



## **Russian River Biological Opinion Update – August 1, 2022**

The Sonoma County Water Agency (Sonoma Water) is continually planning and implementing the Russian River Biological Opinion requirements. Below is a brief synopsis of current work. For more detailed information, please visit [www.sonomacountywater.org](http://www.sonomacountywater.org).

### **Fish Flow Project**

The Fish Flow Habitat and Water Rights Project (Fish Flow) Draft Environmental Impact Report (Draft EIR) was released in 2016 for public comments. Submitted comments fall into a number of categories, but many comments fall into the following general issues:

- Water Quality (e.g., algae and biostimulatory conditions);
- Water Rights (e.g., illegal/unauthorized diversions along Russian River, minimum bypass flow terms in State Water Resources Control Board-issued water right permits);
- Recreation (e.g., lower Russian River recreation and tourism, quantity and quality of river flow for recreation);
- Independent Science Review Panel (ISRP) Report (e.g., consideration of results/recommendations of ISRP report in Draft EIR);
- Proposed Project description and alternatives (e.g., consideration of “adaptive management” in implementation of proposed project).

Sonoma Water staff are currently working on revisions in anticipation of recirculating the Draft EIR in 2023.

### **Dry Creek Habitat Enhancement Project**

#### **Construction**

No construction activity this period.

#### **Habitat Monitoring and Maintenance**

Sonoma Water environmental staff continue to conduct physical and biological surveys on previously constructed and maintained sites to quantify the habitat areas and identify changes or maintenance needs. This involves collecting topographic data and imagery with drones, surveying the topography and the underwater bathymetry, measuring the velocity and depth of the water, and recording the location and extent of specific habitat structures such as log jams, pools, and riffles. Sonoma Water field crews have recently installed container plantings at existing habitat sites in the Reach 14 area of Dry Creek.

#### **Phases IV – VI**

Sonoma Water and the Corps of Engineers are implementing Phases IV – VI of the Dry Creek Habitat Enhancement Project under a cost-share partnership where the Corps of Engineers covers 65% of the cost and implements the actual construction.

The Corps is in the process of constructing Phase IV of the Dry Creek Project, which consists of sites in Reaches 10 and 13 of Dry Creek. They awarded the construction contract to the lowest bidder, McCullough Construction, Inc., on May 31, 2022.–The Corps, with support from Sonoma Water, is conducting long-term terrestrial vegetation surveys, and McCullough is conducting pre-construction topographic and biological surveys. A pre-construction conference was held on July 18<sup>th</sup> and construction of the Reach 13 sites is scheduled to begin in early August. The Corps is also scheduling a groundbreaking ceremony for mid-August that will be attended by the design team members from the Corps, Sonoma

Water, and the design consultants, as well as higher ranking officials from the Corps, and senior management staff from Sonoma Water.

ESA has submitted revised 99% Phase V design report, plans and specifications, and the Corps and Sonoma Water have completed the required District Quality Control (DQC) review and provided comments. Once the comments from the DQC review have been addressed, the Corps intends to advertise in fall 2022 for 2023 construction. Property Owners for the properties where the Phase V sites are located are reviewing their compensation offers and agreements for the right-of-way easements necessary to construct and maintain the projects.

The Sonoma Water right-of-way staff and project manager continue to work with the Phase VI property owners to finalize the access routes and staging areas for these projects and prepare right-of-way compensation offers. Construction of Phase VI is planned to begin in 2024. Sonoma Water GIS and Right-of-Way staff are preparing the maps needed to appraise the value of the right-of-way compensation amounts.

The additional Phase V site in Reach 5B, immediately upstream of the Phase III site constructed in 2021 in Reach 5, is in the 60% design Phase. Sonoma water is coordinating with the permitting agencies, property owners and design consultants and the design consultants are surveying existing vegetation and preparing conceptual alternatives for the drainage crossing needed for site access. The consultant will prepare the detailed design once Sonoma Water has selected the preferred design alternative.



*Photo at left shows condition of a tributary that needs to be crossed to build Reach 5B. Photo at rights shows existing debris along the bank in Reach 5B. Debris like this was historically used up and down Dry Creek as an erosion control method. The project at this site will help remove some of this debris.*

### **Public Outreach**

The Army Corps and Sonoma Water will hold a ground breaking ceremony for the Dry Creek mile 4 (Army Corps Phase I) project on August 16. Sonoma Water will provide a project update to the Dry Creek Valley Association Board on August 17<sup>th</sup>.

### **Fish Monitoring**

Summer is the season when Sonoma Water staff turn attention to habitat and fish monitoring in Dry Creek. This summer, we plan to conduct sampling to determine whether young salmon and steelhead are using newly constructed habitat in Dry Creek. Our methods include snorkel and electrofishing surveys in the summer and operation of antennas from now through the winter in order to detect the presence of tagged fish that may move into these sites. Since we began Dry Creek fish monitoring in 2013, these methods have proved effective in allowing us to document use of constructed habitats by young and adult coho, steelhead and Chinook.



Because of the ongoing drought, Sonoma Water is undertaking monitoring aimed at documenting its effects on fish populations and their habitat (i.e., water quality and physical conditions) in the mainstem of the Russian River and Russian River Estuary. Related water quality monitoring in Lake Mendocino helps us understand how changes in Lake Mendocino as the drought progresses affect aquatic conditions downstream.

Collectively, we are monitoring fish populations at five sites, water quality at 23 sites (not including USGS gage sites) and physical conditions at eight sites. In the case of water quality monitoring, data are collected either continuously with electronic datasondes or at intervals through grab sampling. Physical monitoring is conducted bi-weekly while fish sampling will be repeated less frequently depending on the target species and life stages present in the river. As the year progresses, data collection of additional physical and fish data is planned for sites further downstream. Data we collect are reported to resource agencies weekly so that managers are well-informed with timely information.

### **Russian River Estuary Management Project**

The mouth of the Russian River has closed eight times so far in 2022, most recently on May 6. The lagoon management season began on May 15<sup>th</sup> and Sonoma Water staff continued pinniped and water quality monitoring in July, along with the monthly beach topographic survey.

### **Interim Flow Changes**

On May 25, 2022 Sonoma Water filed Temporary Urgency Change Petitions with the Division of Water Rights (Division) requesting that the Russian River water supply condition be classified as *Critical*. Without the requested changes, the Russian River water supply condition would be classified as *Normal Dry-Spring II*, which would require the minimum instream flow requirement on the Upper Russian be 75 cfs and on the Lower Russian River be 125 cfs for the remainder of the year. Based on reservoir storage forecasts prepared by Sonoma Water engineering staff, reservoir releases to meet these minimum instream flow requirements would severely deplete storage in both Lake Mendocino and Lake Sonoma; and result in releases from Lake Sonoma that would violate the Incidental Take Statement in the 2008 Russian River Biological Opinion. The Petitions include commitments for monitoring and reporting, and a 20 percent reduction in diversions (compared to 2020) from the Russian River from July 1 through October 31, 2022 or until flows at the US Geological Survey gage at Hacienda Bridge was at or above 125 cfs. On June 17, 2022 the Division issued an order approving the requested changes. The order expires on December 13, 2022.

### **Biological Assessment for New Biological Opinion**

In anticipation of the expiration of the 2008 Biological Opinion (BO) in September 2023, Sonoma Water is working with National Marine Fisheries Service (NMFS), the U.S. Army Corps of Engineers (USACE), and California Department of Fish and Wildlife (CDFW) to reinitiate consultation and develop a Biological Assessment (BA) for continuation of the USACE and Sonoma Water operations in the Russian River watershed.

Sonoma Water entered into an agreement with consulting firm Environmental Science Associates (ESA) in January 2021, to complete a BA that can be used by both the USACE and NMFS for a new BO authorizing incidental take of Chinook salmon, coho salmon, and steelhead related to water supply, flood control operations, and channel maintenance in portions of the Russian River watershed.

ESA and Sonoma Water staff have reviewed all aspects of work completed as part of compliance with the 2008 BO. ESA submitted the updated draft Environmental Baseline Section to NMFS and CDFW on July 1 for review. ESA worked with the USACE and Sonoma Water to develop a description of the draft Proposed Action section, building on the information developed in the Environmental Baseline. The description of the Proposed Action will be used as the basis for the effects analysis in the BA.

ESA has facilitated monthly USACE and Sonoma Water team meetings and regular check-in meetings to collaborate with Sonoma Water, NMFS, USACE, CDFW, and other partners, on development of the draft BA. In addition, ESA facilitated a meeting with CDFW and Sonoma Water to discuss whether to pursue obtaining incidental take coverage under California Endangered Species Act through a Fish and Game Code 2081 (Incidental Take Permit [ITP]) or 2080.1 (Consistency Determination with the NMFS BO).

#### **Status of BA Sections and Near-Term Review/Submittal Schedule**

- Draft Environmental Baseline section was submitted for NMFS and CDFW review on July 1.
- The draft Introduction, Regional Baseline, Species Account, and Proposed Action Sections are under review.
- A Draft of the BA is slated for submittal to Sonoma Water for review in August.
- ESA is working to set up a series of recurring meetings with Sonoma Water, USACE, NMFS, and CDFW to facilitate coordination and discussion of recent and upcoming submittals.
- A full Draft of the BA is slated for submittal to NMFS and CDFW for review in fall 2022