

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
INCLUDING INSTREAM FLOW DEDICATION**

SOURCE: Russian River underflow 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 27, 2018, Camp Meeker Recreation and Park District (Camp Meeker or Petitioner) filed a temporary urgency change petition (TUCP) with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) requesting approval of temporary changes to allow for instream flow dedication of water under water right Permit 21198 (Application 31055) pursuant to California Water Code sections 1435 and 1707. Camp Meeker previously filed similar TUCPs for instream flow dedication with the Division in August 2015 and August 2016. With the TUCP, Camp Meeker requests the following temporary changes to Permit 21198:

- (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 California Coordinate System 1983 (CCS83), Zone 2, North 1,921,868 feet and East 6,282,809 feet, being within NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21, T7N, R10W, Mount Diablo Base & Meridian (MDB&M). The downstream limit is located at the confluence of Dutch Bill Creek and the Russian River at CCS83, Zone 2, North 1,932,731 feet and East 6,272,591 feet, being within NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, T7N, R10W, 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. Camp Meeker has indicated a target rate of 0.1 cfs.

The intent of the TUCP for instream flow dedication 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 authorized place of use,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 CCS83, Zone 2, North 1,932,975 feet and East 6,272,895 feet, being within NW¼ of SE¼ of Section 7, T7N, R10W, 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. Russian River Utility manages the Camp Meeker and Occidental public water systems.

2.2 Proposed Dutch Bill Creek Streamflow 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 on August 8, 2015, filed a TUCP with the Division for instream flow dedication 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. The Division approved the TUCP on September 3, 2015. Water diverted from the Monte Rio well was 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 well. Water from the tank was then released into a rock-lined culvert drainage channel where it then flowed into Dutch Bill Creek. Releases of water into Dutch Bill Creek under the TUCP occurred until December 9, 2015. Camp Meeker reported that 16.1 af of water was released as part of the project.

Camp Meeker filed a second TUCP on August 1, 2016, which proposed the same instream flow dedication as with the 2015 TUCP. The Division approved the TUCP on August 11, 2016. The instream flow dedication occurred from August 19 through November 3, 2016. Camp Meeker estimated the total volume of water released to Dutch Bill Creek was 11.95 af under the 2016 TUCP.

For 2018, 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, 2018.

¹ Camp Meeker's place of use 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.

2.3 Russian River Tributaries Flow Conditions

During the 2013-2015 drought, the California Department of Fish and Wildlife (CDFW) and NMFS recommended to the State Water Board to have Dutch Bill Creek, Green Valley Creek, Mark West Creek, and Mill Creek, which are all tributaries to the Russian River, be protected by the Emergency Drought Regulations because they are high conservation priorities for California Central Coast (CCC) coho salmon. 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 (DO), and other water quality conditions. During the 2013-2015 drought, the four tributaries sustained some of the last remaining spring and summer rearing habitat for coho salmon and steelhead in the Russian River watershed.

The 2018 water year has been relatively dry in Sonoma County. As of August 26, 2018, the Ukiah Basin had a rainfall total for the 2017-2018 water year of 23.49 inches compared to an average year total for the same date of 36.66 inches, and the Santa Rosa Basin had a rainfall total of 25.12 inches compared to an average water year total for the same date of 30.36 inches. Camp Meeker indicated in the TUCP that Dutch Bill Creek and the other three tributaries are likely to continue to experience insufficient streamflow to support rearing of juvenile salmonids and other aquatic species throughout this summer season. Low stream flows manifest in a combination of desiccated and intermittent stream reaches with surface water remaining only in isolated pools. DO levels in the isolated pools quickly decline to levels harmful or lethal to juveniles attempting to rear there. This loss of summer rearing habitat in the context of already impaired conditions and low juvenile and adult abundance likely has a negative influence on survival and recovery of the Russian River coho salmon population.

Camp Meeker has indicated that its flow augmentation project is being implemented as one of several efforts to improve flow for coho salmon and steelhead in the watershed, including other cooperative instream flow and restoration projects. For example, Westminster Woods Camp recently implemented a water conservation and tank storage project to improve instream flows in Dutch Bill Creek. And in July 2017, the Division approved Westminster Woods Camp's request to dedicate its riparian water claims on Dutch Bill Creek to instream flow enhancements including recreation and fish and wildlife enhancement purposes.

3.0 COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The State Water Board must comply with applicable requirements of the California Environmental Quality Act (CEQA) prior to issuance of any order approving a TUCP, pursuant to Water Code section 1435. (See Cal. Code Regs. tit. 23, § 805.) On September 6, 2018, Camp Meeker, as lead agency, certified a Notice of Exemption for this project. The changes requested in the TUCP are consistent with the following Categorical CEQA exemptions as described below:

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.

The project is exempt from CEQA under California Code of Regulations, title 14, section 15061, subdivision (b). The Division will file a Notice of Exemption in accordance with the California Code of Regulations, title 14, section 15062 after issuance of this order.

4.0 PROCEDURAL REQUIREMENTS CONCERNING THE TUCP

The State Water Board will issue and deliver to Camp Meeker, as soon as practicable, a notice of the temporary urgency change 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

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. Further, 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. The State Water Board's 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. Information included in the TUCP indicated that as of July 2, 2018, surface flow in Dutch Bill Creek below Tyrone Bridge had ceased, with hydraulically disconnected pools remaining. Continuous surface flow remained in the upstream rearing reach and was measured at Westminster Woods on July 11 at 0.16 cfs. Staff from Trout Unlimited compared manual flow estimates from this year to previous records and suggested that streamflow is lower than summer 2017, and is approaching streamflow conditions similar to those measured during the recent drought of summer 2012 through 2015. As of August 21, 2018, streamflow in Dutch Bill Creek was gaged at less than 0.1 cfs. Juvenile coho salmon and steelhead are present in these habitats and will therefore be exposed to degradation of aquatic habitat and subsequent mortality. Given the positive results from flow enhancements due to the 2015 and 2016 TUCPs, and similar dry conditions this year, additional flow from the project will likely benefit fish again this year.

Camp Meeker is in the process of pursuing a long-term instream flow dedication to continue the project when necessary in future years, and filed a change petition with the State Water Board on May 31, 2018.

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. However, as Permit 21214 is junior to Permit 21198, Camp Meeker has the right to divert flow consistent with its permitted limitations before Occidental can claim injury to its ability to divert water. Also, Sonoma County Water Agency (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 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 in June 2017, the Division approved Westminster Woods' petition to dedicate to instream flow water formerly diverted at its riparian point of diversion (POD) under Statement 24280 on Dutch Bill Creek. Consequently, Westminster Woods is not currently diverting from the POD on Dutch Bill Creek during the summer and fall and will not impact the flows released to the creek pursuant to the TUCP by Camp Meeker.

Accordingly, granting this TUCP 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. Data from instream flow releases pursuant to the 2015 and 2016 TUCP Orders showed that increased summer flows consistently improved DO concentrations and reconnected pool habitat, benefitting juvenile coho salmon and steelhead survival and growth.

The 2015 and 2016 instream flow releases were monitored extensively. University of California Cooperative Extension/CA Sea Grant (UC) and SCWA mapped wetted habitat, measured riffle crest depths, and took intermittent measurements of DO and water temperature in Dutch Bill Creek downstream of the release point in September 2015 (not including riffle crest depth) and at weekly to biweekly intervals in the summer of 2016. Russian River Utility gathered data water temperature and DO at the pipe outlet. The Russian River Coho Partnership operated a streamflow gauge at Westminster Woods, downstream of the release point.

In 2015, the gauge showed that flow augmentation from the instream flow releases to Dutch Bill Creek substantially improved surface flow. The effort was also a significant contributing factor to maintaining rearing habitat in a wetted condition, despite it being the worst drought condition in recent history. UC's Russian River Salmon and Steelhead Monitoring program concluded that 76 percent of the juvenile salmonids observed in Dutch Bill Creek at the beginning of the 2015 rearing season were occupying habitat that remained wetted throughout the summer period.

UC monitoring conducted before and after the flow release in the summer of 2016 documented improvements in streamflow and fish habitat downstream. Discharge had been decreasing prior to the release; however, it peaked and doubled in the week following the release. There was also a notable increase in average riffle depth in the 30 riffles downstream of the release site corresponding to the increased flow in the creek. Also, within the week after the release, DO in pools increased by an average of 18 percent in the reach of Dutch Bill Creek extending from Perenne Creek upstream to the release point, indicating that improved surface flow and pool connectivity helped to oxygenate pools. The increase in wetted habitat, pool connectivity, and DO observed following the 2016 instream flow dedication indicates that the additional water provided by the release improved conditions for endangered coho salmon and threatened steelhead trout rearing in approximately 2.5 kilometers of Dutch Bill Creek.

CDFW, NMFS, the Russian River Coho Partnership, Trout Unlimited, and the Gold Ridge Resource Conservation District have all expressed support for the project. Camp Meeker consulted with NMFS, CDFW, and the North Coast Regional Board regarding the 2015 and 2016 TUCPs, as well as this TUCP, and the effects of the proposed changes. NMFS and CDFW were directly involved with the design of 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

Dutch Bill Creek is a high-priority watershed for both CCC coho salmon, which are listed as endangered under the State and federal Endangered Species Acts, and CCC steelhead, which are federally listed as threatened. 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 had 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 2016 when Camp Meeker used 46.65 afa. Camp Meeker also has an active water supply agreement with SCWA.

Camp Meeker intends to continue to pump water for municipal and fire protection uses. Because Permit 21198 expired on December 31, 2017, Camp Meeker cannot divert more water than the maximum diversion to beneficial use that occurred before the permit expiration date, not inclusive of any flows diverted pursuant to previous TUCPs. Therefore, Camp Meeker will be limited to a combined total diversion of 46.65 af in 2018 for municipal uses and the fish and wildlife preservation uses as proposed with this TUCP.

5.6 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, will not unreasonably harm fish and wildlife, will 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 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 Petitioner 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 for Permit 21198 is approved and effective until December 31, 2018.

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

1. Fish and Wildlife Preservation and Enhancement is added as a purpose of use along the section of Dutch Bill Creek as described as: 1) upstream limit located by CCS83, Zone 2, North 1,921,868 feet and East 6,282,809 feet, being within NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21, T7N, R10W, MDB&M; and 2) downstream limit is the confluence of Dutch Bill Creek and the Russian River located by CCS83, Zone 2, North 1,932,731 feet and East 6,272,591 feet, being within NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, T7N, R10W, MDB&M.
2. Camp Meeker may dedicate up to 30 acre-feet per annum at up to a maximum rate of 0.2 cubic feet per second (cfs) 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. The total maximum combined diversion under Permit 21198 during 2018 for municipal and fish and wildlife preservation and enhancement purposes shall not exceed 46.65 af.
3. Within one week of issuance of this order, Camp Meeker shall develop a Flow Release Schedule Plan in consultation with California Department of Fish and Wildlife (CDFW) and National Marine Fisheries Service (NMFS). Camp Meeker 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.
4. 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.
5. On the fifteenth day of each month, Camp Meeker 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.
6. Camp Meeker 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 in acre-feet and

maximum monthly rate in cfs dedicated to instream flow resources pursuant to this Order. Camp Meeker shall also provide this information whenever requested by the Division of Water Rights.

7. 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.
8. 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. Camp Meeker shall allow representatives of the State Water Board reasonable access to the project works to determine compliance with the terms of this Order.
9. 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.
10. 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, 2018, unless revoked prior to that date.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

Erik Ekdahl, Deputy Director
Division of Water Rights

Dated: SEP 07 2018