

**Notice of Exemption**

**Appendix E**

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

From: (Public Agency): \_\_\_\_\_  
Turlock Irrigation District, 333 E Canal Dr, Turlock, CA 95380

County Clerk  
County of: Tuolumne  
2 S Green Street, Sonoma, CA 95370

(Address)

Mailing Address:  
Turlock Irrigation District, PO Box 949, Turlock CA 95381

Project Title: Modernization of Don Pedro Powerhouse Units 1, 2, and 3 Project

Project Applicant: Turlock Irrigation District

Project Location - Specific:

New Don Pedro Dam Powerhouse, La Grange, CA 95329

Project Location - City: La Grange Project Location - County: Tuolumne

Description of Nature, Purpose and Beneficiaries of Project:

The Proposed Project includes the replacement of turbine-generation units 1, 2, and 3 within the Don Pedro Powerhouse with modernized units.

Name of Public Agency Approving Project: Turlock Irrigation District

Name of Person or Agency Carrying Out Project: Turlock Irrigation District

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_  
Section 15301, Class 1 (Existing Facilities) and Section 15302, Class 2 (Replacement or Reconstruction)
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

The Proposed Project would not result in any significant effects to environmental resources, due to the lack of disturbance and negligible increase in capacity resulting from the Proposed Project.

Lead Agency  
Contact Person: BRAD KOEHN Area Code/Telephone/Extension: 209-883-8203

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: \_\_\_\_\_ Date: 6/2/2022 Title: CHIEF OPERATING OFFICER

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

Draft CEQA Exemption Supplemental Information  
Proposed Modernization of Don Pedro  
Powerhouse Units 1, 2, and 3 Project

Turlock Irrigation District and Modesto Irrigation District  
May 2022

# 1 Introduction

Turlock Irrigation District (TID) and Modesto Irrigation District (MID), co-licensees of the Don Pedro Hydroelectric Project No. 2299 (Hydroelectric Project), located on the Tuolumne River in Tuolumne County, California, are submitting an application for a non-capacity amendment of the existing Federal Energy Regulatory Commission (FERC) license. The amendment addresses the replacement of three of the Hydroelectric Project's four turbine-generator units and is herein referred to as the Proposed Modernization of Don Pedro Powerhouse Units 1, 2, and 3 Project (Proposed Project).

TID and MID have determined that the Proposed Project is categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15301, Class 1 (Existing Facilities) and Section 15302, Class 2 (Replacement or Reconstruction), and would not result in any significant effects to environmental resources due to the lack of disturbance and negligible increase in capacity resulting from the Proposed Project.

# 2 Project Location

The Proposed Project consists of replacing three of the Hydroelectric Project's four turbine-generator units in the Don Pedro Powerhouse with modernized units. Work would take place primarily within the powerhouse. Equipment would be transported to the powerhouse via existing roads. Access to the powerhouse would be from the existing paved access road off Bonds Flat Road. Staging and laydown of materials and equipment would take place at previously disturbed areas of the upper yard area adjacent to the warehouse buildings, previously disturbed areas along the access road, and the powerhouse deck. The location of the proposed work and access routes are shown in Figure 1.

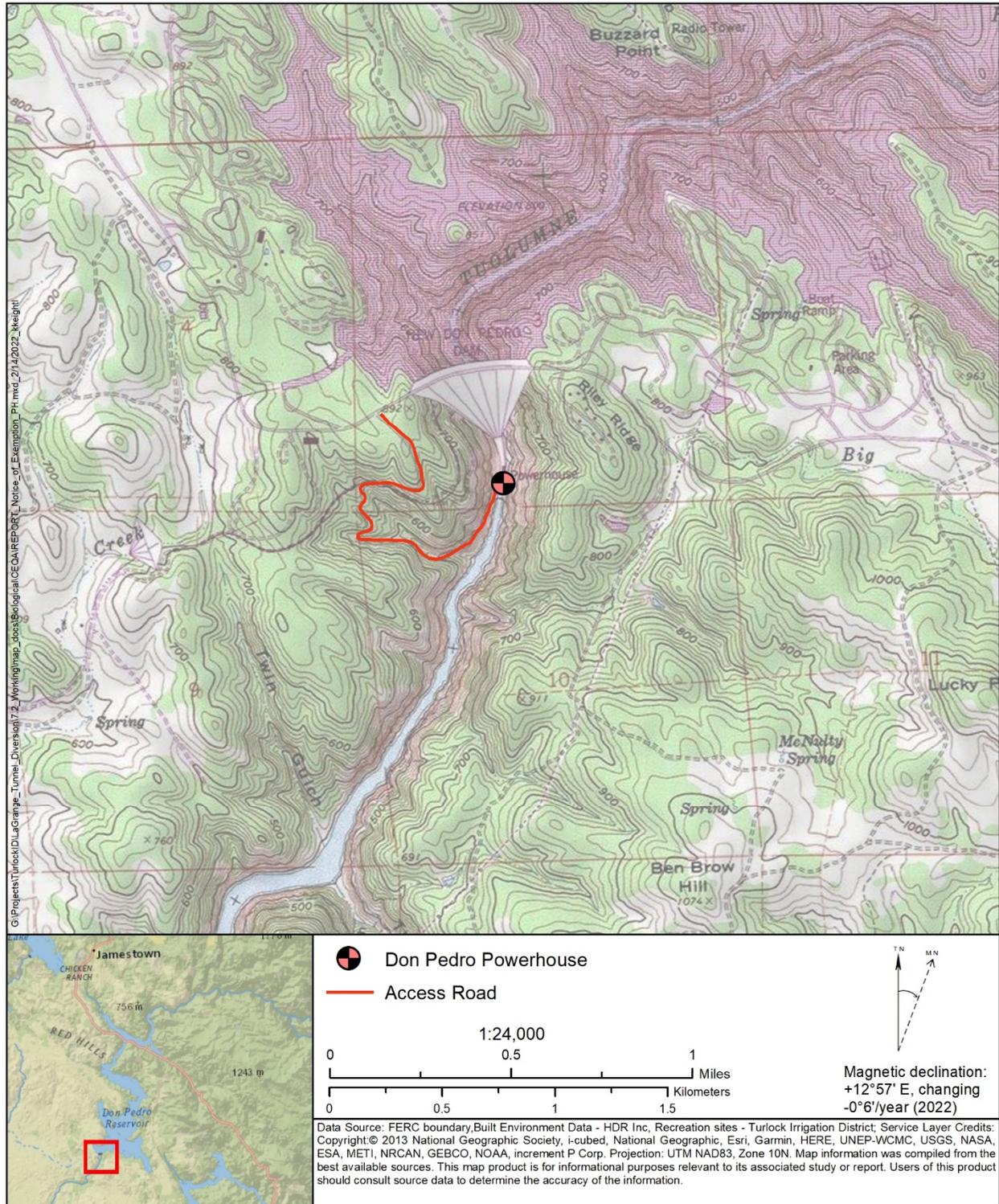


Figure 1. Proposed Project Location

### 3 Description of Proposed Activities

The Proposed Project includes replacing turbine-generation Units 1, 2, and 3 within the Don Pedro Powerhouse with modernized units. The existing units have reached the end of their useful life, which has resulted in frequent mechanical breakdowns and unscheduled outages to conduct interim repairs, some of which have extended for many months. In evaluating replacement options, TID and MID concluded that replacing the units with an uprated generator to match the existing turbine hydraulic capacity (existing units are generator-limited) and a modern high-efficiency turbine runner, would increase the Hydroelectric Project's operational efficiency and provide a slightly wider and more flexible operating range, rather than simply replacing them with identical units.

It is anticipated that the modernization would increase the Hydroelectric Project's overall installed capacity from 168 to 206 megawatts (MW). In addition, the modernization would increase the maximum hydraulic capacity from 5,847 to 6,453 cubic feet per second (cfs). The proposed replacement of the units constitutes an approximately 23 percent increase in generation and 10 percent increase in hydraulic capacity. However, inflow to the turbine-generator units from the power tunnel would be unchanged and would remain at a maximum hydraulic capacity of 6,800 cfs through all four units combined. The Hydroelectric Project is operated under TID and MID's "water first" operational approach. Under this approach, TID and MID operate the Hydroelectric Project to meet the needs for water supply and consumptive use purposes as a first priority, consistent with satisfying all downstream flow requirements of the existing license. Water is released from the Hydroelectric Project for three purposes: (1) to meet the irrigation and municipal and industrial demand of customers; (2) to meet the guidelines of the United States Department of Defense, Army Corps of Engineers' flood control manual, including pre-releasing flows during wet years in anticipation of high runoff; and (3) to fulfill the license requirements for flows in the lower Tuolumne River, as measured at the United States Geological Surveys' La Grange gage. Hydroelectric generation is incidental to flows provided for these purposes. The timing and quantity of daily downstream water releases would not be altered by the Proposed Project. As such, while the proposed replacement increases capacity and operational flexibility, it would only result in a negligible hydroelectric capacity increase because the water requirements and overall operating conditions would not change.

The proposed replacement would not require any modifications of the power tunnel; the turbine bypass hollow jet valve; Unit 4; outlets for Units 1, 2, and 3; or TID and MID's "water first" operations. Unit 4 is not currently at the end of its useful life but will be in the next 10 years. The refurbishment of Unit 4 is not part of the Proposed Project.

During replacement of the units, each unit's replacement outage would occur over approximately 9 months, commencing after FERC amends the existing license to include the replacement; and detailed design, approval of detailed construction plans, acquisition of any additional required permits, and purchase and delivery of equipment are complete. It is estimated that implementation could begin in 2024. . The unit replacement outages would be staggered one after the other.

All construction would occur in the existing FERC Project Boundary (i.e., mostly within the Don Pedro Powerhouse facility) and remain within a limited footprint; construction would not disturb any areas that have not been previously disturbed, and no subsurface work is anticipated. There is no planned work that would occur in the streambed and no vegetation disturbance is anticipated. Equipment would be transported to the powerhouse via existing roads, with no road closures or road

modifications required. The upper yard area adjacent to the existing warehouse buildings, previously disturbed areas along the access road, and the powerhouse deck would be used as the laydown and staging areas. No borrow or spoil areas are needed. All removed equipment and refuse would be transported off site and disposed of in areas approved for such disposal.

Key construction activities include the following:

- Site preparation;
- Supplier mobilization;
- Installer mobilization;
- Equipment delivery and storage;
- Unit disassembly;
- Unit refurbishment/modernization;
- Unit reassembly;
- System testing and startup; and
- Site restoration.

The construction labor force is estimated to average approximately 25 persons during each outage period. TID and MID anticipate that no more than 30 trailer (“low boy”) truck roundtrips per outage would be required to transport the stators, rotors, runners, shafts, headcovers, draft tubes, wicket gates, and other heavy materials and equipment to the Don Pedro Powerhouse. Approximately two to three truckloads of concrete may be needed for equipment pads, foundations, and curbs within the facility. No changes in road conditions are anticipated as a result of the work.

Equipment required for the Proposed Project would include typical heavy construction equipment, including one or two delivery trucks, two truck-mounted cranes, pickup trucks, a construction office trailer, and miscellaneous equipment. Smaller equipment would include hoists, platforms, concrete placing equipment, welding machines, pipe fitting equipment, and other miscellaneous equipment customary to the electrical, mechanical, and structural crafts. All equipment would be operated and maintained in accordance with existing operations and maintenance requirements for the Hydroelectric Project.

TID and MID do not propose any changes to the terms and conditions in the existing license, other than updating design drawings, or related agreements. Replacement of the units would not require any modification to flow requirements in the existing license: downstream flow requirements and water deliveries would continue in their current manner and remain consistent with the current license terms. New Don Pedro Dam flood control operations would also not be affected. Further, TID and MID possess all necessary property and rights, including water rights, to operate the Hydroelectric Project with the modernized equipment.

TID and MID anticipate consulting with the following agencies regarding the need for permits related to the replacement work:

- California Department of Transportation regarding a Transportation Permit if some construction vehicles have overweight or oversized loads;
- California State Water Resources Control Board regarding an Industrial General Permit Storm Water Pollution Prevention Plan;
- San Joaquin Valley Air Pollution Control District regarding an air quality permit during construction; and

- Tuolumne County regarding a general construction permit and any other necessary county and local construction permits.

## 4 CEQA Exemption Determination

Approval of the Proposed Project is a discretionary action pursuant to CEQA (Pub. Resources Code Section 21000 et seq.). Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and “which shall, therefore, be exempt from the provisions of CEQA.” These exemptions are referred to as categorical exemptions. TID and MID have determined that the Proposed Project is exempt from CEQA, pursuant to the CEQA Guidelines, Section 15301 Existing Facilities (Class 1) and Section 15302 Replacement or Reconstruction (Class 2).

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

TID and MID base their CEQA exemption finding on the following:

1. The Proposed Project consists of replacing turbine-generation equipment that would be considered a minor alteration and result in a negligible increase in operational capacity and would not alter the existing use of the facility. (Class 1)
2. The Proposed Project consists of replacing existing power generation facilities within the existing Don Pedro Powerhouse with new units that would have substantially the same purpose and capacity as the structure replaced. (Class 2)

CEQA Guidelines Section 15300.2, limit the use of categorical exemptions in the following six circumstances:

- a. Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- b. Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- c. Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- d. Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic

highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

- e. Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- f. Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

None of these exceptions applies to the Proposed Project, as outlined below.

The Proposed Project is not seeking exemption under Classes 3, 4, 5, 6, or 11.

The Proposed Project activities would not contribute to any significant cumulative impact. Impacts from the Proposed Project would be discrete, temporary, and localized to a small footprint and would not aggregate with potential impacts from other projects, such that no significant cumulative impacts would occur.

Proposed Project activities would be short term and temporary and there are no unusual circumstances. Impacts of the Proposed Project would be localized and limited to a small footprint for the installation of the turbine-generation units. All of the work would occur within the Don Pedro Powerhouse and at previously disturbed areas (i.e., parking and upper yard areas, access roadside areas). No new ground disturbance, vegetation removal, or streambed disturbance is anticipated. Proposed Project activities would be primarily located within the powerhouse structure with closed doors and would not result in any significant effects on habitat or other sensitive natural terrestrial communities identified in local or regional plans, policies, regulations, or by California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Further, TID and MID found no special-status species, Endangered Species Act species, sensitive species, or cultural resources located in areas of Proposed Project disturbance in relicensing studies for the Hydroelectric Project. While the presence of bats was detected at the Don Pedro Powerhouse in the 2017 study report, bats would not be disturbed by work associated with the Proposed Project because work would be conducted within closed doors such that bats could not enter the powerhouse building. When doors need to be opened to allow workers and equipment into the powerhouse, the doors would not be opened more than they typically would to allow workers in and out of the powerhouse building during normal operations. Additionally, bats in the area outside of the powerhouse would not be disturbed by additional noise or vibration associated with the Proposed Project because noise and vibration levels during replacement work would be lower than noise and vibration levels during normal operations because three of the four turbine-generation units would not be operating during the replacement work and therefore would not be creating noise or vibration. Equipment and vehicles that would be used during the replacement work would create lesser noise and vibrations than the turbine-generation units and other vehicles produce during normal operations. Further, work would occur during daytime hours and would only occur on a finite short term and temporary basis, thus not substantially changing levels of disturbance over that of existing operations. In the 2020 final environmental impact statement, FERC determined that the Proposed Project could have a minor, but likely undetectable, effect on water quality<sup>1</sup>. The Proposed Project would obtain all necessary

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<sup>1</sup> Federal Energy Regulatory Commission. 2020. Final Environmental Impact Statement for Hydropower Licenses, Don Pedro Hydroelectric Project (Project No. 2299-082—California), La Grange Hydroelectric Project (Project No. 14581-002—California). [Don Pedro Hydropower Relicensing » Environmental Impact Statement \(donpedro-relicensing.com\)](https://www.ferc.gov/ceqa/DonPedroHydropowerRelicensing/EnvironmentalImpactStatement/donpedro-relicensing.com).

permits for construction and adhere to the conditions included in those permits and approvals. As such, the Proposed Project would not have a significant effect on the environment.

There are no officially designated scenic highways in the vicinity of the Proposed Project. The Proposed Project would not be in, or visible from, an officially designated scenic highway or remove or damage scenic resources within an officially designated scenic highway.

Proposed Project construction would not occur on a listed hazardous materials site. In the unlikely event that any hazardous wastes are discovered during Proposed Project implementation, such wastes would be handled and disposed of pursuant to applicable regulatory requirements.

Actions would be taken to avoid potential public hazard or health effects, including site-specific health and safety plans and wildfire prevention measures. Equipment required for implementing the Proposed Project would require the use of some materials (e.g., gasoline and lubricants) designated as hazardous; however, protocols for appropriate transport, use, and/or disposal of hazardous materials would be followed.

The Proposed Project would not have the potential for effects to cultural resources, including prehistoric and historic-era archaeological sites, buildings, structures, Tribal Cultural Resources, Traditional Cultural Properties, Native American sacred sites, or human remains. The Proposed Project would not include any subsurface work; therefore, it would not have the potential to discover buried cultural or Tribal Cultural Resources or remains. TID and MID participated in consultation with interested tribes regarding the Proposed Project in 2021 and they indicated no concerns with the Proposed Project.

A cultural resources investigation was conducted on January 30, 2022, to evaluate the eligibility of the Don Pedro Powerhouse and Switchyard for inclusion in the register with the State Historic Preservation Officer (SHPO). It was determined that both the powerhouse and switchyard are ineligible under Criterion A-D. Attachment A includes the concurrence letter from SHPO. As such, any minor alterations to the powerhouse or switchyard resulting from the Proposed Project would have no impact on cultural or historic resources.

As a result, TID and MID have determined that Proposed Project activities fall within the Class 1 and Class 2 exemptions described above. None of the exceptions set forth in Section 15300.2 of the CEQA Guidelines apply. For all the reasons stated above, the Proposed Project is categorically exempt from CEQA.

# Attachment A. SHPO Concurrence Letter



DEPARTMENT OF PARKS AND RECREATION  
OFFICE OF HISTORIC PRESERVATION

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer

1725 23rd Street, Suite 100, Sacramento, CA 95816-7100

Telephone: (916) 445-7000 FAX: (916) 445-7053

calshpo.ohp@parks.ca.gov [www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov)

March 25, 2022

In reply refer to: FERC111230A

Mr. Michael Cooke  
Director of Water Resources and  
Regulatory Affairs  
Turlock Irrigation District  
P.O. Box 949  
Turlock, CA 95381

Mr. Gordon Enas  
Interim Civil Engineering Manager  
Modesto Irrigation District  
P.O. Box 4060  
Modesto, CA 95352

VIA EMAIL/FERC E-File

RE: Section 106 Consultation for Historic Property Evaluations for the Don Pedro Hydroelectric Project (FERC No. 2299) Tuolumne County, California

Dear Mr. Cooke and Mr. Enas,

The State Historic Preservation Officer (SHPO) received your consultation letter dated February 24, 2022, pursuant to Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 300101), as amended, and its implementing regulation found at 36 CFR 800. The Turlock Irrigation District and the Modesto Irrigation District (Districts), own and operate the Don Pedro Hydroelectric Project. The Federal Energy Regulatory Commission (FERC) designated the Districts as its non-federal representatives pursuant to 36 CFR § 800.2(c)(4) for purposes of Section 106 consultation.

At this time the Districts seeks SHPO concurrence that the Don Pedro Powerhouse (P-55-8872) and the Don Pedro Powerhouse Switchyard (P-55-8883) are not eligible for listing in the National Register of Historic Places (NRHP). Department of Parks and Recreation (DPR) forms were provided in support of these determinations.

Following review of the supporting documentation, pursuant to 36 CFR § 800.4(c)(2), **I concur** that the Don Pedro Powerhouse (P-55-8872) and the Don Pedro Powerhouse Switchyard (P-55-8883) are not eligible for listing in the NRHP.

Mr. Michael Cooke  
Mr. Gordon Enas  
March 25, 2022  
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FERC111230A

Please confirm receipt of this letter as a hard copy will be sent only upon your request. If you have any questions or concerns, please contact Brendon Greenaway at (916) 445-7036 or [Brendon.Greenaway@parks.ca.gov](mailto:Brendon.Greenaway@parks.ca.gov).

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'J' followed by a horizontal line extending to the right.

Julianne Polanco  
State Historic Preservation Officer