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**From:** Barbara Byrne - NOAA Federal <barbara.byrne@noaa.gov>  
**Sent:** Friday, November 30, 2018 11:41 AM  
**To:** Justin Ly - NOAA Federal; Garwin Yip - NOAA Federal  
**Cc:** Sarah Gallagher - NOAA Federal; Naman, Seth; wes.smith@noaa.gov  
**Subject:** Re: DOI Solicitor's Opinion

Hi all -- Thanks for a really useful call, and to Sarah/Seth/Justin/Wes for populating the "Trinity Issues" doc on really short notice. I'm open to suggestions on process, but here's my suggestion for next steps today:

**By 1 pm today:** Make any clarifications/revisions you want to the linked "Trinity Issues" doc on the google drive.

**At 1 pm\*:** I will transfer the text from the "Trinity Issues" doc over to the same columns in the "Issue Resolution and Elevation" doc on the google drive, which has an additional column for our elevation recommendations/thoughts. This is a doc that Howard and I put together yesterday as a way to capture issues for elevation (and possibly also for our admin record after some cleanup).

**1pm-3pm (or earlier):** We collectively jot down some concise recommendations/thoughts in the Elevation column of the "Issue Resolution and Elevation" doc. I defer to CCO for the recommendations on Trinity side; will work with Sarah and Garwin on Clear Creek recommendations. My sense is that we want to let management know how important it is to get a specific operational element into the PA -- we don't yet have any internal shorthand for this so do whatever makes sense (low/med/high priority; red light/yellow light/greenlight, etc.).

**3pm-ish:** I (or **Justin/Garwin, would you like to send this?**) send an e-mail to Lisa, Maria, Howard, Cathy (cc'ing this group) with a link to the google doc and, ideally, a bulleted list (in the body of the e-mail) of the key issues for which we recommend elevation. **Do folks want to have a call to discuss before sending?**

\*If you want to make edits to the info in the "Trinity Issues" doc after 1pm, feel free to, but please make the same edit to the relevant cell in the "Issue Resolution and Elevation" doc.

I have another ROConLTO call on Delta issues from 1-2:30, but otherwise am around an available.

Barb

 [Issue Resolution and Elevation](#)

 [Trinity Issues](#)

On Fri, Nov 30, 2018 at 8:50 AM Justin Ly - NOAA Federal <[justin.ly@noaa.gov](mailto:justin.ly@noaa.gov)> wrote:

Hi Barbara and Sarah,

Here's DOI Solicitor's opinion that has a good summary of the Congressional mandates limiting TRD diversion. I highlighted key areas for convenience. May be good to print out (in color for yourselves, and share around with Reclamation at the meeting), or projecting if appropriate.

There are case laws as well that support the needs of the Trinity fish and wildlife over water deliveries.

Thanks,

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**Justin Ly**

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