



State Water Resources Control Board

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California Department of Fish and Wildlife

Bay Delta Region
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April 21, 2015

Dear Landowner:

Subject: Urgent Voluntary Drought Initiative Request to Maintain Stream Flow for Coho Salmon in Reaches of Green Valley, Dutch Bill, Mark West and Mill Creeks, Tributaries to the Russian River, Sonoma County

This year, juvenile coho salmon face the daunting challenge of surviving the fourth year of the worst drought in recorded California history. The length and severity of this drought has moved their fight for survival into uncharted waters. Winter rains have not been sufficient to alleviate drought conditions and as such, the California Department of Fish and Wildlife (CDFW) and the State Water Resources Control Board (State Water Board) are asking for your assistance in taking important actions that may protect sensitive aquatic ecosystems. Partnerships with landowners for habitat restoration in these watersheds have been incredibly important over the years for the conservation of coho salmon. Now we are asking landowners to participate in voluntary drought agreements to help ensure enough water remains instream for this endangered species.

In an effort to strengthen the state's ability to manage water and habitat effectively in drought conditions, Governor Edmund G. Brown, Jr. has taken several actions to combat this growing emergency, including the following:

- Declared a State of Emergency due to the ongoing drought (January 17, 2014)
- Issued a Proclamation of a continued State of Emergency (April 25, 2014)
- Issued an Executive Order extending until May 31, 2016 certain aspects identified in the previous orders (December 22, 2014)
- Issued an Executive Order indicating the distinct possibility that the current drought will stretch into 2016 and beyond and ordering reductions in municipal water use (April 1, 2015)

The Executive Orders, among other things, direct CDFW to work with landowners and other state and federal agencies in priority watersheds to protect threatened and endangered species and species of special concern.

The Governor's April 25, 2014 Proclamation, directed the State Water Board to adopt and implement emergency regulations, which it did in other watersheds in 2014 and 2015 to protect fisheries. Implementation of these emergency regulations in 2014 was not necessary in two watersheds covered by the emergency regulations because local voluntary efforts were successful in providing the flows necessary to protect fisheries.

In 2014, CDFW partnered with the National Marine Fisheries Service (NMFS) to develop the California Voluntary Drought Initiative (Drought Initiative) which identified certain reaches of Green Valley, Dutch Bill, Mark West and Mill creeks as priority watersheds. The Drought Initiative encourages the development of voluntary agreements between CDFW, NMFS and other parties to provide instream flows for fish, associated monitoring and potential fish rescue actions. CDFW has worked with several landowners under the Drought Initiative to provide enhanced flows to support summer rearing habitat critical to the survival of coho salmon and steelhead. Under existing state authorities and pursuant to executive orders related to the current drought emergency, CDFW may also employ voluntary written agreements as a tool to improve regulatory coverage for incidental take of species under California Endangered Species Act (CESA). At the discretion of the landowner, Memoranda of Understanding entered into pursuant to the Drought Initiative and CESA for fish management activities will include location-specific best management practices and will provide increased regulatory certainty for cooperating landowners and entities. Technical and financial assistance may be available for water users who participate in the Drought Initiative to implement the actions described in any agreement. If requested, CDFW will provide recommendations and letters of support, for targeting financial and technical assistance, with Drought Initiative participants.

The ecosystem and the survival of the coho salmon are at a precarious junction and until the winter rains come again, every week is critical for these endangered salmon. **CDFW and the State Water Board are asking for landowner assistance in helping to protect and preserve our fragile Russian River coho salmon population by participating in voluntary drought agreements that will help to maintain stream flows for juvenile fish passage from May 1 to June 30 and for subsistence flows after July 1. The fish need a minimum amount of water flow to live and these steps and cooperation are necessary for them to succeed.** Such voluntary agreements could involve:

- Use of alternative water sources that will not directly or indirectly affect instream flow.
- Coordination of diversions among adjacent landowners to reduce instantaneous withdrawal rates so that instantaneous diversion rates can be limited by withdrawing water at different times where possible.
- Coordinated releases to enhance downstream flow where there is reservoir storage that may not be needed for irrigation or other uses.
- Reducing water extraction activities that reduce stream flow, installing water conservation measures and forgoing irrigation of landscaping and lawns.
- Installation low-flow devices such as toilets, washing machines, etc.

Over this last year, collaborative efforts by Russian River stakeholders have made significant strides towards local solutions to meet the dual needs of providing frost protection for vineyards and flows necessary to protect juvenile coho salmon and steelhead during the frost season. The State Water Board prefers such collaborative approaches that allow stakeholders to work together at the local level to find solutions as provided for under the Russian River Frost Protection Regulations versus more prescriptive approaches that rely upon curtailments or other restrictions on water rights holders. However, due to the immediate threat to coho salmon during this drought emergency, in the absence of a sustainable voluntary commitment to conserve or forego water, the State Water Board may need to act as it did in 2014 and this year with tributaries in the Sacramento River watershed and pass emergency regulations

(http://www.waterboards.ca.gov/press_room/press_releases/2015/pr031715_wr_fish_reg_info.pdf) that compel curtailments of water right holders in these tributaries. We encourage the immediate development of voluntary drought agreements to protect endangered fish on these important stream reaches. CDFW intends to support any local cooperative solution formalized through an executed agreement with CDFW as an alternative to the State Water Board's priority-based curtailment of any party to such an agreement's water rights in order to prevent unreasonable impacts to fishery resources.

Additional ways to conserve water may be found at: <http://saveourwater.com/>. Any actions taken on your part could be instrumental in protecting instream resources of these creeks. Immediate action is needed by water users in these four Russian River tributaries to address the drought conditions this year. However, CDFW and the State Water Board recognize that long-term physical solutions (e.g., off stream storage during wet season, habitat restoration, etc.) or agreements may be appropriate to help address this issue over the long-term. CDFW and the State Water Board are committed to work with project proponents on these long-term solutions, including permitting of such action, where appropriate.

If you are interested in participating in the Drought Initiative please contact the Bay Delta Region's Drought Hotline at (707) 944-5555 or via email at BDRDrought@wildlife.ca.gov. CDFW's Russian River Coho – Voluntary Drought Initiative webpage (<https://www.wildlife.ca.gov/Conservation/Inland-Fisheries/Projects/Russian-River-Coho>) provides details of the information presented in this letter including the Drought Initiative, watershed maps, outreach, and technical information. This website will be updated frequently to include public meeting dates and other news, so please check the website for the most current information.

Sincerely,



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Bay Delta Region
California Department of Fish and Wildlife



Barbara Evoy
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Division of Water Rights
State Water Resources Control Board