



**M e m o r a n d u m**

Date: August 30, 2012

To: Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100



From: Tina Bartlett  
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Department of Fish and Game  
1701 Nimbus Road, Suite A  
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A handwritten signature in blue ink that reads "Jeff Bengerson".

Subject: **COMMENT LETTER – 9/17/12 BOARD WORKSHOP: Truckee River Decision**

The Department of Fish and Game (Department) would like to thank the State Water Resources Control Board (SWRCB) for the opportunity to comment on the "Draft Decision Conditionally Approving Applications 31487 and 31488 and Conditionally Approving Petitions to Change License 3723 (Application 5169), License 4196 (Application 9247), Permit 11605 (Application 15673), and License 10180 (Application 18006) – Independence Creek, Little Truckee River, and Prosser Creek Tributary to the Truckee River, in Nevada and Sierra Counties" released on July 18, 2012. The Department commends the SWRCB staff for the effort put into the review of the complex water issues involving the Truckee River Basin.

As the trustee agency for California's fish and wildlife resources, the Department supports the SWRCB's conditional approval of the water rights applications sought by the Bureau of Reclamation (BOR) and the petition to change applications sought by BOR, Truckee Meadows Water Authority and Washoe County Water Conservation District, which are intended to accommodate the implementation of the Truckee River Operating Agreement (TROA). As we mentioned in our policy statement at the July 21, 2010 Truckee River Watershed Hearing, the Department was an active participant during parts of the lengthy TROA negotiation process. The Department has maintained from the outset that the Truckee River Basin fishery resources must be protected with adequate minimum flow conditions in all stream reaches and the establishment of a habitat restoration program. Both of these elements are included in the TROA, and will improve instream resources such as water quality, wildlife habitat, recreational opportunities, and protect public trust resources while allowing greater water supply flexibility.

The Department believes that the TROA is a positive step toward restoring the instream flow resources of the Truckee River Basin that have deteriorated over the

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years due to water supply project impacts and other stressors, and will overall be beneficial to public trust resources. As a step toward the implementation of the TROA, the Department is supportive of the SWRCB's Truckee River Basin Draft Decision and looks forward to participating in your September 17, 2012 public workshop to receive comments on the Draft Decision.

If you have any questions regarding this issue, please contact Laurie A. Soule at (916) 358-2847 or [lsoule@dfg.ca.gov](mailto:lsoule@dfg.ca.gov).

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