



Fact Sheet

State Water Board Process on PG&E Request for Change to Minimum Pinecrest Reservoir Level

Background:

In 2009, the State Water Resources Control Board (State Water Board) issued [Order WR 2009-0039](#), which modified the Clean Water Act section 401¹ water quality certification (certification) for Pacific Gas and Electric Company's (PG&E) Spring Gap-Stanislaus Hydroelectric Project (Hydroelectric Project) on the Middle and South Forks of the Stanislaus River in Tuolumne County, originally issued in 2008.

The Hydroelectric Project moves water from Pinecrest Reservoir, via the South Fork and Middle Fork of the Stanislaus River, to power generation facilities. Pinecrest Reservoir supports multiple recreational uses as well as hydroelectric power production, consumptive water supply, and environmental flows. In addition to reducing the target Labor Day lake level elevations from 5,610 feet to 5,608 feet, the 2009 certification modification required the preparation of a lake level study for the Pinecrest Reservoir to determine if an alternative lower water level would be protective of recreational uses in the reservoir. A lower lake level would allow PG&E to meet supplemental contract water deliveries to Tuolumne Utilities District (TUD) through Lyons Reservoir, which is gravity-fed and downstream of Pinecrest on the South Fork of the Stanislaus River. TUD has a contract with PG&E for the water it receives from Lyons Reservoir, which is the source of 95% of the water that is sold to TUD's approximately 44,000 customers.

Action Requested:

PG&E is requesting that the State Water Board amend the 2009 certification to modify the target Labor Day lake level in Pinecrest Reservoir based on water year type, to 5,606 feet in wet years and 5,600 feet in dry years. PG&E's request is based on the [Pinecrest Reservoir Lake Level Study Report \(Study Report\)](#), which was prepared by PG&E to comply with the 2009 certification. The *Study Report* shows the effect of lowered lake levels on Pinecrest for various forms of recreation. PG&E's request for certification modification is based on the *Study Report* and TUD's statement of need for additional water flow from Pinecrest Reservoir to Lyons Reservoir to meet current and future local water supply needs.

¹ Section 401 of the Clean Water Act requires anyone who applies for a federal permit for an activity that may result in a discharge to navigable waters (also known as "waters of the United States") to obtain a certification from the affected state to ensure that the discharge will comply with water quality requirements.



Although TUD's water supply is linked to the operation of Pinecrest, the focus of this certification modification is on the protection of the beneficial uses and water quality related to Pinecrest Reservoir as it pertains to the Hydroelectric Project. TUD's water supply is provided through a contract between PG&E and TUD, as TUD does not have water rights associated with Pinecrest Reservoir, Lyons Reservoir, or the Main Canal. The contract between PG&E and TUD will not be addressed as part of the certification proceeding.

In considering this request, the State Water Board will need to consider the competing beneficial uses of water, such as recreation at Pinecrest during summer peak use, the aquatic habitat needs of the South Fork of the Stanislaus River below Pinecrest, and downstream water supply needs, including those of TUD.

Complaint Filed Related to Tuolumne Main Canal's Water Losses:

A complaint was filed by a member of the public with the California Environmental Protection Agency. The complaint claims that the delivery of water to TUD in PG&E's Tuolumne Main Canal represents a waste and unreasonable use of water² because of the claimed 40 percent water loss in the canal. The complaint has been forwarded to the enforcement section of the State Water Board's Division of Water Rights. If action is taken on the complaint, the State Water Board may modify the certification accordingly.

TUD's Request for Variance of Minimum Pinecrest Reservoir Elevation:

On July 10, 2012, the State Water Board granted PG&E and TUD's requests for a temporary variance, to 5,606 feet, of the minimum Pinecrest Reservoir elevation on Labor Day. The request stated that the combination of a dry water year and an early end of spill at both Lyons and Pinecrest Reservoirs created a situation where PG&E could not provide water above the minimum instream flow (as required in the certification) to Lyons Reservoir through Labor Day to maintain TUD's consumptive water supply, and also maintain the 5,608 feet Labor Day elevation in Pinecrest Reservoir. Due to the interrelated nature of the Hydroelectric Project, TUD's water supply, and the waste and unreasonable use complaint, the State Water Board included conditions in its approval that PG&E and TUD provide information on the current and historical Summer releases from Pinecrest Reservoir, as well as information about TUD's water usage, and water losses from the Tuolumne Main Canal. This information may be used to inform any future investigation of the complaint and related modifications to the certification.

The State Water Board also required TUD to institute its Tier III water conservation measures until Labor Day. Water conservation is an important tool that is commonly used by communities throughout California. Water conservation and efficient water usage are recognized least-cost strategies to help ensure a vital economy, a healthy environment, and a high standard of living.³

² Article X, section 2 of the California Constitution prohibits the waste and unreasonable use of water.

³ California Department of Water Resources. State Water Resources Control Board. California Bay-Delta Authority. California Energy Commission. California Department of Public Health. California Public Utilities

Next Steps:

A [workshop](#) to discuss PG&E's request is scheduled for:

Thursday, October 4, 2012, at 10:00 AM
Tuolumne County Board of Supervisors Chambers
2 South Green Street, 4th Floor
Sonora, California 95370

PG&E's request and State Water Board staff's recommendation are as follows:

Water Year Type	PG&E Requested Lake Level	Staff Recommended Lake Level
Wet	5,606 feet	5,608 feet
Normal-Wet	5,604 feet	5,608 feet
Normal-Dry	5,600 feet	5,608 feet
Dry	5,600 feet	5,606 feet if spills end before July 1

Following this workshop, the State Water Board Executive Director may issue an amended certification based on comments received and all available information.

Additional Resources:

To learn more about this certification modification request, please visit:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/water_quality_cert/ceqa_projects.shtml#ferc2130

Questions can be directed to Mr. Jeffery Parks at (916) 341-5319, or by email at: jparks@waterboards.ca.gov. Written correspondence on this topic should be mailed to:

State Water Resources Control Board
Division of Water Rights
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