



**Sonoma
Water**

CF/42-0.19-9.1 Correspondence Related to SWRCB
Order Approving Temporary Urgency Change in Permit
12947A for January 2021 (ID 7540)

January 7, 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: Petition for Temporary Urgency Change—Permit 12947A


Dear Mr. Ekdahl:

Enclosed is the Petition for Temporary Urgency Change to modify the hydrologic index that sets the minimum instream flow requirements for the Russian River as established by Decision 1610 for Permit 12947A. Accompanying the petition are the following:

- 1) *Supplement to the January 2021 Temporary Urgency Change Petition*
- 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

The petition is being submitted due to drought conditions, severely low storage levels in Lake Mendocino, and a hydrologic index for establishing minimum flows not aligning with the watershed conditions. On January 1, 2021, the water supply condition for the Russian River was reclassified as 'Normal' from 'Dry' based on the cumulative inflow into Lake Pillsbury for the water year. The calculated cumulative inflow of 9,539 acre-feet exceeded the threshold criterion of 8,000 acre-feet between the two classifications. This designation of 'Normal' water supply conditions does not accurately reflect the conditions and lack of rainfall experienced in 2020 in the Upper Russian River. As measured at Ukiah, recorded rainfall for 2020 was 11.32 inches, which amounts to 31% of the average rainfall (37.01 inches) and the second lowest recorded rainfall since 1893.

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


Grant Davis
General Manager

C: S. Boland-Brien, J. Ling, S. McFarland, S. Westhoff – State Water Resources Control Board
R. Coey, J. Fuller – National Marine Fisheries Service
E. Larson - 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

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Please indicate County where
your project is located here:

Sonoma / Mendo.

MAIL FORM AND ATTACHMENTS TO:
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
<http://www.waterboards.ca.gov/waterrights>

PETITION FOR CHANGE

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

<input type="checkbox"/> Point of Diversion Wat. Code, § 1701	<input type="checkbox"/> Point of Rediversion Cal. Code Regs., tit. 23, § 791(e)	<input type="checkbox"/> Place of Use Wat. Code, § 1701	<input type="checkbox"/> Purpose of Use Wat. Code, § 1701
<input type="checkbox"/> Distribution of Storage Cal. Code Regs., tit. 23, § 791(e)	<input checked="" type="checkbox"/> Temporary Urgency Wat. Code, § 1435	<input type="checkbox"/> Instream Flow Dedication Wat. Code, § 1707	<input type="checkbox"/> Waste Water Wat. Code, § 1211
<input type="checkbox"/> Split Cal. Code Regs., tit. 23, § 836	<input type="checkbox"/> Terms or Conditions Cal. Code Regs., tit. 23, § 791(e)	<input type="checkbox"/> Other 	
Application 12919A	Permit 12947A	License 	Statement

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

Present:

Proposed:

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:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

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).

Will any current Point of Diversion, Point of Storage, or Place of Use be abandoned? ☐ Yes ☒ No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:

☐ ownership ☐ lease ☐ verbal agreement ☐ written agreement

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

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

Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:

- (1) the form Environmental Information for Petitions, including required attachments, available at:
http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
- (2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
- (3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

January 2021

Sonoma County Water Agency

***Supplement to the January 2021 Temporary Urgency Change
Petition***

The Sonoma County Water Agency (Sonoma Water) seeks a temporary urgency change to Term 20 of Sonoma Water's water right Permit 12947A, one of four permits that Sonoma Water uses to provide wholesale water to cities and water districts in Sonoma and Marin Counties in order to maintain viable operations to support municipal use and protect listed salmon species in the Russian River. This is in response to 2020's extremely dry hydrology and low water supply storage levels at Lake Mendocino. Sonoma Water requires urgency changes to Term 20 in order to ensure that sufficient water will be available later in 2021 for listed salmon fisheries, municipal, and agricultural uses.

Sonoma Water's proposed urgency changes would replicate the logic on which Decision 1610's minimum streamflow requirements are based by tying temporary requirements for the Russian River to the same statistical distribution of hydrologic conditions used by Decision 1610, but using Lake Mendocino storage, rather than cumulative inflow into Lake Pillsbury as the basis for calculating the applicable hydrologic condition. This proposed urgency change would implement minimum streamflow requirements that would adjust to changes in the watershed hydrologic conditions with streamflow requirements increasing if seasonal rainfall improves.

1.0 BACKGROUND

Sonoma Water controls and coordinates water supply releases from Lake Mendocino and Lake Sonoma to implement the minimum instream flow requirements in accordance with its water rights and Decision 1610, which the State Water Resources Control Board (State Water Board) adopted on April 17, 1986. Decision 1610 specifies minimum flow requirements for the Upper

Russian River, Dry Creek and the Lower Russian River.¹ These minimum flow requirements vary based on water supply 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 (NMFS) on September 24, 2008.

1.1 Minimum Flow Requirements

Term 20 of Permit 12497A 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* 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 (owned and operated by PG&E) 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

¹ The Upper Russian River is the stream reach from the confluence of the East Fork Russian River and the 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.

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 or 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 CURRENT WATER SUPPLY CONDITIONS

On June 10, 2020, Sonoma Water filed a Temporary Urgency Petition with the State Water Board, which issued an order on July 28, 2020 approving the following temporary changes to the Decision 1610 instream flow requirements:

- (a) for July 1 through December 27, the minimum instream flow requirements in the Upper Russian River be reduced to 50 cfs and in the Lower Russian River be reduced to 60 cfs;

- (b) If storage in Lake Mendocino drops more than one percent below the target water supply storage level on any day between the date of the Board's order granting the TUCP and December 27, then, from that date through December 27, the minimum instream flow requirement on the Upper Russian River be reduced from 50 cfs to 40 cfs and on the Lower Russian River from 60 cfs to 50 cfs.
- c) The minimum instream flow requirement be implemented as a 5-day running average of average daily stream flow measurements with instantaneous minimum instream flows being no less than 40 cfs on the Upper Russian River and no less than 50 cfs on the Lower Russian River, unless storage drops more than one percent below the target water supply storage at Lake Mendocino, then the instantaneous minimum instream flow would be no less than 30 cfs on the Upper Russian River and no less than 40 cfs on the Lower Russian River.

These changes, along with water conservation efforts throughout the region, preserved storage in Lake Mendocino well above the target water supply storage levels avoiding the need to further reduce flows. On December 27, 2020, the order expired and minimum instream flow requirements reverted back to *Dry* water supply conditions for the remainder of 2020. On January 1, 2021, cumulative inflow into Lake Pillsbury between October 1, 2020 and December 31, 2020 exceeded the threshold criterion of 8,000 acre-feet. Consequently, the water supply condition for the Russian River was defined as *Normal*. This water supply condition is reassessed at the beginning of each month through June.

2.1 Lake Mendocino

As of January 6, 2021 the water supply storage level in Lake Mendocino was 28,206 acre-feet. This storage level is approximately 41 percent of the available water conservation pool for this time of year. The current low storage level is the result of severely low rainfall in the region since January 1, 2020. Furthermore, Pacific Gas & Electric (PG&E) has indicated they intend to file a request with the Federal Energy Regulatory Commission (FERC) for a temporary variance to reduce its minimum instream flow requirements for the Potter Valley Project (PVP). PG&E, in consultation with NMFS, California Department of Fish and Wildlife, Round Valley Indian Tribes, Potter Valley Irrigation District and Sonoma

Water, plans to file the variance in early January due to critically low storage in Lake Pillsbury and concern that they may no longer meet minimum flow requirements while also ensuring the safe operation of the PVP.

The temporary variance would reduce the transfer of Eel River water through the project to the Russian River watershed from 45 cfs to 15 cfs if storage in Lake Pillsbury falls below 18,000 acre-feet and would expire once storage in Lake Pillsbury exceeds 30,000 acre-feet. The temporary variance will result in a substantial reduction to the required minimum flow in the East Branch of the Russian River and correspondingly reduced inflow into Lake Mendocino.

While there is significant uncertainty in projecting end of the year water supply conditions this early in the water year, a recent analysis prepared by Sonoma Water engineering staff indicates that unless mitigation measures are taken in the near future, such as those requested in the Temporary Urgency Change Petitions (TUCP), there is an unacceptable risk that Lake Mendocino could decline to critically low levels. Storage projections for Lake Mendocino were developed using observed storage on December 28, 2020 and modeled simulations for the remainder of the water year using watershed hydrology for 21 years from the historical record (1908 – 2017) that exhibited similar conditions to water year 2021 to date.

Results of the modeling indicate four of the 21 selected years (1920, 1929, 1931 and 1976) show Lake Mendocino storage levels well below 20,000 acre-feet at the end of the water year, which would have a significant impact to water supply sufficient to support survival of listed Russian River salmonid fisheries and significantly risk water availability for agricultural and municipal use, and recreation. The high ratio of projections (4 of 21 years) that result in very low storage levels supports the need to expeditiously implement temporary changes to Sonoma Water's water right Permit 12947A that would temporarily determine minimum instream flow requirements based on storage thresholds at Lake Mendocino rather than cumulative inflow into Lake Pillsbury as required by Term 20 and State Water Board Decision 1610. A detailed description of the analysis is presented in Appendix A.

2.2 Lake Sonoma

As of January 6, 2021 the water supply storage level in Lake Sonoma was 158,715 acre-feet. This storage level is approximately 65 percent of the available water conservation pool. Although this level is below normal for this time of year, the much larger water supply pool of Lake Sonoma provides multiple years of carry over storage.

3.0 CRITERIA FOR APPROVING TEMPORARY URGENCY CHANGE TO PERMIT 12947A

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 this petition, an urgent need for the requested temporary changes exists because of the extremely low storage levels in Lake Mendocino and the fact that, with the changes in PVP operations since 2004, cumulative inflow into Lake Pillsbury no longer is a good metric to determine water supply conditions in the Russian River. Without the proposed changes, the applicable minimum instream

flow requirements may require releases of water from Lake Mendocino at levels that would risk significant depletions of storage and potential elimination of water supplies for water users in Mendocino County and northern Sonoma County (above the confluence with Dry Creek) during the spring, summer and fall of 2021. Such depletions in storage and reductions or eliminations of water supplies would cause serious impacts to human health and welfare, and reduce water supplies needed for fishery protection and stable flows in the Upper Russian River.

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 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 this petition is approved, monthly storage thresholds in Lake Mendocino would determine the water supply conditions that set the Upper Russian River minimum instream flow requirements. This change could result in lower instream flows in the Upper 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 the present instream flow requirements, if they were to lead to the draining of Lake Mendocino and the dewatering of the Upper Russian River.

3.4 The Proposed Change is in the Public Interest

Approval of this petition would provide an alternative criteria for minimum instream flow requirements for the Upper Russian River that would be based on a more accurate assessment of water supply conditions in Lake Mendocino and the Upper Russian River. This would help conserve stored water in Lake Mendocino, so that sufficient water is available to be released throughout 2021 to maintain instream flows for the benefit of all uses of Russian River water, including the salmonid fisheries in the Russian River. It is in the public interest to

preserve these water supplies for these beneficial uses under present hydrological conditions.

4.0 REQUESTED TEMPORARY URGENCY CHANGE TO PERMIT 12947A

To address the current and projected water supply conditions in Lake Mendocino and the risks associated with continuing to set Upper Russian River minimum instream flow requirements using cumulative inflow into Lake Pillsbury, Sonoma Water requests that the State Water Board make the following temporary urgency change to Term 20 of water right Permit 12947A:

Starting January 28, 2021, the minimum instream flow requirements for the Upper Russian River will be established using an index based on water storage in Lake Mendocino, rather than using the current index which is based on cumulative inflow into Lake Pillsbury. This temporary change is requested to preserve the Lake Mendocino water supply in case below normal rainfall and dry hydrologic conditions continue. 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 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.

Because the proposed criteria for determining the applicable streamflow requirements would be tied to Lake Mendocino storage, they directly reflect the hydrologic conditions in the Upper 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, but would shift the criteria on which the requirements would be based to hydrologic conditions in the Russian River watershed rather than using the surrogate metric of inflows to Lake Pillsbury in the Eel River watershed which are not representative of Russian River hydrologic conditions

These Lake Mendocino storage thresholds were developed by Sonoma Water engineering staff using its Russian River Simulation Model, and assuming: (1) current Russian River system losses, (2) 1910 to 2017 unimpaired flow hydrology, and (3) Potter Valley Project operations based on PG&E's temporary variance request they have indicated will be filed with the Federal Energy Regulatory Commission in early January 2021. 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, and 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 Appendix A.

At this time, no changes are being requested for how minimum instream flow requirements are determined for Dry Creek and the Lower Russian River. As indicated above, although Lake Sonoma storage levels are below normal for this time of year, that reservoir has adequate water supply to meet minimum instream flows in Dry Creek and the Lower Russian River based on the State Water Board's Decision 1610. However, Sonoma Water will re-evaluate supply conditions in Lake Sonoma in the spring to determine whether it is necessary to file a subsequent Temporary Urgency Change Petition to address a significant depletion at Lake Sonoma storage.

5.0 WATER CONSERVATION ACTIVITIES

Sonoma Water and its water contractors continue to implement water-use-efficiency programs that align with the legacy programs of the California Urban Water Conservation Council's (CUWCC) Best Management Practices (BMPs) and comply with SB 7x-7. While these BMPs remain the baseline for the region, the establishment of the Sonoma-Marín Water Saving Partnership (Partnership) in December 2010, and the subsequent ten year extension of the Partnership agreement in May 2018, memorialized the region's commitment to long-term, year-round water use efficiencies. The Partnership removes one of the most significant barriers to implementing conservation programs, namely funding. Each Partner has committed to a sustained level of funding that is allocated specifically to implementing conservation programs to reduce overall regional water use.

The Partnership represents twelve 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, 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.

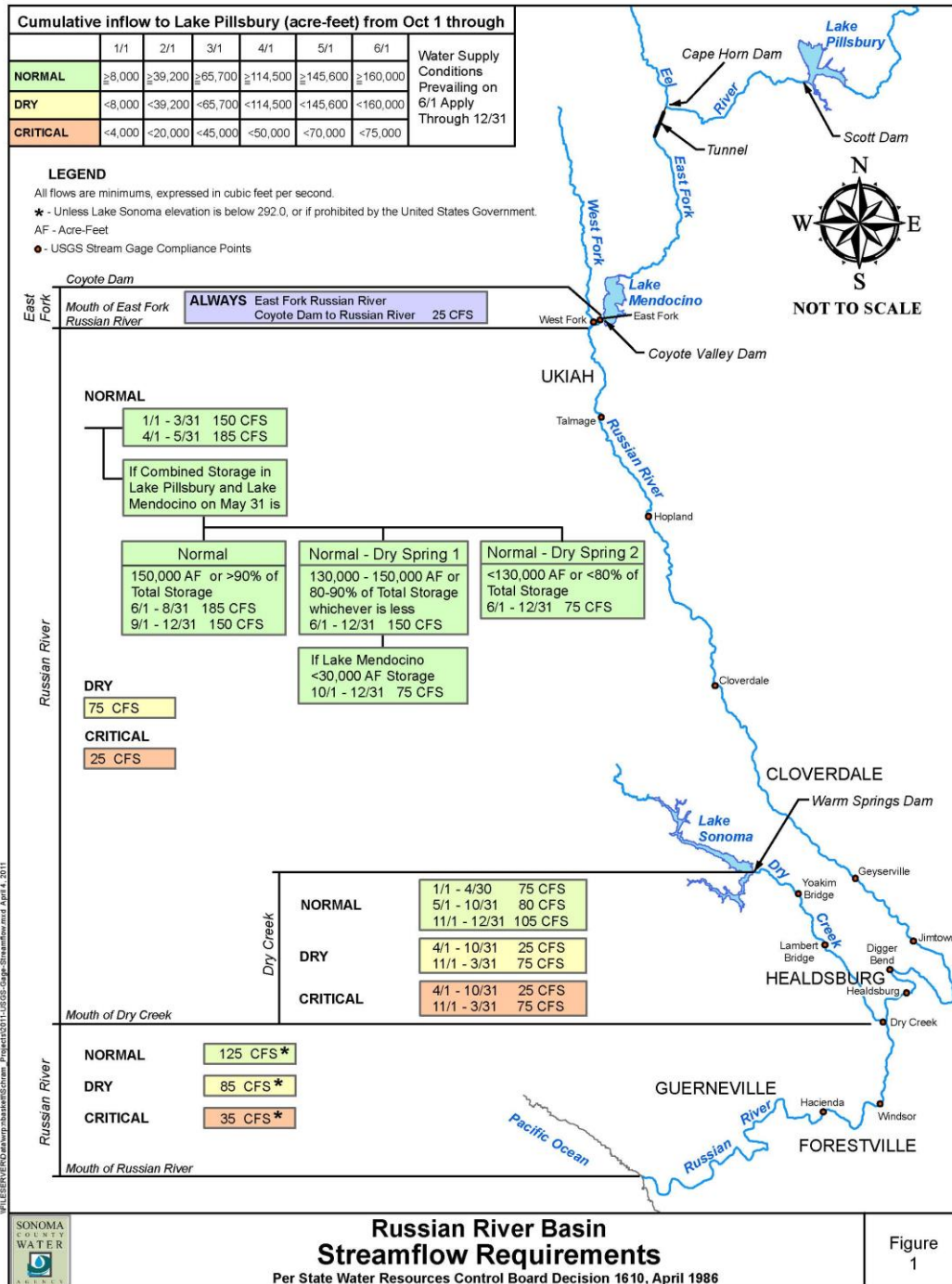
On May 9, 2016, Governor Edmund G. Brown Jr. issued Executive Order B-37-16 that set forth actions to be taken to use water more wisely, eliminate water waste, strengthen local drought resilience, and improve agricultural water use efficiency and drought planning. Subsequent passage of SB 606, AB 1668, and SB 555 provided the needed authority for state agencies to begin the development of a new statewide framework for making conservation a California way of life. The Partners are committed to maintaining a conservation ethic in the region and will continue to implement conservation programs that are minimizing water demand rebound following the 2012-2016 drought, while working collaboratively with state agencies to develop and implement the new water use objectives of the statewide framework. The Partners, working alongside the California Water Efficiency Partnership as the successor organization to CUWCC, will continue to collect regional data and develop new programs that ensure our customers remain engaged in making conservation a California way of life.

In summer 2020, the Partnership conducted a successful multi-media public outreach campaign from June through September called “Saving Water Ensures Water for What You Love” which emphasized the importance of water conservation for long-term water supply reliability, fisheries, and summertime recreation in the Russian River. This campaign was a contributing factor in the successful preservation of storage in Lake Mendocino and the avoidance of further reduced flows in the Russian River this past summer. In addition to public outreach, the Partnership continued to offer a wide variety of water-use-efficiency incentive programs, workshops, trainings, school classes, and other resources for customers in spite of COVID Shelter-in-Place (SIP) Orders. The Partnership’s activities for calendar year 2020 were detailed in three separate update reports submitted to the State Water Board to meet the Term 10 requirements of Order WR 2020-0102-EXEC.

Because of continued low rainfall and reservoir levels at the end of 2020, the Partnership is undertaking a new public outreach campaign in winter 2021 that will initially focus on paid social media messages. In addition to social media ad buys, the Partners will continue with already underway winter savings messages using AMI billing software, more traditional bill inserts, website posts, E-news, local radio, and direct customer outreach. Should dry conditions persist, a further

escalation of the winter outreach campaign will be implemented, along with consideration to include a regional reduction target that is aligned with needed savings.

The Partnership will also continue to provide programs that help customers make water conservation a way of life. This includes workarounds to SIP Orders, such as the upcoming virtual training for professional landscapers in February, titled [*Rehydrating the Russian River Watershed: Moving towards Regenerative Landscapes*](#), or the virtual Garden Sense consultations offered to residential customers. Due to these and previous years' efforts, water use by the Partnership near the end of 2020 was still 9% below the 2013 benchmark year chosen by the state for water use reductions during the drought. It is anticipated that the Partnership's wintertime activities will continue the successful water use reductions of the past few years.



Water Year 2021 Russian River Hydrologic Analysis

The Lake Mendocino storage projections were simulated 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 108 years of hydrologic data (1910 - 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 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.

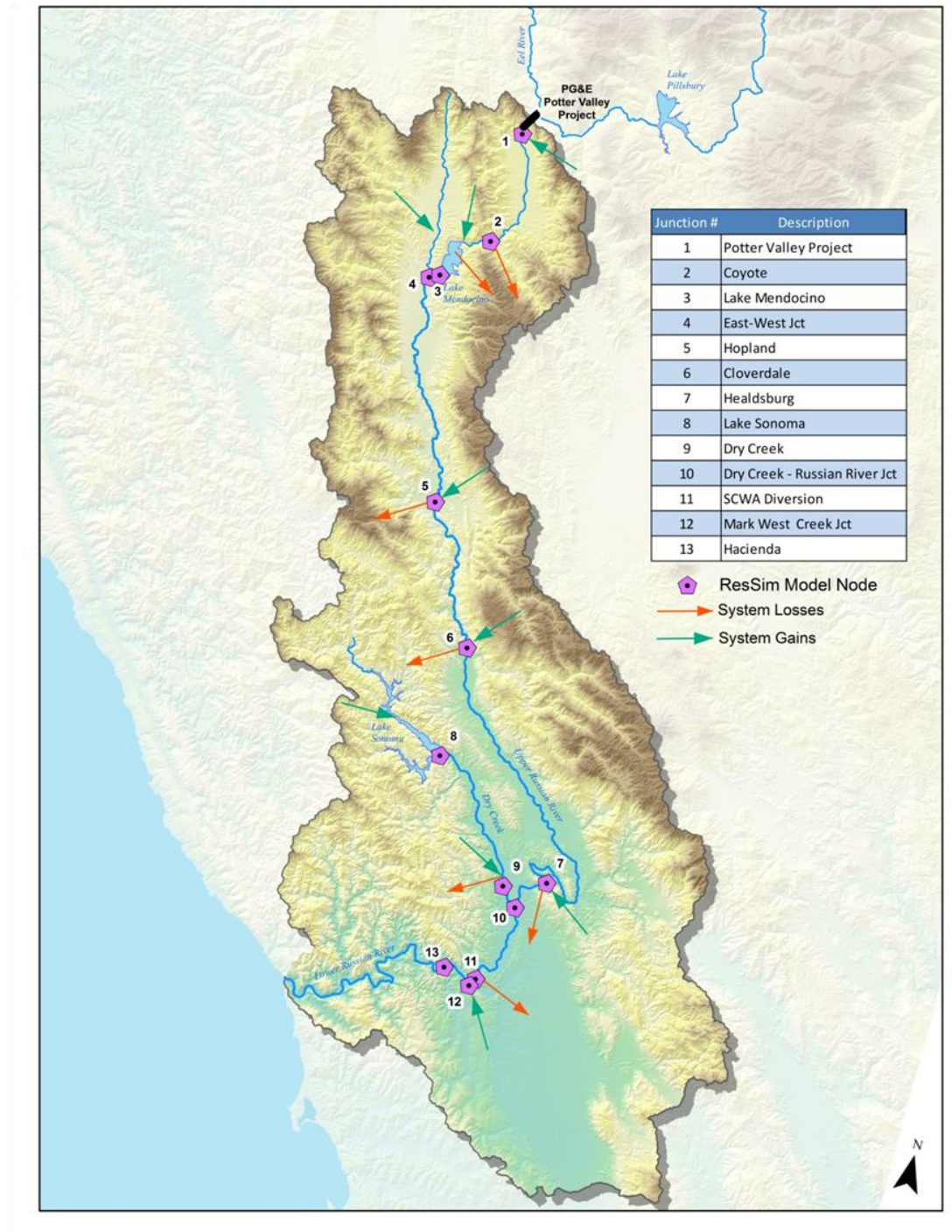


Figure 1: Russian River ResSim Model Schematic

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.

Projected PVP diversion 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 1910 – 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.

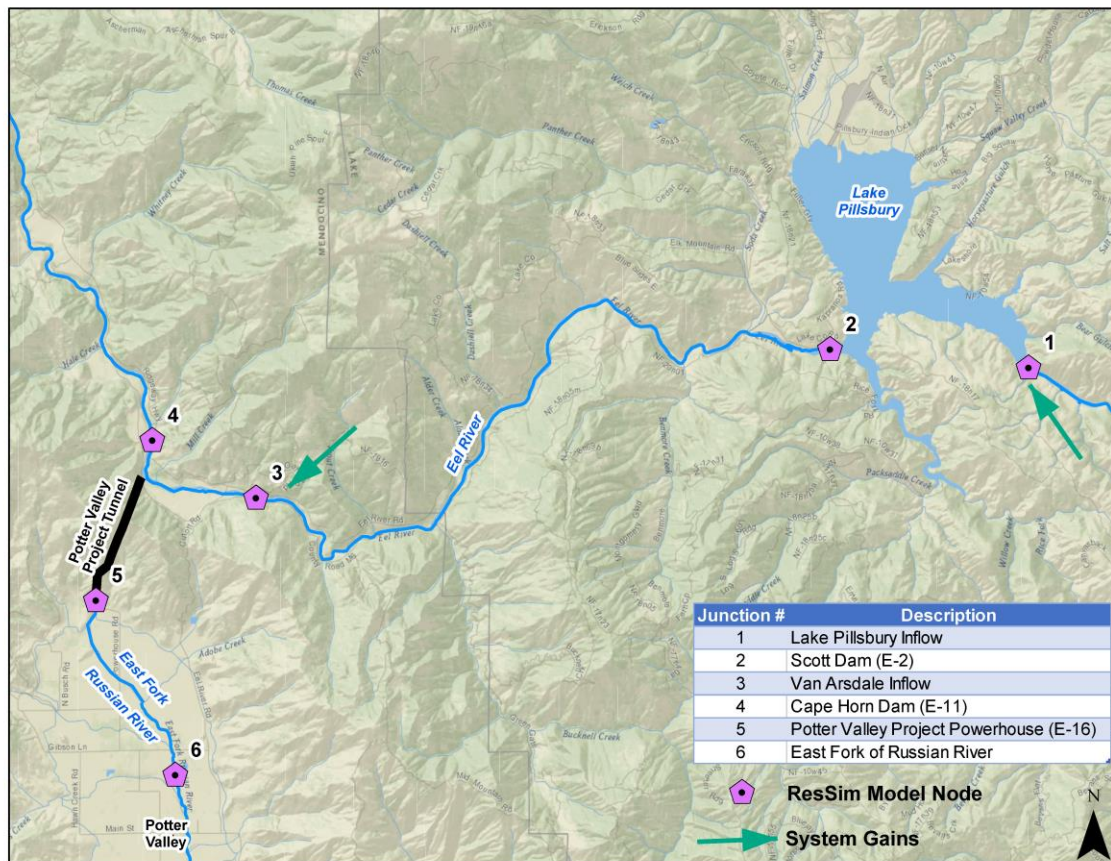


Figure 2: Potter Valley Project ResSim Model Schematic

Simulation of PVP operations included the proposed changes to minimum instream flows Pacific Gas & Electric (PG&E) has indicated they will request in a temporary variance they intend to file with the Federal Energy Regulatory Commission in early January 2021. The temporary variance would reduce the maximum transfer of Eel River water through the project to the Russian River watershed from 45 cfs to 15 cfs if storage in Lake Pillsbury falls below 18,000 acre-feet.

To evaluate potential risk to water supply in Lake Mendocino due to this year's low water supply storage conditions, below normal precipitation and potential reductions in transfers of Eel River water through PVP, storage projections for Lake Mendocino were developed that incorporates observed storage on

December 28, 2020 and model simulations for the remainder of the water year using hydrology from select historical years. Selection of historical years for projections was completed through an analysis of observed and forecasted Lake Pillsbury inflows, which is the criterion used in Decision 1610 for setting water supply conditions in the Russian River. Thirty eight ensemble forecasts of cumulative inflow into Lake Pillsbury prepared by the California Nevada River Forecast Center (CNRFC) made on December 28, 2020 to January 12, 2021 (15 days), as shown in Figure 3, were used to assess the range of short-term forecasted Lake Pillsbury inflow conditions and select historical years for developing water supply projections

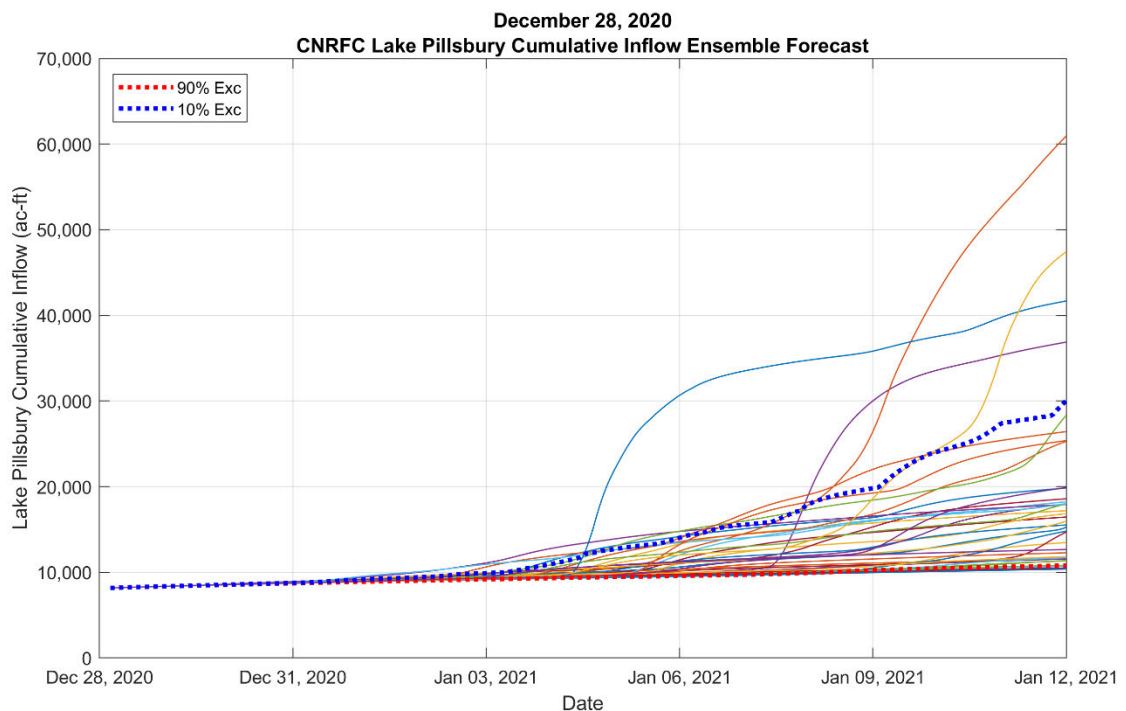


Figure 3: CNRFC Ensemble Cumulative Lake Pillsbury Inflow Forecasts Made on December 28, 2020

Water supply projection years were selected based on historical Lake Pillsbury water year cumulative inflow from 1910 through 2017 that fall between the 10 percent and 90 percent exceedance range of ensemble CNRFC forecasts of cumulative inflow on January 12, 2021. The 10 percent exceedance (10,700

acre-feet cumulative inflow on January 12, 2021) is shown as the red dotted line and the 90 percent exceedance (28,200 acre-feet cumulative inflow on January 12, 2021) is shown as the blue dotted line in Figure 3. This range of exceedances was used to eliminate extraneous ensemble forecasts. Results of this analysis are summarized in Figure 4 below, which shows all years (1910-2017) of Lake Pillsbury cumulative inflow (gray lines) and the subset of 21 years in the historical record where cumulative inflow on January 12 is between the 10% and 90% exceedance range (10,700 to 28,200 acre-feet). These 21 years are referred to as the projection years. This figure also includes *Dry* and *Critical* water supply condition thresholds defined in Decision 1610. It can be seen in this figure that all of the projection years show trends of cumulative inflow that are very low for the first portion of the water year (similar to observed conditions for water year 2021). Many of these projection years, however, show significant gains in cumulative inflow in January through March and exceed the *Dry* threshold under Decision 1610.

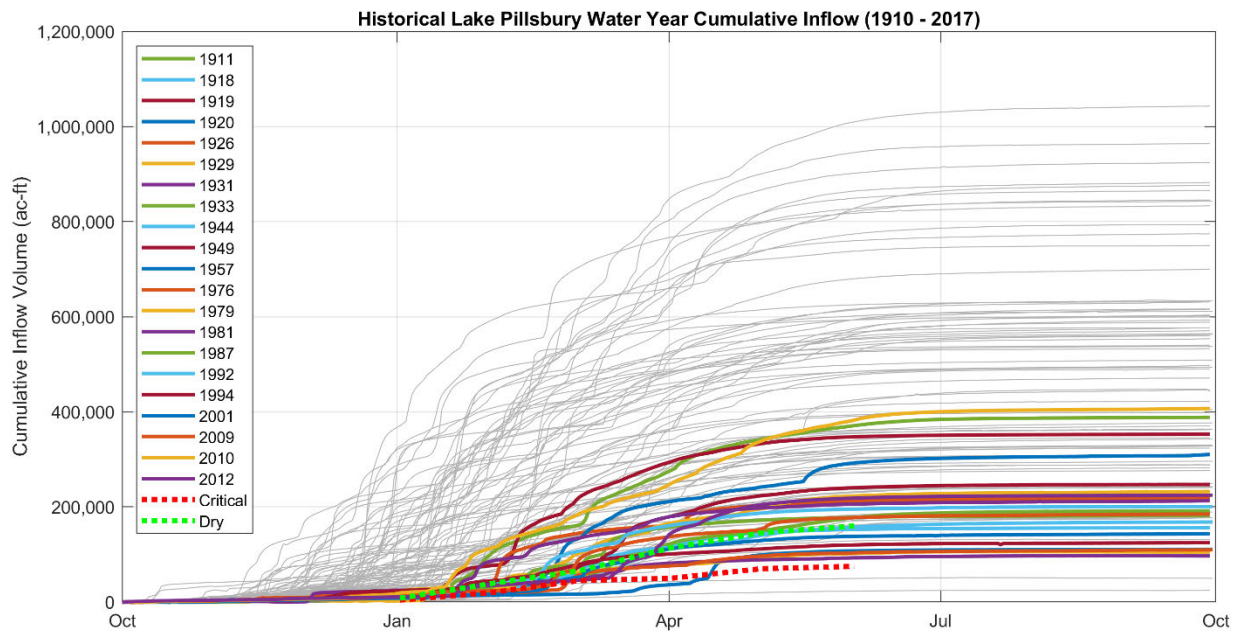


Figure 4: Water Year Cumulative Inflow into Lake Pillsbury from 1910 Through 2017

Simulation results of Lake Mendocino storage for the projection years are shown in Figure 5 below. Results of these model simulations show that most of the projection years have significant recovery of storage in January through April, and therefore, a sufficient amount of water leading into the dry season (May through September) for water supply. Four of the projection years (1920, 1929, 1931 and 1976) show storage levels well below 20,000 acre-feet at the end of the water year, which would have a significant impact to water supply in Lake Mendocino sufficient to support survival of listed Russian River salmonid fisheries and significantly risk water availability for agricultural and municipal use, and recreation. The high ratio of model simulations (4 of 21 projection years) that result in very low year end Lake Mendocino storage levels supports the need to implement temporary changes to Sonoma Water's water rights permits that would temporarily determine minimum instream flow requirements based on storage thresholds at Lake Mendocino rather than cumulative inflow into Lake Pillsbury as required by Term 20 and State Board Decision 1610.

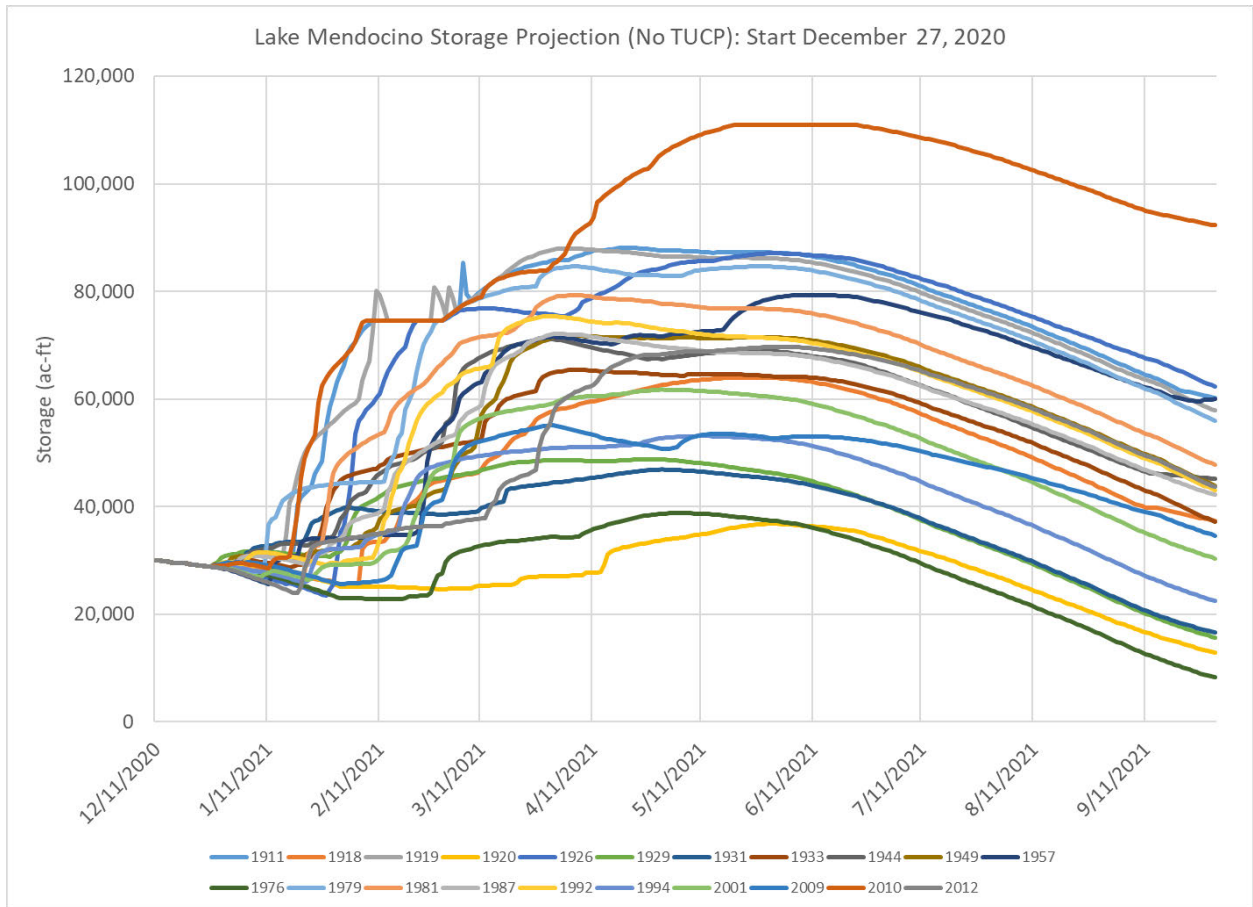


Figure 5: Lake Mendocino Storage Projections

Lake Mendocino Storage Thresholds

Based on a historical analysis of cumulative inflow into Lake Pillsbury from 1910 through 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 (1910 – 2017) 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 2021. 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 LP¹ Cumulative Inflow			LM² 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

¹ Lake Pillsbury ² 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 January 2021 Temporary Urgency Change Petition' 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. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

1/4/2021

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:

Bryan McFadin of the North Coast Regional Water Quality Control Board (NCRWQCB) was contacted on January 4, 2021, by Sonoma Water staff, Don Seymour and Jessica Martini-Lamb.

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 rediversion, 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 1.7.21 at Santa Rosa, CA.

Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

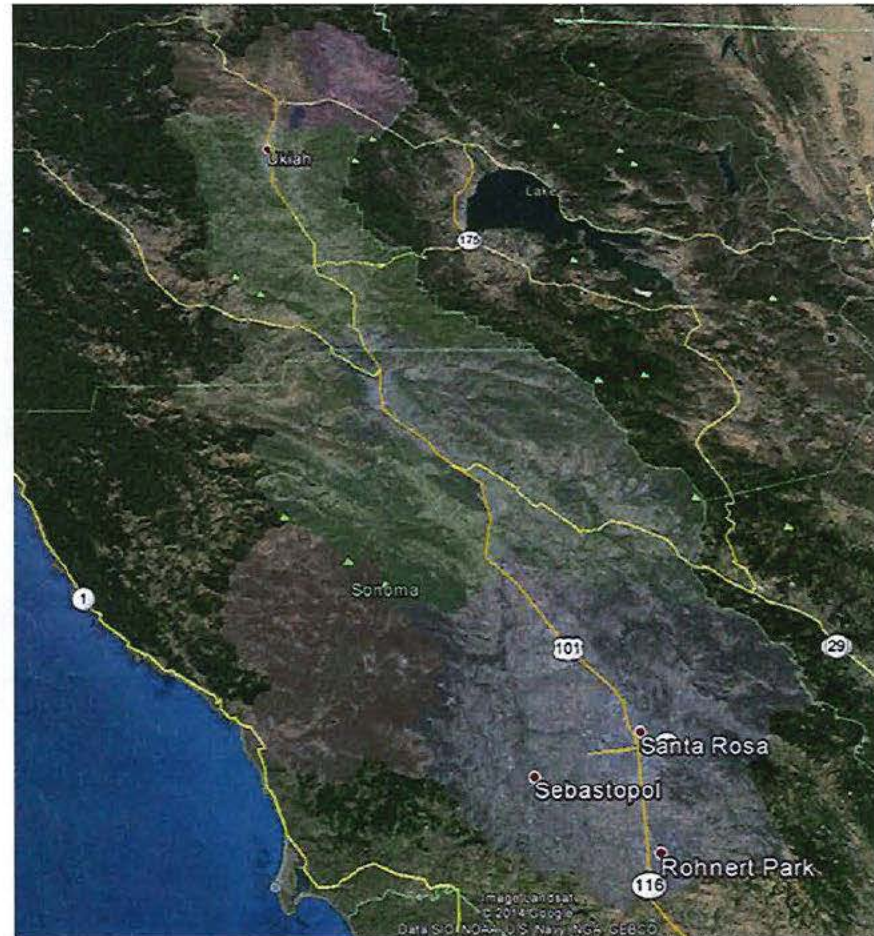
- Petitions for Change may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- Petitions for Temporary Transfer may not be accepted unless you include proof that a copy of the petition was served on the 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 Photographs in Vicinity of Main Diversion Facilities at Mirabel Park

Russian River Downstream of Mirabel Park Production
Facilities on July 12, 2016



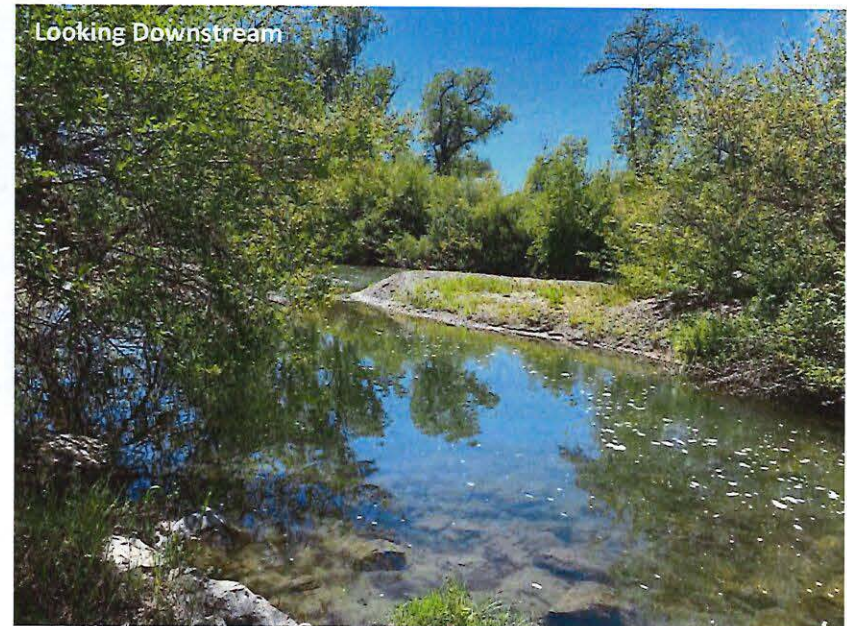
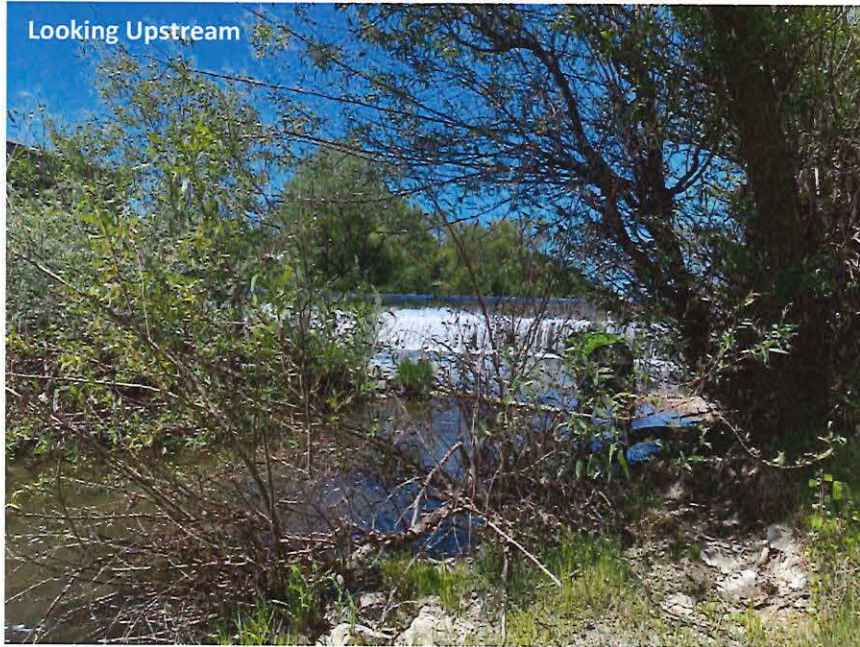
Russian River Watershed



Sonoma Water

Photographs of Russian River Downstream of River Diversion System at Mirabel Park on May 14, 2020

Mirabel Inflatable Dam



NOTICE OF EXEMPTION

To: X Office of Planning & Research
1400 Tenth Street
Sacramento, CA 95814

From: Sonoma County Water Agency
404 Aviation Boulevard
Santa Rosa, CA 95403

X County Clerk
County of Sonoma
Santa Rosa, CA 95401

X County Clerk
County of Mendocino
Ukiah, CA 95482

Project Title: Petition Requesting Approval of a Temporary Urgency Change in Water Right Permit 12947A in Mendocino and Sonoma counties

Project Location-Specific: The proposed action would occur in Mendocino and Sonoma counties at Lake Mendocino and in the Upper Russian River from Coyote Valley Dam/Lake Mendocino to the confluence with Dry Creek. Figure 1 shows the streamflow 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 Decision 1610, which the State Water Resources Control Board (SWRCB) adopted on April 17, 1986. Decision 1610 specifies the minimum instream flow requirements for the Upper Russian River, Dry Creek and the Lower Russian River, which vary based on water supply conditions. The requirements for the Upper Russian River have been incorporated into Term 20 of Sonoma Water's water right Permit 12947A (Application 12919A). These minimum flow requirements vary based on water supply conditions, which are also specified by Decision 1610 and Term 20. The water supply conditions defined in Decision 1610 and Term 20 are established 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. Specifically, cumulative inflow for Lake Pillsbury is defined as the algebraic sum of releases from Lake Pillsbury, change in storage and lake evaporation. Sonoma Water's operations are also subject to the Russian River Biological Opinion issued by the National Marine Fisheries Service on September 24, 2008.

Sonoma Water is requesting that the SWRCB make the following temporary urgency change to Term 20 of Sonoma Water's water right Permit 12947A. Starting January 28, 2021, the minimum instream flow requirements for the Upper Russian River would be established using an index based on water storage in Lake Mendocino, rather than the current index of cumulative inflow into Lake Pillsbury. This temporary change is requested to preserve the Lake Mendocino water supply in case below normal rainfall and hydrologic conditions continue. Specifically, Sonoma Water proposes that the following monthly storage criteria be used, in lieu of cumulative Lake Pillsbury inflow, to determine the water supply condition that sets the minimum instream flow requirements in Term 20 of Permit 12947A as applied to the Upper Russian River: (a) Dry water supply conditions will exist when storage in Lake Mendocino is less than 40,000 acre-feet (ac-ft) as of January 1, 59,000 ac-ft as of February 1, 68,000 ac-ft as of March 1, 69,500 ac-ft as of March 16, 71,000 ac-ft as of April 1, 70,000 ac-ft as of April 16, 69,000 ac-ft as of May

1, 67,500 ac-ft as of May 16, and 65,000 ac-ft as of June 1; (b) *Critical* water supply conditions exist when storage in Lake Mendocino is less than 31,000 ac-ft as of January 1, 36,000 ac-ft as of February 1, 52,000 ac-ft as of March 1, 53,000 ac-ft as of March 16, 54,000 ac-ft as of April 1, 53,000 ac-ft as of April 16, 52,000 ac-ft as of May 1, 51,000 ac-ft as of May 16, 50,000 ac-ft as of June 1; and (c) *Normal* water supply conditions will exist in the absence of defined *Dry* or *Critical* water supply conditions.

As of January 6, 2021, the water supply storage level in Lake Mendocino was 28,206 ac-ft. This storage level is approximately 41 percent of the available water conservation pool for this time of year. The current low storage level is the result of severely low rainfall in the region since January 1, 2020. Furthermore, Pacific Gas & Electric (PG&E) has indicated it intends to file a request with the Federal Energy Regulatory Commission (FERC) for a temporary variance to reduce its minimum instream flow requirements for the Potter Valley Project (PVP). The temporary variance would reduce minimum instreams flows from the PVP into the East Fork of the Russian River from 45 cubic feet per second (cfs) to 15 cfs.

Sonoma Water staff is concerned that cumulative inflow into Lake Pillsbury between October 1, 2020 and December 31, 2020, does not accurately reflect water supply conditions in the Russian River watershed. The cumulative inflow exceeded 8,000 ac-ft by January 1, 2021, which changed the water supply condition from *Dry* to *Normal*. Following Decision 1610 and Term 20 of Permit 12947A, this has increased the minimum instream flows required in the Upper Russian River to a rate that current storage in Lake Mendocino may not be able to reliably sustain. Specifically, there is an elevated risk this year to Lake Mendocino storage dropping to precarious levels if there are no significant storms before the end of the water year and minimum instream flow requirements remain based on a *Normal* water supply condition. The likelihood that FERC will allow PG&E to substantially reduce releases from the PVP into the East Fork of the Russian River combined with the near historical low rainfall since January 1, 2020 points to water supply conditions that cannot be characterized as normal. If storage in Lake Mendocino is depleted, then water to maintain the Upper Russian River flows through to the fall of 2021 will not be available to support the multitude of downstream beneficial uses, which includes habitat for threatened and endangered species, agriculture, and domestic/municipal water supplies.

An urgent need for the requested temporary changes exists because of the extremely low storage levels in Lake Mendocino and the fact that, with the changes in PVP operations since 2004, cumulative inflow into Lake Pillsbury is no longer a good metric to determine the water supply conditions in the Russian River. Without the proposed changes, the applicable minimum instream flow requirements may require releases of water from Lake Mendocino at levels that would risk significant depletions of storage and potential elimination of water supplies for water users in Mendocino County and northern Sonoma County (above the confluence with Dry Creek) during the spring, summer, and fall of 2021. Such depletions in storage and reductions or eliminations of water supplies would cause serious impacts to human health and welfare, and reduce water supplies needed for fishery protection and stable flows in the Upper Russian River.

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))	
X	Emergency Project (Sec.21080 (b)(4); 15269(b)(c)):	Section 21080(b)(4): Specific actions necessary to prevent or mitigate an emergency
X	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 State CEQA Guidelines 15301(i): Existing Facilities
	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 15307, 15308, and 15301(i).

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. As of January 6, 2021, the water supply storage level in Lake Mendocino was 28,206 acre-feet. This storage level is approximately 41 percent of the available water conservation pool for this time of year. The current low storage level is the result of severely low rainfall in the region. As measured at Ukiah, recorded rainfall for 2020 was 11.32 inches, which amounts to 31% of the average rainfall (37.01 inches) and the second lowest recorded rainfall since 1893.

Without significant storm events in the near future, results of the modeling show storage levels in Lake Mendocino well below 20,000 ac-ft by the end of the water year due to releases required to meet downstream water demands and minimum instream flow requirements on the Russian River. Furthermore, it is anticipated that PG&E will file an application for a flow variance for the PVP with the FERC due to extremely low storage levels in Lake Pillsbury and concern that they can no longer meet minimum flow requirements while also ensuring the safe operation of PVP. This would reduce minimum instream flows from the PVP into the East Fork of the Russian River from 45 cfs to 15 cfs.

Current minimum instream flow requirements are based on cumulative inflow into Lake Pillsbury, which is not accurately reflecting water supply conditions in the Russian River. The cumulative inflow from October 31, 2020 to December 31, 2020 is above the criteria of 8,000 ac-ft, which changed the water supply condition from a *Dry* to *Normal* designation on January 1, 2021. This has increased the minimum instream flows required in the Upper Russian River to a rate that current storage in Lake Mendocino may not be able to reliably sustain if dry weather persists. If storage in Lake Mendocino is depleted, then water to maintain the Upper Russian River flows through to the fall of 2021 will not be available to support the multitude of downstream beneficial uses, which includes habitat for threatened and endangered species, agriculture, and domestic/municipal water supplies.

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. The proposed temporary urgency change to Sonoma Water's water right Permit 12947A would conserve water in Lake

Mendocino to support beneficial uses downstream of Lake Mendocino, including habitat for listed Russian River salmonid fisheries, agricultural and municipal use, and recreation.

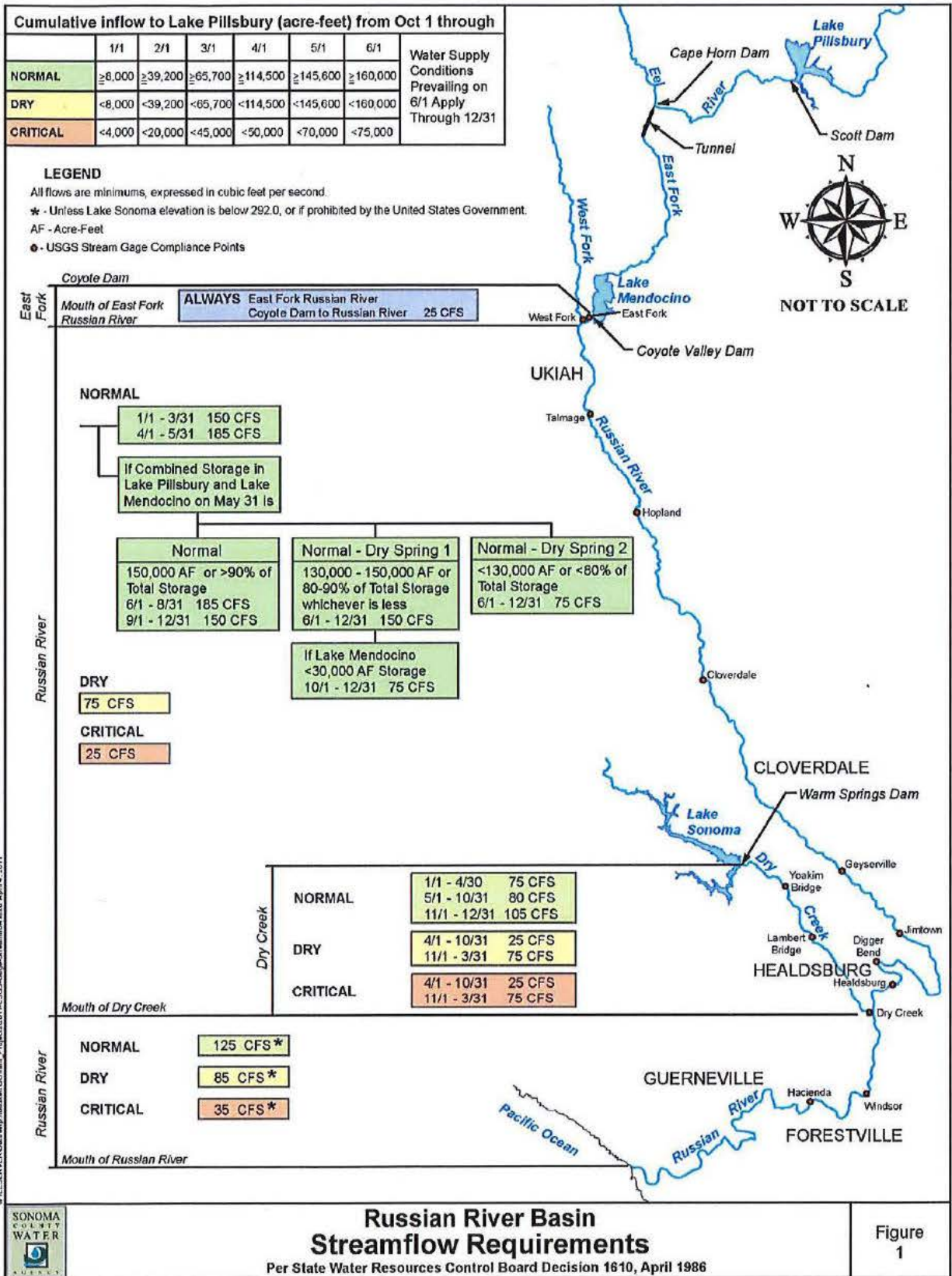
C. Existing Facilities

CEQA Guidelines Section 15301(i) provides, generally, that the operation of existing facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination is categorically exempt from CEQA. The examples in subdivision (i) of Section 15301(i) specifically provide that the maintenance of streamflows to protect fish and wildlife resources is exempt. Sonoma Water's request would not expand Sonoma Water's use or increase the water diversions available to Sonoma Water for consumptive purposes. The proposed change in would still be within the existing minimum instream flows established by SWRCB Decision 1610.

Lead Agency Contact Person: Jessica Martini-Lamb Area Code/Telephone: (707) 547-1903

Signature:  Date: 01/07/2021 Title: General Manager

☒ Lead Agency ☐ Applicant Date Received for filing at OPR: _____



**Russian River Basin
Streamflow Requirements**
 Per State Water Resources Control Board Decision 1610, April 1986

Figure
1

U:\L\SERVER\PERIODIC\Map\RussianRiver\Streamflow\Streamflow.mxd April 4, 2011

