

PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco CA 94102-3298



Pacific Gas & Electric Company
ELC (Corp ID 39)
Status of Advice Letter 6018E
As of February 2, 2021

Subject: Fall River Lake Trail Improvement and Ecocultural Enhancement Project Easement
Request for Approval Under Section 851 and General Order 173

Division Assigned: Energy

Date Filed: 12-04-2020

Date to Calendar: 12-09-2020

Authorizing Documents: None

Disposition:	Accepted
Effective Date:	12-31-2020

Resolution Required: No

Resolution Number: None

Commission Meeting Date: None

CPUC Contact Information:

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PUBLIC UTILITIES COMMISSION
505 Van Ness Avenue
San Francisco CA 94102-3298



To: Energy Company Filing Advice Letter

From: Energy Division PAL Coordinator

Subject: Your Advice Letter Filing

The Energy Division of the California Public Utilities Commission has processed your recent Advice Letter (AL) filing and is returning an AL status certificate for your records.

The AL status certificate indicates:

- Advice Letter Number
- Name of Filer
- CPUC Corporate ID number of Filer
- Subject of Filing
- Date Filed
- Disposition of Filing (Accepted, Rejected, Withdrawn, etc.)
- Effective Date of Filing
- Other Miscellaneous Information (e.g., Resolution, if applicable, etc.)

The Energy Division has made no changes to your copy of the Advice Letter Filing; please review your Advice Letter Filing with the information contained in the AL status certificate, and update your Advice Letter and tariff records accordingly.

All inquiries to the California Public Utilities Commission on the status of your Advice Letter Filing will be answered by Energy Division staff based on the information contained in the Energy Division's PAL database from which the AL status certificate is generated. If you have any questions on this matter please contact the:

Energy Division's Tariff Unit by e-mail to
edtariffunit@cpuc.ca.gov



December 4, 2020

Advice 6018-E

(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

**Subject: Fall River Lake Trail Improvement and Ecocultural Enhancement
Project Easement – Request for Approval Under Section 851 and
General Order 173**

Purpose

Pacific Gas and Electric Company (PG&E) requests California Public Utilities Commission (Commission or CPUC) approval under Public Utilities Code Section 851 and General Order 173 to grant Fall River Valley Community Services District (FRVCSD) an Easement for the Fall River Lake Trail Improvement and Ecocultural Enhancement Project (Project).

The Project is located in Fall River Mills, County of Shasta, adjacent to Fall River Lake/Pit 1 Forebay, which is part of the Pit 1 Hydroelectric Project (Pit 1 Project). The Pit 1 Project is owned and operated by PG&E and licensed by the Federal Energy Regulatory Commission (FERC Project No. 2687). The FRVCSD and partners developed the Project to promote public recreation and education and to encourage Tribal ecocultural use of an area that has been highly impacted by land-use history. The purpose of the Project is to transform existing off-highway vehicle (OHV) roads along the east bank of Fall River Lake (Lake) into two miles of pedestrian and other non-motorized use trail, while decommissioning side roads/trails.¹ This multipurpose trail begins near the Fall River Elementary School and extends to Mackey's Cove, as shown on Exhibit B of the proposed Easement Agreement (Easement).² In addition, the Project scope includes restoring approximately 20 acres of oak woodland and installing associated native plant guilds, located on the west side of the Lake.

PG&E is proposing to grant an Easement to FRVCSD on PG&E fee property, for the purpose of constructing and maintaining a recreational trail approximately two (2) miles in length and not exceeding four (4) feet in width, with three (3) elevated walkways where needed, and the restoration of an additional twenty acres of Oak woodland.

¹ Attachment 1 – *Initial Study-Draft – Fall River Valley Resource Conservation District; Fall River Lake Trail Improvement and Ecocultural Enhancement Project*, Prepared by Spring Rivers Ecological Sciences, LLC, March 1, 2019.

² Attachment 2 – Proposed Easement Agreement for Recreational Trail and Ecocultural Enhancement.

PG&E has inspected the Easement Area and has determined that the granting of this Easement does not interfere with PG&E's operations or PG&E's ability to provide safe and reliable utility service to its customers. In addition, this grant of Easement will not be adverse to the public interest.

Background

PG&E owns land, buildings, and other facilities in connection with the provision of electric and natural gas services to its customers throughout northern and central California. In the provision of these services, PG&E relies on a portfolio of fee properties, rights-of-way, and facilities to support its electric and gas activities.

PG&E established its Land Conservation Commitment (LCC) in its 2003 Bankruptcy Settlement. Through its LCC, PG&E is permanently protecting its 140,000 acres of watershed lands associated with their hydroelectric system for the benefit of current and future generations of Californians. The Pacific Forest and Watershed Lands Stewardship Council (Stewardship Council) is working with PG&E and numerous local land trusts, as well as local, state, and federal agencies, to implement this conservation effort.

The implementation of the Project will result in many outcomes that significantly enhance the environment surrounding Fall River Mills. For example, the construction the trail will create a live, outdoor classroom that connects the Fall River Elementary School to Mackey's Cove on the eastside of Fall River Lake. The socio-economic, health, education and social justice benefits, will increase community cohesion and increase community economic opportunities throughout the Project and beyond. Restoration, improvements and protection of the natural resources of the area will be conscientiously considered in all phases.

To support the FRVCSD's efforts to enhance the environment in a reliable, professional, and cost-effective manner, the Stewardship Council has approved the FRVCSD's request for nearly \$300,000 in funding for the Project. This is approximately 54% of total Project costs.

All Project work will occur on PG&E fee property that will be retained by PG&E. A conservation easement, held by the Shasta Land Trust, will be placed on the land in accordance with the Settlement Agreement (the "Settlement Agreement") as modified and approved by the Commission in its Opinion and Order of December 18, 2003 (Decision 03-12-035). The Settlement Agreement and the Stipulation require PG&E to ensure that approximately 140,000 acres of watershed lands and approximately 655 acres of land located in the Carizzo Plains, all owned by PG&E (collectively, the "Watershed Lands"), including the Easement Area, are conserved for a broad range of beneficial public values, including the protection of the natural habitat of fish, wildlife and plants; the preservation of open space; outdoor recreation by the general public; sustainable forestry; agricultural uses; and historic values.

The Project is located in Fall River Mills, County of Shasta, adjacent to the Pit 1 Project Forebay. Proposed trail work will occur on the east side of the Lake and Oak woodland restoration and recreational facility installation will occur on the west side of the Lake. The Project will be constructed on land that is currently degraded due to lack of maintenance and excessive, unauthorized OHV use. Historically these areas were composed of biologically diverse grassland and woodland ecosystems and they contain culturally important sites. The current state of the Project Area excludes cultural use, provides a vector for invasive species, promotes accelerated soil erosion, and is unsightly for recreating visitors. The east side of the lake has been dissected by a network of OHV tracks. These OHV roads hold and channel water during wet conditions, causing erosion, gullying, and degradation of natural conditions. They are muddy and nearly unusable by the public under wet conditions, and very dusty and suboptimal for public enjoyment under dry conditions.³

The Project work and associated decommissioning of existing OHV trails will help restore grassland habitat, provide workforce training, and increase environmentally appropriate recreational opportunities, cultural education, outdoor education, and access to culturally significant botanical resources. The thinning of oak woodland habitat will reduce hazardous fuels, improve forest health by reducing competitive stress, and protect oaks and other culturally important plant species for future generations.

This transaction is in the public interest because the Project provides an opportunity for ecological restoration, the promotion of public recreation and education, and the encouragement of tribal ecocultural use. This will improve the recreational and education access while providing an initial step toward more fully developing recreational and ecological restoration opportunities around the rest of the lake. The Project will also restore structural conditions in 20 acres of oak woodland in order to preserve oaks on the site as well as encourage the persistence of understory plant species and wildlife. Additionally, small trailside ecocultural planting areas will provide an initial introduction for general community members, tribal youth and workforce crews, and students to the cultural significance of grasslands and the need for grassland restoration. Establishing ecocultural plant guilds in degraded trailside grasslands will involve multiple actions that will incorporate youth education and workforce training. All the aforementioned items will provide a great benefit to the public.

CPUC Tribal Lands Policy

On December 5, 2019, the Commission adopted a policy titled, “Investor-Owned Utility Real Property – Land Disposition - First Right of Refusal for Disposition of Real Property Within the Ancestral Territories of California Native American Tribes” (Policy). The Policy directs investor-owned utilities to (1) notify the appropriate local Native American Tribes of any proposed dispositions of utility-owned real property that are subject to Section 851 and (2) to allow 90 days for the Tribes to respond as to their interest in

³ Attachment 3 – *Fall River Trail Improvement and Ecocultural Enhancement Project, Recreation Trail Plan*; Prepared by Lomakatsi Restoration Project, September 2019.

purchasing the subject real property. Consistent with the Policy, PG&E contacted the Native American Heritage Commission (NAHC) and the NAHC identified no Native American Tribes associated with this location in their Sacred Lands File (Attachment 8). Nonetheless, as a courtesy, PG&E is serving this advice letter on certain representatives of the Pit River Tribe of California who may also have knowledge of cultural resources in the project area.

In accordance with General Order 173, Rule 4, PG&E provides the following information related to the proposed transaction:

(a) Identity and Addresses of All Parties to the Proposed Transaction:

Pacific Gas and Electric Company	Fall River Valley CSD
Steven Frank	Bill Johnson, Parks Manager
Law Department	P.O. Box 427
P.O. Box 7442	Fall River Mills, CA 96028
San Francisco, CA 94120	(530) 336-5263
Telephone: (415) 973-6976	bjohnson@frvcsd.org
Facsimile: (415) 973-5520	
Email: steven.frank@pge.com	

(b) Complete Description of the Property Including Present Location, Condition and Use:

PG&E owns the real property commonly known as Fall River Lake, Assessor's Parcel Number(s) 018-540-012, 018-540-057, 023-190-022, 023-210-011, 023-210-042 and 023-210-044, State Board of Equalization No. 135-45-019-7, 135-45-027A-1, 135-45-033C-1, 135-45-037G-1 and 135-45-079A-1, located in the unincorporated area of the County of Shasta, State of California. The proposed project is located adjacent to Pit 1 Project Forebay. The proposed Easement Area is vacant and not used for utility purposes. The Pit 1 Project is owned and operated by PG&E and licensed by the Federal Energy Regulatory Commission (FERC Project No. 2687).

The Property is currently used to support PG&E's hydroelectric operations under the Pit 1 Project. PG&E's Pit No. 1 1101 electrical distribution line is located near the Easement Area on the west side of the Lake. In addition, the Property is open for public recreation and OVH trail use.

Within sixty (60) days after the completion of the construction of the Project, FRVCSO will have a licensed land surveyor or civil engineer authorized to practice land surveying, prepare a survey of the Easement Area, a legal description and an exhibit map, and will record a Notice of Final Description (NOFD) after consultation with PG&E. The NOFD will indicate the exact location and description of the Easement Area.

(c) Intended Use of the Property:

Upon CPUC approval of the Easement, the property will be used for the Project as described in the above sections. The property is currently used for PG&E's hydrologic power generation purposes and the Project will not interfere with PG&E's operations.

(d) Complete Description of Financial Terms of the Proposed Transaction:

PG&E will not be receiving any funding for the Project and is accommodating this request as part of its LCC per the Settlement Agreement. This is an enhancement project partially funded by the Stewardship Council as a requirement of the Settlement Agreement. One of the Stewardship Council's primary goals is to ensure that over 140,000 acres of California's pristine watershed lands are conserved for the public good through the LCC.⁴ This Project helps support that goal.

(e) Description of How Financial Proceeds of the Transaction Will Be Distributed:

Not applicable.

(f) Statement on the Impact of the Transaction on Ratebase and Any Effect on the Ability of the Utility to Serve Customers and the Public:

There is no impact to PG&E's rate base nor will granting the Easement affect PG&E's ability to provide reliable service to its customers and the public at large.

(g) The Original Cost, Present Book Value, and Present Fair Market Value for Sales of Real Property and Depreciable Assets, and a Detailed Description of How the Fair Market Value Was Determined (e.g., Appraisal):

Not applicable.

(h) The Fair Market Rental Value for Leases of Real Property, and a Detailed Description of How the Fair Market Rental Value Was Determined:

Not applicable.

(i) The Fair Market Value of the Easement or Right-of-Way, and a Detailed Description of How the Fair Market Value Was Determined:

A Fair Market Value for the Easement was not assessed as the Project supports the environmental enhancement goals of the Stewardship Council as it relates to

⁴ <http://www.stewardshipcouncil.org/>; Accessed 4/22/20.

the Settlement Agreement. No funds will be collected for issuing this Easement. PG&E was not offered any compensation for this Easement by the third party.

(j) A Complete Description of any Recent Past (Within the Prior Two Years) or Anticipated Future Transactions that May Appear To Be Related to the Present Transaction:

A portion of the Project scope includes restoring approximately 20 acres of mixed oak woodlands on the west side of the Lake. In addition to reducing hazardous fuels, the oak woodland restoration enhances native biological diversity and highlight the ecocultural importance of oaks and acorns to the Ajumawi Band of the Ajumawi-Atsugewi Nation (Pit River Tribe).⁵

This portion of the Project is currently in progress via the issuance of a short-term 69-C License Agreement For A Right Of Entry For Temporary Use (License).⁶ The License grants the Licensee permission to enter the License Area for the sole purpose of trimming and/or cutting down trees and brush, piling slash, and burning slash piles in accordance with the treatment specifications described in the Oak Habitat Restoration Proposal. Licensee's Activities as defined in the License are not permanent in nature and therefore not included in the proposed Easement. The License is valid for a term of one year, commencing on June 18, 2019 and expiring on June 17, 2020. Permanent aspects of this phase of the Project will be included in the proposed Easement.

In addition, a portion of APN 023-190-022 located adjacent to the Project, will be donated to the Fall River Valley Resource Conservation District at a future date. The donation will be processed as a separate transaction and does not affect this Project. When this donation happens, a separate advice letter will be submitted.

(k) Sufficient Information and Documentation (Including Environmental Information) to Show that All of Eligibility Criteria Set Forth in Rule 3 of General Order 173 are Satisfied:

PG&E has provided information in this Advice Letter to satisfy the eligibility criteria under General Order 173 in that:

- The activity proposed in the transaction will not require environmental review by the CPUC as a Lead Agency;
- The transaction will not have an adverse effect on the public interest or on the ability of PG&E to provide safe and reliable service to its customers at reasonable rates;

⁵ Attachment 1 – *Initial Study-Draft – Fall River Valley Resource Conservation District; Fall River Lake Trail Improvement and Ecocultural Enhancement Project*, Prepared by Spring Rivers Ecological Sciences, LLC, March 1, 2019.

⁶ Attachment 4 – License Agreement for a Right of Entry for Temporary Use; dated June 18, 2019.

- The transaction will not materially impact the rate base of PG&E; and
- The transaction does not warrant a more comprehensive review that would be provided through a formal Section 851 application.

(l) Additional Information to Assist in the Review of the Advice Letter:

No information is readily available other than what has already been included within this advice letter submittal.

(m) Environmental Information

Pursuant to General Order 173, the Advice Letter program applies to proposed transactions that will not require environmental review by the CPUC as a lead agency under the California Environmental Quality Act ("CEQA") either because: (a) a statutory or categorical exemption applies (the applicant must provide a Notice of Exemption from the Lead Agency or explain why an exemption applies), or (b) because the transaction is not a project under CEQA (the applicant must explain the reasons why it believes that the transaction is not a project), or (c) because another public agency, acting as the Lead Agency under CEQA, has completed environmental review of the project, and the Commission is required to perform environmental review of the project only as a Responsible Agency under CEQA.

Subsection (c) applies to the matter at hand, as explained below.

c. Lead Agency as a Responsible Agency under CEQA

If another public agency, acting as the Lead Agency under CEQA, has completed an environmental review of the project and has approved the final CEQA documents, and the Commission is a Responsible Agency under CEQA, the applicant shall provide the following:

- a. The name, address, and phone number of the Lead Agency, the type of CEQA document that was prepared (Environmental Impact Report, Negative Declaration, Mitigated Negative Declaration), the date on which the Lead Agency approved the CEQA document, the date on which a Notice of Determination was filed.

Lead Agency	Fall River Valley Community Services District (FRVCSD) 24850 3 rd Street / P.O. Box 427 Fall River Mills, CA 96028 Primary Contact: Bill Johnson FRVCSD Parks manager
--------------------	---

	(530) 336-5263 bjohnson@frvcsd.org
Type of CEQA Document Prepared	Initial Study with Negative Declaration March 1, 2019 (Attachment 1)
Notice of Intent to Adopt a Mitigated Negative Declaration	Dated: March 1, 2019 (Attachment 5)
Date Mitigated Negative Declaration Approved	April 17, 2019 via Resolution No. 2019-4 (Attachment 6)
Initial Study with Mitigated Negative Declaration Dated	April 17, 2019 via Resolution No. 2019-4 (Attachment 6)
Date Notice of Determination Filed	April 18, 2019 (Attachment 7)

- b. A copy of all CEQA documents prepared by or for the Lead Agency regarding the project and the Lead Agency's resolution or other document approving the CEQA documents.

See Attachments 1, and 5 -7.

- c. A list of section and page numbers for the environmental impacts, mitigation measures, and findings in the prior CEQA documents that relate to the approval sought from the Commission.

A discussion of the environmental impacts associated with the approved project can be found in Section 5.0, *Avoidance and Minimization Measures*, and Section 6.0, *Conclusions and Recommendations* (starting on page 33) of Attachment 1.⁷

- d. An explanation of any aspect of the project or its environmental setting which has changed since the issuance of the prior CEQA document.

The environmental setting described in the CEQA document prepared by Spring Rivers Ecological Sciences, LLC for this project has not changed since the issuance of the Notice of Determination.

⁷ Attachment 1 – *Initial Study-Draft – Fall River Valley Resource Conservation District; Fall River Lake Trail Improvement and Ecocultural Enhancement Project*, Prepared by Spring Rivers Ecological Sciences, LLC, March 1, 2019.

- e. A statement of whether the project will require approval by additional public agencies other than the Commission and the Lead Agency, and, if so, the name and address of each agency and the type of approval required.

The Project will not require approval from additional public agencies.

Protests

*****Due to the COVID-19 pandemic and the shelter at home orders, PG&E is currently unable to receive protests or comments to this advice letter via U.S. mail or fax. Please submit protests or comments to this advice letter to EDTariffUnit@cpuc.ca.gov and PGETariffs@pge.com*****

Anyone wishing to protest this submittal may do so by letter sent via U.S. mail, facsimile or E-mail, no later than December 24, 2020, which is 20 days after the date of this submittal. Protests must be submitted to:

CPUC Energy Division
ED Tariff Unit
505 Van Ness Avenue, 4th Floor
San Francisco, California 94102

Facsimile: (415) 703-2200
E-mail: EDTariffUnit@cpuc.ca.gov

Copies of protests also should be mailed to the attention of the Director, Energy Division, Room 4004, at the address shown above.

The protest shall also be sent to PG&E either via E-mail or U.S. mail (and by facsimile, if possible) at the address shown below on the same date it is mailed or delivered to the Commission:

Erik Jacobson
Director, Regulatory Relations
c/o Megan Lawson
Pacific Gas and Electric Company
77 Beale Street, Mail Code B13U
P.O. Box 770000
San Francisco, California 94177

Facsimile: (415) 973-3582
E-mail: PGETariffs@pge.com

Any person (including individuals, groups, or organizations) may protest or respond to an advice letter (General Order 96-B, Section 7.4). The protest shall contain the following information: specification of the advice letter protested; grounds for the protest; supporting factual information or legal argument; name, telephone number, postal address, and (where appropriate) e-mail address of the protestant; and statement that the protest was sent to the utility no later than the day on which the protest was submitted to the reviewing Industry Division (General Order 96-B, Section 3.11).

Effective Date

Pursuant to the review process outlined in General Order 173, PG&E requests that this Tier 3 advice letter become effective upon Commission approval.

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically and/or via U.S. mail to parties shown on the attached list. Address changes to the General Order 96-B service list should be directed to PG&E at email address PGETariffs@pge.com. For changes to any other service list, please contact the Commission's Process Office at (415) 703-2021 or at Process_Office@cpuc.ca.gov. Send all electronic approvals to PGETariffs@pge.com. Advice letter submittals can also be accessed electronically at:
<http://www.pge.com/tariffs>.

_____/S/

Erik Jacobson
Director, Regulatory Relations

- Attachment 1: Initial Study-Draft – Fall River Valley Resource Conservation District; Fall River Lake Trail Improvement and Ecocultural Enhancement Project
- Attachment 2: Proposed Easement Agreement for Recreational Trail and Ecocultural Enhancement.
- Attachment 3: Fall River Trail Improvement and Ecocultural Enhancement Project, Recreation Trail Plan
- Attachment 4: License Agreement for a Right of Entry for Temporary Use
- Attachment 5: Notice of Intent to Adopt a Mitigated Negative Declaration
- Attachment 6: Resolution Accepting the Proposed Mitigated Negative Declaration
- Attachment 7: Notice of Determination
- Attachment 8: Native American Heritage Commission Letter

***** **SERVICE LIST for Advice 6018-E** *****
APPENDIX A

Jonathan Reiger
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***** AGENCIES *****

Shasta County Clerk
Cathy Darlington Allen

1643 Market Street
Redding, CA 96001

Mailing: P.O. Box 990880
Redding, CA 96099-0880

Phone: (530) 225-5730
Fax: (530) 225-5454
Email: countyclerk@co.shasta.ca.us

***** 3rd Parties *****

Fall River Valley CSD
Bill Johnson, Parks Manager
P.O. Box 427
Fall River Mills, CA 96028
(530) 336-5263
bjohnson@frvcsd.org

***** Tribes *****

Pit River Tribe of California
Natalie Forrest-Perez, Tribal Historic
Preservation Officer
36970 Park Ave
Burney, CA 96013
(530) 335-5421
THPO@pitrivertribe.org

Pit River Tribe of California
Charles White, Tribal Administrator
36970 Park Ave
Burney, CA 96013
(530) 335-5421
Fax: (530) 335-3140

Pit River Tribe of California
Agnes Gonzales, Chairperson
36970 Park Ave
Burney, CA 96013
(916) 372-9720
Fax: (530) 335-3140
1010@gmail.com



ADVICE LETTER SUMMARY

ENERGY UTILITY



MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No.: Pacific Gas and Electric Company (ID U39 E)

Utility type:

☒ ELC ☐ GAS ☐ WATER
☐ PLC ☐ HEAT

Contact Person: Annie Ho

Phone #: (415) 973-8794

E-mail: PGETariffs@pge.com

E-mail Disposition Notice to: AMHP@pge.com

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas WATER = Water
PLC = Pipeline HEAT = Heat

(Date Submitted / Received Stamp by CPUC)

Advice Letter (AL) #: 6018-E

Tier Designation: 3

Subject of AL: Fall River Lake Trail Improvement and Ecocultural Enhancement Project Easement – Request for Approval Under Section 851 and General Order 173

Keywords (choose from CPUC listing): Section 851, Agreement

AL Type: ☐ Monthly ☐ Quarterly ☐ Annual ☒ One-Time ☐ Other:

If AL submitted in compliance with a Commission order, indicate relevant Decision/Resolution #:

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL:

Confidential treatment requested? ☐ Yes ☒ No

If yes, specification of confidential information:

Confidential information will be made available to appropriate parties who execute a nondisclosure agreement. Name and contact information to request nondisclosure agreement/ access to confidential information:

Resolution required? ☒ Yes ☐ No

Requested effective date:

No. of tariff sheets: N/A

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: N/A

Service affected and changes proposed¹: N/A

Pending advice letters that revise the same tariff sheets: N/A

¹Discuss in AL if more space is needed.

Protests and all other correspondence regarding this AL are due no later than 20 days after the date of this submittal, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division
Attention: Tariff Unit
505 Van Ness Avenue
San Francisco, CA 94102
Email: EDTariffUnit@cpuc.ca.gov

Name: Erik Jacobson, c/o Megan Lawson
Title: Director, Regulatory Relations
Utility Name: Pacific Gas and Electric Company
Address: 77 Beale Street, Mail Code B13U
City: San Francisco, CA 94177
State: California Zip: 94177
Telephone (xxx) xxx-xxxx: (415)973-2093
Facsimile (xxx) xxx-xxxx: (415)973-3582
Email: PGETariffs@pge.com

Name:
Title:
Utility Name:
Address:
City:
State: District of Columbia Zip:
Telephone (xxx) xxx-xxxx:
Facsimile (xxx) xxx-xxxx:
Email:

Clear Form

Attachment 1

**Initial Study-Draft – Fall River Valley Resource
Conservation District; Fall River Lake Trail Improvement
and Ecocultural Enhancement Project**

INITIAL STUDY—DRAFT

Fall River Valley Community Services District Fall River Lake Trail Improvement and Ecocultural Enhancement Project

Prepared for:



Prepared by:



SPRING RIVERS
ECOLOGICAL SCIENCES LLC

March 1, 2019

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1.0 INTRODUCTION

The proposed Fall River Lake Trail Improvement and Ecocultural Enhancement Project must comply with the California Environmental Quality Act (CEQA), which requires state and local agencies to identify significant environmental impacts of their actions and to make good-faith efforts to avoid or mitigate impacts to properties eligible to the California Register of Historical Resources (California Register).

This Initial Study compiles information from a biological resource assessment and a summary of the findings of the cultural resources records search. It includes a description of the biological resources known to occur in the vicinity of Fall River Mills, California that could potentially utilize habitat within the proposed Fall River Lake Trail Improvement and Ecocultural Enhancement Project Area (Figure 1). A description of the proposed project and potential impacts to habitats and species that could result from project work activities are also identified. Impact avoidance, minimization, and mitigation measures are detailed.

The purpose of the proposed project is to transform existing off-highway vehicle roads along the east bank of Fall River Lake in Shasta County, California into 2 miles of pedestrian and other non-motorized use trail, while decommissioning side roads/trails (Figure 1). This multipurpose trail begins near the Fall River Elementary School and extends to Mackey's Cove. The project will also thin and restore up to 20 acres of mixed pine/oak woodlands on the west side of the lake. In addition to reducing hazardous fuels, the oak woodland restoration will enhance native biological diversity and highlight the ecocultural importance of oaks and acorns to the Ajumawi Band of the Ajumawi-Atsugewi Nation (Pit River Tribe). In addition, the project will install educational native plant guilds within restored areas that will highlight the cultural importance of grassland and woodland ecosystems.

Core collaborating partners tasked with implementing the project include the Fall River Valley Community Services District (FRVCSD), Lomakatsi Restoration Project (Lomakatsi), the Inter-Tribal Ecosystem Restoration Network/Elected Cultural Representatives of the Ajumawi Band of the Ajumawi-Atsugewi Nation (Pit River Tribe), Spring Rivers Foundation, and Spring Rivers Ecological Sciences LLC (Spring Rivers). All project work will occur on PG&E-watershed lands that will be retained by PG&E under a conservation easement with the Shasta Land Trust. Project funding comes from the Pacific Forest and Watershed Lands Stewardship Council (Stewardship Council) with matching from the FRVCSD and Lomakatsi.

The FRVCSD and partners developed this project to promote public recreation and education and encourage Tribal ecocultural use of an area that has been highly impacted by land-use history. The trail will be created on land that is currently degraded due to lack of maintenance and excessive, unauthorized off-highway vehicle (OHV) use. Historically these areas were composed of biologically diverse grassland and woodland ecosystems and they contain culturally

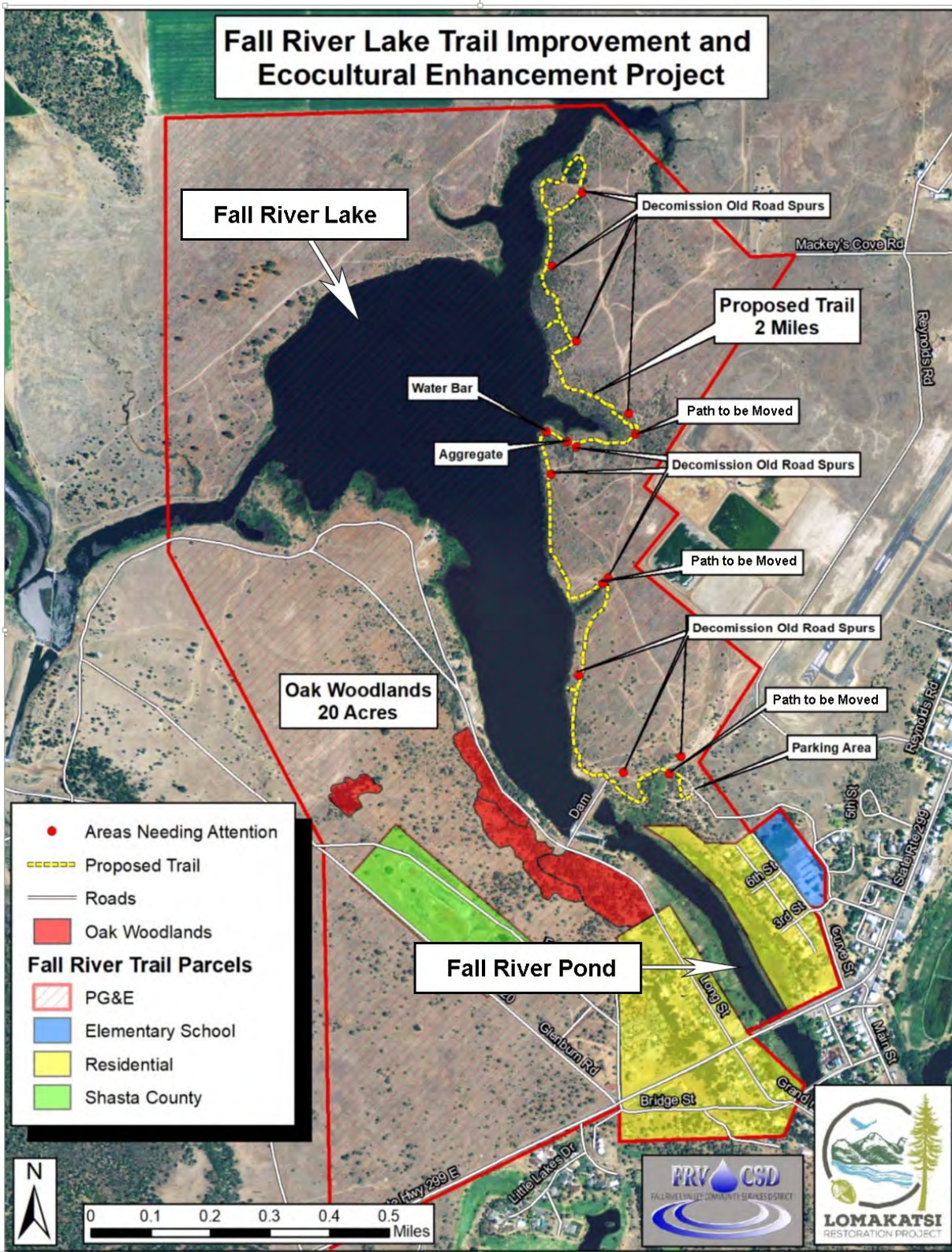


Figure 1. Map of proposed Project Area.

important sites. The current state of the Project Area excludes cultural use, provides a vector for invasive species, promotes accelerated soil erosion, and is unsightly for recreating visitors. The flatter, more open east side of the lake has been dissected by a network of OHV tracks. These OHV roads hold and channel water during wet conditions, causing erosion, gullyng, and degradation of natural conditions. They are muddy and nearly unusable by the public under wet conditions, and very dusty and suboptimal for public enjoyment under dry conditions.

The planned trail work, including decommissioning of side roads/trails and installation of culturally important native plant guilds, will help restore grassland habitat, provide workforce training, and increase environmentally appropriate recreational opportunities, cultural education, outdoor education, and access to culturally significant botanical resources. The thinning of pine/oak woodland habitat will reduce hazardous fuels, improve forest health by reducing competitive stress, and protect oaks and other culturally important plant species for future generations.

2.0 DESCRIPTION OF PROJECT WORK ACTIVITIES

The proposed project is located adjacent to Fall River Lake/Pit 1 Forebay (Figure 1), which is the forebay for the Pit 1 Hydroelectric Project (Pit 1 Project). The Pit 1 Project is owned and operated by Pacific Gas and Electric Company (PG&E) and licensed by the Federal Energy Regulatory Commission (FERC Project No. 2687). All project work will occur on PG&E-watershed lands that will be retained by PG&E under a conservation easement with the Shasta Land Trust. The trail work will occur on the east side of Fall River Lake within the Stewardship Council's Land Conservation Conveyance Plan Fall River Mills Planning Unit Parcels 136 and 149; and forest thinning will occur on the west side of the lake within Parcels 115, 145, 147, and 160 (Figure 2).

The FRVCSD's proposal for funding for Enhancements on Watershed Lands from the Stewardship Council outlined the project tasks (FRVCSD 2018). Project Tasks 1 and 2 involve project design, permitting, management, and coordination. Construction-related tasks are described below.

Task 3. Trail Installation

Goal: Install/rehabilitate approximately 2 miles of 4-foot wide public access trail (totaling 0.97 acres) and protect biological and cultural resources.

Methods:

Task 3.1 – Trail installation (initial grade). The main trail grade will be installed using a trail cutting machine called a SWECO trail dozer, which is a small, light-weight (< 10,000 lbs) dozer designed for trail installation. Following the trail design and layout, new trail sections will be installed with proper grade slope and drainage. Sections of old OHV roads/trails will be blocked and rehabilitated to proper specifications.

Grading will be limited to less than 250 cubic yards of soil disturbance/movement. Some sections of the trail alignment that have been eroded below the surrounding grade will be filled up to grade using crushed gravel and the final trail surface will be gravel. Straw wattles will be employed to reduce potential for future erosion. One section of trail alignment will involve abandoning a short section of deeply eroded OHV road and creating a new alignment nearby, but away from the old alignment. Surface material from the new alignment will be placed into the eroded section. Then that old section will be seeded/re-vegetated and allowed to grow over. Final trail surface materials will depend on section conditions. Where drainage and surface runoff may be a concern, the trail surface will be covered with gravel aggregate. Where drainage is not a concern, the surface may be covered with wood chips. Trail materials will be purchased from a local vendor and transported to the site in small trucks and ATVs with trailers.

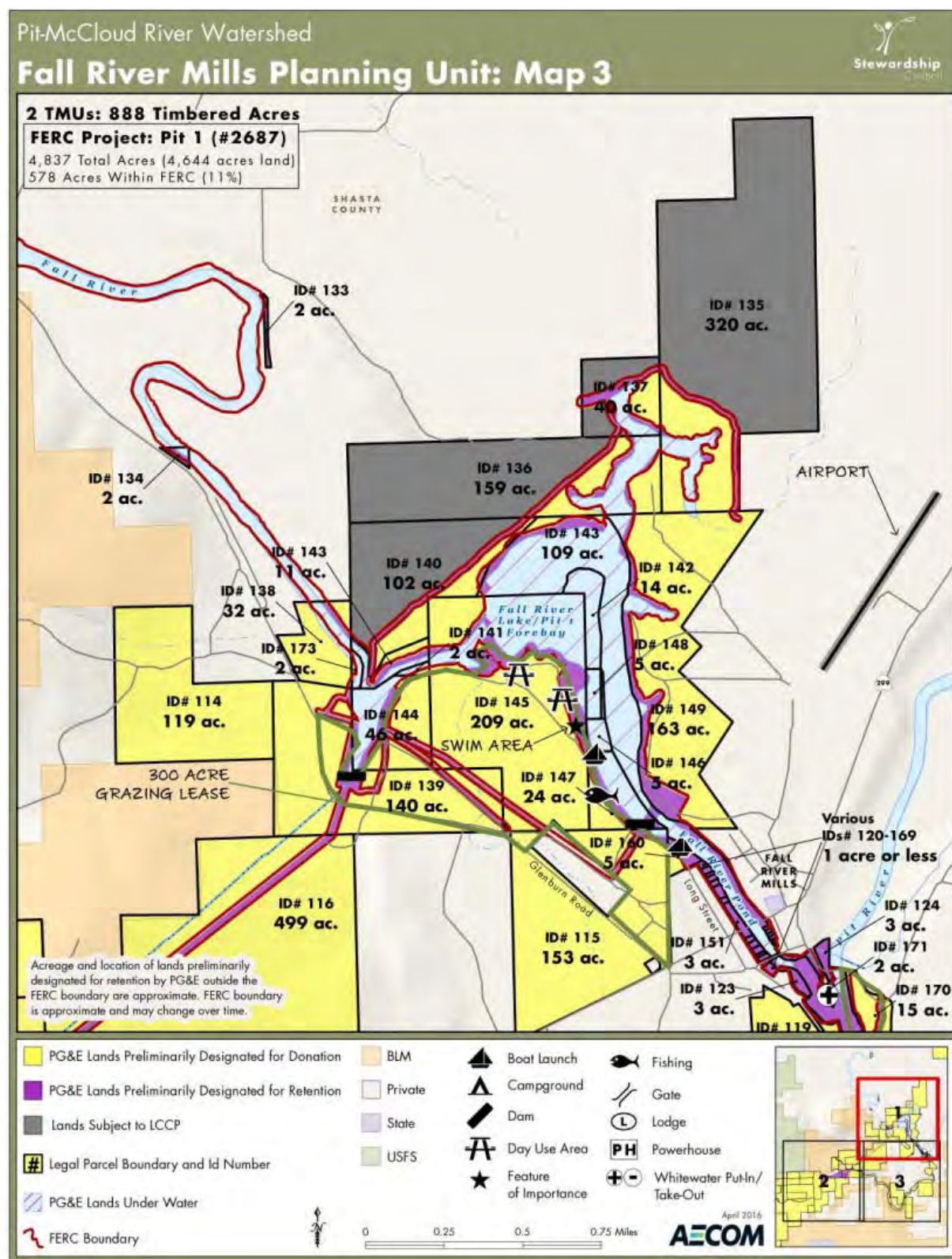


Figure 2. Stewardship Council’s Map of the Fall River Mills Planning Unit showing PG&E watershed land parcels.

The trail will be routed far enough away from the three eastern coves shown in Figure 1 to avoid all wetland habitat. Most of the trail work will occur on existing roads and OHV trails with no vegetation; however, short sections will require cutting of trail through upland vegetation that has grown over old sections of road. Some shrubs will need to be removed in those sections to facilitate the new pathway.

Trail installation labor will be done with hand crews provided by Lomakatsi as well as local Tribal youth participating in the youth education and employment program. Crews will complete hand grading and installation, cut in step footings as needed, and install weed protection cloth and either an aggregate or wood chip base. The final trail width will be 4 feet wide and have a minimum of 3 inches of surface material depth.

Task 3.2 – Trail maintenance will be conducted following year two inspections. Corrections will be made for any slumping, erosion, or other damage.

Timeline: Trail installation will take place during June through September 2019, depending on weather and equipment availability. Completion of all subtasks will be before fall/winter rains.

Task 4. Install Trail Barriers and off-road vehicle mitigation

Goal: Decommission numerous road/trail spurs alongside the new trail system.

Methods:

Task 4.1 – OHV road/trail decommission. This task will be completed with small, low ground pressure equipment while Tribal Cultural Monitors are on site. Work will concentrate on 10-25 foot sections where OHV roads/trails connect with the newly constructed trail. Work will focus on two components: (1) rehabilitate highly incised and eroded areas, and (2) regrade and contour enough of a distance to keep trail users from continuing down undesignated trails. In addition, existing juniper near where OHV roads/trails connect with the newly constructed trail will be moved and placed by hand to help block the undesignated roads/trails.

Task 4.2 – Installation of split-rail fence in areas highly susceptible to trespass by OHVs. The split rail fence will be installed manually with Lomakatsi crews using hand tools and an auger to set posts. Project partners will work with community members and local OHV groups to develop a plan to limit future interference between trail use and OHV activities.

Task 4.3 – Load, haul, and deliver oak thinning byproducts. This activity will focus on using thinning byproducts from the oak habitat restoration to block access to road/trail spurs. In addition to creating an access barrier, the wooden barriers will be positioned to help reestablish proper drainage, reduce erosion, and provide microsites suitable for planting of native demonstration gardens.

Task 4.4 – Crew Implementation. This task is related to all the above subtasks. Following the equipment work, other work will be completed by hand crews and Tribal youth participating in the youth education and employment program. That work will consist of hand grading, log cribbing and manual placement of logs and thinning materials for drainage and slope stabilization structures, and the final raking and stabilization of the area.

Timeline – Barriers and off-trail mitigation is scheduled for June through September 2019, depending on weather and equipment availability. Completion of all subtasks will be before fall/winter rains.

Task 5. Native planting and seeding

Goal: To plant native species along the trail route and in decommissioned areas to aid in the rehabilitation of the Project Area, as well as to provide cover to deter trail users from going off trail. To develop native ecocultural guilds (demonstration gardens) along the trail that will educate the public on the ecological and cultural importance of grassland species and serve to train Tribal youth on grassland restoration.

Methods:

Task 5.1 – Purchase and/or grow (depending on availability) 4,000 native plants. Task will require a site survey by a botanist, plant species selection, tribal coordination, and seed collection by student volunteers and workforce training program.

Task 5.2 – Implement planting and seeding for road/trail spur decommissioning. Install native shrub species and sow grass to decommission road/trail spurs. Culturally important species from local seed stock will be used to the greatest extent possible.

Task 5.3 – Implement planting and seeding for ecocultural guilds. Utilize workforce training program and/or volunteers to plant native species in trailside guilds, with an emphasis on culturally significant species grown from locally collected seed. Where appropriate, install educational signs that explain the ecocultural significance of native plants and the importance of grassland restoration.

Task 5.4 – Track success of plantings through photo points and documentation of plant survival.

Timeline: 24 months; begin seed collection and preparation in summer/fall 2019 and complete planting in spring 2021.

Task 6. Oak Woodland Restoration

Initial data collection and project planning for this task was completed in February 2018. The 20 acres of oak woodland habitat originally designated for thinning has since been modified by a

wildfire, known as the Hat Fire, that burned 1,900 acres of land west of Fall River Lake in August 2018, including roughly two thirds of the designated 20 acres. Consequently, the scope of the thinning project has been reduced, and the tasks described below may be modified accordingly.

Goal: Restore structural conditions in up to 20 acres of oak woodland habitat in order to enhance its ecological and cultural value.

Methods:

Task 6.1 – Oak habitat thinning data collection and prescription development. Sample stand inventory plots. Develop quantitative thinning prescription.

Task 6.2 – Oak habitat thinning and pile. Utilize workforce training program to implement thinning of small-diameter conifers and other encroaching vegetation. Remove all encroaching conifers under the dripline of oaks. Radial thin most encroaching conifers up to 2x the length of the dripline to reduce shade on oak crowns as much as possible. Large overstory conifers may be retained sparingly within the radial thin zone where they minimally impact oaks (such as on the North or East aspects).

- Diameter limits within 2x dripline of oaks (i.e., oak radial thin zone):
 - Gray pine less than 14” diameter breast height (dbh) will be cut; larger trees will be girdled.
 - Juniper up to 20” dbh will be cut.
- Diameter limits outside of oak radial thin zone:
 - Remove all confers smaller than 10” dbh.

Generally, thin-from-below to remove small tree and shrub density and reduce horizontal and vertical continuity of fuels. Promote vigorous trees that have dominant or co-dominant canopy position. Use variable density thinning principals to create diverse forest conditions. Promote the development of young forests toward more complex, heterogeneous forest structure by clumping retention trees, radial releasing large and old trees, and promoting regeneration.

Designate retention areas, 1/10th to 1/4 acre in size to be left untreated to protect important ecological features such as around rock outcrops, rare or uncommon species, snags, seeps, regeneration thickets, shaded areas that create cool microclimates, coarse wood and decadence, and visual breaks to reduce sight lines. These designated retention areas should cover approximately 10% of the treatment area and be separated by at least 30 feet.

Enhance existing canopy openings. Thin between clumps and individual leave trees (i.e., trees to be left on-site) to increase the growing space for leave trees. Vegetation is variable, maintain species diversity for trees and shrubs while also promoting the appropriate species and density for the microsite. Reduce understory brush to reduce fuels, and leave shrub species (i.e., shrub species to be left on-site) in skips or small discontinuous patches.

Snags greater than 10” dbh will be retained on site where they do not pose an excessive fire risk or create a falling hazard. Thin vegetation underneath and around snags to reduce fire risk, especially where multiple snags are clumped.

Task 6.3 – Oak habitat burning. Piling and burning of surface fuels will generally aim to achieve the following: (1) reduce the available fuel within the stand, (2) protect desired species from fire-related mortality during burning, and (3) prepare the stand for the possibility of a low-intensity prescribed burning regime.

Pile locations will be selected away from:

- legacy trees—piles will be located greater than 20 feet from legacy trees.
- desired leave trees—piles will typically be 10 feet away, increasing in distance as species priority increases.
- legacy snags & nurse logs.
- retention patches, roads, trails and ditches.

Some hand piles will be retained as ‘wildlife piles’ for habitat cover.

Timeline: Initial oak habitat thinning will take place in 2019. Debris piles will be burned in fall 2019 or spring 2020, depending on the curing of the material and weather conditions.

3.0 ASSESSMENT METHODS

The Initial Study includes a biological resource assessment and cultural resources records search.

The purpose of the biological resource assessment, conducted by Spring Rivers, is to evaluate the potential effects of the various work activities on state-listed and federally-listed species, as well as species that meet the criteria for listing under the California Environmental Quality Act (CEQA) guidelines (Section 15380).

This document summarizes the species occurrence and habitat information available for the Fall River Mills area and highlights information that is specific to the proposed Project Area (Figure 1). A preliminary list of species that could potentially occur within the Project Area was developed from online publications and databases, including the California Natural Diversity Database (CNDDDB) rare species list for the Fall River Mills and Hogback USGS 7.5' quadrangles (CDFW 2019); California Department of Fish and Wildlife (CDFW) Special Status Animals List (CDFW 2018a); CNDDDB State and Federally Listed Endangered, Threatened, and Rare Plants of California (CDFW 2018b); CNDDDB Special Vascular Plants, Bryophytes, and Lichens List (CDFW 2018c); and California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS 2019). The preliminary species list was updated/refined using biological information gathered in support of relicensing, license-compliance monitoring, and construction projects for the Pit 1 Project (Dittes and Guardino 2014; FERC 1999; GANDA 2004; and PG&E 2001, 2009a, 2009b, 2009c, 2011, 2017, 2018, and 2019); and site-specific biological information gathered by Spring Rivers for other research and/or monitoring projects.

In compliance with CEQA Sections 21083.2 and 21084.1, and CEQA Guidelines Section 15064.5, Far Western Anthropological Research Group, Inc., conducted a records search of cultural resources files at the Northeast Information Center, in Chico, and Pacific Gas and Electric Company (PG&E) archives (Far Western 2019). The records search buffer was one-eighth mile around the Area of Potential Effects (APE). Sources consulted included:

- National Register of Historic Places – Listed Properties and Determined Eligible Properties
- California Inventory of Historical Resources (Department of Parks and Recreation)
- California Register of Historical Resources

4.0 ASSESSMENT RESULTS

This section describes the historical and existing environmental setting for the proposed project, discusses the special-status species and protected habitats that are known to occur in the vicinity of Fall River Mills, and evaluates the potential for those species and habitats to occur within the Project Area.

4.1 ENVIRONMENTAL SETTING

The 2 miles of trail (0.97 acres) and 20 acres of oak woodland habitat designated for thinning are located adjacent to Fall River Lake near the town of Fall River Mills, in Shasta County, California (Figure 1). The entire Project Area lies within the Fall River Mills USGS 7.5' Topographic Quadrangle. Portions of the project are adjacent to residential areas, and the entire project is adjacent to waters and facilities used by PG&E for operation of its Pit 1 Hydroelectric Project (FERC Project No. 2687). The historical and existing environmental conditions within the Project Area are described below.

4.1.1 Geology

The Project Area is situated at the southern end of the Fall River Valley, near the southern end of the Cascade Range Geomorphic Province at its juncture with the western part of the Modoc Plateau Geomorphic Province. Fall River Valley is a Modoc Plateau fault block basin overlain by Pleistocene lake sediments (Alt and Hyndman 1975). The majority of the Project Area is mapped as Pleistocene-Age alluvium (Qoa).

4.1.2 Hydrology and Aquatic Resources

Fall River Lake receives inflow from the Fall River, which is a sinuous, low-gradient river that originates from a series of springs and spring-fed lakes in the upper Fall River Valley and then flows south through mostly privately-owned agricultural lands to its confluence with the Pit River. The Fall River, which is within the “Lower Pit River” USGS Hydrologic Unit (Map Unit Number 18020003), is one of the largest spring systems in the United States (Meinzer 1927). During summer (mid-June to mid-October), Fall River discharge to the Pit River is generally between 800 cfs and 900 cfs with a standard deviation of less than 100 cfs (PG&E 2011). During high winter and spring run-off events when Bear Creek, the only surface tributary to Fall River is running, flows in the thousands have been recorded. During an extreme runoff event on December 31, 1996, Bear Creek discharge was measured 6,520 cfs around 8:30 am at Spaulding Bridge just upstream of the confluence with Fall River (Rick Poore, unpublished data).

Since operation of the 69.3-megawatt Pit 1 Project began in 1922, most of the Fall River is diverted by the Pit 1 Diversion Dam at the upstream end of Fall River Lake through the Pit 1 Powerhouse, which is situated on the Pit River 6.5 river miles downstream of the Fall River's

natural confluence with the Pit River. The diversion dam can discharge from 200 to 2,028 cfs of water into the Pit 1 Forebay/Fall River Lake, however, PG&E is required to release a continuous flow of Fall River water from the Pit 1 Diversion Dam through Fall River Pond to supply the Knoch Ranch diversion (a water right senior to PG&E) at Fall River Pond Weir (see Figure 2). In addition, PG&E's current operating license requires instream flow releases of 50–150 cfs above and beyond what is being diverted by the Knoch Ranch. These releases flow over the Fall River Pond Weir into the natural Fall River channel for 0.2 mile (0.3 km) to its historic confluence with the Pit River. For the control of aquatic vegetation growth and mosquito production in Fall River Pond, the 2007 FERC License for the Pit 1 Project requires PG&E to release flushing flows of 1,250 cfs (or the natural flow if less than 1,250 cfs) through Fall River Pond for two consecutive days (Saturday and Sunday) three times during the summer. This license condition was implemented from 2003 through 2009, and surface aquatic vegetation cover on Fall River Pond was monitored from 2005 through 2009, after which a summary report was filed along with a recommendation to discontinue the summer flushing flows. The State Water Board has temporarily suspended summer flushing flows in 2010–2018 while undergoing a California Environmental Quality Act (CEQA) process to analyze the effects of permanently suspending the flushing flow requirement.

The Fall River upstream of the Pit 1 Diversion Dam is a designated Wild Trout Stream that is characterized by constant annual flow, water temperature (9–12° C), water clarity (>25 m in the headwater regions), and water chemistry, because it is nearly completely springfed (PG&E 2011). The only exception to this is seasonal rain and snowmelt runoff from Bear Creek, which enters the Fall River near the Thousand Springs headwaters. This unique environment supports a number of aquatic organisms, including rare and endemic species of crayfish, sculpin, and molluscs found only within the Fall River system and a few nearby springs in the Hat Creek and Pit River drainages. Aquatic species endemic to the Fall River and mid-reaches of the Pit River include Shasta crayfish (*Pacifastacus fortis*), rough sculpin (*Cottus asperimus*), bigeye marbled sculpin (*Cottus klamathensis macrops*), and Ahjumawi pebblesnail (*Fluminicola ahjumawi*).

In addition to rough and bigeye marbled sculpins, the native fish assemblage in the Fall River upstream of the Pit 1 Diversion dam includes Rainbow trout (*Oncorhynchus mykiss*), Sacramento pikeminnow (*Ptychocheilus grandis*), Sacramento sucker (*Catostomus occidentalis*), tule perch (*Hysterocarpus traskii*), Pit River tui chub (*Siphatales thalassinus*), and Pit-Klamath brook lamprey (*Lampetra lethophaga*). Non-native species that have been documented in the Fall River include brown trout (*Salmo trutta*), blue gill (*Lepomis macrochirus*), green sunfish (*Lepomis cyanellus*), largemouth bass (*Micropterus salmoides*), and mosquitofish (*Gambusia affinis*). Spring Rivers has observed or collected all of the above species in Fall River Lake, with the exception of tui chub, Pit-Klamath brook lamprey, and brown trout.

In addition to the Ahjumawi pebblesnail, the Fall River upstream of the Pit 1 Diversion Dam supports a diverse molluscan assemblage, including but not limited to the Great Basin rams-horn (*Helisoma newberryi*), topaz juga (*Juga acutifilosa*), canary duskysnail (*Colligyrus convexus*), Archimedes pyrg (*Pyrgulopsis archimedis*), montane peaclam (*Pisidium ultramontanum*), California floater mussel (*Anodonta californiensis*), and western ridged-shell mussel (*Gonidea angulata*). Spring Rivers has observed Great Basin rams-horn, California floater mussel, and western ridged-shell mussel in Fall River Lake.

4.1.3 Vegetation Communities and Terrestrial Resources

The following description of the vegetation communities in the vicinity of Fall River Lake is from botanical surveys conducted by PG&E between June 1990 and May 1992 during the relicensing for the Pit 1 Hydroelectric Project (Stebbins 1992). Fall River Lake is surrounded by the following three major vegetation habitat types: juniper, low sagebrush, and fresh emergent wetland. Juniper is common around the southern and western upland areas away from the shoreline of the lake. The juniper community includes moderately spaced western juniper (*Juniperus occidentalis*), ponderosa pine (*Pinus ponderosa*), and gray pine (*Pinus sabiniana*) with an understory of bitterbrush (*Purshia tridentata*), woolly sunflower (*Eriophyllum lanatum*), lupine (*Lupinus argenteus*), and penstemon (*Penstemon laetus*). The low sagebrush community is dominated by low sagebrush (*Artemisia arbuscula*), rabbit brush (*Ericameria* [*Chrysothamnus*] *nauseosa*), and mule's ears (*Wyethia mollis*) with silvery false lupine (*Thermopsis californica* var. *argentata*) and a few scattered junipers. The fresh emergent wetlands along the immediate shoreline of Fall River Lake consists mostly of dense stands of bulrush (*Schoenoplectus* [*Scirpus*] *acutus*), cattail (*Typha latifolia*), rush (*Juncus balticus*), spikerush (*Eleocharis acicularis*), and water smartweed (*Persicaria* [*Polygonum*] *hydropiperoides*).

Historically, the openings in low sagebrush habitat were dominated by native annual and perennial grasslands. After years of cattle grazing and off-road vehicle use, the open areas are currently dominated by non-native annual grassland and graded/disturbed areas. Based on botanical surveys conducted adjacent to Fall River Pond (Dittes and Guardino 2014), dominant grasses in drier upland areas around Fall River Lake may include cheatgrass (*Bromus tectorum*), Japanese Brome (*B. japonicus*), softchess (*B. hordeaceus*), Medusa-head grass (*Taeniatherum caput-medusae*), shining nitgrass (*Gastridium ventricosum*), Apera (*Apera interrupta*), Italian Ryegrass (*Festuca perennis*), rat-tail fescue (*Vulpia myuros*), bulbous bluegrass (*Poa bulbosa*), wall barley (*Hordeum murinum*), scattered Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*), and common barley (*Hordeum vulgare*). A preliminary tour of the site by a botanist collaborator revealed that large areas of the project area are occupied by common wheatgrass (*Triticum aestivum*). Lower, slightly moister areas may support common velvetgrass (*Holcus lanatus*), native creeping wildrye (*Elymus triticoides*), and Kentucky bluegrass (*Poa pratensis*).

Before the Hat Fire burned much of the woodland habitat on the west side of Fall River Lake in August 2018 (see Section 2, Task 6), the 20 acres of woodland habitat designated for thinning was divided into two units as shown in Figure 1. The larger unit consisted of a canopy dominated by gray pine (*Pinus sabiniana*) with a variable density of mature and legacy Oregon white oak (*Quercus garryana*) and California black oak (*Q. kelloggii*) that were beginning to be overtopped by gray pine. Western juniper (*Juniperus occidentalis*), gray pine, and a small number of incense-cedar (*Calocedrus decurrens*) were beginning to infill under the canopy causing excessive density. The understory vegetation was dominated by Oregon grape (*Berberis aquifolium*), mountain mahogany (*Cercocarpus betuloides*, *C. ledifolius*), evergreen buckthorn (*Rhamnus ilicifolia*), Klamath plum (*Prunus subcordata*), and non-native rose (*Rosa spp.*). The smaller thinning unit consisted of a mature Oregon white oak plantation with a low density of western juniper encroachment.

The existing vegetation communities in the Fall River Valley support a diversity of terrestrial wildlife species. The sagebrush plant communities, which are characteristic of the region, provide important habitat for sagebrush-dependent wildlife such as brewers sparrow (*Spizella breweri*). The region also serves as one of the best staging areas for waterfowl migration in northern California, and is used by raptors and passerines as a migratory stopover. Intact grassland habitat provides important avian foraging and roosting habitat in the winter, important stopover habitat during spring and fall for birds migrating along the Pacific flyway, and excellent breeding habitat for waterfowl during the spring and summer. The abundance of riverine, lacustrine, and wetlands habitat in the Fall River Valley, particularly in the Tule River sub-drainage, contributes to the diversity and abundance of wildlife in the project vicinity.

4.2 SPECIAL-STATUS ANIMALS

Table 1 provides a list of special-status aquatic and terrestrial wildlife species reported to occur in the vicinity of Fall River Lake. Special-status species include species with federal or state listing status, and species designated as California species of special concern (SSC) or California fully protected (CFP). The Federal Endangered Species Act (ESA) listing codes are as follows: federally endangered (FE), federally threatened (FT), federal candidates for listing (FC), federally proposed for listing as endangered (FPE), federally proposed for listing as threatened (FPT), and federally proposed for delisting (FPD). The California Endangered Species Act (CESA) listing codes are as follows: state endangered (SE), state threatened (ST), state candidate for listing as endangered (SCE), state candidate for listing as threatened (SCT), and state candidate for delisting (SCD). The potential effects of the various work activities on special-status animals that could potentially occur within the Project Area are evaluated in the following subsections: Invertebrates, Fish, Amphibians and Reptiles, Birds, and Mammals.

Table 1. List of special-status animals reported to occur in the vicinity of the proposed project.

Common Name (<i>Scientific Name</i>)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Invertebrates				
Shasta crayfish (<i>Pacifastacus fortis</i>)	FE, SE	Cool, spring-dominated rivers and streams characterized by clean, volcanic cobbles and boulders overlying gravel substrates (USFWS 1998). Historically restricted distribution, limited to mid-reaches of the Pit River drainage, primarily the Fall River and Hat Creek drainages in Shasta County.	Species was first reported from Fall River at Fall River Mills in 1898 (Rutter 1908). One live specimen was found in Fall River Pond in 1974 (Moyle and Daniels, unpublished survey notes) and one dead specimen was found in 1978 (Daniels 1980, R. Daniels personal communication 4/27/93, and 1978 unpublished field notes). Its distribution within Fall River is now restricted to the headwater springs (PG&E 2018).	Does not occur. There are no documented occurrences of Shasta crayfish in Fall River Lake, and no suitable habitat for Shasta crayfish exists in Fall River Lake.
Fish				
Rough sculpin (<i>Cottus asperimus</i>)	ST, CFP	Clear water with soft, sandy substrates and abundant vegetation. Species with historically restricted distribution, limited to mid-reaches of the Pit River drainage (Moyle 2002).	Species was collected in Fall River downstream of Fall River Lake in 2004 (PG&E 2009a), and it is known to occur in the upper reaches of Fall River (Spring Rivers, unpublished data).	Species likely occurs in Fall River Lake, which contains suitable habitat for rough sculpin.

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Common Name (Scientific Name)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Other special- status fish species: Bigeye marbled sculpin (<i>Cottus klamathensis macrops</i>) Hardhead (<i>Mylopharodon conocephalus</i>)	SSC	Various. Bigeye marbled sculpin has a historically restricted distribution, limited to mid-reaches of the Pit River drainage (Moyle 2002). Hardhead are distributed throughout Sacramento and San Joaquin drainage basins.	Bigeye marbled sculpin was collected in Fall River downstream of Fall River Pond Weir during 2004–2008 (PG&E 2009a). Hardhead was collected in Fall River Lake in 2005 (Spring Rivers 2007).	Bigeye marbled sculpin likely occur in Fall River Lake; and hardhead do occur in Fall River Lake.
Amphibians and Reptiles				
Cascades frog (<i>Rana cascadae</i>)	SCE, SSC	Habitat varies by life stage and includes large lakes, ponds, wet meadows, and flowing streams. Historically distributed from the Shasta-Trinity region to the Modoc Plateau, and south from Lassen region to upper Feather River (Jennings and Hayes 1994).	Species was reported in upper Bear Creek (Pondosa USGS 7.5' Quadrangle), tributary to upper reaches of Fall River in 1939 and 1946 (Pope et al. 2014). Nearest existing population is 15 miles west of proposed project (K. Pope, personal communication, April 2016).	Does not occur. Was not found during amphibian surveys done throughout Pit 1 Project area in 2004–2008 (PG&E 2009b).

Fall River Valley Community Services District

Fall River Lake Trail Improvement and Ecocultural Enhancement Project—Initial Study

Common Name (<i>Scientific Name</i>)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Oregon spotted frog (<i>Rana pretiosa</i>)	FT, SSC	Marshes, ponds, lake edges, and slow meadow streams, usually where there is low emergent vegetation (Jennings and Hayes 1994). Historically occurred in mid-reaches of the Pit River drainage.	Species is known from only seven records in California, one of which was collected by Rutter and Chamberlain at the type locality of the Shasta crayfish, Fall River near Fall River Mills, Shasta County on August 29, 1898 (USNM 38806).	Does not occur. Was not found during amphibian surveys done throughout Pit 1 Project area in 2004–2008 (PG&E 2009b). Species is believed to be extinct in California.
Northwestern pond turtle (<i>Actinemys marmorata</i>)	SSC	Rivers, streams, lakes, ponds, shallow wetlands, abandoned gravel pits, stock ponds, and sewage treatment lagoons. Pools are the preferred habitat in streams and rivers (Bury and Germano 2008). Historically distributed throughout California.	Species is known to occur in Fall River Pond (PG&E 2009c) and in Fall River Lake (Spring Rivers, unpublished data).	Species does occur in Fall River Lake. Suitable upland breeding habitat is present in project vicinity.
Birds				
Northern goshawk (<i>Accipiter gentilis</i>)	SSC	Breeds in middle and high elevation dense coniferous forest. May winter in low elevation riparian habitat in the North Coast, Sierra Nevada, Klamath, and Cascade ranges, and Warner Mountains (Shuford and Gardali 2008; Zeiner et al. 1990a).	The nearest documented goshawk occurrence is located more than 7 miles northeast of the construction area near Day (CDFW 2019).	Does not occur. No suitable habitat exists within 1 mile of the proposed project.

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Common Name (Scientific Name)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Tri-colored blackbird (<i>Agelaius tricolor</i>)	SCE, SSC	Freshwater marshes dominated by cattails and bulrushes, with willows and nettles (Neff 1937). Nests in non-native Himalayan blackberry, cattail/bulrush, and in irrigated pastures (Meese et al. 2015).	Species has been documented within the Fall River Mills USGS Quad (CDFW 2019), and has been observed in the vicinity of Fall River Lake (Spring Rivers, unpublished data).	Species could potentially occur in project vicinity. Suitable nesting habitat exists along the shores of Fall River Lake.
Golden eagle (<i>Aquila chrysaetos</i>)	CFP	Habitats include forests, canyons, shrub lands, grasslands, and oak woodlands. Eagles in northeastern California typically nest on cliffs (Katzner et al. 2012).	Golden eagle nesting territory was documented in the Pit River canyon upstream of Pit 1 Powerhouse in 1992 (PG&E 2001).	May occur as transient only. Species may forage in project vicinity, but no suitable nesting habitat exists within 1 mile of the proposed project.
American peregrine falcon (<i>Falco peregrinus anatum</i>)	CFP	Forages in open areas, usually in mesic habitats; winters in the Central Valley. Known nests occur along the coast and in the Sierra Nevada and northern mountains in woodland, forest, and coastal habitats near water or on high cliffs (Small 1994; Zeiner et al. 1990a).	Species was observed near Fall River Lake in 1992 (PG&E 2001). The nearest known peregrine falcon nesting area is located more than 2 miles from Fall River Lake, on the cliffs above Pit Falls in the Pit 1 Bypass Reach (PG&E 2017).	May occur as transient only. Species may forage in project vicinity, but no suitable nesting habitat exists within 1 mile of the proposed project.
Greater sandhill crane (<i>Grus canadensis tabida</i>)	ST, CFP	Nests in open areas of wet meadows that are often interspersed with emergent marsh. Usually build nests over shallow water (CDFG 1994).	Species was observed around Fall River Lake in 1992 (PG&E 2001), and has been observed in swamp and pasture lands upstream of the Pit 1 Diversion Dam (Spring Rivers, unpublished data).	May occur as transient only. Minimal nesting habitat exists around Fall River Lake.

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Common Name (<i>Scientific Name</i>)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Bald eagle (<i>Haliaeetus leucocephalus</i>)	SE, CFP	Breeds in coniferous forest near lakes, rivers, or ocean shorelines in northern California. Winters near large water bodies or rivers at scattered locations throughout California (Small 1994; Zeiner et al. 1990a).	There is an active bald eagle nesting territory with a nest on the north shore of Fall River Lake; the nest was occupied and successful in 2013, 2014, 2015, and 2016 (PG&E 2017). The nest was occupied, but not successful in 2017 and 2018 (PG&E 2019). There is a second active bald eagle nesting territory whose foraging area includes lower Fall River Lake.	Species does occur in project vicinity; the nesting territory is at north end of Fall River Lake.
Bank swallow (<i>Riparia riparia</i>)	ST	Nesting habitat includes tall, vertical banks of soft soil, firm sand or sandy loam near a water source (Small 1994; Zeiner et al. 1990a).	Active bank swallow colonies were documented along the east bank of Fall River Lake in 1992 (PG&E 2001). Spring Rivers observed nesting bank swallows along the east bank of Fall River Lake in 2016.	Active bank swallow colonies occur along the east bank of Fall River Lake.
Mammals				
California wolverine (<i>Gulo gulo luscus</i>)	FPT, ST, CFP	Utilizes habitat including red fir, mixed conifer, lodgepole, subalpine conifer, alpine dwarfshrub, barren, and probably wet meadows, montane chaparral, and Jeffrey pine (Zeiner et al. 1990b). Historically distributed in North Coast, Cascade, and Sierra Nevada ranges above 6,000 ft.	A wolverine was reported in the vicinity of Fall River Mills in the 1970s (FERC 1999).	Does not occur. Species has not been documented in the vicinity of the proposed project since the 1970s.

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Common Name (Scientific Name)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Pacific fisher, West Coast DPS (<i>Pekania pennanti</i>)	FPT, ST, CFP	Occurs in intermediate to large-tree stages of coniferous forests and deciduous riparian habitats with a high percent canopy closure (Zeiner et al. 1990b). Uncommon permanent resident of the Sierra Nevada, Cascade, Klamath Mountains, and North Coast ranges.	The eastern-most Pacific Fisher detection within Shasta County was a road-kill specimen found near Dead Horse Summit on Highway 89 (CDFW 2019; Steve Breth, personal communication).	Unlikely to occur due to urban setting and lack of suitable denning habitat in project vicinity.
American badger (<i>Taxidea taxus</i>)	SSC	Open, arid habitats; prefers grasslands, savannas, mountain meadows, and open areas of desert scrub from below sea level to over 12,000 ft (Zeiner et al. 1990b).	Species has been documented within the Fall River Mills USGS Quad (CDFW 2019).	Unlikely to occur due to urban setting and lack of suitable denning habitat in project vicinity.
Sierra Nevada red fox (<i>Vulpes vulpes necator</i>)	ST	Conifer forests and montane chaparral habitats in Sierra Nevada and Cascade ranges at 4,000 to 12,000 ft (Zeiner et al. 1990b).	Species has been documented within the Fall River Mills USGS Quad (CDFW 2019).	Unlikely to occur due to urban setting and lack of suitable denning habitat in project vicinity.

¹ **Status abbreviations are as follows:** FE = federally endangered; FT = federally threatened; FPT = federally proposed for listing as threatened; SE = state of California endangered; ST = state of California threatened; SCE = state candidate for listing as endangered; SSC = state species of special concern; and CFP = California fully protected.

4.2.1 Invertebrates

No special-status invertebrates could potentially occur in the project vicinity. While the type locality (Fall City Mills, Fall River, California) of the Shasta crayfish (Rutter 1908, Faxon 1914) is in the vicinity of Fall River Lake and the species was historically present throughout the Fall River drainage, Shasta crayfish (*Pacifastacus fortis*; FE and SE) are now found only in the headwaters of Fall River drainage, generally associated with springs (PG&E 2018). Shasta crayfish may still exist more than five river miles downstream of the Project Area, in springs in the margins of the Pit River. There is no likelihood that the project could affect the Pit River Shasta crayfish, as the primary potential impact to aquatic organisms would be from erosion and sedimentation. Standard erosion control measures will be implemented as described in Section 5.0 to minimize any potential for erosion during project construction and to prevent any potential for impacts to aquatic habitats and species. In addition, the resurfacing of the trail and decommissioning of old road and trail surfaces will reduce the amount of erosion and sedimentation to the lake that currently exists. Furthermore, any erosion and sedimentation would be confined to Fall River Lake and would not pass from Fall River Lake into Fall River Pond, the Fall River bypass reach downstream of Fall River Pond, or the Pit River.

4.2.2 Fish

Rough sculpin (*Cottus asperimus*; ST, CFP) and bigeye marbled sculpin (*Cottus klamathensis macrops*; SCC) likely occur in Fall River Lake, and Hardhead (*Mylopharodon conocephalus*) is known to occur in Fall River Lake. Impacts to these species could occur if the project work activities result in sedimentation into Fall River Lake. The potential for sedimentation into Fall River Lake is low, because the planned trail installation/rehabilitation will occur during the dry summer season on existing roads/trails with compacted or thin soils that are back from the banks of Fall River Lake and do not drain directly toward the lake. Standard erosion control measures will be implemented as described in Section 5.0 to minimize any potential for erosion during project construction and to prevent any potential for impacts to aquatic habitats and species. In addition, the resurfacing of the trail and decommissioning of old road and trail surfaces will reduce the amount of erosion and sedimentation to the lake that currently exists.

4.2.3 Amphibians and Reptiles

Based on results of amphibian surveys conducted throughout the Pit 1 Project area during 2004–2008 (PG&E 2009b), no special-status amphibians occur in the vicinity of Fall River Lake. Western pond turtles (*Actinemys marmorata*; SSC), however, are known to occur in Fall River Lake and suitable nesting habitat (e.g., open areas with good sun exposure that are dominated by grasses and herbaceous vegetation) is present in undisturbed locations around Fall River Lake (PG&E 2009c). Since the planned trail work will take place almost exclusively on existing roads/trails with compacted/shallow soils, the potential for occurrence of pond turtle nests within

the planned disturbance area is low. However, impacts to western pond turtle could occur if any ground-disturbing activities occur during the turtle nesting season in less disturbed areas with potentially suitable nesting habitat. The duration of the western pond turtle nesting season is not known, but it is suspected that egg laying occurs during summer and that hatchlings emerge from the nests the following spring (Bury and Germano 2008). To minimize potential impacts to western pond turtles during the project construction phase, pre-construction surveys and avoidance/minimization measures will be implemented as described in Section 5.0.

4.2.4 Birds

Based on recent occurrence information and existing habitat conditions, the following special-status bird species could utilize nesting habitat in the project vicinity: tri-colored blackbird (*Agelaius tricolor*; SCE, SSC), yellow warbler (*Dendroica petechia brewsteri*; SSC), bald eagle (*Haliaeetus leucocephalus*; SE, CFP), and bank swallow (*Riparia riparia*, ST).

Some suitable nesting habitat (i.e., willows and other riparian vegetation) for tri-colored blackbird, yellow warbler, and other neo-tropical birds is present along the east bank of Fall River Lake adjacent to the planned trail route. Project work could impact nesting neo-tropical birds if work activities result in removal of nesting habitat or if noise-generating activities cause birds to vacate nests or nesting areas or otherwise disturb adults during breeding/nesting season, which extends from April 1 to August 31. The upland shrubs that will be removed in two sections of the planned trail (see Section 2.0, Task 3.1) are not suitable nesting habitat for tri-colored blackbird or yellow warbler; however, other migratory bird species protected under the Migratory Bird Treaty Act (MBTA) could potentially utilize upland shrubs as nesting habitat. The woodland habitat designated for thinning could also provide suitable nesting habitat for common species such as red tailed hawk (*Buteo jamaicensis*) that are protected under the MBTA and are known to nest in suitable locations around Fall River Lake (Spring Rivers 2016). To minimize potential impacts to nesting birds, pre-construction surveys and any recommended avoidance/minimization measures will be implemented as described in Section 5.0.

PG&E conducts annual monitoring of bald eagle productivity in the Pit 1 Project area, which includes Fall River Lake, according to the Bald Eagle Compliance Monitoring Plan (PG&E 2003) as required by Article 415 of Pit 1 Project FERC license. There is an active bald eagle nest site on the north shore of Fall River Lake, as well as several others in the vicinity of the project (Figure 3). The upper half of Fall River Lake is within an active bald eagle (*Haliaeetus leucocephalus*; SE, CFP) nesting territory. Project work could impact nesting bald eagles if noise-generating activities cause birds to vacate nests or nesting areas or otherwise disturb adults during breeding/nesting season, which extends from January 1 to July 31.



Figure 3. Locations of bald eagle nest sites used during PG&E’s 2012-2018 Bald Eagle Compliance Monitoring that are in the vicinity of the proposed project (from PG&E 2017).

The 2012-2016 Five-Year Summary Report (PG&E 2017) recommended changes to bald eagle management in the Pit 1 Bald Eagle Compliance Monitoring Plan subsequently approved by FERC in the November 2017 order. For nests in the Project Area, the U.S. Fish and Wildlife Service National Bald Eagle Management Guidelines (2007) will be used to define the protective buffer distances in nest management zones. Specifically, a buffer of 660 feet (200 meters) is recommended for construction activities, timber management, and motorized and non-motorized activities around active nests from January 1 to July 31. To minimize potential impacts to nesting bald eagles, PG&E's wildlife biological consultant responsible for monitoring bald eagles within the Pit 1 Project will be consulted to determine the location of active bald eagle nests and evaluate the potential for the project work to disturb nesting eagles. If any of the project work activities have potential to disturb nesting bald eagles, then avoidance/minimization measures will be implemented as described in Section 5.0.

The 2012-2016 Five-Year Summary Report (PG&E 2017) recommended changes to bald eagle management in the Pit 1 Bald Eagle Compliance Monitoring Plan subsequently approved by FERC in the November 2017 order. For nests in the Project Area, the U.S. Fish and Wildlife Service National Bald Eagle Management Guidelines (2007) will be used to define the protective buffer distances in nest management zones. Specifically, a buffer of 660 feet (200 meters) is recommended for construction activities, timber management, and motorized and non-motorized activities around active nests from January 1 to July 31. To minimize potential impacts to nesting bald eagles, PG&E's wildlife biological consultant responsible for monitoring bald eagles within the Pit 1 Project will be consulted to determine the location of active bald eagle nests and evaluate the potential for the project work to disturb nesting eagles. If any of the project work activities have potential to disturb nesting bald eagles, then avoidance/minimization measures will be implemented as described in Section 5.0.

Active bank swallow (*Riparia riparia*, ST) nesting colonies occur along the east bank of Fall River Lake. Project work could impact nesting bank swallows if noise-generating activities cause birds to vacate nesting areas or otherwise disturb adults during breeding/nesting season, which extends from April 1 to August 31. Since the bank swallow colonies are located adjacent to roads formerly frequented by OHVs and across the lake from an active day use area and boat launch, the Fall River Lake bank swallows are likely acclimatized to human-made noise. However, if any of the project work activities are expected to generate excessive noise capable of disturbing nesting bank swallows, avoidance/minimization measures will be implemented as described in Section 5.0.

Special-status bird species that have not been documented as occurring within 1 mile from the Project Area, and birds for which no suitable nesting habitat exists within the Project Area include northern goshawk (*Accipiter gentilis*; SSC), golden eagle (*Aquila chrysaetos*, CFP), American peregrine falcon (*Falco peregrinus anatum*), and greater sandhill crane (*Grus*

canadensis tabida; ST, CFP). These species will not be affected by the Fall River Lake Trail Improvement and Ecocultural Enhancement Project.

4.2.5 Special-Status Mammals

Several special-status carnivore species, including California wolverine (*Gulo gulo luscus*; FPT, ST, CFP), Pacific fisher (*Martes pennant*; FPT, ST, CFP), American badger (*Taxidea taxus*; SSC), and Sierra Nevada red fox (*Vulpes vulpes necator*; ST) have been reported as occurring within the Fall River Mills USGS 7.5' Topographic Quadrangle (CDFW 2019). These species are unlikely to occur in the Project Area, however, due to lack of suitable denning habitat and the proximity of the Project Area to Fall River Mills and the Fall River Lake Day Use Area (Figure 2). Therefore, any use of the Project Area by these species would likely be transitory and project construction activities should not harm or harass these species. No special-status bats or other mammals with current special status designation have been documented as occurring in the project vicinity (CDFW 2019, GANDA 2004).

4.3 SPECIAL-STATUS PLANTS

A list of special-status plant species that could potentially occur within the Project Area is provided in Table 2. Special-status species include species with federal or state listing status and species with designated California Rare Plant (CRP) status ranks. The CRP status ranks included in Table 2 are defined in the Table 2 footnotes.

During botanical surveys conducted in support of PG&E's Fall River Pond Weir and Gage Replacement Project (Dittes and Guardino 2014), tufted loosestrife (*Lysimachia thyrsiflora*; CRP 2B.3) was identified on the right (southwest) bank of the Fall River near the Fall River Pond Weir (Figure 4). In California, tufted loosestrife occurs in meadows, seeps, marshes and swamps from 800 to 1300 meters elevation. Its CRP rank of 2B.3 means that it is considered somewhat threatened in California (less than 20% of occurrences threatened and immediacy of threat or no current threats known), but it is more common elsewhere (e.g., CO, OR, WA, UT, WY, & Eurasia). Its CNDDDB state status rank is S1, which is critically endangered. Tufted loosestrife is known from five occurrences in California, all within Plumas and Shasta counties. The Consortium of California Herbaria has records of 11 collections; 2 of which were taken near Fall River Mills in 1949 (S. Galen Smith, Malcom A. Nobs, and Herbert L. Mason #753).

Tufted loosestrife was not identified within the Pit 1 Project area during relicensing botanical surveys (PG&E 2001); and there are no known occurrences of this species around Fall River Lake. The proposed route for the Fall River Lake trail will avoid all wetland habitats where tufted loosestrife and other wetland plant species could potentially occur.

Table 2. Special-status plants that could potentially occur in the vicinity of the proposed project.

Common Name (Scientific Name)	Status¹ and CRP Rank²	General Habitat	Found in Project Vicinity During Recent Surveys³ (Yes/No)
Lemmon's milk-vetch (<i>Astragalus lemmonii</i>)	1B.2	Perennial herb in the pea family; inhabits moist places within Great Basin sagebrush scrub communities.	No
Watershield (<i>Brasenia schreberi</i>)	2B.3	Perennial aquatic plant that grows in shallow water of lakes, ponds, and rivers.	No
Bristly sedge (<i>Carex comosa</i>)	2B.1	Perennial herb in sedge family that grows in wet places, including meadows and other wetlands.	No
Castlegar hawthorne (<i>Crataegus castlegarensis</i>)	3	Newly described tree in rose family; inhabits moist rocky loam in riparian woodland in Great Basin habitats.	No
Tracy's eriastrum (<i>Eriastrum tracyi</i>)	1B.2	Annual herb in the phlox family; inhabits chaparral and cismontane woodland, where the plants are found in areas with sandy or volcanic soils.	No
Baker cypress (<i>Hesperocyparis bakeri</i>)	4.2	Evergreen tree in cypress family; grows in small, scattered populations within Siskiyou, Modoc, Shasta, Plumas, and Tehama counties.	No
Water star-grass (<i>Heteranthera dubia</i>)	2B.2	Aquatic plant in the water hyacinth family; occurs in rivers and lakes.	No
Tufted loosestrife (<i>Lysimachia thyrsiflora</i>)	2B.3	Perennial herb in myrsine family that grows in marshes, shorelines of lakes and ponds and occasionally along streams.	Yes, on west bank of Fall River Pond near Fall River Pond Weir
Tehama pincushion (<i>Navarretia heterandra</i>)	4.3	Annual herb in the phlox family that grows in moist areas on grasslands, such as vernal pools.	Yes, on west and north banks of Fall River Lake
Profuse-flowered pogogyne (<i>Pogogyne floribunda</i>)	4.2	Annual herb in mint family. Found in vernal pools, ephemeral creeks, and other summer-dry water bodies in Modoc Plateau.	No
Bidwell's knotweed (<i>Polygonum bidwelliae</i>)	4.3	Small, annual herb; inhabits areas with thin, volcanic soils in chaparral, cismontane woodland, or grassland.	No
Marsh skullcap (<i>Scutellaria galericulata</i>)	2B.2	Perennial herb in the mint family; inhabits mesic areas such as meadows, or marshes and swamps, in lower montane coniferous forest (CNPS 2010).	No

Common Name (<i>Scientific Name</i>)	Status ¹ and CRP Rank ²	General Habitat	Found in Project Vicinity During Recent Surveys ³ (Yes/No)
Hairy marsh hedge- nettle (<i>Stachys pilosa</i>)	2B.3	Perennial herb in mint family. Usually occurs in wetlands.	No
Long-leaved starwort (<i>Stellaria longifolia</i>)	2B.2	Perennial herb in pink family. It grows in many types of moist habitat, including meadows, marshes, and roadsides.	No
Slender-leaved pond weed (<i>Stuckenia filiformis</i> <i>ssp. alpina</i>)	2B.2	Perennial rhizomatous herb in the pondweed family. Occurs in rivers and lakes.	No
Silvery false-lupine (<i>Thermopsis californica</i> <i>var. argentata</i>)	4.3	Perennial plant in the pea family; inhabits lower montane coniferous forest, and pinyon and juniper woodland.	Yes, in parking area near Fall River Pond

1 Status abbreviations are as follows: FT = federally threatened; CE = state of California endangered

2 CRP (California Rare Plant) Rank abbreviations are as follows: 1A = presumed extirpated in California and either rare or extinct elsewhere; 1B = rare, threatened, or endangered in California and elsewhere; 2A = presumed extirpated in California but common elsewhere; 2B = rare, threatened, or endangered in California but more common elsewhere; 3 = plants about which more information is needed; and 4 = plants with limited distribution. Threat ranks are defined as: 0.1 = seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat); 0.2 = moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat); and 0.3 = not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known).

3 Botanical surveys: conducted in project vicinity for PG&E's Fall River Pond Weir and Gage Replacement Project (Dittes and Guardino 2014) and for PG&E's Former Trap Club Remediation Project (Spring Rivers 2016).



Figure 4. Locations of special-status plant species in the vicinity of the proposed project.

During botanical surveys conducted in support of PG&E’s remediation work at the Former Trap Club (Spring Rivers 2016), Tehama pincushion (*Navarretia heterandra*; CRP 4.3) was identified in several moist depressions along the right (southwest) bank of the Fall River downstream from the Pit 1 Diversion Dam (Figure 4). In California, Tehama pincushion occurs in vernal pools and wet or drying flats in the central valley and mountains below 1,100 meters elevation. Its CRP rank of 4.3 means that it has a limited distribution but is not very threatened in California. It has a CNDDDB rank of S4, which means that it is apparently secure in California.

Like Tehama pincushion, silvery false lupine (*Thermopsis californica* var. *argentata*; 4.3) is an apparently secure species with a limited distribution that occurs in the project vicinity. Spring Rivers identified this species in an open parking area adjacent to Fall River Pond in 2012, and it is likely to occur in similar habitat around Fall River Lake (PG&E 2001).

Tufted loosestrife, Tehama pincushion, and silvery false lupine are the only special-status plant species listed in Table 2 that have been recently identified in the vicinity of the proposed project. Tufted loosestrife is unlikely to occur within 100 feet from the planned trail, which will be routed to avoid wetland habitat areas. Tehama pincushion and silvery false lupine are likely to occur in less disturbed areas adjacent to the planned trail route; however, these species are not likely to occur on the roads/trails that the project will rehabilitate. Completion of the trail improvements and road decommissioning is expected to improve habitat for native plants, including Tehama pincushion and silvery false lupine, on the east side of Fall River Lake.

To ensure that no rare or special-status plant species are impacted during the trail construction phase, a pre-construction botanical survey will be conducted by a qualified botanist within all planned disturbance areas and staging areas as described in Section 5.0. If special status plants are found they will be protected by establishing a no-disturbance buffer around the plant/plant colony, and the trail alignment will be adjusted as needed to avoid any special status plants.

4.4 INVASIVE PLANT SPECIES

Table 3 lists the non-native and invasive plant species that could potentially occur within the Project Area. The invasive status ranks included in Table 3 were obtained from the California Invasive Plant Council (Cal-IPC) Invasive Plant Inventory (Cal-IPC 2019). The status ranks are defined in the Table 3 footnotes.

Three species of invasive plants, yellow star-thistle (*Centaurea solstitialis*), common mullein (*Verbascum thapsus*), and Himalayan blackberry (*Rubus armeniacus* = *R. discolor*) were found in the vicinity of Fall River Pond (see Figure 1) during botanical surveys conducted in 2014 (Dittes and Guardino 2014). In addition, Eurasian watermilfoil (*Myriophyllum spicatum*) is known to occur in lower Fall River (Johnson et al. 2006). To prevent the introduction or spread

Table 3. Non-native and invasive plants with potential to occur in the vicinity of the proposed project.

Common Name (Scientific Name)	Cal-IPC Status ¹	General Habitat	Found in Project Vicinity During Recent Surveys ² (Yes/No)
Jointed goatgrass (<i>Aegilops cylindrical</i>)	High	Winter-annual grass closely related to barbed goatgrass; can displace native vegetation once it becomes established.	No
Barbed goatgrass (<i>Aegilops triuncialis</i>)	Moderate	Winter-annual grass closely related to jointed goatgrass; can displace native vegetation once it becomes established.	No
Tree of heaven (<i>Ailanthus altissima</i>)	Moderate	Deciduous tree known to produce prolific seeds and root sprouts.	No
Spotted knapweed (<i>Centaurea maculosa</i>)	High	Biennial to short-lived perennial that reproduces by prolific seed production and lateral vegetative roots, and displaces native vegetation.	No
Yellow star-thistle (<i>Centaurea solstitialis</i>)	High	Deep tap-rooted winter annual herb or a short-lived perennial that is considered one of the most serious rangeland weeds because of its ability to displace native vegetation.	Yes, on left bank of Fall River Pond
Poison hemlock (<i>Conium maculatum</i>)	Moderate	Biennial tap-rooted herb that is able to over-shade some native vegetation, and therefore outcompete it; established by seed into disturbed areas.	No
Scotch broom (<i>Cytisus scoparius</i>)	High	Perennial shrub that has been known to completely take over natural areas, out-competing the native vegetation.	No
Quackgrass (<i>Elytrigia repens</i>)	No Cal-IPC rating	Perennial grass that can form extensive rhizomes; grows into thick stands that out-compete native vegetation	No
Leafy spurge (<i>Euphorbia esula</i>)	High	Rhizomatous perennial herb that can spread through a vigorous lateral root system.	No
Sweet fennel (<i>Foeniculum vulgare</i>)	High	Perennial herb that is an aggressive invader. It reproduces both by root crown and prolific seed production.	No

Common Name (<i>Scientific Name</i>)	Cal-IPC Status ¹	General Habitat	Found in Project Vicinity During Recent Surveys ² (Yes/No)
Yellow flag iris (<i>Iris pseudacorus</i>)	Limited	Aquatic perennial monocot that can form dense mats (monocultures) from lateral rhizome growth and also reproduce from seed.	No
Perennial sweet pea (<i>Lathyrus latifolius</i>)	No Cal-IPC rating	Rhizomatous, deep tap-rooted perennial vine that can spread vegetatively and also utilizes prolific seed production; can create dense stands that compete with native vegetation.	No
Eurasian watermilfoil (<i>Myriophyllum spicatum</i>)	High	Perennial submerged aquatic species that can form dense mats that both interfere with native ecosystems and recreational facilities.	No
Black locust (<i>Robinia pseudoacacia</i>)	Limited	Deciduous tree which can produce dense monotypic stands through root sprouts and seed production.	Yes, on left bank of Fall River Pond.
Himalayan blackberry (<i>Rubus armeniacus</i> = <i>R. discolor</i>)	High	Robust evergreen shrub that forms impenetrable stands in disturbed and wet areas.	Yes, on both banks of Fall River Pond
Cutleaf blackberry (<i>Rubus laciniatus</i>)	No Cal-IPC rating	Evergreen shrub that may occur in disturbed areas where it can form dense stands.	Yes
Medusahead (<i>Taeniatherum caput-medusae</i>)	High	Winter annual grass that occurs along roadsides, in disturbed areas, and in grasslands.	Yes
Puncturevine (<i>Tribulus terrestris</i>)	Limited	Annual herb that often occurs in disturbed areas.	No
Common mullein (<i>Verbascum thapsus</i>)	Limited	Biennial or annual herb that often occurs in moist and disturbed areas.	Yes, on left bank of Fall River Pond.

¹ **Cal-IPC** = California Invasive Plant Council ranks: **High** = Severe ecological impacts on physical processes, plant and animal communities, and vegetation structure; reproductive biology and other attributes are conducive to moderate to high rates of dispersal and establishment; most are widely distributed ecologically; **Moderate** = Substantial and apparent, but not generally severe, ecological impacts on physical processes, plant and animal communities, and vegetation structure; reproductive biology and other attributes are conducive to moderate to high rates of dispersal, though establishment is generally dependent upon ecological disturbance; ecological amplitude and distribution may range from limited to widespread; and **Limited** = Invasive but ecological impacts are minor on a statewide level or there was not enough information to justify a higher score; reproductive biology and other attributes result in low to moderate rates of invasiveness; ecological amplitude and distribution are generally limited, but may be locally persistent and problematic.

² **Botanical surveys:** conducted in project vicinity for PG&E's Fall River Pond Weir and Gage Replacement Project (Dittes and Guardino 2014) and for PG&E's Former Trap Club Remediation Project (Spring Rivers 2016).

of new or currently found noxious weeds species, the FRVCSD and Lomakatsi will implement its Best Management Practices as described in Section 5.0. By implementing the BMPs, impacts to native botanical resources as a result of invasive weed proliferation will be minimized.

4.5 CULTURAL RESOURCES

Seven archaeological resources recorded within the APE include six prehistoric archaeological sites and one with both prehistoric and historic-era artifacts. Two additional archaeological sites (one prehistoric and one prehistoric and historic-era) are plotted just outside the APE but might extend into it. Built resources recorded in the APE include the Forebay Dam and Forebay (aka Fall River Lake) of Pit No. 1 Power Plant; while the Power Plant system is a historic district eligible to the California Register, associated elements in the APE are non-contributing and need no further management.

The sensitivity of cultural resources restricts public release of detailed resource descriptions or site locations. The detailed report has been provided to Project planners and the FRVCSD and Project implementation will follow the cultural resource protection measures described in Section 5.

5.0 AVOIDANCE AND MINIMIZATION MEASURES

The following avoidance and minimization measures are recommended to minimize the potential for project activities to directly or indirectly affect special-status species and habitats.

Measure 1 – Wetlands

The trail will generally be aligned to provide 100-foot buffer from any wetlands, with the possible exception of short sections of trail on existing OHV roads nearest the two small coves on the east side of Fall River Lake. No new sections of trail will be constructed within 100 feet of any wetlands. Implement erosion control measures during the construction phase to prevent sedimentation into Fall River Lake, as described in Measure 7: Best Management Practices for water quality; design and install the trail to proper specifications to minimize erosion and improper drainage; and perform inspections and maintenance to ensure that the trail remains stable in the long term.

Measure 2 – Fish and Aquatic Habitat

Implement erosion control measures during the construction phase to prevent sedimentation into Fall River Lake, as described in Measure 7: Best Management Practices for water quality; design and install the trail to proper specifications to minimize erosion and improper drainage; and perform inspections and maintenance to ensure that the trail remains stable in the long term.

Measure 3 – Western Pond Turtle (*Actinemys marmorata*)

Most of the trail installation work will be on existing OHV roads/trails with compacted soils, which are not likely to be used for nesting by pond turtles. The two short sections where new trail segments are to be cut through natural areas off of existing roads are not likely to be preferred nesting habitat for turtles, due to their location (i.e., along the top of a high bank that would not be climbable by turtles) and slope. Spring Rivers will conduct a pre-construction survey in those areas to search for possible turtle nests. If nests are found within the planned trail route, the trail will be moved to avoid impacts to western pond turtle. If adult turtles are found in or near project work areas, they will be moved away from the work area into appropriate near-channel habitat. If necessary, temporary fencing will be installed between the work area and any adjacent turtle habitat in order to prevent migration back into the work area. All fencing will be inspected weekly and removed within a week after project work is completed.

Measure 4 – Nesting Birds

In the Intermountain Area, nesting season for neo-tropical songbirds typically occurs between April 1 and August 31. If vegetation removal or noise disturbing activities will take place during

the nesting season, Spring Rivers will conduct a pre-construction survey for nesting birds along the trail route and within the oak woodland habitat (Figure 1) within 7 days of the start of work. If nests are found during the surveys, a no-disturbance buffer of 250 feet will be established around the nest area and all reasonable measures will be taken by the work crew to minimize disturbance until the young have fledged.

Project work could impact nesting bald eagles if noise-generating activities take place within 200 meters (660 feet) of active nests during the breeding/nesting season, which extends from January 1 to July 31. A pair of bald eagles have been nesting on the north shore of Fall River Lake since 2013 (Pit 1 Forebay territory, PG&E 2017). The Pit 1 Forebay nest that has been used for the last six years is more than 700 meters from the closest portion of the trail (Figure 3). The Pit 1 Forebay pair is consistently found in the upper portion of Fall River Lake since they appropriated that part of the Fall River Mills territory in 2012. The Fall River Mills territory bald eagle pair forages in the lower half of Fall River Lake and in Fall River Pond (PG&E 2017). To prevent impacts to nesting bald eagles, PG&E's wildlife biologist responsible for monitoring bald eagles within the Pit 1 Project will be consulted to determine the location of active bald eagle nests and to evaluate the potential for the project work to disturb nesting eagles. If any of the project work activities have potential to disturb nesting bald eagles, then those activities will not be conducted for the duration of the nesting period or until PG&E's wildlife biologist has determined that the nestlings have fledged.

Project work could impact nesting bank swallows if noise-generating activities take place within 100 feet of active nests during the nesting season, which extends from April 1 to August 30. To prevent disturbance to nesting bank swallows, Spring Rivers will conduct a pre-construction survey for nesting bank swallows to determine exact locations of active nesting colonies. If active nesting colonies are located within 100 feet from any portion of the planned trail route, noise-generating activities in those locations will be prevented for the duration of the nesting season.

Measure 5 – Special-Status Plant Species and Noxious Weeds

A botanical survey will be conducted within all planned disturbance areas and staging/laydown areas before the start of work to determine presence/absence of special-status plant species and noxious weeds, and to identify native plant species that will be suitable for the planting and seeding phase of the project. If any special-status plant species are discovered during the botanical survey, those species will be protected by establishing a no-disturbance buffer around the plant/plant colony, and the trail alignment will be adjusted as needed to avoid any special status plants.

To prevent the introduction or spread of noxious weeds species, only weed-free erosion control and fill materials will be used for the trail construction. In addition, machinery brought in from

other locations will be pressure washed off-site before arrival/delivery. The revegetation plan will adhere to standard Best Management Practices (BMPs) for seed, mulch, and fertilizer use.

Measure 6 – Cultural Resource Protection

All known historic and prehistoric sites will be avoided by the proposed trail work. The only exception would be if an existing OHV road already traverses a site, the addition of trail surface material (at least three inches depth of either wood chips or gravel aggregate) can be used to convert, better define, and protect the trail. If the work would require any removal of or disturbance of existing ground within the archaeological site, the section of trail would be re-routed away from the site, instead.

The ecocultural enhancement work will involve selective thinning of some trees and shrubs that have become overgrown in the past decades. There may be some yarding and skidding of larger trees from where they are cut, but the majority of the work will be hand labor with a minimum of ground disturbance.

The Ajumawi Band of the Pit River Tribe is a collaborator on this project and Tribal Cultural Monitors will be on site during all soil-disturbing work to ensure the preservation and integrity of cultural sites. In addition, Project proponents are consulting with PG&E cultural resources personnel to mitigate any affects to cultural resources by either adjusting the trail alignment and/or covering the surface of existing Off-Highway Vehicle (OHV) roads that already cross through archaeological sites with a minimum of 3 inches of surface material depth. No grading or excavation will take place near any recorded resources. Either wood chips or gravel aggregate will be used for the surface material depending on drainage and surface runoff conditions. PG&E will also provide an archaeologist monitor when work is in the vicinity of archaeological sites. As recommended in the Cultural Resources Records Search, all eligible and unevaluated sites will be avoided and trails routed around them to insure they are not disturbed. The completed project will eliminate or substantially restrict unauthorized OHV use and will, therefore, help protect these cultural resources.

Measure 7 – Implement Best Management Practices (BMPs)

All applicable BMPs (e.g., BMPs for water quality, soil protection, hazardous fuels, and vegetation management, etc.) will be utilized during this construction work. The BMPs that are applicable for this construction work include:

- Erosion Control and Dust Abatement
 - Install erosion control structures before any vegetation clearing or ground-disturbing activities commence to protect the waterways from runoff and bank sloughing.

- Water all roads and barren areas before grading to minimize dust.
- Water Quality/Discharge
 - This project is non-industrial and will disturb less than one acre so it is exempt from the need for a Stormwater Pollution Prevention Plan (SWPPP). BMPs will be followed to prevent contamination of soils and waterways from construction and hazardous materials.
 - Clean spills immediately and notify the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) of any spills and cleanup procedures.
 - Neither petroleum products nor hazardous materials will be stored onsite.
 - Staging and storage areas will be outside the riparian zone for Fall River Lake.
 - Perform refueling and vehicle maintenance at least 100 feet from the shore.
 - Any other motorized equipment stored on-site, e.g., the SWECO trail dozer, will be placed within a spill containment area.
 - Inspect equipment daily to ensure that seals prevent any fuel, engine oil, and other fluids from leaking.
- Hazardous Materials
 - In the event of a release of a hazardous substance, the FRVCSD will make all required notifications to stakeholders and regulatory agencies.
 - Materials such as fuel (gasoline/diesel) and hydraulic oil will be used on the job site. Material Safety Data Sheets for all substances used on the job site will be on file at the job headquarters as required by the Hazard Communication Law, General Industry Safety Orders, Sec. 5194, and will be available as necessary. Hazardous waste products such as grease cartridges and oil absorbents will be placed in proper containers and transported from the job site to an authorized Hazardous Waste Collection Site. Trucks will be refueled off site. Small motorized equipment, such as chainsaws, and the SWECO trail dozer will be refueled as required within a spill containment area. No fuel storage tanks will be placed at the work site.
- Fire Prevention/Protection Plan
 - All required permits, including fire permits, will be obtained before construction activities commence. In addition, all construction personnel will make all reasonable efforts to prevent and suppress wildfires. Smoking may only be done

in vehicles, on roads, or areas cleared to mineral soil for a diameter of at least three feet.

- Fire suppression equipment will be kept onsite and will include one shovel with each tractor, backhoe, or other heavy equipment. One shovel and one chemical pressurized fire extinguisher (fully charged) located at a point not greater than a distance of 25 feet from the work site, for each gasoline powered tool, including but not restricted to chain saws, rock drills etc. Fire extinguishers shall be of the type and size set forth in the California Public Resources Code Sec. 4431 and the California Administrative Code, Title 14, Sec. 1234. Shovels shall be a type “O”, and overall length of not less than 46 inches. Axes or pulaskis (pulaskis are recommended) shall have a 2 ½ pound or larger head, and shall be at least 28 inches in overall length.

6.0 CONCLUSIONS AND RECOMMENDATIONS

Biological

The proposed project is unlikely to directly or indirectly affect any special-status species or habitat, because much of the trail work will be implemented by hand crews on already highly disturbed ground. In addition, the forest thinning portion of the project has been scaled down substantially since the Hat Fire burned two thirds of the 20 acres designated for thinning in August 2018. To ensure that no aspect of the planned project will impact special-status species or habitat, the FRVCSD and collaborating partners will implement all avoidance and minimization measures and adhere to the BMPs described in Section 5.0. Without implementation of avoidance and minimization measures, potential direct effects of the construction work include removal of upland shrubs that could be used by some species of nesting birds and disturbance of breeding/nesting birds by noise and increased human activity. Given the proposed project design, which avoids and provides 100-foot buffer from all wetlands, the project is unlikely to result in any degradation of aquatic habitat. Potential indirect effects include introduction of invasive/noxious weed species through dirty construction equipment, and degradation of terrestrial habitat during staging and mobilization. These direct and indirect effects will be minimized or eliminated with implementation of avoidance and minimization measures and BMPs.

Cultural

It is possible to avoid impacts to sites by ensuring the trail is routed around cultural sites, installing temporary fencing, or using fill over limited impact corridors to ensure archaeological site avoidance. PG&E cultural resources personnel will be consulted to ensure that the trail alignment avoids sites and/or that the surface of existing Off-Highway Vehicle (OHV) roads that already cross through archaeological sites are covered with a minimum of 3 inches of surface material depth. PG&E will provide an archaeologist monitor when work is in the vicinity of archaeological sites. Tribal Cultural Monitors will be on site during all soil-disturbing work to ensure the preservation and integrity of cultural sites.

Overall, the proposed project will help protect archaeological sites by restricting or closing unauthorized OHV access and is clearly preferable to a no-project alternative.

The Ajumawi Cultural Monitors will be included and consulted in all project phases. The Native American Heritage Commission would also need to be contacted to request a Sacred Lands search of the APE.

Since project impacts are projected to be quite shallow, no deep subsurface probing or excavations for buried archaeological sites outside known archaeological site boundaries are necessary for CEQA compliance.

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APPENDIX A

CEQA ENVIRONMENTAL CHECKLIST

Fall River Lake Trail Improvement and
Ecocultural Enhancement Project

CEQA Environmental Checklist

Project Title: Fall River Lake Trail Improvement and Ecocultural Enhancement

Lead Agency Name and Address: Fall River Valley Community Services District
24850 3rd Street, PO Box 427
Fall River Mills, CA 96028

Contact Person and Phone Number: Bill Johnson, FRV CSD Parks Manager
530.336.5263
frmcsd@citlink.net

Project Location: Fall River Mills, CA

Project Sponsor's Name and Address: Fall River Valley Community Services District
24850 3rd Street, PO Box 427
Fall River Mills, CA 96028

Description of Project:

The proposed project will transform existing off-highway vehicle roads/trails along the east bank of Fall River Lake in Shasta County, California into 2 miles of pedestrian and other non-motorized use trail, while decommissioning side roads/trails (Figure 1). In addition, the project will thin and restore up to 20 acres of mixed pine/oak woodlands on the west side of the lake; and will install educational native plant guilds within restored areas that highlight the cultural importance of grassland and woodland ecosystems.

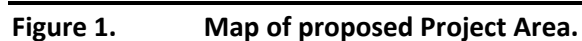
The lands on which the Project will be implemented are Pacific Gas and Electric Company (PG&E) owned surrounding a forebay for PG&E's Pit 1 Hydroelectric Project (FERC Project No. 2687), which is known as Pit 1 Forebay or Fall River Lake. PG&E supports the project and a Third-Party-Use agreement is underway. Fall River Lake and the lands surrounding it are zoned unclassified (UC) and Exclusive Agriculture (EA) (Figure 2) and support public recreation opportunities, including boating, fishing, and hiking. The area along the east side of Fall River Lake, where the trails project is planned has received extensive unauthorized use by off-highway vehicles (OHV), which has led to significant degradation of habitat and trail conditions and a reduction in authorized recreational use quality.

Surrounding Land Uses and Setting; Briefly Describe the Project's Surroundings:

Surrounding lands include open space, residential homes, businesses, and the Fall River Elementary School in the nearby community of Fall River Mills, as well as Pacific Gas and Electric Company lands and facilities.

Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):

PG&E Third Party Use Agreement



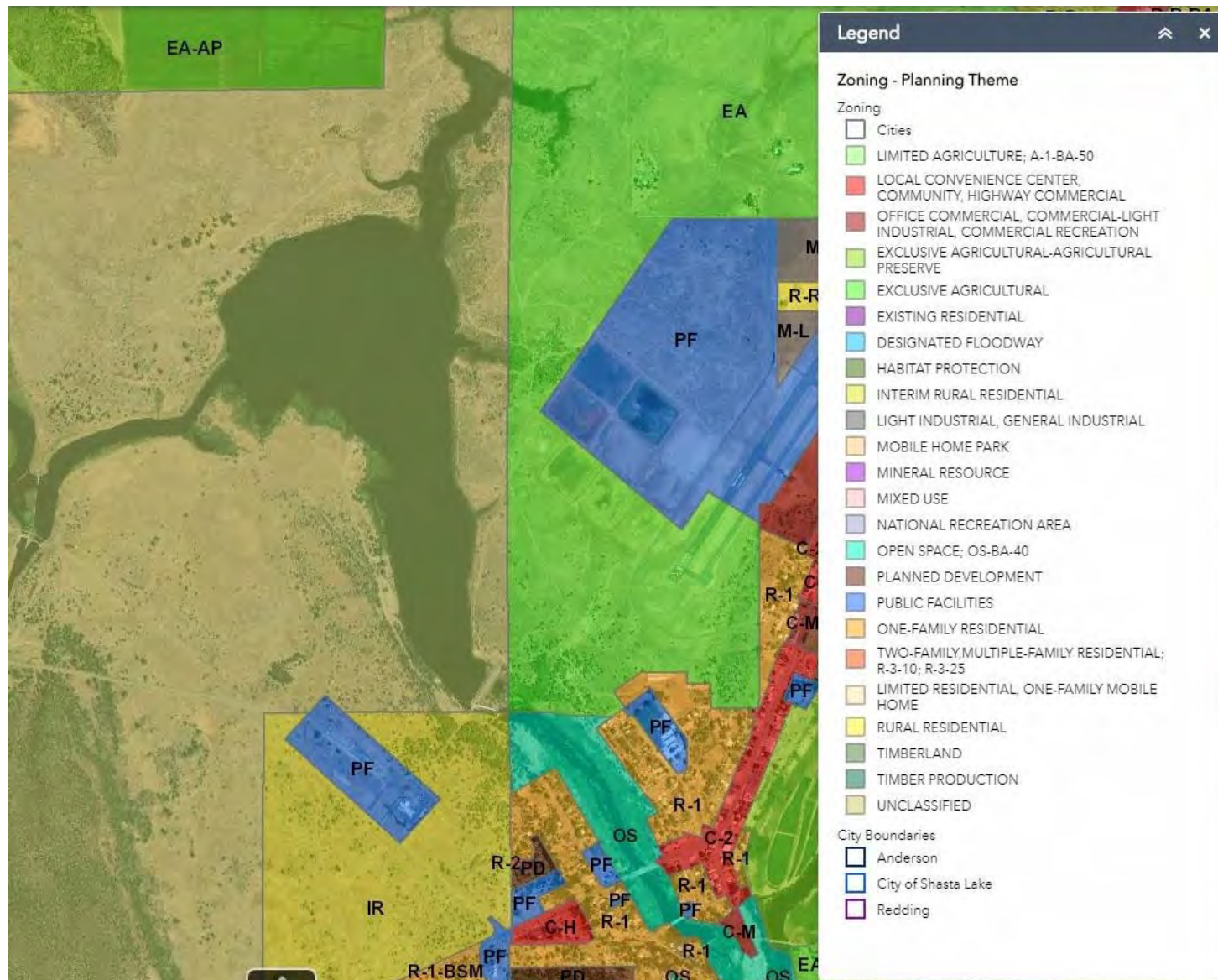


Figure 2. Zoning Map surrounding proposed Project Area.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

ENVIRONMENTAL CHECKLIST:

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>Trail work could potentially impact native western pond turtles (Actinemys marmorata; SSC) if any ground-disturbing activities occur during the turtle nesting season in less disturbed areas with potentially suitable nesting habitat. The duration of the western pond turtle nesting season is not known, but it is suspected that egg laying occurs during summer and that hatchlings emerge from the nests the following spring (Bury and Germano 2008). To minimize potential impacts to western pond turtles during the project construction phase, pre-construction surveys and avoidance/minimization measures will be implemented, including:</i></p> <ul style="list-style-type: none"> <i>Spring Rivers will conduct a pre-construction survey in those areas to search for possible turtle nests/nesting areas.</i> <i>If nests are found within the planned trail route, the trail will be moved to avoid impacts to western pond turtle.</i> <i>If adult turtles are found in or near project work areas, they will be moved away from the work area into appropriate near-channel habitat.</i> <i>If necessary, temporary fencing will be installed between the work area and any adjacent turtle habitat in order to prevent migration back into the work area. All fencing should be inspected weekly and removed within a week after project work is completed.</i> 				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? <i>A Cultural Resources Records Search for this project found seven archaeological resources recorded within the Area of Potential Effects (APE), including six prehistoric archaeological sites and one with both prehistoric and historic-era artifacts. Two additional archaeological sites (one prehistoric and one prehistoric and historic-era) are plotted just outside the APE but might extend into it. Built resources recorded in the APE include the Forebay Dam and Forebay (aka Fall River Lake) of Pit No. 1 Power Plant; while the Power Plant system is a historic district eligible to the California Register, associated elements in the APE are non-contributing and need no further management. Of the 10 sites, six have been evaluated to the National Register; the State Office of Historic Preservation concurred with all evaluations (PG&E 2007).</i> <i>The Ajumawi Band of the Pit River Tribe is a collaborator on this project and Tribal Cultural Monitors will be on site during all construction phases. In addition, Project proponents are consulting with PG&E cultural resources personnel to mitigate any affects to cultural resources by either adjusting the trail alignment and/or covering the surface of existing Off-Highway Vehicle (OHV) roads that already cross through archaeological sites with a minimum of 3 inches of surface material depth. No grading or excavation will take place near any recorded resources. Either wood chips or gravel aggregate will be used for the surface material depending on drainage and surface runoff conditions. PG&E will also provide an archaeologist monitor when work is in the vicinity of archaeological sites. As recommended in the Cultural Resources Records Search, all eligible and unevaluated sites will be avoided and trails routed around them to insure they are not disturbed. The completed project will eliminate or substantially restrict unauthorized OHV use and will, therefore, help protect these cultural resources.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. GEOLOGY AND SOILS – Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. NOISE – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. POPULATION AND HOUSING – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. TRANSPORTATION/TRAFFIC – Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment 2

Proposed Easement Agreement for Recreational Trail and Ecocultural Enhancement

LD 2137-04-10007

Recreational Trail Easement

RECORDING REQUESTED BY, AND
WHEN RECORDED RETURN TO:

PACIFIC GAS AND ELECTRIC COMPANY
245 Market Street, N10A, Room 1015
P.O. Box 770000
San Francisco, California 94177

Location: City/Uninc _____

Recording Fee \$ _____

Document Transfer Tax \$ _____

☐ This is a conveyance where the consideration and
Value is less than \$100.00 (R&T 11911).

☐ Computed on Full Value of Property Conveyed, or

☐ Computed on Full Value Less Liens
& Encumbrances Remaining at Time of Sale

☐ Exempt from the fee per GC 27388.1 (a) (2); This
document is subject to Documentary Transfer Tax

Signature of declarant or agent determining tax

A portion of APN 018-540-012, 018-540-057, 023-190-022, 023-210-011, 023-210-042 and 023-210-044.

EASEMENT AGREEMENT FOR A RECREAITONAL TRAIL AND ECOCULTURAL ENHANCEMENT

This Easement Agreement (“**Agreement**”) is made and entered into as of _____ (the “**Effective Date**”) by PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called “**PG&E**”, and FALL RIVER VALLEY COMMUNITY SERVICES DISTRICT, a legal subdivision of the State of California, hereinafter called “**Grantee**.”

RECITALS

A. PG&E owns certain real property within the County of Shasta, State of California, commonly known as Fall River Lake, Assessor’s Parcel Number(s) 018-540-012, 018-540-057, 023-190-022, 023-210-011, 023-210-042 and 023-210-044, State Board of Equalization Number(s), 135-45-019-7, 135-45-027A-1, 135-45-033C-1, 135-45-037G-1 and 135-45-079A-1, and more particularly described in **Exhibit A**, attached hereto and made a part hereof (hereinafter, the “**Property**”).

B. Grantee proposes to implement the Fall River Lake Trail Improvement and Ecocultural Enhancement Project (“**Project**”), and in connection therewith, Grantee has requested that PG&E grant an easement for said Project. The approximate location of the Easement Area is shown on **Exhibit B** attached hereto and made a part hereof. Within sixty (60) days after the completion of the construction of the facilities authorized herein, Grantee shall cause a licensed land surveyor or civil engineer authorized to practice land surveying, to prepare a survey of the Easement Area, prepare a legal description and an exhibit map thereof, and record, in the Official Records of Shasta County, a Notice of Final Description, approved by PG&E, setting forth the exact location and description of the Easement Area.

C. PG&E is willing to grant such easement(s) on the terms and subject to the conditions set forth herein.

Now, therefore, for good and valuable consideration, PG&E and Grantee agree as follows:

1. Grant of Easement(s): PG&E hereby grants to Grantee, upon the terms and conditions set forth in this Agreement, the following easement(s):

(a) Recreational Trail Easement. A non-exclusive easement over a portion of the Property, located on the east side of Fall River Lake, approximately two (2) miles in length, not to exceed four (4) feet wide, with three elevated walkways. The Easement Area is described in **Exhibit B** attached hereto and made a part hereof., within which Grantee shall install, construct, reconstruct, resurface, repair and maintain the recreational trail, for public use by pedestrians.

(b) Ecocultural Enhancement. A non-exclusive easement to construct, reconstruct, restore, enhance, operate, repair, replace, maintain and use educational native plant guilds within approximately 20 acres of Oak woodland area located on the west side of Fall River Lake, with related recreational facilities and landscaping, including pedestrian paths and trails, within the portion of the Property described in **Exhibit B** attached hereto and made a part hereof.

(c) Ingress and Egress. A non-exclusive right of surface access, ingress and egress to and from Grantee’s facilities within the Easement Area on which PG&E has constructed private roads and lanes thereon, if such there be, otherwise upon written request from Grantee, by such routes as PG&E determines, in its reasonable discretion, will occasion the least practicable damage and inconvenience to PG&E and its facilities; provided that the rights hereby granted shall not extend to any portion of the Property which is isolated from the Easement Area by any public road or highway now crossing or hereafter crossing the Property; and provided further, that if, in the future, any dedicated road or highway is built which extends to the Easement Area, or any portion thereof, then the rights granted by this paragraph shall be confined to the portion of the Property, if any, on which such roads and highways are located.

2. Limitations on Use.

(a) The Easement Area, and any facilities permitted to be constructed thereon, are to be used by Grantee only for those uses permitted in Section 1 above, and for no other purpose.

(b) PG&E reserves the right to restrict access to the Easement Area or any portion or portions thereof in the event of fire, earthquake, storm, riot, civil disturbance, or other casualty or emergency, or in connection with PG&E's response thereto, or if emergency repairs or maintenance are required to PG&E facilities within or in the vicinity of the Easement Area, or otherwise when PG&E deems it advisable to do so, including in connection with events and emergencies occurring or affecting PG&E's business operations located elsewhere than in the immediate vicinity of the Property.

(c) Grantee shall not erect or construct any buildings or other structures within the Easement Area.

3. Condition of Easement Area. Grantee accepts the Easement Area in its existing physical condition, without warranty by PG&E or any duty or obligation on the part of PG&E to maintain the Easement Area. Grantee acknowledges that one or more of the following (collectively, "**Potential Environmental Hazards**") may be located in, on or underlying the Property and/or the Easement Area:

(a) electric fields, magnetic fields, electromagnetic fields, electromagnetic radiation, power frequency fields, and extremely low frequency fields, however designated, and whether emitted by electric transmission lines, other distribution equipment or otherwise ("**EMFs**");

(b) Hazardous Substances (as hereinafter defined). For purposes hereof, the term "**Hazardous Substances**" means any hazardous or toxic material or waste which is or becomes regulated by Legal Requirements (as hereinafter defined) relating to the protection of human health or safety, or regulating or relating to industrial hygiene or environmental conditions, or the protection of the environment, or pollution or contamination of the air, soil, surface water or groundwater, including, but not limited to, laws, requirements and regulations pertaining to reporting, licensing, permitting, investigating and remediating emissions, discharges, releases or threatened releases of such substances into the air, surface water, or land, or relating to the manufacture, processing, distribution, use, treatment, storage, disposal, transport or handling of such substances. Without limiting the generality of the foregoing, the term Hazardous Substances includes any material or substance:

(1) now or hereafter defined as a "hazardous substance," "hazardous waste," "hazardous material," "extremely hazardous waste," "restricted hazardous waste" or "toxic substance" or words of similar import under any applicable local, state or federal law or under the regulations adopted or promulgated pursuant thereto, including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§9601 et seq. ("CERCLA"); the Resource Conservation and Recovery Act of 1976, 42 U.S.C. §§6901 et seq.; the Clean Air Act, 42 U.S.C. §§7401 et seq.; the Clean Water Act, 33 U.S.C. §§1251 et seq.; the Toxic Substance Control Act, 15 U.S.C. §§2601 et seq.; the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. §§136 et seq.; the Atomic Energy Act of 1954, 42 U.S.C. §§2014 et seq.; the Nuclear Waste Policy Act of 1982, 42 U.S.C. §§10101 et seq.; the California Hazardous Waste Control Law, Cal. Health and Safety Code §§25100 et seq.; the Porter-Cologne Water Quality Control Act, Cal. Water Code §§13000 et seq.; the Carpenter-Presley-Tanner Hazardous Substance Account Act (Health and Safety Code §§25300 et seq.); and the Medical Waste Management Act (Health and Safety Code §§25015 et seq.); or

(2) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic or otherwise hazardous, and is now or hereafter regulated as a Hazardous Substance by the United States, the State of California, any local governmental authority or any political subdivision thereof, or which cause, or are listed by the State of California as being known to the State of California to cause, cancer or reproductive toxicity; or

(3) the presence of which on the Property poses or threatens to pose a hazard to the health or safety of persons on or about the Property or to the environment; or

(4) which contains gasoline, diesel fuel or other petroleum hydrocarbons; or

(5) which contains lead-based paint or other lead contamination, polychlorinated biphenyls ("PCBs") or asbestos or asbestos-containing materials or urea formaldehyde foam insulation; or

(6) which contains radon gas;

(c) fuel or chemical storage tanks, energized electrical conductors or equipment, or natural gas transmission or distribution pipelines; and

(d) other potentially hazardous substances, materials, products or conditions.

Grantee shall be solely responsible for the health and safety of, and shall take all necessary precautions to protect, its employees, contractors, consultants, agents and invitees ("**Grantee's Representatives**") from risks of harm from Potential Environmental Hazards. Grantee acknowledges that it has previously evaluated the condition of the Easement Area and all matters affecting the suitability of the Easement Area for the uses permitted by this Agreement, including, but not limited to, the Potential Environmental Hazards listed herein.

4. Grantee's Covenants. Grantee hereby covenants and agrees:

(a) Construction of Improvements. Grantee agrees to construct and install, at no cost to PG&E, such facilities and improvements ("**Improvements**") as may be necessary and appropriate for Grantee's permitted use, as specified in Section 1. All such construction shall be performed in accordance with detailed plans and specifications ("**Plans**") previously approved by PG&E and shall comply with all Legal Requirements. Before commencing construction of any Improvements, Grantee shall obtain all permits, authorizations or other approvals, at Grantee's sole cost and expense as may be necessary for such construction. Without limiting the generality of the foregoing, Grantee shall be responsible for complying with any and all applicable requirements of the National Environmental Policy Act ("**NEPA**") and the California Environmental Quality Act ("**CEQA**") and satisfying, at Grantee's sole expense, any and all mitigation measures under CEQA that may apply to Grantee's proposed occupancy and use of the Easement Area, and to the construction, maintenance and use of Grantee's proposed Improvements and facilities. Grantee shall promptly notify PG&E of any and all proposed mitigation measures that may affect PG&E or the Property. If PG&E determines in good faith that any such mitigation measures may adversely affect PG&E or the Property, or impose limitations on PG&E's ability to use the Property as specified in Section 8, then PG&E shall have the right, without liability to Grantee, to give notice of termination

of this Agreement to Grantee, whereupon this Agreement and the rights granted to Grantee shall terminate and revert in PG&E, unless within ten (10) days following delivery of such notice, Grantee gives notice to PG&E by which Grantee agrees to modify its proposed Project (as that term is defined under CEQA) so as to eliminate the necessity for such mitigation measures. In the event of such termination, PG&E and Grantee shall each be released from all obligations under this Agreement, except those which expressly survive termination. Grantee acknowledges and agrees that PG&E's review of Grantee's Plans is solely for the purpose of protecting PG&E's interests, and shall not be deemed to create any liability of any kind on the part of PG&E, or to constitute a representation on the part of PG&E or any person consulted by PG&E in connection with such review that the Plans or the Improvements contemplated by such Plans are adequate or appropriate for any purpose, or comply with applicable Legal Requirements. Grantee shall not commence construction or installation of any Improvements without the prior written consent of PG&E, which consent shall not be unreasonably withheld, conditioned or delayed, and the prior consent, to the extent required by applicable law or regulation, of the California Public Utilities Commission (hereinafter, "CPUC");

(b) Compliance with Laws. Grantee shall, at its sole cost and expense, promptly comply with (a) all laws, statutes, ordinances, rules, regulations, requirements or orders of municipal, state, and federal authorities now in force or that may later be in force, including, but not limited to, those relating to the generation, use, storage, handling, treatment, transportation or disposal of Hazardous Substances, as defined herein, or to health, safety, noise, environmental protection, air quality or water quality; (b) the conditions of any permit, occupancy certificate, license or other approval issued by public officers relating to Grantee's use or occupancy of the Easement Area; and (c) with any liens, encumbrances, easements, covenants, conditions, restrictions and servitudes (if any) of record, or of which Grantee has notice, which may be applicable to the Easement Area (collectively, "**Legal Requirements**"), regardless of when they become effective, insofar as they relate to the use or occupancy of the Easement Area by Grantee. Grantee shall furnish satisfactory evidence of such compliance upon request by PG&E. The judgment of any court of competent jurisdiction, or the admission of Grantee in any action or proceeding against Grantee, whether or not PG&E is a party in such action or proceeding, that Grantee has violated any Legal Requirement relating to the use or occupancy of the Easement Area, shall be conclusive of that fact as between PG&E and Grantee.

(c) Notice of Enforcement Proceedings. Grantee agrees to notify PG&E in writing within three (3) business days of any investigation, order or enforcement proceeding which in any way relates to the Property, or to any contamination or suspected contamination on, within or underlying the Property. Such notice shall include a complete copy of any order, complaint, agreement, or other document which may have been issued, executed or proposed, whether draft or final;

(d) Non-Interference. Grantee agrees not to interfere in any way or permit any interference with the use of the Property by PG&E and other entitled persons. Interference shall include, but not be limited to, any activity by Grantee that places any of PG&E's gas or electric facilities in violation of any of the provisions of General Order Nos. 95 (Overhead Electric), 112 (Gas), and 128 (Underground Electric) of the CPUC or to any other Legal Requirements under which the operations of utility facilities are controlled or regulated. Grantee shall not erect, handle, or operate any tools, machinery, apparatus, equipment, or materials closer to any of PG&E's high-

voltage electric conductors than the minimum clearances set forth in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety; which minimum clearances are incorporated herein by reference; but in no event closer than ten (10) feet to any energized electric conductors or appliances. Grantee shall not drill, bore, or excavate within thirty (30) feet of any of PG&E's underground facilities, including, but not limited to, gas pipelines, valves, regulators or electric conduits. Grantee shall provide notice to Underground Service Alert at 1-800-227-2600 at least two (2) business days prior to commencing any drilling, boring or excavating permitted hereunder to assist Grantee with locating any and all underground facilities, including, but not limited to, gas pipelines, valves, regulators or electric conduits;

(e) Avoiding Dangerous Activities. Grantee agrees to conduct its activities and operations within and on the Easement Area in such a manner so as not to endanger the Property, PG&E's utility facilities, the environment and human health and safety. Grantee shall not cause or permit any Hazardous Substances, as defined herein, to be brought upon, produced, stored, used, discharged or disposed of on, or in the vicinity of the Property, except in compliance with all applicable Legal Requirements. Grantee shall be responsible for the cost of remediating any discharge or release of Hazardous Substances resulting from or arising in connection with Grantee's use of the Property and shall immediately notify PG&E and the appropriate regulatory authorities where required by law, of any such release. If PG&E determines that Grantee's activities in any way endanger the Property, PG&E's utility facilities, the environment, or human health and safety, PG&E may, in PG&E's sole and absolute discretion, require that Grantee halt such activities until appropriate protective measures are taken to PG&E's satisfaction. Grantee shall hold PG&E harmless from any claims resulting from any delay under this paragraph. PG&E's right to halt activities under this paragraph shall not in any way affect or alter Grantee's insurance or indemnity obligations under this Agreement, nor shall it relieve Grantee from any of its obligations hereunder that pertain to health, safety, or the protection of the environment;

(f) Maintenance. Grantee agrees to maintain its facilities and Improvements in good condition and repair, and be responsible for the security of, the facilities installed hereunder;

(g) Repairing Damage. Grantee agrees to repair any damage it may cause to PG&E's facilities and improvements in or around said Easement Area;

(h) Coordination. Grantee agrees to coordinate all activities regarding the easements granted herein to reasonably minimize any interference and inconvenience with the use by PG&E of the Easement Area and PG&E's adjoining lands.

(i) Fencing. Not to fence or enclose the Easement Area (except that Grantee may, with PG&E's permission, and Grantee will, upon PG&E's request, whenever construction work is being performed on, over or about the Easement Area, erect and maintain a temporary fence to surround and secure the area in which such work is being performed); and

(j) PG&E Right to Cure. Grantee agrees that if Grantee fails to perform any act or other obligation on its part to be performed hereunder, and such failure is not remedied within fifteen (15) days following notice from PG&E (or in the case of an emergency, following such notice, if any, as may be reasonably practicable under the existing circumstances), PG&E may (but without obligation to do so, and without waiving or releasing Grantee from any of its obligations) perform

any such act or satisfy such obligation, or otherwise remedy such emergency or such failure on the part of Grantee. All costs incurred by PG&E in responding to or remedying such failure by Grantee shall be payable by Grantee to PG&E on demand.

5. Indemnification; Release.

(a) Grantee shall, to the maximum extent permitted by law, indemnify, protect, defend and hold harmless PG&E, its parent corporation, subsidiaries and affiliates, and their respective officers, managers, directors, representatives, agents, employees, transferees, successors and assigns (each, an “**Indemnitee**” and collectively, “**Indemnitees**”) from and against all claims, losses (including, but not limited to, diminution in value), actions, demands, damages, costs, expenses (including, but not limited to, experts fees and reasonable attorneys’ fees and costs) and liabilities of whatever kind or nature (collectively, “**Claims**”), including Claims arising from the passive or active negligence of the Indemnitees, which arise from or are in any way connected with the occupancy or use of the Easement Area by Grantee or Grantee’s Representatives, or the exercise by Grantee of its rights hereunder, or the performance of, or failure to perform, Grantee’s duties under this Agreement, including, but not limited to, Claims arising out of: (1) injury to or death of persons, including but not limited to employees of PG&E or Grantee (and including, but not limited to, injury due to exposure to EMFs and other Potential Environmental Hazards in, on or about the Property); (2) injury to property or other interest of PG&E, Grantee or any third party; (3) violation of any applicable federal, state, or local laws, statutes, regulations, or ordinances, including all Legal Requirements relating to human health or the environment, and including any liability which may be imposed by law or regulation without regard to fault; excepting only with respect to any Indemnitee, to the extent of any Claim arising from the sole negligence or willful misconduct of such Indemnitee. Without limiting the generality of the foregoing, Grantee shall, to the maximum extent permitted by law, indemnify, protect, defend and hold Indemnitees harmless from and against Claims arising out of or in connection with any work of improvement constructed or installed at or on, labor performed on, or materials delivered to, or incorporated in any improvements constructed on, the Easement Area by, or at the request or for the benefit of, Grantee. In the event any action or proceeding is brought against any Indemnitee for any Claim against which Grantee is obligated to indemnify or provide a defense hereunder, Grantee upon written notice from PG&E shall defend such action or proceeding at Grantee’s sole expense by counsel approved by PG&E, which approval shall not be unreasonably withheld, conditioned or delayed.

(b) Grantee acknowledges that all Claims arising out of or in any way connected with releases or discharges of any Hazardous Substance, or the exacerbation of a Potential Environmental Hazard, occurring as a result of or in connection with Grantee’s use or occupancy of the Easement Area or the surrounding Property, or any of the activities of Grantee and Grantee’s Representatives, and all costs, expenses and liabilities for environmental investigations, monitoring, containment, abatement, removal, repair, cleanup, restoration, remediation and other response costs, including reasonable attorneys’ fees and disbursements and any fines and penalties imposed for the violation of Legal Requirements relating to the environment or human health, are expressly within the scope of the indemnity set forth above.

(c) Grantee’s use of the Property shall be at its sole risk and expense. Grantee accepts all risk relating to its occupancy and use of the Easement Area. PG&E shall not be liable to Grantee for, and Grantee hereby waives and releases PG&E and the other Indemnitees from, any

and all liability, whether in contract, tort or on any other basis, for any injury, damage, or loss resulting from or attributable to any occurrence on or about the Easement Area, the condition of Easement Area, or the use or occupancy of the Easement Area.

(d) Grantee shall, to the maximum extent permitted by law, indemnify, protect, defend and hold Indemnitees harmless against claims, losses, costs (including, but not limited to, attorneys' fees and costs), liabilities and damages resulting from the failure of Grantee, or any of its contractors or subcontractors, to comply with the insurance requirements set forth in **Exhibit C**, attached hereto and made a part hereof. If Grantee fails to so indemnify, protect, defend or hold harmless any Indemnitee, then at PG&E's option, this Agreement shall terminate, and the estate and interest herein granted to Grantee shall revert to and revest in PG&E, if such failure continues for five (5) days following the giving of written notice of termination to Grantee, unless within such time such failure is cured to the reasonable satisfaction of PG&E.

(e) The provisions of this Section 5 shall survive the termination of this Agreement.

6. Additional Facilities. Grantee shall not install any additional facilities or improvements in, on, under or over the Easement Area without the prior written consent of PG&E, which consent may be granted or withheld in PG&E's sole and absolute discretion, and the prior consent, to the extent required by applicable law or regulation, of the CPUC. Grantee shall submit plans for installation of any proposed additional facilities within the Easement Area to PG&E for its written approval at the address specified in Section 13.

7. Reserved Rights. Subject to the provisions of Section 10 below, PG&E reserves the right to use the Easement Area for any and all purposes which will not unreasonably interfere with Grantee's facilities. Without limiting the generality of the foregoing:

(a) PG&E reserves the right to make use of the Easement Area for such purposes as it may deem necessary or appropriate if, and whenever, in the interest of its service to its patrons or consumers or the public, it shall appear necessary or desirable to do so. Grantee acknowledges that the Property is a part of the Federal Energy Regulatory Commission ("**FERC**") Project No. 2687. PG&E reserves the right to use the Property, including the Easement Area, in all ways and for all purposes necessary or appropriate to its obligations as licensee under FERC Project No. 2687.

(b) Grantee acknowledges that PG&E may have previously granted, and may in the future grant, certain rights in and across the Easement Area to others, and the use of the word "grant" in this Agreement shall not be construed as a warranty or covenant by PG&E that there are no such other rights.

(c) Grantee shall not make use of the Easement Area in any way which will endanger human health or the environment, create a nuisance or otherwise be incompatible with the use of the Easement Area, the Property, or PG&E's adjacent property, by PG&E or others entitled to use such property.

(d) This grant is made subject to all applicable provisions of General Order No. 95 (Overhead Electric), General Order 112 (Gas) and General Order No. 128 (Underground Electric) of the CPUC, in like manner as though said provisions were set forth herein.

8. Governmental Approvals. This Agreement shall not become effective, notwithstanding that it may have been executed and delivered by the parties, and Grantee shall not commence construction or other activities hereunder, unless and until PG&E notifies Grantee in writing of receipt of final, unconditional, and unappealable approval by the CPUC and that the terms and conditions of such CPUC approval are satisfactory to PG&E in its sole and absolute discretion. Grantee further acknowledges and agrees that PG&E makes no representation or warranty regarding the prospects for CPUC approval, and Grantee hereby waives all Claims against PG&E which may arise out of the need for such CPUC approval or the failure of the CPUC to grant such approval. This Agreement is made subject to all the provisions of such approval, as more particularly set forth in CPUC (Application Number: _____ Decision: _____), in like manner as though said provisions were set forth in full herein.

9. Relocation. Subject to the provisions of this Section 10, the rights granted to Grantee herein shall forever be subordinate to PG&E's right to replace, reconstruct, relocate, operate and maintain PG&E's existing and/or future facilities including but not limited to the Pit No. 1 1101 overhead electrical distribution facilities, the Pit 1 Forebay Dam or any other associated hydroelectric facilities. If PG&E's use of its reserved rights described above necessitates the relocation of any of Grantee's facilities, Grantee shall, at its own cost and expense, relocate such facilities to an alternate location mutually agreed upon between PG&E and Grantee, provided Grantee is given at least twenty (20) days prior written notice of such required relocation. Any such relocation of Grantee's facilities shall be coordinated and scheduled between PG&E and Grantee so as to minimize, to the extent practicable, any interference with Grantee's use and operation of its facilities resulting from such relocation. If no alternate location is available on the Property, this Agreement shall terminate.

10. Compliance; Insurance. PG&E shall have a right to access and inspect the Easement Area at any time to confirm Grantee's compliance with Legal Requirements and the provisions of this Agreement. Prior to the Effective Date of this Agreement, Grantee shall procure, and thereafter Grantee shall carry and maintain in effect at all times during the term of the Agreement, with respect to the Easement Area and the use, occupancy and activities of Grantee, its employees and agents on or about the Easement Area, the insurance specified in **Exhibit C**, attached hereto and made a part hereof by this reference, provided that PG&E reserves the right to review and modify from time to time the coverages and limits of coverage required hereunder, as well as the deductibles and/or self-insurance retentions in effect from time to time (but PG&E agrees that it will not increase required coverage limits more often than once in any five-year period). Prior to Grantee's entry on the Property, and thereafter thirty (30) days prior to the expiration date of any policy, Grantee shall provide PG&E with evidence of the insurance coverage, or continuing coverage, as required by this Agreement. All insurance required under this Agreement shall be effected under valid, enforceable policies issued by insurers of recognized responsibility, as reasonably determined by PG&E, and shall be written on forms and with insurance carriers acceptable to PG&E. Grantee is also responsible for causing its agents, contractors and subcontractors to comply with the insurance requirements of this Agreement at all relevant times (provided, however, that Grantee, in the exercise of its reasonable judgment, may permit contractors and subcontractors to maintain coverages and limits lower than those required of Grantee, provided the coverages and limits required by Grantee are commercially reasonable in light of applicable circumstances). Any policy of liability insurance required to be maintained hereunder by Grantee may be maintained under a so-called "blanket policy" insuring other locations and/or other persons, so long as PG&E is specifically named as an additional insured under such policy and the coverages and amounts of insurance required to be

provided hereunder are not thereby impaired or diminished. In addition, liability insurance coverages may be provided under single policies for the full limits, or by a combination of underlying policies with the balance provided by excess or umbrella liability insurance policies.

11. Mechanics' Liens. Grantee shall keep the Property free and clear of all mechanics', material suppliers' or similar liens, or claims thereof, arising or alleged to arise in connection with any work performed, labor or materials supplied or delivered, or similar activities performed by Grantee or at its request or for its benefit. If any mechanics' liens are placed on the Property in connection with the activities or facilities set forth in this Agreement, Grantee shall promptly cause such liens to be released and removed from title, either by payment or by recording a lien release bond in the manner specified in California Civil Code Section 3143 or any successor statute.

12. Notice. Any notices or communications hereunder shall be in writing and shall be personally delivered or sent by first class mail, certified or registered, postage prepaid, or sent by national overnight courier, with charges prepaid for next business day delivery, addressed to the addressee party at its address or addresses listed below, or to such other address or addresses for a party as such party may from time to time designate by notice given to the other party. Notices shall be deemed received upon actual receipt by the party being sent the notice, or on the following business day if sent by overnight courier, or on the expiration of three (3) business days after the date of mailing.

If to PG&E:

Manager, Hydro Support
PG&E Land Management
111 Stony Circle
Santa Rosa, CA 95401-9507

With a copy to:

Law Department
Pacific Gas and Electric Company
P.O. Box 7442
San Francisco, CA 94120
Attn: Managing Counsel, Environmental and Real Estate
Telephone: (415) 973-7503

Pacific Gas and Electric Company
Land Agent, Hydro Support
3600 Meadow View Drive
Redding, CA 96002
Phone: (530) 246-6532

If to PG&E by personal delivery or overnight courier:

Manager, Hydro Support
PG&E Land Management

111 Stony Circle
Santa Rosa, CA 95401-9507

With a copy to:

Law Department
Pacific Gas and Electric Company
77 Beale Street, Mail Code B30A
San Francisco, CA 94105
Attn: Managing Counsel, Environmental and Real Estate
Telephone: (415) 973-7503

Pacific Gas and Electric Company
Land Agent, Hydro Support
3600 Meadow View Drive
Redding, CA 96002
Phone: (530) 782-0650

If to Licensee:

Fall River Valley Community Services District
Bill Johnson, Parks Manager
P.O. Box 427
Fall River Mills, CA 96028
(530) 336-5263

13. Governing Law. This Agreement shall in all respects be interpreted, enforced, and governed by and under the laws of the State of California.

14. Entire Agreement. This Agreement supersedes all previous oral and written agreements between and representations by or on behalf of the parties and constitutes the entire agreement of the parties with respect to the subject matter hereof. This Agreement may not be amended except by a written agreement executed by both parties.

15. Binding Effect. This Agreement and the covenants and agreements contained herein shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective heirs, successors and assigns (subject to the provisions of Section 18). No assignment or delegation by Grantee, whether by operation of law or otherwise, shall relieve Grantee of any of its duties, obligations or liabilities hereunder, in whole or in part. The covenants of PG&E hereunder shall run with the land.

16. Assignment. Grantee shall not assign, convey, encumber (other than as may be specifically permitted by the terms of this Agreement), or otherwise transfer the easements and other rights herein conveyed, or any portion thereof or interest herein, without the prior written consent of PG&E. Such consent may be given or withheld by PG&E for any reason or for no reason, provided, however, that notwithstanding the foregoing, PG&E agrees that its consent will not be unreasonably

withheld, delayed or conditioned in the case of: (a) a proposed transfer or dedication to a governmental agency, or (b) a proposed transfer to an Affiliate (as hereinafter defined) of Grantee.

17. Attorneys' Fees. Should either party bring an action against the other party, by reason of or alleging the failure of the other party with respect to any or all of its obligations hereunder, whether for declaratory or other relief, then the party which prevails in such action shall be entitled to its reasonable attorneys' fees (of both in-house and outside counsel) and expenses related to such action, in addition to all other recovery or relief. A party shall be deemed to have prevailed in any such action (without limiting the generality of the foregoing) if such action is dismissed upon the payment by the other party of the sums allegedly due or the performance of obligations allegedly not complied with, or if such party obtains substantially the relief sought by it in the action, irrespective of whether such action is prosecuted to judgment. Attorneys' fees shall include, without limitation, fees incurred in discovery, contempt proceedings and bankruptcy litigation, and in any appellate proceeding. The non-prevailing party shall also pay the attorney's fees and costs incurred by the prevailing party in any post-judgment proceedings to collect and enforce the judgment. The covenant in the preceding sentence is separate and several and shall survive the merger of this provision into any judgment on this Agreement. For purposes hereof, the reasonable fees of PG&E's in-house attorneys who perform services in connection with any such action shall be recoverable, and shall be based on the fees regularly charged by private attorneys with the equivalent number of years of experience in the relevant subject matter area of the law, in law firms in the City of San Francisco with approximately the same number of attorneys as are employed by PG&E's Law Department.

18. No Waiver. No waiver with respect to any provision of this Agreement shall be effective unless in writing and signed by the party against whom it is asserted. No waiver of any provision of this Agreement by a party shall be construed as a waiver of any subsequent breach or failure of the same term or condition, or as a waiver of any other provision of this Agreement.

19. No Offsets. Grantee acknowledges that PG&E is executing this Agreement in its capacity as the owner of the Easement Area, and not in its capacity as a public utility company or provider of electricity and natural gas. Notwithstanding anything to the contrary contained herein, no act or omission of Pacific Gas and Electric Company or its employees, agents or contractors as a provider of electricity and natural gas shall abrogate, diminish, or otherwise affect the respective rights, obligations and liabilities of PG&E and Grantee under this Agreement. Further, Grantee covenants not to raise as a defense to its obligations under this Agreement, or assert as a counterclaim or cross-claim in any litigation or arbitration between PG&E and Grantee relating to this Agreement, any claim, loss, damage, cause of action, liability, cost or expense (including, but not limited to, attorneys' fees) arising from or in connection with Pacific Gas and Electric Company's provision of (or failure to provide) electricity and natural gas.

20. No Third Party Beneficiary. This Agreement is solely for the benefit of the parties hereto and their respective successors and permitted assigns, and, except as expressly provided herein, does not confer any rights or remedies on any other person or entity.

21. Captions. The captions in this Agreement are for reference only and shall in no way define or interpret any provision hereof.

22. Time. Except as otherwise expressly provided herein, the parties agree that as to any obligation or action to be performed hereunder, time is of the essence.

23. Severability. If any provision of this Agreement shall be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each provision of this Agreement shall be valid and enforced to the full extent permitted by law, provided the material provisions of this Agreement can be determined and effectuated.

24. Counterparts. This Agreement may be executed in identical counterpart copies, each of which shall be an original, but all of which taken together shall constitute one and the same agreement.

25. Other Documents. Each party agrees to sign any additional documents or permit applications which may be reasonably required to effectuate the purpose of this Agreement. Provided, however, that PG&E will not be required to take any action or execute any document that would result in any cost, expense or liability to PG&E.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth above.

PACIFIC GAS AND ELECTRIC COMPANY,
a California corporation

FALL RIVER VALLEY COMMUNITY
SERVICES DISTRICT,
a legal subdivision of the State of California

By: _____

By: _____

Name: Sarah T. Hug

Name: William R. Johnson

Its: Manager, Hydro Support

Its: Parks Manager

Date: _____

Date: _____

Exhibits A, B, and C attached

Attach to LD: 2137-04-10007

Area, Region or Location: 6

Land Service Office: Redding

Line of Business: 24

Business Doc Type: Easements

MTRSQ: 21.37.04.24.22, 21.37.04.25.11, 21.37.04.25.12, 21.37.04.25.24, 21.37.04.25.21, 21.37.04.25.23, 21.37.04.25.22, 21.37.04.36.11, 21.37.05.31.44, 21.37.05.30.43, 21.37.05.30.34, 21.37.05.30.33

FERC License Number: 2687

PG&E Drawing Number: N/A

Plat No.: N/A

LD of Affected Documents: N/A

LD of Cross-referenced Documents: 2137-04-10006

Type of interest: 11, 79, 11C

SBE Parcel: 135-45-019-7, 135-45-027A-1, 135-45-033C-1, 135-45-037G-1 and 135-45-079A-1

% Being Quitclaimed: N/A

Order or PM: N/A

JCN: N/A

County: Shasta

Utility Notice Number: N/A

851 Approval Application No: TBD; Decision: TBD

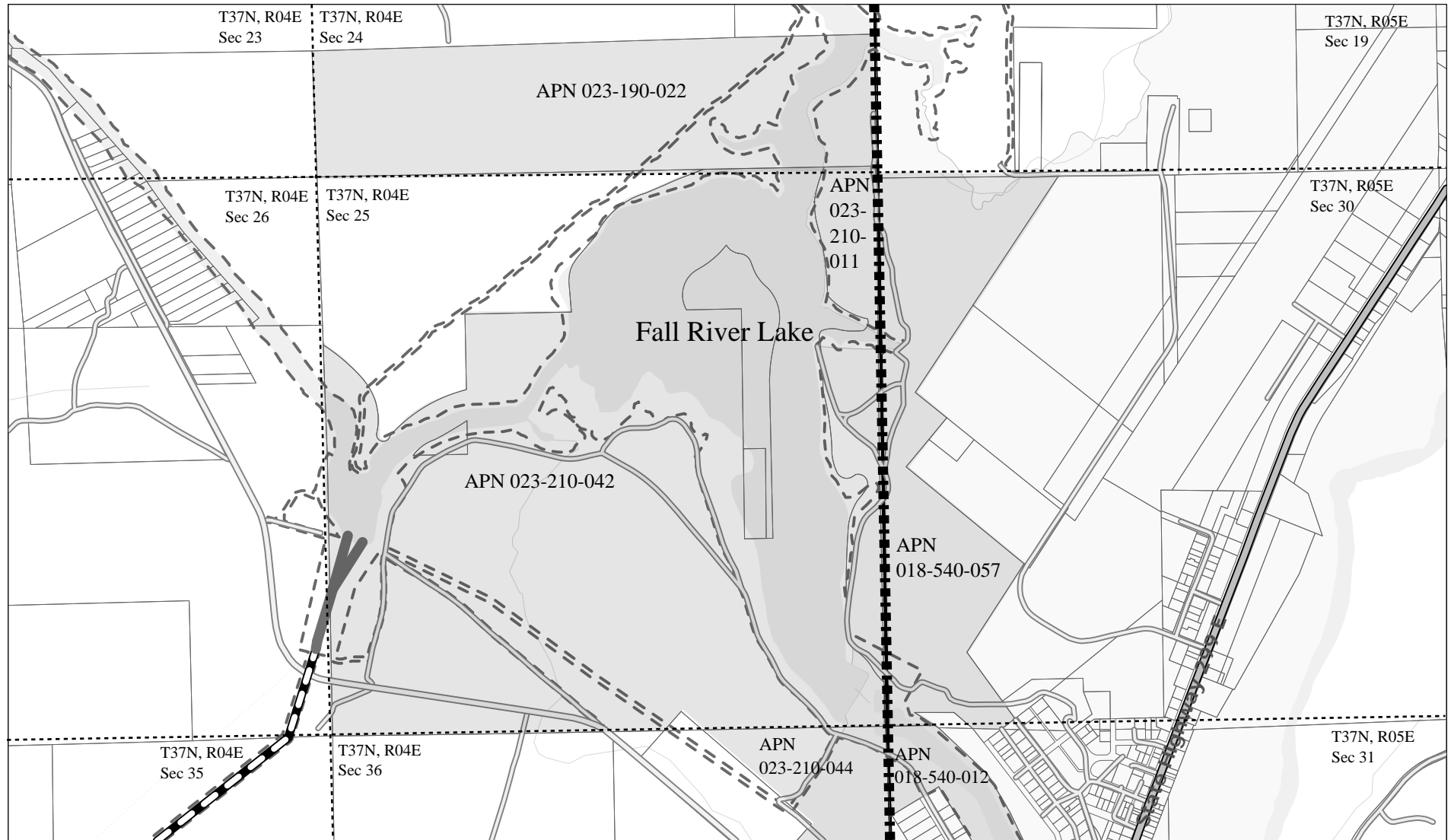
Prepared By: HXGZ

Checked By: S2P0

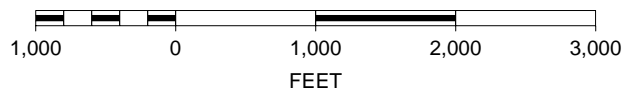
Approved By: SMTK (TBD)

Revised by: N/A

Exhibit A - The Property



SCALE 1 : 16,500



LEGEND

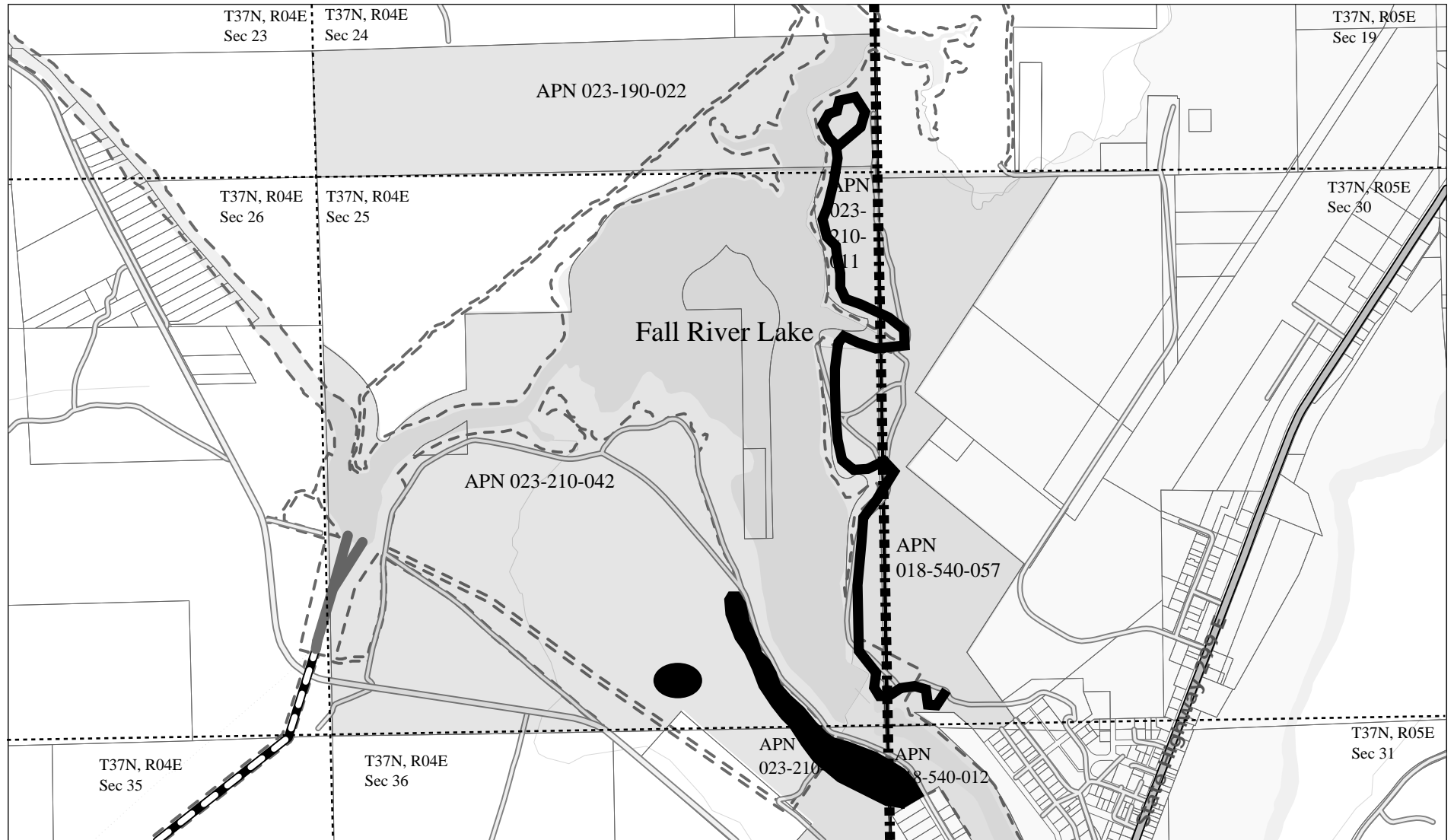
- PG&E Parcel
- FERC 2687 Project Boundary
- Section Boundary
- Township & Range Boundary

N

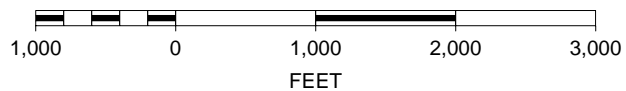


*All boundaries on this Exhibit A are approximate

Exhibit B - Easement Area



SCALE 1 : 16,500



LEGEND

- PG&E Parcel
- FERC 2687 Project Boundary
- Section Boundary
- Township & Range Boundary
- Easement Area



*All boundaries shown on this Exhibit B are approximate

Exhibit C

INSURANCE REQUIREMENTS

Grantee shall procure, carry and maintain in effect throughout the term of this Agreement the following insurance coverage. Grantee is also responsible for its subcontractors maintaining sufficient limits of the appropriate insurance coverages.

A. Workers' Compensation and Employers' Liability

1. Workers' Compensation insurance indicating compliance with any and all applicable labor codes, acts, laws or statutes, state or federal.
2. Employer's Liability insurance shall not be less than \$1,000,000 for injury or death, each accident.

B. Commercial General Liability

1. Coverage shall be at least as broad as the Insurance Services Office (ISO) Commercial General Liability insurance "occurrence" form with no additional coverage alterations.
2. The limits shall not be less than \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury, property damage and products and completed operations. Defense costs are to be provided outside the policy limits.
3. Coverage shall include: a) an "Additional Insured" endorsement (ISO Additional Insured form CG 2010 or equivalent coverage) adding as additional insureds PG&E, its affiliates, subsidiaries, and parent company, and PG&E's directors, officers, agents and employees with respect to liability arising out of work performed by or for Grantee. If the policy includes "blanket endorsement by contract," the following language added to the certificate of insurance will satisfy PG&E's requirement: "by blanket endorsement, PG&E, its affiliates, subsidiaries, and parent company, and PG&E's directors, officers, agents and employees with respect to liability arising out of the work performed by or for the Grantee are included as additional insured"; and b) an endorsement or policy provision specifying that the Grantee's insurance is primary and that any insurance or self-insurance maintained by PG&E shall be excess and non-contributing.

C. Additional Insurance Provisions

1. Upon the Effective Date of the Easement Agreement Grantee shall furnish PG&E with two (2) sets of certificates of insurance including required endorsements.
2. Documentation shall state that coverage shall not be canceled except after thirty (30) days prior written notice has been given to PG&E.

3. The documents must be signed by a person authorized by that insurer to bind coverage on its behalf and submitted to:

Pacific Gas and Electric Company
Insurance Department
One Market, Spear Tower, Suite 2400
San Francisco, California 94105

Pacific Gas and Electric Company
Attn: Land Agent, Hydro Support
3600 Meadow View Drive
Redding, CA 96003

4. Upon request, Grantee shall furnish PG&E evidence of insurance for its agents or contractors.
5. PG&E may inspect the original policies or require complete certified copies at any time.

Attachment 3

**Fall River Trail Improvement and Ecocultural
Enhancement Project, Recreation Trail Plan**

Fall River Lake Trail Improvement and Ecocultural Enhancement Project

Recreation Trail Plan

September 2019



**Plan Prepared for
Fall River Valley Community Services District (FRVCS D)**

Prepared by Lomakatsi Restoration Project

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Project Summary

The purpose of the proposed project is to transform existing off-highway vehicle roads along the east bank of Fall River Lake in Shasta County, California into 2 miles of pedestrian and other non-motorized use trail, while decommissioning side roads/trails. This multipurpose trail begins near the Fall River Elementary School and extends to Mackey's Cove. The project will also thin and restore up to 20 acres of mixed pine/oak woodlands on the west side of the lake. In addition to reducing hazardous fuels, the oak woodland restoration will enhance native biological diversity and highlight the ecocultural importance of oaks and acorns to the Ajumawi Band of the Ajumawi-Atsugewi Nation (Pit River Tribe). In addition, the project will install educational native plant guilds within restored areas that will highlight the cultural importance of grassland and woodland ecosystems.

Core collaborating partners tasked with implementing the project include the Fall River Valley Community Services District (FRVCSD), Lomakatsi Restoration Project (Lomakatsi), the Inter-Tribal Ecosystem Restoration Partnership with Elected Cultural Representatives of the Ajumawi Band of the Ajumawi-Atsugewi Nation, Spring Rivers Foundation, and Spring Rivers Ecological Sciences LLC (Spring Rivers). All project work will occur on PG&E watershed lands that will be retained by PG&E under a conservation easement with the Shasta Land Trust. Project funding comes from the Pacific Forest and Watershed Lands Stewardship Council (Stewardship Council) with matching from the FRVCSD and Lomakatsi.

The FRVCSD and partners developed this project to promote public recreation and education opportunities and to encourage Tribal ecocultural use of an area that has been highly impacted by land-use history. The trail system within the proposed project area has been highly degraded by lack of maintenance and excessive unauthorized motor vehicle use. A network of trails and small roads has been cut through natural areas, and have since become eroded, muddy, and nearly unusable by the public.

Furthermore, much of the area impacted by these trails was historically composed of biologically diverse oak and grassland ecosystems and contains many culturally important sites. In their current state, these trails exclude cultural use, provide a vector for invasive species, promote accelerated soil erosion, and are unsightly for recreating visitors. Where trails are currently walkable, they occasionally cross directly through wetlands, which has had a degradative effect on hydric soils and wetland plant communities. There is currently no posted information related to the ecological or cultural history of the site. Public access needs to be better guided through the project site to reflect the biological diversity and rich history of cultural use.

The grassland component of the proposed project area is highly degraded due to decades of excessive cattle grazing, fire exclusion, hydrologic alterations, excessive unauthorized motor vehicle use, and the exclusion of traditional ecological management practices. These ecological communities were historically dominated by native bunchgrasses and a diverse array of native wildflowers. Among these species were many that have historically been utilized for food, medicine, and materials. Additionally, diverse bunchgrass/wildflower communities support a wide variety of pollinating insects, birds, small mammals, and other wildlife. Currently, grasslands within the project area are highly invaded by exotic annual grasses and forbs, including medusahead (*Taeniatherum caput-medusae*) and yellow starthistle (*Centaurea solstitialis*). Soils are compacted and disturbed by excessive grazing, and many areas have been denuded by off-road vehicle use.

The decline of these ecosystems threatens both biological diversity and access to culturally important plant species that grow exclusively in grasslands. A lack of access and education related to the ecocultural elements of regional grasslands threatens community health and cultural traditions by limiting the ability of tribal community members to collect wild plant materials at important sites.

Additionally, the flatter, more open east side of the lake has been dissected by a network of off-highway vehicle (OHV) tracks. These OHV roads hold and channel water during wet conditions, causing erosion, gullying, and degradation of natural conditions. They are muddy and nearly unusable by the public under wet conditions, and very dusty and suboptimal for public enjoyment under dry conditions.

The planned trail work, including decommissioning of side roads/trails and installation of culturally important native plant guilds, will help restore grassland habitat, provide workforce training, and increase environmentally appropriate recreational opportunities, cultural education, outdoor education, and access to culturally significant botanical resources. The thinning of pine/oak woodland habitat will reduce hazardous fuels, improve forest health by reducing competitive stress, and protect oaks and other culturally important plant species for future generations.

Project component	Baseline condition	Outcome	Benefits
Trail construction/ rehabilitation	Eroded and degraded by motor vehicle use, in area of degraded grassland, low appeal for public	A 2 mile walkable trail with decommissioned side trails/roads	Public access, elevated recreation opportunities, outdoor education, workforce training
Ecocultural guild planting	Highly invaded grasslands in vicinity of trail system, excessive grazing and motor vehicle use, lack of public education on ecological and cultural importance	Small demonstration gardens planted with 1,500 culturally important native plants	Public education to promote grassland restoration and elevate the value of these ecosystems for subsistence gathering, workforce training
Maintenance and monitoring	No maintenance and monitoring program is currently in place	Monitor and maintain plantings to ensure over 70% survival, inventory oak woodlands to set density targets followed by re-sampling, document trail conditions through photos	An established and ongoing description of project conditions that can be expanded if future restoration and/or recreation infrastructure projects are undertaken

General Trail Maintenance Needs

The trail system at the Hat Creek Wild Trout Area consists of the following general maintenance and construction needs.

- Tread improvement
- Installation of proper drainage
- Installation of additional aggregate base on erosive sections
- Pruning and thinning of trail side vegetation
- Constriction of trails exceeding 4' in width
- Decommissioning/blocking and planting of old road spurs

Trail Maintenance Recommendations and Specifications

The proposed project is located adjacent to Fall River Lake/Pit 1 Forebay, which is the forebay for the Pit 1 Hydroelectric Project (Pit 1 Project). The Pit 1 Project is owned and operated by Pacific Gas and Electric Company (PG&E) and licensed by the Federal Energy Regulatory Commission (FERC Project No. 2687). All project work will occur on PG&E watershed lands that will be retained by PG&E under a conservation easement with the Shasta Land Trust. The trail work will occur on the east side of Fall River Lake within the Stewardship Council's Land Conservation Conveyance Plan Fall River Mills Planning Unit Parcels 136 and 149; and forest thinning will occur on the west side of the lake within Parcels 115, 145, 147, and 160.

The FRVCSD's proposal for funding for Enhancements on Watershed Lands from the Stewardship Council outlined the project tasks (FRVCSD 2018). Project Tasks 1 and 2 involve project design, permitting, management, and coordination. Construction-related tasks are described below.

CONSTRUCTION-RELATED TASKS

Task 3. – Trail Installation

Goal: Install/rehabilitate approximately 2 miles of 4-foot wide public access trail (totaling 0.97 acres) and protect biological and cultural resources.

Methods:

Task 3.1 – Trail installation (initial grade). The main trail grade will be installed using a trail cutting machine called a SWECO trail dozer, which is a small, light-weight (< 10,000 lbs) dozer designed for trail installation. Following the trail design and layout, new trail sections will be installed with proper grade slope and drainage. Sections of old OHV roads/trails will be blocked and rehabilitated to proper specifications.

Grading will be limited to less than 250 cubic yards of soil disturbance/movement. Some sections of the trail

alignment that have been eroded below the surrounding grade will be filled up to grade using crushed gravel, and the final trail surface will be gravel. Straw wattles will be employed to reduce potential for future erosion. One section of trail alignment will involve abandoning a short section of deeply eroded OHV road and creating a new alignment nearby, but away from the old alignment. Surface material from the new alignment will be placed into the eroded section. Then that old section will be seeded/re-vegetated and allowed to grow over. Final trail surface materials will depend on section conditions. Where drainage and surface runoff may be a concern, the trail surface will be covered with gravel aggregate. Where drainage is not a concern, the surface may be covered with wood chips. Trail materials will be purchased from a local vendor and transported to the site in small trucks and ATVs with trailers.

The trail will be routed far enough away from the three eastern coves shown in Figure 1 to avoid all wetland habitat. Most of the trail work will occur on existing roads and OHV trails with no vegetation; however, short sections will require cutting of trail through upland vegetation that has grown over old sections of road. Some shrubs will need to be removed in those sections to facilitate the new pathway.

Trail installation labor will be done with hand crews provided by Lomakatsi as well as local Tribal youth participating in the youth education and employment program. Crews will complete hand grading and installation, cut in step footings as needed, and install weed protection cloth and either an aggregate or wood chip base. The final trail width will be 4 feet wide with at least 3 inches of surface material depth.

Task 3.2 – Trail maintenance will be conducted following year two inspections. Corrections will be made for any slumping, erosion, or other damage.

Timeline: Trail installation is scheduled for Fall 2019 through September 2020, depending on weather and equipment availability. Completion of all subtasks will be before fall/winter rains.

Task 4. – Install Trail Barriers and Off-Road Vehicle Mitigation

Goal: Decommission numerous road/trail spurs alongside the new trail system.

Methods:

Task 4.1 – OHV road/trail decommission. This task will be completed with small, low ground pressure equipment while Tribal Cultural Monitors are on site. Work will concentrate on 10- to 25-foot sections where OHV roads/trails connect with the newly constructed trail. Work will focus on two components: (1) rehabilitate highly incised and eroded areas, and (2) regrade and contour enough of a distance to keep trail users from continuing down undesignated trails. In addition, existing juniper near where OHV roads/trails connect with the newly constructed trail will be moved and placed by hand to help block the undesignated roads/trails.

Task 4.2 – Installation of split-rail fence in areas highly susceptible to trespass by OHVs. The split rail fence will be installed manually with Lomakatsi crews using hand tools and an auger to set posts. Project partners will work with community members and local OHV groups to develop a plan to limit future interference

between trail use and OHV activities.

Task 4.3 – Load, haul, and deliver oak thinning byproducts. This activity will focus on using thinning byproducts from the oak habitat restoration to block access to road/trail spurs. In addition to creating an access barrier, the wooden barriers will be positioned to help reestablish proper drainage, reduce erosion, and provide microsites suitable for planting of native demonstration gardens.

Task 4.4 – Crew Implementation. This task is related to all the above subtasks. Following the equipment work, other work will be completed by hand crews and Tribal youth participating in the youth education and employment program. That work will consist of hand grading, log cribbing and manual placement of logs and thinning materials for drainage and slope stabilization structures, and the final raking and stabilization of the area.

Timeline: Barriers and off-trail mitigation is scheduled for Fall 2019 through September 2020, depending on weather and equipment availability. Completion of all subtasks will be before fall/winter rains.

Task 5. Native planting and seeding

Goal: To plant native species along the trail route and in decommissioned areas to aid in the rehabilitation of the Project Area, as well as to provide cover to deter trail users from going off trail. To develop native ecocultural guilds (demonstration gardens) along the trail that will educate the public on the ecological and cultural importance of grassland species and serve to train Tribal youth on grassland restoration.

Methods:

Task 5.1 – Purchase and/or grow (depending on availability) 1,500 native plants. Task will require a site survey by a botanist, plant species selection, tribal coordination, and seed collection by student volunteers and workforce training program participants.

Task 5.2 – Implement planting and seeding for road/trail spur decommissioning. Install native shrub species and sow grass to decommission road/trail spurs. Culturally important species from local seed stock will be used to the greatest extent possible.

Task 5.3 – Implement planting and seeding for ecocultural guilds. Utilize workforce training program and/or volunteers to plant native species in trailside guilds, with an emphasis on culturally significant species grown from locally collected seed. Where appropriate, install educational signs that explain the ecocultural significance of native plants and the importance of grassland restoration.

Task 5.4 – Track success of plantings through photo points and documentation of plant survival.

Timeline: 24 months; begin seed collection and preparation in Summer/Fall 2019 and complete planting in Spring 2021.

AVOIDANCE AND MINIMIZATION MEASURES

The following avoidance and minimization measures are recommended to minimize the potential for project activities to directly or indirectly affect special-status species and habitats.

Measure 1 – Wetlands

The trail will generally be aligned to provide a 100-foot buffer from any wetlands, with the possible exception of short sections of trail on existing OHV roads nearest the two small coves on the east side of Fall River Lake. No new sections of trail will be constructed within 100 feet of any wetlands. Erosion control measures will be implemented during the construction phase to prevent sedimentation into Fall River Lake, as described in Measure 7: Implement Best Management Practices. These include protecting water quality; designing and installing the trail to proper specifications to minimize erosion and improper drainage; and performing inspections and maintenance to ensure that the trail remains stable in the long term.

Measure 2 – Fish and Aquatic Habitat

Implement erosion control measures during the construction phase to prevent sedimentation into Fall River Lake, as described in Measure 7: Implement Best Management Practices and above.

Measure 3 – Western Pond Turtle (*Actinemys marmorata*)

Most of the trail installation work will be on existing OHV roads/trails with compacted soils, which are not likely to be used for nesting by pond turtles. The two short sections where new trail segments are to be cut through natural areas off of existing roads are not likely to be preferred nesting habitat for turtles, due to their location (i.e., along the top of a high bank that would not be climbable by turtles) and slope. Spring Rivers will conduct a pre-construction survey in those areas to search for possible turtle nests. If western pond turtle nests are found within the planned trail route, the trail will be moved to avoid impacts. If adult turtles are found in or near project work areas, they will be moved away from the work area into appropriate near-channel habitat. If necessary, temporary fencing will be installed between the work area and any adjacent turtle habitat in order to prevent migration back into the work area. All fencing will be inspected weekly and removed within a week after project work is completed.

Measure 4 – Nesting Birds

In the Intermountain Area, nesting season for neo-tropical songbirds typically occurs between April 1 and August 31. If vegetation removal or noise disturbing activities will take place during the nesting season, Spring Rivers will conduct a pre-construction survey for nesting birds along the trail route and within the oak woodland habitat (Figure 1) within 7 days of the start of work. If nests are found during the surveys, a no-disturbance buffer of 250 feet will be established around the nest area and all reasonable measures will be taken by the work crew to minimize disturbance until the young have fledged.

Project work could impact nesting bald eagles if noise-generating activities take place within 200 meters (660 feet) of active nests during the breeding/nesting season, which extends from January 1 to July 31. A pair of

bald eagles have been nesting on the north shore of Fall River Lake since 2013 (Pit 1 Forebay territory, PG&E 2017). The Pit 1 Forebay nest that has been used for the last six years is more than 700 meters from the closest portion of the trail (Figure 3). The Pit 1 Forebay pair is consistently found in the upper portion of Fall River Lake since they appropriated that part of the Fall River Mills territory in 2012. The Fall River Mills territory bald eagle pair forages in the lower half of Fall River Lake and in Fall River Pond (PG&E 2017). To prevent impacts to nesting bald eagles, PG&E's wildlife biologist responsible for monitoring bald eagles within the Pit 1 Project will be consulted to determine the location of active bald eagle nests and to evaluate the potential for the project work to disturb nesting eagles. If any of the project work activities have potential to disturb nesting bald eagles, then those activities will not be conducted for the duration of the nesting period or until PG&E's wildlife biologist has determined that the nestlings have fledged.

Project work could impact nesting bank swallows if noise-generating activities take place within 100 feet of active nests during the nesting season, which extends from April 1 to August 30. To prevent disturbance to nesting bank swallows, Spring Rivers will conduct a pre-construction survey for nesting bank swallows to determine exact locations of active nesting colonies. If active nesting colonies are located within 100 feet from any portion of the planned trail route, noise-generating activities in those locations will be prevented for the duration of the nesting season.

Measure 5 – Special-Status Plant Species and Noxious Weeds

A botanical survey will be conducted within all planned disturbance areas and staging/laydown areas before the start of work to determine presence/absence of special-status plant species and noxious weeds, and to identify native plant species that will be suitable for the planting and seeding phase of the project. If any special-status plant species are discovered during the botanical survey, those species will be protected by establishing a no-disturbance buffer around the plant/plant colony, and the trail alignment will be adjusted as needed to avoid any special status plants.

To prevent the introduction or spread of noxious weeds species, only weed-free erosion control and fill materials will be used for the trail construction. In addition, machinery brought in from other locations will be pressure washed off-site before arrival/delivery. The revegetation plan will adhere to standard Best Management Practices for seed, mulch, and fertilizer use.

Measure 6 – Cultural Resource Protection

All known historic and prehistoric sites will be avoided by the proposed trail work. The only exception would be if an existing OHV road already traverses a site, the addition of trail surface material (at least three inches of depth of either wood chips or gravel aggregate) can be used to convert, better define, and protect the trail. If the work would require any removal of or disturbance of existing ground within the archaeological site, the section of trail would instead be rerouted away from the site.

The ecocultural enhancement work will involve selective thinning of some trees and shrubs that have become overgrown in the past decades. There may be some yarding and skidding of larger trees from where they are cut, but the majority of the work will be hand labor with a minimum of ground disturbance.

The Ajumawi Band of the Ajumawi-Atsuge Nation (Pit River Tribe) is a collaborator on this project and Tribal Cultural Monitors will be on site during all soil-disturbing work to ensure the preservation and integrity of cultural sites. In addition, project proponents are consulting with PG&E cultural resources personnel to mitigate any affects to cultural resources by either adjusting the trail alignment and/or covering the surface of existing OHV roads that already cross through archaeological sites with a minimum of 3 inches of surface material depth. No grading or excavation will take place near any recorded resources. Either wood chips or gravel aggregate will be used for the surface material depending on drainage and surface runoff conditions. PG&E will also provide an archaeologist monitor when work is in the vicinity of archaeological sites. As recommended in the Cultural Resources Records Search, all eligible and unevaluated sites will be avoided and trails routed around them to insure they are not disturbed. The completed project will eliminate or substantially restrict unauthorized OHV use and will, therefore, help protect these cultural resources.

Measure 7 – Implement Best Management Practices (BMPs)

All applicable BMPs (e.g., BMPs for water quality, soil protection, hazardous fuels, and vegetation management, etc.) will be utilized during this construction work. The BMPs that are applicable for this construction work include:

- Erosion Control and Dust Abatement
 - Install erosion control structures before any vegetation clearing or ground-disturbing activities commence to protect the waterways from runoff and bank sloughing.
 - Water all roads and barren areas before grading to minimize dust.
- Water Quality/Discharge
 - This project is non-industrial and will disturb less than one acre so it is exempt from the need for a Stormwater Pollution Prevention Plan (SWPPP). BMPs will be followed to prevent contamination of soils and waterways from construction and hazardous materials.
 - Clean spills immediately and notify the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) of any spills and cleanup procedures.
 - Neither petroleum products nor hazardous materials will be stored onsite.
 - Staging and storage areas will be outside the riparian zone for Fall River Lake.
 - Perform refueling and vehicle maintenance at least 100 feet from the shore.
 - Any other motorized equipment stored on site (e.g., the SWECO trail dozer) will be placed within a spill containment area.
 - Inspect equipment daily to ensure that seals prevent any fuel, engine oil, and other fluids from leaking.
- Hazardous Materials
 - In the event of a release of a hazardous substance, the FRVCSO will make all required notifications to stakeholders and regulatory agencies.
 - Materials such as fuel (gasoline/diesel) and hydraulic oil will be used on the job site. Material Safety Data Sheets for all substances used on the job site will be on file at the job headquarters as required by the Hazard Communication Law, General Industry Safety Orders, Sec. 5194, and

will be available as necessary. Hazardous waste products such as grease cartridges and oil absorbents will be placed in proper containers and transported from the job site to an authorized Hazardous Waste Collection Site. Trucks will be refueled off site. Small motorized equipment, such as chainsaws, and the SWECO trail dozer will be refueled as required within a spill containment area. No fuel storage tanks will be placed at the work site.

- Fire Prevention/Protection Plan
 - All required permits, including fire permits, will be obtained before construction activities commence. In addition, all construction personnel will make all reasonable efforts to prevent and suppress wildfires. Smoking may only be done in vehicles, on roads, or areas cleared to mineral soil for a diameter of at least three feet.
 - Fire suppression equipment will be kept onsite and will include one shovel with each tractor, backhoe, or other heavy equipment. One shovel and one chemical pressurized fire extinguisher (fully charged) located at a point not greater than a distance of 25 feet from the work site, for each gasoline powered tool, including but not restricted to chain saws, rock drills etc. Fire extinguishers shall be of the type and size set forth in the California Public Resources Code Sec. 4431 and the California Administrative Code, Title 14, Sec. 1234. Shovels shall be a type "O", and overall length of not less than 46 inches. Axes or pulaskis (pulaskis recommended) shall have a 2 ½ pound or larger head, and shall be at least 28 inches in overall length.

Site Specific Maintenance and Construction

Table 2. Maintenance recommendations for the trail, referenced to map points on page 17.

Map points	Description of Improvements
Decommission old spur roads	Decommission/Block access to old spur roads using a combination of Juniper slash, planting guilds of shrubs, trees, forbs and other native grasses.
Paths to be moved	Existing roads are too steep and erosive to use. Existing alternate paths will be improved instead.
Aggregate	Extra aggregate to be added in these low-lying high erosions locations.
Water bar	Water bar or rolling dip added to keep excessive water off the trail.
North Access	Mackey's Cove RD access to north half of project.
South Access	Reynolds RD access to south end of project. Recently added red cinder to dam access to keep open. Trail will accommodate PG&E vehicle access to dam.
Parking Area	Small parking area and trailhead for project. Boulders to remain as is to keep OHV traffic from accessing the trail.
Split Rail Fence	300 feet to be added to keep foot traffic away from sensitive area. Could be added to a few other areas if needed.
Short Trail Spurs to Overlook	Short trail spurs to be enhanced to reach overlooks of the Fall River Lake

Plant Lists and Timelines

Fall River Trail Plant Species List to Plant in Guilds

Tree Species (common and scientific names)	
Ponderosa Pine	<i>Pinus ponderosa</i>
Gray Pine	<i>Pinus sabiniana</i>
White Oak	<i>Quercus garryana</i>
Black Oak	<i>Quercus kelloggii</i>
Incense Cedar	<i>Calocedrus decurrens</i>

Shrub Species (common and scientific names)	
Elderberry	<i>Sambucus nigra ssp. caerulea</i>
Wild Plum	<i>Prunus subcordata</i>
Chokecherry	<i>Prunus virginiana</i>
Mountain Mohogany	<i>Cercocarpus betuloides</i>
Skunk Bush	<i>Rhus trilobata</i>
Redbud	<i>Cercis occidentalis</i>
Tall Oregon Grape	<i>Berberis aquafolium</i>
Big Sagebrush	<i>Artemisia tridentata</i>
Silver Sagebrush	<i>Artemisia cana ssp. bolanderi</i>
Wormwood	<i>Artemisia douglasiana</i>
Nootka Rose	<i>Rosa nutkana</i>
Sierra Gooseberry	<i>Ribes roezlii</i>
Creeping Snowberry	<i>Symphoricarpos mollis</i>
Greenleaf Manzanita	<i>Arctostaphylos patula</i>

Forbs and Grasses (common and scientific names)	
Beargrass	<i>Xerophyllum tenax</i>
Great Basin Wild-Rye	<i>Elymus cinereus</i>
Squirrel tail grass	<i>Elymus elymoides</i>
Blue Wild-Rye	<i>Elymus glaucus</i>
California oatgrass	<i>Danthonia californica</i>
Tarweed	<i>Madia sp.</i>
Skunk Cabbage	<i>Wyethia mollis</i>
Wild onions	<i>Allium sp.</i>
Pine Bluegrass	<i>Poa secunda</i>
Milkweed	<i>Asclepias syriaca</i>
Coyote Tobacco	<i>Nicotiana attenuata</i>

Additional shrub, forbs and grass species may be added later.

Trail Improvement and Planting Timeline

	Phase II
Fall 2019	Task 3.1 Trail Installation
Fall 2019	Task 4.1 Install trail barriers and mitigation/OHV decommissioning
Fall 2019	Task 4.2 Split rail fence installation
Fall 2019	Task 4.3 Materials for OHV rehab
Fall 2019	Task 4.4 Labor for OHV rehab
Fall 2019	Task 7.1 Tribal Youth Training and Employment Program
Fall 2019	Task 5.1 Seed collection and grow out
Fall 2019	Task 5.2/5.3 Native acorn planting
Phase III	
Spring 2020	Task 5.2/5.3 Native species planting and reseeding
Summer 2020	Task 5.1 Seed collection of native grasses
Summer 2020	Task 3.2 Trail installation (Year 2 maintenance)
Summer 2020	Task 5.4 Track success of plantings
Fall 2020	Task 5.2/5.3 Native species reseeding grasses

Contracting

Once designs for the improvement items are completed and approved, Lomakatsi will create a Request for Quote (RFQ) using a “Best Value” System, where scoring would be based on a preference for local workforce and tribal companies, demonstrated professional capacity, as well as price. The RFQ proposal would be issued to a minimum of three qualified contractors. During the selection process, Lomakatsi would help evaluate proposals. Additional points during evaluation scoring would be given to local and tribal businesses in addition to price quotes.

Trail Maintenance Photo Examples



Left: Photo #1 – Proposed example of split rail fence (Hat Creek).



Right: Photo #2 – Location of split rail fence to be added near the dam.



Left: Photo #3 – An example of a decommission planting and some slash placement.



Right: Photo #4 – One of the many spur roads to decommission by blocking with plantings/slash.



Left: Photo #5 – Gully to be filled and trail re-contoured for proper drainage.



Right: Photo #6 – View from northern short spur trail.

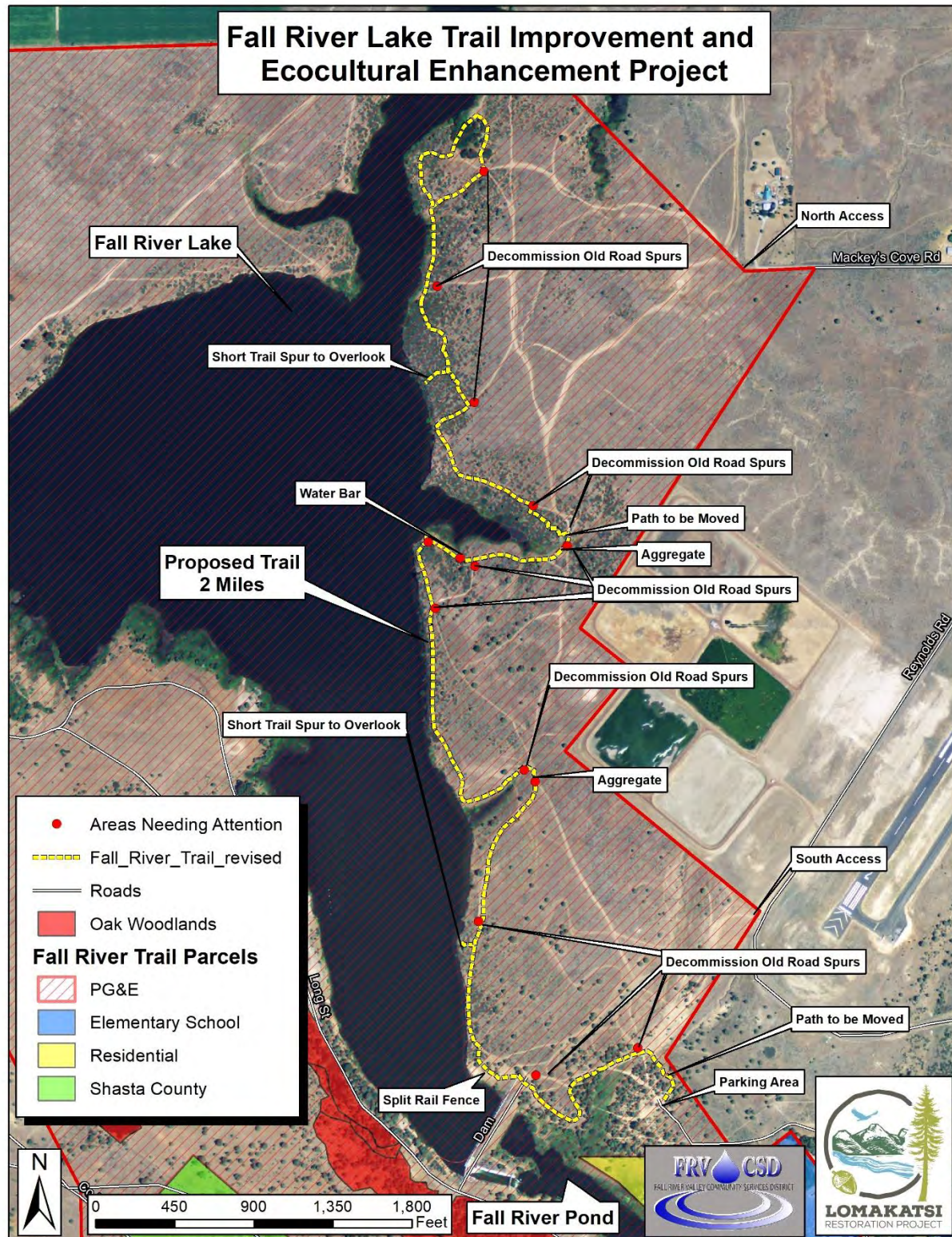


Left: Photo #7 – Path location alternative to existing erosive road.



Right: Photo #8 – Trailhead from Parking area.

Fall River Mills Proposed Trail Improvement Map



Attachment 4

License Agreement for a Right of Entry for Temporary Use

2137-04-10006

LICENSE AGREEMENT
FOR A RIGHT OF ENTRY FOR TEMPORARY USE

This License Agreement For A Right of Entry for Temporary Use (this “**License Agreement**”) is made and entered into this 18 day of June, 2019 (the “**Effective Date**”) by PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called “**PG&E**”, and FALL RIVER VALLEY COMMUNITY SERVICES DISTRICT, a legal subdivision of the State of California, hereinafter called “**Licensee**.”

R E C I T A L S:

A. PG&E owns the real property commonly known as Fall River Lake, (Assessor’s Parcel Number 023-210-042, 023-210-044 and 018-540-012, State Board of Equalization No. 135-45-079A-1, 135-45-033C-1 and 135-45-027A-1), hereinafter called the “**Property**”, situate in the unincorporated area of the county of Shasta, state of California.

B. In conjunction with Licensee’s *Fall River Lake Trail Improvement and Ecocultural Enhancement Project*, Licensee wishes to temporarily use a portion of the Property to perform an oak habitat restoration project on a portion of the Property as shown on **EXHIBIT “A”** attached hereto and by this reference made a part hereof (the “**License Area**”).

C. Licensee has requested permission for Licensee to enter the License Area and conduct certain activities on the License Area as more fully described in this License Agreement, and PG&E is willing to grant such permission subject to the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, PG&E and Licensee hereby agree as follows:

1. Temporary Right of Entry. Subject to the terms and conditions set forth in this License Agreement, PG&E hereby confers to Licensee a temporary, personal, non-exclusive and non-possessory right and license to enter, and for Licensee to allow Licensee’s directors, officers, partners, members, managers, employees, contractors, subcontractors, consultants, representatives, agents, permittees and invitees (“**Licensee’s Representatives**”) to enter, at reasonable times, and from time to time, the Licensed Area for the sole purpose of trimming and/or cutting down trees and brush, piling slash, and burning slash piles in accordance with the treatment specifications described in the Oak Habitat Restoration Proposal attached hereto as **EXHIBIT “B”** and by this reference made apart hereof, and hereinafter referred to as “**Licensee’s Activities**.” If Licensee’s Activities in any way require deviating from the treatment specifications described, Licensee shall stop work and be required to obtain approval from PG&E for all treatment revisions prior to continuing work. Burning of slash piles is only allowed from November 1st through April 30th and must be conducted on a permissive burn day, as dictated by the Shasta County Department of Resource Management. All of Licensee’s Activities shall be performed at Licensee’s sole cost and expense. This License Agreement gives Licensee a license only and does not constitute a grant by PG&E of any ownership, leasehold, easement or other similar property interest or estate.

2. Fees. Licensee shall pay no fee to PG&E for this License Agreement.

3. Work Plan. Licensee shall discuss with PG&E any specific requirements for Licensee's Activities on the Property, and shall prepare a work plan that incorporates such requirements and which describes in detail and with specificity the nature, scope, location and purpose of all of Licensee's Activities to be performed on the Property (the "**Work Plan**"). The Work Plan will be submitted to the following person at PG&E for approval, Ryan Revheim, Land Agent, at 3600 Meadow View Drive, Redding, CA 96002, (530) 246-6532. PG&E reserves the right to request Licensee to provide additional information, reports, studies or other documents not included in the Work Plan. Licensee acknowledges and agrees that PG&E's review of the Work Plan is solely for the purpose of protecting PG&E's interests, and shall not be deemed to create any liability of any kind on the part of PG&E, or to constitute a representation on the part of PG&E or any person consulted by PG&E in connection with such review that the Work Plan is adequate or appropriate for any purpose, or complies with applicable Legal Requirements, as defined herein. Licensee and Licensee's Representatives shall not enter the Property nor commence any activity on the Property, including, but not limited to Licensee's Activities, without the prior written consent of PG&E to the Work Plan as set forth above, which consent shall be at PG&E's sole and absolute discretion. Licensee agrees and covenants that all of Licensee's Activities shall be performed solely within the License Area and in strict accordance with the approved Work Plan.

4. Term; Termination; Surrender. This License Agreement shall be for a term of one (1) year commencing on the Effective Date of this License Agreement. **Provided however, that PG&E may terminate this License Agreement, at any time, for any reason or no reason, including, without limitation, pursuant to the provisions of General Order No. 69-C of the California Public Utilities Commission (the "CPUC"), upon twenty-four (24) hours written notice to the Licensee.** Upon the expiration or termination of this License Agreement, at Licensee's sole cost and expense, Licensee shall remove all of Licensee's and Licensee's Representative's personal property, remove all debris and waste material resulting from Licensee's Activities, and repair and restore the Property as nearly as possible to the condition that existed prior to Licensee's entry hereunder to PG&E's satisfaction. Licensee shall bear the entire cost of such removal, repair and restoration, and PG&E shall bear no liability for any costs caused or related to any termination of this License Agreement. In the event Licensee fails to comply with the requirements of this Section, PG&E may elect to remove such personal property and effect such removal, repair or restoration as necessary and recover such costs and expenses therefor from Licensee. Licensee shall pay such costs and expenses within ten (10) days of receipt of an invoice therefor. Licensee's obligations under this Section shall survive the expiration or termination of this License Agreement.

5. Conservation Documents.

(a) PG&E and Licensee hereby enter into this License Agreement with reference to the following:

(1) PG&E is a party to that certain Settlement Agreement (the "**Settlement Agreement**") as modified and approved by CPUC in its Opinion and Order of December 18, 2003 (Decision 03-12-035).

(2) In furtherance of the Settlement Agreement, and to provide additional detail regarding the implementation of the "**Land Conservation Commitment**" (defined below), the parties to the Settlement Agreement and other interested parties entered into that certain Stipulation Resolving Issues Regarding the Land Conservation Commitment dated September 25, 2003 (the "**Stipulation**").

(3) The Settlement Agreement and the Stipulation (collectively, the "**Governing Documents**") require PG&E to ensure that approximately 140,000 acres of watershed lands and approximately 655 acres of land located in the Carizzo Plains, all owned by PG&E (collectively, the "**Watershed Lands**"), including the License Area, are conserved for a broad range of beneficial public values, including the protection of the natural habitat of fish, wildlife and plants; the preservation of open space; outdoor recreation by the general public; sustainable forestry; agricultural uses; and historic values. The obligations of PG&E with respect to the Watershed Lands are set forth in detail in Appendix E of the Settlement Agreement and in Section 12 of the Stipulation, and are defined therein as the "**Land Conservation Commitment.**"

(4) Pursuant to the Governing Documents, the Pacific Forest and Watershed Lands Stewardship Council, a California non-profit public benefit corporation (the "**Stewardship Council**") was created to oversee and carry out the Land Conservation Commitment. In accordance with the Governing Documents, the Stewardship Council developed and adopted a land conservation plan (the "**LCP**") for protection of the Watershed Lands for the benefit of the citizens of California. The LCP includes, among other things, objectives to preserve and/or enhance the beneficial public values identified on each parcel of Watershed Lands.

(5) In addition to the LCP, the Stewardship Council is developing a disposition package for the License Area (the "**Disposition Package**") in order to carry out the objectives of the LCP with respect to the License Area.

(6) PG&E has agreed that, subject to (A) CPUC approval under California Public Utilities Code Section 851, (B) approval by the Federal Energy Regulatory Commission (the "**FERC**") for lands subject to its jurisdiction, and (C) certain other requirements provided in the Governing Documents, every parcel of the Watershed Lands, including the License Area, will be subject to a fee simple donation or donations and/or conservation easement or easements donated by PG&E to one or more public agencies or qualified non-profit conservation organizations.

(7) In furtherance of the foregoing, PG&E intends to grant a conservation easement or easements (the "**Conservation Easement**") over the License Area to one or more public agencies or qualified non-profit conservation organizations (the "**Easement Grantee**").

(8) Concurrently with the conveyance of the Conservation Easement, it is anticipated that the Easement Grantee and PG&E will enter into a land management plan (as initially adopted, and as the same may be modified and replaced from time to time, the "**Land Management Plan**") to preserve and enhance the beneficial public values present at the License Area.

(b) Licensee acknowledges and agrees that, except as expressly set forth above, neither PG&E nor its officers, directors, employees or agents makes or has made any representations or warranties of any kind, express or implied, written or oral, as to the Governing Documents, the Land Conservation Commitment, the LCP, the Disposition Package, the Conservation Easement, the Land Management Plan, and the conveyances and agreements that PG&E may enter into pursuant to the foregoing (collectively, the "**Conservation Documents**"), the activities to be carried out pursuant thereto, or the potential physical, economic or other impact thereof on Licensee, the License Area, the rights and obligations of Licensee under this License Agreement or otherwise.

(c) Without in any way limiting PG&E's rights under Section 4 above, PG&E may terminate this License Agreement under Section 4 above, at any time, where PG&E determines such termination is or may be necessary or desirable to further the purposes of the LCP or the Land Management Plan. In addition, PG&E shall have the right to require modifications to Licensee's Activities to the extent necessary or desirable to preserve and enhance the beneficial public values present at the License Area in accordance with the Conservation Documents. Licensee acknowledges that, such modifications may result in Licensee being required to conduct, or refrain from conducting, certain activities currently permitted on some or all of the License Area and such modifications may materially impact Licensee economically and otherwise. In addition to the rights reserved under this License Agreement, PG&E and others permitted by the Conservation Documents shall have the right to temporarily or permanently construct on the License Area such new structures or other improvements as PG&E deems appropriate in PG&E's sole discretion to comply with the provisions of the Conservation Documents ("**LCP Facilities**"), and to reconstruct, maintain, operate and use the LCP Facilities. PG&E shall give Licensee at least thirty (30) days' prior written notice of PG&E's election to modify Licensee's use hereunder.

(d) If PG&E shall sell, convey or otherwise transfer fee title to the License Area, and assign the interest in this License Agreement concerning the License Area or any portion thereof, to one or more transferees, including, without limitation, any transfer or transfers described in this Section 5, PG&E shall thereupon be released from any and all covenants, liabilities and obligations (express or implied) on the part of PG&E under this License Agreement, accruing from or after the date of such sale, conveyance or transfer, and Licensee shall look solely to the transferee or transferees for performance of the obligations of PG&E under this License Agreement. This License Agreement shall not be affected by such sales, conveyances or transfers, except for such modifications set forth herein, and Licensee agrees to attorn to the transferee or transferees, such attornment to be effective and self-operative without the execution of any further instrument by the parties to this License Agreement. Under no circumstances shall PG&E be liable for any act or omission whatsoever of any Easement Grantee with regard to the Conservation Easement, the Conservation Documents or otherwise, as more specifically set forth in this Section 4. PG&E shall also have the right to reserve in any deed or by separate instrument, easements and other retained rights for PG&E's benefit upon any sale, conveyance or transfer of the License Area, or any portion thereof (the "**Reserved Easements**"), including, without limitation, easements and other rights of entry and use for the installation, replacement, use, operation, repair and maintenance of hydroelectric, water delivery and other existing or future facilities on the License Area or in connection with property in the vicinity of the License Area, for the investigation, remediation and mitigation of any Hazardous Materials and/or in connection with FERC requirements. Licensee hereby agrees that this License Agreement shall be subject to, and

subordinate to, the Reserved Easements. Licensee agrees to take such reasonable actions, including but not limited to acknowledging, delivering or executing instruments and documents, as may be required to effectuate the purposes of this Section 4, and to further document the provisions of this License Agreement that will continue in effect between Licensee and PG&E, as a third-party beneficiary.

(e) This Section 5 shall be self-operative and no further instrument of subordination shall be required. However, Licensee agrees to execute such documentation as may be reasonably requested by PG&E in order to carry out the terms of this Section 5.

(LICENSEE TO INITIAL HERE W.R.J.)

6. Condition of the Property. Licensee accepts the Property "as is", in its existing physical condition, without warranty by PG&E or any duty or obligation on the part of PG&E to maintain the Property. Licensee acknowledges that one or more of the following (collectively, "**Potential Environmental Hazards**") may be located in, on or underlying the Property:

(a) electric fields, magnetic fields, electromagnetic fields, electromagnetic radiation, power frequency fields, and extremely low frequency fields, however designated, and whether emitted by electric transmission lines, other distribution equipment or otherwise ("**EMFs**");

(b) Hazardous Substances (as hereinafter defined). For purposes hereof, the term "**Hazardous Substances**" means any hazardous or toxic material or waste which is or becomes regulated by Legal Requirements, as defined herein, relating to the protection of human health or the environment, including, but not limited to, laws, requirements and regulations pertaining to reporting, licensing, permitting, investigating and remediating emissions, discharges, releases or threatened releases of such substances into the air, surface water, or land, or relating to the manufacture, processing, distribution, use, treatment, storage, disposal, transport or handling of such substances. Without limiting the generality of the foregoing, the term Hazardous Substances includes any material or substance:

(1) now or hereafter defined as a "hazardous substance," "hazardous waste," "hazardous material," "extremely hazardous waste," "restricted hazardous waste" or "toxic substance" or words of similar import under any applicable local, state or federal law or under the regulations adopted or promulgated pursuant thereto, including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§9601 et seq. ("CERCLA"); the Resource Conservation and Recovery Act of 1976, 42 U.S.C. §§6901 et seq.; the Clean Air Act, 42 U.S.C. §§7401 et seq.; the Clean Water Act, 33 U.S.C. §§1251 et seq.; the Toxic Substance Control Act, 15 U.S.C. §§2601 et seq.; the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. §§136 et seq.; the Atomic Energy Act of 1954, 42 U.S.C. §§2014 et seq.; the Nuclear Waste Policy Act of 1982, 42 U.S.C. §§10101 et seq.; the California Hazardous Waste Control Law, Cal. Health and Safety Code §§25100 et seq.; the Porter-Cologne Water Quality Control Act, Cal. Water Code §§13000 et seq.; the Carpenter-Presley-Tanner Hazardous Substance Account Act (Health and Safety Code §§25300 et seq.); and the Medical Waste Management Act (Health and Safety Code §§25015 et seq.); or

(2) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic or otherwise hazardous, and is now or hereafter regulated as a Hazardous Substance by the United States, the State of California, any local governmental authority or any political subdivision thereof; or

(3) the presence of which on the Property poses or threatens to pose a hazard to the health or safety of persons on or about the Property or to the environment; or

(4) which contains gasoline, diesel fuel or other petroleum hydrocarbons; or

(5) which contains lead-based paint or other lead contamination, polychlorinated biphenyls ("PCBs") or asbestos or asbestos-containing materials or urea formaldehyde foam insulation; or

(6) which contains radon gas;

(c) fuel or chemical storage tanks, energized electrical conductors or equipment, or natural gas transmission or distribution pipelines; and

(d) other potentially hazardous substances, materials, products or conditions.

Licensee shall take all necessary precautions to protect Licensee's Representatives from risks of harm from Potential Environmental Hazards, and Licensee shall be responsible for the health and safety of Licensee's Representatives. Licensee acknowledges that it has previously evaluated the condition of the Property and all matters affecting the suitability of the Property for the uses permitted by this License Agreement, including, but not limited to, the Potential Environmental Hazards listed herein.

7. Licensee's Covenants.

(a) Legal Compliance. Licensee covenants and agrees, at Licensee's sole cost and expense, promptly to comply, and cause all of Licensee's Representatives to comply, with (i) all laws, statutes, ordinances, rules, regulations, requirements or orders of municipal, state, and federal authorities now in force or that may later be in force, including, but not limited to, those laws which relate to the generation, use, storage, handling, treatment, transportation or disposal of Hazardous Substances or to health, safety, noise, environmental protection, air quality or water quality, (ii) with the conditions of any permit, occupancy certificate, license or other approval issued by public officers relating to Licensee's Activities or Licensee's use or occupancy of the Property; and (iii) with any liens, encumbrances, easements, covenants, conditions, restrictions and servitudes (if any) of record, or of which Licensee has notice, which may be applicable to the Property (collectively, "**Legal Requirements**") regardless of when they become effective, insofar as they relate to Licensee's Activities or the use or occupancy of the Property by Licensee. The judgment of any court of competent jurisdiction, or the admission of Licensee in any action or proceeding against Licensee, whether or not PG&E is a party in such action or proceeding, that Licensee has violated any Legal Requirement relating to the use or occupancy of the Property, shall be conclusive of that fact as between PG&E and Licensee. Licensee shall furnish satisfactory evidence of such compliance upon request by PG&E;

(b) Notification of Investigations, Orders or Enforcement Proceedings.

Licensee covenants and agrees to notify PG&E in writing within three (3) business days of any investigation, order or enforcement proceeding which in any way relates to the Property, or to any contamination or suspected contamination on, within or underlying the Property. Such notice shall include a complete copy of any order, complaint, agreement, or other document which may have been issued, executed or proposed, whether draft or final;

(c) Use of Property. Licensee covenants and agrees that Licensee shall not in

any way interfere or permit any interference with the use by PG&E of the Property. Interference shall include, but not be limited to, any activity by Licensee that places any of PG&E's gas or electric facilities in violation of any of the applicable provisions of General Order Nos. 95 (Overhead Electric), 112 (Gas), and 128 (Underground Electric) of the CPUC or to any other applicable provisions of the laws and regulations of the State of California or other governmental agencies under which the operations of utility facilities are controlled or regulated. Licensee shall not erect, handle, or operate any tools, machinery, apparatus, equipment, or materials closer to any of PG&E's high-voltage electric conductors than the minimum clearances set forth in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety; which minimum clearances are incorporated herein by reference; but in no event closer than ten (10) feet to any energized electric conductors or appliances. Licensee shall not drill, bore, or excavate under any circumstances;

(d) Procedure for Entry. Licensee covenants and agrees that at least ten (10)

business days prior to any entry by Licensee or any Licensee Representative upon the Property, Licensee shall notify Ryan Revheim, Land Agent at 3600 Meadow View Drive, Redding, CA 96002 ("**PG&E's Representative**") at (530) 246-6532 so that a representative of PG&E may be present to observe Licensee's Activities to ensure safety and protection of PG&E's Property and compliance with the terms and conditions of this License Agreement. At the time of each such notification, Licensee shall inform PG&E's Representative whether a representative of any governmental entity or agency will be present during the planned activities;

(e) Licensee's Activities. Licensee covenants and agrees that Licensee and

Licensee's Representatives shall notify PG&E, as part of the Work Plan, of any potential safety, environmental or other hazards to PG&E employees or property arising out of, or associated with, Licensee's Activities or stemming from conditions caused by Licensee, so that PG&E may take appropriate precautions. Licensee covenants and agrees that Licensee shall conduct Licensee's Activities in compliance with the Work Plan approved by PG&E and in such a manner so as to protect the Property, PG&E's utility facilities, the environment and human health and safety. Licensee shall not cause or permit any Hazardous Substances, as defined herein, to be brought upon, produced, stored, used, discharged or disposed of on, or in the vicinity of, the Property. Licensee covenants and agrees to be responsible for the clean up and remediation of any releases of Hazardous Substances resulting from Licensee's Activities, or any activity by Licensee or Licensee's Representatives, and shall immediately report the details of any such releases to PG&E and to the appropriate regulatory agencies as required by any and all applicable law. In the event PG&E determines that Licensee's Activities in any way endanger the Property, PG&E's utility facilities, the environment, or human health and safety, PG&E may, at PG&E's sole and absolute discretion, require that the Licensee halt Licensee's Activities until appropriate protective measures may be taken to eliminate such endangerment to PG&E's satisfaction. Licensee shall hold PG&E

harmless from any claims in any way resulting from any delay under this Section. PG&E's right to halt activities under this Section shall not in any way affect or alter Licensee's insurance or indemnity obligations under this License Agreement, nor shall it relieve Licensee from any of Licensee's obligations hereunder that pertain to health, safety, or the protection of the environment;

(f) Non-Interference. Licensee covenants and agrees to coordinate Licensee's Activities regarding the license granted herein to strictly avoid any interference with the use by PG&E of the Property and any adjoining lands owned by PG&E; and,

(g) Site Security. Licensee hereby covenants and agrees that Licensee and Licensee's Representatives shall comply with any and all PG&E's on-site safety and security requirements and any other rules and regulations that may be applicable to Licensee's Activities at the Property. Licensee covenants and agrees to cooperate with PG&E and abide by any and all orders or instructions issued by PG&E, its employees, agents or representatives. PG&E reserves the right to restrict access to the Property in the event of fire, earthquake, storm, riot, civil disturbance, or other casualty or emergency, or in connection with PG&E's response thereto, or if emergency repairs or maintenance are required to PG&E facilities within or in the vicinity of the Property, or otherwise when PG&E deems it advisable to do so, including in connection with events and emergencies occurring or affecting PG&E's business operations located elsewhere than in the immediate vicinity of the Property.

(h) FERC Project. Licensee acknowledges that the Property was acquired for, and is devoted to hydroelectric purposes by PG&E and is a part of the FERC Project No. 2687, and this License Agreement is made subject to the right of PG&E to use the Property for such purposes; and to use the Property whenever in the interest of PG&E's service to the public it shall be deemed necessary to do so. Licensee agrees that Licensee's use of the Property shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use.

8. Indemnification; Release.

(a) Licensee shall, to the maximum extent permitted by law, indemnify, protect, defend and hold harmless PG&E, its parent corporation, subsidiaries, affiliates, and their officers, managers, directors, representatives, agents, employees, transferees, successors and assigns (each, an "**Indemnitee**" and collectively, "**Indemnitees**") from and against all claims, losses (including, but not limited to, diminution in value), actions, demands, damages, costs, expenses (including, but not limited to, experts fees and reasonable attorneys' fees and costs) and liabilities of whatever kind or nature (collectively, "**Claims**"), including Claims arising from the passive or active negligence of the Indemnitees, which arise from or are in any way connected with Licensee's Activities, or the entry on, occupancy or use of, the Property by Licensee or Licensee's Representatives, or the exercise by Licensee of Licensee's rights hereunder, or the performance of, or failure to perform, Licensee's duties under this License Agreement, including, but not limited to, Claims arising out of: (a) injury to or death of persons, including but not limited to employees of PG&E or Licensee (and including, but not limited to, injury due to exposure to EMFs and other Potential Environmental Hazards in, on or about the Property); (b) injury to property or other interest of PG&E, Licensee or any third party; (c) violation of any applicable federal, state, or local

laws, statutes, regulations, or ordinances, including all Legal Requirements relating to the environment and including any liability imposed by law or regulation without regard to fault.

Without limiting the generality of the foregoing, Licensee shall, to the maximum extent permitted by law, indemnify, protect, defend and hold Indemnitees harmless from and against Claims arising out of or in connection with any labor performed on the Property by, or at the request or for the benefit of, Licensee. In the event any action or proceeding is brought against any Indemnitee for any Claim against which Licensee is obligated to indemnify or provide a defense hereunder, Licensee upon written notice from PG&E shall defend such action or proceeding at Licensee's sole expense by counsel approved by PG&E, which approval shall not be unreasonably withheld, conditioned or delayed.

(b) Licensee acknowledges that all Claims arising out of or in any way connected with releases or discharges of a Hazardous Substance, or the exacerbation of a Potential Environmental Hazard, occurring as a result of or in connection with Licensee's use or occupancy of the Property, Licensee's Activities or the activities of any of Licensee's Representatives, and all costs, expenses and liabilities for environmental investigations, monitoring, containment, abatement, removal, repair, cleanup, restoration, remediation and other response costs, including reasonable attorneys' fees and disbursements and any fines and penalties imposed for the violation of any Legal Requirements relating to the environment or human health, are expressly within the scope of the indemnity set forth above.

(c) Licensee's use of the Property shall be at Licensee's sole risk and expense. Licensee accepts all risk relating to Licensee's occupancy and use of the Property. PG&E shall not be liable to Licensee for, and Licensee hereby waives and releases PG&E and the other Indemnites from, any and all liability, whether in contract, tort or on any other basis, for any injury, damage, or loss resulting from or attributable to an occurrence on or about the Property.

(d) Licensee shall, to the maximum extent permitted by law, indemnify, protect, defend and hold Indemnites harmless against claims, losses, costs (including attorneys' fees and costs), liabilities and damages resulting from the failure of Licensee, or any of Licensee's consultants, contractors or subcontractors, to comply with the insurance requirements set forth in **EXHIBIT "C"**.

(e) The provisions of this Section 8 shall survive the expiration or termination of this License Agreement.

9. Additional Activities. Licensee shall not perform any activities beyond Licensee's Activities specifically authorized by this License Agreement without the prior written consent of PG&E, which consent shall be at PG&E's sole and absolute discretion, and the prior consent, to the extent required by applicable law or regulation, of any governmental authority having jurisdiction, including, but not limited to, the CPUC or the Federal Energy Regulatory Commission.

10. Reserved Rights. PG&E reserves the right to use the Property for any and all purposes which will not unreasonably interfere with Licensee's enjoyment of the rights hereby granted. PG&E reserves the right to make use of the Property for such purposes as it may deem necessary or appropriate if, and whenever, in the interest of its service to its patrons or consumers or the public, it shall appear necessary or desirable to do so. Licensee shall not make use of the

Property in any way which will endanger human health or the environment, create a nuisance or otherwise be incompatible with the use of the Property by PG&E or others entitled to use the Property.

11. Compliance; Safety; Insurance. Licensee shall obtain, at Licensee's sole cost and expense any and all necessary permits, authorizations and approvals applicable to Licensee's Activities and to evidence compliance with all Legal Requirements. PG&E shall have a right to observe Licensee's Activities at any time to confirm Licensee's compliance with the requirements of this License Agreement and applicable laws. Licensee shall procure, carry and maintain in effect throughout the term of this License Agreement, in a form and with deductibles acceptable to PG&E and with such insurance companies as are acceptable to PG&E, the insurance specified in **EXHIBIT "C"** and by this reference made a part hereof. Prior to Licensee's entry onto the Property, and thereafter thirty (30) days prior to the expiration date of any policy, Licensee shall provide PG&E with evidence of the insurance coverage, or continuing coverage, as applicable, required by this License Agreement as more specifically set forth in **EXHIBIT "C"**. Licensee is also responsible for the compliance of Licensee's consultants, contractors and subcontractors with the insurance requirements, as appropriate, provided that Licensee may, in the exercise of Licensee's reasonable judgment, permit Licensee's consultants, contractors and subcontractors to maintain coverages and limits lower than those specified so long as the coverages and limits required by Licensee are commercially reasonable in light of applicable circumstances. For so long as the Licensee hereunder is the Fall River Valley Community Services District, Licensee may elect to self-insure for any or all of the required coverage.

12. Mechanics' Liens. Licensee shall keep the Property free and clear of all mechanics' liens arising, or alleged to arise, in connection with any work performed, labor or materials supplied or delivered, or similar activities performed by Licensee or at Licensee's request or for Licensee's benefit. If any mechanics' liens are placed on the property in connection with Licensee's Activities set forth in this License Agreement, Licensee shall diligently pursue all necessary actions to remove such liens from title, either by payment or by recording a lien release bond in the manner specified in California Civil Code Section 3143 or any successor statute.

13. Notice. Any notices or communications hereunder shall be in writing and shall be personally delivered, or sent by first class mail, certified or registered, postage prepaid, or by national overnight courier, with charges prepaid for next business day delivery, addressed to the addressee party at the address or addresses listed below, or to such other address or addresses as such party may from time to time designate in writing. Notices shall be deemed received upon actual receipt of the notice by the party being sent the notice, or on the following business day if sent by overnight courier, or on the expiration of three (3) business days after the date of mailing.

If to PG&E by standard U.S. mail or by registered or certified mail, return receipt requested:

Manager, Hydro Support
PG&E Land Management
111 Stony Circle
Santa Rosa, CA 95401-9507

With a copy to:

Law Department
Pacific Gas and Electric Company
P.O. Box 7442
San Francisco, CA 94120
Attn: Managing Counsel, Environmental and Real Estate
Telephone: (415) 973-7503

Pacific Gas and Electric Company
Land Agent, Hydro Support
3600 Meadow View Drive
Redding, CA 96002
Phone: (530) 246-6532

If to PG&E by personal delivery or overnight courier:

Manager, Hydro Support
PG&E Land Management
111 Stony Circle
Santa Rosa, CA 95401-9507

With a copy to:

Law Department
Pacific Gas and Electric Company
77 Beale Street, Mail Code B30A
San Francisco, CA 94105
Attn: Managing Counsel, Environmental and Real Estate
Telephone: (415) 973-7503

Pacific Gas and Electric Company
Land Agent, Hydro Support
3600 Meadow View Drive
Redding, CA 96002
Phone: (530) 246-6532

If to Licensee:

Fall River Valley Community Services District
Bill Johnson, Parks Manager
P.O. Box 427
Fall River Mills, CA 96028
(530) 336-5263

14. Governing Law; Venue. This License Agreement shall in all respects be interpreted, enforced, and governed by and under the laws of the State of California.

15. Entire Agreement. This License Agreement supersedes all previous oral and written agreements between and representations by or on behalf of the parties and constitutes the entire agreement of the parties with respect to the subject matter hereof. This License Agreement may not be amended except by a written agreement executed by both parties.

16. Binding Effect. This License Agreement and the covenants and agreements herein contained shall be binding on, and inure to the benefit of, the parties hereto and their respective heirs, successors and assigns, subject to the limitations on assignment set forth in this License Agreement.

17. Assignment. This License Agreement is personal to Licensee, and Licensee shall not assign, transfer, convey or encumber the license and other rights herein granted or any portion thereof or interest herein.

18. Attorneys' Fees. Should either party bring an action against the other party, by reason of or alleging the failure of the other party with respect to any or all of its obligations hereunder, whether for declaratory or other relief, and including any appeal thereof, then the party which prevails in such action shall be entitled to its reasonable attorneys' fees (of both in-house and outside counsel) and expenses related to such action, in addition to all other recovery or relief. A party shall be deemed to have prevailed in any such action (without limiting the generality of the foregoing) if such action is dismissed upon the payment by the other party of the sums allegedly due or the performance of obligations allegedly not complied with, or if such party obtains substantially the relief sought by it in the action, irrespective of whether such action is prosecuted to judgment. Attorneys' fees shall include, without limitation, fees incurred in discovery, contempt proceedings, and bankruptcy litigation. The non-prevailing party shall also pay the attorney's fees and costs incurred by the prevailing party in any post-judgment proceedings to collect and enforce the judgment. The covenant in the preceding sentence is separate and several and shall survive the merger of this provision into any judgment on this License Agreement. For purposes hereof, the reasonable fees of PG&E's in-house attorneys who perform services in connection with any such action shall be recoverable, and shall be based on the fees regularly charged by private attorneys with the equivalent number of years of experience in the relevant subject matter area of the law, in law firms in the City of San Francisco with approximately the same number of attorneys as are employed by PG&E's Law Department.

19. No Waiver. Any waiver with respect to any provision of this License Agreement shall not be effective unless in writing and signed by the party against whom it is asserted. The waiver of any provision of this License Agreement by a party shall not be construed as a waiver of a subsequent breach or failure of the same term or condition or as a waiver of any other provision of this License Agreement.

20. No Offsets. Licensee acknowledges that PG&E is executing this License Agreement in its capacity as the owner of real property, and not in its capacity as a public utility company or provider of electricity and natural gas. Notwithstanding anything to the contrary contained herein, no act or omission of Pacific Gas and Electric Company or its employees, agents or contractors as a provider of electricity and natural gas shall abrogate, diminish, or otherwise

affect the respective rights, obligations and liabilities of PG&E and Licensee under this License Agreement. Further, Licensee covenants not to raise as a defense to Licensee's obligations under this License Agreement, or assert as a counterclaim or cross-claim in any litigation or arbitration between PG&E and Licensee relating to this License Agreement, any claim, loss, damage, cause of action, liability, cost or expense (including, without limitation, attorneys' fees) arising from or in connection with Pacific Gas and Electric Company's provision of (or failure to provide) electricity and natural gas.

21. No Dedication; No Third-Party Beneficiary. The provisions of this License Agreement are for the exclusive benefit of the parties and their successors and assigns, and shall not be deemed to confer any rights upon any person except such parties and their successors and assigns, subject to the limitations on assignment set forth in this License Agreement. No obligation of a party under this License Agreement is enforceable by, or is for the benefit of, any other third parties.

22. Captions. The captions in this License Agreement are for reference only and shall in no way define or interpret any provision hereof.

23. Time. Except as otherwise expressly provided herein, the parties agree that as to any obligation or action to be performed hereunder, time is of the essence.

24. Severability. If any provision of this License Agreement shall be invalid or unenforceable, the remainder of this License Agreement shall not be affected thereby, and each provision of this License Agreement shall be valid and enforced to the full extent permitted by law, provided the material provisions of this License Agreement can be determined and effectuated.

25. Counterparts. This License Agreement may be executed in identical counterpart copies, each of which shall be an original, but all of which taken together shall constitute one and the same agreement.

26. Joint and Several Liability. If two or more individuals, corporations, partnerships or other business associations (or any combination of two or more thereof) shall sign this License Agreement as Licensee, the liability of each such individual, corporation, partnership or other business association to perform Licensee's obligations hereunder shall be deemed to be joint and several, and all notices, payments and agreements given or made by, with or to any one of such individuals, corporations, partnerships or other business associations shall be deemed to have been given or made by, with or to all of them. In like manner, if Licensee shall be a partnership or other business association, the members of which are, by virtue of statute or federal law, subject to personal liability, then the liability of each such member shall be joint and several.

27. Survival. The waivers of claims or rights, the releases and the obligations of Licensee under this License Agreement to indemnify, protect, defend and hold harmless PG&E and other Indemnitees shall survive the expiration or earlier termination of this License Agreement, and so shall all other obligations or agreements of PG&E and Licensee hereunder which by their terms survive the expiration or earlier termination of this License Agreement.

28. Other Documents. Each party agrees to sign any additional documents or permit applications which may be reasonably required to effectuate the purpose of this License

Agreement. Provided, however, that PG&E will not be required to take any action or execute any document that would result in any liability, cost or expense to PG&E.

29. Authority; Execution; Conditions to Effectiveness. The parties and the individuals executing this License Agreement on behalf of the parties, each represent, by executing this License Agreement, that he or she is duly authorized to do so and to bind the respective party to its terms. The submission of this License Agreement for examination or execution does not constitute an approval of the terms herein, or an offer to license the License Area in accordance with the terms and conditions contained herein, and this License Agreement shall not become effective unless and until it has been executed and delivered by both PG&E and Licensee, and current proof of insurance for Licensee and its consultants, contractors and subcontractors as set forth in Section 11 above.

IN WITNESS WHEREOF, the parties have executed this License Agreement as of the date set forth below each signature, effective upon the Effective Date first written above.

“PG&E”

PACIFIC GAS AND ELECTRIC COMPANY,
a California corporation

By:  E-SIGNED by Ralph L. Medina


Name: Ralph L. Medina

Its: Manager, Hydro Support

Date: June 18, 2019

“Licensee”

FALL RIVER VALLEY COMMUNITY
SERVICES DISTRICT,
a legal subdivision of the State of California

By:  E-SIGNED by William R. Johnson

Name: William R. Johnson

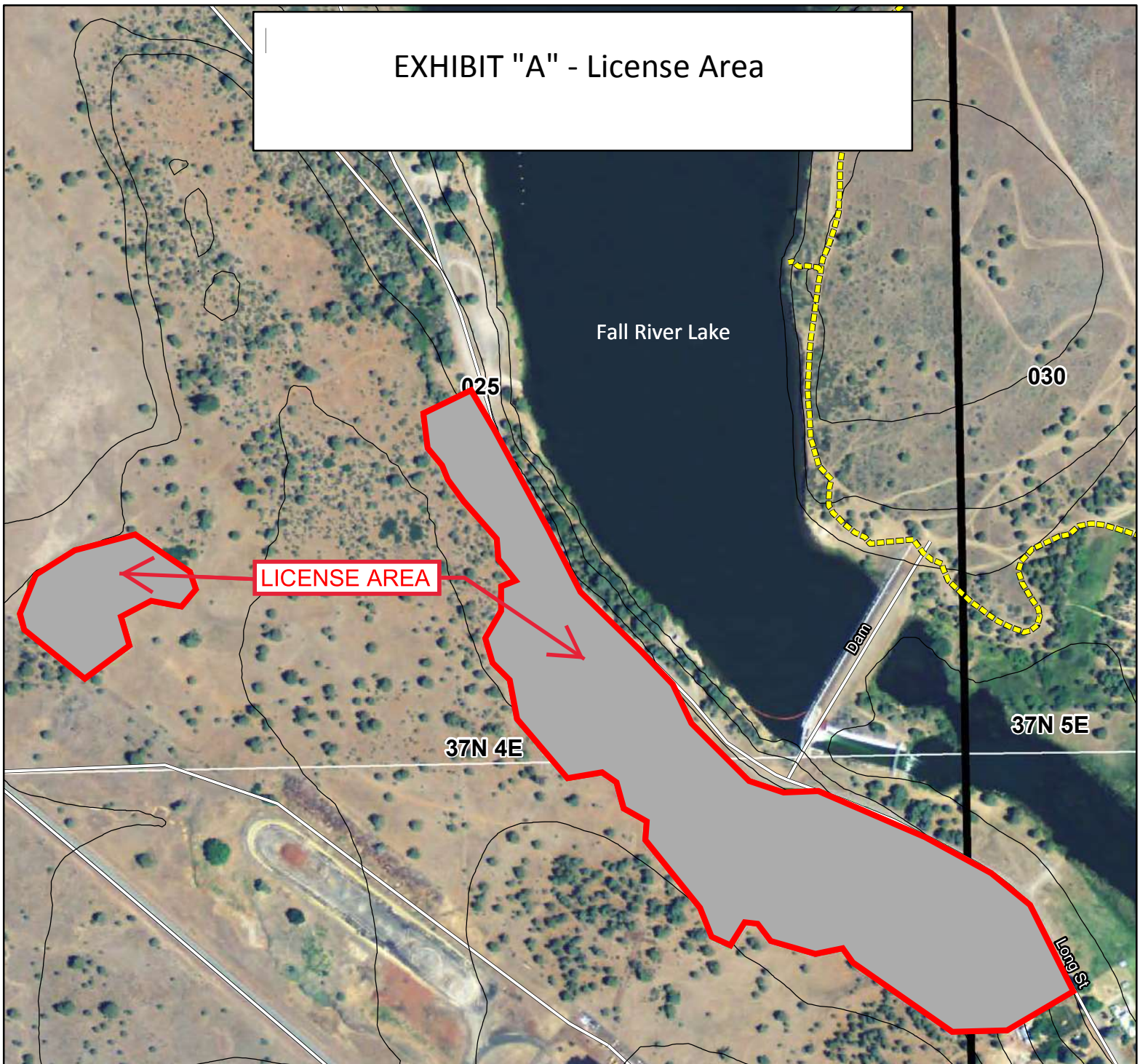
Its: Parks Manager

Date: June 17, 2019

NOTE: LICENSEE TO INITIAL SECTION 5

EXHIBITS “A”, “B” and “C” attached.

EXHIBIT "A" - License Area



T37N, R4E
Portions of Section 25 & 36
T37N, R5E
Portion of Section 31
Shasta County

ALL LOCATIONS ARE APPROXIMATE

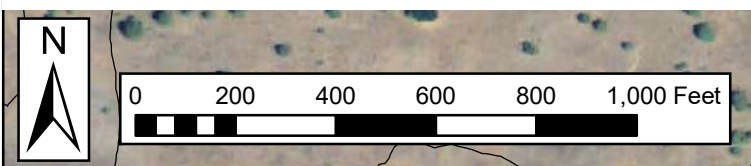


EXHIBIT "B" - Licensee's Activities



Oak Habitat Restoration Proposal

Fall River Lake Trail Improvement and Ecocultural Enhancement Project

Introduction

Oak habitat is associated with a unique assemblage of plants and animals that serve as a priority for conservation for biodiversity and for the ecocultural importance of oaks and acorns to the Ajumawi-Atsugewi Nation for sustenance. The principal threat to oak habitat is encroachment from conifer species that will eventually overtop the oak crowns, leading to their decline and ultimately the loss of oaks altogether. Historical fire regimes maintained a balance between oaks and conifers by regulating conifer density to favor the persistence of oaks and associated vegetation over time. Most oak habitats have departed from the high frequency – low severity fire regime under fire suppression, leading to higher tree density and a shift in species dominance from oaks to conifers. The purpose of this project is to:

- Protect and enhance oak habitat
- Reduce tree density to promote forest health
- Reduce the threat of habitat loss from high severity wildfire
- Promote ecocultural values
- Enhance recreational opportunities around Fall River Lake
- Complement the proposed Trail Improvement

Site Assessment Methods

An initial site assessment was performed by Lomakatsi Restoration Design and Implementation Specialist, Josh Budziak, to assess the preliminary 28-acre treatment area, refine the treatment area based on the need for treatment, and determine current threats to oak habitat. This survey of the forested area consisted of an ocular assessment of the conifer encroachment to oaks and identification of the location of all oaks within the preliminary treatment using GPS. This information was used to hone the treatment area down to 20 acres to capture oak habitat with conifer encroachment, and additionally identified a small aggregation of oak with juniper encroachment for inclusion. On a separate visit Lomakatsi Restoration Ecologist, Sean Prive, and Lead Forester, Andy Lerch, walked the proposed treatment area to develop specific treatment recommendations.

Forest Type and Description

The site consists of two polygons (Map 1) the larger of which is situated on a northeast facing slope on the west side of Fall River/Fall River Lake, the smaller is located on the upland flat approximately 1000 feet to the west. The larger unit consists of a canopy dominated by gray pine (*Pinus sabiniana*) with a variable density of mature and legacy Oregon white oak (*Quercus garryana*) and California black oak (*Q. kelloggii*) that is beginning to be overtopped by gray pine. Western juniper (*Juniperus occidentalis*), gray pine, and minor amounts of incense-cedar (*Calocedrus decurrens*) are beginning to infill under the canopy causing excessive density and oak encroachment that is beginning to pierce the oak canopies. The oak crowns appeared to be intact (surveys were performed in the dormant season), suggesting that conifer encroachment has not yet

caused deterioration of the oak condition, and that these oaks will respond well to treatment. Undesirable small tree density from pine and juniper in the intermediate and suppressed canopy classes is found throughout, with small pockets of high densities of small trees. Small regenerating oaks were present in the understory that may be released from thinning treatments if given adequate light and growing space. Commons shrubs include tall Oregon grape (*Berberis aquifolium*), mountain mahogany (*Cercocarpus betuloides* and *C. ledifolius*), evergreen buckthorn (*Rhamnus ilicifolia*), and Klamath plum (*Prunus subcordata*).

The smaller thinning unit is located on a nearly flat bench and consists of a mature Oregon white oak plantation with a low density of western juniper encroachment. Junipers are often found growing amongst the multi-stemmed oaks, generally as sapling to 6" diameter. Around the perimeter of the plantation are some larger (up to 20") juniper that warrant thinning to reduce future encroachment of the stand.



Left: Typical condition within the larger oak thinning unit (note the oak tree in the center of the photograph that is obscured by small junipers *Right:* small juniper encroachment of oak in the smaller thinning unit

Treatment specifications

- Remove all encroaching conifers under the dripline of oaks. Radial thin most encroaching conifers up to 2x the length of the dripline to reduce shade on oak crowns as much as possible.
- Large overstory conifers may be retained sparingly within the radial thin zone where they minimally impact oaks (such as on the N or E aspects).
- Diameter limits

Up to 2x dripline of Oaks:

- Gray pine < 14", girdle any larger trees
- Juniper up to 20"

Outside of oak radial thin:

- 10" diameter cap

- Generally, thin-from-below to remove small tree and shrub density and reduce horizontal and vertical continuity of fuels. Promote vigorous trees that have dominant or co-dominant canopy position.
- Use variable density thinning principals to create diverse forest conditions. Promote the development of young forests toward more complex, heterogeneous forest structure by clumping retention trees, radial releasing large and old trees, and promoting regeneration
- Designate retention areas, 1/10th to 1/4 acre in size to be left untreated to protect important ecological features such around rock outcrops, rare or uncommon species, snags, seeps, regeneration thickets, shaded areas that create cool microclimates, coarse wood and decadence, and visual breaks to reduce sight lines. Skips should cover ~10% of the treatment area and be separated by at least 30ft.
- Enhance existing canopy openings. Thin between clumps and individual leave trees to increase the growing space for leave trees.
- Vegetation is variable, maintain species diversity for trees and shrubs while also promoting the appropriate species and density for the microsite.
- Reduce understory brush to reduce fuels, leave shrub species in skips or small discontinuous patches.
- Snags > 10" dbh will be retained on site where they do not pose an excessive fire risk or create a falling hazard. Thin vegetation underneath and around snags to reduce fire risk, especially where multiple snags are clumped.

Activity Fuels, Piling, and Burning:

Generated activity and surface fuels will be hand piled, covered with Kraft paper, and then burned after slash has cured. Piles will be kept small to reduce damage to soils due to fire intensities. Downed trees with boles >7" diameter will either be yarded out for use along the proposed trail or left long and contour felled across the slope to serve as coarse woody debris. Coarse wood retained on site will be limbed and left ~8' lengths.

Piling and burning of activity and surface fuels will generally aim to achieve the following:

- reduce the available fuel within the stand
- protect desired species from fire related mortality during burning
- prepare the stand for the possibility of a low severity prescribed burning regime

Pile locations will be selected away from:

- >20 feet from legacy trees
- desired leave trees (typically 10 feet and increasing in distance as species priority increases)
- legacy snags & nurse logs
- retention patches, roads, trails and ditches
- Occasional hand piles are recommended to be retained as 'wildlife piles' for habitat cover.

Update: 5/31/2019

On August 9th, 2018 the Hat Fire started near Fall River Mills and slightly changed the scope of this oak restoration project. The fire was contained by August 16th but in the meanwhile it burned 1,900 acres and that included a portion of this planned project. Fortunately, the fire in the oak concentrated areas did not burn at a high severity. Only two small oaks were observed to be “top killed”. The treatment specifications above still mostly apply. One consideration would be to remove snags around oaks up to 12” DBH instead of 10” to further reduce fuels around the oaks. 6 Acres around the oaks had more severe fire behavior. Around 95% mortality was observed in this zone. It is suggested to cut snags up to 10” and pile the slash and tops less than 7”. It is also encouraged to leave the few remaining living Gray Pine and large Juniper. Snags around two different power lines in the project area were felled by PG and E crews. The tops and slash were not cleaned up. It is also recommended to pile the remaining slash in small hand piles.

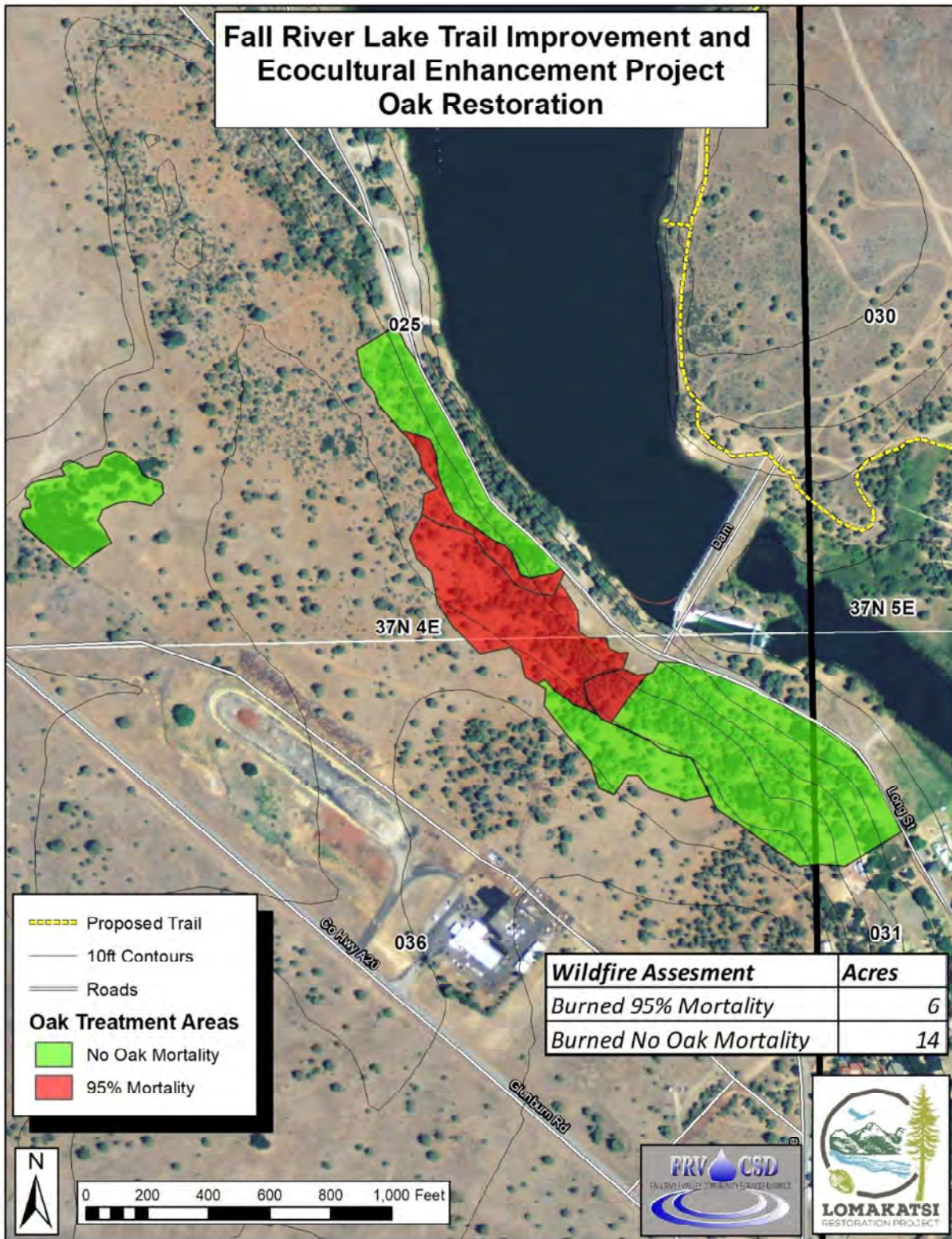


Intact Oak and Encroached Oak Stands



High Severity Fire Area

Fall River Lake Trail Improvement and Ecocultural Enhancement Project Oak Restoration



Fall River Lake Trail Improvement and Ecocultural Enhancement Project

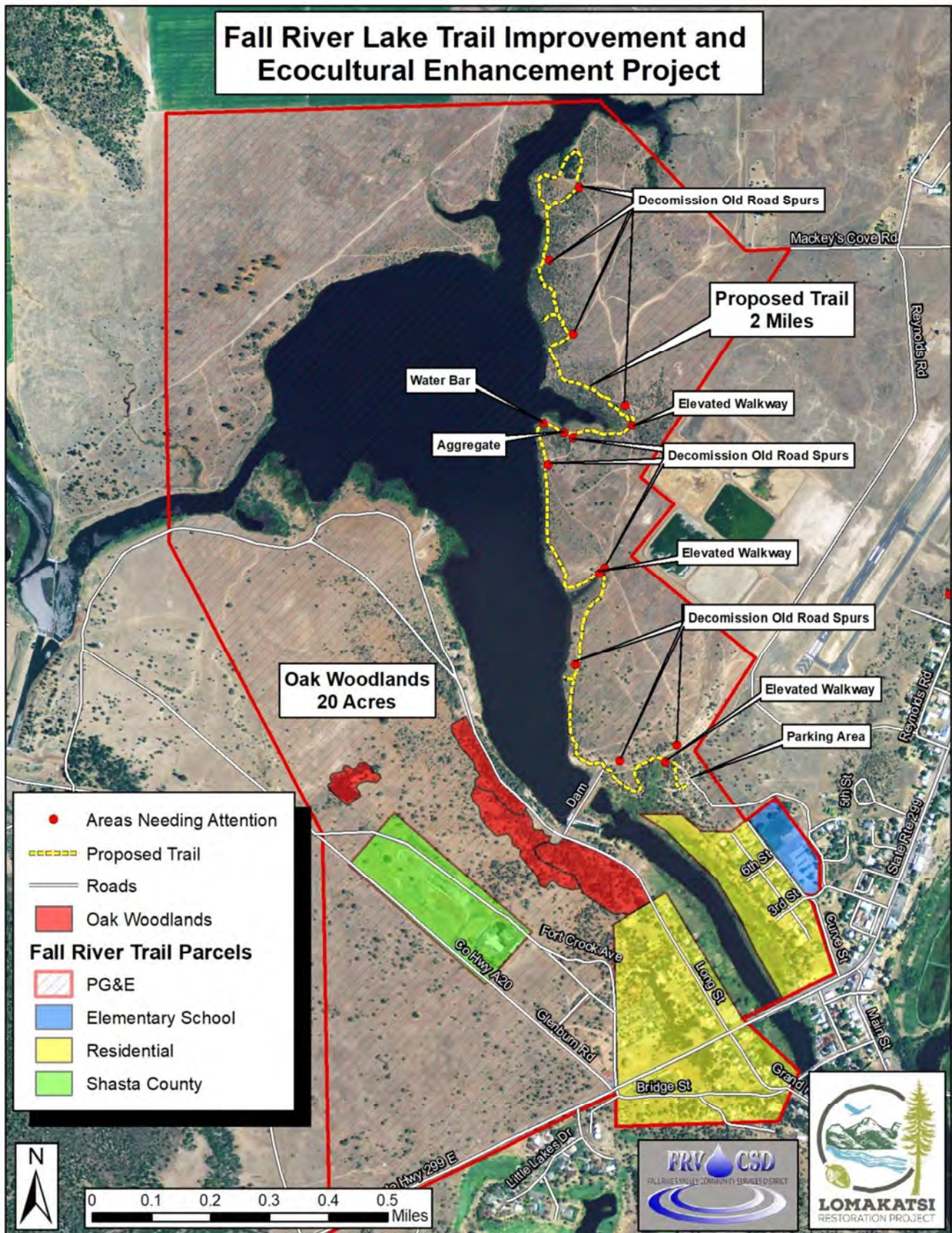


EXHIBIT "C"

INSURANCE REQUIREMENTS

Licensee shall procure, carry and maintain the following insurance coverage, and Licensee is also responsible for the compliance of Licensee's consultants, contractors and subcontractors with the insurance requirements:

A. Workers' Compensation and Employers' Liability

1. Workers' Compensation insurance or self-insurance indicating compliance with any applicable labor codes, acts, laws or statutes, state or federal.
2. Employers' Liability insurance shall not be less than One Million Dollars (\$1,000,000) each accident for injury or death.

B. Commercial General Liability

1. Coverage shall be at least as broad as the Insurance Services Office (ISO) Commercial General Liability Coverage "occurrence" form, with no coverage deletions.
2. The limit shall not be less than Two Million Dollars (\$2,000,000) each occurrence/ Four Million Dollars (\$4,000,000) aggregate for bodily injury, property damage and personal injury. In addition, such insurance shall insure the performance by Licensee of its indemnity and other contractual obligations under the License Agreement.
3. Coverage shall (a) by "Additional Insured" endorsement add as insureds PG&E, its directors, officers, agents and employees with respect to liability arising out of work performed by or for the Licensee or any other obligation or liability under the License Agreement, and (b) be endorsed to specify that the Licensee's insurance is primary and that any insurance or self-insurance maintained by PG&E shall not contribute to it.

C. Business Auto

1. Coverage shall be at least as broad as the Insurance Services Office (ISO) Business Auto Coverage form covering Automobile Liability, code 1 "any auto."
2. The limit shall not be less than Two Million Dollars (\$2,000,000) each accident for bodily injury and property damage.

D. Additional Insurance Provisions

1. Upon execution of the License Agreement, Licensee shall furnish PG&E with certificates of insurance and endorsements of all required insurance for Licensee.

2. The documentation shall state that coverage shall not be changed, cancelled, terminated, failed to be renewed or lapsed, except after thirty (30) days prior written notice has been given to PG&E.
3. The documentation must be signed by a person authorized by that insurer to bind coverage on its behalf and shall be submitted to PG&E's Land Agent as specified under Notices in the body of the License Agreement.
4. PG&E may inspect the original policies or require complete certified copies, at any time.
5. Licensee shall furnish PG&E the same evidence of insurance for Licensee's agents, consultants, contractors or subcontractors as PG&E requires of Licensee, prior to entry onto the Property by such parties.
6. Should Licensee have the right under this License Agreement to self-insure for any required insurance, Licensee shall be liable to PG&E for the full equivalent of insurance coverage which would have been available to PG&E if the applicable insurance policies had been obtained by Licensee from a third party insurer, in full compliance with the provisions of this EXHIBIT "C", and shall pay on behalf of or indemnify PG&E for all amounts which would have been payable by the third party insurer. In addition, Licensee shall act with the same promptness and subject to the same standards of good faith as would apply to a third-party insurance company.

Area 6 – North Valley

Land Service Office: Redding

Line of Business: Hydro (24)

Business Doc Type: Conveyances Out

USGS location: 21.37.04.25.22, 21.37.04.25.23, 21.37.04.25.24, 21.37.04.36.11, 21.37.05.31.44

FERC License Number(s): 2687

PG&E Drawing Number(s): N/A

LD of any affected documents: N/A

LD of any Cross-referenced documents: 2137-04-10005

TYPE OF INTEREST: 11, 68

SBE Parcel Number: 135-45-079A-1, 135-45-033C-1, 135-45-027A-1

(For Quitclaims, % being quitclaimed) N/A

Order# 2047422

JCN: N/A

County: Shasta

Utility Notice Numbers (if applicable) N/A

851 Approval Application No. N/A Decision N/A

Prepared By: RGRR

Checked By: R9M1

Revised by: N/A

Attachment 5

Notice of Intent to Adopt a Mitigated Negative Declaration

Notice of Intent to Adopt a Mitigated Negative Declaration

Project Title: Fall River Lake Trail Improvement and Ecocultural Enhancement

Lead agency name and address: Fall River Valley Community Services District (FRVCSD)
24850 3rd Street, P.O. Box 427
Fall River Mills, CA 96028

Contact person and phone number: Bill Johnson, FRVCSD Parks Manager
530.336.5263
bjohnson@frvcسد.org

Project Location: Fall River Mills, CA

Project sponsor's name and address: Fall River Valley Community Services District
24850 3rd Street, P.O. Box 427
Fall River Mills, CA 96028

Introduction:

This Notice of Intent serves as public notice that the Fall River Valley Community Services District (FRVCSD) has prepared an Initial Study and proposes to adopt a Mitigated Negative Declaration for the Fall River Lake Trail Improvement and Ecocultural Enhancement Project (proposed project). A Mitigated Negative Declaration has been prepared because no substantial evidence exists that the proposed project may have a significant environmental effect that cannot be fully mitigated to a less-than-significant level. The proposed Mitigated Negative Declaration does not signify approval or disapproval of this project by the Board of Directors of the FRVCSD. The FRVCSD will consider the proposed Mitigated Negative Declaration together with any comments received during the public review process to determine whether the proposed project would have a heretofore unidentified significant impact on the environment.

Project Location:

The proposed project is in Fall River Mills, Shasta County, California. The proposed project area includes the lands along the west bank of Fall River Lake/Pit 1 Forebay and 20 acres of oak woodland on the east side of Fall River Lake/Pit 1 Forebay. The Fall River Lake and the lands surrounding it are zoned unclassified (UC) and Exclusive Agriculture (EA) and support public recreation opportunities, including boating, fishing, and hiking. The proposed project is shown on the *Fall River Mills, California* 7.5-minute U.S. Geological Survey (USGS) quadrangle at 41° 0'50"N and 121°26'47"W.

Project Description:

The proposed project will transform existing off-highway vehicle roads adjacent to the east bank of Fall River Lake in Shasta County, California into no more than 2 miles of pedestrian and other non-motorized use trail, while decommissioning side roads/trails. In addition, the project will thin and restore up to 20

acres of mixed pine/oak woodlands on the west side of the lake and will install educational native plant guilds within restored areas that highlight the cultural importance of grassland and woodland ecosystems. A detailed Project Description is included in the appended Initial Study.

Review Period:

As mandated by Public Resources Code § 21091, the minimum public review period for this Initial Study and proposed Mitigated Negative Declaration is 30 days. The document has been sent to the State Clearinghouse. This document is open to public review and comment from Monday, March 4, 2019, through Wednesday, April 3, 2019. **Comments must be received by 5 p.m. on the last day of the comment period, Wednesday, April 3, 2019.** Any comments on the document may be presented in writing to:

Fall River Valley Community Services District
Attn.: Bill Johnson, FRVCSD Parks Manager
24850 3rd Street, P.O. Box 427
Fall River Mills, CA 96028
Phone: 530.336.5263
email: bjohnson@frvcسد.org

Document Availability

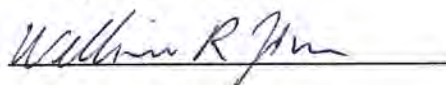
Copies of the Public Draft Initial Study and Proposed Mitigated Negative Declaration and supporting technical studies are available for review at the following location:

Fall River Valley Community Services District
24850 3rd Street
Fall River Mills, CA 96028

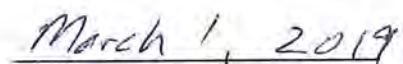
Fall River Valley Library
43250 Hwy, 299 East
Fall River Mills, CA 96028

Determination:

Based on the Initial Study, this project has the potential to affect special-status bird and aquatic species and cultural resources. Incorporation of project design features and mitigation measures stipulated in the Initial Study and Best Management Practices would reduce the risk of environmental impacts to less than significant. A **MITIGATED NEGATIVE DECLARATION** will be prepared.



Bill Johnson, Parks Manager
Fall River Valley Community Services District



Date

INITIAL STUDY—DRAFT

Fall River Valley Community Services District Fall River Lake Trail Improvement and Ecocultural Enhancement Project

Prepared for:



Prepared by:



SPRING RIVERS
ECOLOGICAL SCIENCES LLC

March 1, 2019

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1.0 INTRODUCTION

The proposed Fall River Lake Trail Improvement and Ecocultural Enhancement Project must comply with the California Environmental Quality Act (CEQA), which requires state and local agencies to identify significant environmental impacts of their actions and to make good-faith efforts to avoid or mitigate impacts to properties eligible to the California Register of Historical Resources (California Register).

This Initial Study compiles information from a biological resource assessment and a summary of the findings of the cultural resources records search. It includes a description of the biological resources known to occur in the vicinity of Fall River Mills, California that could potentially utilize habitat within the proposed Fall River Lake Trail Improvement and Ecocultural Enhancement Project Area (Figure 1). A description of the proposed project and potential impacts to habitats and species that could result from project work activities are also identified. Impact avoidance, minimization, and mitigation measures are detailed.

The purpose of the proposed project is to transform existing off-highway vehicle roads along the east bank of Fall River Lake in Shasta County, California into 2 miles of pedestrian and other non-motorized use trail, while decommissioning side roads/trails (Figure 1). This multipurpose trail begins near the Fall River Elementary School and extends to Mackey's Cove. The project will also thin and restore up to 20 acres of mixed pine/oak woodlands on the west side of the lake. In addition to reducing hazardous fuels, the oak woodland restoration will enhance native biological diversity and highlight the ecocultural importance of oaks and acorns to the Ajumawi Band of the Ajumawi-Atsugewi Nation (Pit River Tribe). In addition, the project will install educational native plant guilds within restored areas that will highlight the cultural importance of grassland and woodland ecosystems.

Core collaborating partners tasked with implementing the project include the Fall River Valley Community Services District (FRVCSD), Lomakatsi Restoration Project (Lomakatsi), the Inter-Tribal Ecosystem Restoration Network/Elected Cultural Representatives of the Ajumawi Band of the Ajumawi-Atsugewi Nation (Pit River Tribe), Spring Rivers Foundation, and Spring Rivers Ecological Sciences LLC (Spring Rivers). All project work will occur on PG&E-watershed lands that will be retained by PG&E under a conservation easement with the Shasta Land Trust. Project funding comes from the Pacific Forest and Watershed Lands Stewardship Council (Stewardship Council) with matching from the FRVCSD and Lomakatsi.

The FRVCSD and partners developed this project to promote public recreation and education and encourage Tribal ecocultural use of an area that has been highly impacted by land-use history. The trail will be created on land that is currently degraded due to lack of maintenance and excessive, unauthorized off-highway vehicle (OHV) use. Historically these areas were composed of biologically diverse grassland and woodland ecosystems and they contain culturally

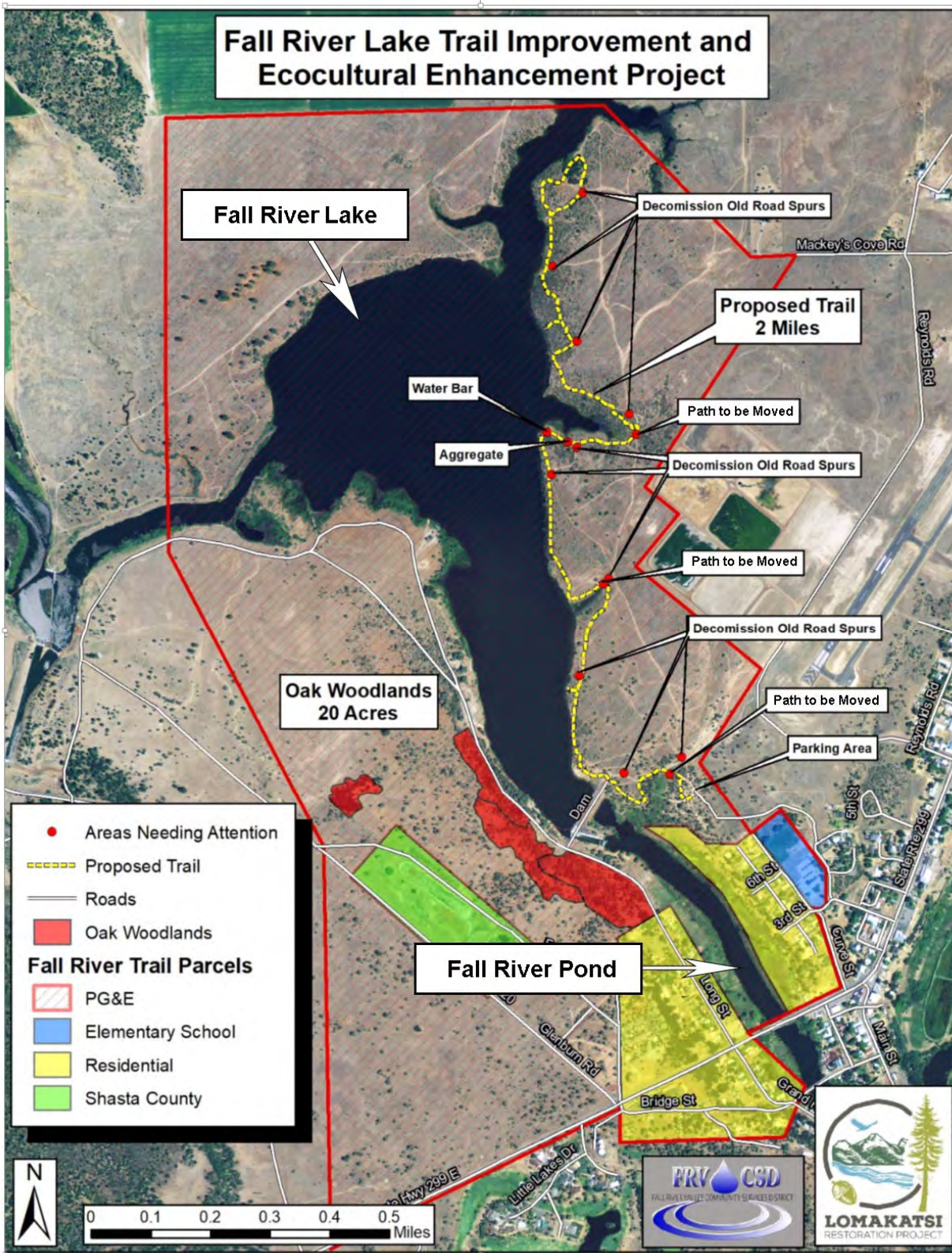


Figure 1. Map of proposed Project Area.

important sites. The current state of the Project Area excludes cultural use, provides a vector for invasive species, promotes accelerated soil erosion, and is unsightly for recreating visitors. The flatter, more open east side of the lake has been dissected by a network of OHV tracks. These OHV roads hold and channel water during wet conditions, causing erosion, gullyng, and degradation of natural conditions. They are muddy and nearly unusable by the public under wet conditions, and very dusty and suboptimal for public enjoyment under dry conditions.

The planned trail work, including decommissioning of side roads/trails and installation of culturally important native plant guilds, will help restore grassland habitat, provide workforce training, and increase environmentally appropriate recreational opportunities, cultural education, outdoor education, and access to culturally significant botanical resources. The thinning of pine/oak woodland habitat will reduce hazardous fuels, improve forest health by reducing competitive stress, and protect oaks and other culturally important plant species for future generations.

2.0 DESCRIPTION OF PROJECT WORK ACTIVITIES

The proposed project is located adjacent to Fall River Lake/Pit 1 Forebay (Figure 1), which is the forebay for the Pit 1 Hydroelectric Project (Pit 1 Project). The Pit 1 Project is owned and operated by Pacific Gas and Electric Company (PG&E) and licensed by the Federal Energy Regulatory Commission (FERC Project No. 2687). All project work will occur on PG&E-watershed lands that will be retained by PG&E under a conservation easement with the Shasta Land Trust. The trail work will occur on the east side of Fall River Lake within the Stewardship Council's Land Conservation Conveyance Plan Fall River Mills Planning Unit Parcels 136 and 149; and forest thinning will occur on the west side of the lake within Parcels 115, 145, 147, and 160 (Figure 2).

The FRVCSD's proposal for funding for Enhancements on Watershed Lands from the Stewardship Council outlined the project tasks (FRVCSD 2018). Project Tasks 1 and 2 involve project design, permitting, management, and coordination. Construction-related tasks are described below.

Task 3. Trail Installation

Goal: Install/rehabilitate approximately 2 miles of 4-foot wide public access trail (totaling 0.97 acres) and protect biological and cultural resources.

Methods:

Task 3.1 – Trail installation (initial grade). The main trail grade will be installed using a trail cutting machine called a SWECO trail dozer, which is a small, light-weight (< 10,000 lbs) dozer designed for trail installation. Following the trail design and layout, new trail sections will be installed with proper grade slope and drainage. Sections of old OHV roads/trails will be blocked and rehabilitated to proper specifications.

Grading will be limited to less than 250 cubic yards of soil disturbance/movement. Some sections of the trail alignment that have been eroded below the surrounding grade will be filled up to grade using crushed gravel and the final trail surface will be gravel. Straw wattles will be employed to reduce potential for future erosion. One section of trail alignment will involve abandoning a short section of deeply eroded OHV road and creating a new alignment nearby, but away from the old alignment. Surface material from the new alignment will be placed into the eroded section. Then that old section will be seeded/re-vegetated and allowed to grow over. Final trail surface materials will depend on section conditions. Where drainage and surface runoff may be a concern, the trail surface will be covered with gravel aggregate. Where drainage is not a concern, the surface may be covered with wood chips. Trail materials will be purchased from a local vendor and transported to the site in small trucks and ATVs with trailers.

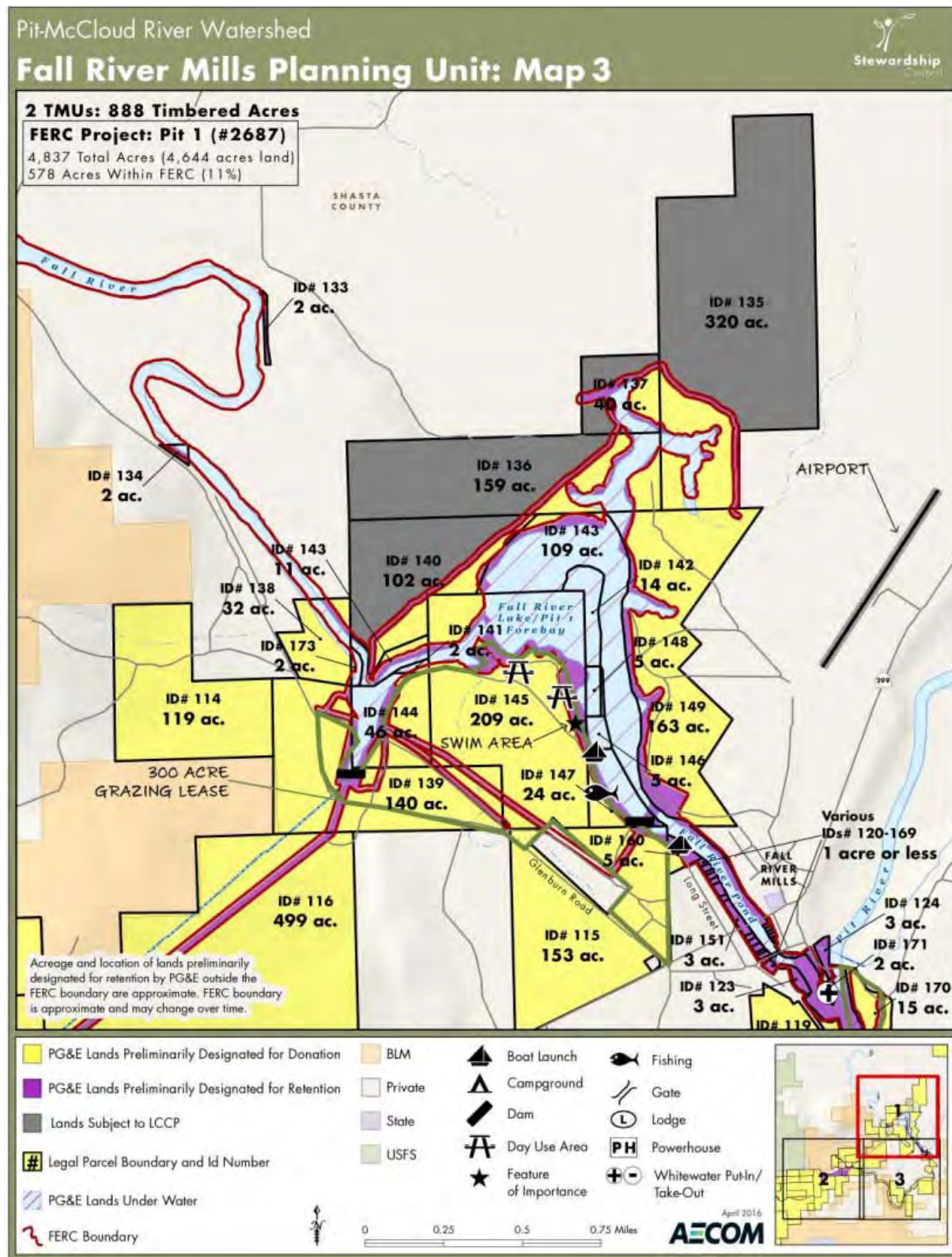


Figure 2. Stewardship Council’s Map of the Fall River Mills Planning Unit showing PG&E watershed land parcels.

The trail will be routed far enough away from the three eastern coves shown in Figure 1 to avoid all wetland habitat. Most of the trail work will occur on existing roads and OHV trails with no vegetation; however, short sections will require cutting of trail through upland vegetation that has grown over old sections of road. Some shrubs will need to be removed in those sections to facilitate the new pathway.

Trail installation labor will be done with hand crews provided by Lomakatsi as well as local Tribal youth participating in the youth education and employment program. Crews will complete hand grading and installation, cut in step footings as needed, and install weed protection cloth and either an aggregate or wood chip base. The final trail width will be 4 feet wide and have a minimum of 3 inches of surface material depth.

Task 3.2 – Trail maintenance will be conducted following year two inspections. Corrections will be made for any slumping, erosion, or other damage.

Timeline: Trail installation will take place during June through September 2019, depending on weather and equipment availability. Completion of all subtasks will be before fall/winter rains.

Task 4. Install Trail Barriers and off-road vehicle mitigation

Goal: Decommission numerous road/trail spurs alongside the new trail system.

Methods:

Task 4.1 – OHV road/trail decommission. This task will be completed with small, low ground pressure equipment while Tribal Cultural Monitors are on site. Work will concentrate on 10-25 foot sections where OHV roads/trails connect with the newly constructed trail. Work will focus on two components: (1) rehabilitate highly incised and eroded areas, and (2) regrade and contour enough of a distance to keep trail users from continuing down undesignated trails. In addition, existing juniper near where OHV roads/trails connect with the newly constructed trail will be moved and placed by hand to help block the undesignated roads/trails.

Task 4.2 – Installation of split-rail fence in areas highly susceptible to trespass by OHVs. The split rail fence will be installed manually with Lomakatsi crews using hand tools and an auger to set posts. Project partners will work with community members and local OHV groups to develop a plan to limit future interference between trail use and OHV activities.

Task 4.3 – Load, haul, and deliver oak thinning byproducts. This activity will focus on using thinning byproducts from the oak habitat restoration to block access to road/trail spurs. In addition to creating an access barrier, the wooden barriers will be positioned to help reestablish proper drainage, reduce erosion, and provide microsites suitable for planting of native demonstration gardens.

Task 4.4 – Crew Implementation. This task is related to all the above subtasks. Following the equipment work, other work will be completed by hand crews and Tribal youth participating in the youth education and employment program. That work will consist of hand grading, log cribbing and manual placement of logs and thinning materials for drainage and slope stabilization structures, and the final raking and stabilization of the area.

Timeline – Barriers and off-trail mitigation is scheduled for June through September 2019, depending on weather and equipment availability. Completion of all subtasks will be before fall/winter rains.

Task 5. Native planting and seeding

Goal: To plant native species along the trail route and in decommissioned areas to aid in the rehabilitation of the Project Area, as well as to provide cover to deter trail users from going off trail. To develop native ecocultural guilds (demonstration gardens) along the trail that will educate the public on the ecological and cultural importance of grassland species and serve to train Tribal youth on grassland restoration.

Methods:

Task 5.1 – Purchase and/or grow (depending on availability) 4,000 native plants. Task will require a site survey by a botanist, plant species selection, tribal coordination, and seed collection by student volunteers and workforce training program.

Task 5.2 – Implement planting and seeding for road/trail spur decommissioning. Install native shrub species and sow grass to decommission road/trail spurs. Culturally important species from local seed stock will be used to the greatest extent possible.

Task 5.3 – Implement planting and seeding for ecocultural guilds. Utilize workforce training program and/or volunteers to plant native species in trailside guilds, with an emphasis on culturally significant species grown from locally collected seed. Where appropriate, install educational signs that explain the ecocultural significance of native plants and the importance of grassland restoration.

Task 5.4 – Track success of plantings through photo points and documentation of plant survival.

Timeline: 24 months; begin seed collection and preparation in summer/fall 2019 and complete planting in spring 2021.

Task 6. Oak Woodland Restoration

Initial data collection and project planning for this task was completed in February 2018. The 20 acres of oak woodland habitat originally designated for thinning has since been modified by a

wildfire, known as the Hat Fire, that burned 1,900 acres of land west of Fall River Lake in August 2018, including roughly two thirds of the designated 20 acres. Consequently, the scope of the thinning project has been reduced, and the tasks described below may be modified accordingly.

Goal: Restore structural conditions in up to 20 acres of oak woodland habitat in order to enhance its ecological and cultural value.

Methods:

Task 6.1 – Oak habitat thinning data collection and prescription development. Sample stand inventory plots. Develop quantitative thinning prescription.

Task 6.2 – Oak habitat thinning and pile. Utilize workforce training program to implement thinning of small-diameter conifers and other encroaching vegetation. Remove all encroaching conifers under the dripline of oaks. Radial thin most encroaching conifers up to 2x the length of the dripline to reduce shade on oak crowns as much as possible. Large overstory conifers may be retained sparingly within the radial thin zone where they minimally impact oaks (such as on the North or East aspects).

- Diameter limits within 2x dripline of oaks (i.e., oak radial thin zone):
 - Gray pine less than 14” diameter breast height (dbh) will be cut; larger trees will be girdled.
 - Juniper up to 20” dbh will be cut.
- Diameter limits outside of oak radial thin zone:
 - Remove all confers smaller than 10” dbh.

Generally, thin-from-below to remove small tree and shrub density and reduce horizontal and vertical continuity of fuels. Promote vigorous trees that have dominant or co-dominant canopy position. Use variable density thinning principals to create diverse forest conditions. Promote the development of young forests toward more complex, heterogeneous forest structure by clumping retention trees, radial releasing large and old trees, and promoting regeneration.

Designate retention areas, 1/10th to 1/4 acre in size to be left untreated to protect important ecological features such as around rock outcrops, rare or uncommon species, snags, seeps, regeneration thickets, shaded areas that create cool microclimates, coarse wood and decadence, and visual breaks to reduce sight lines. These designated retention areas should cover approximately 10% of the treatment area and be separated by at least 30 feet.

Enhance existing canopy openings. Thin between clumps and individual leave trees (i.e., trees to be left on-site) to increase the growing space for leave trees. Vegetation is variable, maintain species diversity for trees and shrubs while also promoting the appropriate species and density for the microsite. Reduce understory brush to reduce fuels, and leave shrub species (i.e., shrub species to be left on-site) in skips or small discontinuous patches.

Snags greater than 10” dbh will be retained on site where they do not pose an excessive fire risk or create a falling hazard. Thin vegetation underneath and around snags to reduce fire risk, especially where multiple snags are clumped.

Task 6.3 – Oak habitat burning. Piling and burning of surface fuels will generally aim to achieve the following: (1) reduce the available fuel within the stand, (2) protect desired species from fire-related mortality during burning, and (3) prepare the stand for the possibility of a low-intensity prescribed burning regime.

Pile locations will be selected away from:

- legacy trees—piles will be located greater than 20 feet from legacy trees.
- desired leave trees—piles will typically be 10 feet away, increasing in distance as species priority increases.
- legacy snags & nurse logs.
- retention patches, roads, trails and ditches.

Some hand piles will be retained as ‘wildlife piles’ for habitat cover.

Timeline: Initial oak habitat thinning will take place in 2019. Debris piles will be burned in fall 2019 or spring 2020, depending on the curing of the material and weather conditions.

3.0 ASSESSMENT METHODS

The Initial Study includes a biological resource assessment and cultural resources records search.

The purpose of the biological resource assessment, conducted by Spring Rivers, is to evaluate the potential effects of the various work activities on state-listed and federally-listed species, as well as species that meet the criteria for listing under the California Environmental Quality Act (CEQA) guidelines (Section 15380).

This document summarizes the species occurrence and habitat information available for the Fall River Mills area and highlights information that is specific to the proposed Project Area (Figure 1). A preliminary list of species that could potentially occur within the Project Area was developed from online publications and databases, including the California Natural Diversity Database (CNDDDB) rare species list for the Fall River Mills and Hogback USGS 7.5' quadrangles (CDFW 2019); California Department of Fish and Wildlife (CDFW) Special Status Animals List (CDFW 2018a); CNDDDB State and Federally Listed Endangered, Threatened, and Rare Plants of California (CDFW 2018b); CNDDDB Special Vascular Plants, Bryophytes, and Lichens List (CDFW 2018c); and California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS 2019). The preliminary species list was updated/refined using biological information gathered in support of relicensing, license-compliance monitoring, and construction projects for the Pit 1 Project (Dittes and Guardino 2014; FERC 1999; GANDA 2004; and PG&E 2001, 2009a, 2009b, 2009c, 2011, 2017, 2018, and 2019); and site-specific biological information gathered by Spring Rivers for other research and/or monitoring projects.

In compliance with CEQA Sections 21083.2 and 21084.1, and CEQA Guidelines Section 15064.5, Far Western Anthropological Research Group, Inc., conducted a records search of cultural resources files at the Northeast Information Center, in Chico, and Pacific Gas and Electric Company (PG&E) archives (Far Western 2019). The records search buffer was one-eighth mile around the Area of Potential Effects (APE). Sources consulted included:

- National Register of Historic Places – Listed Properties and Determined Eligible Properties
- California Inventory of Historical Resources (Department of Parks and Recreation)
- California Register of Historical Resources

4.0 ASSESSMENT RESULTS

This section describes the historical and existing environmental setting for the proposed project, discusses the special-status species and protected habitats that are known to occur in the vicinity of Fall River Mills, and evaluates the potential for those species and habitats to occur within the Project Area.

4.1 ENVIRONMENTAL SETTING

The 2 miles of trail (0.97 acres) and 20 acres of oak woodland habitat designated for thinning are located adjacent to Fall River Lake near the town of Fall River Mills, in Shasta County, California (Figure 1). The entire Project Area lies within the Fall River Mills USGS 7.5' Topographic Quadrangle. Portions of the project are adjacent to residential areas, and the entire project is adjacent to waters and facilities used by PG&E for operation of its Pit 1 Hydroelectric Project (FERC Project No. 2687). The historical and existing environmental conditions within the Project Area are described below.

4.1.1 Geology

The Project Area is situated at the southern end of the Fall River Valley, near the southern end of the Cascade Range Geomorphic Province at its juncture with the western part of the Modoc Plateau Geomorphic Province. Fall River Valley is a Modoc Plateau fault block basin overlain by Pleistocene lake sediments (Alt and Hyndman 1975). The majority of the Project Area is mapped as Pleistocene-Age alluvium (Qoa).

4.1.2 Hydrology and Aquatic Resources

Fall River Lake receives inflow from the Fall River, which is a sinuous, low-gradient river that originates from a series of springs and spring-fed lakes in the upper Fall River Valley and then flows south through mostly privately-owned agricultural lands to its confluence with the Pit River. The Fall River, which is within the “Lower Pit River” USGS Hydrologic Unit (Map Unit Number 18020003), is one of the largest spring systems in the United States (Meinzer 1927). During summer (mid-June to mid-October), Fall River discharge to the Pit River is generally between 800 cfs and 900 cfs with a standard deviation of less than 100 cfs (PG&E 2011). During high winter and spring run-off events when Bear Creek, the only surface tributary to Fall River is running, flows in the thousands have been recorded. During an extreme runoff event on December 31, 1996, Bear Creek discharge was measured 6,520 cfs around 8:30 am at Spaulding Bridge just upstream of the confluence with Fall River (Rick Poore, unpublished data).

Since operation of the 69.3-megawatt Pit 1 Project began in 1922, most of the Fall River is diverted by the Pit 1 Diversion Dam at the upstream end of Fall River Lake through the Pit 1 Powerhouse, which is situated on the Pit River 6.5 river miles downstream of the Fall River's

natural confluence with the Pit River. The diversion dam can discharge from 200 to 2,028 cfs of water into the Pit 1 Forebay/Fall River Lake, however, PG&E is required to release a continuous flow of Fall River water from the Pit 1 Diversion Dam through Fall River Pond to supply the Knoch Ranch diversion (a water right senior to PG&E) at Fall River Pond Weir (see Figure 2). In addition, PG&E's current operating license requires instream flow releases of 50–150 cfs above and beyond what is being diverted by the Knoch Ranch. These releases flow over the Fall River Pond Weir into the natural Fall River channel for 0.2 mile (0.3 km) to its historic confluence with the Pit River. For the control of aquatic vegetation growth and mosquito production in Fall River Pond, the 2007 FERC License for the Pit 1 Project requires PG&E to release flushing flows of 1,250 cfs (or the natural flow if less than 1,250 cfs) through Fall River Pond for two consecutive days (Saturday and Sunday) three times during the summer. This license condition was implemented from 2003 through 2009, and surface aquatic vegetation cover on Fall River Pond was monitored from 2005 through 2009, after which a summary report was filed along with a recommendation to discontinue the summer flushing flows. The State Water Board has temporarily suspended summer flushing flows in 2010–2018 while undergoing a California Environmental Quality Act (CEQA) process to analyze the effects of permanently suspending the flushing flow requirement.

The Fall River upstream of the Pit 1 Diversion Dam is a designated Wild Trout Stream that is characterized by constant annual flow, water temperature (9–12° C), water clarity (>25 m in the headwater regions), and water chemistry, because it is nearly completely springfed (PG&E 2011). The only exception to this is seasonal rain and snowmelt runoff from Bear Creek, which enters the Fall River near the Thousand Springs headwaters. This unique environment supports a number of aquatic organisms, including rare and endemic species of crayfish, sculpin, and molluscs found only within the Fall River system and a few nearby springs in the Hat Creek and Pit River drainages. Aquatic species endemic to the Fall River and mid-reaches of the Pit River include Shasta crayfish (*Pacifastacus fortis*), rough sculpin (*Cottus asperimus*), bigeye marbled sculpin (*Cottus klamathensis macrops*), and Ahjumawi pebblesnail (*Fluminicola ahjumawi*).

In addition to rough and bigeye marbled sculpins, the native fish assemblage in the Fall River upstream of the Pit 1 Diversion dam includes Rainbow trout (*Oncorhynchus mykiss*), Sacramento pikeminnow (*Ptychocheilus grandis*), Sacramento sucker (*Catostomus occidentalis*), tule perch (*Hysterocarpus traskii*), Pit River tui chub (*Siphatales thalassinus*), and Pit-Klamath brook lamprey (*Lampetra lethophaga*). Non-native species that have been documented in the Fall River include brown trout (*Salmo trutta*), blue gill (*Lepomis macrochirus*), green sunfish (*Lepomis cyanellus*), largemouth bass (*Micropterus salmoides*), and mosquitofish (*Gambusia affinis*). Spring Rivers has observed or collected all of the above species in Fall River Lake, with the exception of tui chub, Pit-Klamath brook lamprey, and brown trout.

In addition to the Ahjumawi pebblesnail, the Fall River upstream of the Pit 1 Diversion Dam supports a diverse molluscan assemblage, including but not limited to the Great Basin rams-horn (*Helisoma newberryi*), topaz juga (*Juga acutifilosa*), canary duskysnail (*Colligyrus convexus*), Archimedes pyrg (*Pyrgulopsis archimedis*), montane peaclam (*Pisidium ultramontanum*), California floater mussel (*Anodonta californiensis*), and western ridged-shell mussel (*Gonidea angulata*). Spring Rivers has observed Great Basin rams-horn, California floater mussel, and western ridged-shell mussel in Fall River Lake.

4.1.3 Vegetation Communities and Terrestrial Resources

The following description of the vegetation communities in the vicinity of Fall River Lake is from botanical surveys conducted by PG&E between June 1990 and May 1992 during the relicensing for the Pit 1 Hydroelectric Project (Stebbins 1992). Fall River Lake is surrounded by the following three major vegetation habitat types: juniper, low sagebrush, and fresh emergent wetland. Juniper is common around the southern and western upland areas away from the shoreline of the lake. The juniper community includes moderately spaced western juniper (*Juniperus occidentalis*), ponderosa pine (*Pinus ponderosa*), and gray pine (*Pinus sabiniana*) with an understory of bitterbrush (*Purshia tridentata*), woolly sunflower (*Eriophyllum lanatum*), lupine (*Lupinus argenteus*), and penstemon (*Penstemon laetus*). The low sagebrush community is dominated by low sagebrush (*Artemisia arbuscula*), rabbit brush (*Ericameria* [*Chrysothamnus*] *nauseosa*), and mule's ears (*Wyethia mollis*) with silvery false lupine (*Thermopsis californica* var. *argentata*) and a few scattered junipers. The fresh emergent wetlands along the immediate shoreline of Fall River Lake consists mostly of dense stands of bulrush (*Schoenoplectus* [*Scirpus*] *acutus*), cattail (*Typha latifolia*), rush (*Juncus balticus*), spikerush (*Eleocharis acicularis*), and water smartweed (*Persicaria* [*Polygonum*] *hydropiperoides*).

Historically, the openings in low sagebrush habitat were dominated by native annual and perennial grasslands. After years of cattle grazing and off-road vehicle use, the open areas are currently dominated by non-native annual grassland and graded/disturbed areas. Based on botanical surveys conducted adjacent to Fall River Pond (Dittes and Guardino 2014), dominant grasses in drier upland areas around Fall River Lake may include cheatgrass (*Bromus tectorum*), Japanese Brome (*B. japonicus*), softchess (*B. hordeaceus*), Medusa-head grass (*Taeniatherum caput-medusae*), shining nitgrass (*Gastridium ventricosum*), Apera (*Apera interrupta*), Italian Ryegrass (*Festuca perennis*), rat-tail fescue (*Vulpia myuros*), bulbous bluegrass (*Poa bulbosa*), wall barley (*Hordeum murinum*), scattered Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*), and common barley (*Hordeum vulgare*). A preliminary tour of the site by a botanist collaborator revealed that large areas of the project area are occupied by common wheatgrass (*Triticum aestivum*). Lower, slightly moister areas may support common velvetgrass (*Holcus lanatus*), native creeping wildrye (*Elymus triticoides*), and Kentucky bluegrass (*Poa pratensis*).

Before the Hat Fire burned much of the woodland habitat on the west side of Fall River Lake in August 2018 (see Section 2, Task 6), the 20 acres of woodland habitat designated for thinning was divided into two units as shown in Figure 1. The larger unit consisted of a canopy dominated by gray pine (*Pinus sabiniana*) with a variable density of mature and legacy Oregon white oak (*Quercus garryana*) and California black oak (*Q. kelloggii*) that were beginning to be overtopped by gray pine. Western juniper (*Juniperus occidentalis*), gray pine, and a small number of incense-cedar (*Calocedrus decurrens*) were beginning to infill under the canopy causing excessive density. The understory vegetation was dominated by Oregon grape (*Berberis aquifolium*), mountain mahogany (*Cercocarpus betuloides*, *C. ledifolius*), evergreen buckthorn (*Rhamnus ilicifolia*), Klamath plum (*Prunus subcordata*), and non-native rose (*Rosa spp.*). The smaller thinning unit consisted of a mature Oregon white oak plantation with a low density of western juniper encroachment.

The existing vegetation communities in the Fall River Valley support a diversity of terrestrial wildlife species. The sagebrush plant communities, which are characteristic of the region, provide important habitat for sagebrush-dependent wildlife such as brewers sparrow (*Spizella breweri*). The region also serves as one of the best staging areas for waterfowl migration in northern California, and is used by raptors and passerines as a migratory stopover. Intact grassland habitat provides important avian foraging and roosting habitat in the winter, important stopover habitat during spring and fall for birds migrating along the Pacific flyway, and excellent breeding habitat for waterfowl during the spring and summer. The abundance of riverine, lacustrine, and wetlands habitat in the Fall River Valley, particularly in the Tule River sub-drainage, contributes to the diversity and abundance of wildlife in the project vicinity.

4.2 SPECIAL-STATUS ANIMALS

Table 1 provides a list of special-status aquatic and terrestrial wildlife species reported to occur in the vicinity of Fall River Lake. Special-status species include species with federal or state listing status, and species designated as California species of special concern (SSC) or California fully protected (CFP). The Federal Endangered Species Act (ESA) listing codes are as follows: federally endangered (FE), federally threatened (FT), federal candidates for listing (FC), federally proposed for listing as endangered (FPE), federally proposed for listing as threatened (FPT), and federally proposed for delisting (FPD). The California Endangered Species Act (CESA) listing codes are as follows: state endangered (SE), state threatened (ST), state candidate for listing as endangered (SCE), state candidate for listing as threatened (SCT), and state candidate for delisting (SCD). The potential effects of the various work activities on special-status animals that could potentially occur within the Project Area are evaluated in the following subsections: Invertebrates, Fish, Amphibians and Reptiles, Birds, and Mammals.

Table 1. List of special-status animals reported to occur in the vicinity of the proposed project.

Common Name (<i>Scientific Name</i>)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Invertebrates				
Shasta crayfish (<i>Pacifastacus fortis</i>)	FE, SE	Cool, spring-dominated rivers and streams characterized by clean, volcanic cobbles and boulders overlying gravel substrates (USFWS 1998). Historically restricted distribution, limited to mid-reaches of the Pit River drainage, primarily the Fall River and Hat Creek drainages in Shasta County.	Species was first reported from Fall River at Fall River Mills in 1898 (Rutter 1908). One live specimen was found in Fall River Pond in 1974 (Moyle and Daniels, unpublished survey notes) and one dead specimen was found in 1978 (Daniels 1980, R. Daniels personal communication 4/27/93, and 1978 unpublished field notes). Its distribution within Fall River is now restricted to the headwater springs (PG&E 2018).	Does not occur. There are no documented occurrences of Shasta crayfish in Fall River Lake, and no suitable habitat for Shasta crayfish exists in Fall River Lake.
Fish				
Rough sculpin (<i>Cottus asperimus</i>)	ST, CFP	Clear water with soft, sandy substrates and abundant vegetation. Species with historically restricted distribution, limited to mid-reaches of the Pit River drainage (Moyle 2002).	Species was collected in Fall River downstream of Fall River Lake in 2004 (PG&E 2009a), and it is known to occur in the upper reaches of Fall River (Spring Rivers, unpublished data).	Species likely occurs in Fall River Lake, which contains suitable habitat for rough sculpin.

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Common Name (Scientific Name)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Other special- status fish species: Bigeye marbled sculpin (<i>Cottus klamathensis macrops</i>) Hardhead (<i>Mylopharodon conocephalus</i>)	SSC	Various. Bigeye marbled sculpin has a historically restricted distribution, limited to mid-reaches of the Pit River drainage (Moyle 2002). Hardhead are distributed throughout Sacramento and San Joaquin drainage basins.	Bigeye marbled sculpin was collected in Fall River downstream of Fall River Pond Weir during 2004–2008 (PG&E 2009a). Hardhead was collected in Fall River Lake in 2005 (Spring Rivers 2007).	Bigeye marbled sculpin likely occur in Fall River Lake; and hardhead do occur in Fall River Lake.
Amphibians and Reptiles				
Cascades frog (<i>Rana cascadae</i>)	SCE, SSC	Habitat varies by life stage and includes large lakes, ponds, wet meadows, and flowing streams. Historically distributed from the Shasta-Trinity region to the Modoc Plateau, and south from Lassen region to upper Feather River (Jennings and Hayes 1994).	Species was reported in upper Bear Creek (Pondosa USGS 7.5' Quadrangle), tributary to upper reaches of Fall River in 1939 and 1946 (Pope et al. 2014). Nearest existing population is 15 miles west of proposed project (K. Pope, personal communication, April 2016).	Does not occur. Was not found during amphibian surveys done throughout Pit 1 Project area in 2004–2008 (PG&E 2009b).

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Common Name (<i>Scientific Name</i>)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Oregon spotted frog (<i>Rana pretiosa</i>)	FT, SSC	Marshes, ponds, lake edges, and slow meadow streams, usually where there is low emergent vegetation (Jennings and Hayes 1994). Historically occurred in mid-reaches of the Pit River drainage.	Species is known from only seven records in California, one of which was collected by Rutter and Chamberlain at the type locality of the Shasta crayfish, Fall River near Fall River Mills, Shasta County on August 29, 1898 (USNM 38806).	Does not occur. Was not found during amphibian surveys done throughout Pit 1 Project area in 2004–2008 (PG&E 2009b). Species is believed to be extinct in California.
Northwestern pond turtle (<i>Actinemys marmorata</i>)	SSC	Rivers, streams, lakes, ponds, shallow wetlands, abandoned gravel pits, stock ponds, and sewage treatment lagoons. Pools are the preferred habitat in streams and rivers (Bury and Germano 2008). Historically distributed throughout California.	Species is known to occur in Fall River Pond (PG&E 2009c) and in Fall River Lake (Spring Rivers, unpublished data).	Species does occur in Fall River Lake. Suitable upland breeding habitat is present in project vicinity.
Birds				
Northern goshawk (<i>Accipiter gentilis</i>)	SSC	Breeds in middle and high elevation dense coniferous forest. May winter in low elevation riparian habitat in the North Coast, Sierra Nevada, Klamath, and Cascade ranges, and Warner Mountains (Shuford and Gardali 2008; Zeiner et al. 1990a).	The nearest documented goshawk occurrence is located more than 7 miles northeast of the construction area near Day (CDFW 2019).	Does not occur. No suitable habitat exists within 1 mile of the proposed project.

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Common Name (Scientific Name)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Tri-colored blackbird (<i>Agelaius tricolor</i>)	SCE, SSC	Freshwater marshes dominated by cattails and bulrushes, with willows and nettles (Neff 1937). Nests in non-native Himalayan blackberry, cattail/bulrush, and in irrigated pastures (Meese et al. 2015).	Species has been documented within the Fall River Mills USGS Quad (CDFW 2019), and has been observed in the vicinity of Fall River Lake (Spring Rivers, unpublished data).	Species could potentially occur in project vicinity. Suitable nesting habitat exists along the shores of Fall River Lake.
Golden eagle (<i>Aquila chrysaetos</i>)	CFP	Habitats include forests, canyons, shrub lands, grasslands, and oak woodlands. Eagles in northeastern California typically nest on cliffs (Katzner et al. 2012).	Golden eagle nesting territory was documented in the Pit River canyon upstream of Pit 1 Powerhouse in 1992 (PG&E 2001).	May occur as transient only. Species may forage in project vicinity, but no suitable nesting habitat exists within 1 mile of the proposed project.
American peregrine falcon (<i>Falco peregrinus anatum</i>)	CFP	Forages in open areas, usually in mesic habitats; winters in the Central Valley. Known nests occur along the coast and in the Sierra Nevada and northern mountains in woodland, forest, and coastal habitats near water or on high cliffs (Small 1994; Zeiner et al. 1990a).	Species was observed near Fall River Lake in 1992 (PG&E 2001). The nearest known peregrine falcon nesting area is located more than 2 miles from Fall River Lake, on the cliffs above Pit Falls in the Pit 1 Bypass Reach (PG&E 2017).	May occur as transient only. Species may forage in project vicinity, but no suitable nesting habitat exists within 1 mile of the proposed project.
Greater sandhill crane (<i>Grus canadensis tabida</i>)	ST, CFP	Nests in open areas of wet meadows that are often interspersed with emergent marsh. Usually build nests over shallow water (CDFG 1994).	Species was observed around Fall River Lake in 1992 (PG&E 2001), and has been observed in swamp and pasture lands upstream of the Pit 1 Diversion Dam (Spring Rivers, unpublished data).	May occur as transient only. Minimal nesting habitat exists around Fall River Lake.

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Common Name (Scientific Name)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Bald eagle (<i>Haliaeetus leucocephalus</i>)	SE, CFP	Breeds in coniferous forest near lakes, rivers, or ocean shorelines in northern California. Winters near large water bodies or rivers at scattered locations throughout California (Small 1994; Zeiner et al. 1990a).	There is an active bald eagle nesting territory with a nest on the north shore of Fall River Lake; the nest was occupied and successful in 2013, 2014, 2015, and 2016 (PG&E 2017). The nest was occupied, but not successful in 2017 and 2018 (PG&E 2019). There is a second active bald eagle nesting territory whose foraging area includes lower Fall River Lake.	Species does occur in project vicinity; the nesting territory is at north end of Fall River Lake.
Bank swallow (<i>Riparia riparia</i>)	ST	Nesting habitat includes tall, vertical banks of soft soil, firm sand or sandy loam near a water source (Small 1994; Zeiner et al. 1990a).	Active bank swallow colonies were documented along the east bank of Fall River Lake in 1992 (PG&E 2001). Spring Rivers observed nesting bank swallows along the east bank of Fall River Lake in 2016.	Active bank swallow colonies occur along the east bank of Fall River Lake.
Mammals				
California wolverine (<i>Gulo gulo luscus</i>)	FPT, ST, CFP	Utilizes habitat including red fir, mixed conifer, lodgepole, subalpine conifer, alpine dwarfshrub, barren, and probably wet meadows, montane chaparral, and Jeffrey pine (Zeiner et al. 1990b). Historically distributed in North Coast, Cascade, and Sierra Nevada ranges above 6,000 ft.	A wolverine was reported in the vicinity of Fall River Mills in the 1970s (FERC 1999).	Does not occur. Species has not been documented in the vicinity of the proposed project since the 1970s.

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Common Name (Scientific Name)	Status ¹	Habitat and Distribution	Reported Occurrences	Potential for Species Occurrence in Project Vicinity
Pacific fisher, West Coast DPS (<i>Pekania pennanti</i>)	FPT, ST, CFP	Occurs in intermediate to large-tree stages of coniferous forests and deciduous riparian habitats with a high percent canopy closure (Zeiner et al. 1990b). Uncommon permanent resident of the Sierra Nevada, Cascade, Klamath Mountains, and North Coast ranges.	The eastern-most Pacific Fisher detection within Shasta County was a road-kill specimen found near Dead Horse Summit on Highway 89 (CDFW 2019; Steve Breth, personal communication).	Unlikely to occur due to urban setting and lack of suitable denning habitat in project vicinity.
American badger (<i>Taxidea taxus</i>)	SSC	Open, arid habitats; prefers grasslands, savannas, mountain meadows, and open areas of desert scrub from below sea level to over 12,000 ft (Zeiner et al. 1990b).	Species has been documented within the Fall River Mills USGS Quad (CDFW 2019).	Unlikely to occur due to urban setting and lack of suitable denning habitat in project vicinity.
Sierra Nevada red fox (<i>Vulpes vulpes necator</i>)	ST	Conifer forests and montane chaparral habitats in Sierra Nevada and Cascade ranges at 4,000 to 12,000 ft (Zeiner et al. 1990b).	Species has been documented within the Fall River Mills USGS Quad (CDFW 2019).	Unlikely to occur due to urban setting and lack of suitable denning habitat in project vicinity.

¹ **Status abbreviations are as follows:** FE = federally endangered; FT = federally threatened; FPT = federally proposed for listing as threatened; SE = state of California endangered; ST = state of California threatened; SCE = state candidate for listing as endangered; SSC = state species of special concern; and CFP = California fully protected.

4.2.1 Invertebrates

No special-status invertebrates could potentially occur in the project vicinity. While the type locality (Fall City Mills, Fall River, California) of the Shasta crayfish (Rutter 1908, Faxon 1914) is in the vicinity of Fall River Lake and the species was historically present throughout the Fall River drainage, Shasta crayfish (*Pacifastacus fortis*; FE and SE) are now found only in the headwaters of Fall River drainage, generally associated with springs (PG&E 2018). Shasta crayfish may still exist more than five river miles downstream of the Project Area, in springs in the margins of the Pit River. There is no likelihood that the project could affect the Pit River Shasta crayfish, as the primary potential impact to aquatic organisms would be from erosion and sedimentation. Standard erosion control measures will be implemented as described in Section 5.0 to minimize any potential for erosion during project construction and to prevent any potential for impacts to aquatic habitats and species. In addition, the resurfacing of the trail and decommissioning of old road and trail surfaces will reduce the amount of erosion and sedimentation to the lake that currently exists. Furthermore, any erosion and sedimentation would be confined to Fall River Lake and would not pass from Fall River Lake into Fall River Pond, the Fall River bypass reach downstream of Fall River Pond, or the Pit River.

4.2.2 Fish

Rough sculpin (*Cottus asperimus*; ST, CFP) and bigeye marbled sculpin (*Cottus klamathensis macrops*; SCC) likely occur in Fall River Lake, and Hardhead (*Mylopharodon conocephalus*) is known to occur in Fall River Lake. Impacts to these species could occur if the project work activities result in sedimentation into Fall River Lake. The potential for sedimentation into Fall River Lake is low, because the planned trail installation/rehabilitation will occur during the dry summer season on existing roads/trails with compacted or thin soils that are back from the banks of Fall River Lake and do not drain directly toward the lake. Standard erosion control measures will be implemented as described in Section 5.0 to minimize any potential for erosion during project construction and to prevent any potential for impacts to aquatic habitats and species. In addition, the resurfacing of the trail and decommissioning of old road and trail surfaces will reduce the amount of erosion and sedimentation to the lake that currently exists.

4.2.3 Amphibians and Reptiles

Based on results of amphibian surveys conducted throughout the Pit 1 Project area during 2004–2008 (PG&E 2009b), no special-status amphibians occur in the vicinity of Fall River Lake. Western pond turtles (*Actinemys marmorata*; SSC), however, are known to occur in Fall River Lake and suitable nesting habitat (e.g., open areas with good sun exposure that are dominated by grasses and herbaceous vegetation) is present in undisturbed locations around Fall River Lake (PG&E 2009c). Since the planned trail work will take place almost exclusively on existing roads/trails with compacted/shallow soils, the potential for occurrence of pond turtle nests within

the planned disturbance area is low. However, impacts to western pond turtle could occur if any ground-disturbing activities occur during the turtle nesting season in less disturbed areas with potentially suitable nesting habitat. The duration of the western pond turtle nesting season is not known, but it is suspected that egg laying occurs during summer and that hatchlings emerge from the nests the following spring (Bury and Germano 2008). To minimize potential impacts to western pond turtles during the project construction phase, pre-construction surveys and avoidance/minimization measures will be implemented as described in Section 5.0.

4.2.4 Birds

Based on recent occurrence information and existing habitat conditions, the following special-status bird species could utilize nesting habitat in the project vicinity: tri-colored blackbird (*Agelaius tricolor*; SCE, SSC), yellow warbler (*Dendroica petechia brewsteri*; SSC), bald eagle (*Haliaeetus leucocephalus*; SE, CFP), and bank swallow (*Riparia riparia*, ST).

Some suitable nesting habitat (i.e., willows and other riparian vegetation) for tri-colored blackbird, yellow warbler, and other neo-tropical birds is present along the east bank of Fall River Lake adjacent to the planned trail route. Project work could impact nesting neo-tropical birds if work activities result in removal of nesting habitat or if noise-generating activities cause birds to vacate nests or nesting areas or otherwise disturb adults during breeding/nesting season, which extends from April 1 to August 31. The upland shrubs that will be removed in two sections of the planned trail (see Section 2.0, Task 3.1) are not suitable nesting habitat for tri-colored blackbird or yellow warbler; however, other migratory bird species protected under the Migratory Bird Treaty Act (MBTA) could potentially utilize upland shrubs as nesting habitat. The woodland habitat designated for thinning could also provide suitable nesting habitat for common species such as red tailed hawk (*Buteo jamaicensis*) that are protected under the MBTA and are known to nest in suitable locations around Fall River Lake (Spring Rivers 2016). To minimize potential impacts to nesting birds, pre-construction surveys and any recommended avoidance/minimization measures will be implemented as described in Section 5.0.

PG&E conducts annual monitoring of bald eagle productivity in the Pit 1 Project area, which includes Fall River Lake, according to the Bald Eagle Compliance Monitoring Plan (PG&E 2003) as required by Article 415 of Pit 1 Project FERC license. There is an active bald eagle nest site on the north shore of Fall River Lake, as well as several others in the vicinity of the project (Figure 3). The upper half of Fall River Lake is within an active bald eagle (*Haliaeetus leucocephalus*; SE, CFP) nesting territory. Project work could impact nesting bald eagles if noise-generating activities cause birds to vacate nests or nesting areas or otherwise disturb adults during breeding/nesting season, which extends from January 1 to July 31.

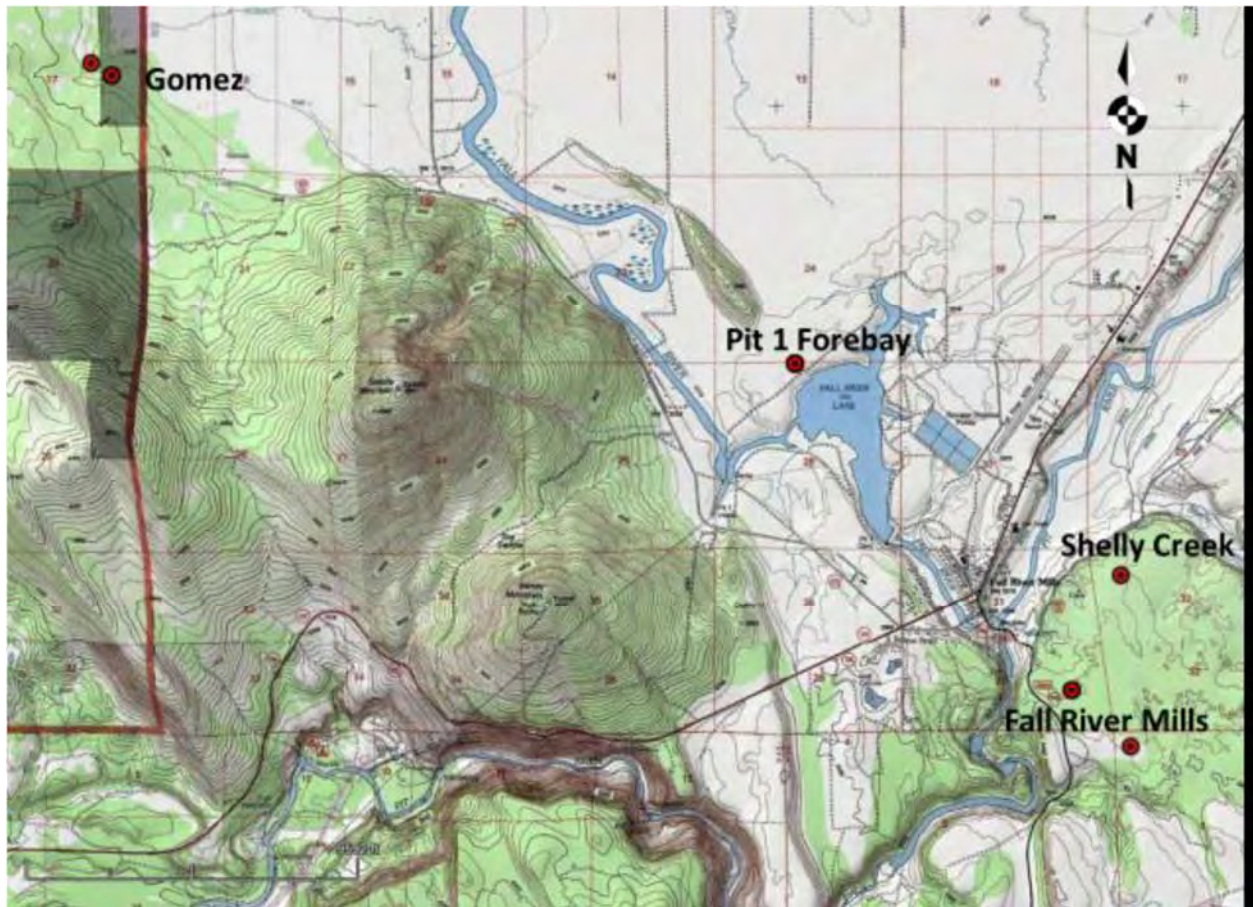


Figure 3. Locations of bald eagle nest sites used during PG&E’s 2012-2018 Bald Eagle Compliance Monitoring that are in the vicinity of the proposed project (from PG&E 2017).

The 2012-2016 Five-Year Summary Report (PG&E 2017) recommended changes to bald eagle management in the Pit 1 Bald Eagle Compliance Monitoring Plan subsequently approved by FERC in the November 2017 order. For nests in the Project Area, the U.S. Fish and Wildlife Service National Bald Eagle Management Guidelines (2007) will be used to define the protective buffer distances in nest management zones. Specifically, a buffer of 660 feet (200 meters) is recommended for construction activities, timber management, and motorized and non-motorized activities around active nests from January 1 to July 31. To minimize potential impacts to nesting bald eagles, PG&E's wildlife biological consultant responsible for monitoring bald eagles within the Pit 1 Project will be consulted to determine the location of active bald eagle nests and evaluate the potential for the project work to disturb nesting eagles. If any of the project work activities have potential to disturb nesting bald eagles, then avoidance/minimization measures will be implemented as described in Section 5.0.

The 2012-2016 Five-Year Summary Report (PG&E 2017) recommended changes to bald eagle management in the Pit 1 Bald Eagle Compliance Monitoring Plan subsequently approved by FERC in the November 2017 order. For nests in the Project Area, the U.S. Fish and Wildlife Service National Bald Eagle Management Guidelines (2007) will be used to define the protective buffer distances in nest management zones. Specifically, a buffer of 660 feet (200 meters) is recommended for construction activities, timber management, and motorized and non-motorized activities around active nests from January 1 to July 31. To minimize potential impacts to nesting bald eagles, PG&E's wildlife biological consultant responsible for monitoring bald eagles within the Pit 1 Project will be consulted to determine the location of active bald eagle nests and evaluate the potential for the project work to disturb nesting eagles. If any of the project work activities have potential to disturb nesting bald eagles, then avoidance/minimization measures will be implemented as described in Section 5.0.

Active bank swallow (*Riparia riparia*, ST) nesting colonies occur along the east bank of Fall River Lake. Project work could impact nesting bank swallows if noise-generating activities cause birds to vacate nesting areas or otherwise disturb adults during breeding/nesting season, which extends from April 1 to August 31. Since the bank swallow colonies are located adjacent to roads formerly frequented by OHVs and across the lake from an active day use area and boat launch, the Fall River Lake bank swallows are likely acclimatized to human-made noise. However, if any of the project work activities are expected to generate excessive noise capable of disturbing nesting bank swallows, avoidance/minimization measures will be implemented as described in Section 5.0.

Special-status bird species that have not been documented as occurring within 1 mile from the Project Area, and birds for which no suitable nesting habitat exists within the Project Area include northern goshawk (*Accipiter gentilis*; SSC), golden eagle (*Aquila chrysaetos*, CFP), American peregrine falcon (*Falco peregrinus anatum*), and greater sandhill crane (*Grus*

canadensis tabida; ST, CFP). These species will not be affected by the Fall River Lake Trail Improvement and Ecocultural Enhancement Project.

4.2.5 Special-Status Mammals

Several special-status carnivore species, including California wolverine (*Gulo gulo luscus*; FPT, ST, CFP), Pacific fisher (*Martes pennant*; FPT, ST, CFP), American badger (*Taxidea taxus*; SSC), and Sierra Nevada red fox (*Vulpes vulpes necator*; ST) have been reported as occurring within the Fall River Mills USGS 7.5' Topographic Quadrangle (CDFW 2019). These species are unlikely to occur in the Project Area, however, due to lack of suitable denning habitat and the proximity of the Project Area to Fall River Mills and the Fall River Lake Day Use Area (Figure 2). Therefore, any use of the Project Area by these species would likely be transitory and project construction activities should not harm or harass these species. No special-status bats or other mammals with current special status designation have been documented as occurring in the project vicinity (CDFW 2019, GANDA 2004).

4.3 SPECIAL-STATUS PLANTS

A list of special-status plant species that could potentially occur within the Project Area is provided in Table 2. Special-status species include species with federal or state listing status and species with designated California Rare Plant (CRP) status ranks. The CRP status ranks included in Table 2 are defined in the Table 2 footnotes.

During botanical surveys conducted in support of PG&E's Fall River Pond Weir and Gage Replacement Project (Dittes and Guardino 2014), tufted loosestrife (*Lysimachia thyrsiflora*; CRP 2B.3) was identified on the right (southwest) bank of the Fall River near the Fall River Pond Weir (Figure 4). In California, tufted loosestrife occurs in meadows, seeps, marshes and swamps from 800 to 1300 meters elevation. Its CRP rank of 2B.3 means that it is considered somewhat threatened in California (less than 20% of occurrences threatened and immediacy of threat or no current threats known), but it is more common elsewhere (e.g., CO, OR, WA, UT, WY, & Eurasia). Its CNDDDB state status rank is S1, which is critically endangered. Tufted loosestrife is known from five occurrences in California, all within Plumas and Shasta counties. The Consortium of California Herbaria has records of 11 collections; 2 of which were taken near Fall River Mills in 1949 (S. Galen Smith, Malcom A. Nobs, and Herbert L. Mason #753).

Tufted loosestrife was not identified within the Pit 1 Project area during relicensing botanical surveys (PG&E 2001); and there are no known occurrences of this species around Fall River Lake. The proposed route for the Fall River Lake trail will avoid all wetland habitats where tufted loosestrife and other wetland plant species could potentially occur.

Table 2. Special-status plants that could potentially occur in the vicinity of the proposed project.

Common Name (Scientific Name)	Status¹ and CRP Rank²	General Habitat	Found in Project Vicinity During Recent Surveys³ (Yes/No)
Lemmon's milk-vetch (<i>Astragalus lemmonii</i>)	1B.2	Perennial herb in the pea family; inhabits moist places within Great Basin sagebrush scrub communities.	No
Watershield (<i>Brasenia schreberi</i>)	2B.3	Perennial aquatic plant that grows in shallow water of lakes, ponds, and rivers.	No
Bristly sedge (<i>Carex comosa</i>)	2B.1	Perennial herb in sedge family that grows in wet places, including meadows and other wetlands.	No
Castlegar hawthorne (<i>Crataegus castlegarensis</i>)	3	Newly described tree in rose family; inhabits moist rocky loam in riparian woodland in Great Basin habitats.	No
Tracy's eriastrum (<i>Eriastrum tracyi</i>)	1B.2	Annual herb in the phlox family; inhabits chaparral and cismontane woodland, where the plants are found in areas with sandy or volcanic soils.	No
Baker cypress (<i>Hesperocyparis bakeri</i>)	4.2	Evergreen tree in cypress family; grows in small, scattered populations within Siskiyou, Modoc, Shasta, Plumas, and Tehama counties.	No
Water star-grass (<i>Heteranthera dubia</i>)	2B.2	Aquatic plant in the water hyacinth family; occurs in rivers and lakes.	No
Tufted loosestrife (<i>Lysimachia thyrsiflora</i>)	2B.3	Perennial herb in myrsine family that grows in marshes, shorelines of lakes and ponds and occasionally along streams.	Yes, on west bank of Fall River Pond near Fall River Pond Weir
Tehama pincushion (<i>Navarretia heterandra</i>)	4.3	Annual herb in the phlox family that grows in moist areas on grasslands, such as vernal pools.	Yes, on west and north banks of Fall River Lake
Profuse-flowered pogogyne (<i>Pogogyne floribunda</i>)	4.2	Annual herb in mint family. Found in vernal pools, ephemeral creeks, and other summer-dry water bodies in Modoc Plateau.	No
Bidwell's knotweed (<i>Polygonum bidwelliae</i>)	4.3	Small, annual herb; inhabits areas with thin, volcanic soils in chaparral, cismontane woodland, or grassland.	No
Marsh skullcap (<i>Scutellaria galericulata</i>)	2B.2	Perennial herb in the mint family; inhabits mesic areas such as meadows, or marshes and swamps, in lower montane coniferous forest (CNPS 2010).	No

Common Name (<i>Scientific Name</i>)	Status ¹ and CRP Rank ²	General Habitat	Found in Project Vicinity During Recent Surveys ³ (Yes/No)
Hairy marsh hedge- nettle (<i>Stachys pilosa</i>)	2B.3	Perennial herb in mint family. Usually occurs in wetlands.	No
Long-leaved starwort (<i>Stellaria longifolia</i>)	2B.2	Perennial herb in pink family. It grows in many types of moist habitat, including meadows, marshes, and roadsides.	No
Slender-leaved pond weed (<i>Stuckenia filiformis</i> <i>ssp. alpina</i>)	2B.2	Perennial rhizomatous herb in the pondweed family. Occurs in rivers and lakes.	No
Silvery false-lupine (<i>Thermopsis californica</i> <i>var. argentata</i>)	4.3	Perennial plant in the pea family; inhabits lower montane coniferous forest, and pinyon and juniper woodland.	Yes, in parking area near Fall River Pond

1 Status abbreviations are as follows: FT = federally threatened; CE = state of California endangered

2 CRP (California Rare Plant) Rank abbreviations are as follows: 1A = presumed extirpated in California and either rare or extinct elsewhere; 1B = rare, threatened, or endangered in California and elsewhere; 2A = presumed extirpated in California but common elsewhere; 2B = rare, threatened, or endangered in California but more common elsewhere; 3 = plants about which more information is needed; and 4 = plants with limited distribution. Threat ranks are defined as: 0.1 = seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat); 0.2 = moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat); and 0.3 = not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known).

3 Botanical surveys: conducted in project vicinity for PG&E's Fall River Pond Weir and Gage Replacement Project (Dittes and Guardino 2014) and for PG&E's Former Trap Club Remediation Project (Spring Rivers 2016).



Figure 4. Locations of special-status plant species in the vicinity of the proposed project.

During botanical surveys conducted in support of PG&E’s remediation work at the Former Trap Club (Spring Rivers 2016), Tehama pincushion (*Navarretia heterandra*; CRP 4.3) was identified in several moist depressions along the right (southwest) bank of the Fall River downstream from the Pit 1 Diversion Dam (Figure 4). In California, Tehama pincushion occurs in vernal pools and wet or drying flats in the central valley and mountains below 1,100 meters elevation. Its CRP rank of 4.3 means that it has a limited distribution but is not very threatened in California. It has a CNDDDB rank of S4, which means that it is apparently secure in California.

Like Tehama pincushion, silvery false lupine (*Thermopsis californica* var. *argentata*; 4.3) is an apparently secure species with a limited distribution that occurs in the project vicinity. Spring Rivers identified this species in an open parking area adjacent to Fall River Pond in 2012, and it is likely to occur in similar habitat around Fall River Lake (PG&E 2001).

Tufted loosestrife, Tehama pincushion, and silvery false lupine are the only special-status plant species listed in Table 2 that have been recently identified in the vicinity of the proposed project. Tufted loosestrife is unlikely to occur within 100 feet from the planned trail, which will be routed to avoid wetland habitat areas. Tehama pincushion and silvery false lupine are likely to occur in less disturbed areas adjacent to the planned trail route; however, these species are not likely to occur on the roads/trails that the project will rehabilitate. Completion of the trail improvements and road decommissioning is expected to improve habitat for native plants, including Tehama pincushion and silvery false lupine, on the east side of Fall River Lake.

To ensure that no rare or special-status plant species are impacted during the trail construction phase, a pre-construction botanical survey will be conducted by a qualified botanist within all planned disturbance areas and staging areas as described in Section 5.0. If special status plants are found they will be protected by establishing a no-disturbance buffer around the plant/plant colony, and the trail alignment will be adjusted as needed to avoid any special status plants.

4.4 INVASIVE PLANT SPECIES

Table 3 lists the non-native and invasive plant species that could potentially occur within the Project Area. The invasive status ranks included in Table 3 were obtained from the California Invasive Plant Council (Cal-IPC) Invasive Plant Inventory (Cal-IPC 2019). The status ranks are defined in the Table 3 footnotes.

Three species of invasive plants, yellow star-thistle (*Centaurea solstitialis*), common mullein (*Verbascum thapsus*), and Himalayan blackberry (*Rubus armeniacus* = *R. discolor*) were found in the vicinity of Fall River Pond (see Figure 1) during botanical surveys conducted in 2014 (Dittes and Guardino 2014). In addition, Eurasian watermilfoil (*Myriophyllum spicatum*) is known to occur in lower Fall River (Johnson et al. 2006). To prevent the introduction or spread

Table 3. Non-native and invasive plants with potential to occur in the vicinity of the proposed project.

Common Name (Scientific Name)	Cal-IPC Status ¹	General Habitat	Found in Project Vicinity During Recent Surveys ² (Yes/No)
Jointed goatgrass (<i>Aegilops cylindrical</i>)	High	Winter-annual grass closely related to barbed goatgrass; can displace native vegetation once it becomes established.	No
Barbed goatgrass (<i>Aegilops triuncialis</i>)	Moderate	Winter-annual grass closely related to jointed goatgrass; can displace native vegetation once it becomes established.	No
Tree of heaven (<i>Ailanthus altissima</i>)	Moderate	Deciduous tree known to produce prolific seeds and root sprouts.	No
Spotted knapweed (<i>Centaurea maculosa</i>)	High	Biennial to short-lived perennial that reproduces by prolific seed production and lateral vegetative roots, and displaces native vegetation.	No
Yellow star-thistle (<i>Centaurea solstitialis</i>)	High	Deep tap-rooted winter annual herb or a short-lived perennial that is considered one of the most serious rangeland weeds because of its ability to displace native vegetation.	Yes, on left bank of Fall River Pond
Poison hemlock (<i>Conium maculatum</i>)	Moderate	Biennial tap-rooted herb that is able to over-shade some native vegetation, and therefore outcompete it; established by seed into disturbed areas.	No
Scotch broom (<i>Cytisus scoparius</i>)	High	Perennial shrub that has been known to completely take over natural areas, out-competing the native vegetation.	No
Quackgrass (<i>Elytrigia repens</i>)	No Cal-IPC rating	Perennial grass that can form extensive rhizomes; grows into thick stands that out-compete native vegetation	No
Leafy spurge (<i>Euphorbia esula</i>)	High	Rhizomatous perennial herb that can spread through a vigorous lateral root system.	No
Sweet fennel (<i>Foeniculum vulgare</i>)	High	Perennial herb that is an aggressive invader. It reproduces both by root crown and prolific seed production.	No

Common Name (<i>Scientific Name</i>)	Cal-IPC Status ¹	General Habitat	Found in Project Vicinity During Recent Surveys ² (Yes/No)
Yellow flag iris (<i>Iris pseudacorus</i>)	Limited	Aquatic perennial monocot that can form dense mats (monocultures) from lateral rhizome growth and also reproduce from seed.	No
Perennial sweet pea (<i>Lathyrus latifolius</i>)	No Cal-IPC rating	Rhizomatous, deep tap-rooted perennial vine that can spread vegetatively and also utilizes prolific seed production; can create dense stands that compete with native vegetation.	No
Eurasian watermilfoil (<i>Myriophyllum spicatum</i>)	High	Perennial submerged aquatic species that can form dense mats that both interfere with native ecosystems and recreational facilities.	No
Black locust (<i>Robinia pseudoacacia</i>)	Limited	Deciduous tree which can produce dense monotypic stands through root sprouts and seed production.	Yes, on left bank of Fall River Pond.
Himalayan blackberry (<i>Rubus armeniacus</i> = <i>R. discolor</i>)	High	Robust evergreen shrub that forms impenetrable stands in disturbed and wet areas.	Yes, on both banks of Fall River Pond
Cutleaf blackberry (<i>Rubus laciniatus</i>)	No Cal-IPC rating	Evergreen shrub that may occur in disturbed areas where it can form dense stands.	Yes
Medusahead (<i>Taeniatherum caput-medusae</i>)	High	Winter annual grass that occurs along roadsides, in disturbed areas, and in grasslands.	Yes
Puncturevine (<i>Tribulus terrestris</i>)	Limited	Annual herb that often occurs in disturbed areas.	No
Common mullein (<i>Verbascum thapsus</i>)	Limited	Biennial or annual herb that often occurs in moist and disturbed areas.	Yes, on left bank of Fall River Pond.

¹ **Cal-IPC** = California Invasive Plant Council ranks: **High** = Severe ecological impacts on physical processes, plant and animal communities, and vegetation structure; reproductive biology and other attributes are conducive to moderate to high rates of dispersal and establishment; most are widely distributed ecologically; **Moderate** = Substantial and apparent, but not generally severe, ecological impacts on physical processes, plant and animal communities, and vegetation structure; reproductive biology and other attributes are conducive to moderate to high rates of dispersal, though establishment is generally dependent upon ecological disturbance; ecological amplitude and distribution may range from limited to widespread; and **Limited** = Invasive but ecological impacts are minor on a statewide level or there was not enough information to justify a higher score; reproductive biology and other attributes result in low to moderate rates of invasiveness; ecological amplitude and distribution are generally limited, but may be locally persistent and problematic.

² **Botanical surveys:** conducted in project vicinity for PG&E's Fall River Pond Weir and Gage Replacement Project (Dittes and Guardino 2014) and for PG&E's Former Trap Club Remediation Project (Spring Rivers 2016).

of new or currently found noxious weeds species, the FRVCSD and Lomakatsi will implement its Best Management Practices as described in Section 5.0. By implementing the BMPs, impacts to native botanical resources as a result of invasive weed proliferation will be minimized.

4.5 CULTURAL RESOURCES

Seven archaeological resources recorded within the APE include six prehistoric archaeological sites and one with both prehistoric and historic-era artifacts. Two additional archaeological sites (one prehistoric and one prehistoric and historic-era) are plotted just outside the APE but might extend into it. Built resources recorded in the APE include the Forebay Dam and Forebay (aka Fall River Lake) of Pit No. 1 Power Plant; while the Power Plant system is a historic district eligible to the California Register, associated elements in the APE are non-contributing and need no further management.

The sensitivity of cultural resources restricts public release of detailed resource descriptions or site locations. The detailed report has been provided to Project planners and the FRVCSD and Project implementation will follow the cultural resource protection measures described in Section 5.

5.0 AVOIDANCE AND MINIMIZATION MEASURES

The following avoidance and minimization measures are recommended to minimize the potential for project activities to directly or indirectly affect special-status species and habitats.

Measure 1 – Wetlands

The trail will generally be aligned to provide 100-foot buffer from any wetlands, with the possible exception of short sections of trail on existing OHV roads nearest the two small coves on the east side of Fall River Lake. No new sections of trail will be constructed within 100 feet of any wetlands. Implement erosion control measures during the construction phase to prevent sedimentation into Fall River Lake, as described in Measure 7: Best Management Practices for water quality; design and install the trail to proper specifications to minimize erosion and improper drainage; and perform inspections and maintenance to ensure that the trail remains stable in the long term.

Measure 2 – Fish and Aquatic Habitat

Implement erosion control measures during the construction phase to prevent sedimentation into Fall River Lake, as described in Measure 7: Best Management Practices for water quality; design and install the trail to proper specifications to minimize erosion and improper drainage; and perform inspections and maintenance to ensure that the trail remains stable in the long term.

Measure 3 – Western Pond Turtle (*Actinemys marmorata*)

Most of the trail installation work will be on existing OHV roads/trails with compacted soils, which are not likely to be used for nesting by pond turtles. The two short sections where new trail segments are to be cut through natural areas off of existing roads are not likely to be preferred nesting habitat for turtles, due to their location (i.e., along the top of a high bank that would not be climbable by turtles) and slope. Spring Rivers will conduct a pre-construction survey in those areas to search for possible turtle nests. If nests are found within the planned trail route, the trail will be moved to avoid impacts to western pond turtle. If adult turtles are found in or near project work areas, they will be moved away from the work area into appropriate near-channel habitat. If necessary, temporary fencing will be installed between the work area and any adjacent turtle habitat in order to prevent migration back into the work area. All fencing will be inspected weekly and removed within a week after project work is completed.

Measure 4 – Nesting Birds

In the Intermountain Area, nesting season for neo-tropical songbirds typically occurs between April 1 and August 31. If vegetation removal or noise disturbing activities will take place during

the nesting season, Spring Rivers will conduct a pre-construction survey for nesting birds along the trail route and within the oak woodland habitat (Figure 1) within 7 days of the start of work. If nests are found during the surveys, a no-disturbance buffer of 250 feet will be established around the nest area and all reasonable measures will be taken by the work crew to minimize disturbance until the young have fledged.

Project work could impact nesting bald eagles if noise-generating activities take place within 200 meters (660 feet) of active nests during the breeding/nesting season, which extends from January 1 to July 31. A pair of bald eagles have been nesting on the north shore of Fall River Lake since 2013 (Pit 1 Forebay territory, PG&E 2017). The Pit 1 Forebay nest that has been used for the last six years is more than 700 meters from the closest portion of the trail (Figure 3). The Pit 1 Forebay pair is consistently found in the upper portion of Fall River Lake since they appropriated that part of the Fall River Mills territory in 2012. The Fall River Mills territory bald eagle pair forages in the lower half of Fall River Lake and in Fall River Pond (PG&E 2017). To prevent impacts to nesting bald eagles, PG&E's wildlife biologist responsible for monitoring bald eagles within the Pit 1 Project will be consulted to determine the location of active bald eagle nests and to evaluate the potential for the project work to disturb nesting eagles. If any of the project work activities have potential to disturb nesting bald eagles, then those activities will not be conducted for the duration of the nesting period or until PG&E's wildlife biologist has determined that the nestlings have fledged.

Project work could impact nesting bank swallows if noise-generating activities take place within 100 feet of active nests during the nesting season, which extends from April 1 to August 30. To prevent disturbance to nesting bank swallows, Spring Rivers will conduct a pre-construction survey for nesting bank swallows to determine exact locations of active nesting colonies. If active nesting colonies are located within 100 feet from any portion of the planned trail route, noise-generating activities in those locations will be prevented for the duration of the nesting season.

Measure 5 – Special-Status Plant Species and Noxious Weeds

A botanical survey will be conducted within all planned disturbance areas and staging/laydown areas before the start of work to determine presence/absence of special-status plant species and noxious weeds, and to identify native plant species that will be suitable for the planting and seeding phase of the project. If any special-status plant species are discovered during the botanical survey, those species will be protected by establishing a no-disturbance buffer around the plant/plant colony, and the trail alignment will be adjusted as needed to avoid any special status plants.

To prevent the introduction or spread of noxious weeds species, only weed-free erosion control and fill materials will be used for the trail construction. In addition, machinery brought in from

other locations will be pressure washed off-site before arrival/delivery. The revegetation plan will adhere to standard Best Management Practices (BMPs) for seed, mulch, and fertilizer use.

Measure 6 – Cultural Resource Protection

All known historic and prehistoric sites will be avoided by the proposed trail work. The only exception would be if an existing OHV road already traverses a site, the addition of trail surface material (at least three inches depth of either wood chips or gravel aggregate) can be used to convert, better define, and protect the trail. If the work would require any removal of or disturbance of existing ground within the archaeological site, the section of trail would be re-routed away from the site, instead.

The ecocultural enhancement work will involve selective thinning of some trees and shrubs that have become overgrown in the past decades. There may be some yarding and skidding of larger trees from where they are cut, but the majority of the work will be hand labor with a minimum of ground disturbance.

The Ajumawi Band of the Pit River Tribe is a collaborator on this project and Tribal Cultural Monitors will be on site during all soil-disturbing work to ensure the preservation and integrity of cultural sites. In addition, Project proponents are consulting with PG&E cultural resources personnel to mitigate any affects to cultural resources by either adjusting the trail alignment and/or covering the surface of existing Off-Highway Vehicle (OHV) roads that already cross through archaeological sites with a minimum of 3 inches of surface material depth. No grading or excavation will take place near any recorded resources. Either wood chips or gravel aggregate will be used for the surface material depending on drainage and surface runoff conditions. PG&E will also provide an archaeologist monitor when work is in the vicinity of archaeological sites. As recommended in the Cultural Resources Records Search, all eligible and unevaluated sites will be avoided and trails routed around them to insure they are not disturbed. The completed project will eliminate or substantially restrict unauthorized OHV use and will, therefore, help protect these cultural resources.

Measure 7 – Implement Best Management Practices (BMPs)

All applicable BMPs (e.g., BMPs for water quality, soil protection, hazardous fuels, and vegetation management, etc.) will be utilized during this construction work. The BMPs that are applicable for this construction work include:

- Erosion Control and Dust Abatement
 - Install erosion control structures before any vegetation clearing or ground-disturbing activities commence to protect the waterways from runoff and bank sloughing.

- Water all roads and barren areas before grading to minimize dust.
- Water Quality/Discharge
 - This project is non-industrial and will disturb less than one acre so it is exempt from the need for a Stormwater Pollution Prevention Plan (SWPPP). BMPs will be followed to prevent contamination of soils and waterways from construction and hazardous materials.
 - Clean spills immediately and notify the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) of any spills and cleanup procedures.
 - Neither petroleum products nor hazardous materials will be stored onsite.
 - Staging and storage areas will be outside the riparian zone for Fall River Lake.
 - Perform refueling and vehicle maintenance at least 100 feet from the shore.
 - Any other motorized equipment stored on-site, e.g., the SWECO trail dozer, will be placed within a spill containment area.
 - Inspect equipment daily to ensure that seals prevent any fuel, engine oil, and other fluids from leaking.
- Hazardous Materials
 - In the event of a release of a hazardous substance, the FRVCSD will make all required notifications to stakeholders and regulatory agencies.
 - Materials such as fuel (gasoline/diesel) and hydraulic oil will be used on the job site. Material Safety Data Sheets for all substances used on the job site will be on file at the job headquarters as required by the Hazard Communication Law, General Industry Safety Orders, Sec. 5194, and will be available as necessary. Hazardous waste products such as grease cartridges and oil absorbents will be placed in proper containers and transported from the job site to an authorized Hazardous Waste Collection Site. Trucks will be refueled off site. Small motorized equipment, such as chainsaws, and the SWECO trail dozer will be refueled as required within a spill containment area. No fuel storage tanks will be placed at the work site.
- Fire Prevention/Protection Plan
 - All required permits, including fire permits, will be obtained before construction activities commence. In addition, all construction personnel will make all reasonable efforts to prevent and suppress wildfires. Smoking may only be done

in vehicles, on roads, or areas cleared to mineral soil for a diameter of at least three feet.

- Fire suppression equipment will be kept onsite and will include one shovel with each tractor, backhoe, or other heavy equipment. One shovel and one chemical pressurized fire extinguisher (fully charged) located at a point not greater than a distance of 25 feet from the work site, for each gasoline powered tool, including but not restricted to chain saws, rock drills etc. Fire extinguishers shall be of the type and size set forth in the California Public Resources Code Sec. 4431 and the California Administrative Code, Title 14, Sec. 1234. Shovels shall be a type “O”, and overall length of not less than 46 inches. Axes or pulaskis (pulaskis are recommended) shall have a 2 ½ pound or larger head, and shall be at least 28 inches in overall length.

6.0 CONCLUSIONS AND RECOMMENDATIONS

Biological

The proposed project is unlikely to directly or indirectly affect any special-status species or habitat, because much of the trail work will be implemented by hand crews on already highly disturbed ground. In addition, the forest thinning portion of the project has been scaled down substantially since the Hat Fire burned two thirds of the 20 acres designated for thinning in August 2018. To ensure that no aspect of the planned project will impact special-status species or habitat, the FRVCSD and collaborating partners will implement all avoidance and minimization measures and adhere to the BMPs described in Section 5.0. Without implementation of avoidance and minimization measures, potential direct effects of the construction work include removal of upland shrubs that could be used by some species of nesting birds and disturbance of breeding/nesting birds by noise and increased human activity. Given the proposed project design, which avoids and provides 100-foot buffer from all wetlands, the project is unlikely to result in any degradation of aquatic habitat. Potential indirect effects include introduction of invasive/noxious weed species through dirty construction equipment, and degradation of terrestrial habitat during staging and mobilization. These direct and indirect effects will be minimized or eliminated with implementation of avoidance and minimization measures and BMPs.

Cultural

It is possible to avoid impacts to sites by ensuring the trail is routed around cultural sites, installing temporary fencing, or using fill over limited impact corridors to ensure archaeological site avoidance. PG&E cultural resources personnel will be consulted to ensure that the trail alignment avoids sites and/or that the surface of existing Off-Highway Vehicle (OHV) roads that already cross through archaeological sites are covered with a minimum of 3 inches of surface material depth. PG&E will provide an archaeologist monitor when work is in the vicinity of archaeological sites. Tribal Cultural Monitors will be on site during all soil-disturbing work to ensure the preservation and integrity of cultural sites.

Overall, the proposed project will help protect archaeological sites by restricting or closing unauthorized OHV access and is clearly preferable to a no-project alternative.

The Ajumawi Cultural Monitors will be included and consulted in all project phases. The Native American Heritage Commission would also need to be contacted to request a Sacred Lands search of the APE.

Since project impacts are projected to be quite shallow, no deep subsurface probing or excavations for buried archaeological sites outside known archaeological site boundaries are necessary for CEQA compliance.

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APPENDIX A

CEQA ENVIRONMENTAL CHECKLIST

Fall River Lake Trail Improvement and
Ecocultural Enhancement Project

CEQA Environmental Checklist

Project Title: Fall River Lake Trail Improvement and Ecocultural Enhancement

Lead Agency Name and Address: Fall River Valley Community Services District
24850 3rd Street, PO Box 427
Fall River Mills, CA 96028

Contact Person and Phone Number: Bill Johnson, FRV CSD Parks Manager
530.336.5263
frmcsd@citlink.net

Project Location: Fall River Mills, CA

Project Sponsor's Name and Address: Fall River Valley Community Services District
24850 3rd Street, PO Box 427
Fall River Mills, CA 96028

Description of Project:

The proposed project will transform existing off-highway vehicle roads/trails along the east bank of Fall River Lake in Shasta County, California into 2 miles of pedestrian and other non-motorized use trail, while decommissioning side roads/trails (Figure 1). In addition, the project will thin and restore up to 20 acres of mixed pine/oak woodlands on the west side of the lake; and will install educational native plant guilds within restored areas that highlight the cultural importance of grassland and woodland ecosystems.

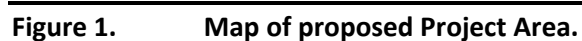
The lands on which the Project will be implemented are Pacific Gas and Electric Company (PG&E) owned surrounding a forebay for PG&E's Pit 1 Hydroelectric Project (FERC Project No. 2687), which is known as Pit 1 Forebay or Fall River Lake. PG&E supports the project and a Third-Party-Use agreement is underway. Fall River Lake and the lands surrounding it are zoned unclassified (UC) and Exclusive Agriculture (EA) (Figure 2) and support public recreation opportunities, including boating, fishing, and hiking. The area along the east side of Fall River Lake, where the trails project is planned has received extensive unauthorized use by off-highway vehicles (OHV), which has led to significant degradation of habitat and trail conditions and a reduction in authorized recreational use quality.

Surrounding Land Uses and Setting; Briefly Describe the Project's Surroundings:

Surrounding lands include open space, residential homes, businesses, and the Fall River Elementary School in the nearby community of Fall River Mills, as well as Pacific Gas and Electric Company lands and facilities.

Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):

PG&E Third Party Use Agreement



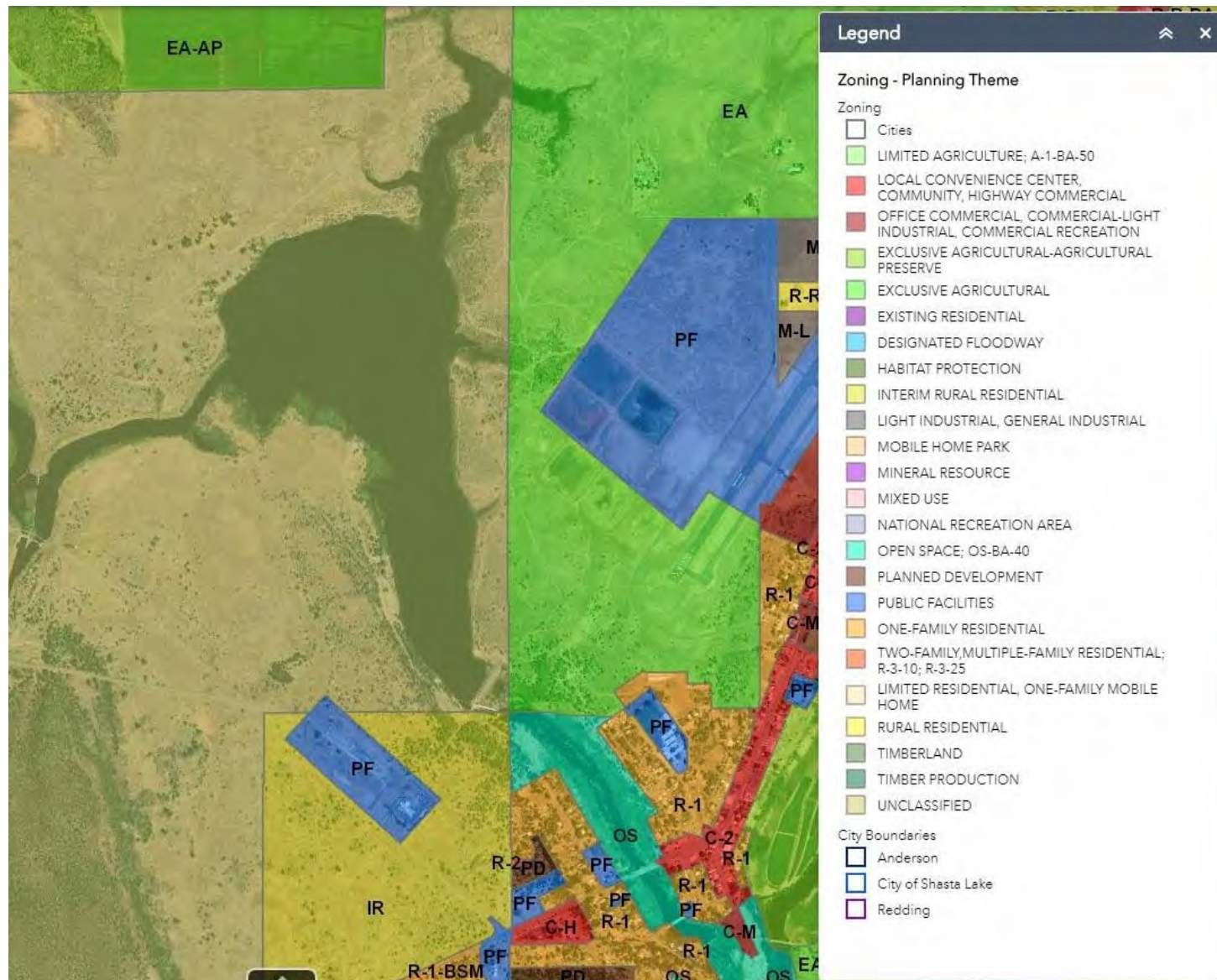


Figure 2. Zoning Map surrounding proposed Project Area.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

ENVIRONMENTAL CHECKLIST:

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><i>Trail work could potentially impact native western pond turtles (Actinemys marmorata; SSC) if any ground-disturbing activities occur during the turtle nesting season in less disturbed areas with potentially suitable nesting habitat. The duration of the western pond turtle nesting season is not known, but it is suspected that egg laying occurs during summer and that hatchlings emerge from the nests the following spring (Bury and Germano 2008). To minimize potential impacts to western pond turtles during the project construction phase, pre-construction surveys and avoidance/minimization measures will be implemented, including:</i></p> <ul style="list-style-type: none"> <i>• Spring Rivers will conduct a pre-construction survey in those areas to search for possible turtle nests/nesting areas.</i> <i>• If nests are found within the planned trail route, the trail will be moved to avoid impacts to western pond turtle.</i> <i>• If adult turtles are found in or near project work areas, they will be moved away from the work area into appropriate near-channel habitat.</i> <i>• If necessary, temporary fencing will be installed between the work area and any adjacent turtle habitat in order to prevent migration back into the work area. All fencing should be inspected weekly and removed within a week after project work is completed.</i> 				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? <i>A Cultural Resources Records Search for this project found seven archaeological resources recorded within the Area of Potential Effects (APE), including six prehistoric archaeological sites and one with both prehistoric and historic-era artifacts. Two additional archaeological sites (one prehistoric and one prehistoric and historic-era) are plotted just outside the APE but might extend into it. Built resources recorded in the APE include the Forebay Dam and Forebay (aka Fall River Lake) of Pit No. 1 Power Plant; while the Power Plant system is a historic district eligible to the California Register, associated elements in the APE are non-contributing and need no further management. Of the 10 sites, six have been evaluated to the National Register; the State Office of Historic Preservation concurred with all evaluations (PG&E 2007).</i> <i>The Ajumawi Band of the Pit River Tribe is a collaborator on this project and Tribal Cultural Monitors will be on site during all construction phases. In addition, Project proponents are consulting with PG&E cultural resources personnel to mitigate any affects to cultural resources by either adjusting the trail alignment and/or covering the surface of existing Off-Highway Vehicle (OHV) roads that already cross through archaeological sites with a minimum of 3 inches of surface material depth. No grading or excavation will take place near any recorded resources. Either wood chips or gravel aggregate will be used for the surface material depending on drainage and surface runoff conditions. PG&E will also provide an archaeologist monitor when work is in the vicinity of archaeological sites. As recommended in the Cultural Resources Records Search, all eligible and unevaluated sites will be avoided and trails routed around them to insure they are not disturbed. The completed project will eliminate or substantially restrict unauthorized OHV use and will, therefore, help protect these cultural resources.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. GEOLOGY AND SOILS – Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. NOISE – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. POPULATION AND HOUSING – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. TRANSPORTATION/TRAFFIC – Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment 6

Resolution Accepting the Proposed Mitigated Negative Declaration

Resolution No: 2019-4

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE FALL RIVER VALLEY
COMMUNITY SERVICES DISTRICT ACCEPTING THE PROPOSED MITIGATED
NEGATIVE DECLARATION FOR THE FALL RIVER LAKE TRAIL IMPROVEMENT AND
ECOCULTURAL ENHANCEMENT PROJECT**

WHEREAS The Fall River Valley Community Services District has determined the need for improved recreational opportunities in Fall River Mills; and

WHEREAS the Fall River Lake Trail Improvement and Ecocultural Enhancement Project will improve recreational opportunities in Fall River Mills; and

WHEREAS the scope of work requires an environmental determination; and

WHEREAS the District, as Lead Agency, has caused an Initial Study to be prepared for this proposal recommending adoption of a mitigated negative declaration for this project

WHEREAS the District, as Lead Agency, circulated a Notice of Intent to Adopt a Mitigated Negative Declaration for this project for the required 30-day period, to interested and responsible agencies, organizations and individuals from March 4, 2019 through April 3, 2019; and

WHEREAS the District received written comments from the California Department of Fish and Wildlife and the Native American Heritage Commission during the CEQA review period, and the Initial Study was revised to address the comments; and

WHEREAS a full, true and correct copy of the proposed mitigated negative declaration is hereby incorporated herein by this reference.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE FALL RIVER VALLEY COMMUNITY SERVICES DISTRICT DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1: The Board hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution; and,

SECTION 2: The Board finds and determines that the proposed mitigated negative declaration is in the best interest of the District and its inhabitants and complies with current laws; and

SECTION 3: The board does hereby accept the proposed mitigated negative declaration.

ADOPTED, SIGNED AND APPROVED by the Board of Directors of the Fall River Valley Community Services District at its regular meeting held on April 17, 2019.

We, the undersigned, hereby certify that the foregoing Resolution Number 2019-4 was duly adopted by the Board of the Fall River Valley Community Services District following a roll call vote:

Ayes: *Monath, Ontano, Gooch, Dewitt*

Nays: *None*

Absent: *Colby*

Jerry Monath

Stephen Rooklidge


Chairman of the Board 04/17/019


General Manager 04/17/2019

Notice of Determination

TO: County Clerk
County of Shasta
1643 Court Street
Redding, California 96001

FROM: Fall River Valley Community Services District
P.O. Box 427
24850 3rd Street
Fall River Mills, California 96028

Subject: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

Project Title: Fall River Lake Trail Improvement and Ecocultural Enhancement
Lead Agency & Fall River Valley Community Services District (FRVCSD)

Project Sponsor: 24850 3rd Street, P.O. Box 427
Fall River Mills, CA 96028

Contact: Bill Johnson, FRVCSD Parks Manager
530.336.5263
bjohnson@frvcسد.org

Project Location: The project area includes lands along the west bank of Fall River Lake/ Pit 1 Forebay and 20 acres of oak woodland on the east side of Fall River Lake/Pit 1 Forebay in Fall River Mills, Shasta County, California.

Project Description: Fall River Valley Community Services District (FRVCSD) proposes to transform existing off-highway vehicle roads adjacent to the east bank of Fall River Lake in Shasta County, California into no more than 2 miles of pedestrian and other non-motorized use trail, while decommissioning side roads/trails. In addition, the project will thin and restore up to 20 acres of mixed pine/oak woodlands on the west side of the lake and will install educational native plant guilds within restored areas that highlight the cultural importance of grassland and woodland ecosystems.

This is to advise that the Lead Agency has approved proceeding with this project, and has made the following determination regarding the above described project:

Based on an Initial Study, duly noticed and circulated, the Lead Agency finds that this project has the potential to affect special-status bird and aquatic species and cultural resources. Incorporation of project design features and mitigation measures stipulated in the Initial Study and Best Management Practices would reduce the risk of environmental impacts to less than significant, and that a Mitigated Negative Declaration is the appropriate determination for this project.

This is to certify that the Mitigated Negative Declaration for this project is available to the General Public at: Fall River Valley Community Services District, 24850 3rd Street, Fall River Mills, California, 96028



Bill Johnson, Parks Manager
Fall River Valley Community Services District

Apr 17, 2019

Date

Attachment 7

Notice of Determination

RECEIVED
APR 18 2019
SHASTA COUNTY CLERK

Notice of Determination

TO: County Clerk
County of Shasta
1643 Court Street
Redding, California 96001

FROM: Fall River Valley Community Services District
P.O. Box 427
24850 3rd Street
Fall River Mills, California 96028

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Bill Johnson, Parks Manager
Fall River Valley Community Services District

Apr 17, 2019
Date

RECEIVED

APR 18 2019

SHASTA COUNTY CLERK

Resolution No: 2019-4

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE FALL RIVER VALLEY
COMMUNITY SERVICES DISTRICT ACCEPTING THE PROPOSED MITIGATED
NEGATIVE DECLARATION FOR THE FALL RIVER LAKE TRAIL IMPROVEMENT AND
ECOCULTURAL ENHANCEMENT PROJECT**

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WHEREAS the District received written comments from the California Department of Fish and Wildlife and the Native American Heritage Commission during the CEQA review period

WHEREAS a full, true and correct copy of the proposed mitigated negative declaration is hereby incorporated herein by this reference

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE FALL RIVER VALLEY COMMUNITY SERVICES DISTRICT DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1: The Board hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution; and

SECTION 2: The Board finds and determines that the proposed mitigated negative declaration is in the best interest of the District and its inhabitants and complies with current laws and

SECTION 3: The board does hereby accept the proposed mitigated negative declaration

ADOPTED, SIGNED AND APPROVED by the Board of Directors of the Fall River Valley Community Services District at its regular meeting held on April 17, 2019.

We the undersigned hereby certify that the foregoing Resolution Number 2019-4 was duly adopted by the Board of the Fall River Valley Community Services District following a roll call vote:


Ayes: Monath, Ontano, Gooch, Dewitt


Nays: None

Absent: Colby

Jerry Monath

Stephen Rooklidge


Chairman of the Board 04/17/2019


General Manager 04/17/2019

FILED

THIS NOTICE WAS POSTED ON

04-18-19

IT WILL REMAIN POSTED THROUGH

05-20-19

A PERIOD OF 30 DAYS

CATHY DARLING ALLEN, COUNTY CLERK

BY:

Chadene Alban
DEPUTY CLERK**RECEIVED**

APR 18 2019

SHASTA COUNTY CLERK

19-024**Shasta County Clerk 2019 CEQA Filing Cover Sheet**

Complete and attach this form to each CEQA Notice of Determination/Exemption filed with the County Clerk

Type or Print Clearly

Lead Agency Fall River Valley Community Services District Email Address frmcscd@citlink.netProject Title Fall River Lake Trail Improvement and Ecocultural Enhancement ProjectProject Applicant Fall River Valley Community Services District Email Address frmcscd@citlink.netApplicant Type: ☐ Public Agency ☐ School District ☒ Other Special District ☐ State Agency ☐ Private EntityProject Applicant Address 24850 3rd Street, P.O. Box 427City Fall River Mills State CA Zip 96016 Phone Number 530.336.5263Contact Person Bill Johnson Phone Number 530.336.5263**Environmental Impact Report (EIR)**

<input type="checkbox"/>	Department of Fish and Wildlife Filing Fee	\$ 3,271.00
<input type="checkbox"/>	Previously Paid (must attach receipt)	Receipt #
<input type="checkbox"/>	County Administrative Fee	\$ 58.00

Mitigated Negative Declaration (MND) or Negative Declaration (ND)

<input checked="" type="checkbox"/>	Department of Fish and Wildlife Filing Fee	\$ 2,354.75
<input type="checkbox"/>	Previously Paid (must attach receipt)	Receipt #
<input checked="" type="checkbox"/>	County Administrative Fee	\$ 58.00

Notice of Exemption / No Effect Determination

<input type="checkbox"/>	Notice of Exemption (must attach letter)	No Fee
<input type="checkbox"/>	No Effect Determination (must attach letter)	No Fee
<input type="checkbox"/>	County Administrative Fee	\$ 58.00

Payment Method:		Receipt Information:	
<input type="checkbox"/> Cash	<input type="checkbox"/> Credit / Debit Card	Receipt #	<u>45-04182019-024</u>
<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Other	State Clearing House #	<u>2019039017</u>

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Shasta County Clerk

4/18/2019

Mitigated Negative Declaration-CDFW Filing Fee
Mitigated Negative Declaration-County Administrative

2,354.75
58.00

Patelco 629525-10

NOD Mitigated Negative Declaration Fees

2,412.75

Clerk's Office
County of SHASTA
CATHY DARLING ALLEN
County Clerk/Registrar of Voters

1 FISH AND WILDLIFE DOCUMENT 2412.75

TOTAL 2412.75

CHECK 9073 2412.75

CHANGE 0.00

04/18/2019 3:40PM 2019041800020
LW WS21655

Thank You
Have a Nice Day!

Requested By:
Public

Attachment 8

Native American Heritage Commission Letter

NATIVE AMERICAN HERITAGE COMMISSION

August 5, 2020

Jennifer Darcangelo

PG&E

Via Email to: J5D8@pge.com

Re: Fall River Lake Trail Improvement and Ecocultural Enhancement Project Easement, Shasta County

Dear Ms. Darcangelo:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,



Nancy Gonzalez-Lopez
Cultural Resources Analyst

Attachment



CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
Marshall McKay
Wintun

COMMISSIONER
William Mungary
Paiute/White Mountain Apache

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

**Native American Heritage Commission
Native American Contact List
Shasta County
8/5/2020**

Pit River Tribe of California

Natalie Forrest-Perez, Tribal
Historic Preservation Officer
36970 Park Ave
Burney, CA, 96013
Phone: (530) 335 - 5421
THPO@pitrivertribe.org

Pit River
Wintun

Pit River Tribe of California

Charles White, Tribal
Administrator
36970 Park Ave
Burney, CA, 96013
Phone: (530) 335 - 5421
Fax: (530) 335-3140

Pit River
Wintun

Pit River Tribe of California

Agnes Gonzalez, Chairperson
36970 Park Ave
Burney, CA, 96013
Phone: (916) 372 - 9720
Fax: (530) 335-3140
1010@gmail.com

Pit River
Wintun

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Fall River Lake Trail Improvement and Ecocultural Enhancement Project Easement, Shasta County.

**PG&E Gas and Electric
Advice Submittal List
General Order 96-B, Section IV**

AT&T
Albion Power Company

Alta Power Group, LLC
Anderson & Poole

Atlas ReFuel
BART

Barkovich & Yap, Inc.
California Cotton Ginners & Growers Assn
California Energy Commission

California Hub for Energy Efficiency
Financing

California Alternative Energy and
Advanced Transportation Financing
Authority
California Public Utilities Commission
Calpine

Cameron-Daniel, P.C.
Casner, Steve
Cenergy Power
Center for Biological Diversity

Chevron Pipeline and Power
City of Palo Alto

City of San Jose
Clean Power Research
Coast Economic Consulting
Commercial Energy
Crossborder Energy
Crown Road Energy, LLC
Davis Wright Tremaine LLP
Day Carter Murphy

Dept of General Services
Don Pickett & Associates, Inc.
Douglass & Liddell

East Bay Community Energy Ellison
Schneider & Harris LLP Energy
Management Service
Engineers and Scientists of California

GenOn Energy, Inc.
Goodin, MacBride, Squeri, Schlotz &
Ritchie
Green Power Institute
Hanna & Morton
ICF
IGS Energy
International Power Technology
Intestate Gas Services, Inc.
Kelly Group
Ken Bohn Consulting
Keyes & Fox LLP
Leviton Manufacturing Co., Inc.

Los Angeles County Integrated
Waste Management Task Force
MRW & Associates
Manatt Phelps Phillips
Marin Energy Authority
McKenzie & Associates

Modesto Irrigation District
NLine Energy, Inc.
NRG Solar

Office of Ratepayer Advocates
OnGrid Solar
Pacific Gas and Electric Company
Peninsula Clean Energy

Pioneer Community Energy

Redwood Coast Energy Authority
Regulatory & Cogeneration Service, Inc.
SCD Energy Solutions
San Diego Gas & Electric Company

SPURR
San Francisco Water Power and Sewer
Semptra Utilities

Sierra Telephone Company, Inc.
Southern California Edison Company
Southern California Gas Company
Spark Energy
Sun Light & Power
Sunshine Design
Tecogen, Inc.
TerraVerde Renewable Partners
Tiger Natural Gas, Inc.

TransCanada
Utility Cost Management
Utility Power Solutions
Water and Energy Consulting Wellhead
Electric Company
Western Manufactured Housing
Communities Association (WMA)
Yep Energy