

# **TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**

**Tulloch Hydroelectric Project**  
**FERC Project No. 2067**

May 2015

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# GLOSSARY

## Definitions of terms, acronyms, and abbreviations used in this Tulloch Reservoir Shoreline Management Plan.

Term	Definition
Applicant Projects	Alternative term used for shoreline development projects defined below.
Application	A lease or use agreement for shoreline development. A Tri-Dam Project form upon which an applicant describes and officially requests permission of a given use or facility within the FERC Project Boundary.
BLM	United States Department of Interior, Bureau of Land Management
BMPs	Best Management Practices
Boathouse/ Covered Boat slip	A floating, roofed structure with open sides and designed for permanent or temporary watercraft storage.
Boat lift	A facility within or adjacent to a boat slip designed to lift a boat or watercraft above the normal high water level for temporary or permanent storage purposes.
Boat slip	An unroofed structure designed for temporary or permanent watercraft storage. A boat slip is normally 10 feet wide by 20 feet long and is confined by at least three sides. One boat slip can accommodate only one watercraft at a time.
Buoy	A floating waterway marker.
Cal Fish and Wildlife	California Department of Fish and Wildlife
CESA	California Endangered Species Act
Chief	Federal Energy Regulatory Commission's Chief of Land Resources Branch
CNDDDB	California Department of Fish and Wildlife's California Natural Diversity Data Base
Commercial/ Non-residential	A shoreline/reservoir use that involves the use of project lands and waters for facilities where boats can be launched, retrieved or moored, and where provisions for food services or convenience retailing, including petroleum dispensing, wet and dry storage of watercraft and other activities normally associated with marinas, campgrounds and yacht clubs are made.
Non-Commercial/ Residential	A shoreline/reservoir use that involves the use of project lands and waters for facilities where boats can be launched, retrieved or moored for the purpose of providing access to the reservoir for certain residential property owners, particularly off-water lots and multi-family dwellings. Residential properties associated with this classification include townhouses, condominiums and subdivision access lots.
counties	Calaveras and Tuolumne
CSERC	Central Sierra Environmental Resource Center
CWA	Clean Water Act
DHAC	Division of Hydropower Administration and Compliance
Dock	A facility located on the reservoir which is designed to accommodate the parking and/or in water storage of watercraft.
DOI	Department of Interior
Earthfill	The placement of fill material (soil or rock) within the FERC Project Boundary.
Encroachment Permit	A permit which provides authorization for a particular use or facility within the FERC Project Boundary.
ESA	Federal Endangered Species Act
Excavation	Removal of soil or rock material from within the FERC Project Boundary.
Facility	Any structure, use, or combination of structures that are placed within the FERC Project Boundary. A structure includes, but is not limited to a boat ramp, dock, buoy or other mooring facility, basin, retaining wall, float, access ramp, stairs or piers.
Facility Expansion	The modification of an existing facility that results in an increase of its reservoir incursion, increased decking square footage, increased dock size, an increase in the number of boats it can accommodate, or increases or decreases in water storage quantities.

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**Glossary (continued)**

<b>Term</b>	<b>Definition</b>
Facility Maintenance or Rebuild	The reconfiguring or repairing of existing facilities in a like for like fashion. Rebuilds are minor in nature and do not result in any significant modification or expansion of project facilities.
Fee	A dollar amount paid by the applicant to the Tri-Dam Project to help offset Tri-Dam Project's costs for processing of encroachment permit applications and other reservoir use permits.
FERC or Commission	Federal Energy Regulatory Commission, the federal agency that issues permits for hydroelectric projects to non-federal entities and from whom Tri-Dam Project must obtain approval for any facilities within the FERC Project Boundary.
Float	A floating platform for use by swimmers or for docking watercraft.
ft	feet
Full Reservoir Elevation	The elevation, measured in feet above mean sea level, of the top of the reservoir's spillway or the top of the floodgates. This is normally referred to as the 510 foot elevation.
FERC Project Boundary	Also "project boundary", generally include the reservoir and adjoining lands to the 515 foot contour elevation.
GIS	Geographic Information System
HPMP	Historic Properties Management Plan
Individual Private Facility	A facility which provides access to the reservoir for the owner or lease holder of a single waterfront lot containing one single family type dwelling. Individual private facilities may include, but are not limited to piers for structures, docks, boatlifts, floats, boatslips, and boatramps.
mph	Miles per hour
MW	megawatt
NGOs	Non-governmental Organizations
NMWSE	Normal Mean Water Surface Elevation
OID	Oakdale Irrigation District
Project	The Tulloch Hydroelectric Project, FERC Project Number 2067
Reclamation	U.S. Department of Interior, Bureau of Reclamation
Shoreline Development Project	Shoreline development projects are construction or land-disturbing activities within the shoreline zone proposed by Project abutters and include the placement, installation, construction, repair, maintenance or replacement of any structure, any excavation or the placement of any fill at Tulloch Reservoir at or below an elevation of 515 feet. The replacement, expansion or other alteration of any legally existing grandfathered facilities in place at the time of adoption of the Shoreline Management Plan is also included in this definition.
SMP	Tulloch Shoreline Management Plan
SPLAT	Stanislaus Planning Action Team
Tri-Dam Project or Licensee	Oakdale Irrigation District and South San Joaquin Irrigation District cooperatively operating as the joint licensees of the Tulloch Project
USACE	United States Army Corps of Engineers
USFWS	United States Department of the Interior, Fish and Wildlife Service
Waterway Marker	Any device designed to be placed in, on, or near the water to convey an official message to a boat operator on matters which may affect health, safety or well-being.



**SECTION 1.0****INTRODUCTION**

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In a letter dated April 1, 2014, the Federal Energy Regulatory Commission's (FERC or Commission) Chief (Chief) of the Land Resources Branch of the Division of Hydropower Administration and Compliance (DHAC) directed the Tri-Dam Project to file a revised draft Tulloch Reservoir Shoreline Management Plan (SMP) by December 31, 2014 and, after consultation with United States Department of the Interior (DOI), Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (Cal Fish and Wildlife), Tuolumne and Calaveras counties, and representatives of homeowners associations that have land that directly abut Tulloch Reservoir, file an updated SMP by May 1, 2015 with the Commission for approval.

The Chief's letter stated that, until the Commission approves the SMP, the Tri-Dam Project will continue operating the Project under the SMP that was included in Exhibit E of Tri-Dam Project's December 23, 2002 license application. The 2002 SMP provides to the Tri-Dam Project the authority to grant, for activities listed in the plan, permission for use of lands within the FERC Project Boundary<sup>1</sup> without prior approval of the Commission.<sup>2</sup> The FERC Project Boundary is defined as the area within the 515-foot (ft) elevation contour, which is 5 ft above the normal maximum water surface elevation (NMWSE) of Tulloch Reservoir. This is an area of approximately 1,638 acres.

Tulloch Reservoir is part of Tri-Dam Project's Tulloch Hydroelectric Project, FERC Project Number 2067 (Project). The initial license for the Project was issued by the Federal Power Commission (FERC's predecessor) to the Tri-Dam Project on January 1, 1955 for a term ending on December 31, 2004. The Commission issued a new License for the Project to the Tri-Dam Project on February 16, 2006 for a term ending on December 31, 2045.

The new license issued in 2006 included the Commission's standard land use and occupancy article as Article 413. This article provides Tri-Dam Project with the authority to grant permission for certain types of use and occupancy lands within the FERC Project Boundary without prior Commission approval. The provisions of this standard land use and occupancy article that parallel many of the procedures incorporated into this SMP are repeated below as additional support for approval and implementation of this revised SMP.

**Article 413. Standard Land Use and Occupancy.**

(a) In accordance with the provisions of this article, the licensee shall have the authority to grant permission for certain types of use and occupancy of project

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<sup>1</sup> The FERC Project Boundary is the area that the Tri-Dam Project uses for normal Project operations and maintenance. The boundary is shown in Exhibit G of the new license, and may be changed by the Commission with cause from time to time during the term of a license.

<sup>2</sup> The 2002 SMP and this revised SMP recognize that there are existing, legally installed facilities within the FERC Project Boundary that do not require the Commission's approval, assuming the facilities were legally installed and installation was completed by February 16, 2006. These facilities are considered "grandfathered." However, any modifications to these facilities are subject to the provisions of the SMP in effect at that time.

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lands and waters and to convey certain interests in project lands and waters for certain types of use and occupancy, without prior Commission approval. The licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. For those purposes, the licensee shall also have continuing responsibility to supervise and control the use and occupancies for which it grants permission, and to monitor the use of, and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed under this article. If a permitted use and occupancy violates any condition of this article or any other condition imposed by the licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the licensee shall take any lawful action necessary to correct the violation. For a permitted use or occupancy, that action includes, if necessary, canceling the permission to use and occupy the project lands and waters and requiring the removal of any non-complying structures and facilities.

(b) The types of use and occupancy of project lands and waters for which the licensee may grant permission without prior Commission approval are: (1) landscape plantings; (2) non-commercial piers, landings, boat docks, or similar structures and facilities that can accommodate no more than 10 water craft at a time and where said facility is intended to serve single-family type dwellings; (3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline; and (4) food plots and other wildlife enhancement. To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the use and occupancies for which it grants permission are maintained in good repair and comply with applicable state and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the licensee shall: (1) inspect the site of the proposed construction, (2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site, and (3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline. To implement this paragraph (b), the licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the licensee's costs of administering the permit program. The Commission reserves the right to require the licensee to file a description of its standards, guidelines, and procedures for implementing this paragraph (b) and to require modification of those standards, guidelines, or procedures.

The permitting standards and guidelines included in this SMP generally describe the maximum sizes of the facilities that can be permitted by the Tri-Dam Project at Tulloch Reservoir.

However, these guidelines also include provisions to address overcrowding, navigability and other development concerns and therefore, not all applicants seeking shoreline development permits for their properties will be able to achieve the maximum facility sizes that can be permitted under this SMP.

This SMP is filed with the Commission in accordance with the Chief's April 1, 2014 letter and was prepared in conformance with Articles 411 and 413 of the license.

## **1.1 Description of the Tulloch Project**

The Project is located in Tuolumne and Calaveras counties, California, (collectively referred to as "counties" in this SMP) on the main stem of the Stanislaus River, immediately downstream of the DOI, Bureau of Reclamation's (Reclamation) New Melones Reservoir, a part of the Federal Central Valley Project. Major Project facilities include: 1) the 200-ft high Tulloch Dam, located 62 mile (mi) upstream of the Stanislaus River's confluence with the San Joaquin River. The dam has a crest elevation of 515 ft; 2) Tulloch Reservoir, with a gross storage capacity of 66,968 ft, a shoreline length of 30.9 mi, and a surface area at NMWSE of 1,260 acres; and 3) the three units (two 11.7 megawatt [MW] units and one 6.8 MW unit) at Tulloch Powerhouse, located on the north side of the Stanislaus River, at the base of Tulloch Dam.

Major vehicular access to Tulloch Reservoir is along State Highways 108/120 and O'Byrnes Ferry Road.

Figures 1.1-1 and 1.1-2 show the Tulloch Project location and Project features, respectively.

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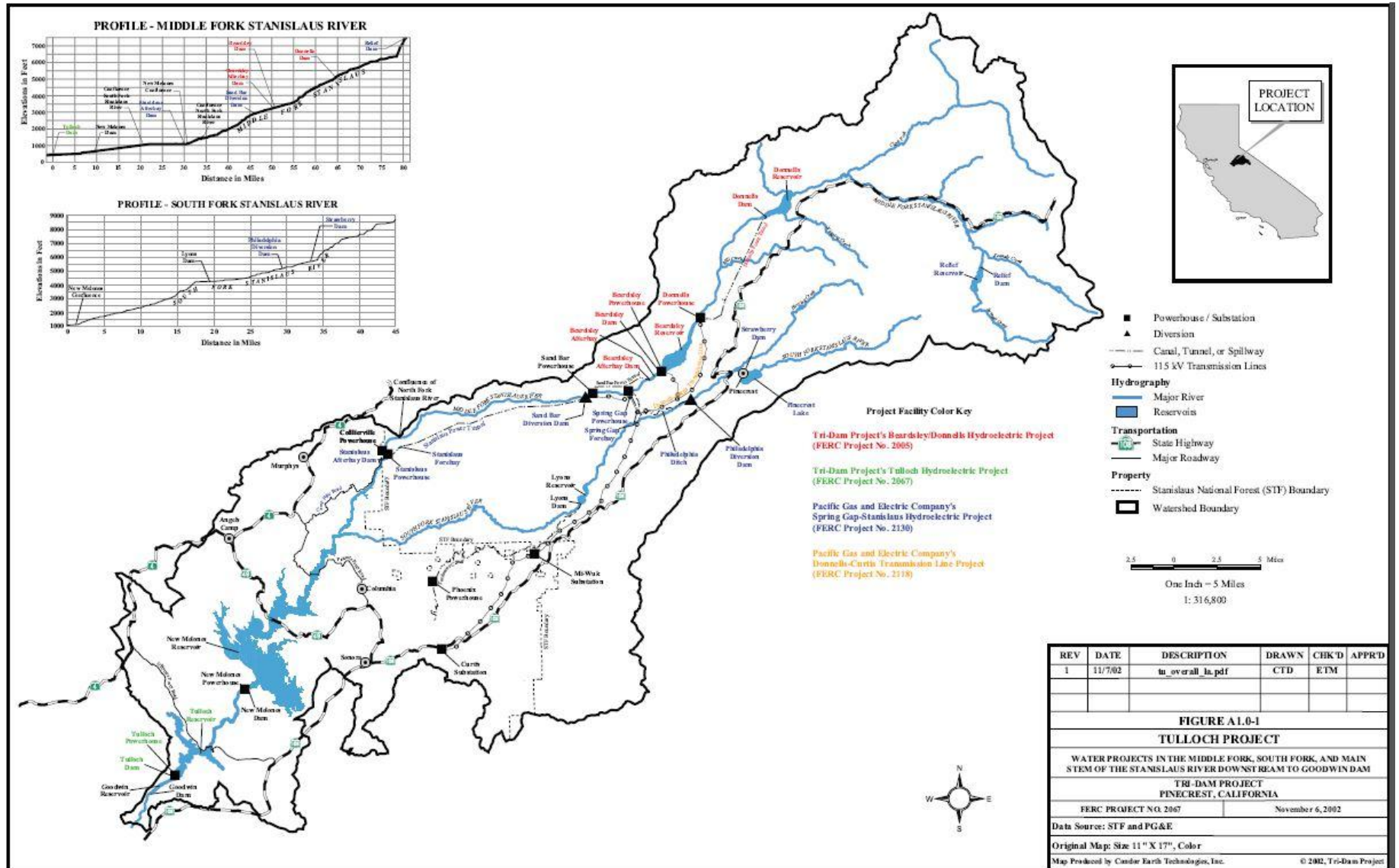


Figure 1.1-1. Water Projects in the Middle Fork, South Fork and main stem of the Stanislaus River.

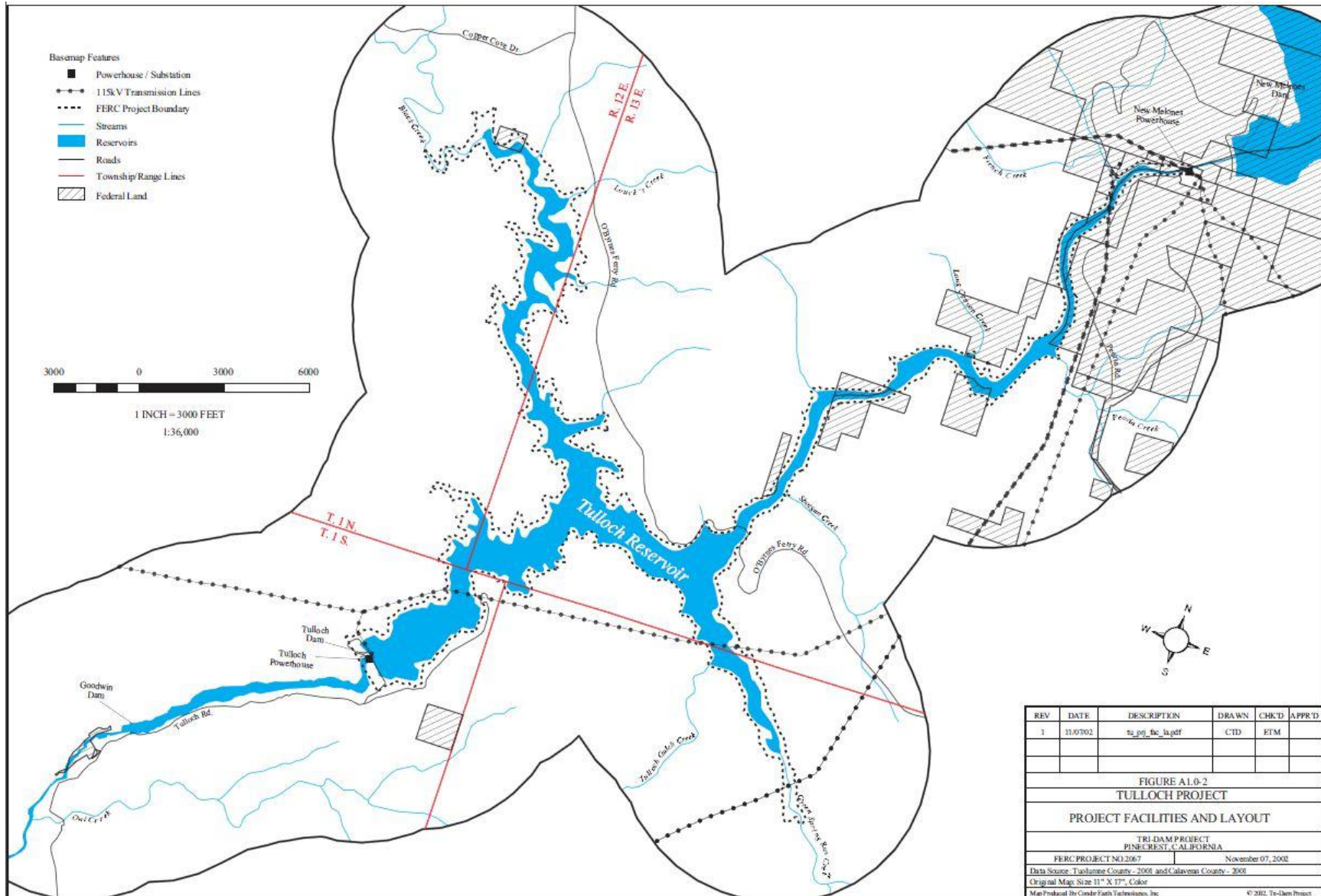


Figure 1.1-2. Tri-Dam Project’s Tulloch Hydroelectric Project facilities and features.

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## 1.2 Purpose, Objectives and Goals of the SMP

The purpose of this SMP is to describe the minor shoreline development activities (referred to in the SMP as “shoreline development projects” and “applicant projects”) within the FERC Project Boundary for which the Commission in the license has provided to the Tri-Dam Project the authority to grant, without prior approval by the Commission (see Articles 411 and 413). FERC includes license conditions that require the development and implementation of shoreline management plans designed to protect sensitive resources at projects that allow shoreline development activities within the FERC project boundary. FERC’s guidance documents framing the development of SMPs require that Licensees include shoreline construction and maintenance methodologies designed to protect sensitive shoreline resources and to enforce these provisions under the FERC operating license. The Tri-Dam Project intends to approve applicants’ proposed minor shoreline development projects by use of encroachment permits. This SMP describes how the Tri-Dam Project will issue encroachment permits to authorize proposed minor shoreline development projects at the Tulloch Hydroelectric Project.

The goal of the SMP is to assist applicants proposing minor shoreline development projects by providing a defined process to apply for an encroachment permit and describing the process the Tri-Dam Project will undertake to issue an encroachment permit. The process is designed to:

- Provide clear guidelines for minor shoreline development;
- Meet regulatory requirements;
- Protect the Tri-Dam Project’s power generation interests; and
- Protect and enhance the scenic, environmental, and public recreational value of the reservoir.

All proposed minor shoreline development projects must obtain an encroachment permit from the Tri-Dam Project prior to construction. All applicant projects may be assessed an application filing fee, user fee, and security deposit to offset reasonable costs associated with the continued operation of a comprehensive management program and to ensure compliance with the program guidelines under the SMP provisions in effect at that time. The Tri-Dam Project may amend or modify the fee program for all existing and future docks and encroachments to offset the cost of administering and managing the SMP.

This SMP also applies to any replacement, expansion or other alteration of “grandfathered” minor shoreline development facilities, which may not be compatible with current and future guidelines. These structures may be maintained or repaired, though their use does not conform to these guidelines. When it becomes necessary to replace, expand or otherwise alter a previously approved non-complying structure, the new structure must comply with the guidelines in effect at the time of replacement. Proposed minor shoreline development projects that are not consistent with this SMP will be rejected by the Tri-Dam Project or, if they are outside the scope of this SMP, referred to the Commission.



It is important to note that planning, constructing, operating and maintaining the applicant's project covered under this SMP may require obtaining local, state and federal permits and approvals in addition to an encroachment permit from the Tri-Dam Project. It is the sole responsibility of the applicant proposing the project to identify and obtain these permits and approvals, and meet all requirements of such permits and approvals. Consulting with or obtaining an encroachment permit from the Tri-Dam Project in no way relieves the applicant from identifying and obtaining these other permits and approvals, or adhering to the requirements in those other permits and approvals.

The Tri-Dam Project will coordinate, to the extent appropriate, the efforts required under this SMP with other resource management plans and measures included in the FERC license. Some of these resource management plans include:

- Shoreline Erosion Monitoring Plan (Article 403);
- Vegetation Management Plan (Article 405);
- Western Pond Turtle Management Plan (Article 406);
- Wildlife Management Plan (Article 407);
- Valley Elderberry Longhorn Beetle Protection Plan (Article 408);
- Reservoir Recreation Plan (Article 409); and
- Historic Properties Management Plan (Article 412).

Broad descriptions of how these resource management plans support management and protection of sensitive environmental resources within the FERC Project Boundary during minor shoreline permitting activities are provided in Section 3 of this SMP. The current, approved versions of the resource management plans listed above contain the specific details of the management procedures being implemented under the Tulloch Project FERC license to protect sensitive resources at the Project. Combined, these resource management provisions being implemented by the Tri-Dam Project in conjunction with this SMP protect sensitive areas within the FERC Project Boundary from inappropriate encroachment.

### **1.3 Coordination with other Parties in Implementing the SMP**

Several agencies have jurisdictional authority at Tulloch Reservoir. The purpose of this SMP is to develop a comprehensive policy as it relates to the FERC license for managing the reservoir's shoreline and water surface that is consistent with the Project's primary purpose, under the license, of power generation. The goal of the SMP is to balance present and future minor shoreline development with the need to provide a safe and enjoyable experience for visitors and residents, and to protect and enhance natural resources in and around the reservoir. Implementation and success of this SMP depends upon the ongoing commitment and cooperation of the Tri-Dam Project, counties, land and resource agencies, commercial marinas and homeowners around the reservoir.

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## **1.4 SMP Provisions to Protect Sensitive Environmental Resources**

This SMP provides public outreach and management provisions designed to protect sensitive environmental resources in the following sections:

- Goal 6 in Section 2.0 describes handouts to the public and coordination with other agencies to protect sensitive environmental resources while managing minor shoreline development at Tulloch Reservoir;
- Section 3.1 references management measures in other plans included in the FERC license for managing special-status species and habitat;
- Section 3.9 references management measures in other plans included in the FERC license for managing noxious weeds; and
- The shoreline permitting process framed in Section 4.0 provide for oversight of minor shoreline development by the Tri-Dam Project in item 3 in Section 4.1.1 and in item 1 in Section 4.2.1.

## **1.5 Periodic Assessment of Updates to the SMP**

As conditions at the Project change over time, the Tri-Dam Project will assess whether amendments or revisions to the SMP are needed to respond to new, on-the-ground conditions or regulatory actions that may affect management of sensitive shoreline resources. If proposed potential changes to the SMP are identified, the Tri-Dam Project will initiate consultation by providing notice of proposed SMP revisions to the USFWS, Cal Fish and Wildlife, the counties, commercial marinas and representatives of homeowners associations that have land that directly abut Tulloch Reservoir. These notices will provide for a 30-day written comment period and as appropriate, modification of the proposed changes prior to filing the updated SMP with FERC. The updated SMP will be implemented when approved by the Commission.

In addition, every 10 years following the Commission's approval of this SMP, the Tri-Dam Project will conduct an adequacy assessment of the SMP in consultation with the USFWS, Cal Fish and Wildlife, the counties, commercial marinas and representatives of homeowners associations that have land that directly abut Tulloch Reservoir. This review will consider whether the SMP is meeting current needs and conditions, and if any changes are needed. The results of this periodic consultation and review process will be filed with the Commission for review and approval.

In the event that the Tri-Dam Project otherwise determines that the SMP needs to be substantively updated, the Tri-Dam Project will file an updated SMP for the Commission's approval with its 10-year adequacy assessment report. The Tri-Dam Project will include documentation of consultation and its response to any comments or recommendations not adopted in the SMP as revised. As noted above, the Tri-Dam Project will provide to the parties listed above a 30-day written comment period for all adequacy assessment reports or updates to the SMP prior to finalizing and filing them with the Commission for approval.



## 1.6 History of Shoreline Management at the Tulloch Project

Article 39 of the initial license provided Tri-Dam Project with the authority to grant permission for use of lands within the FERC Project Boundary. To implement this authority, the Tri-Dam Project filed an initial Reservoir Management Plan with FERC on November 3, 1978, and amended it on December 8, 1978 and January 9, 1979.

The Tri-Dam Project also filed with FERC on November 20, 1978, an application to permit the Heart Federal Savings and Loan Association to develop and sell lands within the Lake Tulloch Shores Subdivision, Unit Numbers 1 and 2, that included a unique provision to construct housing over the reservoir.

FERC approved the 1978 Reservoir Management Plan, as amended, including the subdivision on February 2, 1979.

The Tri-Dam Project requested an additional amendment addressing shoreline erosion structures on July 8, 1998, which FERC approved on October 13, 1998.

During the Project relicensing process, the Tri-Dam Project conducted broad-focus public meetings with resource agencies, non-governmental organizations (NGOs) and other parties interested in relicensing of the Project. Several broad-focus public groups were formed in order to effectively provide comments and participate in this process. The first group formed was known as the Stanislaus Planning Action Team (i.e., SPLAT), and from this group, several subgroups were formed. One of these, the Tulloch Reservoir Shoreline Management Subgroup, was created to develop a new Tulloch Reservoir SMP that would become effective upon issuance of a new Project license.

The Tulloch Reservoir Shoreline Management Subgroup discussed the need to develop an overall development plan for the reservoir. Tulloch Reservoir is unique in that a significant portion of the lands surrounding the reservoir are privately-owned and subject to development pressures, which in this case consists of privately-owned lands within two counties (Calaveras and Tuolumne). Many landowners have private docks and, at present, there are approximately 500 single-family residential docks along the shoreline. Most of the docks are designed with one slip; however, it is common to see additional watercraft tied to the sides of these docks.

The Commission issued a new License for the Project to the Tri-Dam Project on February 28, 2006 for a term ending on January 1, 2046. The license specifically requires that the Tri-Dam Project: 1) obtain Commission approval of any actions that in any way would reduce the storage capacity of Tulloch Reservoir; and 2) obtain FERC approval for the use of lands within the FERC Project Boundary.

Article 411 of the new license included implementation of the 2002 SMP filed during the relicensing process, and also required the Tri-Dam Project to revise and refile the 2002 SMP. In particular, Article 411 requires the Tri-Dam Project to consult with the following parties during revision of the SMP:

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- Cal Fish and Wildlife;
- USFWS;
- Counties; and;
- Representatives of homeowner's associations for land abutting Tulloch Reservoir.

Article 413 of the new license included the Commission's standard land use and occupancy article, which provides Tri-Dam Project with the authority to grant permission for certain, but not all, types of use and occupancy lands within the FERC Project Boundary without prior Commission approval.

To update the existing Tulloch Reservoir SMP, on December 31, 2014, Tri-Dam Project filed a Draft Updated Tulloch Reservoir SMP with FERC and distributed it to the USFWS, Cal Fish and Wildlife, the counties, and representatives of homeowners associations that have land that directly abut Tulloch Reservoir<sup>3</sup> asking for written comments by February 2, 2015. In addition, at the same time Tri-Dam Project provided the Draft Updated SMP to Reclamation, Bureau of Land Management (BLM), and Central Sierra Environmental Resource Center (CSERC) and requested written comments by February 2, 2015.

Tri-Dam Project extended its outreach beyond the requirement in the FERC license. On January 14, 2015, Tri-Dam Project distributed a notice of the Draft Updated Tulloch Reservoir SMP availability to all landowners with property adjoining Tulloch Reservoir for review and, requested written comments by February 15, 2015. At the request of a couple of landowners, Tri-Dam Project extended the written comment deadline to March 15, 2015.

In a further outreach effort, Tri-Dam Project held a public meeting on April 11, 2015 at Tulloch Reservoir to discuss the Draft Updated Tulloch Reservoir SMP. The meeting was advertised in local periodicals and Tri-Dam Project provided direct mail notification of the meeting to each waterfront landowner.

In response to its consultation and outreach, Tri-Dam Project was contacted via e-mail or letter by 14 parties interested in the Draft Updated SMP, and received written comments from 10. In addition, Tri-Dam Project received phone calls from a few individuals, primarily asking procedural questions about the document and process.

Attachment H includes documentation of Tri-Dam Project's consultation, and a response to each comment received by Tri-Dam Project either in writing or at the April 11 public meeting.

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<sup>3</sup> Representatives of homeowners associations that have land that directly abuts Tulloch Reservoir include at this time Copper Cove at Lake Tulloch Owners' Association, Lake Tulloch Alliance, Connor Estates Master Association, Black Jack Bluffs Association, Peninsula Estates Association, Lake Tulloch Shores Subdivision, and Calypso Bay Property Owners Association.

**SECTION 2.0****GOALS, POLICIES AND MANAGEMENT  
IMPLEMENTATION**

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This section provides the goals, policies and management implementation measures that provide the foundation of this SMP.

**GOAL 1: PROVIDE AN OVERALL MANAGEMENT PLAN FOR THE RESERVOIR****Policy:**

Encourage cooperative planning and management efforts among the multi-jurisdictional agencies at Tulloch Reservoir.

**Implementation Measures:**

Adoption of the same rules governing use of the reservoir by Calaveras and Tuolumne counties address many past issues and concerns about recreational use impacts at the Project.

Adoption of the SMP, which incorporates the land use designations of Calaveras and Tuolumne counties for lands along the shoreline. (See Attachment A)

Adoption of this SMP includes provisions for periodic review and updates as necessary to ensure consistency between all applicable Tri-Dam Project and county regulations.

Conduct periodic meetings of involved agencies, as necessary, to ensure that continued cooperative efforts are achieved.

**GOAL 2: PROMOTE ORDERLY GROWTH AND DEVELOPMENT IN ORDER TO ENSURE THAT BOAT DOCKS AND OTHER SHORELINE STRUCTURES ARE INSTALLED AND MAINTAINED IN A MANNER WHICH ENSURES THAT THE MAXIMUM NAVIGABLE AREA OF THE RESERVOIR IS ACHIEVED****Policy:**

Use the guidelines and regulations of this SMP in the permitting process of all facilities within the FERC Project Boundary.

**Implementation Measures:**

Ensure that all new and replacement facilities covered by this SMP conform to the criteria established in the plan. Continue to utilize a permitting process, which integrates the requirements of Tuolumne County, Calaveras County and the Tri-Dam Project.

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Ensure that all new and replacement facilities covered by this SMP are located as close to the shoreline as possible in order to minimize intrusion of boat docks and other facilities onto the navigable water surface area.

Coordinate the permitting process to ensure that permits, if needed, from multiple agencies are obtained prior to installation of facilities covered by this plan.

**GOAL 3: PROMOTE SHORELINE DEVELOPMENT WITHIN LIMITS WHICH ENSURE THAT RECREATIONAL QUALITY OF THE RESERVOIR IS MAINTAINED**

**Policies:**

Limit the number of boat docks and other facilities by implementing spacing standards of the Tulloch Reservoir design guidelines, using California Division of Boating and Waterways' specifications and other resources. Permit one dock per existing parcel within the pre-developed subdivisions of Poker Flat, Connor Estates, Peninsula Estates, Copper Cove, Black Jack Bluffs and those within Tuolumne County, provided that adequate separation between existing lot lines can be achieved.

Permit new docks in accordance with the density limits established by the land use designations of the counties. Allow one new dock per existing parcel, as it currently exists. Additional docks for new subdivisions shall be reviewed in conjunction with the county's subdivision approval process and draft Calaveras Tulloch Lakeshore Development policies, however, a new dock shall only be authorized when it can be demonstrated that the additional dock will not interfere with existing navigable recreational water space or adjacent parcels and conform to applicable criteria of this SMP.

Require that all shoreline structures be located on land owned in fee title by the property owner on whose land the facilities are to be located. Continue to use the adopted policies pertaining to the consideration of temporary use agreements for facilities located on the Tri-Dam Project's land.

Encourage the counties to continue enforcement of guidelines for violations of permit or other regulatory requirements.

**GOAL 4: PROMOTE BOATING AND PERSONAL WATERCRAFT SAFETY**

**Policy:**

Work cooperatively with the counties' Sheriffs Departments to ensure that boating regulations are enforced. Develop instructional programs to better educate reservoir users.

**Implementation Measures:**

Continue to enforce speed limitations, as required by applicable laws.

Continue to maintain the buoy and signage program in order to denote restricted speed areas.

Inform boaters and other reservoir users of the rules and regulations that pertain to boating on Tulloch Reservoir through the installation of signage and distribution of handouts at homeowners associations, marinas and other private and public launching facilities.

Encourage the Sheriffs Departments to strictly enforce California Division of Boating and Waterways' regulations and local regulations, and to ensure compliance with boating and safety regulations.

**GOAL 5: ENHANCE THE QUALITY OF RECREATIONAL OPPORTUNITIES AT TULLOCH RESERVOIR****Policy:**

Tulloch Reservoir's water recreation users are maintained, including pleasure boaters, water skiers and wake boarders, swimmers, anglers and personal watercraft users.

**Implementation Measures:**

Continue to conduct Form 80 periodic surveys of water recreation users and residents to determine levels of satisfaction with the quality of recreational experience, including access to facilities, crowding and overall quality of reservoir management.

Require that all new and replacement developments conform to applicable guidelines in order to maintain the maximum navigable water area possible to ensure that overcrowding does not occur.

Implement additional regulations, as necessary, to minimize congestion including access limits, use restrictions and/or other mechanisms so that a high level of satisfaction is achieved.

Encourage the counties to develop and maintain facilities, which will provide public access to the reservoir.

Support the implementation of user fees or similar programs, if necessary, to provide additional funding for law enforcement, water safety, graffiti and nuisance abatement, facility development and recreational facility management.

Consider the adoption of additional regulations, if necessary, including but not necessarily limited to, the establishment of designated areas within the reservoir for skiing, wakeboarding, fishing and personal watercraft usage.

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**GOAL 6: ENHANCE THE COORDINATION AND MANAGEMENT OF ACTIVITIES AT TULLOCH RESERVOIR TO ENSURE THAT ENVIRONMENTAL RESOURCE GOALS INCLUDING WATER QUALITY ARE MAINTAINED AT VERY HIGH LEVELS.**

**Policy:**

Encourage continued implementation of regulations designed to ensure that high water quality levels are maintained.

**Implementation Measures:**

Provide a handout to be given to recreational users designed to promote environmentally sensitive boating practices.

Continue to enforce applicable county regulations regarding appropriate sanitation policies within the reservoir area.

Encourage the counties to prohibit boat camping along the shoreline, except within approved campground areas.

Continue to support Calaveras and Tuolumne county regulations that prohibit the usage of houseboats on Tulloch Reservoir.

Continue to provide an informational handout describing measures that lakefront property owners can utilize in order to minimize the introduction of domestic pollutants to Tulloch Reservoir.

Encourage the counties to implement regulations designed to minimize impacts from new construction, including grading plan requirements designed to prevent increased sedimentation into the water surface area.

Encourage the continued efforts of local citizens groups in organizing and conducting Tulloch Reservoir Clean-up Days.

**GOAL 7: MINIMIZE SHORELINE EROSION AND INCREASED SEDIMENTATION WITHIN TULLOCH RESERVOIR.**

**Policy:**

Encourage the development of regulations designed to control erosion and eliminate increased sedimentation.

**Implementation Measures:**

Use the permitting program in this SMP to encourage the proper placement and construction of erosion protection devices.

Require specific erosion control measures on all shoreline construction projects as part of the Tri-Dam Project's SMP permitting processes.

Use the permitting program established in this SMP to authorize and encourage permit requests for excavation of soil materials along shoreline and cove areas, where possible.

Develop an informational handout informing and requiring shoreline property owners to implement measures designed to prevent increased sediment and other materials from entering the reservoir, including measures designed to prevent the proliferation of non-native invasive plants throughout the reservoir area.

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**SECTION 3.0****LAND USE AND SHORELINE CLASSIFICATIONS**

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Within the FERC Project Boundary, 22 parcels located at the upstream end of the reservoir (i.e., the northeast arm of the reservoir) are United States-owned lands administered by Reclamation as part of the New Melones Development. Another three parcels located at the lower end of the northeast arm of the reservoir are United States-owned lands administered by the BLM, as is one parcel of land located at the upper end of the northwest arm of the reservoir (Black Creek).

The Cal Fish and Wildlife owns two parcels totaling 83 acres near Tulloch Dam, which it leases to Tuolumne County, who in turn leases it to a concessionaire for operation of a public campground, boat launch and marina on the property.

The State of California owns 5 percent of all of the land within the FERC Project Boundary.

The Tri-Dam Project owns 16 parcels totaling 419 acres, or 26 percent of all of the land within the FERC Project Boundary.

Approximately 60 percent of the lands surrounding Tulloch Reservoir are in private ownership and are managed according to the General Plans of the counties. Land use along the shoreline of Tulloch Reservoir in Calaveras County is primarily designated as residential, though most of the lots have not been developed and therefore remain in near natural condition. In Tuolumne County, the majority of the land is designated agricultural or is public, with a small percentage designated as residential (see Land Designation Map in Attachment A). The majority of the residential and commercial developed parcels occur on the northwestern and southwestern arms of the reservoir.

The Black Creek arm of the reservoir is the most highly developed area consisting of Copper Cove (1,000 units), Lake Tulloch Shores of Poker Flat (600 units) and Conner Estates (169 units). The Calaveras County Planning Department estimates that jointly these developments are approximately 30 percent built-out. The County has also approved a 300-unit subdivision, Tuscany Hills, which received preliminary map approval, but is not yet developed.

On the south side of the reservoir within Tuolumne County, there is less density and less likelihood of major development. Currently there are three developed areas: South Shore, Green Springs and Black Jack Bluffs. The majority of the remaining land is in large holdings and is less likely to see development pressure.

The extent of current shoreline development is illustrated in the attached map of the shoreline ownership showing the land division (See Land Ownership Map in Attachment B).

There are seven non-Project recreation facilities on Tulloch Reservoir. At present, there are two facilities that provide the public with the opportunity to access to Tulloch Reservoir for a fee: 1) the South Shore Campground and Marina which is a public marina; and 2) Drifters Reef which is a private commercial marina. There are also six developments (Black Jack Bluffs, Copper Cove

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Marina, Kiva Recreation Area, Connor Estates Recreation Area, Calypso Beach Villas and Poker Flat Recreational Facilities) that provide launch ramps, docks and recreational areas, and these are intended for the sole use of the residents within each development.

The Tri-Dam Project has an active program of reviewing and permitting uses of Project lands. The permitting process is guided by the shoreline development permitting process described in Section 4 of this SMP. The permitting is done concurrently with, but separately from, the respective counties and with consultation of federal and state land and resource agencies.

### 3.1 Management Measures for Special-Status Species and Their Habitats

The Tri-Dam Project performed special-status species surveys within the FERC-Project Boundary as part of relicensing. In addition, on December 13, 2014, the Tri-Dam Project queried the USFWS on-line request service to generate a list of Threatened and Endangered species that occur or have the potential to occur within the 7.5-minute U.S. Geological Survey (USGS) topographic quadrangles that include the vicinity of the Project (i.e., Sonora, Chinese Camp, New Melones Dam, Copperopolis, Knights Ferry, Keystone, Columbia, Salt Springs Valley, and Angels Camp). The list for the Project included eighteen species: four invertebrates, three fish, two amphibians, one mammal, and eight plants. The Tri-Dam Project also queried the California Department of Fish and Wildlife's California Natural Diversity Data Base (CNDDDB), the California Native Plant Society's Inventory of Rare and Endangered Plants, and the Project record for known occurrences, or information to suggest that the Project could affect special-status species.<sup>4</sup> Based on these sources, Tri-Dam concluded that seven special-status species are known to occur or have the potential to occur in the Project area (Table 3.1-1). Based on Tri-Dam Project's surveys and recent reviews of databases, Tri-Dam Project prepared a Geographical Information System (GIS) map showing the location of sensitive areas for special-status species identified at or near Tulloch Reservoir. The map is available to FERC and resource agencies, but is not for the general public due to the sensitive nature of the information. A copy of this map is included in Attachment C, and is considered Privileged.

**Table 3.1-1. Species listed as threatened or endangered under the ESA or CESA or Fully Protected under California law that occur or have a potential to occur within the Tulloch Hydroelectric Project's FERC Project Boundary.**

Species	Status <sup>3</sup>	Habitat and Life History Notes	Known Occurrences
<b>INVERTEBRATES</b>			
Valley elderberry longhorn beetle <sup>1</sup> <i>Desmocerus californicus dimorphus</i>	FT	Historical range throughout the Central Valley up to 3,000 ft. Dependent upon host plant, elderberry.	17 elderberry plants recorded around Tulloch Reservoir ; no occurrence of valley elderberry longhorn beetle (Tri-Dam 2002)

<sup>4</sup> For the purpose of the Shoreline Management Plan, special-status species are those species; 1) listed as threatened, endangered, or a candidate for listing as threatened or endangered under the federal Endangered Species Act or California Endangered Species Act; 2) designated as a California Department of Fish and Wildlife Fully Protected Species; or 3) for which the U.S. Department of Fish and Wildlife has designated Critical Habitat within the FERC Project Boundary.

**Table 3.1-1. (continued)**

Species	Status <sup>3</sup>	Habitat and Life History Notes	Known Occurrences
<b>BIRDS</b>			
White-tailed kite <i>Elanus leucurus</i>	CDFW: FP	Common to uncommon yearlong residents in Sierra Nevada foothills, forage in undisturbed, open grasslands, meadows, farmlands and emergent wetlands. Breeds February to October, with the peak from May to August.	Near Green Springs arm; no nesting observed (Tri-Dam 2002)
Bald eagle <i>Haliaeetus leucocephalus</i>	CE, CDFW: FP	Breeds or winters throughout California. Typically nests within 1 mile of water bodies from February to July.	Nesting at Project unlikely due to lack of suitable trees and existing human disturbances. Wintering birds from nearby reservoirs may forage at Project. (Tri-Dam 2002)
<b>MAMMALS</b>			
Townsend's big-eared bat <sup>2</sup> <i>Corynorhinus townsendii</i>	CCT	Caves and abandoned mines are primary roosting habitat, but roosts in buildings, bridges, rock crevices and hollow trees have been reported. Mating occurs between October and February, and a single pup is born between May and June	Roost site near northwest abutment of Tulloch Reservoir Dam (CNDDDB 2014)
<b>PLANTS</b>			
Chinese Camp brodiaea <i>Brodiaea pallida</i>	FT, CE	Valley and foothill grassland, cismontane woodland.	Along Black Creek, just north of Tulloch Reservoir's west arm (CDFW 2014)
Layne's butterweed (ragwort) <i>Packera laynaea</i>	FT	Chaparral, cismontane woodland, gabbro, serpentine.	Potentially present in suitable habitat, but none observed.
Red Hills (California) vervain <i>Verbena californica</i>	FT, CT	Valley and foothill grassland, cismontane woodland.	Potentially present in suitable habitat, but none observed.

<sup>1</sup> Management of Valley elderberry longhorn beetle is addressed in Section 3.6, Elderberry Plants (License Article 405, Condition 11).

<sup>2</sup> Management of Townsend's big-eared bat is addressed in Section 3.3, Management of Bats (License Article 407).

<sup>3</sup> Status:

FT = ESA-listed Threatened

CE = CESA-listed Endangered

CT = CESA-listed Threatened

CCT = Candidate CESA-listed Threatened

CDFW: FP = California Fully Protected Species

Landowners initiating the submittal of an application for a shoreline development project for Tri-Dam Project approval, as framed in Section 4.1.1 of this SMP, will be advised by the Tri-Dam Project whether any sensitive special-status species habitat is known to occur in the vicinity of their proposed shoreline project based on the map in Appendix C. If such sensitive habitat is present, the applicant will be required to enter into, and formally document, consultation with State and federal agencies responsible for the protection of the species. With regards to ESA-listed species, the USFWS is the responsible agency; and for CESA-listed and Fully Protected species, Cal Fish and Wildlife is the responsible agency. Note that if the proposed shoreline development requires the applicant obtain permits and approvals for federal or state agencies, those agencies may require the applicant perform surveys specific to their proposed development.

### 3.2 Management of Western Pond Turtle

To preserve and improve the existing habitat for the western pond turtle (*Actinemys marmorata*), at Tulloch Reservoir, in accordance with the requirements in Article 406, the Tri-Dam Project is

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implementing the Western Pond Turtle Management Plan as modified and approved by FERC on March 28, 2008. This management plan includes provisions for monitoring the western pond turtle populations, measures for managing turtles and their habitat, and habitat enhancement measures. Encroachment permits issued under the SMP will include an assessment of impacts to western pond turtle as required by the version of this management plan approved by FERC and being implemented by the Tri-Dam Project at the time future encroachment permits are requested by abutters for proposed shoreline development activities under this SMP.

### **3.3 Management of Bats**

Article 407 of the new Project license required the development of a Wildlife Management Plan that included measures to protect bat habitat at the Project. The Wildlife Management Plan was modified and approved by FERC on April 28, 2008. This management plan included provisions to protect bat roosting habitat at the Project, periodic training of Tri-Dam Project staff and the establishment of wildlife protection areas. Encroachment permits issued under the SMP will include an assessment of impacts to bat roosting habitat as required by the version of the Wildlife Management Plan approved by FERC and being implemented by the Tri-Dam Project at the time future encroachment permits are requested by abutters for proposed shoreline development activities under this SMP.

### **3.4 Management of Osprey**

Article 407 of the new Project license required the development of a Wildlife Management Plan that included measures to provide and manage osprey nesting habitat. The Wildlife Management Plan was modified and approved by FERC on April 28, 2008. This approved management plan includes provisions to install and maintain osprey nesting platforms, training for Tri-Dam staff and the establishment of wildlife protection areas at the Project. Encroachment permits issued under the SMP will include an assessment of impacts to osprey nesting structures as required by the version of the Wildlife Management Plan approved by FERC and being implemented by the Tri-Dam Project at the time future encroachment permits are requested by abutters for proposed shoreline development activities under this SMP.

### **3.5 Coordination with Appropriate State and County Agencies to Establish Wildlife Protection Areas Where Motorized Boating is Prohibited**

Two areas within Tulloch Reservoir have been identified that could provide unique habitat conditions that should be considered for addition protection as wildlife habitat. The two sites are the upper reaches of the Black Creek and Green Springs arms. Descriptions of each of these areas are provided below.

Since issuance of the new license on February 16, 2006, Calaveras and Tuolumne counties have adopted the same rules governing use of the reservoir that includes speed limits, use limitations, and consistent permitting regulations. These revised rules address many past issues and concerns

about recreational use impacts and coordinated law enforcement strategies at the Project and use of Tulloch Reservoir.

The Wildlife Management Plan required under Article 407 discussed above in Sections 3.3 and 3.4 also included provisions to work with Calaveras and Tuolumne Counties to consider additional restrictions of motorized boating use in the upper reaches of the Black Creek and Green Springs arms. The goal of this effort is to protect the unique habitat conditions in these two areas and to provide additional protection to wildlife species, as discussed in the next two subsections describing these two areas.

### **3.5.1 Black Creek Wildlife Area**

The Black Creek arm is currently undeveloped and the surrounding lands are in 20-acre parcels. There is however increasing pressure for more development in these areas, which is being addressed by Calaveras County through broad planning efforts that are ongoing. The upper Black Creek arm represents a diverse range of wildlife and vegetative resources that warrant preservation efforts. Presently there is a 5-mile-per-hour (mph) speed limitation that receives periodic enforcement. Tri-Dam has had a biological report prepared regarding potential species considerations, and has requested that Calaveras County provide input regarding the potential need to implement a non-motorized boating zone in the upper reach of the Black Creek arm of the reservoir.

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**Figure 3.5-1. Black Creek Wildlife Area**

### **3.5.2 Green Springs Wildlife Area**

The Green Springs arm is undeveloped and in the holding of a large ranch. At the entrance to the upper Green Springs segment, the cove here is used by fishermen, casual boaters and sightseers. Upstream from this cove, there is more limited use primarily by fishing and kayaks. There is currently a 5 mph speed limitation that is enforced by County Sheriffs Department's patrols. Similar to Black Creek, input from Tuolumne County has been obtained regarding the county regulation of a non-motorized boating zone within this area.



**Figure 3.5-2. Green Springs Wildlife Area**

### **3.6 Elderberry Plants (License Article 405, Condition 11)**

The Tri-Dam Project supplies project applicants and land owners that have mapped or known elderberry plants on their parcels with a copy of the *Valley Elderberry Longhorn Beetle Protection Plan* at the time of a project application (See map of Valley Elderberry Longhorn Beetle Habitat in Attachment D). This management plan was developed pursuant to Article 408 and approved by FERC on April 30, 2008. Encroachment permits issued under the SMP will include an assessment of impacts to elderberry plants which provide habitat to longhorn beetles as required by the *Valley Elderberry Longhorn Beetle Protection Plan* approved by FERC and being implemented by the Tri-Dam Project at the time future encroachment permits are requested by abutters for proposed shoreline development activities under this SMP. In the event that elderberry plants may be affected by proposed shoreline development projects, the Tri-Dam Project will require that the project proponent consult with the USFWS for USFWS approval prior to issuance of any Tri-Dam Project permit.

Note: Consultations for potential impacts to the Valley Elderberry Longhorn Beetle habitat will be at the USFWS Sacramento Endangered Species Division, 2800 Cottage Way, Suite W-2605, Sacramento, CA 95825, phone (916) 414-6678.

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### 3.7 Vegetative Habitat

The Tri-Dam project completed an inventory of the vegetative habitats within the FERC Project Boundary from May through August 2006. The vegetative habitat inventory was conducted utilizing boats to survey the shoreline, utilizing the existing aerial photography from the United States Geological Survey, Tri-Dam's FERC Application, the Cal Fish and Wildlife's oak inventory maps, and information from the CNDDDB. An updated hard copy GIS map has been prepared for the vegetative habitats at Tulloch Reservoir and is attached to this SMP (See Attachment E for the Vegetation Map and Attachment F for the Noxious Weed Map of the Tulloch Reservoir taken from the Vegetation Management Plan discussed below in Section 3.7.1).

Table 3.7-1 presents a list of the vegetative habitats that were identified at Tulloch Reservoir, with the corresponding CNDDDB numbering system, and the approximate percentage of the Tulloch Reservoir shoreline occupied by each vegetative habitat type.

**Table 3.7-1. Vegetative Habitats at Tulloch Reservoir**

Habitat	CNDDDB#	% of Shoreline
Chamise Chaparral	37.100.00	3.7*
Non-native Grassland	42.000.00	1.3
Black Oak Forests and Woodland	71.120.00	0.3
Blue Oak / Grass-	71.140.00	
Woodland	71.020.05	11.5*
Savanna		9.7*
Blue Oak / Interior Live Oak / Grass	71.020.06	4.9*
Interior Live Oak / Blue Oak / Foothill Pine	71.080.01	2.4
Interior Live Oak / Foothill Pine	71.150.00	9.1
Mixed Oak / Foothill Pine / Grass	71.100.07	11.0
Foothill Pine / Chemise	71.000.00	4.5*
Foothill Pine / Grass / Shrub Oak	71.000.00	3.5*
Rock Outcrop / Grass / Buckeye	(n/a)	4.0*
Urban / Disturbed	(n/a)	
Industrial		8.3
Residential/Recreation		23.3
Riparian		
Willow	61.320.00	<1.0*
Cottonwood	61.410.00	1.5*
Rush/Sedge	52.000.00	2.0*

\* Indicates combination of riparian with other habitat types

#### 3.7.1 Vegetative Habitat Management

Article 405 of the new Project license required the development of a Vegetation Management Plan that included the following measures: (1) training project staff; (2) conducting fire fuels inventories; (3) the control of sudden oak death; (4) the control or eradication of noxious weeds; (5) informing visitors and shoreline property owners about the spread of noxious weeds; (6) protection of elderberry shrubs; (7) mapping, monitoring, and management of wetlands, noxious weeds and important wildlife habitat; and (8) the use of certified weed-straw, rice straw, and native plant species. The Vegetation Management Plan was modified and approved by FERC on July 1, 2008. Encroachment permits issued under the SMP will include an assessment of impacts to the range of resources addressed by this plan as required by the version of the Vegetative Management Plan approved by FERC and being implemented by the Tri-Dam Project



at the time future encroachment permits are requested by abutters for proposed shoreline development activities under this SMP.

On Tri-Dam Project land in the upper main stream, the Tri-Dam Project will continue managing to assure exiting habitats are maintained. These lands interface with federal and private lands. The Tri-Dam Project monitors land use issues in the adjoining counties and provides comments and recommendations during any proceedings to minimize adverse impacts on those lands as well as direct impacts to Tri-Dam Project land within the FERC Project Boundary.

Prior to initiating any construction activity or issuing a permit for projects such as docks, retaining walls or other activities, the Tri-Dam Project will investigate the site and evaluate the potential impacts within the FERC Project Boundary using the following guidelines:

- Non-urban areas – maintain building setbacks of 100 ft on both sides of perennial streams and 75 ft on both sides of intermittent streams, and prohibit vegetation clearing within 100 ft of perennial streams and within 75 ft of intermittent streams, except to improve wildlife habitat.
- Urban areas – maintain building setbacks of 50 ft on both sides of perennial streams and 50 ft on both sides of intermittent streams.
- Minimize the number of road crossings of streams, and design crossings to be perpendicular to streams, to minimize impacts on riparian habitat. Stream crossing culverts shall be designed to handle 100-year storm water events.
- Prohibit off-road vehicles and heavy construction equipment within the setbacks of streambeds unless there is a demonstrated need and no feasible alternative.
- For proposed projects, such as bridges, pilings, seawalls, docks and channel alterations, the Tri-Dam Project will cooperate with the Cal Fish and Wildlife to obtain adequate fish and wildlife protection through individual Lake and Streambed Alteration Agreements.
- Require suitable erosion control measures and Best Management Practices (BMPs) to be implemented on-site before, during and after development activities on the shoreline or stream banks to avoid increasing sedimentation of aquatic habitats.
- The Tri-Dam Project will prohibit new structures, new or improved roads and vegetation clearing in wet meadows, including seasonally wet meadows with wetland plant species, associated stands of willows, including shrubby growth and all cottonwood groves unless there is a demonstrated need and no feasible alternatives.
- Discourage removal of native oaks with greater than 5 inches diameter (measured at a height of 4.5 ft above the ground level), except where required for public safety, and minimize removal of smaller oaks, including seedlings.

### **3.8 Cultural Resources**

Cultural resource sites are more completely identified in the Historic Properties Management Plan (HPMP) and due to the sensitive nature of that plan; these details have not been

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incorporated into this SMP to protect known site locations. Article 412 required the development of an HPMP designed to manage impacts from operation and maintenance of the Tulloch Project on historic properties. The Tri-Dam Project will consider identified sites when reviewing an application for any project within the FERC Project Boundary. Maps of the sites will be provided to appropriate reviewing personnel and agencies upon request and the encroachment permits issued under the SMP will include an assessment of impacts to identify historic properties as required by the version of the HPMP approved by FERC and being implemented by the Tri-Dam Project at the time future encroachment permits are requested by abutters for proposed shoreline development activities under this SMP. Attachment G includes a map of known historic properties within the FERC Project Boundary. The map is considered Privileged due to the nature of the material.

**SECTION 4.0****SMP PERMITTING PROCESSES**

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This section of the SMP presents the permitting processes for minor shoreline development project proposals that are covered within this SMP.

**4.1 General Requirements**

In addition to the requirement of obtaining an encroachment permit from the Tri-Dam Project, applicants may also be required to obtain additional review and approval by other local, state and federal land and resource agencies. It is the sole responsibility of the applicant proposing the project to identify and obtain these permits and approvals, and meet all requirements of such permits and approvals. Consulting with or obtaining an encroachment permit from the Tri-Dam Project in no way relieves the applicant from identifying and obtaining these other permits and approvals, or adhering to the requirements in those other permits and approvals.

In addition, the Tri-Dam Project may require the applicant to enter into a lease or use agreement, depending upon the scope and type of the proposed minor shoreline development project to ensure that construction and operation of the proposed facility will not interfere with Project purposes.

The permitting standards and guidelines included in this SMP generally describe the maximum sizes of the facilities that can be permitted by Tri-Dam Project at Tulloch Reservoir. However, these guidelines also include provisions to address overcrowding, navigability and other development concerns and therefore, not all applicants seeking shoreline development permits for their properties will be able to achieve the maximum facility sizes that can be permitted under this SMP.

**4.1.1 Application Procedure**

- 1) An individual initiates an application request by contacting the Tri-Dam Project via phone at (209) 532-3838 or (209) 785-3838, by mail or via the internet (info@tridamproject.com).
- 2) All applications must include the following information (as a minimum) to start the review process:
  - a. Completed Tri-Dam Project Application Form;
  - b. Basic description of the proposed facility (e.g. 20-slip marina);
  - c. Intended users (e.g. subdivision lot owners and general public);
  - d. Surveyed limits of the subject property, with all property lines noted, and the 510 ft and the 515 ft contour lines clearly denoted.
  - e. Engineered site plan depicting the location of all proposed facilities with elevations and property lines shown;

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- f. Location of the proposed shoreline development project within the reservoir; and
  - g. A list of all permits and agency approvals needed for the construction, operation and maintenance of the proposed shoreline development project.
- 3) The Tri-Dam Project reviews the application to determine that the proposed activity is consistent with the SMP and FERC license requirements. If the shoreline development project is not consistent with the SMP and licenses, the applicant will have to redesign the proposed shoreline development project before the Tri-Dam Project issues the requested encroachment permit. An on-site review will normally be conducted at this stage.
  - 4) The applicant will be required to obtain the necessary permits and provide them to the Tri-Dam Project. A list of the permits which may be required for a project include the following, however it is the applicants sole responsibility to identify and obtain all necessary permits and approvals: Clean Water Act (CWA) Section 404 Permit from the United States Army Corps of Engineers (USACE); CWA Section 401 Permit from the Regional Water Quality Control Board; Lake and Stream Alteration Agreement from Cal Fish and Wildlife; and County Building Permit from either the Calaveras or Tuolumne county. If the proposed shoreline development project affects land administered by Reclamation or BLM, the proponent must consult with those agencies as well. If a house and/or deck are to be located below the 515 ft elevation, the County will not issue a building permit until an encroachment permit is issued by the Tri-Dam Project.
  - 5) Shoreline development projects within Tuolumne County and Calaveras County are subject to permit requirements as specified by each county.
  - 6) The Tri-Dam Project will coordinate with the applicant to ensure that any necessary changes or additional information can be obtained promptly.
  - 7) The Tri-Dam Project then completes the permitting process, issues the permit and sends the applicant a copy of all permit documents. The applicant must execute a Hold Harmless document as a part of the final permit issuance process. The applicant may also be required to execute a lease/use agreement for the facilities, if located on lands owned by the Tri-Dam Project, depending on the nature of the shoreline development project.
  - 8) All facilities must be fully contained within the applicant's property lines and may not cross private property lines.
  - 9) All shoreline development projects shall be designed with the protection of the public health, safety and welfare in mind, as well as for the protection of the scenic and wildlife habitat values of the area.
  - 10) The Applicant must provide the Tri-Dam project with copies of all additional permits required by other permitting agencies for the proposed shoreline development project along with as-built drawings of the constructed project when completed.

#### **4.1.2 Construction**

- 1) Construction progress will be monitored by the Tri-Dam Project as required by conditions in encroachment permit. The applicant is required to contact the Tri-Dam

Project prior to the initiation of excavation and construction and upon completion of construction so that compliance with the approved permit can be verified by site inspection.

- 2) It is the sole responsibility of the applicant proposing the project to coordinate with other agencies that issued a permit or approval for the project if that agency's permit or approval requires construction monitoring, filings or inspections during or after construction.
- 3) All county and other required set backs shall be shown on the permit application and identified in the field prior to construction (i.e. Tuolumne County building set back of 25 ft horizontally from normal high water mark (510 ft) or 10 ft horizontally from right of way line (i.e., 515 ft) and sanitary setbacks/ controls within 100 ft of high water mark. (Ordinance No. 514).

#### **4.1.3 Inspection**

- 1) The facility will be inspected periodically for compliance with the encroachment permit conditions and use agreements, and any other Tri-Dam Project requirements.
- 2) The construction of any facility must be completed as described in the approved permit and within 12 months from the date of permit approval by the Tri-Dam Project. A 1-year extension may be considered if the applicant files a written request with the Tri-Dam Project, prior to the original permit expiration date. If during the extension period additional guidelines are imposed, the new construction will be required to comply, to the maximum extent practicable. If warranted, a shoreline development project may be approved in phases, with approval timelines as specified in the encroachment permit. Additional conditions may be imposed as needed.

#### **4.1.4 Tri-Dam Project's Role in Issuing Encroachment Permits under the SMP**

Since every possible situation cannot be anticipated, the Tri-Dam Project reserves the right to make decisions in cases not specifically covered by the SMP. Requests for variances from these guidelines will be considered on a case-by-case basis subject to demonstration that the proposed variance results from a physical constraint or other limitation which result in a substantial hardship to the applicant if imposed. Furthermore, it must be demonstrated that approval of the variance would not conflict with any other standard or create conflicts with adjoining properties or other reservoir use. Additional review and consideration by FERC may be required.

All proposed minor shoreline development projects are subject to the Tri-Dam Project's review and approval to ensure that the proposed project is consistent with the FERC license.

In considering requests for development approval, the Tri-Dam Project must take into consideration the various environmental constraints, development patterns, physical reservoir characteristics, and adjacent land uses which may exist. In accordance with these factors, applicants may be required to redesign or otherwise alter their proposals in order for the shoreline development project to be approved.

Tri-Dam Project  
Tulloch Hydroelectric Project  
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There are existing structures and improvements permitted under prior permits or “grandfathered” into existence, which may not be compatible with current and future guidelines. These structures may be maintained or repaired, though their use does not conform to these guidelines. When it becomes necessary to replace, expand or otherwise alter a previously approved non-complying structure, the new structure must comply with the guidelines in effect at the time of replacement.

The Tri-Dam Project reserves the right to make alterations to these guidelines should they become necessary over time, following notice and comment by interested parties and affected property owners.

#### **4.1.5 Violations and Enforcement**

The Tri-Dam Project will issue stop work notices for any violations of: this SMP; a Tri-Dam Project issued encroachment permit, or the FERC license. Consequences for violations may include one or more of the following:

- Unwanted construction delays;
- Suspension or cancellation of approved applications;
- Increases in fees;
- Modification or removal of non-complying structures and restoration of disturbed areas at the owner’s expense;
- Litigation; and/or
- Loss of any consideration for future reservoir use applications until the violation is successfully resolved.

## **4.2 Commercial Facilities Program**

### **4.2.1 General**

All parties desiring to construct, expand or rebuild a commercial facility any part of which lies within the FERC Project Boundary must obtain authorization from the Tri-Dam Project prior to the initiation of excavation or construction. A commercial facility is defined as any use or facility within the Project Boundary which is non-single family residential. Thus any facility, use or proposal other than that proposed for a single family residential unit is subject to the guidelines in this section.

The permitting standards and guidelines included in this SMP generally describe the maximum sizes of the facilities that can be permitted by the Tri-Dam Project at Tulloch Reservoir. However, these guidelines also include provisions to address overcrowding, navigability and other development concerns and therefore, not all applicants seeking shoreline development permits for their properties will be able to achieve the maximum facility sizes that can be permitted under this SMP.

## 4.2.2 Application Procedure

An applicant must complete the Application Process described in Section 4.1, General Requirements, of this SMP.

## 4.2.3 Criteria for Commercial Facilities

Commercial facilities include public marinas, campgrounds, parks and any other non-single family residential shoreline development project.

- 1) Facilities may not extend more than one-third the distance to the opposite shoreline or more than 100 ft from the reservoir's NMWSE, whichever is more limiting.
- 2) All flotation materials shall be puncture resistant and designed not to sink, if punctured. Steel drums are prohibited and uncoated, beaded polystyrene will not be permitted for new construction.
- 3) Reflectors shall be placed on the two furthest corners of the structure that extend into the water and along the sides of the structure from the end back to toward the shore.
- 4) All fixed pier decking must be at least 1 ft above the NMWSE.
- 5) A facility accommodating watercraft equipped with devices that can produce a wastewater discharge (e.g. marine toilet, shower, sink, kitchen fixed or portable holding tank) is required to provide sanitation facilities for pump-out and/or deposit of waste.
- 6) Structures built or used within the FERC Project Boundary must not contain sinks, toilets, showers, or any other type of devices which could cause liquid or solid waste to be discharged into the lake.

*(Note: Boat fueling facilities are an exception to this requirement but must conform to all applicable federal, state and local laws and regulations).*

- 7) All facilities shall be setback from the property lines in accordance with county zoning regulations for structures.
- 8) Commercial facilities that can accommodate more than 10 watercraft will also require submittal to and approval from FERC.

## 4.3 Private Facilities Program

### 4.3.1 General

All parties desiring to construct, expand or rebuild a private single-family facility within the FERC Project Boundary must obtain authorization from the Tri-Dam Project prior to the initiation of excavation or construction. All facilities must be constructed on the applicant's deeded waterfront lot for the purpose of providing private access for occupant of single family type dwellings.

Tri-Dam Project  
Tulloch Hydroelectric Project  
FERC Project No. 2067

The permitting standards and guidelines included in this SMP generally describe the maximum sizes of the facilities that can be permitted by the Tri-Dam Project at Tulloch Reservoir. However, these guidelines also include provisions to address overcrowding, navigability and other development concerns and therefore, not all applicants seeking shoreline development permits for their properties will be able to achieve the maximum facility sizes that can be permitted under this SMP.

#### **4.3.2 Application Procedure**

An applicant must complete the Application Process described in Section 4.1, General Requirements, of this SMP.

#### **4.3.3 Criteria for Private Facilities**

- 1) All facilities shall be designed to ensure that the facilities are located as close to the shoreline as possible, and shall not extend more than 40 ft from the reservoir NMWSE. An owner may apply for a facility that extends further than 40 ft if it can be demonstrated that the 40-ft restriction would make the facility unfeasible given environmental considerations such as topography or terrain. In addition, it must be demonstrated that the facility would not obstruct or interfere with the access of adjacent parcels and public lake use.
- 2) Reflectors shall be placed on the two furthest corners of any dock structure that extends into the water.
- 3) All fixed pier decking must be at least 1 ft above the reservoir NMWSE. No portion of the structure will be approved for habitation purposes, as this area is subject to potential inundation.
- 4) Floatation materials, if used, shall be puncture resistant and designed not to sink, if punctured.
- 5) Structures built within the FERC Project Boundary must not contain sinks, toilets, showers, or any other type of device, which could cause any liquid or solid waste to be discharged into the lake.
- 6) The sides of gazebos, boat shelters and boathouses are not to be enclosed. Handrails may be installed for safety, but must not be enclosed.
- 7) The maximum allowed docking area for single family residential facilities is 440 square feet of surface area for a slip type dock and 400 square feet of surface area for a platform dock. In addition, two personal watercraft ports not exceeding 70 square feet each may be permitted. An awning, if installed, shall not exceed the footprint of the dock area, excluding personal watercraft ports. Overhangs and/or side enclosures are not permitted.
- 8) Two story docks are not permitted.
- 9) All facilities shall be setback from the property lines in accordance with county zoning regulations for structures.
- 10) Only one non-stackable boat lift is permitted for each single family residential dock.



## **4.4 Excavation Program**

### **4.4.1 General**

All parties desiring to excavate or remove soil and/or materials from within the FERC Project Boundary must obtain written authorization from the Tri-Dam Project prior to beginning any such activity.

The permitting standards and guidelines included in this SMP generally describe the maximum sizes of the facilities that can be permitted by the Tri-Dam Project at Tulloch Reservoir. However, these guidelines also include provisions to address overcrowding, navigability and other development concerns and therefore, not all applicants seeking shoreline development permits for their properties will be able to achieve the maximum facility sizes that can be permitted under this SMP.

### **4.4.2 Application Procedure**

An applicant must complete the Application Process described in Section 4.1, General Requirements, of this Plan.

### **4.4.3 Criteria for Excavation**

- 1) All work shall be done in the “dry”, and in conformance with the permits and approvals obtained for the work by the applicant.
- 2) Any material excavated in accordance with an approved permit shall be deposited outside of the FERC Project Boundary, with sufficient protection to ensure that no material is allowed to slough off into the FERC Project Boundary. Any necessary permits or approvals for the placement of excavated material shall be included in the application and include a proposed plan for transporting the excavated material out of the FERC Project boundary.
- 3) Shoreline development projects shall be designed to preserve existing vegetation and replant with natural vegetation, use weed-free straw to protect against erosion and use best management practices to minimize erosion and siltation. Avoid any critical habitat disturbances.
- 4) The applicant must be the owner or lease holder of the land impacted or used by any proposed waterfront facility. The responsibility is considered to transfer automatically along with ownership and leases.
- 5) The excavation shall be designed to be the minimum amount necessary to accomplish the stated objective, however, in no case shall the maximum material excavated exceed 1,000 cubic yards per single family lot or applicable government regulations or issued permit for the work, whichever is less. Excavation requests exceeding this limitation may be considered, however, FERC review and approval is also required prior to approval by the Tri-Dam Project.
- 6) At all times, appropriate drainage controls and safety standards shall be employed.

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## **4.5 Shoreline Management and Stabilization Program**

### **4.5.1 General**

All parties desiring to construct shoreline protection devices or other erosion protection devices within the FERC Project Boundary must obtain authorization from the Tri-Dam Project prior to the initiation of any activity/construction within the FERC Project Boundary. Applicants are encouraged to design all facilities so as to preserve the natural appearance of the shoreline. The installation of erosion protection devices shall balance preservation of the natural shoreline, wherever possible and the use of vertical retaining walls or similar facilities shall be prohibited, except where there is no feasible alternative. Landscape plantings are encouraged, other measures in combination with planting will be considered. The *Shoreline Erosion Plan* in the FERC Project license will be reviewed and, as appropriate, applied to each shoreline development project issued encroachment permits under this SMP.

The permitting standards and guidelines included in this SMP generally describe the maximum sizes of the facilities that can be permitted by the Tri-Dam Project at Tulloch Reservoir. However, these guidelines also include provisions to address overcrowding, navigability and other development concerns and therefore, not all applicants seeking shoreline development permits for their properties will be able to achieve the maximum facility sizes that can be permitted under this SMP.

### **4.5.2 Application Procedure**

An applicant must complete the Application Process described in Section 4.1, General Requirements, of this Plan.

### **4.5.3 Criteria for Shoreline Stabilization and Erosion Protection Facilities**

- 1) Shoreline stabilization or erosion protection devices that would substantially alter the FERC Project Boundary will not be permitted. Natural plantings including willows and cottonwoods are the preferred mechanism for erosion control.
- 2) Shoreline stabilization or erosion protection devices shall be designed to protect the natural appearance of the shoreline, wherever possible. Rip-rap or similar material shall be placed along the base of all walls or bulkheads subject to permit requirements based upon physical characteristics of the subject property.
- 3) The limits of shoreline stabilization or erosion protection devices shall be in accordance with this SMP, the FERC license, local ordinances and BMPs.
- 4) The use of tires, scrap metal, crush block or other types of material that are not aesthetically acceptable is prohibited for stabilization.
- 5) The applicant must be the owner or lease-holder of the land immediately adjoining any proposed waterfront facility. The Tri-Dam Project will hold the applicant fully responsible for the permitted shoreline development project. The responsibility is considered to transfer automatically along with ownership and leases.

## **4.6 Buoy and Signage Program**

### **4.6.1 General**

In 1999, the Tri-Dam Project implemented a new *Buoy Master Plan* in conjunction with the Calaveras and Tuolumne counties Sheriffs Departments. Development of the plan began in 1998 at the request of the Calaveras and Tuolumne boating patrol units. The plan was designed to provide the public with orderly implementation of applicable watercraft regulations to ensure greater safety of the recreational watercraft users at Tulloch Reservoir.

The *Buoy Master Plan* included the removal of all older buoys on the reservoir and replacement with new buoys in locations as specified by the Boating Patrol Units in compliance with waterway regulations. New signs were also installed in key locations to better inform the public of application 5 mph zones. Handouts were also distributed to homeowner associations, business and marina operators.

In the future, the *Buoy Master Plan* will be reviewed periodically for compliance with applicable watercraft regulations and revised as appropriate.

It is anticipated that no buoys will be placed within the reservoir without approval of the Tri-Dam Project, and other agencies as may be required. Placement of individual buoys by homeowners is discouraged, unless a specific need can be demonstrated and the Tri-Dam Project's approval is obtained.

### **4.6.2 Application Procedure**

An applicant must complete the Application Process described in Section 4.1, General Requirements, of this Plan.

### **4.6.3 Criteria for Buoy Installation**

- 1) Buoy installation which does not conform to the *Buoy Master Plan* shall not be approved.
- 2) The applicant must be the owner or lease holder of the land immediately adjoining any proposed waterfront facility. The Tri-Dam Project will hold the applicant fully responsible for the permitted shoreline development project. The responsibility is considered to transfer automatically along with ownership and leases.

Tri-Dam Project  
Tulloch Hydroelectric Project  
FERC Project No. 2067

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**SECTION 5.0**

**REFERENCES CITED**

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California Department of Fish and Wildlife (CDFW). 2014. California Natural Diversity Database. RareFind Version 4. Available online: <<https://nrmsecure.dfg.ca.gov/cnddb/view/query.aspx>>. Accessed December 13, 2014. Last updated December 4, 2014. California Department of Fish and Wildlife, Biogeographic Data Branch. Sacramento, CA.

Tri-Dam Project. 2002. Final License Application, Exhibit E, Wildlife Resources. Application for New License 2002.

Tri-Dam Project  
Tulloch Hydroelectric Project  
FERC Project No. 2067

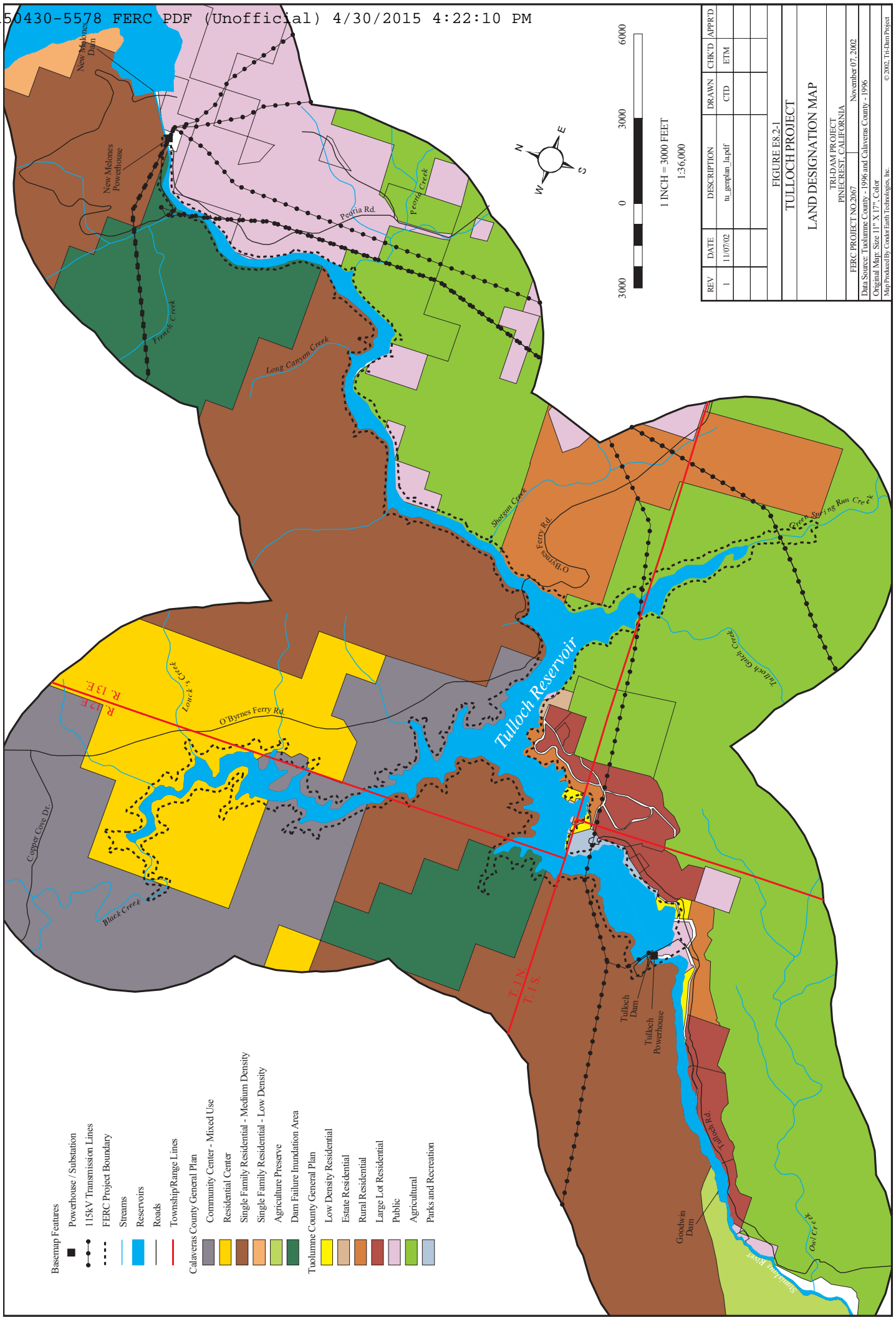
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**TRI-DAM PROJECT**  
**TULLOCH HYDROELECTRIC PROJECT**  
**TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**  
**(MAY 2015)**

**Attachment A (Public)**  
**Map of County Land Use Designations**  
**within the FERC Project Boundary**







- Basemap Features**
- Powerhouse / Substation
  - 115KV Transmission Lines
  - FERC Project Boundary
  - Streams
  - Reservoirs
  - Roads
  - Township/Range Lines
- Calaveras County General Plan**
- Community Center - Mixed Use
  - Residential Center
  - Single Family Residential - Medium Density
  - Single Family Residential - Low Density
  - Agriculture Preserve
  - Dam Failure Inundation Area
- Tuolumne County General Plan**
- Low Density Residential
  - Estate Residential
  - Rural Residential
  - Large Lot Residential
  - Public
  - Agricultural
  - Parks and Recreation



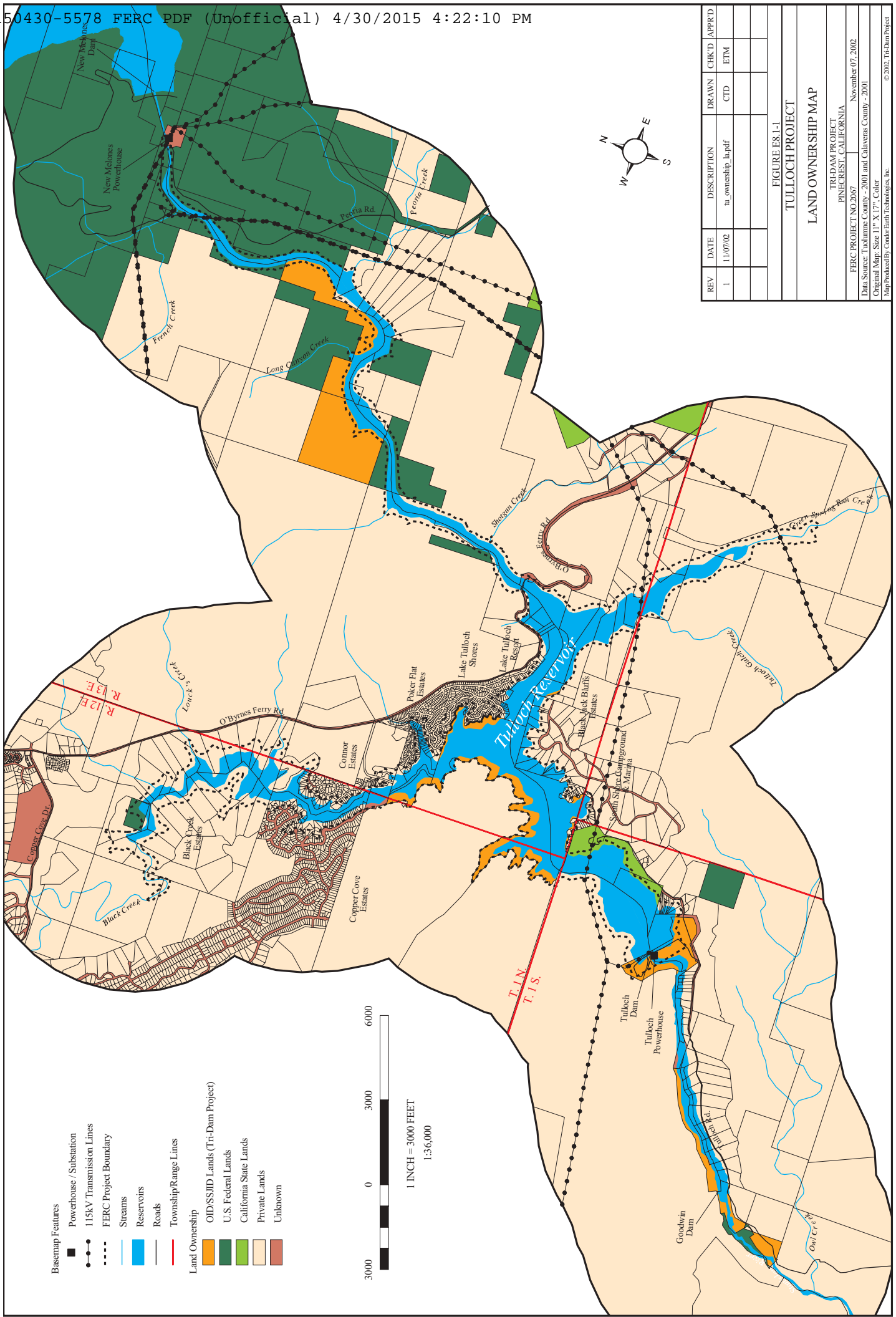
REV	DATE	DESCRIPTION	DRAWN	CHKD	APPRD
1	11/07/02	tu_gemplan_lapdf	CTD	ETM	
<b>FIGURE E8.2-1</b> <b>TULLOCH PROJECT</b> <b>LAND DESIGNATION MAP</b>					
TRD-DAM PROJECT PINECREST, CALIFORNIA FERC PROJECT NO.2067 Data Source: Tuolumne County - 1996 and Calaveras County - 1996 Original Map Size: 11" X 17", Color Map Produced By: Coastal Earth Technologies, Inc.					



**TRI-DAM PROJECT**  
**TULLOCH HYDROELECTRIC PROJECT**  
**TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**  
**(May 2015)**

**Attachment B (Public)**  
**Map of the Land Ownership**  
**within the FERC Project Boundary**

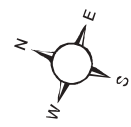




- Basemap Features**
- Powerhouse / Substation
  - 115KV Transmission Lines
  - FERC Project Boundary
  - ▬ Streams
  - ▬ Reservoirs
  - ▬ Roads
  - ▬ Township/Range Lines
- Land Ownership**
- OID/SSJID Lands (Tri-Dam Project)
  - U.S. Federal Lands
  - California State Lands
  - Private Lands
  - Unknown

3000 0 3000 6000

1 INCH = 3000 FEET  
1:36,000



REV	DATE	DESCRIPTION	DRAWN	CHKD	APPRD
1	11/07/02	tu_ownership_la.pdf	CTD	ETM	
FIGURE E8.1-1 TULLOCH PROJECT LAND OWNERSHIP MAP					
TRI-DAM PROJECT PINECREST, CALIFORNIA					
FERC PROJECT NO.2067 November 07, 2002					
Data Source: Tuolumne County - 2001 and Calaveras County - 2001					
Original Map Size: 11" X 17", Color					
Map Produced By: Coastal Earth Technologies, Inc.					
© 2002, Tri-Dam Project					



**TRI-DAM PROJECT**  
**TULLOCH HYDROELECTRIC PROJECT**  
**TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**  
**(May 2015)**

**Attachment C (Privileged)**

**Map Showing Locations of Special-status Species'  
Sensitive Habitat within the FERC Project Boundary**

**NOT FOR PUBLIC RELEASE**

This map has been redacted from the public version of the SMP and filed with FERC as Privileged to avoid public disclosure of these sensitive resource locations. Copies of redacted maps will be provided to the resource agencies upon request.





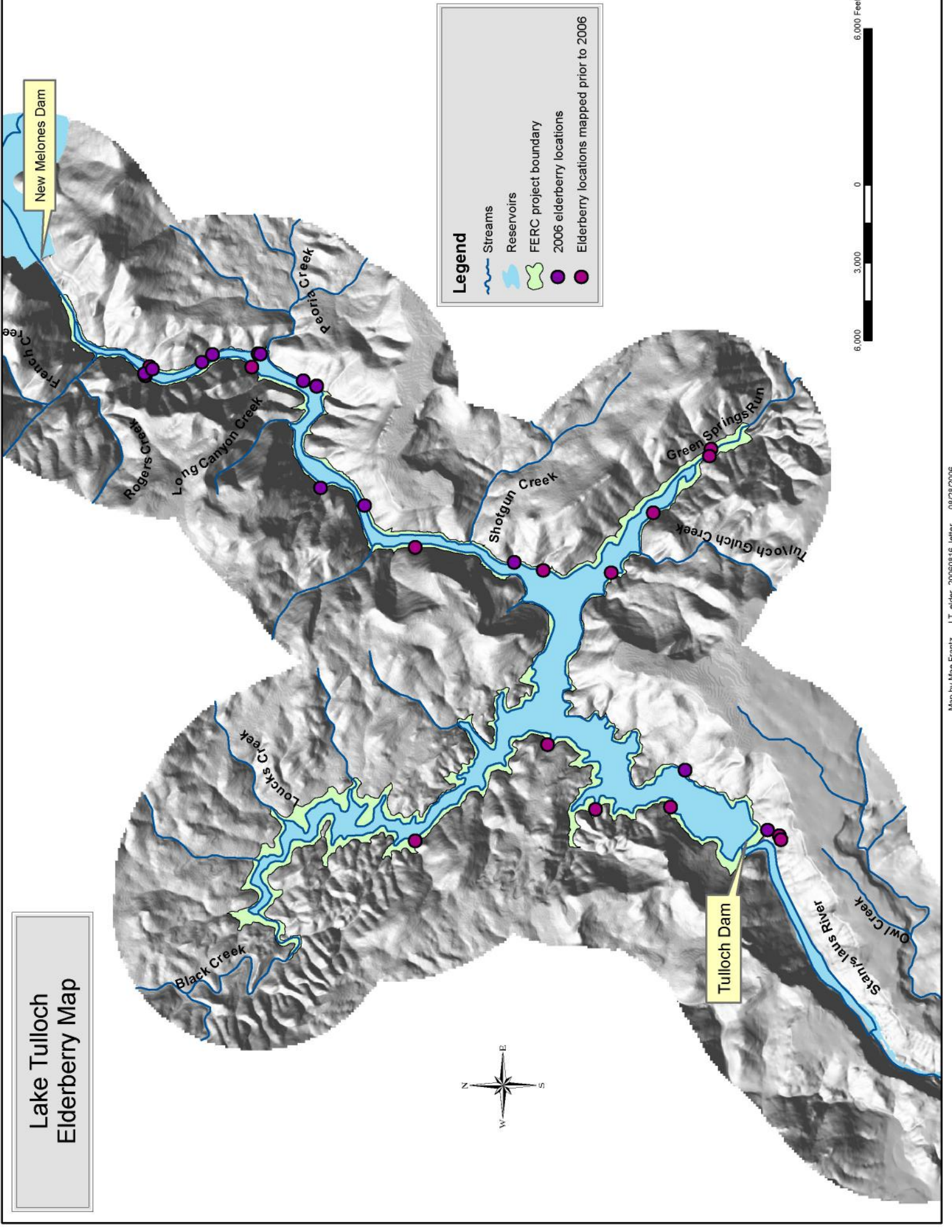
**TRI-DAM PROJECT**  
**TULLOCH HYDROELECTRIC PROJECT**  
**TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**  
**(May 2015)**

**Attachment D (Public)**

**Map of Valley Elderberry Longhorn Beetle Habitat (i.e. Elderberry  
Plants) within the FERC Project Boundary**

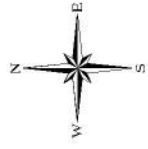


# Lake Tulloch Elderberry Map



**Legend**

- Streams
- Reservoirs
- FERC project boundary
- 2006 elderberry locations
- Elderberry locations mapped prior to 2006





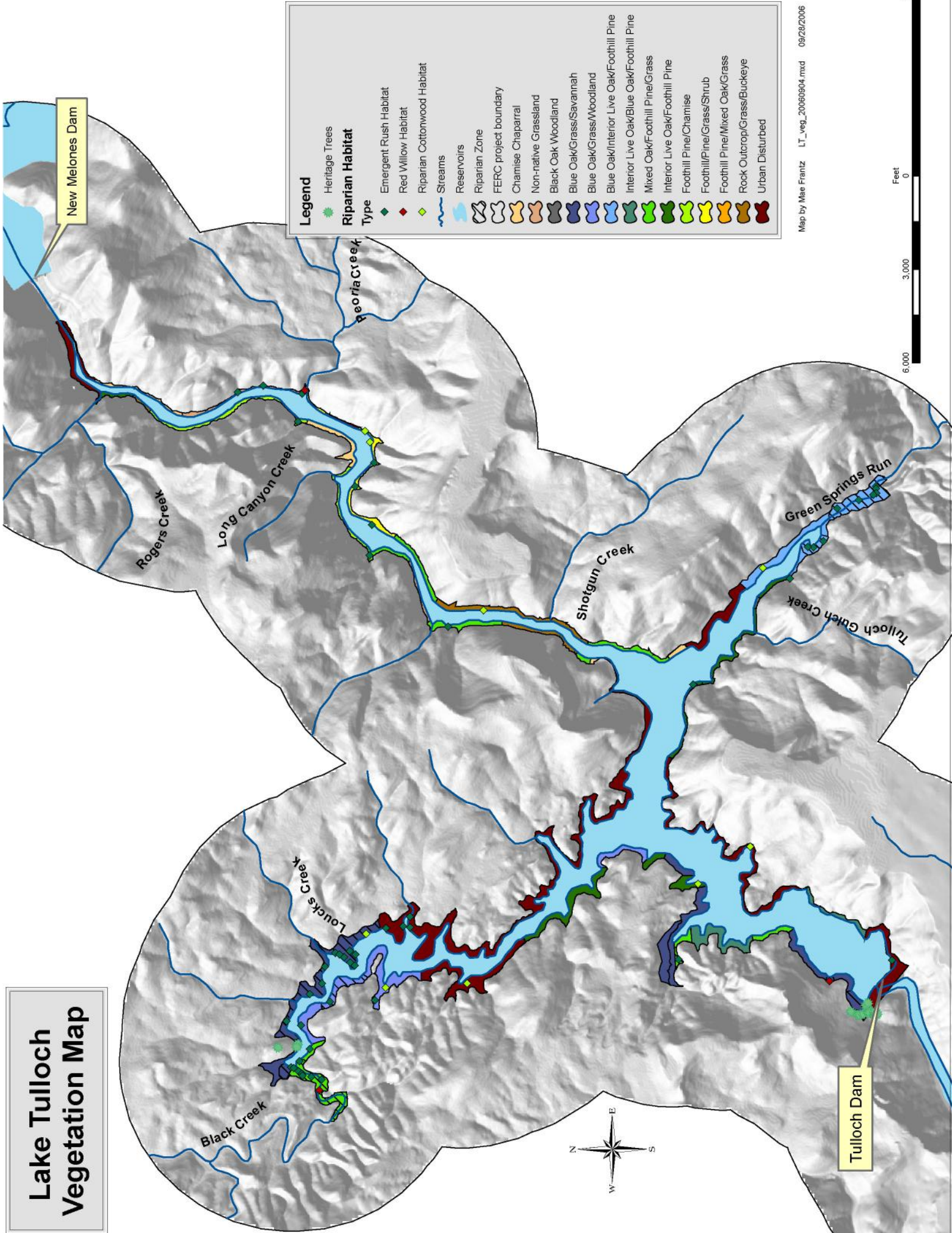
**TRI-DAM PROJECT**  
**TULLOCH HYDROELECTRIC PROJECT**  
**TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**  
**(May 2015)**

**Attachment E (Public)**  
**Map of Vegetation Types**  
**within the FERC Project Boundary**





# Lake Tulloch Vegetation Map



## Legend

- Heritage Trees
- Riparian Habitat Type**
  - Emergent Rush Habitat
  - Red Willow Habitat
  - Riparian Cottonwood Habitat
- Streams
- Reservoirs
- Riparian Zone
- FERC project boundary
- Chamise Chaparral
- Non-native Grassland
- Black Oak Woodland
- Blue Oak/Grass/Savannah
- Blue Oak/Grass/Woodland
- Blue Oak/Interior Live Oak/Foothill Pine
- Interior Live Oak/Blue Oak/Foothill Pine
- Mixed Oak/Foothill Pine/Grass
- Interior Live Oak/Foothill Pine
- Foothill Pine/Chamise
- Foothill/Pine/Grass/Shrub
- Foothill Pine/Mixed Oak/Grass
- Rock Outcrop/Grass/Buckeye
- Urban Disturbed

Map by Mae Frantz LT\_veg\_20060904.mxd 09/28/2006



Tulloch Dam

New Melones Dam

Rogers Creek

Long Canyon Creek

Georgia Creek

Loucks Creek

Black Creek

Shotgun Creek

Tulloch Gulch Creek

Green Springs Run





**TRI-DAM PROJECT**  
**TULLOCH HYDROELECTRIC PROJECT**  
**TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**  
**(May 2015)**

**Attachment F (Public)**  
**Map of Noxious Weed Populations**  
**within the FERC Project Boundary**



# Lake Tulloch Noxious Weeds Map

New Melones Dam

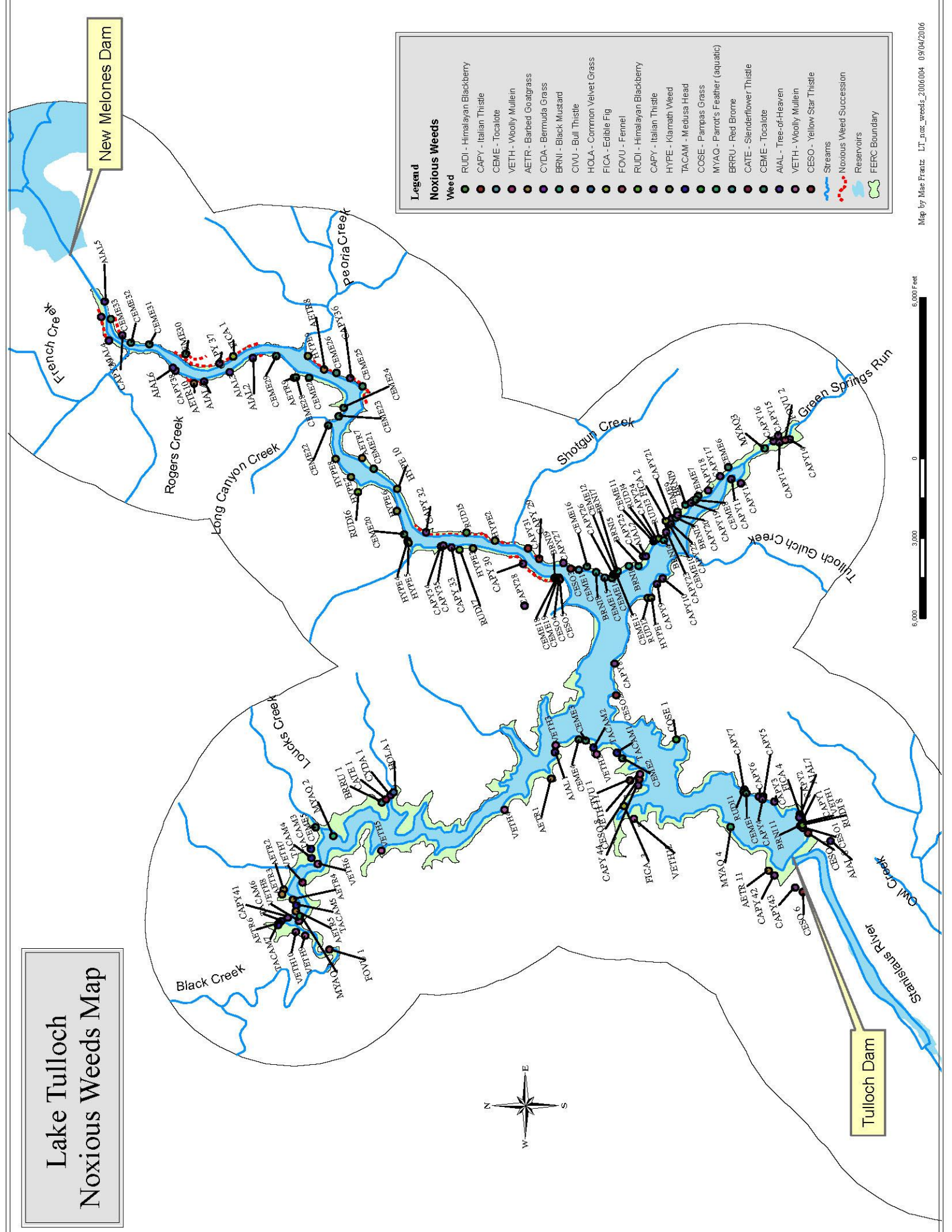
Tulloch Dam

**Legend**

**Noxious Weeds**

Weed	Symbol
RUDI - Himalayan Blackberry	Red circle
CAPY - Italian Thistle	Green circle
CEME - Tocalote	Blue circle
VETH - Woolly Mullain	Yellow circle
AETR - Barbed Goatgrass	Light blue circle
CYDA - Bermuda Grass	Light green circle
BRNI - Black Mustard	Light yellow circle
CWU - Bull Thistle	Light purple circle
HOLA - Common Velvet Grass	Light orange circle
FICA - Edible Fig	Light pink circle
FOVU - Fennel	Light red circle
RUDI - Himalayan Blackberry	Light blue circle
CAPY - Italian Thistle	Light green circle
HYPE - Klamath Weed	Light yellow circle
TACAM - Medusa Head	Light purple circle
COGE - Pampas Grass	Light orange circle
MYAG - Parrot's Feather (aquatic)	Light pink circle
BRRU - Red Brome	Light red circle
CATE - Slenderflower Thistle	Light blue circle
CEME - Tocalote	Light green circle
AIAL - Tree-of-Heaven	Light yellow circle
VETH - Woolly Mullain	Light purple circle
CESO - Yellow Star Thistle	Light orange circle

Streams: Blue line  
Noxious Weed Succession: Red dashed line  
Reservoirs: Light blue area  
FERC Boundary: Green outline



6,000 Feet  
3,000  
0



**TRI-DAM PROJECT**  
**TULLOCH HYDROELECTRIC PROJECT**  
**TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**  
**(May 2015)**

**Attachment G (Privileged)**  
**Maps of Historic Property Locations**  
**at the Tulloch Hydroelectric Project**

**NOT FOR PUBLIC RELEASE**

This map has been redacted from the public version of the SMP and filed with FERC as Privileged to avoid public disclosure of these sensitive resource locations. Copies of redacted maps will be provided to the resource agencies upon request.



**TRI-DAM PROJECT**  
**TULLOCH HYDROELECTRIC PROJECT**  
**TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**  
**(May 2015)**

**Attachment H (Public)**  
**Consultation Record**





## Attachment H Consultation Record Contents:

- December 31, 2014 Letter from Susan Larson providing draft SMP to Agency Distribution List
- January 13, 2015 Letter from John Buckley, Central Sierra Environmental Resource Center, commenting on Draft SMP
- January 14, 2015 Letter from Susan Larson providing draft SMP to landowners at Lake Tulloch
- January 15, 2015 Email from Rufus Farhina, residential property owner, commenting on Draft SMP
- January 16, 2015 Email from Mel Thompson, residential property owner, commenting on Draft SMP
- January 19, 2015 Email from Chris Meyers, residential property owner, commenting on Draft SMP
- January 19, 2015 Email from Ray Hoot, residential property owner, commenting on Draft SMP
- January 20, 2015 Email from Christina Browning, residential property owner, asking about relationship of SMP update to FEMA flood line issue
- January 27, 2015 Email from Debra Lewis, Calaveras County Planning Department, asking if the elevation datum provided in the SMP is in NGVD or is the historic Oakdale Irrigation District datum.
- January 28, 2015 letter from Don Wells, residential property owner, commenting on Draft SMP
- February 9, 2015 postcard from Mona Bowling, residential property owner, commenting on Draft SMP
- March 15, 2015 letter from Bernadette Cattaneo on behalf of The Resort at Lake Tulloch LLC commenting on the Draft SMP
- March 20, 2015 letter from Jim Lynch at HDR to property owners on Lake Tulloch announcing public meeting scheduled for April 11, 2015 in Copperopolis, CA to discuss proposed revision of SMP and comments received on the draft plan.
- Notice of April 11, 2015 public meeting published on March 27, 2015 in The Calaveras Enterprise
- Notice of April 11, 2015 public meeting published on March 27, 2015 in The Sonora Union Democrat
- Sign in sheet from the April 11, 2015 public meeting
- Presentation providing an overview of the SMP update process presented at the April 11, 2015 public meeting

**Table H-1. Tri-Dam's response to comments on the draft updated Tulloch Reservoir SMP.**

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
<b>RESPONSE TO COMMENTS FROM PARTIES LISTED FOR CONSULTATION IN ARTICLE 411</b>						
--	--	United States Fish and Wildlife Service	--	--	Did Not Provide Comments	--
--	--	California Department of Fish and Wildlife	--	--	Did Not Provide Comments	--
--	--	Tuolumne County	--	--	Did Not Provide Comments	--
--	--	Copper Cove at Lake Tulloch Owners' Association	--	--	Did Not Provide Comments	--
--	--	Lake Tulloch Alliance	--	--	Did Not Provide Comments	--
--	--	Conner Estates Master Association	--	--	Did Not Provide Comments	--
--	--	Black Jack Bluffs Association	--	--	Did Not Provide Comments	--
--	--	Peninsula Estates Association	--	--	Did Not Provide Comments	--
--	--	Lake Tulloch Shores Subdivision	--	--	Did Not Provide Comments	--
--	--	Calypso Bay Property Owners	--	--	Did Not Provide Comments	--
CPD-1	Calaveras Planning Department	Debra Lewis	1.0	1/27/15	Asked if the elevation datum for the reservoir is actually in NGVD as stated in the Draft SMP, noting that she understands the Tulloch Lake 515' boundary elevation is in a historic Oakdale Irrigation District datum that represents a 1.5' difference (doesn't note if NGVD is higher or lower).	The datum used by Tri-Dam is the Project Boundary established by FERC, which includes all lands at the 515 ft contour and below, as measured from local benchmarks tied to the dam elevation and reservoir.
RLT-1	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	1.0	3/15/15	Statement of opinion that FERC's license approval of the SMP in 2002 does not provide Tri-Dam with the authority to grant permission for non-Project use of lands within the FERC Project Boundary.	FERC has jurisdiction over the management of lands encompassed by the FERC Project Boundary and, though Articles 411 and 413, requires Tri-Dam to supervise and control shoreline development to ensure it is consistent with Project purposes, which include protection of the Project's primary purpose as well as

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
						scenic, recreational and environmental values.
RLT-2	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	1.2	3/15/15	Suggests that the goal of the SMP should be that the permit program is based on "guidelines" and not requirements that are enforceable by Tri-Dam.	The purpose of the SMP, like all SMP's is to establish clear and concise regulations for the balancing of resources at the reservoir, such that development occurs in an orderly fashion. The Tulloch Reservoir SMP was developed pursuant to the requirements of Article 411 and provides a set of consistent procedures that allow Tri-Dam to permit minor development activities within the FERC project boundary without prior FERC approval. Larger scale shoreline development proposals still require prior FERC approval under the revised SMP.
RLT-3	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	1.3	3/15/15	Notes that residential and land use development of the lands surrounding Lake Tulloch are under the jurisdiction of either Calaveras or Tuolumne Counties, and that the Counties have not delegated this authority to Tri-Dam.	Tulloch Reservoir does include lands within two counties: Calaveras and Tuolumne. These agencies do have regulatory authority over various aspects of development, yet this does not change regulatory authority established by the Federal Power Act, and obligations delegated to Tri-Dam through the issuance of the license. The purpose of the SMP regulations are to establish a clear framework for shoreline development for shoreline landowners while also providing protection for reservoir resources., Just as resource agencies like the U.S. Army Corps of Engineers, California Department of Fish and Wildlife also have authority, the counties have overlapping regulatory authority over certain aspects of development of lands within their jurisdiction, yet the existence of said authority does not alter the scope of Tri-

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
						Dam's responsibility to comply with FERC license provisions.. See Tri-Dam's previous response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project boundary.
RLT-4	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	1.5	3/15/15	Suggests that proper notification of future SMP updates be provided to private property owners.	FERC established the required consulting parties for updating the SMP in Article 411 of the new license. Tri-Dam followed the precise specifications included in Article 411, providing notification to all parties as indicated. In addition, Tri-Dam has far exceeded the notification protocol by providing direct mail notification to all shoreline property owners, using the notification information obtained from the official records of each county.
RLT-5	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	2.0	3/15/15	Requests that Goal 3 be struck from the SMP and that the SMP simply focus on impacts to project resources from actions directly attributable to Tri-Dam's operation and maintenance of the hydroelectric project.	Management of Project impacts is already established at Tulloch Reservoir under FERC's license and the various resource management plans included in the license. FERC's SMP program is specifically designed to ensure consistency with the terms of the project license when issuing permits to other parties to conduct shoreline development activities at FERC-licensed hydropower projects.
RLT-6	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	3.0	3/15/15	Notes that there is only one public access facility currently at the lake and that Drifter's Marina is privately owned and not open to the public. Also provides comment about development of Drifters Marina and involvement of Tri-Dam staff.	Section 3.0 of the SMP has been updated to reflect that South Shore Marina is a public marina, while Drifters Marina is a private commercial marina. A review of the development of Drifters Marina files indicates that all aspects of the permitting and review of the facility were handled by the former General Manager, Steve Felte with no involvement of other Tri-Dam staff members.

<b>Cmt #</b>	<b>Represents</b>	<b>Commenter</b>	<b>SMP Section</b>	<b>Date</b>	<b>Comment Summary</b>	<b>Response to Comments</b>
RLT-7	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	3.1	3/15/15	Notes that all permitting of private development should be managed by the Counties and that any direction to consult with state and federal resource agencies should be made by the Counties instead of Tri-Dam.	FERC requires Tri-Dam, like the majority of licensees around the country with development along the shoreline of it's reservoir to manage shoreline development at Lake Tulloch under Articles 411 and 413. See Tri-Dam's response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project Boundary.
RLT-8	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	3.5	3/15/15	Opposes the establishment of any additional 5 MPH zones or non-motorized boating areas in the Green Springs and Black Creek arms of Lake Tulloch.	See Tri-Dam's—response to Comment CSERC-5.
RLT-9	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.0	3/15/15	Questions the legality of Tri-Dam's entire shoreline permitting process.	FERC requires Tri-Dam to manage shoreline development at Lake Tulloch under Articles 411 and 413. See Tri-Dam's response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project Boundary.
RLT-10	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.1.1	3/15/15	Requests that the Tri-Dam Project Application Form be included as part of the SMP and notes that the application process is confusing at best.	The application forms are always readily available on the Tri-Dam website, but are not officially a part of the SMP.
RLT-11	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.1.2	3/15/15	Requests that construction progress should be monitored by the counties and not by Tri-Dam under the FERC project license.	FERC requires Tri-Dam to monitor shoreline development at Lake Tulloch under Articles 411 and 413. Additionally, other agencies may also include monitoring of any additional permits needed for proposed shoreline development permitted under the SMP. See Tri-Dam's response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project Boundary.
RLT-12	The Resort at Lake Tulloch	Bernadette Cattaneo	4.1.3	3/15/15	Requests that inspections should be conducted by the counties and not by Tri-	FERC requires Tri-Dam to inspect shoreline development sites permitted

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
	LLP				Dam under the FERC project license.	under the SMP at Tulloch Reservoir under Article 411 for compliance with permit conditions. Additionally, other agencies may also include site inspection in relation to any additional permits needed for proposed shoreline development permitted under the SMP. See Tri-Dam's response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project Boundary.
RLT-13	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.1.4	3/15/15	Requests that Tri-Dam's role in issuing encroachment permits at Lake Tulloch be revoked and that Tri-Dam should only have review authority.	FERC requires Tri-Dam to issue permits for shoreline development allowed under the SMP at Tulloch Reservoir under Articles 411 and 413, which includes the issuance of permits. Additionally, other agencies may also require additional permits that must be obtained before Tri-Dam issues the requested Encroachment Permit. See Tri-Dam's response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project Boundary.
RLT-14	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.1.5	3/15/15	Requests that enforcement of violations be conducted by the counties and not by Tri-Dam under the FERC project license.	FERC requires Tri-Dam to enforce the shoreline development permits issued under the SMP at Lake Tulloch under Articles 411 and 413. Additionally, permits required by other agencies will similarly be enforced by the agencies that issue the permits. See Tri-Dam's response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project Boundary.
RLT-15	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.2 - 4.2.3	3/15/15	Requests that all commercial development be conducted by the counties and not by Tri-Dam under the FERC project license. Also notes that commercial development criteria are much too restrictive and that the	FERC requires Tri-Dam to manage residential shoreline development at Tulloch Reservoir under Articles 411 and 413. See Tri-Dam's response to Comment RLT-1 for an overview of FERC

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
					procedures should be revised with input from commercial property owners, noting that there is no way that a commercial facility can comply with the criteria in the draft SMP.	jurisdiction over activities within the established FERC Project Boundary.
RLT-16	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.3 - 4.3.3	3/15/15	Restates earlier request that all private development be conducted by the counties and not by Tri-Dam under the FERC project license. The reason given here is that the current SMP interferes with private property rights and that several of the required criteria have no effect on operation of the project.	FERC requires Tri-Dam to manage residential shoreline development at Tulloch Reservoir under Articles 411 and 413. See Tri-Dam's response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project Boundary.
RLT-17	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.4 - 4.4.3	3/15/15	Requests that permits for excavation be managed by the counties in conjunction with the agencies deemed to have review and approval authority, and not managed by Tri-Dam under the FERC project license.	FERC requires Tri-Dam to manage residential shoreline development at Tulloch Reservoir under Articles 411 and 413. All permits issued at Tulloch Reservoir for excavation or dredging may require additional permits by the U.S. Army Corps of Engineers and/or the California Department of Fish and Wildlife. Tri-Dam requires the applicant to consult with and obtain all necessary permits and approvals. See Tri-Dam's response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project Boundary.
RLT-18	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.5 - 4.5.3	3/15/15	Requests that permits for shoreline and erosion control be managed by the counties and not by Tri-Dam under the FERC project license.	FERC requires Tri-Dam to include measures for shoreline stabilization and erosion control in the encroachment permits issued under the SMP at Tulloch Reservoir under Article 411. See Tri-Dam's response to Comment RLT-1 for an overview of FERC jurisdiction over activities within the established FERC Project Boundary.

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RLT-19	The Resort at Lake Tulloch LLP	Bernadette Cattaneo	4.6 - 4.6.3	3/15/15	Notes that buoys and signage is already addressed in Title 20 and should be handled as they are now.	Buoys and signage are currently managed by Tri-Dam in conjunction with Calaveras and Tuolumne County Sheriff departments. Tri-Dam is not proposing any changes to The Buoy Master Plan Program (which was developed for consistency with Title 20) as part of the updated SMP. The buoy plan is subject to change each year, as specified by law enforcement. Tri-Dam installs, monitors and updates buoy locations as needed each season, in conjunction with input from Calaveras and Tuolumne Marine Safety Divisions.
<b>RESPONSE TO COMMENTS BY OTHER CONSULTED PARTIES</b>						
--	--	U.S. Bureau of Reclamation	--	--	Did Not Provide Comments	--
--	--	U.S. Bureau of Land Management	--	--	Did Not Provide Comments	--
CSERC-1	CSERC	John Buckley	4.3.3	1/14/15	To address issues of watercraft crowding on the lake, recommends that new commercial facilities be limited to the lesser of 1/3 distance across the lake or 50 feet.	Section 4.2.3 of the updated SMP allows new commercial facilities to extend no more than one-third of the distance to the opposite shore or 100 ft from the shoreline, whichever is less. FERC's standard land use article is attached to the FERC license as Article 413 and frames what approvals Tri-Dam can permit under its license. The portions of Article 413 that address permitting of commercial development at the Project have been added to the updated SMP, Introduction, to provide background on these permitting provisions authorized under the FERC license.
CSERC-2	CSERC	John Buckley	4.2.3	1/14/15	For new single family docks, recommends that they extend no more than 30 feet from shoreline and to limit the allowed docking area to be 300 sf for a slip or platform dock.	Section 4.3.3 of the SMP allows new residential facilities to extend no more than 40 feet from the shoreline and to be limited to a maximum size of 440 sq. ft for a u-



Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
						shaped dock, and 400 sq. ft for a platform type dock. The updated draft, as prepared does not propose any changes to the dock sizes. These sizes were developed with extensive public input and participation during the re-licensing process, and have been consistently implemented since adoption. Refer also to Tri-Dam's response to Comment RF-1.
CSERC-3	CSERC	John Buckley	4.4.3	1/14/15	Recommends that dredging at private residences approved by Tri-Dam be reduced from 1,000 cy to 100 cy.	The current SMP allows up to a maximum of 1,000 cubic yards of material to be excavated provided that such work is done with a permit and under strict specifications. This limitation is consistent with established by other permitting agencies (e.g., U.S. Corps of Engineers and Cal Fish and Wildlife) and helps to address navigability issues of concern to shoreline abutters, while limiting impacts to aquatic habitat at the Project. All requests for excavation permits under the SMP must be supported by permits issued by the appropriate regulatory agency or documentation that waivers of this permits have been issued, before Tri-Dam will issue written authorization allowing the proposed activity.
CSERC-4	CSERC	John Buckley	No reference	1/14/15	<p>Requests that SMP include a discussion of the cumulative impacts of past, present and reasonably foreseeable future development impacts on the aquatic, scenic and water quality resources of the reservoir.</p> <p>The comment goes on to discuss Tri-Dam's 2008 response to this comment and notes that Tri-Dam has a legal responsibility to consider cumulative impacts when</p>	The SP is management plan that provides consistent guidelines to applicants seeking permission to construct minor shoreline facilities at Lake Tulloch. The effects of the implementation of the SMP were assessed in the NEPA evaluation conducted by FERC and the CEQA assessment completed during relicensing. The standards within the SMP, by providing consistent standards for

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
					developing SMP procedures that "must be consistent with NEPA".	development along the shoreline and permitting review for all construction and other activities proposed within the FERC Project Boundary, will serve to protect the aquatic, scenic and water quality resource of the reservoir. And it is for many of the reasons noted in this comment that Tri-Dam is not proposing to increase dock size, extension into the reservoir and excavation limits, despite public comment seeking additional changes that would allow these items. The SMP must include these types of limitations to provide for the cumulative protection of the reservoir, as is the goal of CSERC and Tri-Dam. If an assessment is needed, Tri-Dam anticipates that will be identified by another agency (e.g., U.S. Corps of Engineers or Cal Fish and Wildlife) when the developer consults with them.
CSERC-5	CSERC	John Buckley	3.5	0	Notes that although establishment of non-boating areas in the Black Creek and Green Springs Wildlife areas to help protect ospreys, bald eagles, western pond turtle and other at-risk species has been discussed, it still hasn't been established.	As noted in the updated SMP, both the Green Springs and Black Creek arms currently have established 5-MPH zones that are enforced by the County Sheriff Departments. The Wildlife Management Plan developed under Article 407 includes provisions to work with the counties to restrict motorized boating in the upper reached of these two arms to help protect ospreys, bald eagles, western pond turtle and other at risk species at Tulloch Reservoir and management provisions for these species of concerns are being implemented at Tulloch Reservoir. As required by the FERC Article 407, Tri-Dam hired a licensed biologist to prepare a report evaluating the potential

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						implementation of non-motorized boating zones around the reservoir. This report was forwarded to both Tuolumne and Calaveras counties for comment, along with all State and Federal resource agencies. While Tuolumne County recommended the implementation of a non-motorized boating zone in the upper reaches of Green Springs, Tri-Dam is still awaiting comment from Calaveras County regarding the biological evaluation and potential implementation for a non-motorized boating zone. Tri-Dam works cooperatively with both counties, and will continue to implement such zones, or future zones if needed, is addressed by the Wildlife Management Plan,
CSERC-6	CSERC	John Buckley	No reference	1/14/15	There is still no firm movement by Tri-Dam to comply with FERC's license order requiring the establishment of a public access site for recreation at reservoir. Also surprised that past efforts to provide a recreational access parcel with road access on the Calaveras County side of the Black Creek Arm isn't discussed in the SMP.	Public access and recreation are addressed by Article 409 of the FERC license. Tri-Dam initially filed an application with the Bureau of Land Management seeking to develop the 14 acre site within the Black Creek Arm of the reservoir in 2004, in advance of issuance of the FERC license. Tri-Dam has filed a Draft Recreation Plan with FERC, and continues to pursue the development of a public access site on the Calaveras side of the reservoir, in compliance with FERC directives. This topic is not addressed by the SMP as it is thoroughly evaluated and explained in the Reservoir Recreation Plan, as specified by Article 409.
CSERC-7	CSERC	John Buckley	No reference	1/14/15	Requests that the SMP addresses the development of new facilities within the FERC project boundary and include provisions that minimize further crowding	The updated SMP addresses, within the limits of Article 411, the development of new facilities within the FERC Project Boundary. Provisions for the development

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
					and development along the shoreline, including prohibiting new development or structures (other than docks) to protrude over the water.	of new facilities under the updated SMP provides a consistent process that shoreline abutters can use to seek permits to construct water-based facilities at Tulloch Reservoir. The SMP provides specifications for shoreline development for existing, legally created properties. The ultimate issue of continued crowding of the shoreline and prohibition of further development would rest with both Calaveras and Tuolumne counties as they establish General Plan land use designations for future parcel sizes around the reservoir. Tri-Dam will actively review such development proposals, and provide comments to the county seeking to ensure the protection of the reservoir resources, consistent with these comments. In terms of development above the reservoir, the only subdivision which can be built over the reservoir is the Poker Flat-Lake Tulloch Shores subdivision, and this approval was granted in 1974 by FERC for implementation by Tri-Dam. While allowing certain portions of the structure to be constructed above the reservoir, such as decks, and components of the structure, the proposal must still comply with regulations of the SMP. All other areas of the reservoir cannot include any elements of the proposal which are suspended above the reservoir.
RF-1	Property Owner	Rufus Farhina	4.3.3	1/15/15	Water Ports / Jet Ski Ports in item #7 are too small for current standard vessel sizes. Recommends this be revised to allow 5'x13' ports, upping allowed area from 50 sf to 65 sf.	The existing SMP allows landowners to apply for up to two (2) personal watercraft ports, not exceeding 5 ft x 10 ft each for a total of 100 square feet each. Given that 5 ft x 10 ft personal watercraft ports are

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
						not manufactured in 5 ft x 10 ft sizes any longer, Section 4.3.3 of the updated SMP has been modified to address this comment by removing the increasing the size restriction for the Jet Ski Ports and allowing permit holders to apply for up to allow two (2) personal watercraft ports, not exceeding seventy (70) square feet each for a total of 140 square feet.
MT-1	Property Owner	Mel Thompson	5.2.4	1/16/15	Requests that this section of the SMP be revised to implement the main recommendations of the Project's Aquatic Vegetation Management Plan which involves lowering the reservoir annually to expose the bottom of shallow areas to control aquatic weed growth.	This issue is outside the scope of the updated SMP because the SMP is specifically designed to ensure consistency with conditions of the Project license during permitting of requested shoreline development activities. The management of invasive aquatic species is handled under the Aquatic Vegetation Management Plan in the FERC license, not the SMP. The Aquatic Management Plan was developed by a citizen/agency group of local residents and agencies, and includes measures designed to prevent the proliferations of invasive aquatic species. CSERC participated in the development of the Aquatic Management Plan, providing valuable input into the currently pending plan.
MT-2	Property Owner	Mel Thompson	3.5.1	1/16/15	Requests that Tri-Dam establish a non-motorized boating area in the Black Creek Arm of the Lake and disagrees that Tri-Dam does not currently have sufficient authority to implement this change independently.	See Tri-Dam's response to Comment CSERC-5
CM-1	Property Owner	Chris Meyers	4.3.3	1/19/15	Requests increasing personal watercraft port size to 5' x 13.5'.	See Tri-Dam's response to Comment RF-1.
RH-1	Property Owner	Ray Hoot	4.3.3	1/19/15	Requests that jet ski port sizes be expanded to at least 5'X13.5' to accommodate larger jet skis commonly sold today, noting this is	See Tri-Dam's response to Comment RF-1.

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
DW-1	Property Owner	Don Wells	NA	1/28/15	<p>the smallest size currently available.</p> <p>Concerned about Quagga and Zebra Mussels in the lake and suggests tighter controls like those in place at Lake Tahoe should be incorporated into the SMP. Also proposed to ban two-stroke motors from the lake. Attached 3 documents to his 2-page comment letter.</p>	<p>This issue is outside the scope of the SMP because the SMP is specifically designed to ensure consistency with conditions of the Project license during permitting of requested shoreline development activities. Management of invasive aquatic species is handled under the Aquatic Vegetation Management Plan in the FERC license, and not under the SMP. Tri-Dam has taken significant measures to prevent the introduction of Quagga and Zebra Mussels at Tulloch Reservoir, including a Self Inspection and Certification program, implemented by all subdivisions around the reservoir, private and public marinas. Tri-Dam is part of the Northern California Consortium, implementing consistent policies designed to prevent the introduction of these species at Tulloch Reservoir. In addition, although beyond the scope of the SMP, Tri-Dam has recently been awarded a grant from the California Department of Boating and Waterways to install a Boat Wash Decontamination Station at the South Shore Public Marina, and is currently working on finalization of the Grant Agreement. The issue of 2 stroke engines at area reservoirs should be the subject of public input, and action by both Calaveras and Tuolumne counties, if deemed warranted in the future.</p>
MB-1	Property Owner	Mona Bowling	NA	2/9/15	<p>Requests that the SMP update not add any fees or take away the rights of property owners.</p>	<p>The updated SMP does not change the fees in the existing Tulloch Reservoir SMP or take away any rights of property owners. The updated SMP does not discuss</p>

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
						<p>application fees for various facilities, as this is addressed by separate document. FERC license authority allows Tri-Dam, like other licensees to charge application fees for various projects. In terms of provisions of the SMP and property rights, FERC requires that many licensees with shoreline development adopt SMP's. The goal of an SMP is not to take away property rights, but to establish consistent standards for shoreline development which ultimately protect and reservoir property values by protecting and enhancing the reservoir resource values.</p>
GB-1	Property Owner	George Burckhardt	6.3	4/1/15	Asks why can't owners enclose structures – suggest removing restrictions	<p>Guidelines of the current SMP were developed with extensive public input, over many weeks and months. The issue of enclosures around docks and other structures was widely discussed, and ultimately it was determined that enclosing structures floating on the reservoir would potential created public safety issues. Enclosing structures would reduce line of sight by watercraft operators, which could lead to accidents. Further, enclosing the structures would limit Sheriffs views related to law enforcements. In addition, this would limit the view of other landowners that may have a nearby dock, having aesthetic impacts and detract from the scenic qualities of the reservoir.</p>
GB-2	Property Owner	George Burckhardt	6.3	4/1/15	Asks why are there limits on canopies – suggest allowing canopies to extend over PWC ports and to allow extension of about 10 feet over each side	<p>Guidelines of the SMP were developed with extensive public input, over many weeks and months. Given that many personal watercraft have covers, it was ultimately decided that canopies or other covers would be limited to the footprint of</p>

Cmt #	Represents	Commenter	SMP Section	Date	Comment Summary	Response to Comments
						the dock only, and that additional covers would not be authorized. Primary reasons cited were public safety concerns and protection of view corridors within many areas of the reservoir, where such covers and other structures could block visibility and detract from the scenic qualities of the reservoir.
GB-3	Property Owner	George Burckhardt	7.3	4/1/15	Asks why are there limits on excavation – suggest removing limit	See Tri-Dam's response to Comment CSERC-3.
CB-1	Property Owner	Christina Browning	1.0	1/20/15	Asks if SMP update has anything to do with FEMA flood line issue.	FEMA mapping issues are not addressed by the SMP.



# TRI-DAM PROJECT

Of the South San Joaquin & Oakdale Irrigation Districts

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December 31, 2014

To: Distribution List

**Subject: Tulloch Hydroelectric Project  
FERC Project No. 2067-040  
Draft Revised Tulloch Reservoir Shoreline Management Plan**

In a letter dated April 1, 2014, the Federal Energy Regulatory Commission (FERC or Commission) directed the Tri-Dam Project to file with FERC a revised draft Tulloch Reservoir Shoreline Management Plan (Plan) by December 31, 2014 and, after consultation with stakeholders identified in Article 411<sup>1</sup> of the FERC license for the Tulloch Hydroelectric Project, FERC Project Number 2067, file with FERC a final revised SMP by May 1, 2015 for Commission approval.

This letter provides to the parties listed in Article 411 of the FERC license the draft revised Plan for a 30-day review and comment period. **Written comments are to be submitted to Tri-Dam Project, P.O. Box 1158, Pinecrest, CA 95364 by close of business on Monday, February 2, 2015.**

If you have any questions regarding the attached draft revised Plan, please contact me by telephone at (209) 785-383 or by e-mail at [SLarson@tridamproject.com](mailto:SLarson@tridamproject.com).

Sincerely,



Susan Larson  
License Compliance Coordinator  
Tri-Dam Project

Attachment: Draft Revised Tulloch Reservoir Shoreline Management Plan

cc: Robert Fletcher - FERC, D.C.  
Shana High - FERC, DC

<sup>1</sup> Article 411 identifies the following as stakeholders: California Department of Fish and Wildlife, United States Department of the Interior, Fish and Wildlife Service, Tuolumne County, Calaveras County, and representatives of homeowner's associations for land that abuts Tulloch Reservoir.

### Distribution List

<p><b>California Department of Fish and Wildlife</b> 1701 Nimbus Road, Suite A Rancho Cordova, CA 95670-4503</p>	<p><b>Tuolumne County Community Resources Agency, Planning Division</b> 2 South Street Sonora, CA 95370</p>
<p><b>United States Department of the Interior, Fish and Wildlife Service</b> 2800 Cottage Way, Suite W-2605 Sacramento, CA 95825-1846</p>	<p><b>Copper Cove at Lake Tulloch Owners' Association</b> 920 Black Creek Drive Copperopolis, CA 95228</p>
<p><b>Calaveras County Planning Department</b> 891 Mountain Ranch Road San Andreas, CA 95249</p>	<p><b>Lake Tulloch Alliance</b> 4150 La Cross Court Copperopolis, CA 95228</p>
<p>John Buckley CSERC P.O. Box 396 Twain Harte, CA 95383</p>	<p><b>Connor Estates Master Association</b> <b>Black Jack Bluffs Association</b> <b>Peninsula Estates Association</b> c/o MC Association 171 Town Square Road Copperopolis, CA 95228</p>
<p><b>Lake Tulloch Shores Subdivision</b> 385 Poker Flat Road Copperopolis, CA 95228</p>	<p><b>CALYPSO BAY PROPERTY OWNERS' ASSOCIATION</b> 420 Calypso Beach Drive Copperopolis, CA 95228</p>
<p><b>US Bureau of Land Management</b> <b>Attn: Jim Eicher</b> 5152 Hillside Circle El Dorado Hills, CA 95762</p>	<p><b>US Bureau of Reclamation</b> <b>Administrative Office</b> 6850 Studhorse Flat Road Sonora, CA 95370</p>



January 14, 2015

To: Tulloch Reservoir Property Owners' Distribution List

**Subject: Tulloch Hydroelectric Project  
FERC Project No. 2067-040  
Request for Comments on Draft Revised Tulloch Reservoir Shoreline  
Management Plan by February 15, 2015**

Dear Tulloch Owner:

As a landowner on Tulloch Reservoir, I am sure you are very interested in the management of the reservoir, and especially the shoreline. This letter is written to bring you up to speed on the important process of revising the 2002 Tulloch Reservoir Shoreline Management Plan (SMP), and to solicit your input.

As background, in 2006 the Tri-Dam Project received from the Federal Energy Regulatory Commission (FERC) a new 40-year license for the Tulloch Hydroelectric Project, which includes Tulloch Reservoir. The adoption of the license in 2006 included adoption of the 2002 Tulloch SMP. The license also required Tri-Dam to update the SMP, to include many of the other study documents and reservoir protection plans that were also a part of the license process. Last year, FERC directed the Tri-Dam Project to file by May 2015 a revised SMP for FERC approval. The Tri-Dam Project retained HDR Engineering, Inc. to assist it in the process of revising the SMP.

An SMP provides to the Tri-Dam Project, like other reservoir operators, the authority to grant permission - without having to first obtain FERC's permission - for certain activities on and surrounding Tulloch Reservoir. These include activities, such as constructing boat docks or bulkheads, which have a potential to affect the FERC-licensed uses of the reservoir, and focus on the area within the 515-foot elevation contour around the reservoir, which is about 5 feet above the normal high water line. FERC requires that all licensees with shoreline development have an SMP setting forth the rules and regulations that apply to shoreline activities. It is important to recognize that, even with the Tri-Dam Project's permission, the proposer of the activity still needs to obtain all necessary federal, state and local agency permits and approvals for the activity. The 2002 SMP can be found on Tri-Dam Project's Website at <http://tridamproject.com/tulloch.aspx> (refer to the file named "*FERC Adopted Tulloch Shoreline Management Plan*").

Tulloch Reservoir Property Owners' Distribution List  
January 14, 2015  
Page 2 of 2

The first step in revising the SMP was to prepare a draft revised SMP and provide it for comment to agencies, counties and others with whom FERC specifically says the Tri-Dam Project must consult whenever it revises the SMP. HDR proved the draft plan to them on December 31, 2014. A copy of the draft revised SMP is on Tri-Dam Project's Website at [www.tridamproject.com](http://www.tridamproject.com).

The next step, which is not required by FERC but initiated by Tri-Dam, is this outreach to you and other local landowners to solicit your input into the SMP revision. Specifically, if you have comments regarding the draft revised SMP, please provide them to me via e-mail at [jim.lynch@hdrinc.com](mailto:jim.lynch@hdrinc.com) and copy on the e-mail [slarson@tridamproject.com](mailto:slarson@tridamproject.com) or by U.S. mail addressed to Jim Lynch, HDR, 2379 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833-4240. I will provide a copy of your hardcopy comments to the Tri-Dam Project.

We'd appreciate any comments by February 15, 2015, so we can review them and address them in the next version of the revised plan.

Thank you in advance for your participation in this Tulloch Reservoir SMP revision process. If you have any questions regarding the plan or process or if you have any difficulty in obtaining the draft revised SMP from the Tri-Dam Project's Website, please contact either Susan Larson or me. My e-mail address is above or you can call me at (916) 679-8740. Susan Larson's e-mail address is also above or you can call her at (209) 785-3838. We will do our best to assist you.

Sincerely,



Jim Lynch  
HDR Engineering, Inc.

cc: Susan Larson, Tri-Dam Project



**Central Sierra Environmental Resource Center**  
Box 396, Twain Harte, CA 95383 • (209) 586-7440 • fax (209) 586-4986  
Visit our website at: [www.cserc.org](http://www.cserc.org) or contact us at: [johnb@cserc.org](mailto:johnb@cserc.org)

January 13, 2015

**Tri-Dam Project**

P.O. Box 1158  
Pinecrest, CA 95364

Cc: Susan Larson-License Compliance Coordinator  
Robert Fletcher and Shana High – FERC, D.C.

**Comments in response to the Revised Tulloch Reservoir Shoreline Management Plan**

Dear Susan and others at the Tri-Dam Project:

As you are aware, the staff at our non-profit center engaged diligently throughout the entire FERC relicensing process for the Tulloch Hydroelectric Project (and the associated Spring Gap-Stanislaus and Beardsley-Donnells Relicensing Projects). In all, our staff invested a total of 188 days in attending meetings, work sessions, field visits, public information sessions, and other meetings tied to the bundle of FERC licenses. In addition, as you also are aware, I participated in various meetings with Tri-Dam and various homeowner association representatives and others concerned about Tulloch Reservoir management issues. Finally, I have attended sessions of the Tulloch Reservoir Shoreline Management Subgroup.

From this highly engaged background perspective, as the executive director for our non-profit center, I have submitted detailed comments for the Tulloch Reservoir Shoreline Management Plan as well as specific draft plans for dealing with invasive aquatic weeds, for converting two key arms of the reservoir to non-motorized boating, and a focused plan for providing public recreation access to Tulloch Reservoir. During the years of interaction, I have developed a high amount of respect for Tri-Dam employees and consultants, and I have come to understand a considerable degree of the challenges Tri-Dam faces with shoreline and reservoir management.

Accordingly, it is with a spirit of respect and collaboration that I nevertheless provide the following comments of frustration and concern for the lack of responsiveness from Tri-Dam for strengthening the Tulloch Reservoir Shoreline Management Plan. Despite the majority of the Plan being appropriate and well written, the points of objection that our Center submitted in our comments in 2008 are still exactly the same in every instance, with no improvement or strengthening.

**SPECIFIC COMMENTS REQUESTING CHANGES IN THE FINAL PLAN**



The draft revised Shoreline Plan provides some brief information on page 3-1 that describes the build-out of Copper Cove (1,000 units), Lake Tulloch Shores (600 units), and Conner Estates (169) units. The Plan explicitly describes these developments as only 30 percent built-out. The Tuscany Hills subdivision (described in the Plan as 300 units) is also approved by Calaveras County. Page 1-8 of the Plan reveals that there are already 500 single-family residential docks along the shoreline. Most of the docks “are designed with one slip; however, it is common to see additional watercraft tied to the sides of these docks.”

During many Tulloch-related public meetings and even in comments submitted in 2008 for this Shoreline Plan, citizens complained about overcrowding of the lake by motorized watercraft -- especially during summer season high use periods. Pressure to create more docks is high because of the intensely hot summer weather. Accordingly, the potential for docks to further crowd the shoreline is also very high.

**In our previous 2008 CSERC comments we asked that new commercial facility docks be limited to sticking out into the lake no more than 1/3 across the lake or 50 feet (whichever is more limiting), rather than 100 feet as proposed by Tri-Dam. For new single-family residential docks, we asked that docks be limited to extend no more than 30’ from the shoreline, rather than 40’, and we recommended a reduction in the maximum allowed docking area to be constructed for single family residential facilities to be 300 square feet for either a slip type or platform dock, rather than 440’ or 400’.**

**In addition, CSERC provided strong concern over a baseline threshold of 1,000 cubic yards of soil that is described as the maximum material that could be excavated with Tri-Dam approval by a single-family residential applicant at the shoreline. Our Center specifically requested that excavation at the shoreline with high potential for impacts to the reservoir be limited to 100 cubic yards (still a significant amount of excavation) per single-family residence – not 1,000 cubic yards.**

All of these specific requests were based upon a huge potential increase in coming years for requested permits for new docks or new excavation that would diminish recreational values, crowd and degrade the shoreline, cause even greater impacts to wildlife than at present, and also potentially degrade water quality from so many boats cumulatively leaking petroleum products or other contaminants.

**All of CSERC’s requests described above were ignored or were rejected in this Draft Revised Shoreline Plan. No changes were made for any of those specific requests submitted in comments.**

**In addition to CSERC requesting reductions in the distance that new docks could protrude into the lake and the size of new docks, CSERC specifically asked in our comments of May 16, 2008 for the Shoreline Plan to discuss the cumulative impacts of past, present, and reasonably foreseeable future development impacts on the aquatic, scenic, and water quality resources of the reservoir. If the “not yet built” percentage number of 1,450 lots results in additional boating and dock pressure on the reservoir shoreline, and if even more additional planned, but not yet approved, projects add to that pressure, the environmental impacts could be significant.**

In the Response to Comments section in the Appendices, Tri-Dam dismisses the need for cumulative analysis by asserting that the Shoreline Plan provided a narrative of approved projects, and that the Tri-Dam has no authority to provide approval for development in with Calaveras or Tuolumne County. CSERC obviously never expected Tri-Dam to exceed its authority. CSERC does, however, expect Tri-Dam to fulfill its legal responsibility to consider cumulative impacts when approving management planning that must be consistent with NEPA.

## WHY DOES IT MATTER?

Despite positive wording throughout key sections of the Shoreline Management Plan, in reality much of the text is based upon Tri-Dam “encouraging” or “recommending” to property owners or counties that some action or outcome be taken. Other than mandating for applicants to follow certain procedures to apply for permits, much of the mitigation intended to avoid significant impacts is not assured to ever be implemented due to non-mandatory language.

In particular, the non-motorized boating areas described as the Black Creek Wildlife Area and the Green Springs Wildlife Area look good in photos in the Plan, but in all the years since the FERC license was renewed, **no establishment of the Black Creek or Green Springs non-motorized boating area has ever yet been approved. As our comments in 2008 pointed out, and we now reiterate, there is no assurance that Tri-Dam’s intentions on paper will ever translate into firm action to establish the wildlife areas and non-motorized boating areas in those two arms to help protect ospreys, bald eagles, western pond turtle, and other at-risk species through the establishment of wildlife non-motorized areas.**

Similarly, after all of the years since being required by the FERC to establish a public access site for recreational visitors to the Reservoir, there is still no clear movement to actually comply with FERC direction and spend the money needed or take the actions needed to resolve hurdles that have delayed compliance for acquiring public access.

Surprisingly, there is no description provided in the Shoreline Management Plan of the conceptual proposed creation of a recreational access parcel with road access on the Calaveras County side of the reservoir in the Black Creek arm. Accordingly, **similar to the lack of any clear assurance that the non-motorized boating areas will be achieved, there is also no assurance that a recreational access site for the general public will ever actually be provided at the Reservoir. Instead, page 2-3 of the Shoreline Management Plan simply “encourages” the counties to develop and maintain facilities to provide public access to the reservoir.**

CSERC pointed out in our 2008 comments that much of the content of implementation measures in this Shoreline Management Plan is actually only well-intended wording to “encourage” or “support” some action. “Encouragement” cannot be relied upon to meet NEPA or CEQA or FERC requirements. Encouragement is often meaningless without clear timelines, requirements, or specific measurable steps to be taken.

## LACK OF CLARITY ABOUT CONSTRUCTION WITHIN THE FERC BOUNDARY AREA

As provided in detail twice in 2008 and now again in 2015, **one of CSERC’s greatest concerns is that the Tulloch Shoreline Management Plan fails to address the issue of development of new**

**structures being allowed to be constructed or located within the FERC boundary (either to the edge of the water or even potentially protruding out over the water). THIS IS A HIGHLY SIGNIFICANT GAP. We are not expecting Tri-Dam to dictate any policy above the 515' contour elevation (unless some project poses significant negative impact to the reservoir or to resources under Tri-Dam's responsibility. We ARE expecting Tri-Dam to use its existing authority to do all possible to minimize further crowding and development (with associated impacts) along the shoreline of the Reservoir and to spell out that new development or structures (excepting docks) protruding out over the water in the Reservoir will not be permitted.**

**We ask that the Plan deficiencies identified above be corrected or that new mitigation measures or action requirements be crafted so as to minimize significant environmental impacts from Plan approval.**

A handwritten signature in black ink that reads "John Buckley". The signature is written in a cursive style with a large, looped initial "J".

John Buckley, executive director



## Bachelder, Timothy

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**From:** Lynch, Jim  
**Sent:** Friday, January 16, 2015 8:56 AM  
**To:** Rufus farinha  
**Cc:** Susan Larson; Bachelder, Timothy  
**Subject:** RE: SMP

Thank you, Rufus, for taking the time to review and comment on the plan. We'll definitely consider this in the next version of the plan.

James Lynch  
D 916.679.8740 M 916.802.6247  
hdrinc.com/follow-us

-----Original Message-----

From: Rufus farinha [<mailto:rufusfarinha@sbcglobal.net>]  
Sent: Thursday, January 15, 2015 6:36 PM  
To: Lynch, Jim  
Cc: Susan Larson  
Subject: Re: SMP

On Jan 15, 2015, at 6:28 PM, Rufus farinha <[rufusfarinha@sbcglobal.net](mailto:rufusfarinha@sbcglobal.net)> wrote:

> Hi Jim

> My name is Rufus Farinha I am a property owner at Lake Tulloch shores. I am responding per your letter that was sent out on the new draft for the SMP asking for comments .I noticed that on page 4 of 6 Permitting Process 4.3.3 Criteria For Private Facilities item #7 this pertains to water ports / jet ski ports. The dimensions are to small for todays standards , manufactures do not make them that small any more. A more practical size would be 5 x 13 which amounts to 65 square feet instead of the 50 square feet in the revised version which is the same as in the old version. The old dimensions make it impossible for lake front property owners to stay in compliance with the SMP and also makes it harder for Susan to keep everyone in compliance, if you where to take a survey of the Lake in regards to Personal water ports you would be hard pressed to find everyone in compliance. And the ones you may find where installed over thirty years ago. And probably in pretty bad shape todate and in need of replacement Susan is aware of this issue and this change would make her job a lot easier in keeping everyone in compliance.

>

> Regards

> Rufus Farinha

>

>

**Bachelder, Timothy**

---

**From:** Lynch, Jim  
**Sent:** Saturday, January 17, 2015 10:24 AM  
**To:** Bachelder, Timothy  
**Subject:** FW: Draft Revised SMP  
**Attachments:** thompson4364.vcf

FYI

[James Lynch](#)  
 D 916.679.8740 M 916.802.6247

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**From:** Mel [<mailto:thompson4364@gmail.com>]  
**Sent:** Friday, January 16, 2015 10:52 PM  
**To:** Lynch, Jim; [slarson@tridamproject.com](mailto:slarson@tridamproject.com)  
**Subject:** Draft Revised SMP

Thank you for the opportunity to comment on the SMP. I wish to comment on two specific sections of the proposed SMP.

First, Section 5.2.4 identifies aquatic vegetation growth in the upper reaches of the Black Creek arm but offers no plan of action other than monitoring. I ask that Tri-Dam amend section 5.2.4 of the SMP to implement the main recommendation of their draft plan titled "AQUATIC VEGETATION MANAGEMENT PLAN FOR TULLOCH RESERVOIR" prepared by Tri-Dam Project and JRHoleman Consulting for controlling the aquatic plant growth. These invasive plants are specifically located in areas of the lake where water depths are less than 30' in depth. According to the report the most recommended effective measure for controlling the plants is to lower the water level to completely expose the lake bottom where the plants are growing, mainly in shallow areas of the lake.

As a shoreline property owner since 1974 I can attest to the effectiveness of this procedure. Prior to 1980 Tri-Dam, on an annual basis, would lower the water level over 20 feet in the early winter for at least two week period as a normal operational process. The invasive plant growth only became a problem when Tri-Dam discontinued this process.

I ask that wording to Section 5.2.4 Green Springs and Black Creek Arms be amended to authorize Tri-Dam to implement the recommendations of the primary solution to the "AQUATIC VEGETATION MANAGEMENT PLAN FOR TULLOCH RESERVOIR" which is the lowering of the lake level on a consistent time plan to control the invasive plants.

Since Tri-Dam has a study in hand that addresses the problem, the implementation of the study's findings would require no further actions. The study specifically recommends "Frequent lowering the reservoir during the winter" to control the plants. Lowering the lake once every 5 years is not frequent and has no measurable effect on controlling the plants.

#### "5.2.4 Upper Green Springs and Black Creek Arms

Tri-Dam will identify and map areas of aquatic vegetation growth in the upper reaches of the Green Springs and Black Creek arms where the shoreline is undeveloped.

Tri-Dam will monitor these areas to determine if the aquatic plant growth is expanding or remaining relatively static.

## 6.0 MONITORING

Prior to implementation of this plan, Tri-Dam will perform a survey to map the locations of invasive aquatic plant growth to establish a baseline to assess the effectiveness of management and control efforts. Subsequent surveys will be performed at five year intervals and compare with the baseline conditions. This information will be used to determine the need for additional action and reevaluation of management and control methods.

Private property and dock owners are expected to monitor conditions at their locations and determine the need for additional action to maintain desired conditions"

Second, and also related to my first comment, I ask that Tri-Dam include in the SMP an additional section to limit motorized boating on the Black Creek arm of the lake that currently has a 5mph speed designation.

The current wording suggests that Calaveras County would need to take action to implement this boating restriction. I disagree. Tri-Dam has sufficient authority under several sections of the SMP. Tri-Dam is defined in "8.50.020 Definitions" as the Reservoir Authority and "Section C" gives it the authority to establish restricted speed zones. The current SMP also reads in several places that Tri-Dam works directly with the Calaveras County Sheriff Department to encourage enforcement of Tri-Dam regulations.

Also, given the extreme abundance of invasive plant growth in the Black Creek arm, motorized boating only contributes to the expansion of the plant growth. The "AQUATIC VEGETATION MANAGEMENT PLAN FOR TULLOCH RESERVOIR" specifically recommends: "Limit boat traffic in areas of prolific aquatic growth;". The plan also mentions that motorized boats cut up the invasive plants and contribute to their spread.

"Section 3.4 Management of Osprey" authorizes the establishment of wildlife protection areas. Certainly a restriction on motorized boating would be considered a very basic condition for a wildlife protection area on the lake.

### "3.5.1 Black Creek Wildlife Area

The Black Creek arm is currently undeveloped and the surrounding lands are in 20-acre parcels. There is however increasing pressure for more development in these areas, which is being addressed by Calaveras County through broad planning efforts that are ongoing. **The upper Black Creek arm represents a diverse range of wildlife and vegetative resources that warrant preservation efforts.** Presently there is a 5-mile-per-hour (mph) speed limitation that receives periodic enforcement. To create a non-motorized area, Calaveras County would need to adopt a new ordinance or amend an existing ordinance to include the restriction for purposes of enforcement by County Sheriff Department patrols

**"C. Restricted speed zones may be established by the Reservoir Authority.** Such

restricted speed zone areas shall be reasonably marked or delineated by buoy markers. Restricted speed laws established by this section are in addition to general speed limits established by State Law. (Ord. 2920 § 1; 2008)"

"8.50.110 Enforcement. **The Sheriff and his/her deputies, public officers and employees shall have the authority to enforce the provisions of this Chapter** and the provisions of any other statute, ordinance or regulations relating to boating safety or sanitation. (Ord. 2920 § 1; 2008) "

### "3.4 Management of Osprey

Article 407 of the new Project license required the development of a Wildlife Management Plan that included measures to provide and manage osprey nesting habitat. The Wildlife Management Plan was modified and approved by FERC on April 28, 2008. This approved management plan includes provisions to install and maintain osprey nesting platforms, training for Tri-Dam staff **and the establishment of wildlife protection areas at the Project.** Encroachment permits issued under the SMP will include an assessment of impacts to osprey nesting structures as required by the version of the Wildlife Management Plan approved by FERC and being implemented by the Tri-Dam Project at the time future encroachment permits are requested by abutters for proposed shoreline development activities under this SMP.

Thank you for your consideration.

--

Mel Thompson  
4364 Bonnett Court  
Copperopolis, CA 95228  
C: (831) 345-1934 H: (209) 785-2412

## Bachelder, Timothy

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**From:** Lynch, Jim  
**Sent:** Monday, January 19, 2015 6:34 PM  
**To:** Bachelder, Timothy  
**Subject:** FW: Comment/Suggestion on The Draft Tulloch Reservoir Shoreline Management Plan  
**Attachments:** pwc\_docks.pdf

FYI

[James Lynch](#)

**D** 916.679.8740 **M** 916.802.6247

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**From:** Christopher Myers [<mailto:chris@solostar.com>]  
**Sent:** Monday, January 19, 2015 3:29 PM  
**To:** Lynch, Jim  
**Cc:** [SLarson@TriDamProject.com](mailto:SLarson@TriDamProject.com)  
**Subject:** Comment/Suggestion on The Draft Tulloch Reservoir Shoreline Management Plan

Hi Jim,

I appreciate receiving a copy of the Draft Tulloch Reservoir Shoreline Management Plan.

I own a property in Lake Tulloch Shores at 1022 Poker Flat Road and I recently completed a (permitted) new dock installation. The entire process has gone smoothly with the exception of the Personal Watercraft Ports (jet ski ports).

The existing plan stipulates that these ports are required to be limited to 5' X 10' in size. The problem with this dimension is that this sizing is based upon jet ski sizes from many years ago. Today, the jet skis are larger and thus the port manufacturers have increased the size of the ports to accommodate this. Even if you wanted, you can't purchase a 5' X 10' jet ski port anymore from any manufacturer in the business. The current common size offered is 5' X 12.5' (some go as large as 5' X 15.7').

When my dock was completed, I had the builder, Mid-Cal Construction, research manufacturers of Jet Ski ports that would be in compliance with existing plan sizes (5' X 10'). When their research didn't identify any manufacturers, I had them draft the attached letter for submission to Tri Dam to notify them for a possible future plan change. Hopefully, this will be considered at this time because my dock is completed and within compliance but the permit cannot be signed off because my jet ski ports are a bit too large. Additionally, any future permitted new dock with jet ski ports will have a similar problem and the open permits will pile up at Tri Dam.

Moreover, because the plan size for jet ski ports is so outdated, the vast majority – if not all – of the existing jet ski ports on the lake are out of compliance.

With a Tulloch Reservoir Shoreline Management Plan change to allow jet ski ports to be at least 5' X 13.5, this problem can be resolved, the paperwork/permit/inspection process on Tri Dam can be significantly reduced and existing owners can all be in compliance with the new plan.

Please confirm your receipt with a reply and call me if you have any questions.

Best Regards,

Chris

Christopher Myers  
Bryson Myers Company  
650-964-7600 x100



## Bachelder, Timothy

---

**From:** Lynch, Jim  
**Sent:** Tuesday, January 20, 2015 6:39 PM  
**To:** Bachelder, Timothy  
**Subject:** FW: Water craft ports

James Lynch

D 916.679.8740 M 916.802.6247

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**From:** Susan Larson [<mailto:SLarson@tridamproject.com>]  
**Sent:** Tuesday, January 20, 2015 2:07 PM  
**To:** Lynch, Jim  
**Subject:** FW: Water craft ports

fyi

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**From:** CLerk  
**Sent:** Tuesday, January 20, 2015 8:10 AM  
**To:** Susan Larson  
**Subject:** FW: Water craft ports

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**From:** g.fowler [<mailto:g.fowler@ymail.com>]  
**Sent:** Monday, January 19, 2015 05:50 PM  
**To:** CLerk  
**Subject:** Water craft ports

To whom it may concern,

my name is Ray Hoot, I live at 1030 poker flat road copperopolis California. I was told that my jetski ports are out of spec per tri dam laws. The existing plan stipulates that the ports are required to be limited to 5x10 in size. The problem is that dimension and sizing is based on jet skis from many many years ago. I have been talking with my neighbor Chris Myers and a few other neighbors that live here on Lake Tulloch. We are in high concern that the laws for this dimension need to be revised to SAFELY accommodate the larger size jet skis and that the fact is they do not make 5 x10 jetski ports any longer and that size will, not hold the larger newer water craft the smallest in size is 5x13.5. Because the plans size for the jetski ports are so outdated the vast majority if not all of the existing jetski ports on the lake are out of compliance. Also any future permit new docs and jetski ports will have similar problems and the open permit will pile up for tri dam. So I am asking that tri dam change the plan and allow jetski ports to be at least 5x13.5 this will safely accommodate the newer water crafts and prevent future safety issues. This will also resolve any unnecessary paper work and all existing owners can be in compliance.



## Bachelder, Timothy

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**From:** Lynch, Jim  
**Sent:** Tuesday, January 27, 2015 12:44 PM  
**To:** Bachelder, Timothy  
**Subject:** FW: draft revised SMP

James Lynch  
D 916.679.8740 M 916.802.6247  
hdrinc.com/follow-us

-----Original Message-----

From: Susan Larson [<mailto:SLarson@tridamproject.com>]  
Sent: Tuesday, January 27, 2015 9:30 AM  
To: Christina Browning  
Cc: Lynch, Jim  
Subject: RE: draft revised SMP

Good Morning:

I believe that the Calaveras County Planning Department is coordinating this effort on behalf of the County. Their phone number is (209) 754-6394.

Take care,  
Susan Larson  
License Compliance Coordinator  
Tri-Dam Project  
PO Box 1158  
Pinecrest, CA 95364  
(209) 785-3838

-----Original Message-----

From: Christina Browning [<mailto:Christinabro@comcast.net>]  
Sent: Monday, January 26, 2015 5:47 PM  
To: Susan Larson  
Cc: [jim.lynch@hdrinc.com](mailto:jim.lynch@hdrinc.com)  
Subject: Re: draft revised SMP

Hi Susan - That's good news. Can you tell me who to contact or where to go on-line to see or hear about update to the situation?

Christina

> On Jan 26, 2015, at 10:47 AM, Susan Larson <[SLarson@tridamproject.com](mailto:SLarson@tridamproject.com)> wrote:

>

> Good Morning:

>

> I'm not certain of the progress being made by Calaveras County on the FEMA mapping issue, but last I heard they were working on it with FEMA.

>

> Kind Regards,

> Susan Larson

> License Compliance Coordinator  
> Tri-Dam Project  
> PO Box 1158  
> Pinecrest, CA 95364  
> (209) 785-3838

>  
>  
>

> -----Original Message-----

> From: Christina Browning [<mailto:Christinabro@comcast.net>]  
> Sent: Saturday, January 24, 2015 8:58 AM  
> To: Susan Larson  
> Cc: [jim.lynch@hdrinc.com](mailto:jim.lynch@hdrinc.com)  
> Subject: Re: draft revised SMP

>  
> Thank you for the prompt response Susan. Yes by "flood line issue" I am referring to the FEMA flood map issue with Calaveras County. Can you tell me how that is progressing?

>  
> Regards,  
> Christina

>  
>  
>> On Jan 21, 2015, at 8:53 AM, Susan Larson <[SLarson@tridamproject.com](mailto:SLarson@tridamproject.com)> wrote:

>>  
>> Good Morning:

>>  
>> By "flood line issue", are you referring to the FEMA flood mapping issue that Calaveras County has been addressing? If so, this document is a part of the Federal Energy Commission (FERC) license requirements for Tri-Dam, and most other agencies that have development along the shoreline and it does not address nor affect the FEMA mapping issues.

>>  
>> If you have any additional questions, please let me know.

>>  
>> Thanks,  
>> Susan Larson  
>> License Compliance Coordinator  
>> Tri-Dam Project  
>> PO Box 1158  
>> Pinecrest, CA 95364  
>> (209) 785-3838

>>  
>>  
>>  
>> -----Original Message-----

>> From: Christina Browning [<mailto:Christinabro@comcast.net>]  
>> Sent: Tuesday, January 20, 2015 4:36 PM  
>> To: [jim.lynch@hdrinc.com](mailto:jim.lynch@hdrinc.com)  
>> Cc: Susan Larson  
>> Subject: draft revised SMP

>>  
>> Does this draft revised SMP have anything to do with the flood line issue?

>

From: Susan Larson  
Sent: Wednesday, January 28, 2015 1:46 PM  
To: 'Debra Lewis'  
Subject: RE: Comment on 2014 Draft Revised Shoreline Management Plan

Good Afternoon:

This is the issue that we spoke of during your coordination of the FEMA mapping project. As I expressed to you, Tri-Dam's involvement at Tulloch is that of reservoir manager, in fulfillment of its licensing obligations to the Federal Energy Regulatory Commission (FERC). FERC has defined Tri-Dam's project boundary to include all lands at the 515' contour elevation and below. This FERC defined "project" boundary was specifically chosen to represent a 5' distance above the high water mark of the reservoir, which is linked to the benchmark at the dam. FERC intended to require Tri-Dam to monitor all activities at the 510' (high water mark), which is posted on the face of the dam and consistent with other benchmarks in that vicinity including those of the top of the spillway, and nearby monuments. It makes sense that using this 510' elevation (full reservoir volume), that FERC would define the limits of its license to Tri-Dam as a point 5' upward from that around the entire reservoir as the basis of Tri-Dam's regulatory authority. Tri-Dam is required by FERC to review and permit any construction activities that take place within the FERC defined "project" boundary which is linked to the actual reservoir level of 510' and 515' as described above.

This is exactly why I expressed reservations to you in our prior discussions of the FEMA mapping project, as I believed that there might be a conflict in the methodology of that project. As I said then and now, Tri-Dam has not been participatory in that project from its inception prior to your involvement and this agency has no interest in seeing reservoir property owners be required to purchase flood insurance if not needed.

Tri-Dam's is obligated to conform with the requirements of its FERC license. Tri-Dam is compelled therefore, for all actions that it takes in fulfillment of the obligations assigned to it by FERC, in specificity and spirit, to make certain that we are using the appropriate benchmarks as explained above. And that is why when we discussed the differences in the elevation points that were discovered during the FEMA process, Tri-Dam must still ensure that it uses the benchmarks associated with the reservoir levels, 510' and 515' as noted above. And that the FEMA mapping process would not alter the FERC compliance or permitting process at Tulloch.

As a part of the SMP update, and other projects currently underway, Tri-Dam hired an independent surveying firm to review the benchmarks at Tulloch and this information will be used, along with your inquiry to assist in clarification of the permitting requirements at Tulloch.

Thank you,  
Susan Larson  
License Compliance Coordinator  
Tri-Dam Project  
PO Box 1158  
Pinecrest, CA 95364  
(209) 785-3838

-----Original Message-----

From: Debra Lewis [<mailto:dlewis@co.calaveras.ca.us>]  
Sent: Wednesday, January 28, 2015 9:11 AM  
To: Susan Larson  
Subject: RE: Comment on 2014 Draft Revised Shoreline Management Plan

Thank you for following up. I am less concerned with FERC licensing orders than I am with the fact that there appear to be three datums in use in the general area of Tulloch, and these three datums are not the same. Nothing needs to be changed. We just need to correctly identify which datum the 510' and 515' contours are in, and find the conversion factor to the other two datums.

I would suggest that "the benchmark at the dam" is not in synch with either NGVD 29 or NAVD 88. What are the conversion factors between the three? This will assist lakefront property owners to resolve floodplain issues with FEMA, which works exclusively in NAVD 88.

Debra Lewis, Planner III

-----Original Message-----

From: Susan Larson [<mailto:SLarson@tridamproject.com>]

Sent: Tuesday, January 27, 2015 5:32 PM

To: Debra Lewis

Subject: RE: Comment on 2014 Draft Revised Shoreline Management Plan

Hi Deb:

Let me check into this. Tri-Dam is currently working on the SMP update with HDR.

What I understand is the the 510' and 515' contours were established by benchmarks at the dam, and tied in with the actual water levels. The only reason why there would be a 1.3' differential is if one used a benchmark along O'byrnes Ferry Road, which is apparently not in sync with the benchmark at the dam, others in that zone and the water levels and it is these latter benchmarks not the point along O'brnes Ferry Road that FERC based its license orders on.

I'll be in touch.

Susan Larson  
FERC License Compliance Coordinator  
TRI-DAM PROJECT  
(209) 785-3838

---

From: Debra Lewis [[dlewis@co.calaveras.ca.us](mailto:dlewis@co.calaveras.ca.us)]

Sent: Tuesday, January 27, 2015 4:45 PM

To: Susan Larson

Subject: Comment on 2014 Draft Revised Shoreline Management Plan

Hi Susan

Can you take a look at the comment below and let me know your thoughts? Also, let me know if there is someone else I should send this to.

I noticed that the 2014 Draft Revised Shoreline Management Plan for Tulloch includes an introduction (page 1-1) which states that

"The FERC Project Boundary is defined as the area within the 515-foot (ft) elevation contour<sup>3</sup>, which is 5 ft above the normal maximum water surface elevation (NMWSE) of Tulloch Reservoir."

This statement includes a footnote which states: "3. All elevation data in this exhibit are in National Geodetic Vertical Datum of 1929 unless otherwise specified.

It is my understanding that the 515' elevation contour and the 510' elevation contour are in an historical Oakdale Irrigation District datum rather than in NGVD 1929, and there is a differential of approximately

1.5' between the two. I couldn't find any place in the document where this information was discussed or further clarified.

As stated, this information is in conflict with the FEMA Letter of Map Revision for Tulloch Reservoir that is currently in process.

Debra Lewis, Planner III  
County of Calaveras  
Planning Department  
891 Mountain Ranch Road  
San Andreas, CA 95249  
Phone (209) 754-6394  
Fax (209) 754-6540

This email is an assumed public record

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+++

This electronic mail message and any attachments are intended only for the use of the addressee(s) named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not an intended recipient, or the employee or agent responsible for delivering this e-mail to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this e-mail message in error, please immediately notify the sender by replying to this message or by telephone. Thank you.

January 28, 2015

Att: Jim Lynch  
HDR Engineering, Inc.  
2379 Gateway Oaks Drive, Ste 200  
Sacramento, Ca. 95833-4240

**RE: TULLOCH HYDROELECTRIC PROJECT, REVISED SMP**

Dear Jim,

I received your letter dated 1/14/15, concerning the SMP for Lake Tulloch. Apparently this correspondence was sent to all property owners on or near Lake Tulloch. In the letter, you invite us to go on the TRI-DAM PROJECT "website", and review the latest revision of the SMP, for Lake Tulloch. Per the report, this current revision project is intended to update the SMP report from 2002. You are advising that any owners with "input" that might help this effort, should respond to you prior to February 15, 2015.

I have two concerns: The first is the control of the Quagga & Zebra Mussels in our lake. The second is my proposal to BAN 2 stroke engines on this lake. These are not new issues and I realize you are aware of both concerns.

I thought it might be helpful to pull a few resources here to facilitate this discussion. I have attached the following: A) The Lake Tahoe Water Quality Plan, B) Wikipedia def. on Quagga and Zebra Mussels, C) California Department of Fish & Wildlife (focus: Quagga and Zebra Mussels)

The first issue, "The Quagga and Zebra Mussels" is a serious problem. It appears that the primary regulatory entity here, that is battling this serious problem throughout our country, is the "Calif. Depart. of Fish & Wildlife" (CDF&W). I should also acknowledge here that I did receive the permit in the mail that was designed to help control this specific problem on this lake. It is my opinion that this specific lake is not receiving the attention it deserves. I think the permit/honor system was ludicrous. Admittedly, I am comparing this "lose" system to a VERY TIGHT CONTROL system at Lake Tahoe. I believe we are already losing the war to this evasive species. The under "frame work" of my dock, during the summer months, is loaded with this species. This issue should receive attention, even if it means pulling someone from

*1133 Shoreline Court, Copperopolis, Ca. 95228  
(209) 785-1707 donoptions@live.com*



CDF&W to visit our lake and evaluate the current status of this problem on our lake. We have to start somewhere. I would like to see this "evasive species problem" integrated into this new SMP, so it is acknowledged as a serious problem. To restate, this permit/honor system probably does more harm than good. I have heard that many fishing boats from the central valley, have pegged the control/reputation of this lake as being EASY...no fees...no inspections etc..

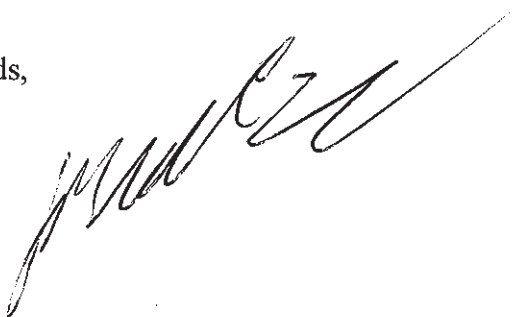
Lake Tahoe has their own inspection sites. I realize this would be cost prohibitive for this small lake. However, a plausible solution would be to have an inspection site in Stockton (random example). Then South Shore Marina or Drifters Marina would have to see this temporary permit prior to launching. I suspect there may be many solutions here, all with different cost levels to implement.

The second issue: The pollution characteristics inherent with a "Two-Stroke" engine. Again, this is not a new issue. "Two-Strokes" have been outlawed from a majority of lakes in California due to serious pollution concerns. Why does this lake still allow them? I find this perplexing. I am frustrated with this lack of intelligent regulation, when I observe "Two Stroke" PWC's drive by our home with significant trail of smoke. Quite simply, the alternative is "Four Stroke" engines. I would like to see "Two-Strokes" banned on this lake.

I hope you have reviewed this letter and attachments as useful and constructive.

Best Regards,

Don Wells

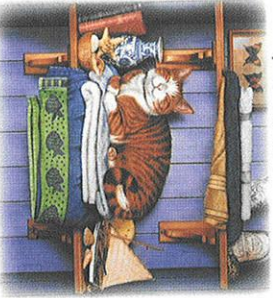
A handwritten signature in black ink, appearing to read 'Don Wells', written over a white background.

*1133 Shoreline Court, Copperopolis, Ca. 95228  
(209) 785-1707 donoptions@live.com*



Mona Bowling

Please  
send us a copy  
of the proposal etc.  
I am in Oregon  
for 2 months blame  
for my camera. And  
I also have no  
computer, Do not  
understand what we  
are to approve or  
disapprove, just please  
don't take more of  
our rights away and  
put more fees on  
us. We all retired  
people cannot afford  
any more fees.  
Thank you  
Mona Bowling



over

Mona Bowling  
2819 Shady Ln.  
Jamestown, CA 95327

RECEIVED  
FEB 09 2015  
By



Jim Snyder H.D.R.  
+ Wash. Dam Proj  
2379 Bateway Oaks Dr  
Bartlett, Ill  
ST. CHARLES, ILL 60153  
630-333-4240  
SAN BERNARDINO



Temporary address)

Flight Man Building  
PO Box 2011  
Needles, Cal  
92363

ORIGINAL

P-2067

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

FILED  
SECRETARY OF THE  
COMMISSION

2015 MAR 24 A 10:38

FEDERAL ENERGY  
REGULATORY COMMISSION

March 15, 2015

**COMMENTS BY THE RESORT AT LAKE TULLOCH LLC MANAGER, BERNADETTE  
CATTANEO OF THE DRAFT TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN  
DATED DECEMBER 2014**

Section 1.0

Tri Dam states in paragraph two that FERC has given them authority to grant permission for use of lands within the FERC Project Boundary. This is vague and misleading as within the project Tri Dam only ***CONTROLS*** a small percentage of land. The majority of land within the project boundary is ***PRIVATELY OWNED!***

Tri Dam only has a flooding and flowage easement only on these privately owned parcels and therefore does ***NOT HAVE CONTROL*** of these properties. The easement is specific as to the flooding and flowage rights!

Additionally, when these easements were recorded originally there was no SMP. The original recorded flooding and flowage easements are in full force and effect to this date.

Tri-Dam does not have any regulatory or land use authority over lands upon which it holds a flowage easement, other than those conferred within the easement itself. It does not have the authority or jurisdiction to issue or withhold building permits for properties, require removal of structures, or rule on the legality of land uses within its project boundaries. These rights lie solely with state agencies and/or local cities and counties. Yet, Tri-Dam repeatedly states that its permit and regulatory authority derives from rights given to it by FERC through its Shoreline Management Plan, and attempts to enforce this authority by filing cases in federal court.

SECTION 1.1

No issue

SECTION 1.2

The goals of a SMP are that there are a set of ***GUIDELINES*** IN PLACE TO MANAGE THE SHORELINE. Tri Dam asserts these guidelines improperly more like rules, regulations and ordinances on private property owners. It is my observation that they use them to take away property rights from

land owners. Property owners should only have to adhere to uses that delineated by zoning and ordinances of their local land use authority, which in this instance would be the County or City in which their property is located in and taxed!

Also noted in this section is that Tri Dam agrees that structures that are “grandfathered in” may be maintained or repaired. This point will be discussed later in my comments regarding their facilities application.

### SECTION 1.3

Tri Dam states that, “The goal of the SMP is to balance present and future residential and land use development with the need to provide a safe and enjoyable experience for visitors and residents.”

*Residential and land use development for the lands surrounding Lake Tulloch are the jurisdiction of either Calaveras or Tuolumne Counties. The County regulates land use through the authority delegated to it by the State of California, and this authority has not been delegated to Tri-Dam. “The California Government Code (Sections 65000 et seq.) contains many of the laws pertaining to the regulation of land uses by local governments including: the general plan requirement, specific plans, subdivisions, and zoning. However, the State is seldom involved in local land use and development decisions; these have been delegated to the city councils and boards of supervisors of the individual cities and counties. Local decisionmakers adopt their own sets of land use policies and regulations based upon the state laws.”*

### SECTION 1.4

No issue

### SECTION 1.5

My comment on this is that Tri Dam follow FERC guidelines and that there is proper notification, especially to the private property owners.

### SECTION 1.6

Tri Dam states that “Most of the docks are designed with on slip; however, it is common to see additional watercraft tied to the sides of these docks.”

This statement is just another example of Tri Dams over reaching agenda. They think that somehow more than one boat tied to a dock interferes with their ability to conduct their business?

I often have many visitors to my properties and at times have boats tied to other boats. That is my right or the right of the other vessel owners. These vessels are using the lake for recreation. The last time I checked the number of boats or docks for that matter did not stop the flowage of water beneath them.

### SECTION 2.0

I believe that a SMP is needed to make sure that projects like Tri Dam are good stewards of the waterways which they benefit from. Issues that should be covered should be the protection of

environmentally sensitive areas, endangered plants or animals, erosion from project activities and providing for recreation as well as the education of safety of the recreational participants.

In no way shape or form should **GOAL 3** be a part of their SMP. While this might be something that other projects have to deal with because the lands within their project boundaries are publicly owned, this is the the case in this instance.

All policies for dock or facilities within the project boundary should be under the zoning ordinances for that jurisdiction.

FERC has confirmed repeatedly and consistently – on its website and in quotes attributed to official spokespersons – that it does not confer jurisdiction over property rights to a licensee through its approval of the Shoreline Management Plan.

- a. *“Project boundaries are used to designate the geographic extent of the hydropower project that FERC determines a licensee must own or control on behalf of its licensed hydropower project. The project boundary must enclose only those lands necessary for operation and maintenance of the project and for other project purposes, such as recreation, shoreline control, or protection of environmental resources, as designated in the project license. It should be noted that the establishment of the project boundary does not have any impact on property rights. Whatever rights landowners have in lands within the project boundary – whether conferred by deed, lease, easement or other conveyance – will not change.”*<sup>iii</sup>
- b. *“On December 8th the Federal Energy Regulatory Commission (FERC) Chairman Cheryl A. LaFleur responded to a Congressional inquiry from Congressman Robert Hurt regarding the implementation of the Shoreline Management Plan (SMP) for Smith Mountain Lake, VA. In the Commission's words: ‘The Commission has regulatory authority only over the licensee and, thus, can administer and enforce the terms of the license only through the licensee and the licensee’s state property rights. Project boundaries are used to delineate the geographic extent of the lands, waters, works, and facilities that the license identifies as comprising the licensed project and for which the licensee must hold the rights necessary to carry out project purposes.’ [130 FERC ¶ 62,033 (Issued January 13, 2010)]”*<sup>iii</sup>
- c. *“The company is seeking to use the authority of its Federal Energy Regulatory Commission-approved Shoreline Management Plan to stop the Nissens’ dock-building plans. .... FERC spokeswoman Celeste Miller said this week that licensees like AEP are expected to obtain the appropriate property rights to enforce the terms of their Shoreline Management Plan. .... Miller, the spokeswoman, and FERC’s website reiterated that the FERC license does not grant AEP any powers that it doesn’t hold with existing property rights.”*<sup>iv</sup>

FERC has confirmed in an order that land use enforcement, particularly as it pertains to property rights, is under state jurisdiction. *“If an entity has built a structure on lands on which it has a right to do so, that structure is not an encroachment, and neither the July 26 Order nor this order suggests that it needs to be removed. Further, this Commission has no jurisdiction to rule on property rights, which are matters of state law. Any dispute regarding the rights granted by conveyance documents must be resolved in an appropriate court.”*<sup>v</sup>

### SECTION 3.0

Again on page 3.1 Tri Dam misstates that there are two facilities that provide public access when in fact there is only one. Drifters Marina is a privately owned and operated Marina that has no deed restriction to provide public access. Not only is Drifters Marina private but it is also very limited for space and is located on a very narrow and congested cove. The original Drifters Marina project was owned by Lemke Development. Susan Larson whom is the Tri Dam Compliance Coordinator worked for Mr. Lemke as a consultant during the approval process for the project. Conveniently, Mr. Lemke's project slipped by under the radar and although it was a Commercial Facility was sent to FERC for approval. Additionally it was not developed to the commercial standards that were in effect of the existing 2002 SMP.

#### SECTION 3.1

The jurisdiction be it the County or other agency issuing a permit should be made aware of any issues or mitigations that would need to be addressed to move forward with their project. Again, all permitting including docks should be with local government.

#### SECTION 3.2

No issue

#### SECTION 3.3

No issue

#### SECTION 3.4

No issue

#### SECTION 3.5

I disagree with Tri Dams attempt to either please certain property owners (Kistler's in GreenSprings) by making that portion of the lake non-motorized, or to hurt other property owners (Sanguinetti's and others in Black Creek) by making that portion of the lake non-motorized. The latter would make their properties basically worthless as they would have no way to access their properties via water.

Additionally, the last time I checked Bats and Osprey don't swim!

We do **NOT** need any additional 5MPH zones or non-motorized boating zones!

#### SECTION 3.6

No issue

#### SECTION 3.7

No issue

#### SECTION 3.8

No issue

## **SECTION 4.0**

**I believe the current process by which Tri Dams permits facilities is a violation.**

**Permitting for construction of structures – including docks – is under the sole authority of the County Building Department, and this authority has not been delegated to Tri-Dam. *“Codes are adopted at the state level and are enforced on a statewide basis. Each local building and fire jurisdiction may amend these state codes providing their amendments are more stringent based on findings justified by climatic, geographic and topographical conditions of the jurisdiction.”***<sup>vi</sup>

**Tri Dams general requirements for managing the lake could easily be adopted by the County of Calaveras (via Title 20) and Tuolumne (I have no knowledge that they have a specific Title for the lake operations)**

### **SECTION 4.1.1**

**The proposed application process is confusing at best. There is no draft of the existing application for review. The draft that I have seen includes new clauses that would require simple repairs to file for a permit. This is absolutely ludicrous.**

### **SECTION 4.1.2**

**Construction again by definition is something that should be controlled by the building department of the jurisdiction for which the property is located!**

### **SECTION 4.1.3**

**Inspections typically are handled by the building inspectors of the jurisdiction in which the permit is issued. The counties involved in our lake are already set up to do permitting.**

### **SECTION 4.1.4**

**Tri Dam’s role in issuing permits should be revoked and they should only have review authority. Tri Dam cannot even keep in compliance with issues that are common to a hydroelectric project. This is clearly evidenced by the fact that they are over six years overdue with many requirements of their license. Not to mention that it is a violation of property rights!**

### **SECTION 4.1.5**

**Everything in this section is typically handled by the building department of the county for which the property is located.**

### **SECTION 4.2- 4.2.3**

**Commercial Facilities should be applied for and permitted by the County. The criteria for them in 1) are much too restrictive and should be revised with input from the property owners that are affected. I have in the past included drawings with dimensions of the existing facilities and there**

is no possible way to have a commercial facility comply with the criteria.

### SECTION 4.3-4.3.3

Private Facilities, like Commercial should be applied for and permitted by the County. As drafted the criteria are a violation of property rights. They interfere with the right of the property owner to use and enjoy that property. Several of the criteria have absolutely no effect on the operation of the project.

### SECTION 4.4-4.3.3

Applications and permitting of excavation should be done by the County as the lead agency in conjunction with any other agency that is deemed to have authority for review and approval.

### Section 4.5-4.5.3

Shoreline protection devices should be applied for and permitted by the County.

### 4.6-4.6.3

Buoys and Signage are already addressed in Title 20 and should be handled as they are now.

Respectfully Submitted,



The Resort at Lake Tulloch LLC  
By: Bernadette Cattaneo, Manager

## REFERENCES CITED

<sup>i</sup> State of California, Governor's Office of Planning and Research, *A Citizen's Guide to Planning*.  
[http://ccrcs.ca.gov/planning/planning\\_guide/plan\\_index.html](http://ccrcs.ca.gov/planning/planning_guide/plan_index.html)

<sup>ii</sup> Federal Energy Regulatory Commission FAQs on Shoreline Management Plans  
<http://www.ferc.gov/help/faqs/shoreline-mgt.asp>

<sup>iii</sup> Website posting by Cut Unnecessary Regulatory Burden, Inc. (CURB), <http://www.curb-ferc-aep.com/recent-events>

<sup>iv</sup> News Article: *Appalachian Power's regulation of lakefront property draws ire at Smith Mountain Lake*, The Roanoke Times, Stephanie Klein-Davis, October 17, 2014, <http://www.bartsfisher.com/pdf/045.pdf>

<sup>v</sup> Order on Rehearing and Amending Shoreline Management Plan for Union Electric Company Project No. 459-310, Issued November 10, 2011 <http://www.ferc.gov/EventCalendar/Files/20111110090759-P-459-310a1.pdf>

<sup>vi</sup> International Code Council [http://www.iccsafe.org/gr/Documents/AdoptionToolkit/HowStatesAdopt\\_I-Codes.pdf](http://www.iccsafe.org/gr/Documents/AdoptionToolkit/HowStatesAdopt_I-Codes.pdf)



March 20, 2015

To: Tulloch Reservoir Property Owners' Distribution List

**Subject: Tulloch Hydroelectric Project  
FERC Project No. 2067-040  
PUBLIC MEETING  
Draft Updated Tulloch Reservoir Shoreline Management Plan**

To Whom It May Concern:

This letter advises you of the following public meeting to be held by the Tri-Dam Project:

**Date:** Saturday, April 11, 2015  
**Time:** 10:00 AM to Noon  
**Location:** Lake Tulloch Shores at Poker Flat Meeting Room, 385 Poker Flat Road,  
Copperopolis, CA 95228  
**Purpose:** Discuss Tri-Dam Project's Draft Updated Tulloch Reservoir Shoreline Management  
Plan

As background, in 2006 the Tri-Dam Project received from the Federal Energy Regulatory Commission (FERC) a new 40-year license for the Tulloch Hydroelectric Project, which includes Tulloch Reservoir. The license includes a Tulloch Reservoir Shoreline Management Plan (SMP) that provides to the Tri-Dam Project the authority to grant permission - without having to first obtain FERC's permission - for certain activities on and surrounding Tulloch Reservoir. These include activities that have a potential to affect the reservoir and its uses, such as constructing boat docks or bulkheads, within the 515-foot elevation contour around the reservoir, which is about 5 feet above the normal high water line. Without the Tulloch Reservoir SMP, all requests would have to go to FERC for consideration and approval. It is important to recognize that, even with the Tri-Dam Project's permission for an activity, the proposer of the activity still needs to obtain all necessary federal, state and local agency permits and approvals for the activity. The current SMP can be found on Tri-Dam Project's Website at <http://tridamproject.com/tulloch.aspx> (refer to the file named "FERC Adopted Tulloch Shoreline Management Plan").

In a letter dated April 1, 2014, FERC requested that the Tri-Dam Project file with FERC for approval an updated Tulloch Reservoir SMP by May 1, 2015. Until FERC approves the updated SMP, the current plan is in effect.

The Tri-Dam Project retained HDR Engineering, Inc. to assist it in the process of updating the SMP.

On December 31, 2014, HDR provided for review and comment the draft updated SMP to agencies, counties and others identified in the FERC license as parties the Tri-Dam Project must consult whenever it revises the SMP. The draft updated SMP that was provide to these parties can be found on Tri-Dam Project's Website at <http://tridamproject.com/tulloch.aspx> (refer to the file named "Draft Tulloch Reservoir Shoreline Management Plan").

[hdrinc.com](http://hdrinc.com)

2379 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833-4240  
(916) 679-8700



*Tulloch Reservoir Property Owners' Distribution List*  
*March 20, 2015*  
*Page 2 of 2*

While not required by FERC, on January 14, 2015, HDR proved the draft updated SMP to local landowners for whom the Tri-Dam Project had a current mailing address to solicit their input on the draft updated SMP. Written comments were requested by February 15, 2015. At the request of some landowners, the Tri-Dam Project extended the deadline for receiving written comments by 30 days to March 15, 2015.

At the April 11, 2015 public meeting, the Tri-Dam Project plans to: 1) provide some background regarding the Tulloch Reservoir SMP; 2) summarize the contents of the draft updated SMP; 3) provide a brief summary of written comments on the draft updated SMP that the Tri-Dam Project received by March 15, 2015; 4) generally describe how the Tri-Dam Project intends to address the written comments (i.e., this will not be a specific reply to each comment); 5) provide an opportunity for discussion; and 6) describe next steps (i.e., filing of the SMP with FERC by May 1, 2015).

The April 11 public meeting will focus on the draft updated Tulloch Reservoir SMP. We know, especially during these drought conditions, that some may have questions regarding the reservoir and its operation. Updates are posted to Tri-Dam Project's website each week relative to this issue so please check the website for continuing updates at [www.tridamproject.com](http://www.tridamproject.com). We thank you in advance for understanding that the April 11 public meeting will focus exclusively on the draft updated SMP.

If you have any questions regarding this upcoming public meeting, please contact me either by e-mail at [jim.lynch@hdrinc.com](mailto:jim.lynch@hdrinc.com) or by telephone at (916) 679-8740.

Sincerely,



Jim Lynch  
HDR Engineering, Inc.

Attachment: Distribution List

cc: Susan Larson, Tri-Dam Project

## Tulloch Reservoir Property Owner's Distribution List

As of 3/20/2015

Page 1 of 9

A/R ENTERPRISES, A LTD PARTNERSHIP 27011 S AUSTIN RD RIPON CA 95366	ANDERSON GRAHAM & TERESA 1091 SHORELINE DR COPPEROPOLIS CA 95228	BARRETT SHERI 2480 ROBERTSON RD SANTA CLARA CA 95051
ABRAMSOM ANDREAS 83 SANGUINETTI CT COPPEROPOLIS CA 95228	ANDRADE STEPHEN & KATHI 6033 ALDEA DR EL DORADO HILLS CA 95762	BARRIOS ALEX 8670 NEW AVENUE GILROY CA 95020
ADRIAN ARTHUR & THERESA 19803 DAHLIN RD ESCALON CA 95320	ANNIES RENTALS LLC 5826 E ACORN CT STOCKTON CA 95212	BAXTER KEVIN & THERESA 13 SANGUINETTI CT COPPEROPOLIS CA 95228
ALAMO FLORINDA O 1500 W FULKERTH RD CROWS LANDING CA 95313	ATHANS ANGELO PETE 12755 SANTA TERESA BLVD SAN MARTIN CA 95046	BENITES ANTHONY & DEBORAH 14216 TUOLUMNE RD SONORA CA 95370
ALBERTSON RICHARD & PAULA 75 WATERFRONT CT COPPEROPOLIS CA 95228	AVINA AURORA 6278 HOPI CIR SAN JOSE CA 95123	BENNETT DAVID & NANCIE 150 SHORELINE HWY D MILL VALLEY CA 94941
ALONSO SUSAN 432 GRAND OAK CT WALNUT CREEK CA 94598	AZEVEDO MICHAEL & MARY LOU 3239 BOLLA CT PLEASANTON CA 94566	BENSUSEN CHARLES & AVIS 16 LA SALLE DR MORAGA CA 94566
ALPHA B LLC 1146 MEREDITH AVE SAN JOSE CA 95125	BAILLIE WILLIAM & SUSAN 8 BRANDON CT COPPEROPOLIS CA 95228	BERMUDES JOHN & GRACE 2245 TALIA AVE SANTA CLARA CA 95050
ALVES JAMES 8324 WATERWELL WAY TRACY CA 95304	BAIRD TRENT & LYNETTE 7211 TULIPWOOD DR PLEASANTON CA 94588	BETOLDI JOHN & PAMELA 236 FERNDAL WAY REDWOOD CITY CA 94062
ALYANAKIAN ARTHUR & VICTORIA P.O. BOX 526 LOS BANOS CA 93635	BAKER LARRY & SONDR P.O. BOX 444 COPPEROPOLIS CA 95228	BETTENCOURT ANTHONY J III 1985 VIA DI SALERNO PLEASANTON CA 94566
AMMENTI DAVID & ANNE 3004 MASON LN SAN MATEO CA 94403	BARNETT WILLIAM 1337 HUDSON WAY LIVERMORE CA 94550	BEUTEL JOHN & ANDREA 798 BLOCHING CIR CLAYTON CA 94517
BIANCHINA RICHARD & DEBRA 1212 MONTICELLO RD LAFAYETTE CA 94549	BROWNING RODNEY & CHRISTINA 2849 BREZZA CT PLEASANTON CA 94566	CALYPSO BAY PROPERTY OWNER ASSN 420 CALYPSO BEACH DR COPPEROPOLIS CA 95228
BLAIR KEVIN 2013 SWANSON DR ESCALON CA 95320	BRUNKER LAND & CATTLE LLC 13278 SCHELL RD OAKDALE CA 95361	CARSON TROY & JENNIFER 17505 WALNUT GROVE DR MORGAN HILL CA 95037
BLOOM KENNETH & LINDA 301 MISSION ST UNIT 10F SAN FRANCISCO CA 94105	BRUNO JOSEPH & BETH P.O. BOX 1204 HEALDSBURG CA 95448	CARSTENS CHRIS & ELIZABETH 151 MESA VERDE WAY SAN CARLOS CA 94070
BOYLE MICHELE & TERENCE 1011 SHORELINE DR COPPEROPLIS CA 95228	BUDINE MATTHEW & MARCIE 8540 RODDEN RD OAKDALE CA 95361	CARUSO JAMES 191 TARRAGON AVE MORGAN HILL CA 95037
BREKKE ANTHONY & KATHLEEN 844 SANTA MARIA WAY LAFAYETTE CA 94549	BURKE RONALD & GLORIA 1051 EASTWOOD DRIVE LOS ALTOS CA 94022	CASE ROBERT MARSHALL 14770 BERRY WAY SAN JOSE CA 95124
BRIMMER ROBERT & MARCEA 1766 CHETAMON CT SUNNYVALE CA 94087	BURKHARDT GEORGE & CAROL 6274 RICKY RD COPPEROPOLIS CA 95228	CASTLE & COOKE COPPER VALLEY LLC 100 TOWN SQUARE RD COPPEROPOLIS CA 95228
BROADWATER BRUCE & EILEEN 21525 ALDERCROFT HEIGHTS RD LOS GATOS CA 95033	BUSERWINI DENECE LYNNE 394 ILO LN APT 402 DANVILLE CA 94526	CASTLE DVLPT & ESTATE MGMT LLC 9200 OAK VIEW DR OAKDALE CA 95361
BROCK JERRY & DORIS 415 LAKEVIEW RD COPPEROPOLIS CA 95228	BUSTICHI DENE & MELODIE 4652 SCOTTS VALLEY DR STE 202 SCOTTS VALLEY CA 95066	CHAPMAN RICHARD 1924 ELINORA DR PLEASANT HILL CA 94523
BROWN BRADLEY & CYNTHIA 655 KIRKSTONE CT SAN RAMON CA 94583	BYRAM DWIGHT & SHERAL 828 SANDY BAR DR COPPEROPOLIS CA 95228	CHAPMAN WAYNE & SANDRA 987 SCORPION PL FREMONT CA 94539

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BROWNE SYLVIA 6000 HELLYER AVE STE 150 SAN JOSE CA 95138	CALAVERAS CO WATER DISTRICT P.O. BOX 846 SAN ANDREAS CA 95249	CHAPMAN WILLIAM & ALICE 2315 SUNRISE DR SAN JOSE CA 95124
CHELLEW CHARLES & MARLYS P.O. BOX 11242 ZEPHYR COVE NV 89448	COONS MICHAEL & BARBARA 344 CASTLE CREST RD. ALAMO CA 94507	DAVIDS JOHN A 62 BROWNS VALLEY RD CORRALITOS CA 95076
CHIEFTAN LAKESIDE CONDOMINIUM ASSOC C/O RINTA DAVID 3103 BOW DR	COPPER COVE AT LAKE TULLOCH OWNERS ASSN 920 BLACK CREEK DR	DE HERRERA MICHAEL & KIMBERLY 6124 GREENRIDGE RD CASTRO VALLEY CA 94552
CITTI JACK & SYLVIA 6893 LENWOOD WAY SAN JOSE CA 95120	COULTER GEORGE & LAURIE 979 ROUNDHILL RD REDWOOD CITY CA 94061	DE LOZIER JOANNE 796 N HENRY AVE SAN JOSE CA 95117
CLARK RICHARD JOHN 16200 MATILIJA DR LOS GATOS CA 95030	COWIN RONALD & JUDITH 1515 E CATHERINE WAY ESCALON CA 95320	DE VINCENZI JOSEPH & RHONDA P.O. BOX 703 COPPEROPOLIS CA 95228
COELHO BRIAN & STACY 502 CHEVY CHASE DR TULARE CA 93274	COWPER CARY 784 LAKEMONT PL UNIT 9 SAN RAMON CA 94582	DEAS DUDLEY & PHILOMENA 15873 WOOD ACRES RD LOS GATOS CA 95030
COHEN HADRIA & FRANCOISE 944 BUCKEYE DR SUNNYVALE CA 94086	COX JOHN & MARIANNE 4150 LA CROSS COURT COPPEROPOLIS, CA 95228	DEBERNARDI JEFFREY 5776 SONOMA DR STE D PLEASANTON CA 94566
CONNOR ESTATES INVESTORS 45 ALAMEDA PL SALINAS CA 93901	COYLE JAMES A JR & TERI 19057 GAWNE RD STOCKTON CA 95215	DEBOER EDWIN 5805 CANNES PL SAN JOSE CA 95138
CONNOR ESTATES MASTER ASSN P.O. BOX 70378 STOCKTON CA 95267	CUNNINGHAM DAVID & FRANCINE 215 NEAL ST PLEASANTON CA 94566	DIERCKS DWIGHT & DIAN 22068 VILLA OAKS LN SARATOGA CA 95070
CONTRERAS ANGEL & LINDA 1478 MEDALLION DR SAN JOSE CA 95120	D SOUZA DANIEL 17999 SARATOGA LOS GATOS RD MONTE SORENO CA 95030	DIMINO ROBERT & KATHLEEN 39510 PASEO PADRE PKWY STE 190 FREMONT CA 94538
COOK AUDREY LYNNE P.O. BOX 2561 CARMEL CA 93921	DAHLBERG CLIFFORD & JOYCE 1544 VALDEZ WAY PACIFICA CA 94044	DOBLER CRAIG & ANNAMARIA 100 ANGORA LN APTOS CA 95003
DONAHOE WILLIAM JOSEPH 10 BLACKSTONE LN SAN RAFAEL CA 94903	FARAJ FADI 1199 HOWARD AVE STE 200 BURLINGAME CA 94010	FORTNER EUGENE C/O FORTNER STEVE 918 THOMPSON AVE
DUDLEY BRIAN & PAMELA 6204 GLENDORA CT SAN JOSE CA 95123	FARINHA RUFUS & NANCY 595 EL PINTADO RD DANVILLE CA 94526	FRAZIER MARTHA & JERRY 330 PURISSIMA ST HALF MOON BAY CA 94019
DUFRESNE CHRISTOPHER MICHAEL 5640 COUNTRY CLUB WAY SAN JOSE CA 95138	FERGUSON DAVID & DEBORAH 47 TENNIS CLUB DR DANVILLE CA 94506	FRENCH DOROTHY 406 THOMSON LN COPPEROPOLIS CA 95228
DUNNE PHILLIP & SANDRA 1074 CANYON CREEK TERR FREMONT CA 94536	FERGUSON DEBORAH 3060 SORRELWOOD DR SAN RAMON CA 94582	FREYTAG EDWIN & JANET 615 ESCONDIDO CIR LIVERMORE CA 94550
ELLIOTT GLENN & KANDY 478 THOMSON LN COPPEROPOLIS CA 95228	FIDER TOMASITO & ELIZABETH 3023 REMINGTON WAY TRACY CA 95377	FRIANT LAND LLC 4901 E 12 <sup>TH</sup> STREET OAKLAND CA 94601
ENGELHART JOHN 5305 RAVENRIDGE PL FAIRFIELD CA 94534	FINK MICHAEL & SANDRA 242 VALLEY DR PLEASANT HILL CA 94523	FURR RANDY WILBURN 8604 WHITE OAK CT PLEASANTON CA 94588
EQUITY TRUST CO FBO BIANCHINA RICHARD P.O. BOX 20608	FLATLAND RAYMOND 868 FOOTHILL RD COPPEROPOLIS CA 95228	GALLOWAY JOHN 1960 WALNUT BLVD BRENTWOOD CA 94513
ERICKSON RICHARD 25218 CENTURY OAKS CIR CASTRO VALLEY CA 94552	FLYNN JAMES & LINDA 886 MEADOWHILL CT LINCOLN CA 95648	GAMERL MICHAEL & IKUKO 796 MOTHER SHIPTON COPPEROPOLIS CA 95228

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ESTRADA RONAL BRUCE 319 THOMSON LN COPPEROPOLIS CA 95228	FOK CLIFF & MAY 327 MANGROVE WAY WALNUT CREEK CA 94598	GARDELLA DAVID 4849 MANZANITA AVE #56 CARMICHAEL CA 95608
EVANS ERIC & CHERYL 11641 BUENA VISTA DR LOS ALTOS HILLS CA 94022	FORSTER LES 603 OAK DR CAPITOLA CA 95010	GARDNER MARILYN 11307 MORNING TIDE LN SOUTH JORDAN UT 84095
GEORGES ROBI & JUDITH 16421 BONNIE LN LOS GATOS CA 95032	GRANUM ROBERT & KAY P.O. BOX 2460 SARATOGA CA 95070	HAVELAAR MARGARET 1126 SHORLINE CT COPPEROPOLIS CA 95228
GI THOMPSON LANE LLC 683 NORTH KING RD SAN JOSE CA 95133	GUERRA GARY ANTHONY 1181 SPRING GROVE RD HOLLISTER CA 95023	HERZING JOHN & MARTHA 7192 BRIDGE CT SAN JOSE CA 95120
GIAMBRONE JOSEPH & JENELLE 742 FARAONE DR SAN JOSE CA 95136	GUILBAULT HOWARD & JANET 3648 VISTA CHARON OAKS WALNUT CREEK CA 94598	HETTERVIK ERWIN & BEVERLY 17041 EL CAJON AVE YORBA LINDA CA 92886
GILLISPIE KATHLEEN 2175 BASKET LANE COPPEROPOLIS, CA 95228	GUILBAULT ROBERT & BERNADETTE 4175 TOMAHAWK TRL COPPEROPOLIS CA 95228	HIDALGO GUILLERMO & INES 11793 CASTLE CT DUBLIN CA 94568
GINGERY ROBERT & CAROL 3522 SPRINGHILL RD LAFAYETTE CA 94549	GUINTU GERALD & JILL 1016 PEPPERMILL CT CONCORD CA 94518	HILL L PATRICK & CATHERINE 10277 N ARCHIE AVE FRESNO CA 93720
GLOCKNER GENE & VICKI 806 CASITA CT DANVILLE CA 94526	HALL ADRIAN SIMON NICHOLAS 15405 SHANNON RD LOS GATOS CA 95032	HIRDES HALEY P.O. BOX 2786 TURLOCK CA 95381
GODFREY RUSSELL & SHARON 3982 PERIE LN SAN JOSE CA 95132	HALL NORA 2330 DIAMOND ST SAN FRANCISCO CA 94131	HITES ANDRAS P.O. BOX 1926 COLUMBIA CA 95310
GOMEZ JASON & SHANNON 611 INWOOD DR CAMPBELL CA 95008	HALLATT CLIVE & ROSEMARY 4049 SUTHERLAND DR PALO ALTO CA 94303	HITES SANDOR & EDITH 4 VANCE LN LAFAYETTE CA 94549
GOULART ANTONIO & JUDITE 831 SANDY BAR DR COPPEROPOLIS CA 95228	HALTER JAMES P.O. BOX 2145 LIVERMORE CA 94551	HOFF JUANITA 720 BRET HARTE DR COPPEROPOLIS CA 95228
GRANT JOSEPH & ARLENE 700 CLIPPER HILL RD DANVILLE CA 94526	HARRIS STEVEN & ELEANOR 2701 DEER MEADOW DR DANVILLE CA 94506	HOLMAN HAROLD & MARY 906 BRET HARTE DR COPPEROPOLIS CA 95228
HOLMAN MERLE & BEVERLY 5950 GREENSPRINGS ROAD JAMESTOWN, CA 95327	JAMKE 1562 TULLY RD #A MODESTO CA 95350	KEHR MANFRED & SIGRID 890 POKER FLAT RD COPPEROPOLIS CA 95228
HOOT RAYMOND 1030 POKER FLAT RD COPPEROPOLIS CA 95228	JAY ROSE 5551 CHAPMAN DR NEWARD CA 94560	KELLER CHRISTOPHER & DAWN 3413 E RUBY HILL DR PLEASANTON CA 94566
HOPKINS STEPHEN & ANNE 680 GUZZI LN STE 103 SONORA CA 95370	JOEL & PRISCILLA BROWN 23 HOLLINS DR SANTA CRUZ CA 95060	KELLER THOMAS & MARLENE 3009 VAL COURT GILROY CA 95020
HOPSON DANIEL & OFELIA 968 PAMELA PL PLEASANTON CA 94566	JOEL & PRISCILLA BROWN 1500 41 <sup>ST</sup> AVE STE 254 CAPITOLA CA 95010	KILGARIFF EMMETT & BECKI GIRARD 1146 MEREDITH AVE SAN JOSE CA 95125
HORN DARRELL & NANCY 3707 LLYN GLASLYN PL SANTA ROSA CA 95403	JOHNSON CAROL 740 JENNIFER WAY MILPITAS CA 95035	KING STEVEN & KAY 3818 PICARD AVE PLEASANTON CA 94588
HORN PAUL 1288 QUILL RD COPPEROPOLIS CA 95228	JOHNSON CAROL 876 BRET HARTE DR COPPEROPOLIS CA 95228	KINSLEY MICHAEL 4980 YUMA CT COPPEROPOLIS CA 95228
HUENING KENNTH 550 SANTA ROSA DR LOS GATOS CA 95032	JONES ARTHUR & MARY 13481 THENDARA WAY LOS ALTOS HILLS CA 94022	KLEIN PAUL & MARY 18715 GLEN AYRE DR MORGAN HILL CA 95037

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HURTADO RALPH & AGNES P.O. BOX 47 SUNOL CA 94586	JORDAN PAT 1431 UNION HEIGHTS DR HOLLISTER CA 95023	KLINKE DIANE 1866 INDIAN CREEK CT SAN JOSE CA 95148
HYVER SCOTT W MD & MARY 12366 PRISCILLA LN LOS ALTOS HILLS CA 94022	JUDSON ROBERT & ELAINE P.O. BOX 2442 SANTA CLARA CA 95055	KNOBLOCH CARL C/O KNOBLOCH WILLIAM 6270 RICKY RD.
IAQUINTO DONNA 408 CASSELINO DR SAN JOSE CA 95136	KAUPE DAVID & KIMBERLY 1137 BOXELDER CIR FOLSOM CA 95630	KRAMER G S 420 SUNRISE RD. COPPEROPOLIS CA 95228
KRUEGER ERICK 323 ROSE AV E PLEASANTON CA 94566	LOCKE DAVIND & CONNIE 4150 TOMAHAWK TR COPPEROPOLIS CA 95228	MALIK HUMA & ZAFAR 661 MONTICELLO TERR FREMONT CA 94539
KUIL DALE & EILEEN 22844 S FREDERICK RD RIPON CA 95366	LOLA ALEJANDRINO 4933 WINDERMERE DR NEWARD CA 94560	MALONEY CHIHARU & MICHELE 1221 LAWTON AVE PACIFIC GROVE CA 93950
LANCE RONALD & NEVA 36240 ENFIELD DR NEWARD CA 94560	LONG THOMAS & SUSAN 25805 POWELL RANCH RD. SONORA CA 95370	MAPLES DAVID & MARIJANE 13800 SYCAMORE DR MORGAN HILL CA 95037
LANCE RONALD 36296 EXETER CT NEWARD CA 94560	LOPEZ ISABEL MARISCAL 57 MORNINGSIDE DR SAN FRANCISCO CA 94132	MARION SANGUINETTI CATTLE CO LP C/O SANGUINETTI MARION J TRUSTEE P.O. BOX 1837 JAMESTOWN CA 95327
LASITER GORDON & MARY 826 FOOTHILL RD COPPEROPOLIS CA 95228	LOUDON JEFF & JULIE P.O. BOX 478 COPPEROPOLIS CA 95228	MARTIN JOHN & KATHY DBA DRIFTERS MARINA 6603 LAKE TULLOCH PL
LAWRENCE DENNIS & KATHLEEN 2340 GAMAY COMMON LIVERMORE CA 94550	LUCAS DOUGLAS & JOAN 4607 LAKEVIEW CANYON RD #401 WESTLAKE VILLAGE CA 91361	MARTIN JOHN & KATHY 6617 LAKE TULLOCH PL COPPEROPOLIS CA 95228
LEE CRAIG & SUSAN 3150 EBANO DR WALNUT CREEK CA 94598	LUNSFORD JAMES & SHARON 969 G EDGEWATER BLVD # 911 FOSTER CITY CA 94404	MARTIN TERRY & JACQUELIN 113 WATERFRONT CT COPPEROPOLIS CA 95228
LEHFELDT GENE & KAREN 1909 MAGNOLIA WAY WALNUT CREEK CA 94595	MAC DONELL ALEX & JUDI 1558 ROBSHEAL DR SAN JOSE CA 95125	MARTINOVICH SAM 104 GATETREE CT DANVILLE CA 94526
LEIB NEIL & LYDIA TUCK 1221 COLLINS LN SAN JOSE CA 95129	MADDOX JOHN & ANN 10259 WHITETAIL DR OAKDALE CA 95361	MASSEI RONALD & DIANE P.O. BOX 517 COPPEROPOLIS CA 95228
LEMKE ERIC 49 COSMIC CT STE C COPPEROPOLIS CA 95228	MAGGI NICK 4127 MOLLER DR PLEASANTON CA 94566	MATITYAHU AARON & NADINE P.O. BOX 4053 LOS ALTOS CA 94024
MAYER GREG & DARLA 103 BLUE OAK CT COPPEROPOLIS CA 95228	MERICCS ELLEN 1537 CAROL AVE BURLINGAME CA 94010	MORRIS TERRY & SUSAN 500 HAPPY VALLEY RD PLEASANTON CA 94566
MAZE SHARON & JOHN 2419 VIA DE LOS MILAGROS PLEASANTON CA 94566	MESSINGER MICHAEL & DANIELLE 8 N SAN PEDRO ST STE 300 SAN JOSE CA 95110	MUM STUART & FARZANEH 2720 GLEN CANYON RD SANTA CRUZ CA 95060
MC GERAGLE MICHAEL & SANDRA 6538 RED HILL RD ANGELS CAMP CA 95222	MICHAEL ANDREANA 616 TIMPANOGOS LN DANVILLE CA 94526	MUSARRA PAMLA MARIA 4583 BAYVIEW DR COPPEROPOLIS CA 95228
MC LEOD JAMES 7640 FALKIRK DR SAN JOSE CA 95135	MARK SERPA 6520 CENTRAL AVENUE NEWARK, CA 94560	MUSUMECI GERALD 88 S 3 <sup>RD</sup> ST #196 SAN JOSE CA 95113
MC MANIS RON & JAMIE 25600 S MOHLER RD RIPON CA 95366	MILLER WILLIMA & JUDITH 14574 TULLOCH DAM RD JAMESTOWN CA 95327	MUZZI FERDINANDO & MARCIA 110 FOREST AVE SANTA CRUZ CA 95062
MC CLENDON DANNY & MICHELLE 95 PARK GROTON PL SAN JOSE CA 95136	MINCH DAVID & SHARON P.O. BOX 508 COPPEROPOLIS CA 95228	NAGLE FRED S III 59 KITTREDGE TERR SAN FRANCISCO CA 94118

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MCDONOUGH SUSAN 7355 JAYBROOK CT PLEASANTON CA 94588	MOBERG LARRY & JANET 190 SANGUINETTI CT COPPEROPOLIS CA 95228	NAPPI WILLIAM & LYNETTE 1124 ALOMAR WAY BELMONT CA 94002
MEISENBACH BRUCE & TERESA 1785 DALTON PL SAN JOSE CA 95124	MONTINI DAVID & MARY 1 WATERFRONT CT COPPEROPOLIS CA 95228	NAZZISI KELLY 520 NO 19 <sup>TH</sup> ST SAN JOSE CA 95112
MEISENBACH BRUCE 14815 NELSON WAY SAN JOSE CA 95124	MOORE BRIAN & DEANNA 28 LAHOMA CT ALAMO CA 94507	NEARON DAVID 111 SOUTHVIEW LN ALAMO CA 94507
MELENDREZ THOMAS RAMON 1677 SARDONYX RD LIVERMORE CA 94550	MORGAN JOHN 805 DOT CIR COPPEROPOLIS CA 95228	NEGI RANDY & COLLEEN 734 MERRIMAC PL DANVILLE CA 94526
NIKBAKSH TALI FARIBORZ & VIVIEN 3906 YERBA BUENA AVE SAN JOSE CA 95121	PAINE JOHN ARNOLD 23455 CAMINO HERMOSO LOS ALTOS HILLS CA 94024	PERRICONE STEVEN & SANDRA 3120 CAREY WY HOLLISTER CA 95023
NINO MICHAEL & TRACY P.O. BOX 1180 TRES PINOS CA 95075	PANAGIOTOPOULOS JIMMY & ERIKA 35 HARTFORD AVE SAN CARLOS CA 94070	PERUSINA NICHOLAS & MARCY 4380 VENICE WAY SAN JOSE CA 95129
NOBRIGA BARBARA 1173 BALCLUTHA DR FOSTER CITY CA 94404	PARIS RICHARD & CONNIE 710 EMORY AVE CAMPBELL CA 95008	PESCOSOLIDO ROBERT & CAROLYN 2060 WOODEN GLEN DR LOS ALTOS CA 94024
O CONNOR GREGORY & JANET 5750 HIDDEN CREEK CT PLEASANTON CA 94566	PARKIN NEILL & JOANNE 3234 SHALLOW SPINGS TERR CHICO CA 95928	PHILLIPS WILLIAM & DIANE 1203 SHORELINE DR SAN MATEO CA 94404
O CONNOR MICHAEL & LINDA 5110 ALAN DR SAN JOSE CA 95124	PARSONS WILFRED & HAZEL 788 POKER FLAT RD COPPEROPOLIS CA 95228	PILCH DEREK & MELISSA 219 NAPIER CT PLEASANTON CA 94566
OLSON GARY W & KIMBERLY 3742 SMALLWOOD CT PLEASANTON CA 94566	PATTERSON KATRINA & BRADLEY 228 GIDDINGS CT SAN JOSE CA 95139	PIPP GREGORY & TERESA SUSTAITA 116 CORRAL CIR SAN RAMON CA 94583
OSTER ROBERT & MARION 3000 SAND HILL RD 3 STE 210 MENLO PARK CA 94025	PEARSON THOMAS & RESA QUINN 13165 TEN OAK CT SARATOGA CA 95070	PLETSCHETTE EMMETT & KAREN 802 POKER FLAT RD COPPEROPOLIS CA 95228
OTT CHARLES & LISA 1001 TESLA RD LIVERMORE CA 94550	PELLE STEVEN & LISA 179 SAN RAMON DR SAN JOSE CA 95111	POKER FLAT OWNERS ASSOC 385 POKER FLAT RD COPPEROPOLIS CA 95228
OWENS JERRY & SANDRA P.O. BOX 368 COPPEROPOLIS CA 95228	PENINSULA ESTAES ASSOC 1341 W ROBINHOOD DR STE C6 STOCKTON CA 95207	PREESHL BRYAN & JENNIFER 2113 BRIDLE RIDGE CT SAN JOSE CA 95138
OWYEUNG WILLARD & KAREN 1638 CANARY DR SUNNYVALE CA 94087	PEREZ TONY 393 RANCHO RI AVE BEN LOMOND CA 95005	PRICE BARTO III & DONNA 459 ADAMS WAY PLEASANTON CA 94566
PURCELL LP 1980 PALMER DR PLEASANTON CA 94588	RICE JEFFREY 3901 VIADER DR MODESTO CA 95356	SANGUINETTI RAY A LAND CO L P 18464 OLDS WARRY FERRY RD SONORA CA 95370
RED MOUNTAIN RESORTS LLC 480 SAN ANTONIO RD STE 205 MOUNTAIN VIEW CA 94040	RICKETTS DOUG & LISA 1245 SANDLEWOOD LN LOS ALTOS CA 94024	SANGUINETTI RAY C/O SANGUINETTI MARION J 13358 MONO WAY
REDELLE MARI 690 FOOTHILL RD COPPEROPOLIS CA 95228	RIEDEL JENNY P.O. BOX 1837 JAMESTOWN CA 95327	SATTERLEE ROLAND 99 N MCKENY RD CHANDLER AZ 85226
REESE GARY & CYNTHIA 35318 NEWCASTLE CT NEWARK CA 94560	RIGGS RODNEY P.O. BOX 412 ALAMO CA 94507	SCHEDIWIY RICHARD 35018 LILAC LOOP UNION CITY CA 94587
REGAN THOMAS & CATHLEEN 1235 VINTNER WAY PLEASANTON CA 94566	ROBERTSON STEVEN 4364 BONNETT CT COPPEROPOLIS CA 95228	SCHEVING HAROLD & CATHERINE 38267 COLUMBINE PL NEWARK CA 94560

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REID ROBERT & MARSH 445 MATTHEW CT PLEASANTON CA 94566	ROBERTSON WILLIAM & DANIELLE 19360 RINALDI ST PMB 602 NORTHRIDGE CA 91326	SCHMOKER CINDY 640 STATE LOT RD SPARTANBURG PA 16434
RENTSCHLER MARK 2588 OAK RD APT 136 WALNUT CREEK CA 94597	ROGERS EDDIE & KATHRYN 8501 RIVER OAKS DR OAKDALE CA 95361	SCHULTZ HELEN 17739 LIME KILN RD SONORA CA 95370
RESORT AT LAKE TULLOCH LLC C/O BERNADETTE CATTANEO 7260 O'BYRNES FERRY ROAD	ROLLINGS RAYMOND & SANDA 801 MOTHER SHIPTON RD COPPEROPOLIS CA 95228	SCHWEIFLER KATHLEEN 718 ORCHID AVE CAPITOLA CA 95010
REZNICK GARY & ERIKA 2637 STARLING CT PLEASANTON CA 94566	ROMEO JOSEPH 3207 LOS PRADOS SAN MATEO CA 94403	SCIANNA RANDY 15280 BOWDEN CT MORGAN HILL CA 95037
RHOTON JEFFREY & YVONNNE 30 WOODLAND CT SAN RAMON CA 94583	SANFILIPPO DENNIS 227 THOMSON LN COPPEROPOLIS CA 95228	SEASTRAND PHILIP & SHIRLEY 1201 READING WAY ROCKLIN CA 95765
SEELEY STEVEN & MISTY 3257 MONIER CIR STE C RANCHO CORDOVA CA 95742	SORNSEN NEAL & BETH 1140 PALADIN WAY PLEASANTON CA 94566	STOETZL BONNIE 7250 PITLOCHRY DR GILROY CA 95020
SELBY RICHARD 1672 RICHARDSON CT CONCORD CA 94519	SPICA HOLDINGS LLC C/O SCOTT FRAZIER 330 PURISSIMA ST	STONE RICHARD & MARY 1520 MEDFORD DR LOS ALTOS CA 94024
SHINAZY JULIA 4181 LA CROSSE CT COPPEROPOLIS CA 95228	SPICA HOLDINGS LLC 22501 HAWTHORNE BLVD TORRANCE CA 90505	STOREY PATRICK & BARBARA P.O. BOX 238 COPPEROPOLIS CA 95228
SHREVE ELDEN & GAIL 712 WESSEX PL MILPITAS CA 95035	STAEDLER CRISTOPHER & GINA 1122 WILLOW ST #200 SAN JOSE CA 95125	STRATTON DEBRA 3288 ARROWHEAD ST COPPEROPOLIS CA 95228
SILVERS JAMES 417 AVENIDA ABETOS SAN JOSE CA 95123	STARK ERICK 970 W SAN MARTIN AVE SAN MARTIN CA 95046	SURF AND SUN PROPERTIES LLC C/O SOBRATO DEVELOPMENT CO 10600 NO DE ANZA BLVD STE 200
SINGER RICHARD & NANCY 54 BRANDON CT COPPEROPOLIS CA 95228	STATON DANIEL & JANIS 35 SAVONA CT DANVILLE CA 94526	SURF AND SUN PROPERTIES LLC C/O SOBRATO JOHN M 245 GLEN RIDGE AVE
SKILLICORN CAROL 1560 JULIE LN LOS ALTOS CA 94024	STEFANICK LINDA JEAN 438 THOMSON LN COPPEROPOLIS CA 95228	TAHMASSEBI SHAHIN & EMRAHIMI 1152 PALADIN WAY PLEASANTON CA 94566
SKILLICORN RICHARD & JEAN 483 TRAFTON RD ROYAL OAKS CA 95076	STEFANICK RONALD P.O. BOX 1925 EL GRANADA CA 94018	TALBOT ANN MARIE 3241 CONGRESSIONAL CIR FAIRFIELD CA 94533
SMILEY DARRELL & CHARLENE 1480 W 16 <sup>TH</sup> ST MERCED CA 95340	STEINEBEL BRIGITTE & BERTHOLD 1284 ENCINA DR MILBREA CA 94030	TAR MICHAEL & NATALIE 4494 LAKESHORE CT COPPEROPOLIS CA 95228
SMITH CARL & CATHERINE 764 PELLEAS LN SAN JOSE CA 95127	STELLMAN DAVID & MICHELL 12955 PIERCE RD SARATOGA CA 95070	TAYLOR VINCENT & TRACY 14399 SILK OAK LN MADERA CA 93637
TEMKIN CHARLES & DIANNE 3065 LIVE OAK CT DANVILLE CA 94526	TURNER DAVID 318 SUNRISE RD COPPEROPOLIS CA 95228	VORHEES CLEIGH & ELIZABETH 28082 NICHOLS RD GALT CA 95632
TERRY DENNIS & EDNA P.O. BOX 468 CARMEL VALLEY CA 93924	TURNER DAVID 21528 APPLE HILL DR SONORA CA 95370	WARNKEN BRILL JOHN & DONNA 683 CEDAR GLEN CT WALNUT CREEK CA 94598
TETSCHLAG RICHARD & PENELOPE 3550 VISTA NORTE CT MILPITAS CA 95035	TYLER LEE & WINIFRED 4859 TOMMAR DR FAIR OAKS CA 95628	WEDEL JEFFREY & DONNA 303 N LINDSAY RD LOT 017 MESA AZ 85213
THORVUND DONALD & LINDA 27177 LILLEGARD CT TRACY CA 95304	ULLRICH MICHAEL & JANE 3 PASEO DELAGO COPPEROPOLIS CA 95228	WELLS DONALD 1133 SHORELINE CT COPPEROPOLIS CA 95228

## Tulloch Reservoir Property Owner's Distribution List

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TONSBERG FINN & JOAN 1734 VIEW DR SAN LEANDRO CA 94577	VAN DYKE ROLAND & MARILYN 814 POKER FLAT RD COPPEROPOLIS CA 95228	WELTY JAY M 999 OLD SAN JOSE RD APT 12 SOQUEL CA 95073
TRETTON JOHN J III & DIANE 3236 LA MESA DR SAN CARLOS CA 94070	VISGER TERRENCE 2642 TULIP TREE LN SANTA CLARA CA 95051	WEST FREDERICK 5 S LINDEN AVE STE 6 S SAN FRANCISCO CA 94080
TRINKLER WENDEL JR & HEIDE P.O. BOX 10 CERES CA 95307	VISO JAMES 186 COVINGTON RD LOS ALTOS CA 94024	WESTON MICHAEL 674 CONCORD PLACE PLEASANTON, CA 94566
TROTTER DAVID & CAROL 1123 CARNFORTH CT SAN JOSE CA 95120	VON DOHREN TORI 1030 FAIRVIEW AVE SAN JOSE CA 95125	WHITECAR JAMES & DORIS 7511 DEVERON CT SAN JOSE CA 95135
TULLOCH HOLDINGS LLC 42346 RIO NEDO STE L TEMECULA CA 92590	VON RAESFELD DONALD 992 FOOTHILL RD COPPEROPOLIS CA 95228	WILKERSON DOUGLAS 372 SUNRISE RD COPPEROPOLIS CA 95228
TURNER DARRYL & DARLENE 2521 PIAZZA CT MODESTO CA 95356	VON RAESFELD DONALD 807 SANDY BAR RD COPPEROPOLIS CA 95228	WILLIAMS WILLIAM & BARBARA 4163 TOMAHAWK TR COPPEROPOLIS CA 95228
WILSON E HOWARD & DEBRA 321 CAMELLIA CT EL DORADO HILLS CA 95762	WINTER DOUGLAS & BONNIE 34 FINCHWELL CT SAN JOSE CA 95138	WRIGHT EMORY & GINI 61 TOURMALINE AVE LIVERMORE CA 94550
WILSON FREDERICK & ANN 2152 ELSA COMMON LIVERMORE CA 94551	WINTERS ROBERT & DENISE 18499 S JACK TONE RD MANTECA CA 95366	WWRA LOT 1 LLC C/O FERNANDES STEVEN 313 NORTHWOOD DR
WILSON GEORGE & ELWYNNA 1037 SHORELINE DR COPPEROPOLIS CA 95228	WITHERSPOON JAMES & LUCIANA 1629 MCDONALD WAY BURLINGAME CA 94010	
WILSON RONALD & HEIDI 4851 LAKESHORE DR COPPEROPOLIS CA 95228	WORM LOREN 4459 ST ANDREWS RD OAKDLAND CA 94605	
PATRICIA L MC MEECHAN 14980 LAKE FRONT DR JAMESTOWN CA 95327	DOMINGO RANCHES KISTLER-SANTO 11400 HWY 108 JAMESTOWN CA 95327	RICHARD GEN HEDRICK 13790 TULLOCH RD JAMESTOWN CA 95327
DOMINGO RANCHES KISTLER-SANTO 11400 HWY 108 JAMESTOWN CA 95327	HORST & HELGA J KAISER 13800 TULLOCH RD JAMESTOWN CA 95327	RICHARD LUNDGREN 1626 HOLLINGSWORTH DR MOUNTAIN VIEW CA 94040
KARALYN AHRENHOLTZ PO BOX 452 JAMESTOWN CA 95327	CLIFFORD B SPAIR 13814 TULLOCH RD JAMESTOWN CA 95327	JOHN R & SUKI H GONZALEZ PO BOX 3247 MODESTO CA 95353
STEVEN R SANTOS PO BOX 950 BETHEL ISLANDS CA 94511	ROY C GUNTER 580 CALLE PRINCIPAL MONTEREY CA 93940	KAREN L PAPPAS 13970 TULLOCH DAM RD JAMESTOWN CA 95327
GUARANTY HOLDINGS OF CA 2908 E WHITMORE AVE CERES CA 95307	STANDFORD H & DORIS SLATE 14590 TULLOCH DAM RD JAMESTOWN CA 95327	EVODIA TINA FLORES 121 ROMANO WAY MODESTO CA 95355
ROBERT J & M BETH QUALLE 1924 VISTA DR MODESTO CA 95355	JOHN K LEDBETTER PO BOX 340 VICTOR CA 95253	WAYNE A MERANDA 13888 TULLOCH DAM RD JAMESTOWN CA 95327
ARTHUR L MITCHELL 480 HOGUE RD MODESTO CA 95356	WILLIAM D MILLER 4931 LAKESHORE DR COPPEROPOLIS CA 95228	KAREN M MUSGROVE 5889 WOODROSE WAY LIVERMORE CA 94551
WILLIAM DUNCAN 14598 TULLOCH DAM RD JAMESTOWN CA 95327	CONCEPCION GALINDO 13770 TULLOCH RD JAMESTOWN CA 95327	JIMMY L & ANNIE JOE SIMPSON 4780 ROLLINGHILLS WAY CASTRO VALLEY CA 94546



## Tulloch Reservoir Property Owner's Distribution List

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THOMAS J & DENISE DIAS 3706 CHRISTENSEN LN CASTRO VALLEY CA 94546	CHARLES ELLIS 4749 MESA DR OAKDALE CA 95361	RANDALL T SHANNON 9812 RODDEN RD OAKDALE CA 95361
TERRY G & GARY M BOSTROM 8321 ALDERSON HUGHSON CA 95326	CAROLE S SHUEY 16466 WOODACRES RD LOS GATOS CA 95030	LARRY A WITTRUP 1609 OAK HILL WAY ROSEVILLE CA 95327
ROBERT J BAILO 1610 PUERTO VALLARTA DR SAN JOSE CA 95120	ALBERT GARCIA 1732 BANCROFT WAY BERKELEY CA 94703	EDWARD H MOCK 3975 LITTLE CREEK CT ROSEVILLE CA 95661
STEVEN JAMES MARKS PO BOX 397 COPPEROPOLIS CA 95228	JACQUELINE A HOHMAN 1149 LARKIN WALLEY RD WATSONVILLE CA 95076	SIEGLINDE LEHMANN 2828 SHADY LN JAMESTOWN CA 95327
DAVID M BUETTNER 922 GINA CT OAKDALE CA 95361	KENNETH M MC RAE 7760 COUNTRY LN PLEASANTON CA 94566	ROBERT G TERRY 2820 SHADY LN JAMESTOWN CA 95327
STEPHEN L BISSETT 10008 DEL ALMENDRA DR OAKDALE CA 95361	NANCY WHITING-BRAMELL 2313 LENNOX CT LIVERMORE CA 94550	DONALD BINNEY 3516 COYE OAK DR MODESTO CA 95355
BRIAN BATES 249 BLAIR MINE RD ANGELS CAMP CA 95222	PHILLIP A & MELISSA B HOLCOMB 13140 TULLOCH RD JAMESTOWN CA 95327	JOHN D & VICTORIA ESCOBER 2827 SHADY LN JAMESTOWN CA 95327
PHUNG D & SARA L TANG 3209 MONMOUHT CT PLEASANTON CA 94588	DIETER DAHRMANN 1452 SUNSET LOOP LAFAYETTE CA 94549	NANCY JO THOMAS 2835 SHADY LN JAMESTOWN CA 95327
STANLEY D GADWAY 2155 LILAC LN MORGAN HILL CA 95037	TEDI ANN HERMANN 1225 RIVER ROCK CT MODESTO CA 95351	KRISTIN L BRADSHAW 1960 CHARDONNAY DR OAKLEY CA 94563
CHARLES D POSTON 3890 FORESTER CT SAN JOSE CA 95121	STEVEN JAMES MARKS PO BOX 397 COPPEROPOLIS CA 95228	ROBERT TODD 3501 MARTIN DR SAN MATEO CA 94403
ANTHONY L LAWRENCE 25080 E LONE TREE RD ESCALON CA 95320	ROLAND L VALTIERRA 1009 PORTO MARINO DR SAN CARLOS CA 94070	EDDIE N & NANCY A OLIVEIRA 1051 CRESTA WAY SAN RAFAEL CA 94903
DENISE M & JEFFREY T GIL 9293 TESLA RD LIVERMORE CA 94550	ROSEMARIE A SHANNON 608 ATHERTON CT MODESTO CA 95356	JAMES N NAIA 14830 LAKEFRONT DR JAMESTOWN CA 95327
ROBERT S & ANN MARIE CASTRO 4251 GUILFORD AVE LIVERMORE CA 94550	THOMAS E TAYLOR 30282 LEMON AVE ESCALON CA 95320	BRIAN E MOORE 28 LAHOMA CT ALAMO CA 94507
DEAN G & JULY CLAYLAND 295 SPRAUER RD PETALUMA CA 94952	LOYD & HELEN L SMITH 14590 TULLOCH RD JAMESTOWN CA 95327	DAVID BAYLY 3121 CONTI CT PLEASANTON CA 94566
ROBERT G TERRY 2820 SHADY LN JAMESTOWN CA 95327	WILLIAM A FIELDS 4733 BEL ROMA RD LIVERMORE CA 94550	TIMOTHY BRADLEY 5448 ISLAND FOREST PL WESTLAKE VILLAGE CA 91362
RICHARD N & DEBORAH S LUNDGREN 1626 HOLLINGSWORTH DR MOUNTAIN VIEW CA 94040	DAVID S PHIPPEN 13909 LEROY AVE RIPON CA 95366	CHRISTOPHER J KELLER 3413 E RUBY HILL PLEASANTON CA 94566
CINDY J WATTS 515 SYLVAN AVE SAN MATEO CA 94403	THOMAS ALVIN OHLENDORF 2867 SHADY LN JAMESTOWN CA 95327	DONALD J & GABRIELLE B MEEKER 9655 TESLA RD LIVERMORE CA 94550
JOAR A OPHEIM 652 ST ANDREWS DR APTOS CA 95003	LLOYD J BOWLING 2819 SHADY LN JAMESTOWN CA 95327	RODNEY DARRELL HENTON 13440 TULLOCH DAM RD JAMESTOWN CA 95327
KAREN L & DAN DOUGLAS VOGEL 367 CINDY DR RIPON CA 95366	ANTONIO NICOLOSI 3901 PEPPER TREE CT REDWOOD CITY CA 94061	DAVID S HELWIG 10391 VALLEY DR PLYMOUTH CA 95669

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JOSEPH A & SANDRA S WAGDA 547 BLACKHAWK CLUB DR DANVILLE CA 94526	TERRANCE N CLAPHAM 14854 LAKEFRONT DR JAMESTOWN CA 95327	ANDRAS A HITES PO BOX 1926 COLUMBIA CA 95310
TERRANCE N CLAPHAM 14854 LAKE FRONT DR JAMESTOWN CA 95327	DANNY M ANDERSON 22251 VILAS LN SONORA CA 95370	COGAN K MICHAEL 506 AVENUE F REDONDA BEACH CA 90277
BARRY BLACKER 390 GOLDEN HILLS DR PORTOLA VALLEY CA 94028	ARTHUR H & KERSTI R BRONK 5893 ASSISI CT SAN JOSE CA 95138	RICHARD C HOOD 17585 VINELAND AVE MONTE SERENO CA 95030
DANIEL L & JUDY AHRENS 1525 8 <sup>TH</sup> AVE SACRAMENTO CA 95818	PUAL JOSEPH BRUNATO 109 SIERRA MORENA CT LOS GATOS CA 95032	
JAN WIEBE & MARIA STEENKAMP 45 SUMMIT SPRINGS RD WOODSIDE CA 94062	ROBERT C CORRAO 821 OWHANEE CT FREMONT CA 94539	

# Business

## Bear Valley hires a new chef, plans for expansion

Village menus updated, mountain to also get upgrades

BY BRETT BUNGE  
BRETT.A.BUNGE@GMAIL.COM

The new owners at Bear Valley ski resort are stealing a page from the playbook that made Murphys an all-year tourist destination by stealing a Murphys chef.

Jennifer Wren Stoicheff was hired in November — a month before the deal closed that gave the ski resort's ownership to the Toronto-based company Skyline International.

Stoicheff is well known in the lower elevations along Highway 4 as the founder of Alchemy restaurant in



Murphys as well as a long-time caterer.

Stoicheff said she's planning to renovate and update the various restaurants in the Bear Valley Lodge, including the Creekside Patio, Grizzly Bar, and Sky High Pizza.

Stoicheff is a self-taught chef with thirty years of catering experience. She opened Alchemy in 2001.

Now, as Skyline's director of food and beverages and executive chef, Stoicheff is responsible for overseeing all the food and beverage in both the ski area and the vil-

lage, while Head Chef Bob Mason is responsible for menu development and overseeing the back of the house.

Stoicheff said her first task was to update the local restaurants, with special attention paid to those in the Bear Valley Lodge.

"All of the venues in the village now have redone menus," Stoicheff said. "For example, the Grizzly Bar is more of a traditional pub, while the Creekside dining room has a more elegant menu and a sort of 1960s ski area vibe."



Courtesy photos

Jennifer Wren Stoicheff will bring her recipes to Bear Valley, like this olive oil cake with lemon curd, cream and berries, pictured left.

In addition to the renovations that have already been done, Stoicheff is planning even further ahead. As she came on board only recently, there has not been time to make changes to the ski lodge yet, although plans are in the works.

"We're trying to bring in more local and fresh food; Bob Mason has already spoken with Orvis Beef, and we're looking at Arnold Pantry as well," Stoicheff said. "We also have plans

for more diverse restaurants around the mountain, such as an Italian venue. Ultimately, our goal is to deliver a quality dining experience."

That will be a big change at a facility where most of the dining options were routine cafeteria fare.

Skyline representatives say they hope that these new dining experiences, combined with other changes, will help Bear Valley be more of a year round desti-

nation, rather than simply a winter locale.

"We're looking at putting in a family park at the mountain," said Benno Nagger, the general manager. "We are going to update every single room at the hotel. We also want to use the mountain as a concert venue."

Despite the drought, Bear Valley Ski Resort will remain open until April 12, thanks in part to snow machines.

### Arnold office tops the real estate sales charts

Cedar Creek Realty Inc. of Arnold announced it is the number one office in gross sales per agent in Calaveras County for 2014 (and continuing through the first week of March 2015) according to Multiple Listing Service figures. Their sales volume per agent exceeds the closest competitor by more than \$2 million and is more than 50 percent higher than the third ranking company.

The news marks the one-year anniversary of the change in ownership from Doug and Carrie Shinn to Beth Parker and Kelley Stellar. Parker helped found the independent real estate business in 2004 and Stellar joined the firm the following year.

"We've had a great 'first' year of ownership," said Parker. "The transition was seamless. We've expanded, adding three new agents with solid experience and knowledge of the mountain lifestyle and market. The future is bright as our home values continue to improve steadily and sales activity is brisk."

Stellar added, "A better economy in general keeps our vacation rentals full, we have the largest program on the mountain and it is thriving in these times. We have built both sides of the busi-



Courtesy photos

Cedar Creek Realty, Inc. co-owners Beth Parker, left, and Kelley Stellar, right.

ness to keep us in the forefront no matter the emphasis of the market."

Both owners are real estate brokers and their business backgrounds blend well to cover all aspects of real estate in the Sierra. Stellar developed her real estate expertise in the vacation rental and property management industries and later expanded to home sales in the Ebbetts Pass area. She moved to Arnold in 1999, joined the Cedar Creek team in 2005 and has been actively involved in community, school and youth sports activities. Prior to that, Stellar lived in Baja California, Mexico, starting and running a successful fishing charter business with her husband.

Parker's background includes more than two decades of experience in cor-

porate and business marketing for developers, publishers and other businesses. Prior to moving to Arnold in 1995, she had launched her own successful marketing company specializing in business development and change management. She later teamed with the Shinn's to open Cedar Creek Realty, earning her agent and broker licenses along the way. She lives the mountain life and all that it entails from skiing to camping and kayaking.

Doug Shinn retired at the end of 2013 after 30 years of service while his wife Carrie continues as a highly successful real estate agent with Cedar Creek. She was the firm's highest producing agent in 2014. New to the firm in the past year are Chris Reichle and Gary and Suzanne Paris. Reichle, with an expansive professional

### THE BOTTOM LINE

JEREMY D. MALAMED

background in property management, leasing, lending, and real estate sales, is able to cover all aspects of helping people find or sell a home. She is married to Bob Reichle, head golf pro at Sequoia Woods Country Club in Arnold.

Gary Paris and his wife Suzanne joined Cedar Creek Realty with an impressive sales record, reputations for outstanding customer service and a deep appreciation for the community. Gary has been a broker since 1981, and Suzanne has 30 years' experience with a busy Bay Area title company.

They join Toby Jordan, a native of the Ebbetts Pass area, who has years of affiliation with Cedar Creek. Before becoming a real estate agent, Jordan had more than a decade in property and resort management with an emphasis on customer service and client satisfaction.

Cedar Creek's support staff also contributes to the record-setting numbers. The two program managers are Ashley Ballard, who provides valuable escrow coordination, and Teresa Dozier, who handles everything from reservations to repairs with vacation and full-time rentals. Chloe Miller is the office manager and coordinates marketing for the successful real estate business.

### Partners in Tourism

The Tuolumne County Visitors Bureau will host a Partners in Tourism event from 5 to 6:30 p.m. Wednesday, April 1, at Mountain Sage in Groveland. The event is designed to highlight Tuolumne County tourism. For more information, visit [tcvb.com](http://tcvb.com).

### Grape Growers Educational Meeting

The Calaveras Winegrape Alliance will host a grape growers educational meeting from 8:45 to 9:45 a.m. Friday, April 3, at Murphys

Historic Hotel, 457 Main Street in Murphys. Arrive by 8:15 a.m. if you would like to order breakfast. For more information, email [calaveraswines@att.net](mailto:calaveraswines@att.net).

### Get Hired workshop

The Calaveras County Chamber of Commerce is offering a Get Hired Program workshop from 5:30 to 7 p.m., Thursday, April 9 at Mark Twain Medical Center, 768 Mountain Ranch Road in San Andreas.

The workshop will feature Robin Bunting, employment counselor with Calaveras Health and Human Services Agency, talking about the Get Hired Program and answering any questions about the program.

Calaveras County's Get Hired Program is a subsidized wage reimbursement program. The program reimburses employers up to half the employee's wages for hiring eligible Calaveras County CalWORKS participants. The wage reimbursement is available for up to 6 months for each individual hired.

Seating is limited. If you are interested in attending, RSVP with the Calaveras County Chamber of Commerce by calling 754-5400 or emailing [chamber@calaveras.org](mailto:chamber@calaveras.org).

For more information, contact Robin Bunting at 754-6424 or email her at [rbunting@co.calaveras.ca.us](mailto:rbunting@co.calaveras.ca.us).

### Taste of Calaveras

The Angels Camp Business Association will host its ninth annual "Taste of Calaveras" Sunday, April 26, at Camps Restaurant. This annual event is a celebration of wine, food, art and culture in Calaveras County. It showcases only Calaveras businesses and products, wines from Calaveras wineries and foods from Calaveras restaurateurs. Calaveras artists will attend. An art show and silent auction will feature Calaveras experiences and Calaveras products. During the day, there will be local entertainers and demonstrations.

The event will take place from noon to 4 p.m. Tickets

are \$40 in advance and \$50 at the gate. All ticket holders will receive a commemorative wine glass and a great day of wine and food tasting.

Tickets are available at Camps Restaurant, Middleton's, the Calaveras Visitors Bureau or online at [angelscampbusiness.com](http://angelscampbusiness.com).

For more information, call 736-1333 or email [tasteof-calaveras@gmail.com](mailto:tasteof-calaveras@gmail.com).

### First Tuolumne County tourism summit

The first Tuolumne County tourism summit will be held Tuesday, May 5, from 8:30 a.m. to 5 p.m. at the Best Western Plus Sonora Oaks Conference Center.

The event is being held in celebration of National Tourism Week, which runs from May 2-10.

Sessions will include the following topics:

- Have Paws Will Travel: What is being dog-friendly all about and how can it increase your business? Guest speaker Tim Zahner, chief marketing officer of Sonoma County Tourism, will provide two fun and interactive sessions. One will focus on working with media and one will focus on building regional partnerships to leverage your marketing dollars.

- Visit California and the Dream Big Dividend — What does it mean for you?

- What's new in Tuolumne County? Learn about new and renewed trail systems, new partnership opportunities and more.

- For the front line: your toolbox for knowing (almost) everything about Tuolumne County.

The event will finish off with a Taste of Tuolumne, where attendees can sample local flavors.

Cost for the summit is \$50 per person, which includes lunch, or \$35 for Tuolumne County Visitors Bureau partners.

To attend, please RSVP by April 29 by calling 533-4420.

Send your business news and announcements to [jeremy@calaverasenterprise.com](mailto:jeremy@calaverasenterprise.com).

### Announcement of April 11, 2015 Public Meeting for Draft Updated Tulloch Reservoir Shoreline Management Plan

The Tri-Dam Project will hold the following public meeting to discuss the draft updated Tulloch Reservoir Shoreline Management Plan (SMP).

**Date:** Saturday, April 11, 2015  
**Time:** 10:00 AM to Noon  
**Location:** Lake Tulloch Shores at Poker Flat Meeting Room, 385 Poker Flat Road, Copperopolis, CA 95228  
**Purpose:** Discuss Tri-Dam Project's Draft Updated Tulloch Reservoir Shoreline Management Plan

At the meeting, the Tri-Dam Project will: 1) provide some background regarding the Tulloch Reservoir SMP; 2) summarize the contents of the draft updated SMP; 3) provide a brief summary of written comments on the draft updated SMP that the Tri-Dam Project received by March 15, 2015; 4) generally describe how the Tri-Dam Project intends to address the written comments (i.e., this will not be a specific reply to each comment); 5) provide an opportunity for discussion; and 6) describe next steps (i.e., filing of the SMP with FERC by May 1, 2015).

The meeting will focus exclusively on the draft updated Tulloch Reservoir SMP.

If you have any questions regarding this upcoming public meeting, please contact Jim Lynch either by e-mail at [jim.lynch@hdrinc.com](mailto:jim.lynch@hdrinc.com) or by telephone at (916) 679-8740.

# Man arrested on suspicion of assault

By ARBY DIVINE  
The Daily Record Staff

A Sonoma man was arrested Wednesday and another is being sought for the alleged assault of a homicide victim near Sonoma.

Army Christopher Caswell, 29, of the 11300 block of Silver Pine Lane, was booked into the Tulelake County Jail at 5:58 a.m. Wednesday on suspicion of assault with a firearm and making street-level threats. He was arrested at his home, according to booking logs.

The alleged assault occurred on March 3 on property near Caswell's home, according to Sgt. Scott Johnson, spokesman for the Tulelake County Sheriff's Office.



Caswell

Sheriff's Office. Deputies responded about 7 p.m. to a call from Highway 101 and West, Stedden Road and spoke with a 63-year-old resident who said he was threatened by two men, according to Johnson.

The victim was transported to the area. Caswell allegedly fired a shot into the ground near the victim's engagement, Johnson said.

Tulelake County Sheriff's Office detectives arrested Caswell after a search of his home Wednesday yielded evidence, including a handgun, of the assault.

The investigation into the whereabouts of the alleged second suspect is ongoing, Johnson said. Caswell was released from jail Wednesday evening after posting \$50,000 bail.

# No injuries in rollover

Chris Bennett staff

A Sonoma woman was transported Thursday to a hospital after a single-vehicle rollover accident near Long Barn.

Lorraine Giddings, 38, was driving a 2003 Subaru Forester eastbound on Highway 108 about 10:45 a.m. when the accident happened, according to California Highway Patrol spokesman Officer Nick Nertin.

Giddings told officers she

lost control of the car after she tried to avoid a dog, just as an animal, in the road, Nertin said.

She veered into the left lane and overcorrected to the right, causing the vehicle to roll off the right side of the road. It rolled about two times, causing the vehicle to land on its side, according to Nertin.

Giddings was wearing her seatbelt.

Nertin said drugs or alcohol were not a factor in the accident.

# OBITUARIES

## Obituary policy

Obituaries, including photos, are published at a pre-set fee based on size. The deadline is 8 p.m. two business days prior to publication. Call 425-7111, fax 530-5120 or send to [city@sonoma-democrat.com](mailto:city@sonoma-democrat.com).

Funeral services are published at a pre-set fee based on size. The deadline is noon two business days prior to publication. Please call 530-4255 for complete information.

andly missed by her son, Troy and her three grandchildren, Tyler Ashbaugh and Cameron. She will also be missed by her brother, Gary Bogatch, of Tulelake, Washington.

Her ashes will be spread over the same area of Lake Tahoe as her parents. Joe's parents and their daughter, Therese Lane Devereaux.

She is now an angel watching over us from above.

## Gregory 'Gregg' C. Jacob

July 21, 1958 - March 21, 2015

Gregory "Gregg" C. Jacob, a longtime resident of Sonoma, passed away at his home on March 21, 2015, at the age of 56.

Gregg was born on July 21, 1958, in Oakland, California. He worked as the CSR Manager for Tulelake County for 19 years and recently left Group Practice due to illness.

Two half-brothers run over each other's property best to show. How many times has it been said, both after death? An ancient law, each new law reinforces the last, and he is neither one just to be sure, till the clock only round the circle.

I never did learn to tie, but Dad showed me again each spring, he prepared to take aside over the summer past, better for trying little things, house, people, bridge, and which, we placed occasionally in our garden, tucked between California Figs, Coral Bells and Thyme. Summer nights were barbecue and watch a little train lives on the house with a little light in front, a searchlight.



Mardele V. (Bogatch) Devereaux

Mardele V. (Bogatch) Devereaux of Auburn, California, passed away peacefully and unexpectedly in her home on March 20, 2015, of a short battle with cancer.

Mardele was born and raised in Reno, Nevada. In June 1940, the daughter of Vance and Florence (Gladys) Bogatch. She attended Reno High School.

She was the beloved wife of Joseph "Doc" Devereaux, of 50 years, who was also in Reno, Nevada. She will be

Sumner-Thomson.

New the railroad pain dispenser. Greg knows everyone over tomorrow rain, and a group-banned himself under the granite method, opening plants, opening whole houses. I who when knowing one, a professional god who long since abandoned his domain, remember turning the course not over in hand, yearly preparing a policy would that would last but six months till winter. Though I know I'll build up again in time.

The thing about half-brothers is they're hard to write.

Gregg was preceded in death by his father, Fred C. Jacob.

He is survived by his wife of 24 years, Candace; three children, Connor Jacob and Koren Jacob; mother, Betty Jacob; siblings, Vicki Therese and her husband, Ted; sister, Cathie Daniels; mother-in-law, Marge Chanson; brothers-in-law, Thomas and Michael Chanson; sisters-in-law, Lisa Chanson; and nine

## Death notices

Death notices in The Union Democrat are published free of charge. They include the name, age and town of residence of the deceased, the date of death, service information and cemetery information. The deadline to place the day before publication.

**DAVIS** — Howard Keith Davis Sr., 62, of Sonoma, died Wednesday at his home. Terrill and Wilson Funeral Home is handling arrangements.

**JOHNSON** — Shirley Jean Johnson, 83, of Sonoma, died Thursday at Sonoma Regional Medical Center. Terrill and Wilson Funeral Home is handling arrangements.

# IDAHO?

Patrick D. Day  
Licensed Real Estate Broker  
California 209-743-8293

## Traditional Mexican Food

Morelia Mexican Restaurant  
2 for \$20 Dinner Specials  
• Chile Asado or Curry Pasaes & Corn  
• Served Chicken Breast or Turkey Breast & Corn  
• Chile Verde & Chile Colorado Corns Flats  
• Pilsa 1/2 Biscuits (2 for \$2.99)  
• Chile Relleno or Green Asado (vegetarian)  
• Steak Frites (steak served with fries & corn)  
Includes 1/2 hour waitlist, no cash, no card  
Bathes or cash. Offer good 2 p.m. - 10 p.m. (2015)  
MEXICAN RESTAURANT 1814 Reno Street, Sonoma, CA 94960

# NEWS OF RECORD

## TULLAKE COUNTY

The Sonoma Police Department reported the following:

### WEDNESDAY

8:43 a.m., reckless driving — An elderly woman drove northbound on Highway 40.  
8:59 a.m., parking — A man on West Sycamore Street said a big white truck parked in his parking space.  
12:25 p.m., animal complaint — A dead animal was found on Pecca Way.  
2:41 p.m., burglary — A home on Pileta Lane was burglarized.  
6:47 p.m., hazardous situation — A large truck blocked the neighborhood near South Street Street.

### THURSDAY

12:14 a.m., suspicious circumstances — A woman on South Washington Street heard three to four gunshot.

The Sheriff's Office reported the following:

### WEDNESDAY

8:06 a.m., Jamestown — A person on Preston Lane said two suspicious people appeared to be "up to no good."  
10:21 a.m., Sonoma area — A man on Crystal Falls Drive advised deputies he would be shooting blocks to across every game.  
10:35 a.m., Sonoma area — A person on Crystal Falls Drive advised deputies.  
10:33 a.m., Jamestown — A couple was riding on North Drive.  
11:28 a.m., Mill Valley —

## NEWS OF RECORD

Incidents on Golf Links Drive left a dog behind when they moved out of a house.

### 11:23 a.m., Colubia

— A man on South Hill Road rode a bicycle in a residential traffic.

### 11:47 a.m., Sonoma area

— A truck was stolen from a car parked on Duhan Court.

### 5:12 p.m., Jamestown

— A man on Highway 108 reported 211 when he tried to call her.

### 6:52 p.m., Jamestown

— A woman on Terry Street returned a woman's home without her permission.

### 8:54 p.m., La Grange

— A woman on Pine Court said her nephew and his wife harassed her.

### 8:11 p.m., Jamestown

— A woman on Pine Avenue believed she was being followed.

### 8:22 p.m., La Grange

— A woman on Highway 12 drove without headlights.

### 8:31 p.m., Sonoma area

— A man on Washington Court called at his girlfriend and told her to get out of the house.

### 12:58 a.m., Jamestown

— A person on Preston Lane said two suspicious people appeared to be "up to no good."

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## Announcement of April 11, 2015 Public Meeting for Draft Updated Tulelake Reservoir Shoreline Management Plan

The Tri-Dam Project will hold the following public meeting to discuss the draft updated Tulelake Reservoir Shoreline Management Plan (SMP).

**Date:** Sunday, April 11, 2015  
**Time:** 10:00 AM to Noon  
**Location:** Lake Tulelake Shores at Parker Flat Meeting Room, 385 Parker Flat Road, Copperton, CA 95228  
**Purpose:** Discuss Tri-Dam Project's Draft Updated Tulelake Reservoir Shoreline Management Plan

At the meeting, the Tri-Dam Project will: 1) provide some background regarding the Tulelake Reservoir SMP; 2) summarize the contents of the draft updated SMP; 3) provide a brief summary of written comments on the draft updated SMP that the Tri-Dam Project received by March 15, 2015; 4) generally describe how the Tri-Dam Project intends to address the written comments (i.e., this will not be a specific reply to each comment); 5) provide an opportunity for discussion; and 6) describe next steps (i.e., filing of the SMP with FERC by May 1, 2015).

The meeting will focus exclusively on the draft updated Tulelake Reservoir SMP.

If you have any questions regarding this upcoming public meeting, please contact Jim Lynch either by e-mail at [jim.lynch@tdp.com](mailto:jim.lynch@tdp.com) or by telephone at 916-679-8740.

# Discover REAL LIFE

## This Easter

Family Worship Services  
Saturday April 4th at 6pm  
Sunday April 5th at 8:00, 9:30 & 11am

Nursery & preschool care during all services  
Easter egg hunt for all children

**Sierra Bible Church**

SPONSORED BY: Sierra Bible Church, Oakland Insurance Services, California Gold Development, Copperton, Century 21 Real Estate Properties, Inc., Gene Andrew Welch, The Delgado Media Companies, Interfaith Women's Support, Melissa Strayer and The 92 Hours, Service Master Services, Supply, Entry, and a lot more. Call 425-7111



Tri-Dam Project  
Shoreline Management Plan  
(FERC Project No. 2067)

Public Meeting: Draft Updated Tulloch Reservoir Shoreline Management Plan

Saturday April 11, 2015 10am-12pm

Initials	Name and Title	Address	E-Mail Address
JM	Simlyon HARR	2379 Gateway Oaks, Sacramento, CA	j.m.lyne@ndrinc.com
JM	Aimee METZICS	4817 Lakeshore	Aimee1557@Yahoo.com
MM	Dave + Debi Ferguson	797 Dot Circle	dferguson7@sbccglobal.net
JL	Michael McCarty	80017th St NW #1100, Washington DC 2006	michael.mccarty@hblaw.com
JL	John Ledbetter	PO Box 340 Victor Ca 95253	john@vino farms.net
MT	Vivien + Nik Tali	433 Lakeview Dr., Ca. 95228	N7019@AOL.com
GM	Open Maze	474 Sunrise Rd, Colton, CA 95224	TEMA2558@bnc.com
GM	Tom + Connie Ohlendorf	2867 Shady Ln Jamestown, CA 95327	tomohlendorf@netzys.com
RF	Rufus Feriulus	448 Sunrise Rd Copperopolis	
JM	John Martin	6603 Lake Tulloch Pl.	john@driftersmarina.com
FM	Fernando Muzzi	110 Forest Ave Santa Cruz ca 95052	Muzzi.Mando@G.Mail.com
RB	Robert Brimmer	1095 Shoreline Dr., Copperopolis, 95228	rbback@aol.com
	RANDY KIMMACH SCITOUA	15280 BOWDEN AVE MARYAN HILL 95037	RANDYS@SEEGRINS.COM
	BRANNON SCITOUA	732 PARADISO CT SOQUEL CA. 95073	BSCITOUA@ZDYAFFAIRS.COM
RA	RICHARD SINGER	54 BRANNOON CT COPPEROPOLIS 95228	SingerRP@Yahoo.com
JL	Jenny Brock	415 Lakeview Copperopolis 95228	JennyJBrock.com
GB	GEORGE GURNWART	6725 RICEY RD. CC 25228	GEORGE@HARRIS@YAHOO.COM
TS	TRENT BRINN	804 Mother Shippen 95228	Trent.Brinn@SBCGlobal.net
MM	Michael MAHIS	2692 PALATINO CT DUBLIN 94568	Milko10663@COMCAST.NET
SH	STEVE HARRIS	2701 PAUL MARSH DA PARKING CA 94506	SHARRIS@LOCKS.COM
KB	KEVIN BARTON	13 SAUBOUNETT CT COPPER	BAWOMATIC@YAHOO.COM
MM	MARY + DAVE MONTINI	1 WATERGENT CT. COPPER	DRMMM@CALTEL.COM
JH	Jana Hall, Home-Battery	1041 Shoreline, Copperopolis	ca'sbcglobal.net





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# **Stakeholder Meeting to Discuss Draft Updated Tulloch Reservoir Shoreline Management Plan (SMP)**

**Copperopolis, CA  
April 11, 2015**

# Agenda

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1. Introductions
2. Purpose of Meeting
3. Federal Energy Regulatory Commission
4. SMPs at FERC-Licensed Projects
5. Purpose of FERC Tulloch Reservoir SMP
6. Overview of Tulloch Reservoir Updated SMP
7. Process to Updated Tulloch Reservoir SMP
8. Comments
9. Questions
10. Next Steps



# Purpose of Meeting

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The purpose of this meeting is to review with interested parties the Draft Updated Tulloch Reservoir Shoreline Management Plan (SMP), general topics of the comments that were received, and to answer questions on the Draft Updated SMP.

Tri-Dam will continue to implement the version of the SMP approved in the February 16, 2006 license order until the Updated SMP is approved by FERC.

# Federal Regulatory Energy Commission

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- The Federal Energy Regulatory Commission (FERC) is an independent, federal agency that authorizes the construction and operation of non-federal hydropower development in the United States.
- FERC Issues licenses with terms of from 30 to 50 years.
- On February 16, 2006, FERC issued to Tri-Dam a license for the Tulloch Hydroelectric Project.
- The license requires Tri-Dam to update the Tulloch Reservoir SMP that was approved in Article 411 of the license.

# SMPs AT FERC-LICENSED PROJECTS

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- SMP's may be required by FERC for all hydro projects where shoreline development by parties other than the licensee occur.
- SMPs are required to address both residential and commercial shoreline development.
- Allows existing licensee to approve certain proposed shoreline development without prior FERC approval.
- FERC maintains jurisdiction over all development activities that occur within the FERC Project Boundary at FERC-licensed projects, but under an SMP, FERC defers approval authority to the licensee for activities such as docks.

# Purpose of Tulloch Reservoir SMP

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- FERC requires that the Tulloch Reservoir SMP include provisions that allow for the protection of Tri-Dam's power generation interests while protecting and enhancing the scenic, environmental and public recreational shoreline values at the reservoir.
- At Tulloch Reservoir, the normal high water elevation during the summer months ranges from 506.5 feet to 509.5 feet, and the reservoir is considered at full pool volume at elevation 510 feet. The FERC Project Boundary, meaning those areas that Tri-Dam is obligated to review and permit is set at the 515 foot elevation, thus activities that occur at the 515 foot elevation and below are subject to review and conformance with the SMP, and other applicable Tri-Dam regulations.

# Overview of Tulloch Reservoir Draft Updated SMP (1 of 3)

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- Addresses shoreline uses and proposed residential and commercial development within the FERC Project Boundary.
- Designed to provide a comprehensive policy for managing shorelines consistent with Project purposes by providing clear guidelines for shoreline development.
- Provide coordination with other FERC-license resource management plans in effect at Tulloch Reservoir.
- Required Tri-Dam to perform an assessment at least every 10 years to determine if the SMP is meeting current needs and conditions, and if any changes to the SMP are needed.

# Overview of Tulloch Reservoir Draft Updated SMP (2 of 3)

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- Contents
  1. Introduction
  2. Goals, Policy and Management Implementation
  3. Land Use and Shoreline Classifications
  4. SMP Permitting Processes
  5. References Cited
- Appendices
  - A. Land Use Designations
  - B. Land Ownership within FERC Project Boundary
  - C. Map of Special Status Species within Boundary (Redacted)
  - D. Map of Valley Longhorn Beetle Habitat within Boundary
  - E. Map of Vegetation Types within Boundary
  - F. Map of Noxious Weeds within Boundary
  - G. Maps of Historic Property Locations within Boundary (Redacted)
  - H. Consultation Record

# Overview of Tulloch Reservoir Draft Updated SMP (3 of 3)

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- Provisions for residential docks and buoys.
- Permitting of commercial development.
- Methods for mitigating shoreline erosion due to development.
- Prohibitions on shoreline alteration, cutting or filling.
- Landscaping restrictions on project lands.
- Campfire and burning restrictions.
- Standards designed to maintain navigability and public safety at Tulloch Reservoir.
- Permission for shoreline development activities is granted by Tri-Dam through issuance of an encroachment permit.

# Process to Updated SMP (1 of 3)

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- Consultation following license issuance resulted in initial updated SMP being filed with FERC for approval on 6/23/08.
- On March 28, 2014, Tri-Dam filed a request with FERC to withdraw the 2008 SMP to update and refile it for approval.
- On April 1, 2014, FERC approved Tri-Dam's request and set the deadline for filing an updated SMP as May 1, 2015.



# Process to Updated SMP (2 of 3)

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- On December 31, 2014, Tri-Dam filed the Draft Updated SMP with FERC and distributed it to parties listed in Article 411 asking for written comments by February 2, 2015. The parties include:
  - US Fish and Wildlife Service
  - California Department of Fish and Wildlife
  - Tuolumne County
  - Calaveras County
  - Representatives of homeowners associations that have land that directly abuts Tulloch Reservoir (Copper Cove at Lake Tulloch Owners' Association, Lake Tulloch Alliance, Connor Estates Master Association Black Jack Bluffs Association Peninsula Estates Association, Lake Tulloch Shores Subdivision, Calypso Bay Property Owners Association)
- Also sent to Bureau of Reclamation, Bureau of Land Management and Central Sierra Environmental Resource Center.

# Process to Updated SMP (3 of 3)

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- Tri-Dam extended its outreach past the requirement in the FERC license.
  - On January 14, 2015, Tri-Dam distributed notice of the Draft Updated SMP availability to over 150 landowners surrounding Tulloch Reservoir for review and, and extended the written comment deadline to March 15, 2015 to allow additional time for the filing of comments.
  - Tri-Dam is holding this public meeting to further explain the SMP Update process, and the additional steps moving forward.
- Tri-Dam will address all written comments and file a revised Updated SMP with FERC by May 1, 2015.

# Comments Topics (1 of 3)

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- Tri-Dam was contacted via e-mail or letter by 14 parties interested in the Draft Updated SMP, and received written comments from 10.
- Also, received phone calls from a few individuals, primarily asking procedural questions about the document and process.

## Comment Topics (2 of 3)

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Some comments received on the Draft Updated SMP touched on topics that are outside the SMP program:

- Drought operations
- Aquatic weeds
- Two-stroke outboard engines
- Counties' role
- FEMA flood line / dam elevation datum
- Public recreation access site

Other than noting that the comments were received and providing information about these topics and where they are addressed, these will not be addressed in the Draft Updated SMP that will be filed with FERC.

# Comment Topics (3 of 3)

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- Non-motorized boating zones in Black and Green Springs arms
- Size of jet ski ports
- New residential and commercial development
- New docks
- Dredging at private residences
- Attaching Tri-Dam encroachment permit Application Form to Updated SMP
- SMP fees
- Landowner rights

# Questions

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# Next Steps

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- All of the written comments received to date are being thoroughly considered and will be evaluated and addressed in the revised Draft Updated SMP.
- Tri-Dam will file the revised Draft Updated SMP and required documentation of consultation with FERC by May 1, 2015 for FERC's review and approval.
- Tri-Dam will continue to implement the version of the SMP approved in the February 16, 2006 license order until the Updated SMP is approved by FERC.

# Thank You for Coming

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Document Content(s)

01\_2015-0501\_PUB\_FERC SMP Transmittal Letter.PDF.....1-1  
02\_2015-0501\_PUB\_Updated Tulloch SMP.PDF.....2-153