reason the above is mentioned in these comments is that the IS notes on page 2-4 that approximately 300 head of cattle are staged in the project reach each fall for approximately one week, that pack animal use of the meadow was observed throughout the summer, that cattle access and cross the river at multiple locations, that ATV use was observed in the east meadow, and that manure spreading also occurs in the fall in the east meadow.

It is CSERC's respectful input that the approved management plan for the property by the Stewardship Council and by Tuolumne County will cumulatively contribute to stress on the streambanks, stress on riparian vegetation, and potential limits on the survival or vigor of the cottonwoods and willows that are intended to successfully restore the project reach. Thus, while the IS is in no way intended to question property management, it may be at least a consideration that the relatively short term ecological impacts of the project are at least likely to be countered by improved riparian habitat conditions, greater streambank stability, etc. But after the project is completed, required monitoring fades over time, etc., various factors that cause stress to the riparian habitat and the resource conditions along the river may continue to undermine the benefits that are intended to be produced by the project.

CUTTING TO THE CHASE WITH INPUT

Having reviewed the IS/NG, our Center supports the proposed project as now described. The likelihood of success is certainly questionable, **but we support PG&E pouring so much study time, resources, and funds into making the attempt.**

We have seen significant high turbidity events when the river has appeared to be primarily brown mudflows for weeks on end after slides and sediment discharge far upstream. There is no way to predict whether the envisioned project actions will be

effective at withstanding not only the periodic exceptional river flows that occur during peak run-off, but also the episodic high-turbidity and debris flows that occasionally pour down through the Relief Reach.

Our Center has no major disagreement with the study information and assessments that are contained within the IS/NG. Despite the details in the documents, it is difficult to guess whether or not the treatments at the seven locations will have sufficient bioengineering to successfully establish riparian vegetation and strengthen the stability of streambanks.

Out of all the activities described, the partial dewatering and temporary diversion to create dry work areas may pose the highest risk to the environment, and the mitigation measures and constraints described in the IS/ND seem well thought out and appropriate. It appears reasonable for the Water Board to actively monitor and ensure that the on-the-ground effects of project activities are as limited and as minimally harmful as expected in the IS/ND document.

CSERC does not see the Project as creating a potentially significant impact on biological resources. We agree that Yosemite toad use of the affected areas is likely to be low in terms of risk, and while there is a higher potential for use by the Sierra Nevada yellow-legged frog, impacts to the very low population are not likely to be significant from project activities. The overall benefits to habitat if the project is successful will justify short term potentially major impacts to individuals if present.

SUMMARY

The IS/ND appears to be appropriate without significant gaps of information that would raise the concern of our Center. Given the uncertainty of how successful the aggressive bank treatments and reshaping of riparian areas may eventually turn out to be, CSERC sees this overall restoration project as potentially offering a greater benefit than the obvious ecological risks. With that in mind, we do not identify any specific need for a change in the proposed project.

If at the very beginning of the project the Water Board and PG&E might offer a pre-project on-site tour of the affected area that could be followed by at least one on-site visit during or near the end of the project work, such transparency could benefit the Water Board as well as PG&E. However, that is a separate matter from whether or not the environmental analysis, documentation, and proposed mitigation measures are legally adequate. With these comments, our Center shares the perspective that based upon a significant amount of uncertainty as to the efficacy of the treatments, we at this time provide support for the project and the adequacy of the documents.

Should the Water Board and/or PG&E see value in a site visit, providing a potential date as far ahead as possible would allow those with interests to best schedule around such an opportunity. And if no field visit is deemed feasible, providing update reports when possible could also raise awareness about the actions being taken and the status of timing.

Thank you for the opportunity to provide this general comment letter of support for the project and the IS/ND.

A handwritten signature in black ink that reads "John Buckley". The signature is written in a cursive style with a large, looping initial "J" and a long, sweeping underline.

John Buckley, executive director