

email to Kunkin Feb 2003

Fish management LCT/cui-ui

- Potential for black hole (we need reasonable assumptions for modeling and how to analyze fish management in the EIS, how do we get this without being drawn into a long process on determining what the management for the fish will be (which will be a very long process))
- Flow regimes are iterative process with modeling. Run the model; see what impacts are shown, then rerun model until satisfied that the flow regimes selected meet the criteria that was developed. We did this process with the negotiators when we were determining instream flow targets in California. This process took months.
- Rod has to change the model to reflect changes in management. This may or may not be significant, depending on criteria for flow regimes. Potential changes to code in the model: how to coordinate the various project/credit waters among the reservoirs, flow regime selection criteria
- Chet & Tom's concern is with what basis you make the determination this is beneficial to the fisheries. There basically saying there is nothing to hang your hat out on except the cui-ui recovery program which is over 10 years old. Fish & Wildlife point out that they haven't operated that way for at least the last 5 years (and from what I have seen, they have never operated that way) and it's unrealistic. They feel it's better to use a new more realistic flow regime and write up the impacts qualitatively.
- California has not been involved in this process (at least from the TROA side). High potential that California interests will tie in fish management with TROA. From my understanding, the flow regimes being currently considered will bring down reservoir levels in California significantly. More than likely, the California interests, at least from the town of Truckee, will not be happy.

Newlands Project Credit Water

TROA states "Section 7.H.5 Release of Newlands Project Credit Water for Newlands Project. The amount of Newlands Project Credit Water required for diversion to the Newlands Project, based on any shortfall in Lahontan Reservoir storage at the end of June pursuant to Truckee Canal Diversion Criteria, and taking into consideration delivery system losses, shall be Released for diversion to the Truckee Canal in sufficient time to be used for its authorized purposes and, unless otherwise agreed to by United States and Nevada (which may consult with the irrigation district referenced in the opening paragraph of this Section 7.H), shall be:

- Released to the maximum extent possible between July 1 and August 1; and..."

- Ali is putting together the modeling criteria for Newlands Project Credit Water.
- Ali doesn't like the assumptions for forecasting that go into the Negotiations model and how it impacts Newlands Project Credit Water. Rod asked for specific criteria from Ali.
- Current TROA states (at least Chet's interpretation) flows are to be released only in July unless a different agreement is reached with the State of Nevada. A one-month release schedule could be very damaging to aquatic habitat in the entire reach downstream from Stampede to Derby Dam. Tom Strekal will check with Christine (Nevada) to see if have an assumption in the model which is different than a one month release pattern. *we consider they would agree to it*
- Need to discuss with Betsy impacts of Newlands Project Credit Water. Impacts include junior priority with the least flexibility of any credit waters (release only in July), potential loss of Newlands Project Credit Water (TROA says take into consideration delivery losses, how), current OCAP says no losses - TROA says share in losses, potentially detrimental to fish if only released in July, potential for big disagreement between parties, asking Newlands Project to take a risk which has no benefit to them

Claims #1 & #2, rights below Derby Dam,

- Tribe has stated they want 1/2 of their rights of Claims #1 & #2 to go to M&I and 1/2 to agriculture use. They claim their total right under this would be 30,086 acre-feet. Question is: is this a reasonable assumption. Normally, our assumption for M&I is only the headgate duty, which does not include the *under if*



diversion right which includes transportation rights. The headgate right for the Claims #1 & #2 is 23,774 acre-feet. Ali stated the Tribe felt they had the right to all of the 30,086 acre-feet because they were the last rights on the system, that M&I would have some transportation losses which can't be quantified at this time, and that it was a sovereign right issue. The other point of view is that for M&I they should only receive the headgate duty and with Claims 1 & 2 having the highest priority, they are impacting rights upstream.

Determine number of water rights purchased for water quality water

- Chuck Borda has updated the number of rights expected to be purchased. Looks like the numbers have not changed enough to take into account the number of acre-feet Fernley is expected to purchase. Still need to make a determination of how much to purchase for the EIS.

Meeting March 6 between TMWA and Tribe on Local Water Supply memo

Tribe did not agree with some of the assumptions in the draft memo. This meeting could change some of the assumptions based on the draft memo.