

# **DRAFT TULLOCH RESERVOIR SHORELINE MANAGEMENT PLAN**

**2026 DRAFT DOCUMENT FOR COMMENT**

Tulloch Hydroelectric Project  
FERC Project No. 2067

<month> 2026

©2026, Tri-Dam Project  
*All Rights Reserved*



**Table of Contents**

<b>Section No.</b>	<b>Description</b>	<b>Page No.</b>
<b>GLOSSARY</b> ..... GLO-1		
1.0	Introduction .....	1-1
1.1	Description of the Tulloch Project .....	1-3
1.2	Purpose, Objectives and Goals of the SMP.....	1-6
1.3	Coordination with other Parties in Implementing the SMP .....	1-7
1.4	SMP Provisions to Protect Sensitive Environmental Resources.....	1-8
1.5	Periodic Assessment of Updates to the SMP .....	1-8
1.6	History of Shoreline Management at the Tulloch Project.....	1-9
2.0	Goals, Policies and Management Implementation. ....	2-1
3.0	Land Use and Shoreline Classifications .....	3-1
4.0	SMP Permitting Processes .....	4-1
4.1	General Requirements .....	4-1
	4.1.1 Application Procedure.....	4-1
	4.1.2 Construction .....	4-2
	4.1.3 Inspection .....	4-3
	4.1.4 Tri-Dam Project’s Role in Issuing Permits under the SMP .....	4-3
	4.1.5 Violations and Enforcement.....	4-4
4.2	Commercial Facilities Program.....	4-4
	4.2.1 General .....	4-4
	4.2.2 Application Procedure.....	4-5
	4.2.3 Criteria for Commercial Facilities.....	4-5
4.3	Private Facilities Program .....	4-5
	4.3.1 General .....	4-5
	4.3.2 Application Procedure.....	4-6

**Table of Contents (continued)**

<b>Section No.</b>	<b>Description</b>	<b>Page No.</b>
	4.3.3 Criteria for Private Facilities .....	4-6
4.4	Excavation Program .....	4-7
	4.4.1 General .....	4-7
	4.4.2 Application Procedure.....	4-7
	4.4.3 Criteria for Excavation .....	4-7
4.5	Shoreline Management and Stabilization Program.....	4-8
	4.5.1 General .....	4-8
	4.5.2 Application Procedure.....	4-8

4.5.3	Criteria for Shoreline Stabilization and Erosion Protection Facilities .....	4-8
4.6	Buoys and Signage Program .....	4-9
4.6.1	General .....	4-9
4.6.2	Application Procedure.....	4-9
4.6.3	Criteria for Buoy Installation .....	4-9
5.0	References Cited .....	5-1

**List of Figures**

<b>Figure No.</b>	<b>Description</b>	<b>Page No.</b>
1.1-1.	Water Projects in the Middle Fork, South Fork and main stem of the Stanislaus River.....	1-4
1.1-2.	Tri-Dam Project’s Tulloch Hydroelectric Project facilities and features.....	1-5

**List of Tables**

<b>Table No.</b>	<b>Description</b>	<b>Page No.</b>
------------------	--------------------	-----------------

## ATTACHMENTS

Attachment A	Map of County Land Use Designations within the FERC Project Boundary
Attachment B	Map of the Land Ownership within the FERC Project Boundary
Attachment C	Consultation Record
Attachment D	Adequacy Assessment

Page Left Blank

# **GLOSSARY**

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

<b>Term</b>	<b>Definition</b>
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
<b>CESA</b>	<b>California Endangered Species Act</b>
Chief	Federal Energy Regulatory Commission's Chief of Land Resources Branch
CNDDB	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.

**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

---

*Proposed: Tri-Dam's FERC license requires it to evaluate its Shoreline Management Plan (SMP) every 10 years and to file a revised SMP, for FERC approval, should that assessment determine that a revised SMP is warranted.<sup>1</sup> Tri-Dam performed a SMP adequacy assessment in early 2026 and has determined that a revised SMP is necessary. A copy of Tri-Dam's assessment is included in Attachment D. A complete history of Tri-Dam's shoreline management program is detailed in Section 1.6, History of Shoreline Management at the Tulloch Project.*

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> *Proposed: This revised SMP is being developed in consultation with . . . . A record of the consultation is included in Attachment C.*

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

---

<sup>1</sup> The FERC Project Boundary is the area that the Tri-Dam Project uses for normal Project operations and maintenance. The

<sup>1</sup> See Article 411 and FERC's Order Approving and Modifying Shoreline Management Plan issued September 8, 2016, as modified by FERC's Errata issued September 28, 2016 [add FERC cites].

boundary is shown in Exhibit G of the new license  
2

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.



*Proposed/KS: 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.*

## 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. *Proposed: The Project is owned and operated by the Tri-Dam Project, a joint venture of the Oakdale Irrigation District and South San Joaquin Irrigation District.*

Major Project facilities include: 1) the 200-ft high Tulloch Dam, located 62 miles (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 of about 1,260 acres at the Normal Maximum Water Surface Elevation (NMWSE); and 3) the Tulloch Powerhouse, located on the north side of the Stanislaus River at the base of Tulloch Dam, which consists of three units (two 11.7 megawatt [MW] units and one 6.8 MW unit)..

*Proposed: Tulloch Reservoir supports multiple authorized uses, including hydropower generation, recreation, and shoreline development subject to the provision of this Shoreline Management Plan.* 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

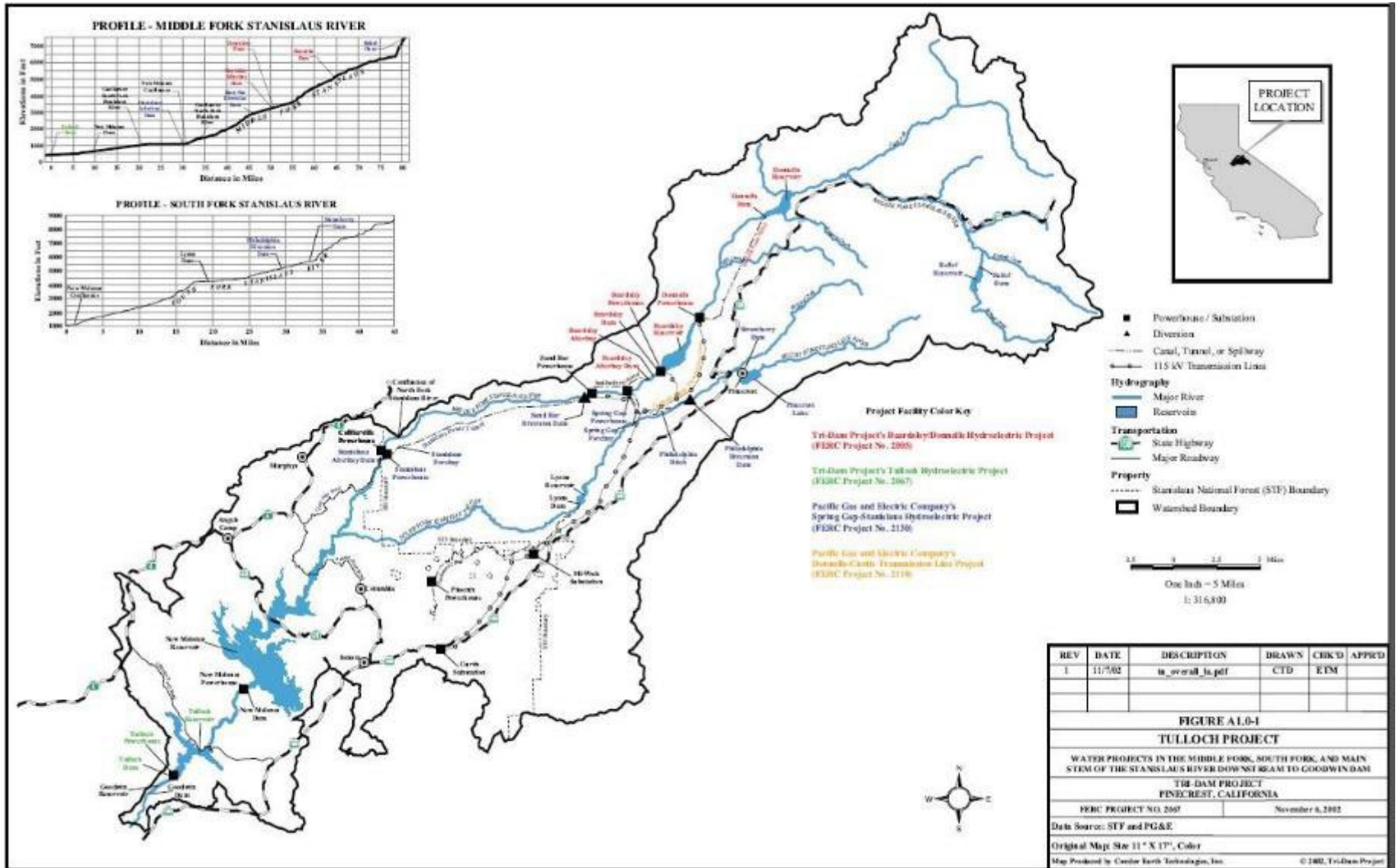


Figure 1.1-1. Water Projects in the Middle Fork, South Fork and main stem of the Stanislaus River.

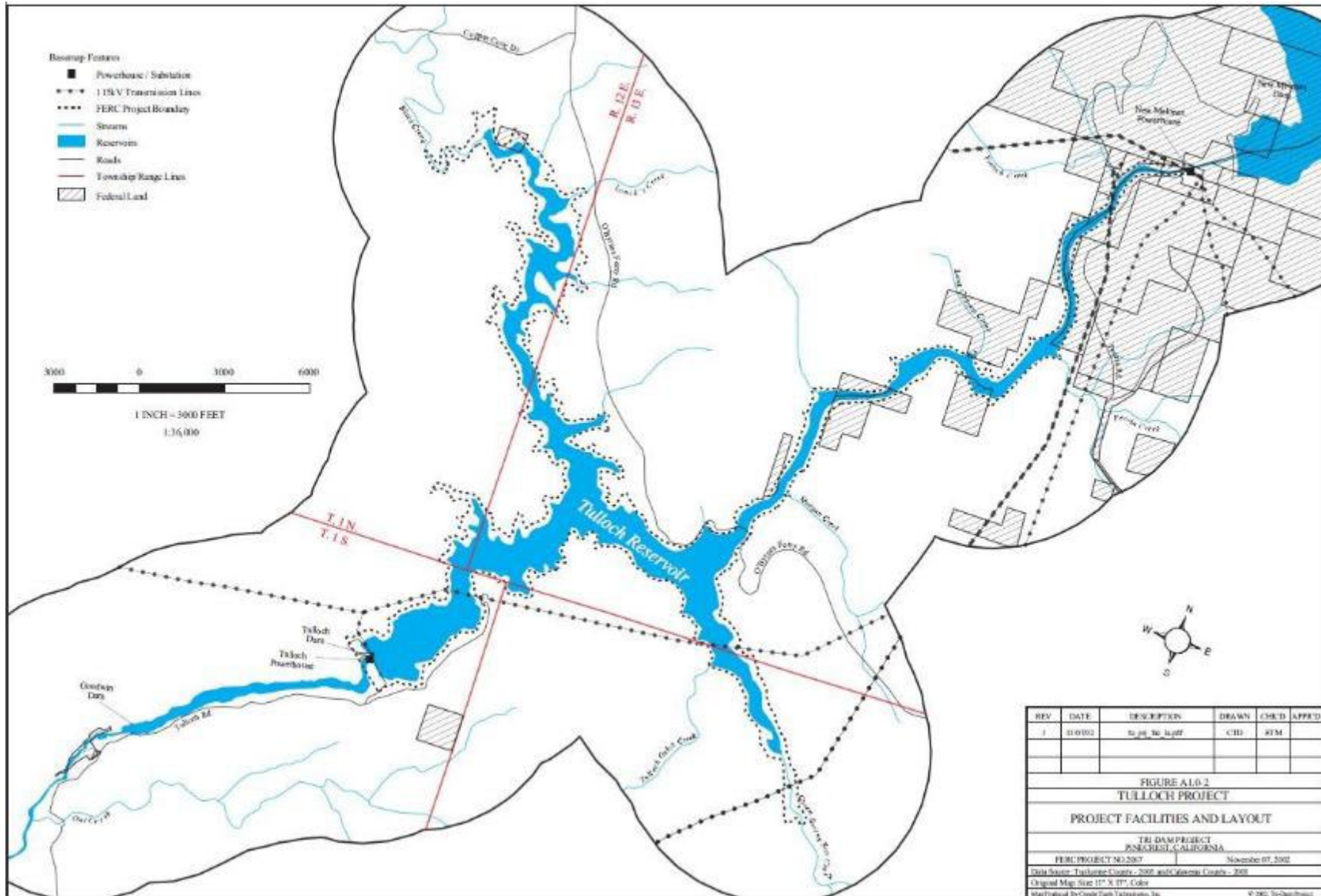


Figure 1.1-2. Tri-Dam Project’s Tulloch Hydroelectric Project facilities and features.

## 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, through 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, recreational, and other environmental values 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. *Proposed: Tri-Dam has an existing enforcement policy that it uses to identify those grandfathered facilities that have been repaired, upgraded, or replaced in a manner that they no longer qualify as being grandfathered. Tri-Dam will require such facilities to comply with these guidelines or be removed (See Section 4.1.4 below).* 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.

### 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.

### 1.4 SMP Coordination with Other FERC and Non-FERC Conditions

Tri-Dam will coordinate, to the extent appropriate, the efforts required under this revised SMP with other resource management plans and conditions required by the FERC license. Some of these resource management plans include and can be found within the FERC elibrary on their website:

- Shoreline Erosion Monitoring Plan (Article 401 & 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).

*Proposed (TDP): In addition, we are working with State and local agencies to coordinate to response to the widespread presence and continued spread of invasive mussels nationwide and globally, Tri-Dam updated the (call out the effort but don't use name of prevention plan) Tulloch, Beardsley, and Donnells Reservoir Invasive Mussel Prevention Plan in April 2025 in consultation with State agencies. Such plans are not required by the FERC license and are implemented as an off-license program. Tri-Dam will coordinate implementation of this SMP, to the extent appropriate, with its plan to prevent invasive mussels to support consistent shoreline and reservoir management practices.*

*Proposed: Tri-Dam will also coordinate implementation of this SMP, as appropriate, with the Buoy Master Plan to ensure consistency between shoreline authorizations and navigational safety measures within the reservoir.*

## 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 potential changes to the SMP are identified, the Tri-Dam Project will initiate consultation by providing notice of proposed SMP revisions to the United States Department of the Interior (DOI), Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), 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 upon approval 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 (add: United States Army Corps of Engineers [USACE], California State Water Resources Control Board [SWRCB], USFWS, CDFW, 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 in conjunction with its 10-year adequacy assessment report.** Documentation of consultation and the Tri-Dam Project's response to comments or recommendations, including those not adopted, will be included with the filing (the adequacy assessment for this revised SMP is included in **Attachment D**). 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 the 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 *with the limit of one dock per lot* and, at present, there are approximately 500 single-family residential docks along the shoreline.

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:

- CDFW;
- USFWS;
- Others?;
- 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.

### 2015 Tulloch Reservoir SMP

To update the existing Tulloch Reservoir SMP, on December 31, 2014, the Tri-Dam Project filed a Draft Updated Tulloch Reservoir SMP with FERC and distributed it to the USFWS, CDFW, 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.

*Proposed: FERC approved Tri-Dam's 2015 SMP by order issued 9/8/16 w eratta 9/28/16. . .*

*Proposed:*

### 2026 Tullock Reservoir SMP

*As discussed above, Tri-Dam has performed its 10-year assessment and has determined a Revised SMP is warranted. This draft Revised SMP is being distributed to . . .*

Attachment C includes documentation of Tri-Dam Project's consultation, and a response to each comment received by Tri-Dam Project.

---

<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

---

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. *Proposed: Manage shoreline development in a manner that limits expansion of private facilities and prioritizes navigational safety, water quality protection, and long-term reservoir management objectives.*

#### **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.

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.

*Proposed: Implement management controls, including temporary or permanent limitations, on the authorization of new private boat docks where necessary to address safety, capacity, inspection capability, or resource protection concerns.*

*Proposed: Restrict the authorization of private launching ramps such that privately owned ramps for individual use are not permitted, and launching access is limited to designated facilities operated by homeowners associations, marinas, or other approved entities subject to inspection and applicable aquatic invasive species prevention requirements.*

### **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 FERC Project Boundary, provided that adequate separation between existing lot lines can be achieved and all applicable SMP criteria are met, and that the dock conforms to the current SMP standards unless a previously approved variance remain in effect.

#### **Implementation Measures**

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.

**Add Bottom Barrier mat – Possible Erosion mats to include**

Encourage the counties to continue enforcement of guidelines for violations of permit or other regulatory requirements. *Proposed: Docks are intended for access and short-term use associated*

*with active recreation; long-term mooring, anchoring, or storage of vessels within the reservoir or at docks is prohibited. Temporary tie-up of vessels for loading, unloading, or immediate recreational use is allowed.*

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

##### **Policy:**

*Proposed: Prioritize the safety of reservoir users by supporting consistent enforcement of boating laws, maintaining navigational controls, and reducing conditions that contribute to congestion, conflicts, or unsafe operation.* Work cooperatively with the counties' Sheriffs Departments to ensure that boating regulations are enforced. Develop instructional programs to better educate reservoir users.

*Proposed: Support education and outreach efforts that promote safe and responsible use of the reservoir. Encourage the Sheriffs' Departments to continue enforcing speed limitations, as required by applicable laws.*

##### **Implementation Measures**

Cooperate with the Sheriffs' Departments on their implementation of the buoy and signage project **which is maintained to support navigational safety and clearly identify restricted or hazardous 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, **with emphasis on safe operation and avoidance of navigational hazards.**

Encourage the Sheriff's 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 opportunities are maintained, including for pleasure boaters, water skiers and wake boarders, swimmers, anglers and personal watercraft users, **in a manner that minimizes user conflicts and supports safe recreational use.**

##### **Implementation Measures:**

Continue to conduct periodic surveys of water recreation users and residents to determine levels of satisfaction with the quality of recreational experience, including access to facilities, crowding, perceived safety, 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. *Proposed: Require all shoreline facilities to conform to current SMP standards unless a previously approved variance remains in effect, recognizing that non-conforming facilities may contribute to navigational hazards or unsafe operating conditions.*

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, boating 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.

**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 *through coordinated shoreline and reservoir management activities.*

**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.

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

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.

*Proposed: Coordinate shoreline facility authorization and management actions under this SMP to avoid cumulative impacts that could adversely affect water quality or nearshore environmental conditions.*

**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 **while maintaining the natural shoreline of Tulloch Reservoir.**

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.

*Proposed: Require shoreline stabilization associated with new or replacement shoreline facilities to utilize riprap or comparable natural materials. Replacement of existing retaining walls may be authorized only where necessary to address documented structural failure or safety concerns.*

## **GOAL 8: ENFORCE THE SMP'S RULES IN A CONSISTENT MANNER TO ENSURE THE GOALS OF THE SMP ARE IMPLEMENTED**

### **Policy:**

Enforce the SMP's rules, including those rules governing grandfathered structures, in a consistent manner to ensure the goals of the SMP are implemented.

Emphasize compliance verification to ensure that shoreline facilities and associated use of the reservoir occur only where facilities are properly permitted and operated in accordance with applicable laws and regulations.

### **Implementation Measures:**

Tri-Dam will increase inspections of existing and proposed facilities. . .

Tri-Dam will require permittees to provide photos of their structures and a self-certification stating that their structures continue to meet the requirements of this SMP. Reports will be required every 5 years with a phased-in starting in 2027. . .

Tri-Dam will increase its existing enforcement of non-conforming structures by taking the following measures. . .

*Proposed: Implement an administrative verification program, including the issuance of identification stickers or similar markers, to confirm that docks and associated watercraft access are*

*authorized under a valid Tri-Dam permit.*

*Proposed: Require participation in the verification program as a condition of dock authorization and continued use of shoreline facilities.*

*Proposed: Use the verification program to support compliance monitoring and permit accountability and not as a substitute for law enforcement authority or boating safety requirements.*

Page Left Blank

### SECTION 3.0

## LAND USE AND SHORELINE CLASSIFICATIONS

---

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 California Department of 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). *Proposed: While additional residential development may occur consistent with county land use approvals, the Tri-Dam Project does not intend to increase the number or density of private shoreline facilities or docks within the reservoir (open to include public access ramp). Shoreline facility authorization under this SMP is independent of county land use approvals and is subject to capacity, safety, and compliance considerations.*

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 three facilities that provide the public with the opportunity to access Tulloch Reservoir for a fee: 1) the South Shore Campground and Marina which is a public marina; 2) Drifters Reef which is a private commercial marina, and 3) the O'Byrnes day use location. There are also six developments (Black

Jack Bluffs, Copper Cove 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.

Or

*Proposed: There are **multiple** non-Project recreation facilities on Tulloch Reservoir. Several facilities provide public access to the reservoir, including public campgrounds, day-use areas, and commercial marinas. **Other shoreline recreation facilities, including launch ramps, docks, and recreation areas, are operated by homeowners associations or similar entities and are intended for use by residents within those developments.***

The Tri-Dam Project maintains 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.

## SECTION 4.0

# **SMP PERMITTING PROCESSES**

---

This section of the SMP presents the permitting processes for minor shoreline development project proposals that are covered within this SMP. As discussed earlier in this SMP, Tri-Dam will stop accepting applications for private structures including, but not limited to, private boat docks and ramps, on January 1, 2030. This is more fully discussed in Section 4.3 below.

## **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. Tri-Dam reserves the right, upon its sole discretion, to approve, modify, or deny a permit application to protect the scenic, recreational, and other environmental values of the project reservoir in accordance with its FERC license.

Authorization of shoreline facilities under this SMP is provided pursuant to the Tri-Dam Project's authority under the FERC license and is separate from, and in addition to, any county land use approvals or permits. County land use approval does not confer authorization to construct or maintain shoreline facilities within the FERC Project Boundary. All shoreline facilities remain subject to ongoing compliance with this SMP and applicable permit conditions.

### **4.1.1 Application Procedure**

- 1) An individual initiates an application request by contacting the Tri-Dam Project via phone at (209) 965-3996, by mail or via the internet [contact us on our website.](#) or by submitting the current Encroachment Permit Application Form available on the Tri-Dam Project website.
- 2) All applications must include the following information (as a minimum) to start the review process:
  - a. Completed Tri-Dam Project Application Form;

- b. Applicable fees. (No mention of fees. Can we add this to the initial submission? It creates more work to ask it later, we can deposit it once it's approved) A performance deposit is required as a condition of permit issuance. The performance deposit will be retained until the project is completed in accordance with approved plans and passes final inspection. Failure to comply with permit conditions may result in forfeiture of the deposit and/or enforcement action.
  - c. Basic description of the proposed facility (e.g. 20-slip public marina);
  - d. Intended users (e.g. subdivision lot owners and general public);
  - e. Surveyed limits of the subject property, with all property lines noted, and the 510 ft and the 515 ft contour lines clearly denoted.
  - f. Engineered site plan depicting the location of all proposed facilities with elevations and property lines shown;
  - g. Location of the proposed shoreline development project within the reservoir that also shows, in addition, the location of any other shoreline facility within 200 feet (e.g., boat docks, boat ramps, and marinas, etc.);
  - h. A list of all permits and agency approvals needed for the construction, operation and maintenance of the proposed shoreline development project.
  - i. *[Add documentation of property rights?]*
  - j. *h. Documentation demonstrating property ownership or legal authorization to use the subject property, including identification of any applicable flowage easements or encumbrances within the FERC Project Boundary;*
  - k. *i. Acknowledgment that the applicant is responsible for ensuring that the proposed facility does not interfere with navigability, adjacent property rights, public access, or existing authorized facilities.*
- 3) The Tri-Dam Project reviews the application to determine that the proposed activity is consistent with the SMP and FERC license requirements. An on-site review will normally be conducted at this stage. Tri-Dam reserves the right to require additional information, technical studies, or design modifications to ensure compliance with navigational safety, environmental protection, and reservoir management objectives.
- 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 California Department of Fish and Wildlife (CDFW); 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. It is the sole responsibility of the applicant to identify and obtain all required

federal, state, county, and local approvals prior to commencing work.

- 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. If Tri-Dam issues the permit Tri-Dam will send 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. Facilities must also remain within authorized project boundary limits and may not extend beyond allowable navigational clearances established under the SMP.
- 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, recreational, and other environmental values of the area. Facilities shall not obstruct navigable waters, impair reservoir operations, interfere with public recreation, or adversely affect resource management objectives of the Project.
- 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. Construction must not commence until Tri-Dam has issued a fully executed encroachment permit and verified receipt of required agency approvals. Upon completion, the project shall be subject to final inspection to verify compliance with approved plans and permit conditions.

#### **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. Tri-Dam will cancel any permit that has not started construction within 24 months of the permit issuance date. Applicants with a cancelled permit must reapply for a new permit and follow all existing SMP rules.
- 3) Facilities that do not achieve compliance with this SMP within an established compliance period may be required to be modified or removed at the owner's expense.

#### 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. If the development cannot be redesigned in a manner that is consistent with this SMP, the permit will be denied.

#### Grandfathered Structures and Improvements

There are existing structures and improvements that are considered "grandfathered" or previously authorized under earlier standards. Such facilities may remain **during an established compliance period identified by the Tri-Dam Project. At the conclusion of that compliance period, grandfathered facilities must either conform to current SMP requirements or have an approved variance in effect. Facilities that do not achieve compliance or maintain a valid variance following the compliance period will be considered non-authorized.** 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

#### **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.
- Proposed: Forfeiture of authorization for facilities that fail to achieve compliance within required timeframes, including removal of the facility at the owner's expense;

#### **4.2 Public/Commercial Facilities Program**

Private, public, and commercial shoreline facilities are reviewed and authorized under distinct procedural and compliance requirements within this SMP, reflecting differences in facility type, scope, and operational complexity. Such review may require additional documentation, updated design standards, construction modifications, or supporting studies necessary to demonstrate compliance with current SMP standards and applicable regulatory requirements. Upon approval, applicable shoreline facility authorizations and updates will be filed with the Commission by the Tri-Dam Project.

##### **4.2.1 General**

All parties desiring to construct, expand or rebuild a public or 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 public or 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 Public/Commercial Facilities

Public or 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) Public or 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.

In accordance with the goals of this revised SMP, private shoreline facilities are subject to capacity limits and compliance requirements established by the Tri-Dam Project. Tri-Dam will stop accepting applications for new private facilities on January 1, 2030, including applications for private boat docks and private boat ramps. Private facilities authorized prior to this date must achieve compliance with

this SMP within established timelines to remain authorized. Therefore, the provisions in this section for permitting new private structures will expire on January 1, 2030.

NOTES: items to include,

- Oversized temporary recreational water structures (e.g., floating platforms, recreational floats, water accessories) require review and authorization under Tri-Dam's shoreline permitting procedures, consistent with project policies and safety considerations. -I would want to define in the glossary "oversized temporary recreation water structures." (address trampolines)
- Another SMP item is addressing the 515' isn't just a waterline and it includes the air space above it. For purposes of shoreline management, the 515' contour applies to both the water surface and the area directly above the water, including any structures, facilities, or objects located over the reservoir.
- Remove boathouses, etc.
- Need to incorporate language for Annual Fees for individual homeowners and public and commercial users

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 furthestmost 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 existing, grandfathered structures including gazebos, boat shelters and boathouses are not to be enclosed. Handrails may be installed for safety, but must not be enclosed. Permits for new gazebos, boat shelters, over-water residential structures, and boathouses will not be issued.
- 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. If an emergency situation arises that requires excavation, reach out directly to Tri-Dam Project to expedite the application and approval process.

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.
- 6) At all times, appropriate drainage controls and safety standards shall be employed.

## 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. 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.

Proposed: The installation of new vertical retaining walls, bulkheads, or similar hardened shoreline structures is prohibited under this SMP. Existing legally permitted retaining walls may be repaired or replaced in-kind, provided the replacement does not expand the original footprint, height, or encroachment into the reservoir. Shoreline stabilization shall prioritize preservation of the natural shoreline through the use of native vegetation, bioengineering methods, and natural rock (riprap) materials.

#### **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. Only natural plantings and/or riprap may be placed along shorelines.
- 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.
- 6) New retaining walls, bulkheads, or other vertical shoreline hardening structures shall not be authorized. Replacement of existing permitted retaining walls may be approved only when necessary for structural integrity or safety, and shall be limited to the minimum area necessary. Expansion, extension, or vertical increase beyond the original authorized dimensions is prohibited.

### **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 Sheriff's Department's Marine Division 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. Information is also available on the Tri-Dam Project

website, on kiosks throughout the reservoir, and within HOA and public access areas.

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.

Page Left Blank

**SECTION 5.0**

## **REFERENCES CITED**

---

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.

Page Left Blank

**(MAY 2015)**

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

**Attachment B (Public)**

**Map of the Land Ownership within the FERC Project Boundary**

**Attachment C (Public)**

**Consultation Record**

## **Attachment C Consultation Record Contents:**

May 2015

Tulloch Reservoir Shoreline Management Plan  
©2015, Tri-Dam Project

Attachment H  
Page H-1



## **Attachment D (Public)**

Adequacy Assessment

## **Adequacy Assessment**