

Introductory Note

The TROA DEIS/EIR is based on model runs made on June 17, 1996. The input parameters to these model runs were determined a few weeks before then. As Nels Jacobs wrote after a May 16, 1996, meeting of the TROA EIS/EIR Management Team: "I was assured that no other changes will be made to the model runs after May 24th (1996). If any changes occur as a result of continued negotiations, etc., they will be accommodated in the Final EIS/EIR."

Consequently, I've gone through my notes and compiled what I believe is a comprehensive list of potential updates to the model based on TROA Negotiations since then. I have not reiterated those already listed in our "Changes to TROA Model for FEIS/EIR" table, e.g., "exchange, rules, and priorities". My prospective additions to the list are below.

I suggest we discuss this at our next TROA EIS/EIR Management Team meeting.

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List of More Potential Updates to the Model based on TROA Negotiations since 1996

1. **Accumulation of JPFCW** - The accounting provisions for the accumulation of Joint Program Fish Credit Water were revised about 18 months ago. The model may not reflect the latest limits on accumulation as set forth in the language.
2. **Provisions for the Displacement of JPFCW and other Credit Waters** - Criteria for the displacement of Joint Program Fish Credit Water was added to TROA a year or so ago. Criteria for the displacement of other credit waters is currently under consideration by the Exchange Subgroup.
3. **Exchange provisions for Martis Creek Reservoir** - Section 5.B.5 states: "to the extent that flood control operation of Martis Creek Reservoir results in the temporary impoundment of water which would otherwise flow into Pyramid Lake, the provisions of Section 7.C.4 shall apply (When Fish Credit Water is released from Martis Creek Reservoir pursuant to established flood control operations, it may be exchanged for Release of Pooled Water or Credit Water). This language was modified a year or so ago, and, while some of these concepts may have been carried over from earlier language, I don't believe any of it is in the model.
4. **Revised reservoir storage limits for enhanced minimum releases** - Article 9 was updated to exclude "OCAP Credit Water", "Newlands Project Credit Water", and any "Other Credit Water" in the calculation of maximum reservoir levels, above which mandatory exchanges for instream flows are not required. This applies to Sections 9.C.1, 9.C.3, 9.C.6, and 9.C.7.
5. **Permitting transfer of the Sierra Valley Diversion For Use in the Truckee River Basin** - Section 6.C.7 has been modified to allow this transfer, either to satisfy water



rights in Nevada or in California. Should a sensitivity analysis be done to evaluate this possibility?

6. **Operation of Independence Lake to protect LCT** - Section 5.B.7(h)(3), on *Providing Spawning Access for Lahontan Cutthroat Trout of Independence Lake*, was changed to include some constraints on the operation of Independence Lake and some mandatory exchanges to benefit the LCT population in the lake.
7. **Snowmaking 100 afa set-aside** for making snow in the Tahoe Basin using water in the Truckee Basin. This would not apply to current conditions, but could be assumed for the future with TROA, since TROA language explicitly permits it, overriding the PL101-618 prohibition against moving water out of the Truckee Basin. Whether and to what extent it would occur in the future without TROA is questionable.
8. **Physical constraints interfere with enhanced minimum releases into Prosser Creek** - During the Drafting Committee meeting on 7-8-98, the negotiators brought up the issue of operating Prosser Creek Reservoir to meet the Cal-DFG enhanced minimum release of 16 cfs. The outlet works at Prosser allow releases of 12 cfs or below, 25 cfs or above, but not between 12 and 25 cfs. California said we'd check with Cal-DFG about how to address this problem. This issue is still being negotiated.
9. **Voluntary Exchanges of Project (Pooled) Water** - At the 7-8-98 Drafting Committee meeting, California distributed draft language that permitted voluntary exchanges of Project Water under certain circumstances. Other voluntary exchanges of Project Water, including the Tahoe/Stampede Pooled Water Exchange, may be affected. This issue is still being negotiated.
10. **Mandatory Exchanges of California M&I Water in Lake Tahoe with Fish Water in lower reservoirs** - Such exchanges would supplement the previously-agreed-to exchanges covering exchanges of California M&I Water in Lake Tahoe with Fish Credit Water in lower reservoirs. This issue came up at the Exchange Subgroup meeting on August 7 and is still being negotiated.
11. **Revising Credit Water Operations to improve water quality below T-TSA** - At a 9-10-98 meeting on modeling, we discussed changing the constraints on exchanging Sierra's water out of Donner Lake, so as to reduce the potential for TROA to decrease flows on the Truckee River below T-TSA in October, causing water quality objectives to be met less often. This issue is still being negotiated.
12. **Minimum Flows Adjacent to the Run-of-the-River Power Generators**. During a recent conference call, we discussed: 1) should the minimum bypass flow on the Truckee River be 50 cfs, as currently stated in TROA, 150 cfs (the Cal-DFG minimum flow in that reach of the Truckee River), or something else, and 2) can Fish Water, Fish Credit Water, and Water Quality Water be used to supplement flows adjacent to the power plants? This issue is still being negotiated.

13. **Changing Storage Options for the Tahoe-Prosser Exchange Agreement** - During the July 7 TROA Drafting Committee meeting, Bob Pelcyger made a new proposal that would allow any reservoir, not just the Prosser Creek Reservoir, to meet the water storage requirements in the *Tahoe-Prosser Exchange Agreement*. On July 20, Bob followed that up with some specific language. This issue is still being negotiated, but it would involve substantial revisions to the model if agreed to.