



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Ecosystem Conservation Division/Water Branch
830 S Street
Sacramento, CA 95811
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EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



January 4, 2013

Interested Party

Subject: Extension of Comment Period for California Department of Fish and Wildlife Draft Instream Flow Recommendations for Scott Creek, Santa Cruz County

The California Department of Fish and Wildlife (CDFW) sent a letter dated December 4, 2012 soliciting comments on our *Draft Instream Flow Recommendations for Scott Creek, Santa Cruz County* (Draft Recommendations). Public Resources Code (PRC) Section 10001 requires CDFW identify streams and watercourses for which minimum flow levels need to be established in order to assure the continued viability of stream-related fish and wildlife resources. Scott Creek is a significant watercourse with high resource value, critically important for viability of California central coast steelhead (*Oncorhynchus mykiss*) and coho salmon (*Oncorhynchus kisutch*) populations. CDFW prepared the Draft Recommendations pursuant to PRC Section 10002 which requires CDFW to “prepare proposed streamflow requirements” for transmittal to the State Water Resources Control Board (Water Board). Following the comment period, CDFW will transmit our final document to the Water Board to fulfill PRC Section 10002 “proposed streamflow requirements”. PRC Section 10002 also requires the Water Board to “consider these requirements within a stream” when, pursuant to Water Code Section 1257.5, “acting on applications to appropriate water”.

CDFW conducted the instream flow study in Scott Creek in 1995. On May 22, 2008, CDFW submitted draft recommendations to the Water Board based on the 1995 study. CDFW reviewed the 1995 study and the 2008 draft recommendations to ensure they reflect the most current understanding and scientific methods. CDFW’s 2012 Draft Recommendations are the result of that review and are unchanged from the 2008 draft recommendations.

After reviewing public comments and requests to extend the comment period, CDFW is extending the comment period to April 5, 2013. CDFW will also be available to speak directly to interested community members during the extended comment period to identify any specific information relevant to finalizing the Draft Recommendations. Comments on the Draft Recommendations should focus on information used to assess minimum flow needs for instream fishery resources. This could include the study design, its methodology, results and any potential change in conditions which may affect the Draft Recommendations. Comments regarding competing water uses and water availability are not within the purview of CDFW’s Draft Recommendations and should be addressed to the Water Board through its regulatory process.

Conserving California’s Wildlife Since 1870

CDFW appreciates the opportunity to work with local stakeholder groups to develop scientifically sound streamflow requirements for Scott Creek. The Draft Recommendations for Scott Creek can still be accessed at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=57461>. If you have questions regarding this letter, please contact Ms. Corinne Gray, Water Rights Coordinator, at (707) 944-5526 or corinne.gray@wildlife.ca.gov; or Mr. Scott Wilson, Acting Regional Manager at (707) 944-5517 or scott.wilson@wildlife.ca.gov in our Bay Delta Region. Written comments should be addressed to: Robert Holmes, Instream Flow Coordinator, California Department of Fish and Wildlife, Water Branch, 830 "S" Street, Sacramento, CA 95811.

Sincerely,

A handwritten signature in cursive script that reads "Scott Cantrell". The signature is written in black ink and is positioned below the word "Sincerely,".

Scott Cantrell
Chief, Water Branch