
From: Harris, Michael R.@Wildlife <Michael.R.Harris@wildlife.ca.gov>

Sent: Thursday, September 23, 2021 3:48 PM

To: Bill Hardwick <billhlmwc@att.net>

Cc: LMwater <lmwater@att.net>; Williamson, Nicole@Waterboards <Nicole.Williamson@waterboards.ca.gov>; Brown Matt <matt_brown@fws.gov>; Roberts, Jason@Wildlife <Jason.Roberts@wildlife.ca.gov>; Johnson, Matt@Wildlife <Matt.Johnson@wildlife.ca.gov>; Brown, Howard (howard.brown@noaa.gov) <howard.brown@noaa.gov>

Subject: RE: Short Term Local Agreement For Mill Creek

EXTERNAL:

Hello

Thank you for your response regarding Short term Local Agreements for Mill Creek. I have attached the Memorandum of Understanding (MOU) between Los Molinos Mutual Water Company and the Department in 2015 as a starting point for discussion and consideration in advance of a meeting. The Department will be looking for very similar commitments in the a new MOU. The Department understands your desire to review a proposed MOU prior to engaging in meeting, however I would like get a date on the table as soon as possible to begin discussion while the Department reviews and updates the 2015 MOU. The Department is committed to expedited process so if you let me know your availability in next two weeks the Department will start work on a updated MOU for that meeting and set up an appointment.

Thank you

Michael Harris
USRB Fisheries Supervisor
Northern Region
(530) 410-5334

From: Bill Hardwick <billhlmwc@att.net>

Sent: Thursday, September 23, 2021 2:14 PM

To: Harris, Michael R.@Wildlife <Michael.R.Harris@wildlife.ca.gov>

Cc: LMwater <lmwater@att.net>; Williamson, Nicole@Waterboards <Nicole.Williamson@waterboards.ca.gov>; Brown Matt <matt_brown@fws.gov>; Roberts, Jason@Wildlife <Jason.Roberts@wildlife.ca.gov>

Subject: Short Term Local Agreement For Mill Creek

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Good Afternoon,

Los Molinos Mutual Water Company agrees to meet as soon as possible following CDFW and NMFS providing a draft "Local Agreement" that includes details of proposed terms. As you know, on May 5, 2021 LMMWC provided an "Outline of Key Terms for Drought Year 2021 Actions on Mill Creek" which included a comprehensive proposal for flow and non-flow actions and measures in 2021 and beyond. The proposal was made to ensure protection of the fishery both short term and long term, while at the same time allowing for continued beneficial use of water for homes and businesses within LMMWC's service area. CDFW responded on June 9, 2021 and NMFS responded on June 11, 2021. Both CDFW's and NMFS' responses included proposed flow volumes (e.g., 260 cfs for spring run chinook salmon) that would have prevented all off-stream uses of water for most of the year. It would have destroyed all crops within LMMWC. CDFW and NMFS also rejected a temperature threshold, safe harbor, and funding for water conservation, water efficiency, and watery system improvements.

Last night, the State Water Board adopted purported emergency regulations that, if approved by the Office of Administrative Law, will mandate instream and pulse flows at levels significantly less than proposed in CDFW's and NMFS' prior correspondence. Rather than CDFW/NMFS' requested flow of 260cfs, the State Water Board has mandated 50 cfs spring base flow, which will still be devastating to Mill Creek water users. Given the disparity in the flow and other terms proposed in CDFW's and NMFS' prior letters compared to what the State Water Board adopted, it is important for LMMWC to have a detailed proposal from CDFW to consider in advance of any meeting. We look forward to reviewing a draft Local Agreement.

Thank you

Bill Hardwick
General Manager
Los Molinos Mutual Water Company
25162 Josephine St., Los Molinos, Ca., 96055
(530)-384-2737

From: Harris, Michael R.@Wildlife <Michael.R.Harris@wildlife.ca.gov>

Sent: Thursday, September 23, 2021 10:13 AM

To: Bill Hardwick <billhlmwc@att.net>; Mike Wallace <mike@crainwalnut.com>; Keith Bentz <keithbentz54@gmail.com>

Cc: Williamson, Nicole@Waterboards <Nicole.Williamson@waterboards.ca.gov>; Brown, Howard (howard.brown@noaa.gov) <howard.brown@noaa.gov>; Roberts, Jason@Wildlife <Jason.Roberts@wildlife.ca.gov>

Subject: Short Term Local Agreements For Deer and Mill Creek

EXTERNAL:

Good Morning,

The California Department of Fish and Wildlife (Department) is interested in meeting with water diversion operators on Deer and Mill Creek, In Tehama County, to discuss the development of Short Term Local Agreements (Local Agreements) that meet the intent of the Emergency Regulations for Deer and Mill Creeks that were adopted by the State Water Resources Control Board on September 22,2021. The Department is available at any time to meet and discuss the development of Local Agreements and looks forward to working with interested parties. If you have any questions regarding the development of Local Agreements or would like more information, please contact me at (530) 410-5334 or by email.

Thank you for your consideration,

Michael Harris
Upper Sacramento River Basin Fisheries Supervisor
Northern Region