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**BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE**

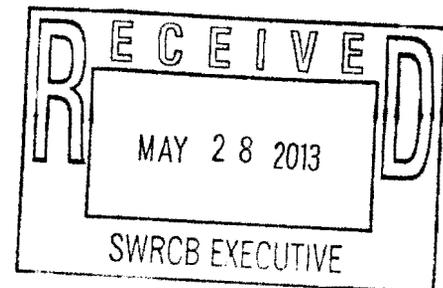
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Evan Royce, *Third District*
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May 21, 2013

Thomas Howard, Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



Re: Modify Pinecrest Lake minimum water elevation

Dear Mr. Howard:

The Tuolumne County Board of Supervisors is greatly concerned with the State Water Resources Control Board's (SWRCB) decision to prioritize recreational use over domestic use for summer water deliveries from Pinecrest Reservoir to Tuolumne Utilities District (TUD). By placing recreation use above that of consumption places the residents of Tuolumne County in jeopardy of not having this critical water resource during the most critical summer months. Consumptive use should trump recreation and it is imperative that the current water policy for Pinecrest Reservoir be reversed to align with historical practice and to agree with State Water Code.

On December 16, 2011, TUD and PG&E submitted a request to the SWRCB to allow for lower lake levels at Labor Day in order to support domestic water supply. The modified lake level request, if applied, provides reasonable water supply for the next 30 years and allows for a Labor Day Pinecrest elevation as low as 5,600 feet. Tuolumne County supports this request as one possible solution to improve the County's domestic water supply.

Flexibility should be built into Pinecrest Lake's water prioritization system. During normal precipitation or wetter than normal precipitation years, the State Water Quality Control Board's decision to make recreational water use its top priority should not be a problem. However, in 13 out of the past 38 years, TUD has needed to draw water from Pinecrest prior to Labor Day. A flexible water use policy is needed.

The citizens and visitors to Tuolumne County depend on the availability of water for domestic, business, and agricultural uses. Fire flow is another critical issue facing

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Tuolumne County and the unavailability of water during the driest summer months would be a travesty. In addition, development activity may diminish if water availability is in question.

According to legal analysis done by TUD, the new policy of placing recreational water use over domestic use is in direct opposition to the State Water Code. The Water Code appropriately makes domestic water use its highest priority, but it also gives flexibility to weigh other competing uses in making water allocation decisions.

The economy and community of Tuolumne County rely on adequate water supplies to support existing and future business, recreation and tourism, and the general population. The current rigid decision to place recreation uses above domestic is unfortunate, potentially dangerous to the residents of Tuolumne County, and is not backed by State law. Flexibility should be introduced into the allocation of Pinecrest Reservoir's water. Pinecrest Reservoir's water supply predictability and reliability can be achieved for TUD customers, PG&E, the State Board and recreation at the lake by approval of the modified lake level being requested by TUD and PG&E.

The attached fact sheet produced by TUD gives specific information about summertime lake levels and historical use of Pinecrest's water. The Tuolumne County Board of Supervisors requests a reverse of current water priorities at Pinecrest Reservoir, giving greater flexibility to support domestic water needs during the dry summer months.

Sincerely,



Randell A. Hanvelt, Chairman

Cc: State Water Board Members
Tom McClintock, Congressman, 4th District
Jerry Brown, Governor
Tom Berryhill, Senator, 14th District
Frank Bigelow, Assemblyman, 5th District
Susan Skalski, Stanislaus National Forest Supervisor
Pacific Gas & Electric
Pete Kampa, Tuolumne Utilities District

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

By: 
ALICIA L. JAMAR
Clerk of the Board



TUOLUMNE UTILITIES DISTRICT

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FACTS REGARDING TUD'S WATER SUPPLY AND PINECREST LAKE

- Tuolumne Utilities District (TUD) receives 95% of the community's water supply from Pinecrest Lake and Lyons Reservoir, through a contract with Pacific Gas & Electric (PG&E).
- Currently TUD does not have other water stored for use during the summertime.
- Federal regulations require that PG&E target a water level at Pinecrest Lake above an elevation of 5610 feet above sea level through Labor Day, if possible, to support recreation at the lake. Then in 2009, the State Water Resources Control Board (SWRCB) set a minimum mandatory Labor Day Pinecrest Lake elevation of 5608, which prohibited the delivery of water from Pinecrest to TUD in many years during the summer months through Labor Day, when the water is needed the most.
- Pinecrest Lake has been drawn down below the water elevation of 5608 feet at Labor Day in over half the years since 1974.
- The SWRCB directed PG&E to complete a study to determine the minimum operating lake level that protects specific recreational uses at identified facilities located at Pinecrest Reservoir between the End of Spill and Labor Day. The Pinecrest Lake Level Study is completed and reveals that impacts to recreation are minimal to non-existent and can be remedied by adding new beach sand, removing tree stumps and boulders.
- Based on the Lake Level Study, on December 16, 2011, TUD and PG&E submitted a request to the SWRCB to allow for lower lake levels at Labor Day in order to support domestic water supply. The modified lake level request if applied; provides reasonable water supply for the next 30 years and allows for a Labor Day Pinecrest elevation as low as 5,600 ft.
- The importance of these requested water level elevations if approved are;
 - The flexibility to provide water to Tuolumne County depending on the snowpack and dry weather conditions.
 - The boat docks and ramps at Pinecrest are usable at all lake elevations requested.
 - The swimming area at Pinecrest remains no different than it has been operated in the past and it can be expanded in the future by moving buoys outward.
- Currently PG&E and TUD are required to keep the water level as high as possible at Pinecrest through Labor Day; and if approved, the requested modified lake level would not change that.



Pinecrest Lake at a lake level elevation of 5608