

POLICY STATEMENT
CALIFORNIA DEPARTMENT OF FISH AND GAME

Before the State Water Resources Control Board
Regarding Petition Requesting Change in the Effective Date of the Long Term Flow
Requirements Established in RD-1644

January 10, 2006

Good morning. I thank you for accommodating my schedule, and providing time for me to address you this morning. I am Ryan Broddrick, Director of the California Department of Fish and Game (CDFG). I am here today to voice the Department's support for the petition filed by the Yuba County Water Agency (YCWA) to change the effective date of the long term in stream flow requirements specified in RD 1644 from April 21, 2006 to March 1, 2007. CDFG believes that the extension is necessary for YCWA to implement the 2006 Pilot Program, a one year transfer and in stream flow arrangement that is based on the proposed Yuba Accord. This extension was discussed among the parties as a necessary step in the overall proposed Yuba Accord process in order to allow time to develop an adequate CEQA/NEPA document.

CDFG was involved throughout the process that led to the proposed Lower Yuba River Fisheries Agreement (Fisheries Agreement), an element of the proposed Yuba Accord. CDFG staff actively participated in the work that led to the development of the proposed Yuba River in stream flow schedules that are a key element of the Fisheries Agreement. CDFG staff also participated in the negotiation of other aspects of the Fisheries Agreement, including the development of a cooperative River Management Team approach to river management and creation of an outline of a program of studies for the Lower Yuba River.

YCWA has begun preparing an EIR/EIS for the proposed Yuba Accord. CDFG believes this analysis will demonstrate that the comprehensive Accord agreements, as a package, will provide an equivalent or better level of protection for fish in the Lower Yuba River relative to the regulatory requirements currently in place. And, for the purposes of the hearing today, approval of this petition would, in turn, not "unreasonably affect fish, wildlife, or other in stream beneficial uses."

The proposed Yuba Accord will benefit not only the aquatic resources in the Yuba River, but also those in other parts of the State. The proposed Accord will provide a long term water supply for the CALFED Environmental Water Account, a program intended to increase the survival of fish, primarily in the Delta, and increase water supply reliability for consumptive use. The EWA enables the fish agencies to modify water project operations at key times to benefit fish and later replace water supplies interrupted by those modifications. Water transferred from the Yuba River through the Delta will constitute a portion of those replacement supplies.

CDFG urges the State Water Resources Control Board to approve the petition before it today to change the effective date of the long term in stream flow requirements specified in RD-1644. The Board should also approve the petition filed by Yuba County Water Agency in November, 2005 for the implementation of the 2006 Pilot Program. Both these petitions work together and are necessary to ensure that the objectives of the proposed Yuba Accord are met.

Thank you very much for your time and attention today.