

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

**In the Matter of Permit 21198
(Application 31055)**

Camp Meeker Recreation and Park District

**ORDER APPROVING TEMPORARY URGENCY CHANGES AND
INSTREAM FLOW DEDICATION**

SOURCE: Russian River tributary to the Pacific Ocean

COUNTY: Sonoma County

BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

1.0 SUBSTANCE OF TEMPORARY URGENCY CHANGE PETITION

On August 1, 2016, Camp Meeker Recreation and Park District (Camp Meeker) filed a temporary urgency change petition (TUCP) and an instream flow dedication petition (instream flow petition) with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) requesting approval of temporary changes to water right Permit 21198 (Application 31055) pursuant to California Water Code sections 1435 and 1707. The TUCP and instream flow petition request the following temporary changes:

- (1) Addition of fish and wildlife preservation and enhancement as a purpose of use;
- (2) Addition of a portion of Dutch Bill Creek to the place of use. The upstream limit is located at North 1,921,868 feet and East 6,282,809 feet by California Coordinate System 1983, Zone 2, being within NE ¼ of SW ¼ of Section 21, Township 7 North, Range 10 West, Mount Diablo Base & Meridian (MDB&M). The downstream limit is located at the confluence of Dutch Bill Creek and the Russian River at North 1,932,731 feet and East 6,272,591 feet within NE ¼ of the SW ¼ of Section 7, Township 7 North, Range 10 West, MDB&M; and
- (3) Dedication of up to 30 acre-feet (af) of water at a maximum diversion rate of 0.2 cubic feet per second (cfs) for Fish and Wildlife Preservation and Enhancement for instream beneficial use in Dutch Bill Creek. Petitioner has indicated a target rate of 0.1 cfs.

The intent of the TUCP and instream flow petition is to enable voluntary stream flow augmentation in Dutch Bill Creek to support survival of state and federally endangered coho salmon (*Oncorhynchus kisutch*) and federally threatened steelhead (*Oncorhynchus mykiss*) during low summer and fall flows.

2.0 BACKGROUND

2.1 Water Right Permit 21198 and Project Components

Permit 21198 was issued to Camp Meeker on April 27, 2007, pursuant to Application 31055. Permit 21198 authorizes direct diversion at a rate of 0.23 cfs, not to exceed 90 acre-feet per annum (afa) from Russian River underflow, tributary to the Pacific Ocean, in Sonoma County. Water is authorized to be diverted from

January 1 to December 31 of each year. Diverted water is used for municipal and fire protection purposes within the boundaries of Camp Meeker's service area,¹ including 365 residences.

The Dutch Bill Creek watershed encompasses the area of the towns of Occidental and Camp Meeker as well as rural residences. Camp Meeker operates an offset well on the Russian River near Monte Rio (Monte Rio well), a transmission main, pump station, and storage tanks. The Monte Rio well is located at North 1,932,975 feet and East 6,272,896 feet within NW ¼ of the SE ¼ of Section 7, Township 7 North, Range 10 West, MDB&M. Once diverted at the Monte Rio well, water is transported approximately four miles via a 6-inch transmission main to a water filtration facility in Camp Meeker (near Alliance Redwoods) where it is treated, stored, and subsequently delivered to residences. The transmission main lies within the right-of-way for the Bohemian Highway, which roughly follows Dutch Bill Creek and connects with storage facilities in Camp Meeker and the Town of Occidental. Occidental Community Services District (Occidental) constructed an intertie to the Camp Meeker water system and currently services 70 customers under contract with Sonoma County Water Agency (SCWA). Occidental also holds a permit that is not currently in use. Russian River Utility manages the Camp Meeker and Occidental public water systems. In addition to the water diverted under Permit 21198, Camp Meeker has a water supply agreement with SCWA to purchase water, active through December 31, 2016.

2.2 Proposed Dutch Bill Creek Augmentation

In August 2015, staff from the National Marine Fisheries Services (NMFS) approached Camp Meeker regarding the possibility of using Camp Meeker's existing water delivery infrastructure to augment flows in Dutch Bill Creek. Camp Meeker agreed to augment flows in Dutch Bill Creek as recommended by NMFS and subsequently filed a TUCP and instream flow petition that proposed to divert water from the Monte Rio well at a rate ranging from 0.05 to 0.2 cfs under Permit 21198 for release, untreated, from its pipeline into Dutch Bill Creek. Water would be directed to an existing 7,500 gallon storage tank at the water treatment facility on Alliance Redwoods Conference Grounds, approximately four miles upstream of the Monte Rio Well. A two-inch, above-ground polyethylene pipeline connected to the tank released the water into a rock-lined culvert drainage channel 400 to 450 feet from the tank; the water would then flow into Dutch Bill Creek. The Division of Water Rights approved the TUCP and instream flow petition on September 3, 2015, and releases occurred until December 9, 2015. Camp Meeker reports that 16.1 af of water was released as part of the project.

Camp Meeker proposes to repeat the project this summer and fall using the same infrastructure at the same range of diversion rates. Camp Meeker maintains an agreement with Alliance Redwoods Conference Grounds to allow the conveyance of water between the storage tank and Dutch Bill Creek. The target rate of release is 0.1 cfs, but actual diversion rates and release of water to Dutch Bill Creek will be based upon instream flow conditions, facilities constraints, and the terms of Permit 21198. The instream flow dedication will continue up to the first substantial rain event or until flow conditions recover to a minimum of 0.1 cfs,² but not after December 31, 2016.

2.3 2016 Drought Conditions and Russian River Tributaries

The State of California is still in an unprecedented drought. By proclamations dated January 17, 2014 and April 25, 2014 and Executive Orders B-26-14, B-28-14, B-29-15, B-36-15, and B-37-16, Governor Edmund G. Brown Jr. (Governor) declared a state of emergency in California due to the ongoing extraordinary drought and directed state agencies to take various actions to help manage these drought conditions.

¹ Camp Meeker's service area is identified on the project map as filed with the State Water Board, being within portions of Sections 21, 22, 27, and 28, T7N, R10W, MDB&M.

² NMFS staff estimates 0.1 cfs to be the minimum necessary flow to maintain hydrologic conductivity between pools in the stream.

The California Department of Fish and Wildlife (CDFW) and NMFS have identified Dutch Bill Creek, Green Valley Creek, Mark West Creek, and Mill Creek as high priority California Central Coast (CCC) coho salmon tributaries in the Russian River. These four tributary watersheds provide critical spawning and rearing habitat for wild populations of state and federally endangered CCC coho salmon, and for the Russian River Coho Salmon Captive Broodstock Program. Dutch Bill Creek was identified as a Core Focus Area for coho protection and restoration in NMFS's Final Recovery Plan for CCC Coho Salmon. Federally threatened juvenile CCC steelhead also use these four Russian River tributaries and require similar rearing habitat and water quality conditions as juvenile CCC coho salmon during the summer months. Juvenile CCC coho salmon and CCC steelhead can survive very dry conditions in pools in the upper watersheds, provided the pools have sufficient water and stream connectivity to maintain appropriate temperature, dissolved oxygen, and other water quality conditions. During the drought, the four tributaries have sustained some of the last remaining spring and summer rearing habitat for coho salmon and steelhead in the Russian River watershed.

However, Dutch Bill Creek and the other three tributaries have experienced critical water shortages over the past four years related to large numbers of summer diversions in combination with the recent extremely dry conditions. These shortages, manifest in disconnected stream systems with low flows, isolated pools with low dissolved oxygen levels, and elevated temperatures that may result in fish mortality, can cause extensive loss of already scarce rearing habitat. As of July 11, 2016, flow in the upstream rearing reach measured at 0.15 cfs and pools remained hydraulically connected. Although flows remain higher than 2015 flows, flows may be dropping at a faster rate this year. Staff from Trout Unlimited estimates that flows in the upstream rearing reach may fall below 0.1 cfs by early August 2016, which could result in hydrologically disconnected pools.

In 2014, to address the water shortages, CDFW and NMFS partnered to develop a Voluntary Drought Initiative (VDI) program in the four watersheds, conducting outreach and encouraging landowners to conserve water and enter agreements to temporarily enhance stream flows to support summer rearing habitat. Camp Meeker entered into a VDI agreement for the 2015 flow augmentation project and intends to renew its agreement in 2016.

On June 17, 2015, the State Water Board adopted the Emergency Regulation for Enhanced Conservation Measures and Information in Key Russian River Tributaries (Regulation) in response to deteriorating stream conditions and recommendations from CDFW. The Regulation was developed to protect federal and state listed anadromous fish in the four priority Russian River tributary watersheds, including Dutch Bill Creek, by 1) requiring enhanced water conservation in critical areas of the four watersheds, and 2) issuing informational orders to gather data from landowners on water use and water sources. On March 1, 2016, the State Water Board adopted a resolution to renew and amend the portions of the Regulation related to informational orders because of the continuation of emergency drought conditions in the four watersheds.

3.0 COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Ordinarily, the State Water Board must comply with any applicable requirements of the California Environmental Quality Act (CEQA) prior to issuance of any order approving a TUCP or instream flow petition pursuant to Water Code sections 1435 and 1707. (See Cal. Code Regs. tit. 23, § 805.) However, the Governor's January 17, 2014 Proclamation concluded that strict compliance with CEQA would "prevent, hinder, or delay the mitigation of the effects of the emergency." Subsequently, the Governor issued an executive order on April 25, 2014 continuing the State of Emergency and concluded that suspension of CEQA under the January 17, 2014 Proclamation was to remain in effect until December 31, 2014. Item 19 of the April 2014 executive order suspends CEQA, and the regulations adopted pursuant to it, to the extent that CEQA would otherwise apply to specified actions necessary to mitigate the effects of the drought, including the actions described in item 8 of the Governor's executive order. Item 8 of the April 2014 executive order requires CDFW to work with other state and federal agencies and with landowners in priority watersheds (such as Dutch Bill Creek) to protect threatened and endangered species and species of special concern and maximize the beneficial uses of scarce water supplies, including employment of voluntary agreements to secure instream flows, relocation of members of those species, or through other measures.

The suspension of CEQA as it applied to the directives in the April 2014 order and other orders was later extended through May 31, 2016, and has since been ordered to stay in effect until the drought state of emergency is terminated.³ As the drought state of emergency has not yet terminated, CEQA is suspended to the extent that it would otherwise apply to the TUCP and instream flow petition.

In addition, the changes requested in the TUCP and instream flow petition are consistent with the following Categorical CEQA exemptions for the following reasons:

1. A Class 1 categorical exemption “consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.” (Cal. Code Regs., tit. 14 § 15301.) The proposed action makes use of an existing offset well, pipeline, storage tank and treatment plant, with no expansion of the capacity of those structures, and negligible expansion of operations.
2. A Class 3 categorical exemption “consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.” (Cal. Code Regs., tit. 14 § 15303.) The proposed action involves addition of a 2-inch, temporary above-ground pipe running from an existing connection at the treatment facility storage tank at Alliance Redwoods to Dutch Bill Creek. The installation involves no earth-work or clearing of vegetation.
3. A Class 4 categorical exemption “consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.” (Cal. Code Regs., tit. 14 § 15304.) The proposed dedication of instream flow would temporarily improve the condition of the water in Dutch Bill Creek, but would not consume any additional water. The rate and volume of water diverted from the Russian River would not exceed that already authorized under Permit 21198.
4. A Class 33 categorical exemption consists of projects not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife,” given certain conditions. (Cal. Code Regs., tit. 14, § 15333.) The proposed action’s purpose is to assure the protection of habitat for fish and otherwise meets the conditions for the exemption.

4.0 PROCEDURAL REQUIREMENTS CONCERNING THE TUCP AND INSTREAM FLOW PETITION

The State Water Board will issue and deliver to Camp Meeker, as soon as practicable, a notice of the temporary urgency change and instream flow dedication order pursuant to Water Code section 1438(a). Pursuant to Water Code section 1438 (b)(2), Camp Meeker is required to post the notice in at least two conspicuous places in the locality to be affected by the changes no later than two days after receipt. The State Water Board will send a copy of the notice by registered mail to each person who, in the judgment of the board, could be adversely affected by the temporary changes. The State Water Board also will distribute the notice through an electronic notification system. Pursuant to Water Code section 1438(a), the State Water Board may issue a temporary urgency change order in advance of the required notice.

5.0 CRITERIA FOR APPROVING THE PROPOSED TUCP AND INSTREAM FLOW PETITION

Water Code section 1707 authorizes the temporary urgency change provisions of Water Code section 1435 et seq. for a change for the purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation in, or on, the water. Water Code section 1435 provides that a permittee or licensee who has an urgent need to change the point of diversion, place of use, or purpose of use from that specified in the permit or license may petition for a conditional temporary change order. The State Water Board’s

³ See Executive Order B-28-14, issued December 22, 2014, and Executive Order B-36-15, issued November 13, 2015.

regulations set forth the filing and other procedural requirements applicable to TUCPs. (Cal. Code Regs., tit. 23, §§ 805, 806.) The State Water Board's regulations also clarify that requests for changes to permits or licenses other than changes in point of diversion, place of use, or purpose of use may be filed, subject to the same filing and procedural requirements that apply to changes in point of diversion, place of use, or purpose of use. (*Id.*, § 791, subd. (e).)

Before approving a temporary urgency change under Water Code section 1435, the State Water Board must make the following findings (Wat. Code, § 1435, subd. (b)(1-4)):

1. the permittee or licensee has an urgent need to make the proposed change;
2. the proposed change may be made without injury to any other lawful user of water;
3. the proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses; and
4. the proposed change is in the public interest.

As part of its TUCP for Permit 21198, Camp Meeker is proposing to dedicate up to 30 af of water for instream flow dedication pursuant to Water Code section 1707. Before approving an instream flow petition, the State Water Board must also make the following findings (Wat. Code, § 1707, subd. (b)(1-3)):

5. the proposed change will not increase the amount of water Camp Meeker is entitled to use;
6. the proposed change will not unreasonably affect any legal user of water; and
7. the proposed change otherwise meets the requirements of Division 2 of the Water Code.

5.1 Urgency of the Proposed Change

Under Water Code section 1435, subdivision (c), an "urgent need" means "the existence of circumstances from which the board may in its judgment conclude that the proposed temporary change is necessary to further the constitutional policy that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that waste of water be prevented" However, the State Water Board shall not find the need urgent if it concludes that the petitioner has failed to exercise due diligence in petitioning for a change pursuant to other appropriate provisions of the Water Code.

In this case, there is an urgent need for the proposed changes. Summer diversions tend to be high and summer stream flows tend to be low in Russian River tributaries even during normal water years. According to CDFW and NMFS, Dutch Bill Creek is likely to continue to experience low flow conditions attributable in part to active summer diversions. Despite CDFW and NMFS VDI program efforts, the stream channel has again become disconnected downstream of the Tyrone Gulch confluence, resulting in intermittent pools and low flows upstream of the Tyrone Gulch confluence. Remaining juvenile rearing habitat upstream of Tyrone Gulch may become disconnected as early as August.

Camp Meeker has also communicated it intends to pursue a long-term instream flow dedication to continue the project in future years.

5.2 No Unreasonable Affect or Injury to Any Other Lawful User of Water

Absent approval of the proposed changes, the water to be made available by Camp Meeker for the proposed instream dedication would either be put to consumptive use within the boundaries of Camp Meeker's place of use as identified in Permit 21198, or would continue to flow down the Russian River. The Instream flow dedication proposed by the petitioner is a non-consumptive use of water. Water diverted for instream flow purposes from Camp Meeker's Monte Rio well will re-enter the Russian River approximately 285 feet downstream after flowing down Dutch Bill Creek, less natural stream conveyance losses. Consequently, only lawful users on the Russian River downstream of the Monte Rio well but upstream of the confluence with Dutch Bill Creek could experience any significant effect or injury from the proposed action. Per Division records, Occidental, under Permit 21214, constitutes the only user that could meet these criteria.

Permit 21214, which is junior in priority to Camp Meeker's permit, authorizes year-round direct diversion of 0.16 cfs, up to 65 afa, of Russian River underflow from an offset well approximately 50 feet downstream of Camp Meeker's Monte Rio well. Occidental, however, is not yet using the water under Permit 21214, and so will not experience unreasonable effect or injury from the action. Further, SCWA is required per Decision 1610 to maintain flows in the lower Russian River. The amount of this dedication (maximum rate of 0.2 cfs) is insignificant compared to flow levels maintained by SCWA.

There is a risk of riparian water right holders on Dutch Bill Creek diverting the water intended for instream flow for their own use. According to the Division's records, Westminster Woods Camp and Conference Center (Westminster Woods) (Statement of Water Diversion and Use 24280) constitutes the only water right holder of record on Dutch Bill Creek downstream of the proposed point of release. Westminster Woods, however, has recently implemented a water conservation and tank storage project to improve summer instream flow in Dutch Bill Creek and is pursuing a 1707 petition to dedicate water formerly diverted at this point of diversion (POD); consequently, Westminster Woods is not currently diverting from the POD on Dutch Bill Creek. Upon issuance of this order, staff will send a letter to Westminster Woods alerting them of the augmentation project and noting that water dedicated to instream flow is not available for diversion.

Accordingly, granting this TUCP and instream flow petition will not result in unreasonable affect or injury to any other lawful user of water. Pursuant to Water Code section 1439, the State Water Board shall supervise diversion and use of water under this temporary change order for the protection of all other lawful users of water and instream beneficial uses.

5.3 No Unreasonable Effect upon Fish, Wildlife, or Other Instream Beneficial Uses

As noted herein, the action would enhance fish habitat and other instream beneficial uses in Dutch Bill Creek by temporarily augmenting flows for rearing habitat for salmonids. Increased summer flows can lower water temperatures, increase dissolved oxygen concentrations and re-connect pool habitat, all to the benefit of juvenile coho salmon and steelhead survival and growth. The Russian River Coho Partnership, Trout Unlimited, and the Gold Ridge Resource Conservation District have also all expressed support for the project.

According to project partners, implementation of the project in the summer of 2015 substantially improved surface flow downstream and was a significant contributing factor in maintaining wetted rearing habitat in Dutch Bill Creek. The Russian River Coho Salmon Captive Broodstock Monitoring Program found that 76% of the juvenile salmonids observed in Dutch Bill Creek at the beginning of the rearing season were occupying habitat that remained wetted throughout the summer period, increasing their chances of survival. Camp Meeker consulted with NMFS, CDFW, and the North Coast Regional Water Quality Control Board (North Coast Regional Board) regarding filing the TUCP and instream flow petition and the effects of the proposed changes. North Coast Regional Board staff concluded the project does not require a discharge permit. NMFS and CDFW were directly involved with the design of the project. In addition, NMFS and CDFW have requested that the scheduled flow releases be developed in consultation with either NMFS or CDFW. Division staff has also consulted with NMFS and CDFW regarding terms necessary to protect fishery resources during the changes. University of California and SCWA will map surface flow conditions, measure riffle crest depths, and take intermittent measurements of dissolved oxygen and water temperature in multiple places in Dutch Bill Creek between the release point and the confluence with the Russian River. Russian River Utility will also monitor water temperature and dissolved oxygen at the pipe outlet and coordinate with CDFW and NMFS on monitoring results. Such monitoring will ensure the additional water supplied is of a quality that will aid juvenile salmonid survival. This order requires Camp Meeker to work with NMFS, CDFW and the North Coast Regional Board to resolve any water quality concerns raised by the monitoring.

On August 8, 2016, Division staff provided CDFW staff with an electronic copy of the petition package and enquired whether or not CDFW staff had any concerns regarding the proposed project or with the terms and conditions of the 2015 Order. CDFW staff has not indicated that there are any concerns for the project.

To inform the State Water Board's continuing supervision of the diversion and use of water under this temporary change order pursuant to Water Code section 1439, this Order requires Camp Meeker to report on consultations with CDFW, NMFS, and the Regional Board.

5.4 The Proposed Changes are in the Public Interest

Augmentation of flows in Dutch Bill Creek will alleviate the effect of dry conditions on juvenile coho salmon and steelhead by improving rearing habitat conditions. Moreover, coho salmon in Dutch Bill Creek are critical to the overall viability of wild coho in the Russian River basin. It is in the public interest to enhance protection of the Dutch Bill Creek's salmonid fisheries. Additionally, the use is non-consumptive and the dedicated water would again become available for downstream beneficial uses after passing the dedicated reach of Dutch Bill Creek.

5.5 No Increase in the Amount of Water Petitioner is Entitled to Use

Water Code section 1707, subdivision (b)(1), requires that the State Water Board, before approving a change to dedicate water to instream flows, find that the proposed change will not increase the amount of water the person is entitled to use. The State Water Board finds, in accordance with Water Code section 1707, subdivision (b)(a), that the proposed change will not increase the amount of water that Camp Meeker is entitled to use. This finding is based on a comparison of previous records of diversion under Permit 21198 to the diversion rate dedicated to instream use.

The proposed changes do not seek to expand the season, rate or amount of the permit. As discussed herein, the proposed changes would temporarily modify the place and purpose of use of Camp Meeker's existing water right. Pursuant to Permit 21198, Camp Meeker has until December 31, 2017 to demonstrate complete application of its authorized 90 afa and rate of 0.23 cfs. The highest reported annual use occurred in 2014 when Camp Meeker used 59.1 afa, approximately two-thirds of its permitted allotment. Camp Meeker also has an active water supply agreement with SCWA through December 31, 2016.

Camp Meeker intends to continue to pump water for municipal and fire protection uses. All remaining water authorized under Permit 21198 may be used to dedicate to fish and wildlife preservation and enhancement use. According to Camp Meeker, municipal and fire protection use had not increased in 2015; therefore, approximately 30 af of water is anticipated to be available in 2016 under Permit 21198 for temporary instream flow dedication.

The permit also authorizes direct diversion of water at a maximum rate of 0.23 cfs; for comparison, the petition indicated that the average diversion rates for August and September of 2014 were 0.12 cfs and 0.09 cfs, respectively. Therefore, as Camp Meeker has not increased usage, the additional 0.1 cfs (the target augmentation rate) is anticipated to be available for instream flow dedication, and Camp Meeker can augment flow in Dutch Bill Creek without exceeding the permit's allowed quantity of 90 afa of water with a direct diversion rate of 0.23 cfs.

5.6 In Compliance with Division 2 of the Water Code

Camp Meeker has complied with the procedures for change petitions under Water Code section 1435. As discussed above, the project will not injure other legal users of water, does not unreasonably harm fish and wildlife, does not increase petitioner's rights, is urgently needed, and is in the public interest. The Petitioner has a permitted water right issued by the State Water Board that is within the prescribed development period and there has been recent diversion and use and thus no indication of forfeiture. Therefore, the change petition meets the applicable requirements of Division 2 of the Water Code.

6.0 CONCLUSIONS

The State Water Board has adequate information in its files to make the evaluation required by Water Code section 1435.

I conclude that, based on the available evidence:

1. The right holder has an urgent need to make the proposed changes;
2. The proposed changes will not operate to the injury of any other lawful user of water;
3. The proposed changes will not have an unreasonable effect upon fish, wildlife, or other instream beneficial uses; and
4. The proposed changes are in the public interest.

The State Water Board has adequate information in its files to make the evaluation required by Water Code section 1707.

I conclude that, based on the available evidence:

5. the proposed change will not increase the amount of water Camp Meeker is entitled to use;
6. the proposed change will not unreasonably affect any legal user of water; and
7. the proposed change otherwise meets the requirements of Division 2 of the Water Code.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT: the petition filed by Camp Meeker for temporary urgency changes and instream flow dedication for Permit 21198 is approved and effective until December 31, 2016.

All existing terms and conditions of the subject permit remain in effect, except as temporarily amended by the following provisions.

1. The purpose of use is modified to include fish and wildlife preservation and enhancement.
2. The place of use for the purpose of fish and wildlife preservation and enhancement is modified to include portions of Dutch Bill Creek. The upstream limit is located, by California Coordinate System 1983, Zone 2, at North 1,921,868 feet and East 6,282,809 feet, being within the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21, T7N, R10W, MDB&M. The downstream limit is the confluence of Dutch Bill Creek and the Russian River located, by California Coordinate System 1983, Zone 2, at North 1,932,731 feet and East 6,272,591 feet being within the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, T7N, R10W, MDB&M.
3. Right holder shall dedicate up to 30 acre-feet per annum at up to a maximum rate of 0.2 cubic feet per second to Fish and Wildlife Preservation and Enhancement instream use during the duration of this Order. The maximum rate of diversion for all beneficial uses is 0.23 cfs.
4. Within one week of issuance of this order, right holder shall develop a Flow Release Schedule Plan in consultation with CDFW and NMFS. Right holder shall provide a copy of the Flow Release Schedule Plan to the Deputy Director for Water Rights within one week of development or further revision.
5. Should NMFS, CDFW or the North Coast Regional Water Quality Control Board raise any concerns regarding the quality of the water released for instream flow, Camp Meeker shall work with the respective agency to resolve the issue, and inform the Deputy Director for Water Rights within one week of the concern, indicating the steps taken or planned for resolution.

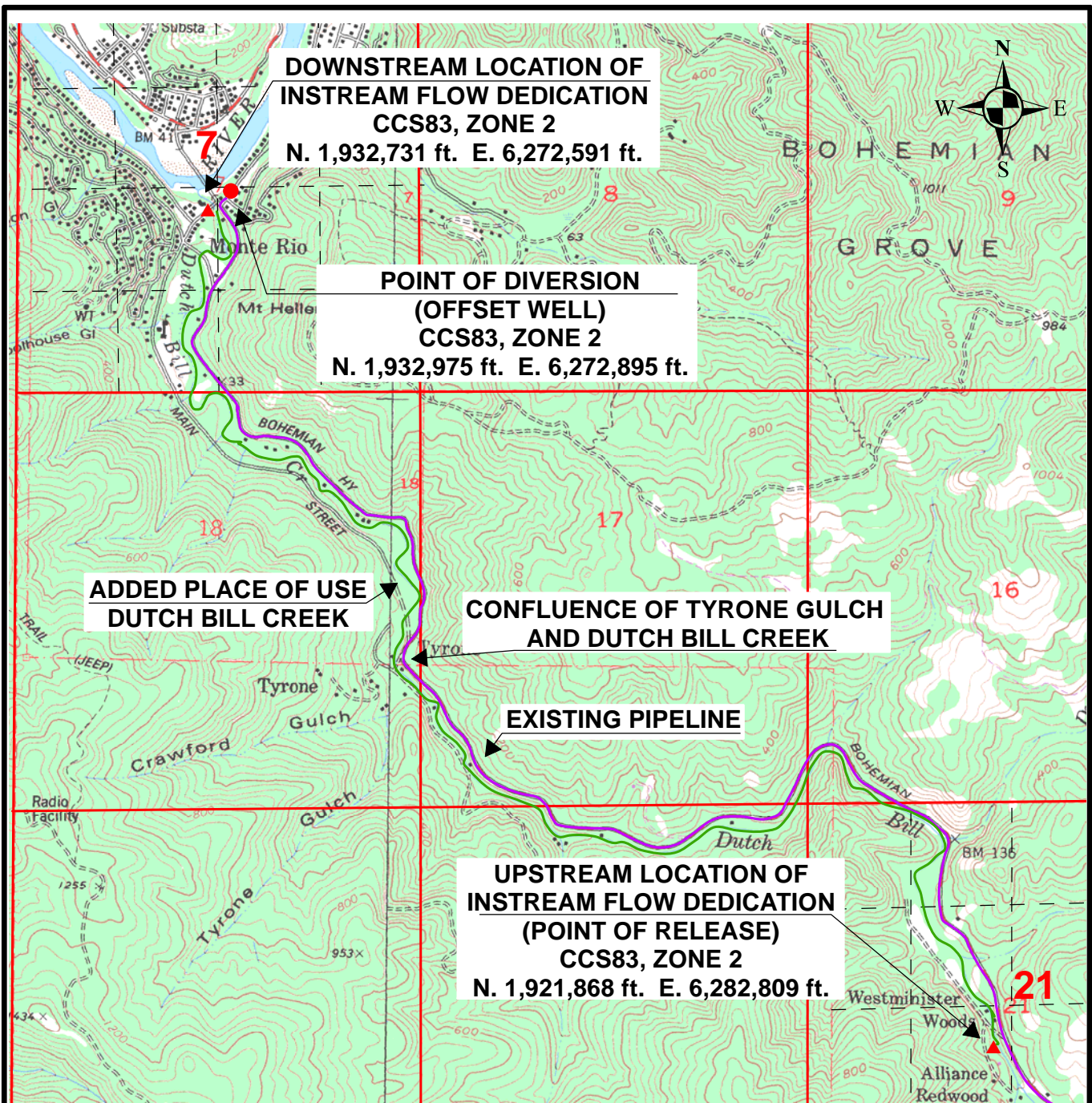
6. On the fifteenth day of each month, right holder shall provide a summary of the previous month's monitoring of the following: 1) temperature and dissolved oxygen levels in Dutch Bill Creek and 2) any evaluation of discharged water provided by CDFW, NMFS, and others.
7. Right holder shall continue to submit Progress Reports for Permittee in accordance with California Code of Regulations, Title 23, Division 3, section 847 and shall include all required information in the progress report form, including but not limited to the following: (a) the total quantity diverted under Permit 21198; (b) the quantity consumptively used; and (c) the total monthly quantity and maximum monthly rate dedicated to instream flow resources pursuant to this Order. Right holder shall also provide this information whenever requested by the Division of Water Rights.
8. Because the changes authorized by this Order are temporary in nature, the amount of water dedicated to instream beneficial uses will not be considered during licensing of Permit 21198.
9. The State Water Board shall supervise the diversion and use of water under this Order for the protection of legal users of water and instream beneficial uses and for compliance with the conditions. Petitioner shall allow representatives of the State Water Board reasonable access to the project works to determine compliance with the terms of this Order.
10. The State Water Board reserves jurisdiction to supervise the temporary urgency changes under this Order and to coordinate or modify terms and conditions for the protection of vested rights, fish, wildlife, instream beneficial uses, and the public interest as future conditions may warrant.
11. The temporary urgency changes authorized under this Order shall not result in creation of a vested right, even of a temporary nature, but shall be subject at all times to modification or revocation in the discretion of the State Water Board. The temporary urgency changes approved in this Order shall automatically expire December 31, 2016, unless revoked.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

Barbara Evoy, Deputy Director
Division of Water Rights

Dated: AUG 11 2016



OWNER CAMP MEEKER RECREATION AND PARK DISTRICT

SOURCE (POD 1) RUSSIAN RIVER

POINT OF DIVERSION

WITHIN NW 1/4 OF SE 1/4 OF PROJECTED

SECTION 7, T7N, R10W, MDB&M

COUNTY OF SONOMA

U.S.G.S. QUAD: **DUNCAN MILLS** DATE: PH. RE. 1981 SCALE: 1:24,000

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

APPLICATION NO. 31055

PERMIT NO. 21198

URGENCY CHANGE

DATE: 8-3-2016

DRAWN: SHS

CHECKED: GSB

Note: This map does not constitute a public land survey as defined by California Business & Professions Code section 8726. It has been prepared for descriptive purposes only.