

Agenda Item # 8

Consideration of Draft Order Regarding
Merced Irrigation District's
Request to Stay Investigation Order
WR 2011-0003-EXEC



Background Information

- Merced Irrigation District is seeking a new federal license for its hydroelectric project
 - Filed Notice of Intent to seek license in November 2008
 - Current license expires February 2014
- Board must act on an application for Clean Water Act Section 401 Water Quality Certification as part of relicensing

Background Information

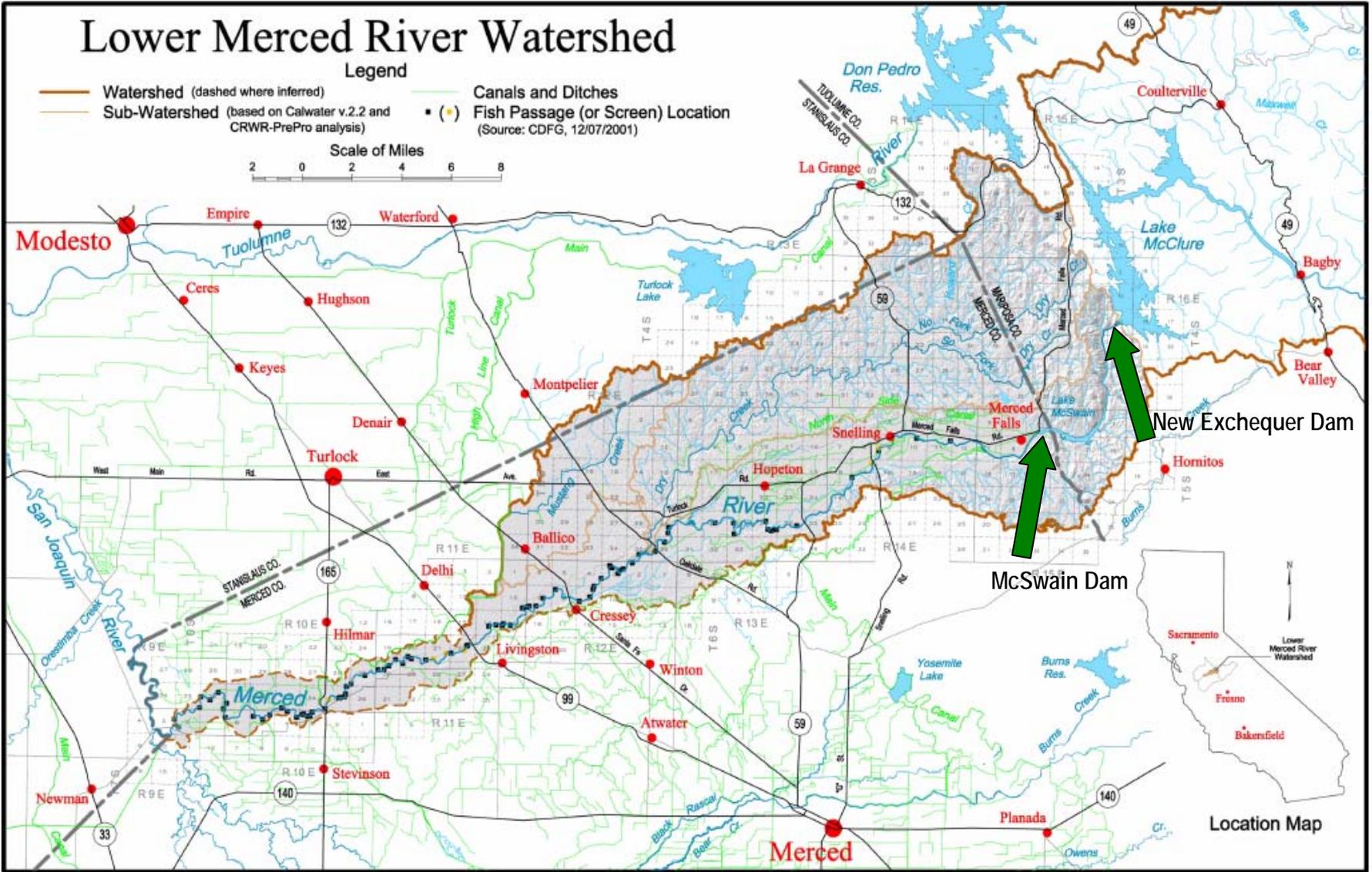
- Executive Director issued Investigation Order WR 2011-0003-EXEC on January 28, 2011
 - Requires the submittal of information and study results
 - Needed to assess effects of project on water quality and beneficial uses

Lower Merced River Watershed

Legend

-  Watershed (dashed where inferred)
-  Sub-Watershed (based on Calwater v.2.2 and CRWR-PrePro analysis)
-  Canals and Ditches
-  Fish Passage (or Screen) Location (Source: CDFG, 12/07/2001)

Scale of Miles



Map prepared by: California Department of Water Resources, San Joaquin District, June 21, 2005

Petition for Reconsideration and Request for Stay

- Merced Irrigation District filed Petition for Reconsideration and Request for Stay of Investigation Order
 - Concerns:
 - primarily legal issues
 - cost of studies



Notice of Petition

- Petition publicly noticed on March 4, 2011, soliciting comments
- Comments received from:
 - Merced Irrigation District
 - Modesto Irrigation District
 - City of Merced
 - PacifiCorp
 - California Department of Fish and Game
 - NOAA Fisheries
 - Conservation Groups (Friends of the River, American Rivers, CSPA, Trout Unlimited, Merced River Conservation Committee, Northern California Council of Federation of Fly Fishers)



April 19, 2011