



**Sonoma  
Water**

November 16, 2021

Erik Ekdahl, Deputy Director of Water Rights  
State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, CA 95812-2000

**RE: Petitions for Temporary Urgency Change—Permits 12947A, 12949, 12950 and 16596  
(Applications 12919A, 15736, 15737 and 19351)**

Dear Mr. Ekdahl:

Enclosed are the Petitions for Temporary Urgency Change to modify the index for determining water supply conditions and minimum instream flow requirements as established by Decision 1610 for Permits 12947A, 12949, 12950 and 16596. Accompanying the petitions are the following:

- 1) Supplement to the November 2021 Temporary Urgency Change Petitions
- 2) Environmental Information for Petition
- 3) Notice of Exemption
- 4) California Department of Fish and Wildlife Review Fee Payment
- 5) State Water Resources Control Board Petition Fee Payment

These petitions are submitted due to an exacerbated disconnection between the current index, Lake Pillsbury inflow in the Eel River, and water supply conditions in the Russian River watershed. The index has its basis in the historic contribution of inter-basin transfers of Pacific Gas & Electric's (PG&E) Potter Valley Project (PVP) hydroelectric facility from the Eel River to the East Fork of the Russian River and further downstream to Lake Mendocino. In October 2021, the hydroelectric plant was shuttered due to equipment failure of the transformer bank resulting in a severe reduction in the anticipated inter-basin transfers. Given the likely surrender by PG&E upon the expiration of the project's FERC license in April 2022, the expected fate of the hydroelectric plant is to remain idle due to the multi-year, multi-million-dollar necessary repairs.

Sonoma Water is currently operating under the modified permit conditions of a temporary urgency change order dated June 14, 2021 (and amended October 22, 2021) for Permits 12947A, 12949, 12950 and 16596. This order will expire after December 10, 2021.

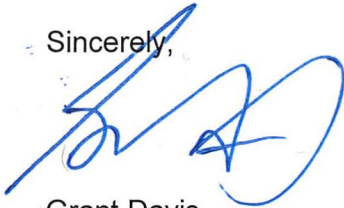
On February 1<sup>st</sup>, the water supply condition for the Russian River was reclassified from 'Normal' to 'Dry' based on the cumulative inflow into Lake Pillsbury for the water year. This designation of 'Dry' water supply conditions would have continued through until the end of the year in the absence of the temporary urgency change petitions filed by Sonoma Water that were approved under the order dated June 14, 2021. Attributable to the hydrologic index implemented under this order and wide-spread water rights curtailments issued throughout the watershed, Lake Mendocino storage levels were prevented from reaching catastrophic levels this summer.

The shutdown of the PVP hydroelectric facility coincides with historically low storage levels in Lake Mendocino and Lake Sonoma due to the historic statewide drought. The Russian River watershed was under the highest category of drought, Exceptional Drought (D4), until the reprieve of the recent storms lowered the watershed into the next category, Extreme Drought (D3) (<https://www.drought.gov/current-conditions>).

Without the proposed changes in effect, there is an undue risk that water supply conditions as determined by the current hydrologic index will set minimum instream flows in the Russian River watershed that are not sustainable with the limited reservoir storage volumes in Lake Mendocino and Lake Sonoma that have been depleted after two years of drought conditions.

I look forward to working with the Division of Water Rights staff on this important conservation effort.

Sincerely,



Grant Davis  
General Manager

c: S. Boland-Brien, J. Ling, S. McFarland – State Water Resources Control Board  
R. Coey, J. Fuller – National Marine Fisheries Service  
M. Kittle – California Department of Fish & Wildlife  
M. St. John, B. McFadin – North Coast Regional Water Quality Control Board  
P. Jeane, D. Seymour, T. Schram, J. Martini Lamb, J. Jasperse – Sonoma Water  
C. O'Donnell, A. Brand – Sonoma County Counsel  
R. Bezerra – Bartkiewicz, Kronick & Shanahan

Please indicate County where  
your project is located here:

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MAIL FORM AND ATTACHMENTS TO:  
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## PETITION FOR CHANGE

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Application <span style="border: 1px solid black; display: inline-block; width: 80px; text-align: center;">15736</span>	Permit <span style="border: 1px solid black; display: inline-block; width: 80px; text-align: center;">12949</span>	License <span style="border: 1px solid black; display: inline-block; width: 80px;"></span>	Statement <span style="border: 1px solid black; display: inline-block; width: 80px;"></span>

I (we) hereby petition for change(s) noted above and described as follows:

**Point of Diversion or Rediversion** – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Present:

Proposed:

**Place of Use** – Identify area using Public Land Survey System descriptions to ¼-¼ level; for irrigation, list number of acres irrigated.

Present:

Proposed:

**Purpose of Use**

Present:

Proposed:

**Split**

Provide the names, addresses, and phone numbers for all proposed water right holders.

In addition, provide a separate sheet with a table describing how the water right will be split between the water right holders: for each party list amount by direct diversion and/or storage, season of diversion, maximum annual amount, maximum diversion to offstream storage, point(s) of diversion, place(s) of use, and purpose(s) of use. Maps showing the point(s) of diversion and place of use for each party should be provided.

**Distribution of Storage**

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**Temporary Urgency**

This temporary urgency change will be effective from  to

Include an attachment that describes the urgent need that is the basis of the temporary urgency change and whether the change will result in injury to any lawful user of water or have unreasonable effects on fish, wildlife or instream uses.

**Instream Flow Dedication** – Provide source name and identify points using both Public Land Survey System descriptions to ¼-¼ level and California Coordinate System (NAD 83).

Upstream Location:

Downstream Location:

List the quantities dedicated to instream flow in either: ☐ cubic feet per second or ☐ gallons per day:

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Will the dedicated flow be diverted for consumptive use at a downstream location? ☐ Yes ☐ No

If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

**Waste Water**

If applicable, provide the reduction in amount of treated waste water discharged in cubic feet per second.

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated waste water? ☐ Yes ☐ No

Will any legal user of the treated waste water discharged be affected? ☐ Yes ☐ No

**General Information** – For all Petitions, provide the following information, if applicable to your proposed change(s).

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Give name and address of any person(s) taking water from the stream between the present point of diversion or redirection and the proposed point of diversion or redirection, as well as any other person(s) known to you who may be affected by the proposed change.

**All Right Holders Must Sign This Form:** I (we) declare under penalty of perjury that this change does not involve an increase in the amount of the appropriation or the season of diversion, and that the above is true and correct to the best of my (our) knowledge and belief. Dated  at

  
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**November 2021**

**Sonoma County Water Agency**

***Supplement to the November 2021 Temporary Urgency Change  
Petitions***

The Sonoma County Water Agency (Sonoma Water) seeks temporary urgency changes to its four water-right permits used to provide wholesale water to cities and water districts in Sonoma and Marin counties. These changes are necessary to ensure that the water supply condition and corresponding minimum instream flow requirements in the Russian River watershed are aligned with actual watershed hydrologic conditions. This is essential to maintain sustainable reservoir/river operations to protect municipal water supply and listed salmon species in the Russian River.

Based on Sonoma Water's water right permits established under State Water Resources Control Board (State Water Board) Decision 1610, the water supply condition for the Russian River is determined using cumulative inflow into Lake Pillsbury as the index. Lake Pillsbury is a storage reservoir located in the Eel River watershed for Pacific Gas & Electric Company's (PG&E) Potter Valley Hydroelectric Project (PVP) which transfers water into the East Fork of the Russian River. During a PVP Drought Working Group meeting on October 7, 2021, PG&E informed the group that the transformer bank at the PVP powerhouse had failed and would need to be replaced in order to convey water through the powerhouse for power generation. PG&E estimates it will take up to two years to replace the transformer bank at a cost of five to ten million dollars. It is highly uncertain whether PG&E will make the necessary repairs to continue power generation as its FERC operating license expires in April 2022. In January 2019, PG&E withdrew its Preliminary Application Document and Notice of Intent to relicense the project.

Currently, the PVP is rated at a flow rate up to 240 cubic feet per second (cfs) through the powerhouse for power generation. PG&E can bypass the powerhouse at flow rates up to 135 cfs to meet Federal Energy Regulatory Commission (FERC) license requirements for minimum instream releases into the East Branch Russian

River and water supply contract requirements with the Potter Valley Irrigation District (PVID).

PG&E's transfer obligations to meet FERC license requirements and PVID contract amounts until April 14 is 45 cfs. On April 15 the transfer requirement to the East Branch Russian River will be reassessed based on the water supply condition. PG&E has indicated that without the ability to generate hydropower, it is unlikely PG&E will make discretionary transfers of Eel River water through the PVP above its FERC license and contract obligations. Discretionary transfers to generate hydropower can occur up until early April if hydrologic conditions on the Eel River and at Lake Pillsbury are being met. Without the discretionary transfer of Eel River water to generate hydropower, the total transfer through the PVP will be reduced by up to 400 acre-feet per day.

Under these operating conditions of the PVP, the influence of the Eel River water imports on downstream hydrologic conditions in the Russian River will be greatly diminished. Therefore, there will be little to no correlation between cumulative inflow into Lake Pillsbury and the hydrologic conditions in the Russian River watershed. Consequently, Sonoma Water requests that storage thresholds in Lake Mendocino be used as the hydrologic index to determine the water supply condition in the Russian River watershed. The same storage thresholds were requested by Sonoma Water in prior Temporary Urgency Change Petitions (TUCP) filed in December 2013 and January 2021, which the State Water Board approved in orders issued on December 31, 2013 and February 4, 2021, respectively.

The current drought has led Sonoma Water to file three TUCPs since June 2020. Projected critically low storage levels in Lake Mendocino were the drivers for the TUCPs. These low storage levels were due to dry watershed conditions and reduced transfers of Eel River water through the PVP as a result of variances filed with FERC by PG&E. Lake Mendocino and Lake Sonoma remain at or near their lowest levels for this time of year since filling in 1959 and 1986, respectively. Consequently, it is even more critical that the water supply condition and corresponding minimum instream flows in the Russian River be determined by a hydrologic index representative of the Russian River watershed.

## 1.0 BACKGROUND

Sonoma Water controls and coordinates water supply releases from Lake Mendocino and Lake Sonoma to implement the minimum instream flow requirements as established in water rights Decision 1610, which the State Water Board adopted on April 17, 1986. Decision 1610 specifies minimum instream flow requirements for the Upper Russian River, Dry Creek and the Lower Russian River.<sup>1</sup> These minimum flow requirements vary based on hydrologic conditions, which are also specified in Decision 1610. The Decision 1610 requirements for the Upper Russian River and Lower Russian River are contained in term 20 of Sonoma Water's water-right Permit 12947A (Application 12919A). The Decision 1610 requirements for the Lower Russian River are contained in term 17 of Sonoma Water's water-right Permit 12949 (Application 15736) and term 17 of Sonoma Water's water-right Permit 12950 (Application 15737). The Decision 1610 requirements for Dry Creek and the Lower Russian River are contained in term 13 of Sonoma Water's water-right Permit 16596 (Application 19351).

Sonoma Water's operations are also subject to the Russian River Biological Opinion issued by the National Marine Fisheries Service on September 24, 2008, and consistency determination issued by the California Department of Fish and Wildlife on November 9, 2009.

### 1.1 Minimum Flow Requirements

Decision 1610 requires a minimum flow of 25 cubic feet per second (cfs) in the East Fork of the Russian River from Coyote Valley Dam to the confluence with the West Fork of the Russian River under all water supply conditions. From this point to Dry Creek, the Decision 1610 required minimum Russian River flows are: from April through August, 185 cfs, and from September through March, 150 cfs, during *Normal* water supply conditions; 75 cfs during *Dry* conditions; and 25 cfs during *Critical* conditions. Decision 1610 further specifies two variations of the *Normal*

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<sup>1</sup> The Upper Russian River is the stream reach from the confluence of the East Fork Russian River and West Fork Russian River to the Russian River's confluence of Dry Creek. The Lower Russian River is the stream reach from the confluence of Dry Creek and the Russian River to the Pacific Ocean.



water supply condition, commonly known as *Dry Spring 1* and *Dry Spring 2*. These conditions provide for lower required minimum flows in the Upper Russian River during times when the combined storage in Lake Pillsbury (located in the Eel River watershed) and Lake Mendocino on May 31 is unusually low. *Dry Spring 1* conditions exist if the combined storage in Lake Pillsbury and Lake Mendocino is less than 150,000 acre-feet on May 31. Under *Dry Spring 1* conditions, the required minimum flow in the Upper Russian River between the confluence of the East Fork and West Fork and Healdsburg is 150 cfs from June through March, with a reduction to 75 cfs during October through December if Lake Mendocino storage is less than 30,000 acre-feet during those months. *Dry Spring 2* conditions exist if the combined storage in Lake Pillsbury and Lake Mendocino is less than 130,000 acre-feet on May 31. Under *Dry Spring 2* conditions, the required minimum flows in the Upper Russian River are 75 cfs from June through December and 150 cfs from January through March.

From Dry Creek to the Pacific Ocean, the required minimum flows in the Lower Russian River are 125 cfs during *Normal* water supply conditions, 85 cfs during *Dry* conditions, and 35 cfs during *Critical* conditions.

In Dry Creek below Warm Springs Dam, the required minimum flows are 75 cfs from January through April, 80 cfs from May through October and 105 cfs in November and December during *Normal* water supply conditions. During *Dry* and *Critical* conditions, these required minimum flows are 25 cfs from April through October and 75 cfs from November through March.

Figure 1 shows all of the required minimum instream flows specified in Decision 1610 by river reach, the gauging stations used to monitor compliance, and the definitions of the various water supply conditions.

## **1.2 Water Supply Conditions**

There are three main water supply conditions that are defined in Decision 1610, which set the minimum instream flow requirements based on the hydrologic conditions for the Russian River system. These water supply conditions are determined based on criteria for the calculated cumulative inflow into Lake Pillsbury from October 1 to the first day of each month from January to June.

Decision 1610 defines cumulative inflow for Lake Pillsbury as the algebraic sum of releases from Lake Pillsbury, change in storage and lake evaporation.

*Dry* water supply conditions exist when cumulative inflow to Lake Pillsbury from October 1 to the date specified below is less than:

- 8,000 acre-feet as of January 1;
- 39,200 acre-feet as of February 1;
- 65,700 acre-feet as of March 1;
- 114,500 acre-feet as of April 1;
- 145,600 acre-feet as of May 1; and
- 160,000 acre-feet as of June 1.

*Critical* water supply conditions exist when cumulative inflow to Lake Pillsbury from October 1 to the date specified below is less than:

- 4,000 acre-feet as of January 1:
- 20,000 acre-feet as of February 1;
- 45,000 acre-feet as of March 1;
- 50,000 acre-feet as of April 1;
- 70,000 acre-feet as of May 1; and
- 75,000 acre-feet as of June 1.

*Normal* water supply conditions exist whenever a *Dry* or *Critical* water supply condition is not present. As indicated above, Decision 1610 further specifies three variations of the *Normal* water supply condition based on the combined storage in Lake Pillsbury and Lake Mendocino on May 31. These three variations of the *Normal* water supply condition determine the required minimum instream flows for the Upper Russian River. This provision of Decision 1610 does not provide for any changes in the required minimum instream flows in Dry Creek or the Lower

Russian River. A summary of the required minimum flows in the Upper Russian River for *Normal*, *Normal — Dry Spring 1* and *Normal — Dry Spring 2* water supply conditions is provided here:

1. *Normal*: When the combined water in storage in Lake Pillsbury and Lake Mendocino on May 31 of any year exceeds 150,000 acre-feet or 90 percent of the estimated water supply storage capacity of the reservoirs, whichever is less:

From June 1 through August 31	185 cfs
From September 1 through March 31	150 cfs
From April 1 through May 31	185 cfs

2. *Normal-Dry Spring 1*: When the combined water in storage in Lake Pillsbury and Lake Mendocino on May 31 of any year is between 150,000 acre-feet or 90 percent of the estimated water supply storage capacity of the reservoirs, whichever is less, and 130,000 acre-feet or 80 percent of the estimated water supply storage capacity of the reservoirs, whichever is less:

From June 1 through March 31	150 cfs
From April 1 through May 31	185 cfs
If from October 1 through December 31, storage in Lake Mendocino is less than 30,000 acre-feet	75 cfs

3. *Normal-Dry Spring 2*: When the combined water in storage in Lake Pillsbury and Lake Mendocino on May 31 of any year is less than 130,000 acre-feet or 80 percent of the estimated water supply storage capacity of the reservoirs, whichever is less:

From June 1 through December 31	75 cfs
From January 1 through March 31	150 cfs
From April 1 through May 31	185 cfs



## **2.0 WATER SUPPLY CONDITIONS**

From October 1, 2020 to May 31, 2021, the cumulative inflow into Lake Pillsbury was 82,215 acre-feet. Consequently, the water supply condition is categorized as *Dry* for the remainder of 2021. Sonoma Water is currently managing the Russian River based on a *Critical* water supply condition as authorized by the June 14, 2021 State Water Board order approving Sonoma Water's May 2021 TUCP. These changes were necessary because of the critically dry hydrology and very low storage at Lake Mendocino. The State Water Board's June 14, 2021 order expires after December 10, resulting in the water supply condition changing back to *Dry* for the remainder of the year and the corresponding minimum instream flow requirements increasing from 25 cfs to 75 cfs on the Upper Russian River and from 35 cfs to 85 cfs on the Lower Russian River.

From October 1, 2021 to November 14, 2021, the cumulative in flow into Lake Pillsbury was 41,947 acre-feet. Consequently, the water supply condition will be categorized as *Normal* for at least through February 2022, with a minimum instream flow requirement of 150 cfs on the Upper Russian River and 125 cfs on the Lower Russian River. Without an additional temporary urgency change order approving the requested changes, there is a significant risk that using a hydrologic index based on cumulative inflow into Lake Pillsbury will be misaligned with actual Russian River watershed conditions and storage levels at Lake Mendocino and Lake Sonoma. This could require releases from the two reservoirs to meet minimum instream flow requirements that could deplete the reservoirs to severely low levels.

### **2.1 Potter Valley Hydroelectric Project**

The PVP, owned and operated by PG&E, is located on the East Fork Russian River and the Eel River in Mendocino and Lake Counties. PVP's Lake Pillsbury is impounded by Scott Dam. Eel River natural flows and releases from Scott Dam can be diverted downstream at Cape Horn Dam through PG&E's generation facilities. Those generation facilities then release that water to the East Fork Russian River.

As discussed above, the PVP powerhouse is inoperable for the foreseeable future, which will severely reduce the transfer of Eel River water through the PVP. PG&E

is in the process of assessing the issue, but has indicated that it is unlikely it will repair the facility given the likelihood the FERC license for the PVP may be surrendered.

## **2.2 Lake Mendocino**

As of November 15, 2021 the water supply storage level in Lake Mendocino was 19,995 acre-feet (AF). This storage level is approximately 29 percent of the available water conservation pool for this time of year. This is the second lowest storage level for this time of year since Lake Mendocino filled in 1959. Figure 2 shows observed storage in Lake Mendocino for 2014 through November 14, 2021.

In February 2021, the U.S. Army Corps of Engineers (USACE) approved a Planned Major Deviation (Deviation) of the Coyote Valley Dam/Lake Mendocino Water Control Manual for WY 2021 through WY 2026 at the request of the Lake Mendocino Forecast Informed Reservoir Operations (FIRO) Steering Committee. The Deviation allows USACE flood control managers to store up to an additional 11,050 acre-feet of water in the flood control pool at their discretion. Furthermore, it authorizes USACE flood control managers to leverage a Decision Support Model (DSM) developed by Sonoma Water as part of the tools and protocols USACE uses to manage reservoir operations at Lake Mendocino. Based on an operational hydrologic ensemble of streamflow forecasts provided by the California-Nevada River Forecast Center, current reservoir storage, and current and anticipated downstream conditions, the DSM provides a recommended release to help inform operational decisions. Unfortunately, WY 2021 is the second driest year in the Ukiah Valley during the past 127 years of record, with WY 2020 being the fourth driest. As a result, storage at Lake Mendocino remained well below the flood control pool and the FIRO DSM was not utilized this year.

## **2.3 Lake Sonoma**

As of November 15, 2021, the water supply storage level in Lake Sonoma was 122,322 acre-feet. This storage level is approximately 50 percent of the available water conservation pool. This is the lowest storage level for this time of year since Lake Sonoma filled in 1986. Figure 3 shows observed storage in Lake Sonoma for 2014 through November 14, 2021.

### **3.0 CRITERIA FOR APPROVING TEMPORARY URGENCY CHANGE TO PERMITS 12947A, 12949, 12950, AND 16596**

As required by Water Code section 1435, subdivision (b), the Board must make the following findings before issuing a temporary change order:

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.

#### **3.1 Urgency of the Proposed Change**

Under Water Code section 1435, subdivision (c), an urgent need to make a proposed change exists when the State Water Board concludes 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.

For these petitions, an urgent need exists to implement the proposed change due to the drastic reduction of potential Eel River water imports through the PVP resulting from the inoperability of the powerhouse for the foreseeable future. The volume of imported Eel River water that can be transferred with the powerhouse being inoperable results in little or no correlation between cumulative inflow into Lake Pillsbury and the hydrologic condition in the Russian River. Without the proposed changes, the applicable minimum instream flow requirements may require releases of water from Lake Mendocino and Lake Sonoma at levels that would risk significant depletions of storage to severely low levels. Such depletions in storage could cause serious impacts to human health and welfare and reduce water supplies needed for fishery protection.

### **3.2 No Injury to Any Other Lawful User of Water**

If this petition is approved, Sonoma Water still will be required to maintain specific minimum instream flows in the Russian River. Because these minimum flows will be present, all other legal users of water still will be able to divert and use the amounts of water that they may legally divert and use. Accordingly, granting this petition will not result in any injury to any other lawful user of water.

### **3.3 No Unreasonable Effect upon Fish, Wildlife, or Other Instream Beneficial Uses**

If these petitions are approved, monthly storage thresholds in Lake Mendocino would determine the water supply condition that sets the Russian River minimum instream flow requirements. This change would align Sonoma Water's reservoir operations and the applicable minimum streamflows with the Russian River watershed's hydrology. The change therefore could result in lower instream flows in the Russian River. Any effects associated with such flow reductions would not be unreasonable, considering the potential catastrophic impacts to fish, wildlife and other instream beneficial uses that could occur under minimum instream flow requirements that the Russian River watershed and reservoirs cannot sustain.

### **3.4 The Proposed Change is in the Public Interest**

Approval of these petitions would provide alternative criteria for determining minimum instream flow requirements for the Russian River that would be based on a more accurate assessment of water supply conditions in the Russian River watershed. This would result in minimum instream flow requirements that more likely can be sustained with releases from Lake Mendocino and Lake Sonoma without severely depleting storage. It is in the public interest to manage these water supplies based on an index that is more reflective of the hydrologic conditions of the Russian River watershed.



#### **4.0 REQUESTED TEMPORARY URGENCY CHANGE TO PERMITS 12947A, 12949, 12950, AND 16596**

To address the inoperability of the PVP powerhouse and corresponding loss of Eel River water imports through the PVP, Sonoma Water is filing these petitions requesting that the State Water Board make the following temporary changes to the Decision 1610 requirements:

Starting December 11, 2021, the minimum instream flow requirements for the Russian River will be established using an index based on water storage in Lake Mendocino, rather than the current index based on cumulative inflow into Lake Pillsbury. This temporary change is requested to ensure that the water supply condition for the Russian River is determined by an index that is reflective of actual watershed conditions. Specifically, Sonoma Water proposes that the monthly storage values listed below be used, in lieu of cumulative Lake Pillsbury inflow, to determine the water supply conditions that determine which minimum instream flow requirements in Term 20 of Permit 12947A, Term 17 of Permits 12949 and 12950, and Term 13 of Permit 16596 will apply to the Russian River:

- a. *Dry* water supply conditions will exist when storage in Lake Mendocino is less than:

- 40,000 acre-feet as of January 1
- 59,000 acre-feet as of February 1
- 68,000 acre-feet as of March 1
- 69,500 acre-feet as of March 16
- 71,000 acre-feet as of April 1
- 70,000 acre-feet as of April 16
- 69,000 acre-feet as of May 1
- 67,500 acre-feet as of May 16
- 65,000 acre-feet as of June 1

- b. *Critical* water supply conditions exist when storage in Lake Mendocino is less than:

31,000 acre-feet as of January 1  
36,000 acre-feet as of February 1  
52,000 acre-feet as of March 1  
53,000 acre-feet as of March 16  
54,000 acre-feet as of April 1  
53,000 acre-feet as of April 16  
52,000 acre-feet as of May 1  
51,000 acre-feet as of May 16  
50,000 acre-feet as of June 1

- c. *Normal* water supply conditions exist in the absence of defined *Dry* or *Critical* water supply conditions.

Because the proposed criteria for determining the applicable minimum instream flow requirements would be tied to Lake Mendocino storage, they would more accurately reflect the hydrologic conditions in the Russian River and would adjust through June 1 if the remainder of the winter and spring yields improvements in the hydrologic conditions. The proposed criteria, therefore, mimic the logic underlying the year types and associated streamflow requirements of Decision 1610. It would shift the criteria for establishing hydrologic conditions in the Russian River watershed to local conditions rather than inflows to Lake Pillsbury in the Eel River watershed, which no longer are necessarily representative of Russian River hydrologic conditions.

These storage thresholds in Lake Mendocino were developed by Sonoma Water engineering staff using its Russian River Simulation Model. The modeling scenarios assume: (1) current Russian River system losses; (2) water year (WY) 1911 to WY 2017 unimpaired flow hydrology, and (3) Potter Valley Project operations based on the Reasonable and Prudent Alternatives contained in the 2004 Potter Valley Project Biological Opinion. The thresholds were developed to approximately replicate the frequency of occurrence of the water supply conditions of Decision 1610, with an 86 percent occurrence of *Normal* conditions, a 10

percent occurrence of *Dry* conditions, and a 4 percent occurrence of *Critical* conditions from January to June. A detailed description of the hydrologic analysis is presented in Attachment 1.

## **5.0 PROPOSED ACTIONS BY SONOMA WATER**

To inform State Water Board staff and interested stakeholders in the Russian River watershed regarding reservoir and watershed conditions, Sonoma Water will prepare a weekly hydrologic status report that contains the following information:

- Current reservoir levels and reservoir storage hydrographs for Lake Mendocino and Lake Sonoma;
- The daily rate of change in storage, inflow and reservoir release for Lake Mendocino and Lake Sonoma; and
- Cumulative rainfall plot for current water year versus historical precipitation range for Ukiah. Cumulative rainfall forecasts for 3-day, 7-day and 16-day.

These reports will be made available on Sonoma Water's website during the term of the order approving Sonoma Water's requested temporary changes.

## **6.0 WATER CONSERVATION ACTIVITIES**

The following water conservation activities reflect the efforts of Sonoma Water and the Sonoma-Marin Saving Water Partnership (Partnership). The Partnership represents thirteen North Bay water utilities in Sonoma and Marin counties that have joined together to provide regional solutions for water use efficiency. The utilities (Partners) are: the Cities of Santa Rosa, Rohnert Park, Petaluma, Sonoma, Cloverdale, Cotati, Healdsburg; North Marin Water, Valley of the Moon and Marin Municipal Water Districts; Cal American Water Company-Larkfield; the Town of Windsor and Sonoma Water. The Partnership was formed to identify and recommend water use efficiency projects and to maximize the cost-effectiveness of water use efficiency programs in our region.

On April 21, 2021, Governor Newsom issued a regional drought emergency proclamation for the Russian River watershed in Sonoma and Mendocino counties. The Sonoma County Board of Supervisors took action on April 27, 2021, proclaiming a local emergency due to drought conditions in support of actions needed to mitigate the adverse environmental, economic, health, welfare and social impacts of the drought. The County of Mendocino acted similarly to declare a local drought emergency.

Recognizing the need to reduce diversions from the Russian River, Sonoma Water's contractors adopted a resolution at the May 3, 2021 Water Advisory Committee (WAC) meeting supporting the water saving efforts of the Partnership and urging a 20 percent reduction in customer water use. The WAC also approved temporary allocations of Sonoma Water deliveries for the period July through October necessary to achieve a 20 percent reduction from 2020 levels for the same period. Subsequent to the adoption of the WAC resolution, the contractors took action with their Boards and/or Councils for activation of the Water Shortage Contingency Plans for their respective agencies as needed to meet the reduction goal. Sonoma Water then filed a TUCP on May 13, 2021, including a proposed action for Sonoma Water and its contractors to reduce Russian River diversions by 20 percent from 2020 levels from July 1 through October 31, 2021.

The subsequent State Board Order WR 2021-0056-EXEC approving Sonoma Water's TUCP included Term 11 stating Sonoma Water and its contractors shall ensure a 20 percent reduction in Russian River diversions for the term of the Order as compared to the same period of the previous year (July 1 – December 10, 2021). Separately, on July 8, 2021, Governor Newsom issued Executive Order N-10-21, adding Marin County to a list of 50 counties in California where a state of emergency exists due to drought conditions, and whereby the Governor called for all Californians to voluntarily reduce their water use by 15 percent from their 2020 levels. As a result, all the Partners continue to implement Water Shortage Contingency Plan stages consistent with achieving a 20 percent or greater reduction in water use.

### *Outreach Campaigns*

Prior to the Governor's April drought emergency proclamation, Sonoma Water, its water contractors, and the other member agencies of the Partnership began

implementing an aggressive water saving outreach campaign in winter 2021 to raise awareness of the continued dry-year conditions and low water supply levels in the region, asking customers to eliminate water waste and adopt habits to use less. The campaign started as a paid social media effort and expanded in spring to become a broader multi-media marketing campaign. The campaign, called *It's a Dry Year. Save Water With Us*, included broadcast and streaming radio, weekly print ads in the Santa Rosa Press Democrat newspaper, online digital advertisements for both mobile and desktop devices, sponsored media content, and the development of a dedicated webpage that included weekly water supply updates and current activities being undertaken to affect water use reductions.

An outreach subcommittee of the Partnership began meeting twice monthly in early spring to assess the effectiveness of initial outreach efforts and to continue to grow the campaign in step with changing water supply conditions. A decision was made to shift the campaign to drought messaging and adoption of a new tag line, *Drought is Here. Save Water*. Ad placements for the new campaign began in May 2021 and continued throughout summer into fall. In addition to paid advertising, earned media grew markedly in the spring through summer months and brought greater public awareness of the drought conditions locally. This included a series of news articles in the Santa Rosa Press Democrat newspaper in March and April that featured calls to action to save water. Local water supply conditions also received regional televised news coverage featuring Sonoma Water staff interviews that emphasized the urgent need for water savings.

To increase drought awareness and encourage further water savings from efficiency upgrades, the Partnership held three regional giveaway events on June 12, August 21, and October 9. Called the *Drought Drop By*, the events provided free water saving kits including efficient showerheads, faucet aerators, 5-minute shower timers, hose nozzles, water saving tips-cards, incentive program information for lawn removal, irrigation equipment and appliance upgrades, as well as buckets for capture and reuse of warm-up and rinse water from showers and sinks. The June 12 event occurred at 17 locations in Marin, Sonoma, and Mendocino counties, distributing over 5,600 kits to the public. An additional 3,300 kits were handed out across three counties in August, with 1,100 more kits distributed during the October event. Both the June and August events garnered



television news coverage that served to amplify the drought message and the need to save water.

In addition to the *Drought Drop By*, the Partnership undertook several other outreach efforts. This included a regional *Saving Water Challenge* event from July through August, inviting participants to save water by implementing daily actions from a water saving tips list, with an opportunity to win water-saving prizes for entry. The Partnership also developed and marketed a *Trusted Messenger* video campaign featuring local businesses sharing the actions they and others are taking to save water. In October 2021, the Partnership sponsored a webinar series on the use of graywater as a drought-proof resource, providing instruction for Do-It-Yourself home installations of laundry systems, as well as permitted branched drain systems. Lastly, in late summer, work was undertaken to update the outreach campaign materials to keep the *Drought is Here, Save Water* message fresh, to add a focus on fall/winter cutbacks to outdoor irrigation, and to introduce a new *Super Water Saver* campaign for continued outreach through the winter months focused on indoor water saving actions. A media toolkit containing all these new materials was assembled and distributed to all the Partners for joint implementation of paid advertising including, print and digital news publications, social media platforms, and broadcast radio. Additional outreach work that has been completed from spring through fall includes the following:

- Printing and distribution of over 5,000 *Drought is Here, Save Water* yard signs
- Launched new Partnership website (<https://www.savingwaterpartnership.org/>) with easy to access drought information (ongoing)
- Water Supply Levels graphic updated weekly in the Santa Rosa Press Democrat newspaper and on Sonoma Water and Partnership's websites (ongoing)
- Water Saving Tips campaign at Sonoma County Fair's Summer Fun Fest
- Sonoma Water presentations to over two dozen community groups (ongoing)
- Over 150 media interviews conducted (ongoing)

*Russian River Diversion Reduction*

For the period July 1, 2021 through the issuance of the State Water Board's amended Order on October 22, 2021, (which temporarily suspended the 20 percent diversion reduction required of Term 11), Sonoma Water's contractors have achieved a 22.7 percent reduction in Russian River diversions as compared to the same period in 2020. This significant reduction in water use reflects both the efforts of customers who heeded the call for water savings and also from effective management and conjunctive use of local water supplies. The Partnership will continue implementing the *Drought is Here, Save Water* outreach campaign as water supply conditions warrant and consistent with meeting the Governor's statewide reduction goal.

## **Figures**

# Cumulative inflow to Lake Pillsbury (acre-feet) from Oct 1 through

	1/1	2/1	3/1	4/1	5/1	6/1	Water Supply Conditions Prevailing on 6/1 Apply Through 12/31
	≥8,000	≥39,200	≥65,700	≥114,500	≥145,600	≥160,000	
	<8,000	<39,200	<65,700	<114,500	<145,600	<160,000	
	<4,000	<20,000	<45,000	<50,000	<70,000	<75,000	

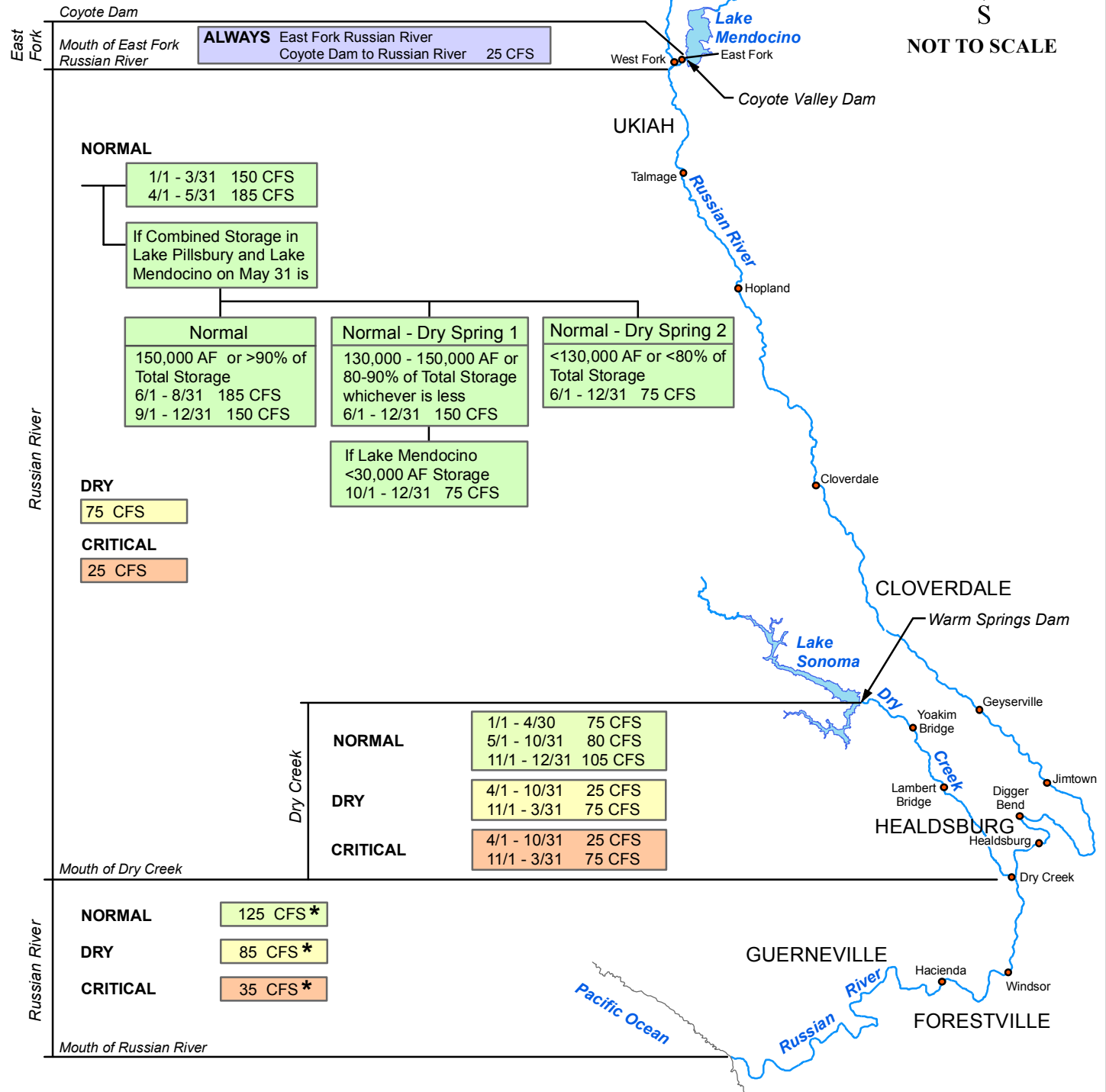
## LEGEND

All flows are minimums, expressed in cubic feet per second.

★ - Unless Lake Sonoma elevation is below 292.0, or if prohibited by the United States Government.

AF - Acre-Feet

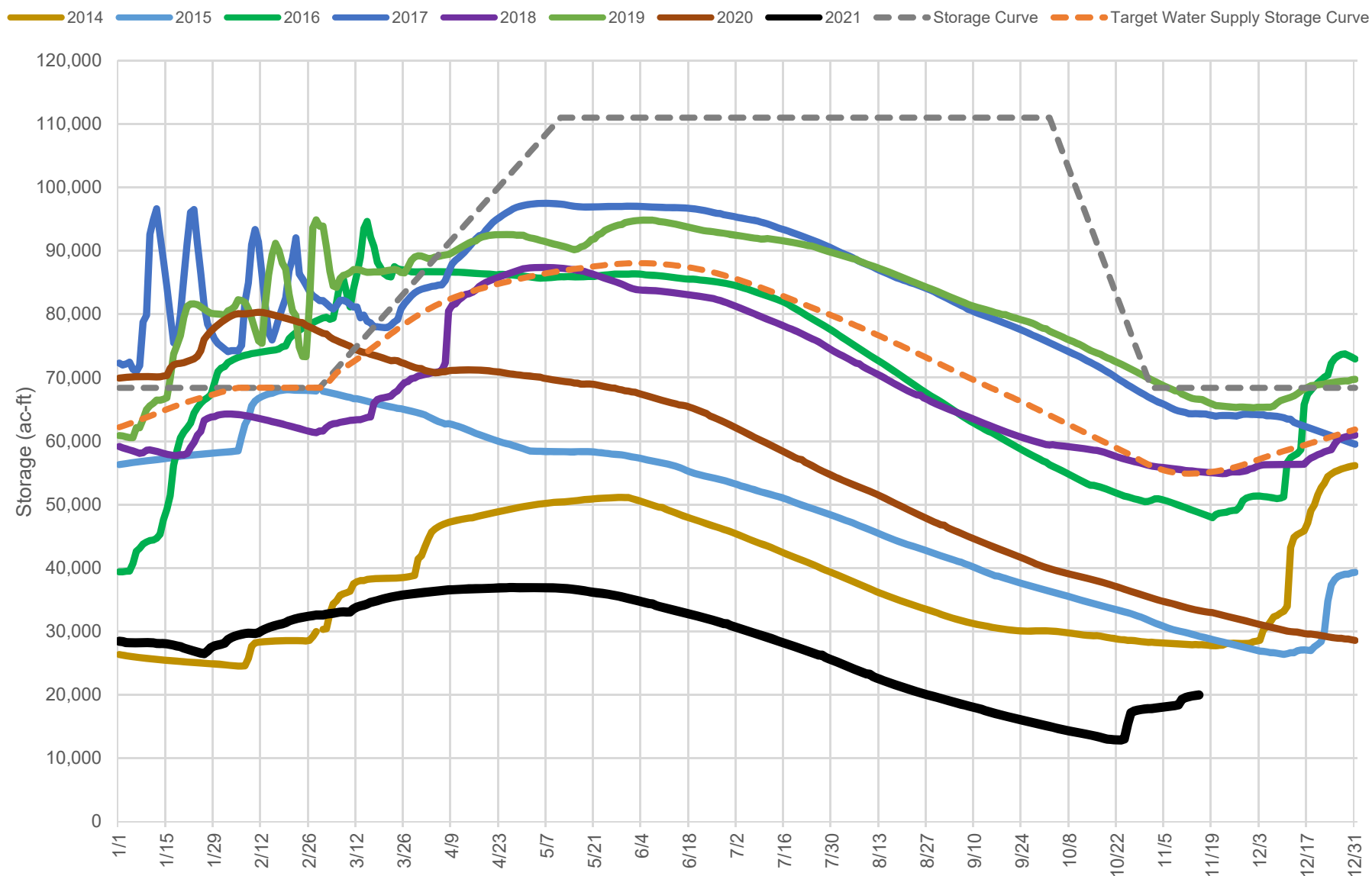
● - USGS Stream Gage Compliance Points



## Russian River Basin Streamflow Requirements

Per State Water Resources Control Board Decision 1610, April 1986

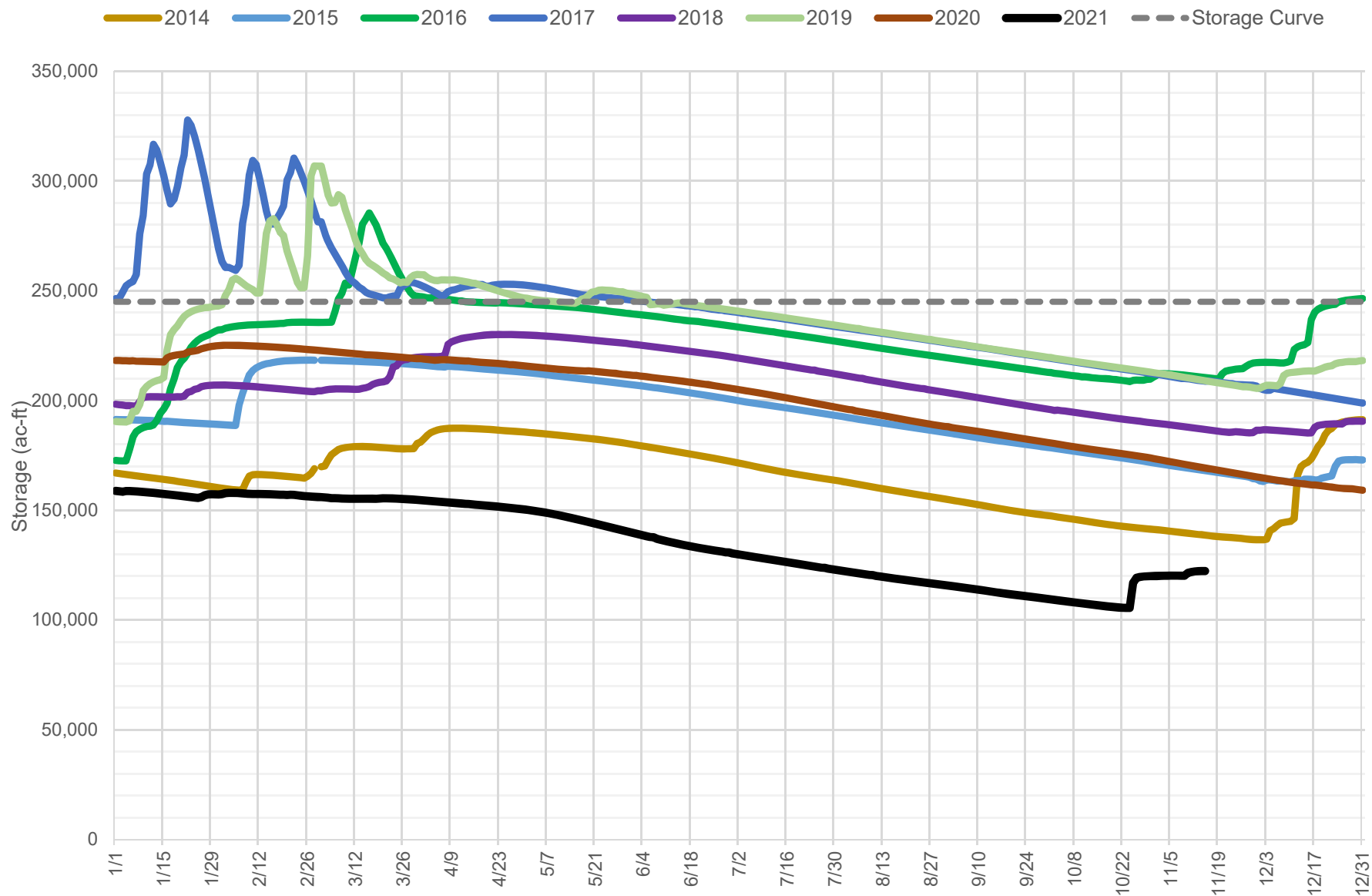
Figure  
1



Lake Mendocino Storage Hydrograph (2014 - 2021)

Figure 2





**Lake Sonoma Storage Hydrograph (2014 - 2021)**

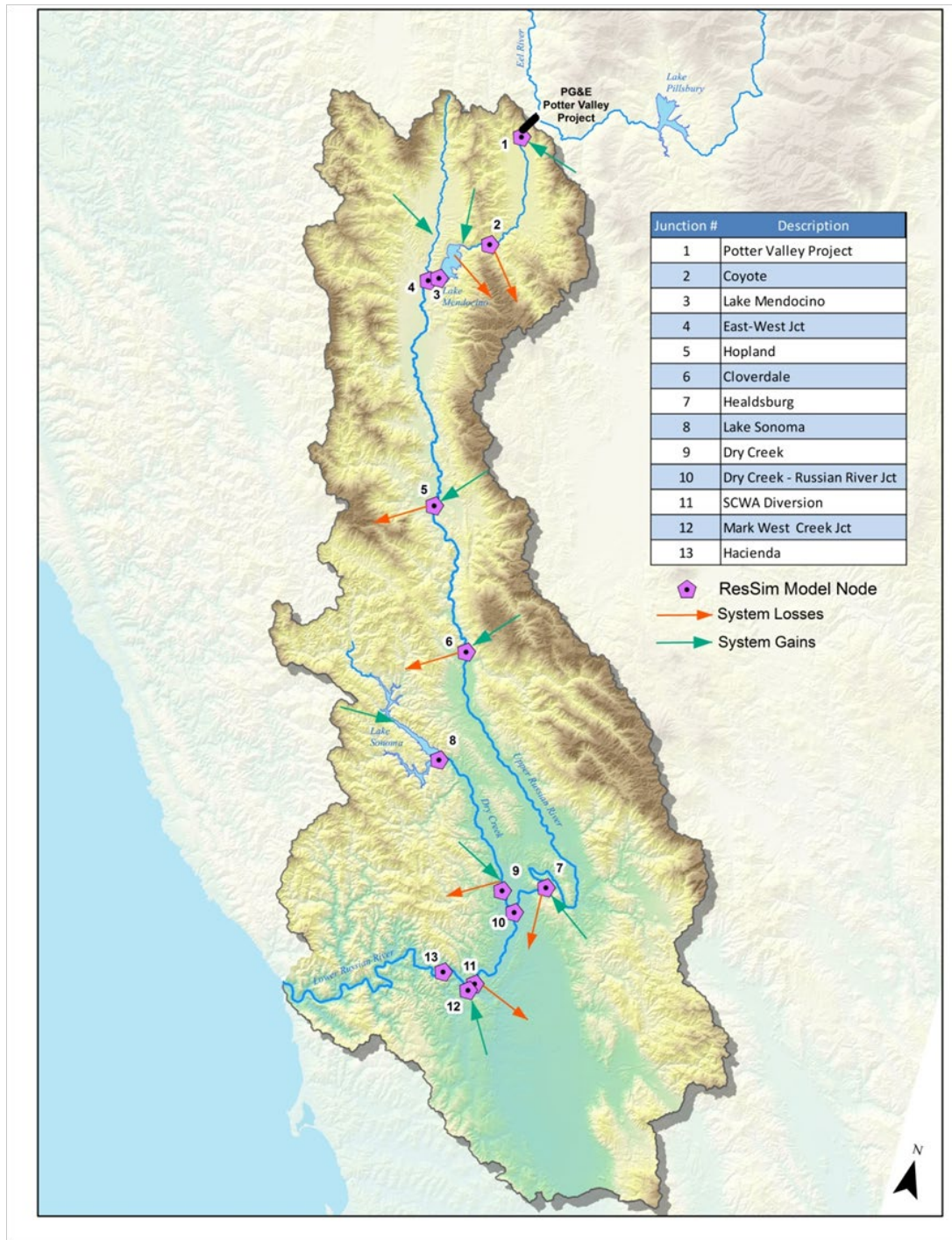
**Figure 3**

## **Lake Mendocino Storage Threshold Analysis**

The Lake Mendocino storage thresholds were determined using Sonoma Water's Russian River System Model (RR ResSim). This model was developed using the U.S. Army Corps of Engineers (USACE) Hydrologic Engineering Center (HEC) ResSim code and is used as a planning tool by Sonoma Water to simulate the effects of various climatic conditions, levels of demand and operational criteria on the water supply available to meet minimum instream flow requirements and demands by downstream users. RR ResSim calculates what releases must be made from Lake Mendocino and Lake Sonoma, taking into account USACE flood control operations criteria, minimum instream flow requirements and/or proposed alternatives to system operations.

The model incorporates 107 water years of hydrologic data (1911 - 2017), represented as daily unimpaired tributary flows into the Russian River and Dry Creek. Unimpaired flows are the "natural" flows, unaffected by man-made influences, such as water demands, or reservoir operations. These unimpaired flows, which form the basis of the hydrology in the model, were synthetically derived by the U.S. Geological Survey using their Basin Characterization Model (BCM) using historical weather, climate and hydrologic data.

The RR ResSim model divides the Russian River and Dry Creek into 13 primary model junctions as presented in Figure 1. Model junctions correspond with important system features such as transfers from the Potter Valley Project (PVP), reservoir releases, major system tributaries and existing stream gage locations. Model reaches are defined as the length of river between each model junction. Within each reach gains associated with unimpaired flows and losses associated with municipal and industrial (M&I) diversions and/or other distributed demands are accounted for.



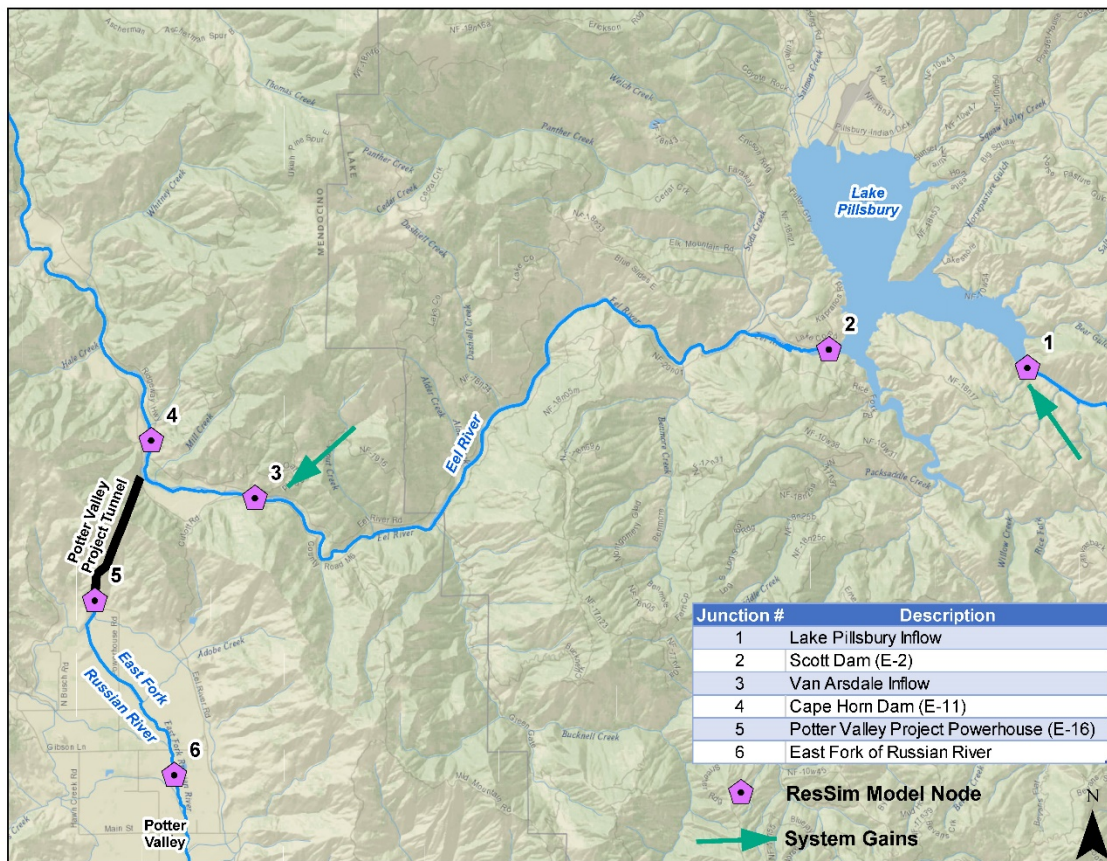
**Figure 1: Russian River ResSim Model Schematic**

The RR ResSim accounts for losses in the Russian River system that include Sonoma Water's diversions, as well as all other depletions from the watershed including: evapotranspiration by riparian vegetation, aquifer recharge, agricultural diversions and other M&I diversions. The model aggregates system losses by reach between each

junction. Sonoma Water's model demands were estimated based on historical river diversions from 2005 to 2012, with an annual diversion of approximately 58,000 acre-feet per year. System losses not associated with the Sonoma Water's diversions were estimated through an analysis of historical M&I data, flow gage data, unimpaired flow data and climate data from 2002 to 2013. Because the model calculates the reservoir releases necessary to meet minimum instream flow requirements, all water uses in the watershed are satisfied by simulated reservoir releases.

PVP diversions were simulated using the PVP ResSim model. The PVP ResSim model was developed by the Water Supply Working Group as part of Congressman Jared Huffman's PVP Ad Hoc group to develop operational alternatives to PVP that met the Ad Hoc's Two Basin objectives. The model encompasses the Lake Pillsbury watershed down to the outlet of Cape Horn Dam (Van Arsdale Reservoir) along the Eel River (Figure 2). The model simulates operations of Scott Dam and Cape Horn Dam, as well as the hydroelectric diversion given a set of physical and operational constraints. Just like the RR ResSim model, it incorporates daily hydrology from water year 1911 through water year 2017. The input hydrology was developed by Western Hydrologics using observed gage records at the reservoir outlets and the change in storage of the reservoirs. Reservoir operations are defined by the 2004 FERC license amendment that implements the Reasonable Prudent Alternative recommended in the 2002 National Marine Fisheries Biological Opinion.





**Figure 2: Potter Valley Project ResSim Model Schematic**

### Lake Mendocino Storage Thresholds

Based on a historical analysis of cumulative inflow into Lake Pillsbury from water year 1911 through water year 2017, the average occurrence frequency of Normal water supply conditions is 86%, of Dry water supply conditions is 11% and of Critical water supply conditions is 4%. Sonoma Water used full period of record simulations (WY1910 – WY2017) with the RR ResSim model to develop storage thresholds for Lake Mendocino to set the water supply condition and associated minimum instream flow requirements for the Russian River that are proposed for use from January through June 2022. These storage thresholds, which were also requested in the Temporary Urgency Change Petition filed by Sonoma Water in December 2013, were designed to approximate the statistical occurrence of *Normal*, *Dry* and *Critical* water supply conditions defined in Decision 1610 from January to June. The percent occurrence of *Normal*, *Dry* and *Critical* water defined by Decision 1610 and the requested storage thresholds are shown in Table 1 below.



Date	D1610 LP <sup>1</sup> Cumulative Inflow			LM <sup>2</sup> Storage Thresholds		
	Normal	Dry	Critical	Normal	Dry	Critical
1-Jan	86.9	9.3	3.7	82.2	6.5	11.2
1-Feb	78.4	13.1	8.4	80.4	14.0	5.7
1-Mar	86.0	9.3	4.7	86.1	7.4	6.5
1-Apr	86.9	10.3	2.8	89.3	7.0	3.7
1-May	86.9	11.2	1.9	90.2	6.0	3.7
1-Jun	87.9	10.3	1.9	93.5	2.8	3.7
Average	85.5	10.6	3.9	86.9	7.3	5.8

**Table 1: Percent Occurrence of Water Supply Conditions by Month for D1610 and the Proposed Lake Mendocino Storage Index**

<sup>1</sup> Lake Pillsbury <sup>2</sup> Lake Mendocino

Sonoma Water proposes that the monthly storage values listed below be used, in lieu of cumulative Lake Pillsbury inflow, to determine the water supply condition that sets which minimum instream flow requirements in Term 20 of Permit 12947A will apply to the Upper Russian River:

- a. Dry water supply conditions will exist when storage in Lake Mendocino is less than:

40,000 acre-feet as of January 1  
 59,000 acre-feet as of February 1  
 68,000 acre-feet as of March 1  
 69,500 acre-feet as of March 16  
 71,000 acre-feet as of April 1  
 70,000 acre-feet as of April 16  
 69,000 acre-feet as of May 1  
 67,500 acre-feet as of May 16  
 65,000 acre-feet as of June 1

- b. Critical water supply conditions exist when storage in Lake Mendocino is less than:

31,000 acre-feet as of January 1  
36,000 acre-feet as of February 1  
52,000 acre-feet as of March 1  
53,000 acre-feet as of March 16  
54,000 acre-feet as of April 1  
53,000 acre-feet as of April 16  
52,000 acre-feet as of May 1  
51,000 acre-feet as of May 16  
50,000 acre-feet as of June 1

- c. Normal water supply conditions exist in the absence of defined dry or critical water supply conditions.

## ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See 'Supplement to the November 2021 Temporary Urgency Change Petitions' for a summary of the requested changes.

Insert the attachment number here, if applicable:

## Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: [http://www.waterboards.ca.gov/waterboards\\_map.shtml](http://www.waterboards.ca.gov/waterboards_map.shtml). Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

11/5/2021

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

☐ Yes

☒ No

Will a waste discharge permit be required for the project?

☐ Yes

☒ No

If necessary, provide additional information below:

On November 5, 2021 at the weekly meeting with the fishery agencies and Bryan McFadin of the North Coast Regional Water Quality Control Board (NCRWQCB), this filing was discussed. These meetings are held per term 5 of the June 14, 2021 Temporary Urgency Change Order. This meeting addressed the pending filing of these temporary urgency change petitions and the potential impacts to water quality. An additional consultation meeting is planned for the week of November 15th for further discussions.

Insert the attachment number here, if applicable:

## Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted:

Date of Contact:

Department:

Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below.

☐ Yes

☒ No

☐ Grading Permit

☐ Use Permit

☐ Watercourse

☐ Obstruction Permit

☐ Change of Zoning

☐ General Plan Change

☐ Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies.

☐ Yes

☐ No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

## Federal and State Permits

Check any additional agencies that may require permits or other approvals for your project:

- ☐ Regional Water Quality Control Board    ☐ Department of Fish and Game
- ☐ Dept of Water Resources, Division of Safety of Dams    ☐ California Coastal Commission
- ☐ State Reclamation Board    ☐ U.S. Army Corps of Engineers    ☐ U.S. Forest Service
- ☐ Bureau of Land Management    ☐ Federal Energy Regulatory Commission
- ☐ Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies.    ☐ Yes    ☒ No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

## Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake?    ☐ Yes    ☒ No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:



## Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. ☐ Yes ☒ No

Will another public agency be preparing an archeological report? ☐ Yes ☒ No

Do you know of any archeological or historic sites in the area? If yes, explain below. ☐ Yes ☒ No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

## Photographs

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- ☒ Along the stream channel immediately downstream from each point of diversion
- ☒ Along the stream channel immediately upstream from each point of diversion
- ☒ At the place where water subject to this water right will be used

## Maps

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of redirection, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

## All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 11.16.21 at Santa Rosa, CA.

  
Water Right Holder or Authorized Agent Signature

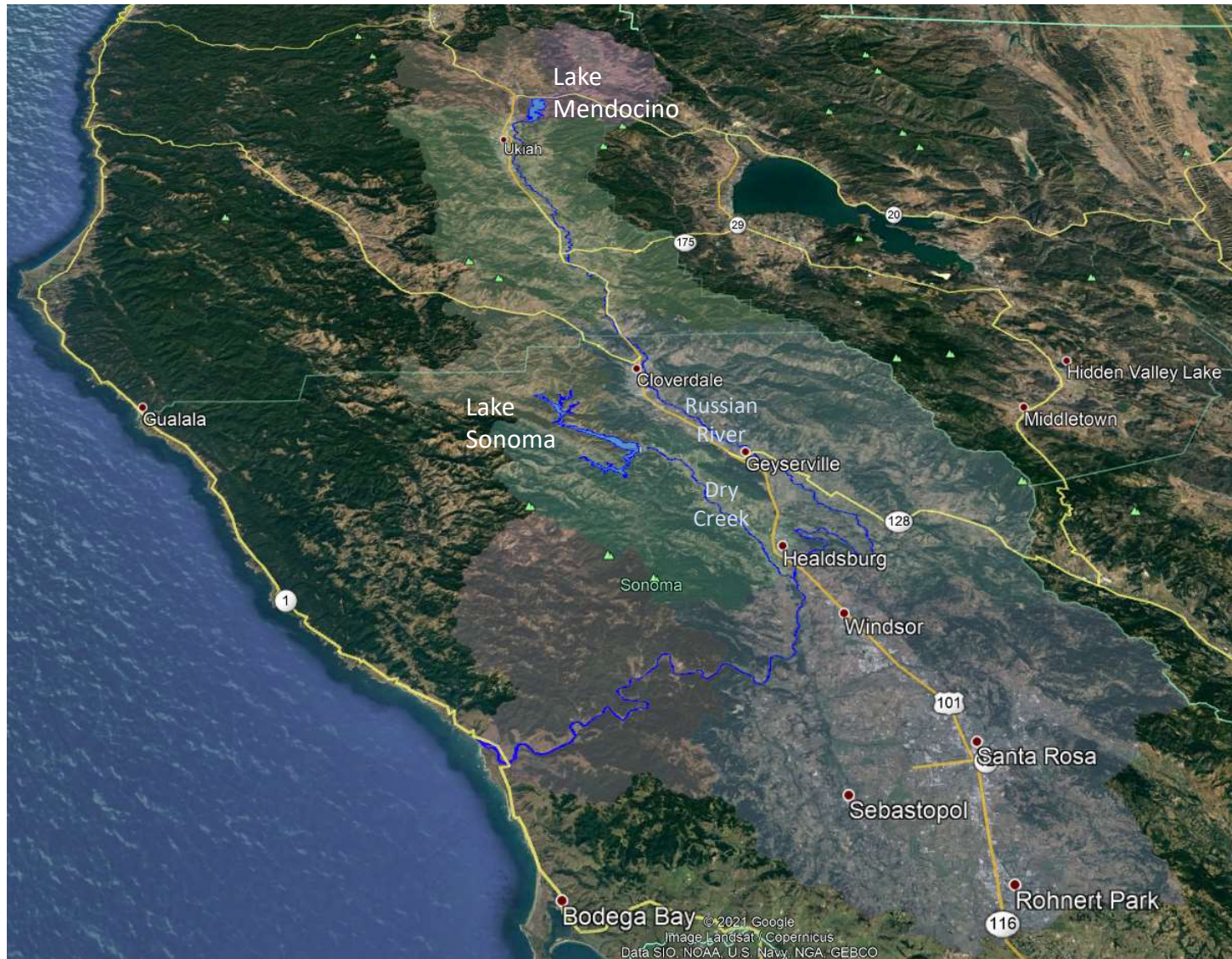
\_\_\_\_\_  
Water Right Holder or Authorized Agent Signature

### NOTE:

- Petitions for Change may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- Petitions for Temporary Transfer may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

# SONOMA WATER

## Russian River Watershed Place of Water Use





SONOMA WATER

# Photographs of Russian River Downstream of River Diversion System at Mirabel Park on Oct 14, 2021

Mirabel Inflatable Dam



## NOTICE OF EXEMPTION

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**TO:** ☒ Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

**FROM:** Sonoma County Water Agency  
404 Aviation Blvd.  
Santa Rosa, CA 95403

☒ County Clerk  
County of Sonoma  
585 Fiscal Drive, Room 103  
Santa Rosa, CA 95403

☒ County Clerk  
County of Mendocino  
501 Low Gap Road  
Ukiah, CA 95482

**Project Title:** Petitions Requesting Approval of Temporary Urgency Changes in Water Right Permits 12947A, 12949, 12950, and 16596 in Mendocino and Sonoma Counties

**Project Location- Specific:** The proposed action would occur in Mendocino and Sonoma counties at Lake Mendocino, in the Upper Russian River from Coyote Valley Dam/Lake Mendocino to the confluence with Dry Creek, Dry Creek downstream of Warm Springs Dam/Lake Sonoma, and in the Lower Russian River from the confluence with Dry Creek to the Pacific Ocean. Figure 1 shows the minimum instream flow requirements for the Russian River system. Communities and cities along the Russian River include Ukiah, Hopland, Cloverdale, Geyserville, Healdsburg, Forestville, Mirabel Park, Rio Nido, Guerneville, Monte Rio, Duncans Mills, and Jenner.

**Project Location – City:** N/A

**Project Location – County:** Mendocino and Sonoma

**Description of Nature, Purpose and Beneficiaries of Project:** The Sonoma County Water Agency (Sonoma Water) controls and coordinates water supply releases from the Coyote Valley Dam and Warm Springs Dam projects in accordance with the provisions of water rights Decision 1610, which the State Water Resources Control Board (State Water Board) adopted on April 17, 1986. Decision 1610 specifies the water supply conditions for the Russian River and the minimum instream flow requirements for the Upper Russian River, Dry Creek, and the Lower Russian River, which vary based on hydrological conditions and cumulative inflow into Lake Pillsbury as the hydrologic index (Figure 1).

Sonoma Water is filing temporary urgency change petitions (TUCP) requesting that storage thresholds in Lake Mendocino be used as the hydrologic index to determine the water supply condition in the Russian River watershed.

These changes are necessary to ensure that the water supply condition and corresponding minimum instream flow requirements in the Russian River watershed are aligned with actual watershed hydrologic conditions. This is essential to maintain sustainable reservoir/river operations to protect municipal water supply and listed salmon species in the Russian River.

In Sonoma Water's water right permits established under State Water Board's Decision 1610, the water supply condition for the Russian River is determined using cumulative inflow into Lake Pillsbury as the hydrologic index. Lake Pillsbury is a storage reservoir located in the Eel River watershed for Pacific Gas & Electric Company's (PG&E) Potter Valley Hydroelectric Project (PVP) which transfers water into the East Fork of the Russian River. PG&E has informed Sonoma Water that the transformer bank at the PVP powerhouse failed and will need to be replaced in order to convey water through the powerhouse for power generation. PG&E estimates it will take up to two years to replace the transformer bank at a cost of five to ten million dollars. It is highly uncertain whether PG&E will make the necessary repairs to continue power generation as its Federal Energy Regulatory Commission (FERC) operating license expires in April 2022. In January 2019, PG&E withdrew its Preliminary Application Document and Notice of Intent to relicense the project.

Currently, the PVP is rated at a flow rate up to 240 cubic feet per second (cfs) through the powerhouse for power generation. PG&E can bypass the powerhouse at flow rates up to 135 cfs to meet FERC license requirements for minimum instream releases into the East Branch Russian River and water supply contract requirements with the Potter Valley Irrigation District (PVID).

PG&E's transfer obligations to meet FERC license requirements and PVID contract amounts until April 14 is 45 cfs. PG&E has indicated that, without the ability to generate hydropower, it is unlikely PG&E will make discretionary transfers of Eel River water through the PVP above its license and contract obligations. Discretionary transfers to generate hydropower can occur up until early April if hydrologic conditions on the Eel River and at Lake Pillsbury are being met. Without the discretionary transfer of Eel River water to generate hydropower, the total transfer through the PVP will be reduced by up to 400 acre-feet per day.

Under these operating conditions of the PVP, the influence of the Eel River water imports on downstream hydrologic conditions in the Russian River will be greatly diminished. Therefore, there will be little to no correlation between cumulative inflow into Lake Pillsbury and the hydrologic conditions in the Russian River watershed.

In addition, current drought conditions continue to deplete storage in Lake Mendocino and Lake Sonoma. As of November 15, 2021, the water supply storage level in Lake Mendocino was 19,995 acre-feet (AF). This storage level is approximately 29 percent of the available water conservation pool for this time of year. This is the second lowest storage level for this time of year since Lake Mendocino filled in 1959. As of November 15, 2021 the water supply storage level in Lake Sonoma was 122,322 acre-feet. This storage level is approximately 50 percent of the available water conservation pool. This is the lowest storage level for this time of year since Lake Sonoma filled in 1986.

Consequently, Sonoma Water is requesting the State Water Board approve TUCPs that uses storage thresholds in Lake Mendocino as the hydrologic index to determine the water supply condition in the Russian River watershed.

**Name of Public Agency Approving Project:** State Water Resources Control Board – Division of Water Rights

**Name of Person or Agency Carrying Out Project:** Sonoma County Water Agency

**Exempt Status (check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☒ Emergency Project (Sec.21080 (b)(4); 15269(b)(c)): Section 21080(b)(4) and State CEQA Guidelines 15269(c): Specific actions necessary to prevent or mitigate an emergency
- ☒ Categorical Exemption. State type and section number: State CEQA Guidelines 15307: Actions by Regulatory Agencies for Protection of Natural Resources; State CEQA Guidelines 15308: Actions by Regulatory Agencies for Protection of the Environment
- ☒ Exemption under Governor's April 21, 2021 emergency proclamation (Sec. 7): Government Code section 8571
- ☐ Statutory Exemptions. State Code number:

**Reasons why project is exempt:** The proposed action is statutorily exempt under California Environmental Quality Act (CEQA) Statute 21080(b)(4) and categorically exempt from CEQA under the State CEQA Guidelines Sections 15269(c), 15307 and 15308, and under Section 7 of the Governor's April 21 2021, emergency drought proclamation for the Russian River watershed, which remains in effect.

*A. Actions to Prevent or Mitigate an Emergency*

California Public Resources Code, Division 13, Section 21080(b)(4) provides that specific actions necessary to prevent or mitigate an emergency are exempt from CEQA. The emergency conditions are due to the drastic reduction of potential Eel River water imports through the PVP resulting from the inoperability of the powerhouse for the foreseeable future. The volume of imported Eel River water that can be transferred with the powerhouse being inoperable results in little or no correlation between cumulative inflow into Lake Pillsbury and the hydrologic condition in the Russian River. Without the proposed changes, the applicable minimum instream flow requirements may require releases of water from Lake Mendocino and Lake Sonoma at levels that would risk



significant depletions of storage to severely low levels. Such depletions in storage could cause serious impacts to human health and welfare and reduce water supplies needed for fishery protection.

These emergency conditions also are demonstrated by Governor Newsom's April 21, 2021 proclamation of a drought emergency in Sonoma and Mendocino Counties due to drought conditions in the Russian River Watershed (Governor's Drought Proclamation). Section 7 of the Governor's Drought Proclamation suspends the requirements of CEQA for purposes of the State Water Board's consideration of modifying reservoir releases based on a representative hydrologic index, which would be a necessary element of an order granting the TUCP. The Governor has continued that proclamation for Sonoma and Mendocino Counties through further drought proclamations on May 10, July 8 and October 19, 2021.

In addition, the Sonoma County Board of Supervisors on April 27, 2021, proclaimed a local emergency due to drought conditions in the Sonoma County Operational Area (most recently continued on November 2, 2021) and the Mendocino County Board of Supervisors April 20, 2021, adopted a resolution declaring a local emergency and imminent threat of disaster in Mendocino County due to drought conditions.

*B. Actions by Regulatory Agencies for Protection of Natural Resources and the Environment*

CEQA Guidelines Sections 15307 and 15308 provide that actions taken by regulatory agencies to assure the maintenance, restoration or enhancement of a natural resource and the environment are categorically exempt. Sonoma Water is proposing temporary urgency changes to its water right Permits 12947A, 12949, 12950, and 16596 that the State Water Resources Control Board, as the regulatory agency, will consider and potentially approve. Those changes are necessary in order to maintain viable operations to support municipal use, protect listed salmon species, address water supply conditions at Lake Mendocino and Lake Sonoma, and prevent Lake Mendocino from declining to a storage level at which the reservoir may no longer be functional in light of the extremely dry hydrology the region experienced in water years 2020 and 2021. Approval of the TUCP would provide alternative storage thresholds and criteria for determining minimum instream flow requirements for the Russian River that would be based on a more accurate assessment of water supply conditions in the Russian River watershed. This would result in minimum instream flow requirements that more likely can be sustained with releases from Lake Mendocino and Lake Sonoma without severely depleting storage.

*C. Governor's Drought Proclamation*

Government Code section 8571 authorizes the Governor to suspend certain regulatory requirements, including CEQA, under emergency conditions. Section 7 of the Governor's April 21 Drought Proclamation suspended CEQA to address "the acutely dry conditions in the Russian River Watershed" through the State Water Board's consideration of modifications of reservoir releases "to ensure adequate, minimal water supplies for critical purposes." The Governor later issued drought proclamations on May 10, July 8 and October 19, 2021, but section 7 of his April 21 proclamation remains in effect. The TUCP's purpose is to modify the storage thresholds from Lake Pillsbury to Lake Mendocino to be used as the hydrologic index to determine the water supply condition in the Russian River watershed and is within the suspension of CEQA under section 7 of the Governor's Drought Proclamation.

**Lead Agency Contact Person:** Jessica Martini-Lamb

**Area Code/Telephone/Extension:** 707-547-1903

  
Signature

General Manager  
Title

November 16, 2021  
Date



☒ Signed by Lead Agency

☐ Signed by Applicant

Date received for filing at OPR: \_\_\_\_\_

# Russian River Basin Streamflow Requirements

Per State Water Resources Control Board Decision 1610, April 1986

## Cumulative inflow to Lake Pillsbury (acre-feet) from Oct 1 through

	1/1	2/1	3/1	4/1	5/1	6/1	Water Supply Conditions Prevailing on 6/1 Apply Through 12/31
	≥8,000	≥39,200	≥65,700	≥114,500	≥145,600	≥160,000	
	<8,000	<39,200	<65,700	<114,500	<145,600	<160,000	
	<4,000	<20,000	<45,000	<50,000	<70,000	<75,000	

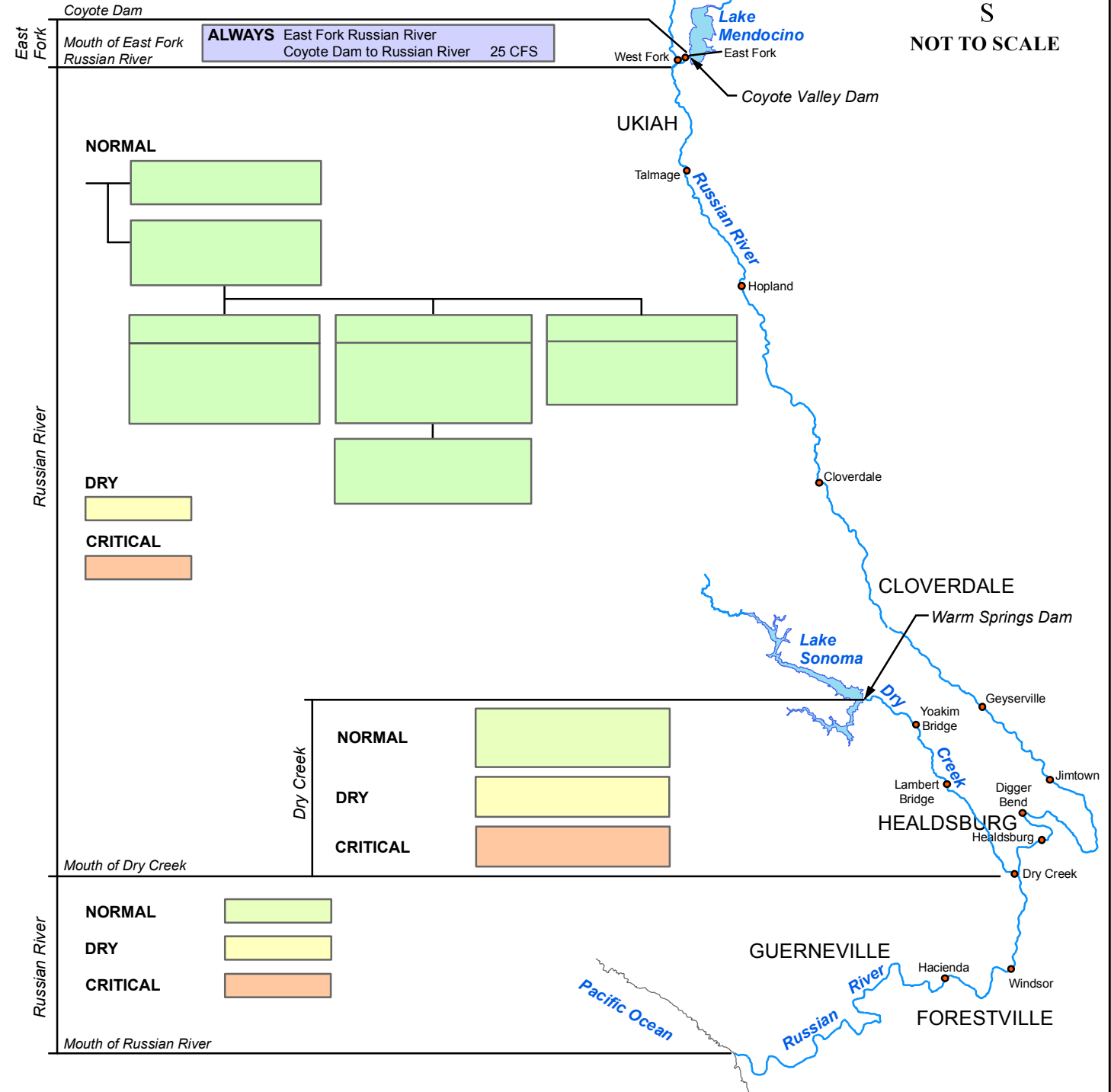
### LEGEND

All flows are minimums, expressed in cubic feet per second.

★ - Unless Lake Sonoma elevation is below 292.0, or if prohibited by the United States Government.

AF - Acre-Feet

● - USGS Stream Gage Compliance Points



\\FILESERVER\DATA\wpr\ntask\et\Scham\_P\Projects\2011-USGS-Gage-Streamflow.mxd April 4, 2011