

## Attachment No. 1. Project Description

Forest Lakes Mutual Water Company (FLMWC) requests urgent approval of a **one-time, temporary** water diversion permit to immediately fill the fire-protection reservoir based on the extreme fire conditions here in the Santa Cruz Mountains. The greater community and local fire agencies have relied on this seasonal water source (4-acre feet) for the past 90-years and in this period of extended drought, all are extremely concerned about fire risk. Without this local water supply, homes, life and property are at great risk from fire. As such, the proposed diversion and intended use are in the public interest.

The FLMWC diversion permit was renewed on April 28, 2014 with the State Water Resources Control Board (SWRCB) (D032123). Along with the permit renewal, the Dept. of Fish & Wildlife (DFW) provided a memorandum (dated April 2, 2014) with new requirements to monitor Boulder Brook during the period of reservoir use and to submit an application for Notification of Streambed Alteration. The contact at the DFW is Corrine Gray <[Corrine.Gray@wildlife.ca.gov](mailto:Corrine.Gray@wildlife.ca.gov)>. A long-term monitoring plan and Notification of Streambed Alteration was submitted to DFW on March 11, 2015. On April 15, 2015, FLMWC received a letter from DFW noting receipt of the complete packet. The letter additionally stated that DFW would have until June 15, 2015 to provide comments on the monitoring plan and that dam operation could not occur until the 60-day timeline had expired. Initially, Ms. Gray requested weekly check ins, as she expected to execute an Agreement of the Streambed Alteration prior to the expected diversion start time (May). Subsequently, she provided verbal approval of the stream monitoring locations, as documented in the monitoring plan, so that these could be installed and operational prior to May to allow diversion to occur immediately upon issuance of the Agreement. The in-stream monitors have been installed and are operational. However, to date, FLMWC has not received the Agreement so the dam flashboards were not installed. We learned on June 5<sup>th</sup> that Ms. Grey would be unavailable until July 6<sup>th</sup>.

As part of the development of the long-term monitoring, as required by DFW, the affect of water diversion on fish and wildlife was considered. Habitat was assessed for the Foothill Yellow-legged Frog (*Rana boylei*), California red-legged frog (*Rana draytonii*), and Western Pond Turtle (*Actinemys marmorata*). These species are not documented within Boulder Brook and Boulder Brook was determined to provide

little to no potential habitat. In addition, Boulder Brook does not provide habitat for fish due to the downstream migration barrier at the confluence with Gold Gulch. Steelhead are known to exist within Gold Gulch and the suggested diversion may improve late summer habitat for salmonids in this very dry year. As Gold Gulch and many of the tributaries are fed by year-round springs, holding back some water now in the reservoir which will be released in fall may provide for more continuous flow in streams in later months.

FLMWC was unable to install the dam boards for normal seasonal diversion of water for fire protection while waiting for the DFW. The diversion period expired under our existing registration on May 31; therefore, FLMWC is requesting this Temporary diversion permit this year to have adequate water for fire protection in this historic period of extreme fire danger. All requirements submitted to DFW for the monitoring plan will be adhered to.

The Fire Chief, Ron Rickabaugh, sent the following comment via email (included with this attachment) to the SWRCB regarding this request:

Sonia Frazier,

I agree with the email sent by Elizabeth Whitney and the need to have the Forest Lakes pool filled for the summer and fall months. This is a valuable source of water for fire fighting. Many years ago, a pipe and fire department connection were put in place. This pipe and connection has made it easy for any fire engine to gather water from the pool and use it for fire fighting. The Felton Fire District has used this water source for fire fighting in the Forest Lakes area of Felton in the past.

I ask that your agency grant approval for the pool to be filled once again this year. Without this water source, there is potential for tragic loss of life and property.

Thank you, Ron Rickabaugh  
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