

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER WR 2008-0038-EXEC

In the Matter of the Petition for Reconsideration by
California Salmon and Steelhead Association
Regarding Order WR 2008-0030-DWR
Which Approved a Temporary Transfer of up to 10,000 Acre-Feet by

South Fork Feather Water and Power Agency

Permits 1267 and 2492 (Applications 1651 and 2778)

ORDER DENYING RECONSIDERATION

BY THE EXECUTIVE DIRECTOR:

1.0 INTRODUCTION

California Salmon and Steelhead Association (CSSA or Petitioner) petitions the State Water Resources Control Board (State Water Board or Board) for reconsideration of the Division of Water Rights (Division) order approving Order WR 2008-0030-DWR, a temporary transfer of up to 10,000 acre-feet of water from South Fork Feather Water and Power Agency to several state water contract agencies. CSSA requests the State Water Board to rescind the approved water transfer pending mitigation of prior fish losses at the "state pumps"¹ and the reduction or cessation of fish losses at those pumps. The State Water Board Executive Director finds that the petition fails to raise substantial issues related to the causes for reconsideration set out in California Code of Regulations, title 23, section 768 and denies CSSA's petition for reconsideration.

¹ Based on review of CSSA's earlier comments, it appears that the organization's concerns regarding the "state pumps" refer to the Department of Water Rights' Clifton Court Forebay diversion facility, which is one of the new points of diversion temporarily added to Permits 1267 and 2492. However, the analysis in this order applies equally if "state pumps" refer also to the Barker Slough Pumping Plant, the other point of diversion added.