

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of Tuolumne
2 South Green Street
Sonoma, CA 95370

From (Public Agency):
Tri-Dam Project
PO Box 1158
Pinecrest, CA 95364

Project Title: Spring Gap-Stanislaus Hydroelectric Project, Federal Energy Regulatory Commission (FERC) Project No. 2130 - 401 Water Quality Certification (certification), Tri-Dam FERC #2975 Request for Temporary Cessation of Supplemental (Condition 3) and Recreation (Condition 11) Flows in 2014

Project Applicant: Tri-Dam Project

Project Location - Specific: The Spring Gap-Stanislaus Hydroelectric Project (Project) is located on the Middle and South Fork Stanislaus River near the city of Pinecrest in Tuolumne County, California. The Sand Bar Diversion Dam, below which the supplemental flows are released, is located on the Middle Fork Stanislaus River (MFSR) below Beardsley Reservoir.

Project Location - City: Pinecrest

Project Location - County: Tuolumne

Description of Nature, Purpose, and Beneficiaries of Project: Tri-Dam Project operates Donnell's, Beardsley and Tulloch hydro-electric generation units. The FERC license for the Project (#2975) includes the State Water Resources Control Board's (State Water Board's) certification, which requires that Tri-Dam release supplemental flows below Sand Bar Diversion Dam to mimic a natural hydrograph in that reach of the MFSR. This Project action is for the temporary suspension of supplemental flows required under certification Condition 3 of the Project's water quality certification in order to protect Foothill Yellow-legged Frogs (FYLFs), which have a highly increased chance of breeding earlier than normal due to dry water year conditions. The water stored in lieu of providing the supplemental and recreation flows will also be used to maintain minimum instream flows throughout the summer, and provide hydroelectric generation in late summer.

Name of Public Agency Approving Project: State Water Resources Control Board

Name of Person or Agency Carrying Out Project: Tri-Dam Project

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 7, §15307
- Statutory Exemptions. State code number: _____

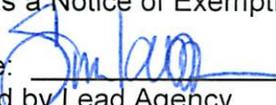
Reasons why project is exempt: The temporary suspension of supplemental and recreation flows for one year will not have a significant adverse effect and is categorically exempt from the requirements to prepare environmental documents under California Code of Regulations section 15307, Class 7 (Actions by Regulatory Agencies for Protection of Natural Resources). The suspension of supplemental and recreation flows is being implemented to protect FYLFs in the MFSR.

Lead Agency

Contact Person: Susan Larson, License Compliance **Area Code/Telephone/Extension:** (209) 785-3838

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 4/30/2014 Title: License Compliance Coordinator
 Signed by Lead Agency Signed by Applicant