



**NCWA**  
Northern California Water Association

*To advance the economic, social and environmental sustainability of Northern California  
by enhancing and preserving the water rights, supplies and water quality.*

September 8, 2021

Mr. E. Joaquin Esquivel, Chair  
Members of the Board  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

[DWR-MillDeerDrought@waterboards.ca.gov](mailto:DWR-MillDeerDrought@waterboards.ca.gov)

**RE: Preliminary Draft Drought Emergency Regulation for Mill Creek and Deer Creek Watersheds**

Dear Chair Esquivel and Members of the Board:

The Northern California Water Association (NCWA) offers the following comments regarding an emergency regulation for Mill Creek and Deer Creek watersheds. We strongly support the ongoing collaborative efforts to maximize habitat values for spring-run Chinook salmon and steelhead on the creeks and urge the State Water Board to also support these collaborative efforts.

NCWA is committed to advance the economic, social and environmental sustainability of the Sacramento Valley by enhancing and preserving its water rights, supplies, and water quality for the rich mosaic of farmlands, refuges and managed wetlands, and meandering rivers that support fisheries and wildlife, and cities and rural communities in the region.

California Department of Fish and Wildlife (CDFW) and the water managers have a history of working collaboratively to produce base and pulse flows on Mill and Deer Creeks to benefit spring-run Chinook and steelhead. In addition, the water managers and CDFW have been engaged in discussions regarding habitat improvements to enhance fish passage and other projects that would increase the benefits targeted, functional flows could provide for spring-run salmon. With this collaboration underway, we caution the State Water Board to restrain from using this emergency regulation to require flows that are so rigid in quantity and timing that it will not allow CDFW and the water managers to work together in real time to produce flows that will benefit fish when they are physically in the creeks. Instead, we recommend the State Water Board fully support CDFW, their expertise, and their efforts to work with water managers and landowners on the creeks in a collaborative approach that will serve as the most efficient way of using the limited water resources in the creeks to benefit fish at the appropriate times.

For more than six years we have been implementing the [Sacramento Valley Salmon Recovery Program](#) to advance science and habitat projects for salmon recovery in the region. This program consists of a broad collaborative partnership of water management entities, landowners, conservation organizations and state and federal entities, and represents a comprehensive effort, addressing all salmon life-cycle stages that occur in fresh water by implementing projects and flows that serve multiple benefits and improve conditions for salmon. It is designed as a proactive and extensive effort, in line with Section 4 of the Endangered Species Act (ESA), to promote recovery of Chinook salmon through the completion of projects to address stressors to which the fish are exposed in all reaches of the region's waterways.

To help bring additional focus to spring-run salmon, we have developed a "Sacramento Valley Spring-run Chinook Salmon Priority Actions," working with CDFW and NOAA Fisheries. Work on Mill Creek and Deer Creek is featured prominently among the priority actions. This effort builds upon the amazing collaboration we have seen the past several decades along Butte Creek, which has experienced an [impressive recovery as a result of actions within all parts of the creek](#).

As you consider this emergency regulation, we would once again recommend that the State Water Board fully support CDFW to work with the water managers and landowners in real time with actions that will benefit spring-run in these important creeks.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd N. Manley". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

Todd N. Manley  
Director of Government Relations