



IDAHO DEPARTMENT OF FISH AND GAME

PANHANDLE REGION

2885 West Kathleen Avenue

Coeur d'Alene, Idaho 83815

C.L. "Butch" Otter/Governor

Cal Groen/Director

June 1, 2010

Mr. Keith Franklin
Idaho Department of Water Resources
Northern Region
7600 Mineral Drive, Ste 100
Coeur d'Alene, ID 83815

RECEIVED
JUN -7 2010
IDWR/North

Dear Keith:

REFERENCE: BRUCE: 94-7561

We have reviewed the above-named application by Neil and Cheryl Bruce to divert 0.02 cfs from the North Fork Coeur d'Alene River for irrigation (April 1 – October 31).

The North Fork Coeur d'Alene River is managed by IDFG as a quality westslope cutthroat trout fishery and it is very popular with anglers. The North Fork is an important component of westslope cutthroat trout habitat range-wide. The State of Idaho has recognized the importance of this fishery by instituting a Minimum Stream Flow of 1018.00 cfs between Nov. 1st and June 30th and 413.00 cfs between July 1st and October 31st on the Coeur d'Alene River, which is a short distance downstream of the applicant's property, to prevent the degradation of instream habitat.

Several research and restoration projects have been and are currently being conducted on the North Fork and the Little North Fork Coeur d'Alene Rivers. Idaho and neighboring states (MT/WA/OR) have recently fended off a listing of westslope cutthroat under the Endangered Species Act by demonstrating that healthy populations and habitat exist in places like the North Fork Coeur d'Alene River, and that the appropriate state regulatory mechanisms are in place to protect them. Furthermore, intact riparian areas provide habitat for a wide range of terrestrial and avian species, from big game to migratory birds.

The recent proliferation of recreational lots along the Coeur d'Alene and North Fork Coeur d'Alene Rivers has negatively impacted the riparian habitat along the river. Riparian vegetation has complex root systems that slow stream bank erosion during high flows with well-rooted, woody vegetation that can withstand increased flows more effectively than stream banks that are sparsely vegetated or grass covered. Trees and shrubs provide shade, which is critically important for maintaining the cooler water temperatures necessary for our native trout. Additionally, trees contribute valuable large woody debris in the stream that provides cover for fish and other aquatic species. The complex root systems have adapted successfully to streamside habitats; therefore, it is unnecessary to irrigate the riparian area.

Mr. Keith Franklin
June 1, 2010

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Although the amount requested in this particular application is small (0.02 cfs), we are concerned that the cumulative effects of recreational lot owners applying for diversions will decrease stream flows, particularly during the low flow summer months, which can be harmful to this popular fishery and have negative impacts on riparian vegetation.

The Department believes that this request is in conflict with the local public interest and protests issuing this permit.

Please initiate the Interagency Billing process for the applicable fee for this protest. The PCA is 19110 and the ABC code is B7TX. Please send the billing documents to IDFG Headquarters Office, Attention: Walt Poole, P.O. Box 25, Boise, ID 83707.

We are willing to meet with the applicant to discuss the project and potential alternatives, to seek resolution of this protest. If you have questions concerning our comments please contact us at 769-1414.

Thank you for your attention to this matter.

Sincerely,



Charles E. "Chip" Corsi
Regional Supervisor

CEC:MTB

C: Sharon Kiefer, IDFG Boise
Walt Poole, IDFG Boise
David Stanish, AG, Boise