

Temporary Urgency Change Petition Application  
Dutch Bill Creek Drought Flow Augmentation  
**Project Description**  
August 25, 2015

**Introduction**

Dutch Bill Creek is one of four tributaries of the Russian River subject to Emergency Regulations to Protect Specific Fisheries adopted by the State Water Resource Control Board (SWRCB) in response to the California drought. These and other streams are experiencing critical water shortages causing extensive loss of rearing habitat for Endangered coho salmon and Threatened steelhead. To complement water conservation efforts already mandated by the SWRCB, the National Marine Fisheries Service (NMFS) and the California Department of Fish and Wildlife (CDFW) are developing voluntary stream flow augmentation projects with interested organizations and water users.

With this project, CDFW, NMFS and the Camp Meeker Recreation and Parks District (CMRPD) will utilize existing water infrastructure to add water to upper Dutch Bill Creek in order to maintain a minimum subsistence condition for juvenile coho salmon and steelhead rearing in the main channel downstream of CMRPD.

**Existing Setting**

Stream flow at Westminster Woods in Dutch Bill Creek was measured on July 22, 2015 to be 0.03 cubic feet per second (cfs). Continuous surface flow from the upper extent of potential habitat for salmonids near the town of Occidental to its confluence with the Russian River persisted into May of this year. Shortly thereafter, flow recessions resulted in a progressive drying of the stream channel from the mouth up to and beyond the Tyrone Gulch confluence. Intermittent pools exist above that point, but the dry-back is likely to continue. Above there, a minimum trickle of flow over riffles has helped to maintain water quality conditions sufficient for juvenile salmonids to survive. Without intervention however, flow recessions are likely to continue with little or no survival of salmonids beyond October 2015.

The Dutch Bill Creek watershed supports the towns of Occidental and CMRPD in the upper watershed and many rural residences along the stream course. Monte Rio is located at the mouth near the Russian River. There is an offset well near Monte Rio that diverts underflow from the Russian River and conveys it via pipeline to CMRPD and Occidental. Both the Occidental Community Services District (OCSD) and the CMRPD have appropriative water rights for this purpose as well as contracts with the Sonoma County Water Agency (SCWA) to provide this water. Raw water is pumped up to a filtration facility in CMRPD where it is processed and distributed for municipal and fire protection purposes. The total annual diversion amount for the two appropriative rights is limited to approximately 100 acre-feet (af).

**Project Elements**

*Flow Releases:* As soon as possible for a period up to the first substantial rain event (or until flow conditions recover to a minimum of 0.1 cfs), CMRPD will release water from the pipeline at Alliance Redwoods at a rate of (approximately) 0.05 to 0.2 cfs into Dutch Bill Creek. Flow enhancements/releases will be maintained for up to a three (3) month period beginning as soon as possible in August, and extending into November of 2015. The rate of release will range between 0.05 and 0.2 cubic feet per second with the total volume of water not to exceed 30 af during this period. Actual rates of release will be determined by NMFS, CDFW and CMRPD and shall be based upon instream flow conditions and facilities and permit constraints.

*Water Right:* CMRPD is a California Water District which provides municipal water services to 365 residences in and around the town of CMRPD, California. The water supply is sourced from two wells near the town of Monte Rio that draw underflow from the mainstem Russian River under appropriative water right (Permit # 21198). The Permit allows for direct diversion of up to 90 acre-feet (af) per year at a rate not to exceed 0.23 cubic feet per second (cfs). Once pumped from the wells, water is transported approximately 4 miles via pipeline to a water filtration facility in CMRPD where it is treated, stored and subsequently delivered to clients or used for fire protection services. No water is diverted from Dutch Bill Creek by CMRPD.

Permit 21198 is still in its development period, and has a face value of 90 af. According to CMRPD's 2014 Permit Progress Report, a total of 59.1 af (19,271,400 gallons) was used under the permit last year. Use has not increased in 2015, which leaves approximately 30 af for temporary instream flow dedication. A maximum use of 30 af over 90 days results in a release rate of 0.17 cfs. The maximum diversion rate at Monte Rio is 0.23 cfs, the monthly average diversion rate in 2014 was reported as 0.12 cfs (7.2 af) in August and 0.09 cfs (5.14 af) in September. As such, a release of a minimum of 0.11 cfs is feasible under CMRPD's existing rights and up to 0.14 cfs could be released in September.

*Engineering:* CMRPD will release untreated (i.e. raw) water from the pipeline, via a two inch pipe line from the existing facility tank across Alliance Redwood Conference Grounds (625 Bohemian Highway, Occidental, Ca), into the upper portion of Dutch Bill Creek in a reach designated by NMFS and CDFW as critical for juvenile coho salmon and steelhead rearing. Agreement has been reached with Alliance Redwood Conference Grounds to allow the transport of water between the pipeline and Dutch Bill Creek. This site will not require any soil disturbance or significant infrastructure improvements.

*Permitting:* CMRPD will enter into a Voluntary Drought Initiative Agreements (VDI) with NMFS and CDFW and has consulted with the North Coast Regional Water Quality Control Board (NCRWQCB). For more information on the VDI process please go to:

[http://www.westcoast.fisheries.noaa.gov/protected\\_species/salmon\\_steelhead/voluntary\\_drought\\_initiative.html](http://www.westcoast.fisheries.noaa.gov/protected_species/salmon_steelhead/voluntary_drought_initiative.html)

*Monitoring:* CMRPD will allow reasonable access (with 24 hour notice and prior consent of CMRPD) to the property within their control by NMFS and CDFW for the purposes of monitoring implementation of flow releases. Flow releases will be initiated on a schedule developed with CDFW and/or NMFS for the purpose of enhancing critical salmon and steelhead rearing habitats (pools, riffles, and runs) in Dutch Bill Creek.

Monitoring the effects of flow augmentation on coho salmon and steelhead is necessary to ensure these actions will not inadvertently harm these species. CDFW and NMFS are currently monitoring conditions in Dutch Bill Creek and will continue to monitor any changes to temperature and dissolved oxygen levels. CDFW and NMFS will also evaluate the condition of discharged water and assure that discharges are within acceptable ranges and that flows are not interrupted during the release period.

*Partners:* This project is being implemented with the help of multiple parties, not all of whom are defined at this point. To date however, they include: CMRPD, NMFS, CDFW, SWRCB, NCRWQCB, the Russian River Coho Partnership, Trout Unlimited, and the Gold Ridge Resource Conservation District.

### **Required Findings of Fact**

#### **There is an urgent need to make the proposed change;**

Instream flow conditions in Dutch Bill Creek continue to decline. As of August 14, 2015, Dutch Bill Creek has experienced significant dryback and remaining habitat will likely become disconnected in the next few weeks. Mortality is already occurring and without additional flow, the remaining juvenile coho salmon will be extirpated from Dutch Bill Creek.

#### **The proposed change may be made without injury to any other lawful user of water;**

The proposed project will release additional flow into Dutch Bill Creek to be diverted from the main stem Russian River. Russian River users downstream of Monte Rio will not experience any changes in flow. The point of diversion for OCSD's Permit 21214 is just downstream of the point of Diversion for Camp Meeker's permit; however, Occidental is not currently diverting water under Permit 21214.

#### **The proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses;**

The proposed project will enhance instream flow in Dutch Bill Creek to prevent inevitable mortality of Coho Salmon and steelhead juveniles.

**The proposed change is in the public interest;**

This project is located in a priority watershed where the risk of drought-related effects to Federally-listed and State-listed fish species is greatest. Dutch Bill Creek, tributary to the Russian River, is one such priority area. This site contains Central California Coast (CCC) coho salmon and CCC steelhead, which are listed under the Federal Endangered Species Act (ESA) as endangered and threatened, respectively. Coho salmon are also listed as Endangered under the California Endangered Species Act (CESA). Coho salmon in Dutch Bill Creek are critical to the overall viability of wild coho in the Russian River basin.

**The petition will not increase the amount of water the person is entitled to use;**

The total amount of water to be diverted under this Petition will not exceed a cumulative diversion of 90 af or 0.23 cfs.

  
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