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July 25, 2012

Susan Skalski  
Forest Supervisor  
Stanislaus National Forest  
19777 Greenley Road  
Sonora, CA 95370

RE: Final Shoreline Management Plan

Dear Forest Supervisor Skalski:

I write this letter with a request for your action and intervention regarding the Shoreline Management Plan (SMP) submitted to FERC on July 23<sup>rd</sup>.

As submitted, the SMP threatens all watercraft owners who utilize Pinecrest Lake with numerous unintended consequences. These will be the more recent of two decades worth of unintended consequences that I have personally witnessed. One of the very earliest is the ADA Fishing Pier and extension, the smaller and hazardous pod of which is now scheduled for removal. This and others, individually, may seem insignificant but each unintended consequence leaves its mark on the serenity of our community and the Summit Ranger District's management time and budget. For example, the SMP states the commercial buoy operator be required to remove their buoys at Labor Day. How will boats be moored after that? The Marina operates well into October but private moorings will not be allowed? --Unintended consequences to the public's ability to enjoy and use Pinecrest Lake.

Now PG&E submits a SMP that makes dramatic changes without offering substantiated proof that these changes are needed. PG&E admits that the SMP is subject to change as conditions warrant. What justifies the expense of making these changes at this time? Wouldn't it be better to leave the things pretty much as they exist, and have existed for many decades, and apply any changes that are 'proven to be needed' as they arise? This appears to be a more realistic approach than making the changes that have not been proven to be needed and will lead to more unintended consequences.

Implementation of this plan ***puts the cart before the horse*** for some of the following reasons:

What if the demand for recreational use of Pinecrest falls off due to:

- a. continued unemployment in the county and surrounding counties;
- b. the price of gasoline rises;
- c. drought reduces the lake level;
- d. weather patterns affect the 'summer' season (for example, the lake is often swimmable well into October);
- e. school summer vacation dates change;
- f. new types of watercraft become available for use on the lake, i.e., para-boarding.

I could extend this list substantially, however I hope that you see my main point. Keeping the status quo and making only changes that are proven to be needed, not just from some guess that they may

be needed in the future would greatly reduce the possibility of additional 'unintended consequences' that the Summit RD has seen happen time and time again.

There is no way of predicting that any of the changes introduced in the SMP will "***help ensure that future generations have the opportunity to enjoy the recreation opportunities found at Pinecrest Lake.***" Many past generations can, and clearly have, commented on the enjoyment that they have already obtained from Pinecrest Lake. What makes PG&E and the Forest Service believe that this enjoyment would not continue into the future? Surely if the past is any prognosticator of the future it has a better chance of not having any unintended consequences than a brand new plan does!

To be prepared for the unknown is specious. Show data that verifies why these changes are required. One does not have to be an engineer in order to review the paucity of data to come to the same conclusion.

I encourage you to investigate the conflicts enumerated in the SMP. The SMP refers to a PG&E report from 2002, that lists conflicts such as dogs off leash, which actually is a County crime, and noise from campers, which is a responsibility of the campground concessionaire – who are loathe to do any thing about any campground violations. The SMP makes no mention of how any of the 'conflicts' on the shoreline will be resolved. The SMP only sacrifices the boating public, and for what purpose?

More dramatically still, FERC's, FS 4(e) Condition 29 required PG&E to "... *address the privately owned boat docks and mooring balls.....*". Which PG&E interpreted to mean it had a right to institute draconian measures that will affect the boating public in ways that are sure to inflict distress and that are discriminatory. Additionally, no other FS provided service or facility in the shoreline charges any fee for use of the Lake.

Finally, PG&E lists approximately 240 comments that they recorded from public meetings. Of these comments 18% were responded to with "... *this issue(s) are addressed in the Recreation Implementation Plan rather than in the SMP*". Nine percent (9%) were responded to by referring to the *Traffic Circulation and Parking Plan* and 8% were for issues with the *County*. Since all three of the 'Plans' are intertwined and some issues need to be taken up with the County, how can anyone fully evaluate the content of the SMP on its own merit?

What PG&E did not mention is that after the draft SMP was released over 200 letters were sent to FERC mostly on these same issues. I'm sure that this release will have a similar result.

Therefore I ask you to contact FERC's Dispute Resolution Service (DRS) and request that they set up the procedure for their mediation service. The DRS has told us that the Commission has the authority to order a utility to conduct mediation. While we would prefer not having to use legal means to come to an agreement on these issues, we appear to be forced into this consideration since PG&E and the FS are remiss in creating a plan that has no basis in fact and does not fully reflect public input.

Thank you for your consideration. I would appreciate hearing of your action.

Sincerely,  
(original signed by)

Allen Green

Cc: FERC DRS, FERC, FS Region 5, PG&E, PPA, FOP, Summit RD, USSenators, USRepresentative, CA Senator, CAAssemblymen, UnionDemocrat, ModestoBee