



October 24, 2011

State Water Resources Control Board
Division of Water Rights
Attention: Kari Kyler
P.O. Box 2000
Sacramento, CA 95812-2000

Re: Sep 29 2011 Revised Notice Spring-Gap Stanislaus Hydroelectric Project – Pinecrest Reservoir Minimum Lake-Level

Dear Ms. Kyler,

Comments regarding the '**Pinecrest Reservoir Lake Level Study Report, Final, April 2011, (FERC Project No. 2130)**' on behalf of the Board of the Pinecrest Permittees Association [PPA].

Then PPA provides water, sewer, road maintenance, fire protection & emergency services to over 400 Permit holders in the Pinecrest Basin of the Stanislaus National Forest. We appreciate the great effort that has been expended to fairly represent all parties impacted by Pinecrest Lake levels. This process has been underway for several years and a consensus was once achieved. It is unfortunate that some members of that compromise have now been more aggressive in seeking additional & earlier flows downstream. By now you have heard from many of our members individually but I would like to express our disappointment at the re-opening of this discussion for the advantage of one downstream user.

The proposed earlier flows will benefit the Tuolumne Utilities District (TUD) which participated fully in the Stanislaus Planning Action Team [SPLAT] process of 2008-2009. It is our understanding that much of the infrastructure of TUD is an "open ditch system" which causes a dramatic amount of water loss. When discussing long term lake levels the infrastructure of the TUD should be analyzed and improved for the benefit of all parties involved, including the TUD. We believe the goals of the PPA & the TUD can go hand-in-hand. Recreation is vital to the economic survival of Tuolumne County and a shortened recreation season creates an undesirable economic environment to the county.

Maintaining the seasonal recreation period at Pinecrest Lake to it's more common ending [October 1] is to the benefit of the PPA & the TUD. The selection of Labor Day as the end of the season is an anachronistic and arbitrary date selected at one time for convenience. The Lake continues to see extensive visitor use between Labor Day and the middle of October.

The continuing use of a lowered Lake during this Labor Day to October period has a diminished safety aspect. Maintaining the higher Lake level during this period provides a safer environment. As the lake level recedes, especially below 5603', there are numerous obstacles which sit at or just below the surface creating hazards to emergency personnel, recreation users, utility workers and cabin owners.

The Pinecrest Permittees Association encourage the SWRCB to look at the lake level of Pinecrest Lake from all perspectives and would encourage a surface elevation as high as possible for as long as possible throughout the season. I would like to stress the importance of considering a more realistic recreation season instead of a Labor Day date established when downstream flows were not a high demand. Please maintain the consensus developed during the extensive Stanislaus Planning Action Team process.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Fisher", written over a horizontal line.

Tim Fisher
President