



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 9, 2021

Eileen Sobeck
Executive Director
State Water Resources Control Board 1001
I Street, 25th Floor
Sacramento, CA 94814
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**SUBJECT: 2021 Drought Emergency Minimum Flow Recommendations for
Mill and Deer Creeks, Tehama County**

Dear Director Sobeck:

The purpose of this letter is to request drought emergency in-stream flows for Mill and Deer Creeks. These flows will help protect State and federally listed threatened Central Valley spring run Chinook salmon (*Oncorhynchus tshawytscha*), federally threatened Central Valley Steelhead (*O. mykiss*), fall and late-fall-run Chinook salmon and native endemic fish. The in-stream flow recommendations presented in this request for emergency drought regulations are based on the California Department of Fish and Wildlife's (Department) past recommendations and experience gathered during the 2014-2015 drought.

Recommendations

As the Trustee Agency for California's fish, wildlife, and native plant resources (See, e.g., Fish and Game Code sec 1802) the Department is providing drought emergency minimum flow recommendations. These flow recommendations were developed in consultation with the National Marine Fisheries Service (NMFS) during the 2014-2015 drought period and are not intended to set the stage for long-term management considerations, nor should they be construed to provide adequate protections for salmonids in Deer and Mill Creeks over extended periods of time. The flows are only intended to provide emergency minimum flow protections for adult and juvenile salmonids during the current drought emergency. Recommended minimum base flows for adult salmonid passage in impaired stream reaches in Deer and Mill Creeks is 50 cfs October 15, 2021 through June 15, 2022. Recommended minimum base flow for juvenile salmonids is 20 cfs October 15, 2021 through June 30, 2022. Implementation of these base flows may be lifted if fisheries monitoring completed by the Department shows that salmonids are not present and are not likely to be present in the future within the impaired reaches of Deer and Mill Creeks. The Department would conduct this monitoring in a transparent manner working with Water Board staff and landowners.

Eileen Sobeck
Executive Director
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In addition to the minimum base flows outlined above, the Department, in consultation with NMFS, is requesting adoption of spring pulse flows as an additional flow action necessary to protect listed salmonids during drought conditions. Pulse flows mimic the sudden increase in base flows following rain or snowmelt events, which are absent during drought conditions. Salmonids have evolved to take advantage of natural pulse flow events to successfully complete freshwater migrations and managed pulse flows are a critical tool to utilize in impaired stream reaches during drought periods. The Department is requesting three pulse flows on each creek between April 1, 2022 and June 15, 2022 at the Department's discretion. Pulse flows should last 72-hours, including ramping flows, and should convey the full natural available flow minus up to 10 cfs for stock-water needs.

We prefer meeting drought emergency minimum flow requirements through voluntary actions. However, unfortunately, attempts to develop voluntary actions with water diversion operators this year have not been successful on Deer and Mill Creeks. Therefore, The Department supports the development of emergency regulations for the protection of aquatic resources on Deer and Mill Creeks.

If you have any questions regarding this letter or would like to discuss the recommended instream flows or the attached flow documents, please contact Environmental Program Manager Jason Roberts at Jason.Roberts@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Tina Bartlett, Regional Manager
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ec:

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