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## State Water Resources Control Board

**MAY 23 2012**

Mr. Kent Smith  
Regional Manager  
California Department of Fish and Game  
North Central Region  
1701 Nimbus Road  
Rancho Cordova, CA 95670

### REQUEST FOR INPUT REGARDING PETITION TO REOPEN AND AMEND OROVILLE HYDROELECTRIC PROJECT'S WATER QUALITY CERTIFICATION

Dear Mr. Smith:

The State Water Resources Control Board (State Water Board) received the enclosed petition from Golden Gate Salmon Association and the California Sportfishing Protection Alliance (collectively referred to as Petitioners) to reopen and amend the enclosed water quality certification for the Oroville Hydroelectric Project (Federal Energy Regulatory Commission, Project No. 2100). The State Water Board would like to request the opinion of the California Department of Fish and Game (CDFG) regarding the petition's allegations and the supporting evidence, as the petition raises issues relating to the federally-threatened Southern Distinct Population Segment of North American green sturgeon (*Acipenser medirostris*; green sturgeon). Additionally, the State Water Board would appreciate CDFG's recommendation regarding whether to hold a workshop at this time to determine whether to amend the water quality certification.

The Petitioners present evidence that green sturgeon are present in the Feather River, and suggest that the Oroville Hydroelectric Project's operations under the water quality certification should be changed in light of this new evidence. They raise specific concerns that the March to May flow requirements in the water quality certification are insufficient for successful migration and spawning of green sturgeon, and that the fish segregation weir requirements imposed to protect against further genetic introgression of spring and fall-run Chinook salmon (*Oncorhynchus tshawytscha*) may harm green sturgeon. The Petitioners recommend that the State Water Board hold a workshop on the issues raised by new information concerning the green sturgeon.

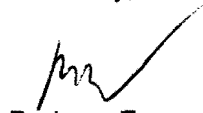
The Petitioners also make broad statements concerning the balancing of the needs of anadromous fish in general, without additional evidentiary support. While the impetus for our letter is seeking information on the green sturgeon as detailed above, the State Water Board would also welcome any input CDFG has on these more generalized concerns.

MAY 23 2012

Please contact Ms. Michelle Lobo in my office, at (916) 327-3117 or by email at [MLobo@waterboards.ca.gov](mailto:MLobo@waterboards.ca.gov), if you would like to discuss any of the matters.

Please respond in writing to:  
State Water Resources Control Board  
Division of Water Rights  
Attention: Michelle Lobo  
P.O. Box 2000  
Sacramento, CA 95812-2000

Sincerely,



Barbara Evoy  
Deputy Director

Enclosures (2)

cc: Mr. Bill Jennings, Chairman (w/o enclosures)  
Executive Director  
California Sportfishing Protection Alliance  
3536 Rainier Avenue  
Stockton, CA 95204

Mr. Victor Gonella (w/o enclosures)  
President  
Golden Gate Salmon Association  
1370 Auto Center Drive  
Petaluma, CA 94952

Mr. Ted Craddock (w/o enclosures)  
Acting Chief  
Department of Water Resources  
Hydro License Planning and Compliance  
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P.O. Box 942836  
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