

Legal

Suit Draper

D1422

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Applications 14858,
14859, 19303, and 19304 of the UNITED STATES
BUREAU OF RECLAMATION
Applicant and Petitioner

)
) Order WR 73-28
) Source: Stanislaus River
) Counties: Calaveras and
) Tuolumne

ORDER DENYING PETITIONS FOR RECONSIDERATION
OF DECISION 1422 (NEW MELONES PROJECT)

On April 4, 1973, the State Water Resources Control Board adopted Decision 1422 approving in part Applications 14858, 14859, 19303, and 19304 of the United States Bureau of Reclamation covering the New Melones Project.

Five petitions for reconsideration of the decision were filed on behalf of: the Bureau of Reclamation, Stanislaus County, Stockton-East Water District, Stanislaus River Flood Control Association, California Department of Fish and Game, and the Environmental Defense Fund.

The Bureau of Reclamation subsequently filed a supplemental petition.

The Department of Fish and Game contends in its petition that control of water temperatures, as required for the spawning of salmon, will not be possible unless the decision is modified. The Board has reserved jurisdiction over the permits for the purpose of protecting fishlife (term 6 of the Order). No further permit condition or limitation is necessary.

(7)

All of the other issues raised by the petitioners were considered in arriving at Decision 1422, and no modification of the decision is warranted by reason of their arguments.

IT IS ORDERED that the petitions for reconsideration of Decision 1422 and the Bureau's supplemental petition are denied.

Dated: May 17, 1973

W. W. ADAMS
W. W. Adams, Chairman

RONALD B. ROBIE
Ronald B. Robie, Vice Chairman

ABSENT

Roy E. Dodson, Member

MRS. CARL H. (JEAN) AUER
Mrs. Carl H. (Jean) Auer, Member

W. DON MAUGHAN
W. Don Maughan, Member