

State Waterboard Temporary Urgency Change Petition

You completed application 446830 on 10/27/2022 09:30:19

Section A.1 - Petition for Temporary Urgency Change (Water Code 1435)

General Information

Complete this form to submit a temporary urgency change to your water right(s) pursuant to Water Code section 1435. Each water right being changed constitutes a separate petition, however one petition form may be used if the changes are adequately described in an attachment to the petition. Provide attachments as necessary. **Incomplete forms may not be accepted.** A Temporary Urgency Change Petition cannot involve an increase in the amount of appropriation or the season of use. In addition, a Temporary Urgency Change may be effective for a period of one hundred eighty days or less.

Instructions for Filing Petition for Temporary Urgency Change

Filing Fees

Your petition form(s) will not be accepted for initial review unless it is accompanied by the required filing fees, including the following:

1. Fee payable to the State Water Resources Control Board. Instructions for calculating the fee are available at: Water Rights Fees (http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/). **Send fee to the State Water Resources Control Board.**
2. Fee of \$850 payable to the California Department of Fish and Wildlife. An \$850 fee is required for all change petitions, with certain exceptions. See specific exceptions in Public Resources Code, division 10, § 10005 (https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC§ionNum=10005). **Send the California Department of Fish and Wildlife fee to the State Water Resources Control Board.**

Transmittal Checklist

Before submitting your Petition for a Temporary Urgency Change to the Division, please check to make sure you have completed or provided all of the following items:

1. Complete the following Temporary Urgency Change Petition form. When the form is complete you will receive a notice of submittal that **must be mailed to the Division**
2. Include required petition filing fees with the mailed notice of submittal.
3. Complete the Environmental Information for Petitions form. The form can be found on the Division's Water Rights Online Forms Portal here (<https://public2.waterboards.ca.gov/mt/sites/site?siteName=WROF>).
The following will be required to complete the Environmental Information for Petitions form:

- I. Map(s) prepared in accordance with Cal. Code Regs., tit. 23, §§ 715 et seq. & 794
([https://govt.westlaw.com/calregs/Document/I9A273720D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I9A273720D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))).
- II. Proof that the petition information was provided to, and consultation was requested with, the appropriate Regional Water Quality Control Board. (Cal. Code Regs., tit. 23, § 794, (b).)
([https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))).
- III. Proof that the petition information was provided to, and consultation was requested with, the California Department of Fish and Wildlife if it has not already provided on the Environmental Petition Form. (Cal. Code Regs., tit. 23, § 794, (b).)
([https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))).

When you complete the process by transmitting 1) this form, 2) the Environmental Information for Petitions form, 3) any attachments, and 4)

the required filing fees, your petition will be reviewed to determine whether the petition can be accepted. If your petition form(s) are found to be incomplete, Division staff will contact you to provide instructions regarding the supplemental information required and provide time to complete the form(s). Petition form(s) not accepted for filing are subject to a \$250 non-refundable initial review fee for each petition filed.



I acknowledge that I have read and understand the above information, and that I will not be able to complete my petition form unless I have compiled and provided all required information.

Public Record Acknowledgement

The State Water Resources Control Board, Division of Water Rights, (the Water Board) is requesting personal information on this form. This form shall become a public record upon receipt by the Board. The Water Board may post the petition to its internet website and may mail the petition upon request.



I acknowledge that I have read and understand the above information. I also consent to disclosure by the Board of information provided on this form by posting to the Board's internet website, by direct or electronic mailing, or as otherwise required for the Board to act upon the petition. This consent allows the disclosure of personal information pursuant to Civil Code section 1798.24, subdivision (b) (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=1798.24.#:~:text=An%20agency%20shall%20not%20disclose,to%20whom%20the%20information%20pertains.).

Section A.2 - Water Right and Owner Information

Water Right Information:

In order to fill out the table, press the green "+" symbol in the top right-hand corner. Once information has been entered, the green + symbol on the right side of that row must be clicked to confirm the information. For additional rows, press the green "+" symbol at the end of a row.

At least one of the following water right ID numbers must be filled out. If the petition for change form is related to other water rights, please provide the corresponding water right information in the table below.

Application or Statement IDs should follow this format A##### or S#####.

Water Right Type	Application or Statement ID	Permit Number	License Number
Appropriative Permit	A012919A	12947A	
Appropriative Permit	A019351	16596	
Appropriative Permit	A015736	12949	
Appropriative Permit	A015737	12950	

If you are filing this form for changes to multiple rights associated with the same project and the online form is too restrictive to allow you to enter the information needed, you may describe the changes in an attachment. **Check the box below if the online form is not sufficient to describe your change(s) to multiple water rights** and you will be prompted to attach descriptions of the proposed changes.

Click here if you meet the above conditions

Owner Information:

If you are filing as a company, government entity, city, etc. leave the first name and last name blank.


First Name: **Last Name:** **Organization Name:**

Contact Person: **Phone Number:** **Email:**

If entering a P.O. Box for the address, please include "P.O. Box" in the Address field. Example: P.O. Box 1234.

Address: **City:** **State/Province:** **Zipcode:**

Agent Information:

Do you wish to designate an agent?  Yes No

Section B.1 - Requested Changes

Use the following navigation buttons to return to the previous pages:

[Section A.1 - Introduction](#)



Check all requested changes that apply:



- Point of Diversion
- Point of Rediversion
- Purpose of Use
- Place of Use
- Redistribution of Storage
- Terms and Conditions

Section B.3 - Duration of Change

The temporary urgency change(s) cannot exceed 180 days and is to be effective from:

Start Date  to End Date 

*Please select a start date prior to an end date.

**If you are experiencing issues, select any date from the calendar pop-up and edit the numbers within the textbox by typing.

Section B.6 - Terms and Conditions

Describe any proposed changes to existing water right terms and conditions.



Change hydrologic index for determining water supply condition categories that set the minimum instream flow requirements for the three regulatory reaches in the Russian River watershed as found in the following terms: Term 20 of Permit 12947A, Term 17 of Permits 12949 and 12950, and Term 13 of Permit 16596. Existing permit terms use cumulative inflow into Lake Pillsbury as the primary hydrologic index. Proposed change would use a hydrologic index based on water storage in Lake Mendocino to establish water supply conditions. See Section 4.0 in attached document for complete details of requested changes.



If you have any additional attachments that will aid Division of Water Rights staff in processing the petition, upload the files in the provided space.

No file selected

(Uploaded files:)

Delete TUCP-Oct2022_SupportDoc_26oct2022.pdf (/MT/TakeSurvey/Download?fileName=1125_446830_122001_TemporaryUrgenc__TACUpload1_1.pdf)

Section C.1 - Urgent Need

Use the following navigation buttons to return to the previous pages:

[Section A.1 - Introduction](#)

[Section B.1 - Requested Changes](#)



Explain the "Urgent Need" (Water Code 1435(c) (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1435&lawCode=WAT)) that is the basis of this temporary urgency change petition (attach additional information as necessary):

See Section 3.1 in attached document.



Upload Documents here (optional)

Choose File No file selected

Upload

(Uploaded files:)

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Section C.2 - Injury to Users



Describe how this temporary urgency change will be made without injury to any lawful user of water.

See Section 3.2 in attached document.



Upload Documents here (optional)

Choose File No file selected

Upload

(Uploaded files:)

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Section C.3 - Other Diverters

Is any person(s) taking water from the stream between the old point of diversion or redirection and the proposed point? Yes

No Not Applicable

Section C.4 - Effect on Fish/Wildlife



Describe how this temporary urgency change may be made without unreasonable effect upon fish, wildlife, and other instream beneficial uses.

See Section 3.3 in attached document.



Upload Documents here (optional)


Choose File No file selected

Upload

(Uploaded files:) ----- No files uploaded -----

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Section C.5 - California Department of Fish and Wildlife


Have you consulted the California Department of Fish and Wildlife concerning this proposed temporary change?  Yes No

State the name and phone number of the person contacted and the opinion concerning the potential effects of your proposed temporary urgency change on fish and wildlife and state the measures required for mitigation:

Name	Phone Number
Morgan Kilgour	(916) 212-1268

Provide any additional explanation here on feedback provided by CDFW staff. Please also upload available correspondence or proposed conditions provided by CDFW staff.

On October 21, 2022, at the bi-weekly meeting with U.S. Army Corps of Engineers, National Marine Fisheries Service (NMFS), California Department of Fish and Wildlife (CDFW), and North Coast Regional Water Quality Control Board (NCRWQCB), this filing was discussed. These meetings are held per Term 6 of the June 17, 2022, Temporary Urgency Change Order. This meeting addressed the pending filing of these temporary urgency change petitions. Additional consultation with the resource agencies, including CDFW, is planned for the November 4th meeting. The potential effects and mitigation measures will be discussed in the upcoming meeting.

 You may upload any relevant attachments here

No file selected

(Uploaded files:) ----- No files uploaded -----

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Section D.1 - Review

Use the following navigation buttons to return to the previous pages:

[Section A.1 - Introduction](#)

[Section B.1 - Requested Changes](#)

[Section C.2 - Injury To Users](#)

You can view a summary of your petition before submitting by clicking here (</MT/TakeSurvey/Summary?surveysTakenId=446830&surveyId=1125>). The summary will open in a new tab. To return to this screen, simply close the tab with the petition summary. If you need to make changes to your petition, you may use the navigation buttons at the bottom of this page, the Prev button to return to previous pages. You will not be able to edit your petition after you submit.

Section D.2 - Certification

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

By entering your name on the signature line, you are certifying the above (entering your name qualifies as signing the petition form).

I am the:



Water Right Owner Authorized Agent

Signature:  Todd Schram

Date:  10/27/2022

Sonoma County Water Agency

Supplement to the October 2022 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 and river operations to protect municipal water supply and listed salmon species in the Russian River.

Based on Sonoma Water's water right permits' terms 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 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. The Federal Energy Regulatory Commission (FERC) license for the PVP expired on April 14, 2022, and the PVP now operates on an annual license. PG&E has elected to surrender the operating license and decommission the PVP and developed a plan and schedule that was approved by FERC on July 29, 2022. Per PG&E's schedule, a final license surrender application and decommissioning plan will be submitted by January 29, 2025. FERC's license-surrender proceedings will likely take several years before PVP operations and long-term rules governing any imports to the Russian River watershed are resolved.

Notwithstanding these long-term issues, the suitability of using Lake Pillsbury cumulative inflow as a hydrologic index for the Russian River has diminished due to the recent transformer bank failure at the PVP powerhouse. This failure caused PVP hydropower generation to cease and, with it, the associated discretionary transfers of Eel River water to the East Fork of the Russian River. PG&E informed

the Drought Working Group in October 2021 of the failure and the anticipated repair requirements that would take up to two years at a cost of five to ten million dollars. PG&E announced its intent to make the necessary repairs and restart power generation, but the status of this project is unknown at this time.

The PVP has a rated design flow rate up to 240 cubic feet per second (cfs) through the powerhouse for power generation. The bypass for the PVP powerhouse can pass flow rates up to 135 cfs to meet FERC license requirements for minimum instream releases into the East Fork of the Russian River and water supply contract requirements with the Potter Valley Irrigation District (PVID).

Currently, the PVP is operating under a FERC order that approved a temporary variance on the license flow requirements on July 27, 2022. The order effectively reduced the minimum instream releases into the East Fork of the Russian River from 75 cfs to 5 cfs. PG&E's current transfer obligation under the FERC variance and the PVID contract from now until April 14, 2023, is 10 cfs. The variance is expected to be terminated after Lake Pillsbury storage reaches 36,000 acre-feet. Upon termination, PG&E transfer obligations will total 45 cfs until April 14, 2023. On April 15, 2023, the transfer requirement to the East Fork of the Russian River will be reassessed based on the water supply condition under the FERC license.

PG&E has indicated that without the ability to generate hydropower, PG&E will not likely make discretionary transfers 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 met. Without the discretionary transfer of Eel River water to generate hydropower, the total transfer through the PVP will be reduced by up to 456 acre-feet per day.

Under these PVP operating conditions, 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 on which minimum instream requirements are based. A similar approach using storage thresholds was requested by Sonoma Water in prior Temporary Urgency Change Petitions

(TUCP) filed in December 2013, January 2021, and November 2021; and approved by the State Water Board in orders issued on December 31, 2013, February 4, 2021, and December 10, 2021, respectively. Under the current TUCP request, the storage thresholds have been updated to incorporate the current operational conditions present in the Russian River (see Section 4.0).

The current drought that began in the spring of 2020 has contributed to Sonoma Water filing five TUCPs. Projected critically low storage levels in Lake Mendocino were major drivers for the TUCPs. These low storage levels were due to the combination of dry watershed conditions and reduced transfers of Eel River water through the PVP as a result of variances filed with FERC by PG&E. With water conservation, water rights curtailments and actions under the recent Temporary Urgency Change Orders, Lake Mendocino water levels were sustained to allow continuous reservoir releases and are in a significantly improved condition from one year ago. Lake Sonoma, however, remains at its second lowest level for this time of year since filling in 1986. Consequently, it is 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 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.¹ 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

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

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 the 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, terms adopted by Decision 1610 require minimum Russian River flows as follows: 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 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 for the Russian River system based on the hydrologic conditions. 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.

Under Decision 1610, *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

On May 31, 2022, the cumulative inflow for the water year (starting October 1) into Lake Pillsbury was 228,109 acre-feet and combined storage in Lake Pillsbury and Lake Mendocino was 106,803 acre-feet. Consequently, the water supply condition is categorized as *Normal Dry Spring 2* for the remainder of 2022. Sonoma Water is currently managing the Russian River as authorized by the State Water Board amended temporary urgency change order dated October 11, 2022. The amended order modified the original order dated June 17, 2022, that approved Sonoma Water’s May 2022 TUCP. The approved changes authorized a reduction in minimum instream flow requirements to *Critical* water supply condition levels for the Upper and Lower Russian River. These changes were necessary because of the critically dry hydrology and very low storage at Lake Mendocino and Lake

Sonoma. The State Water Board's October 11, 2022 amended order expires after December 13, after which the minimum instream flow requirements would return to a *Normal Dry Spring II* water supply condition for the Upper and Lower Russian River. For the remainder of the year, the corresponding minimum instream flow requirements would increase from 25 cfs to 75 cfs on the Upper Russian River and from 35 cfs to 125 cfs on the Lower Russian River.

Without an additional temporary urgency change order approving the requested changes, the 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 would require releases from the two reservoirs to meet minimum instream flow requirements that would further exacerbate the depletion of the reservoirs to potentially severely low levels.

2.1 Potter Valley Hydroelectric Project

The PVP, owned and operated by PG&E, is located on the East Fork of the 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 of the 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 has indicated that it plans to repair the facility even though it is preparing a license surrender application and decommissioning plan as required by FERC. However, PG&E has not released a plan or schedule for repairing the transformer bank.

2.2 Lake Mendocino

As of October 24, 2022, the water supply storage level in Lake Mendocino was 38,563 acre-feet (AF). This storage level is approximately 49 percent of the available water conservation pool for this time of year. This corresponds to approximately the 20th percentile storage level for this time of year. Figure 2 shows observed storage in Lake Mendocino for 2014 through October 24, 2022.

Lake Mendocino is operating under a Planned Major Deviation (Deviation) of the Coyote Valley Dam/Lake Mendocino Water Control Manual that was approved by the U.S. Army Corps of Engineers (USACE) in February 2021. The Deviation was approved to remain in effect through Water Year (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 11,650 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, drought conditions since March 2020 have resulted in storage levels at Lake Mendocino that are well below the flood control pool. Hence, the FIRO DSM has not been able to improve storage levels.

2.3 Lake Sonoma

As of October 24, 2022, the water supply storage level in Lake Sonoma was 105,599 acre-feet. This storage level is approximately 43 percent of the available water conservation pool. This is the lowest storage level for this time of year since Lake Sonoma filled in 1986. The second lowest level on record was last year, which was over 10,000 acre-feet higher. Figure 3 shows observed storage in Lake Sonoma for 2014 through October 24, 2022.

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 14, 2022, 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 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:

45,000 acre-feet as of January 1
60,000 acre-feet as of February 1
71,000 acre-feet as of March 1
75,000 acre-feet as of March 16
77,000 acre-feet as of April 1
76,500 acre-feet as of April 16
76,000 acre-feet as of May 1
75,500 acre-feet as of May 16
75,000 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
41,000 acre-feet as of February 1
53,500 acre-feet as of March 1
56,000 acre-feet as of March 16
56,500 acre-feet as of April 1
56,000 acre-feet as of April 16
55,000 acre-feet as of May 1
54,000 acre-feet as of May 16
53,500 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 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) 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 A.

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 13 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, Valley of the Moon, and Marin Municipal Water Districts; California 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.

Sonoma and Mendocino were the first counties placed under a region-specific drought state of emergency on April 21, 2021, by Gov. Gavin Newsom. 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. As required by Government Code section 8630, the Board of Supervisors must review the proclamation of local emergency every 60 days and determine if there is a need for continuing the local emergency. The Sonoma County Board of Supervisors has approved the continuation of the drought emergency conditions every 60 days since April 2021, with the most recent extension occurring September 13, 2022. It is expected that drought emergency conditions will remain in effect through 2022.

Since the summer of 2021, Sonoma Water and its contractors have continued to implement shortage response actions consistent with those adopted for a shortage level of up to twenty percent (Level 2). These actions match the requirements of the Governor's Executive Order N-7-22 and are also consistent with the actions

detailed in Sonoma Water's and the contractors' annual Water Shortage Assessment reports submitted to the California Department of Water Resources prior to July 1, 2022. Sonoma Water's report concluded there was sufficient water supply to meet projected demands from July 2022 through June 2023 if the following year were to be dry. Given ongoing drought conditions, however, Sonoma Water and its contractors agreed that meeting a 20 percent reduction in diversions from the Russian River was appropriate from July 2022 through October 2022 in order to preserve water supply in Lake Sonoma should drought conditions continue into a fourth year.

Sonoma Water and its customers are achieving a 30.5 percent reduction in Russian River diversions for the period July 1 through October 24, 2022, as compared to the same period in 2020. Consequently, it is expected that the 20 percent diversion reduction goal through October will be met or exceeded. Shortage response actions are anticipated to continue after October, however, given current dry conditions and the applicability of the Governor's ongoing Executive Order. Sonoma Water and its contractors will be undertaking work on next year's Annual Water Supply and Demand Assessment starting in December, to include monitoring and early forecasting of water supply conditions and to develop updated demand forecasts for the next two years. As was done last winter into spring and summer, this annual process will be relied on to determine appropriate shortage response actions in consideration of any precipitation received this winter.

Outreach Campaign

Sonoma Water, its contractors, and the other member agencies of the Partnership continue to run a multi-media drought outreach campaign to maintain customer awareness of low reservoir levels and the need for continued water savings due to a third consecutive dry year. The campaign emphasizes reducing water waste by adhering to statewide water waste prohibitions and local restrictions on irrigation and other non-essential uses of water. As previously mentioned, drought restrictions have been in effect continuously since summer of 2021.

The Partnership outreach campaign being implemented this fall and winter includes topical advertising for installing drip irrigation systems, how to care for trees during drought, greywater systems, rainwater harvesting, information on

water smart plants, and timely reminders to turn off irrigation systems for winter. This advertising utilizes streaming content online, print and digital ads, videos, social media placements, and radio. A weekly graphic showing current reservoir storage levels is ongoing in the Santa Rosa Press Democrat print and online news publications and on Sonoma Water's and the Partnership's websites. Sonoma Water has also been conducting monthly Drought Town Hall meetings hosted by a member of the Sonoma County Board of Supervisors / Sonoma Water Board of Directors, with guest presenters providing the latest information on drought conditions. The next Drought Town Hall meeting is scheduled for November 3, 2022.

A drought outreach subcommittee of the Partnership continues to meet monthly to coordinate development of new advertising and to finalize outreach plans through the fall and winter period. The Partnership recently completed a series of Saving Water Summer Pop-Up events, culminating at the Fiesta de Independencia held at the Luther Burbank Center for the Arts on September 18, 2022. In total, the Partnership hosted 27 pop-ups over the summer to share drought information and water saving tools with participants. Six pop-ups occurred simultaneously on August 20, 2022, in collaboration with home improvement stores throughout Sonoma and Marin counties, where total customer engagement numbered in the thousands. Overall, the ongoing drought outreach campaign continues to be effective in meeting the Governor's call for a 15% reduction as compared to 2020 use. For the July 2021 through August 2022 period, the Partnership is maintaining a 21% reduction in total water production as compared to the same period in 2020.

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	

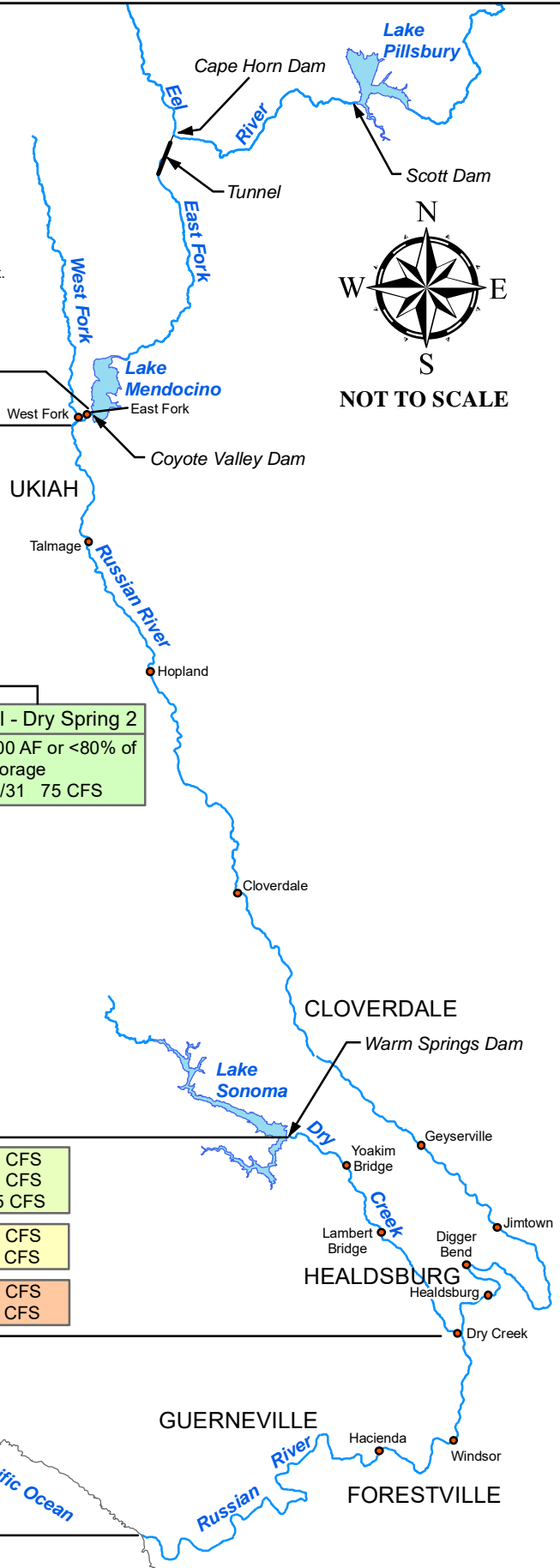
LEGEND

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



Coyote Dam

Mouth of East Fork Russian River

ALWAYS East Fork Russian River
Coyote Dam to Russian River 25 CFS

NORMAL

1/1 - 3/31 150 CFS
4/1 - 5/31 185 CFS

If Combined Storage in Lake Pillsbury and Lake Mendocino on May 31 is

Normal

150,000 AF or >90% of Total Storage
6/1 - 8/31 185 CFS
9/1 - 12/31 150 CFS

Normal - Dry Spring 1

130,000 - 150,000 AF or 80-90% of Total Storage whichever is less
6/1 - 12/31 150 CFS

Normal - Dry Spring 2

<130,000 AF or <80% of Total Storage
6/1 - 12/31 75 CFS

If Lake Mendocino <30,000 AF Storage
10/1 - 12/31 75 CFS

DRY

75 CFS

CRITICAL

25 CFS

Dry Creek

NORMAL

1/1 - 4/30 75 CFS
5/1 - 10/31 80 CFS
11/1 - 12/31 105 CFS

DRY

4/1 - 10/31 25 CFS
11/1 - 3/31 75 CFS

CRITICAL

4/1 - 10/31 25 CFS
11/1 - 3/31 75 CFS

Mouth of Dry Creek

NORMAL

125 CFS *

DRY

85 CFS *

CRITICAL

35 CFS *

Mouth of Russian River

\\FILESERVER\DATA\wpr\ba\ekf\Schram_Projects\2011-USGS-Gage-Streamflow.mxd April 4, 2011

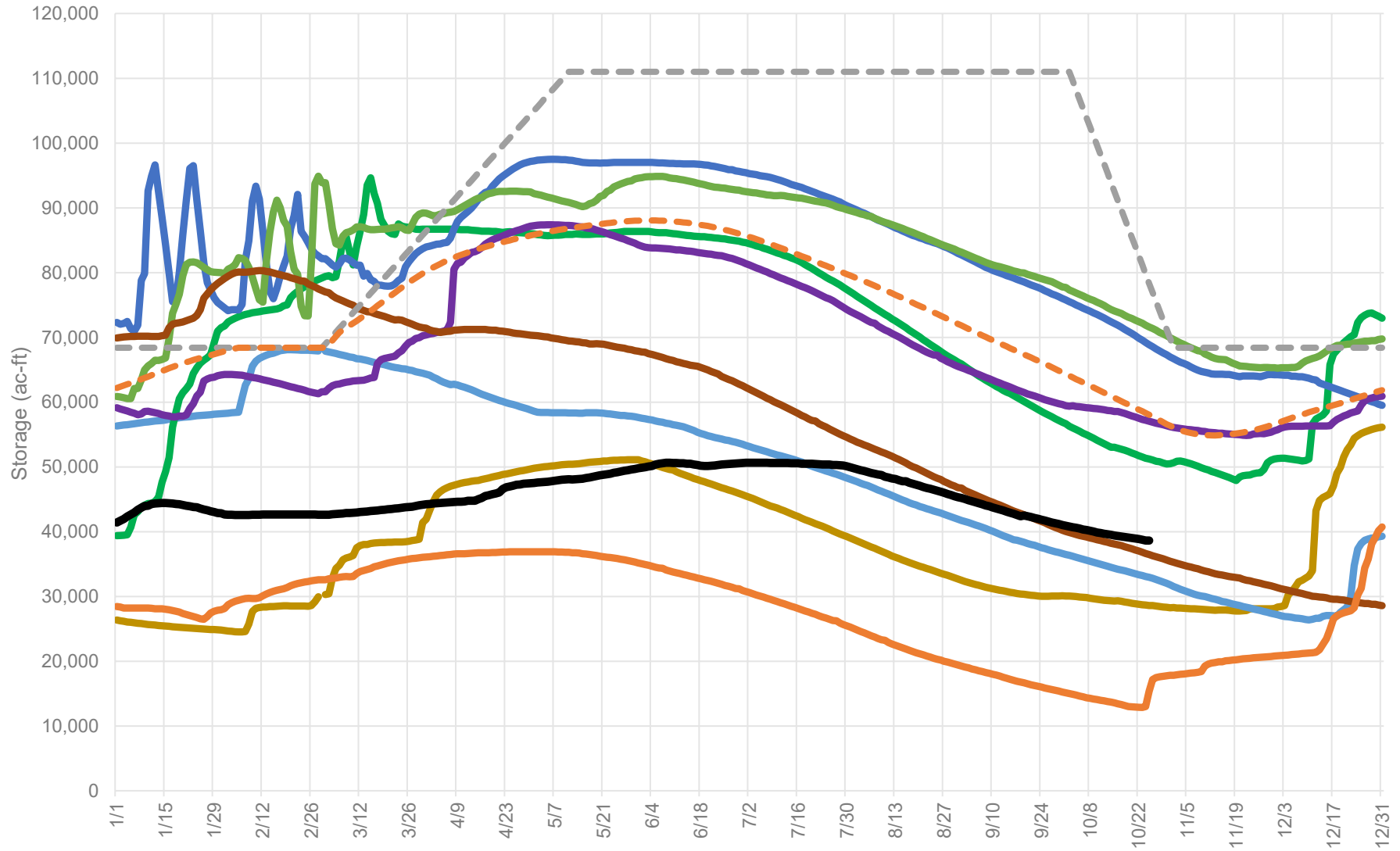


Russian River Basin Streamflow Requirements

Per State Water Resources Control Board Decision 1610, April 1986

Figure 1

Lake Mendocino Storage



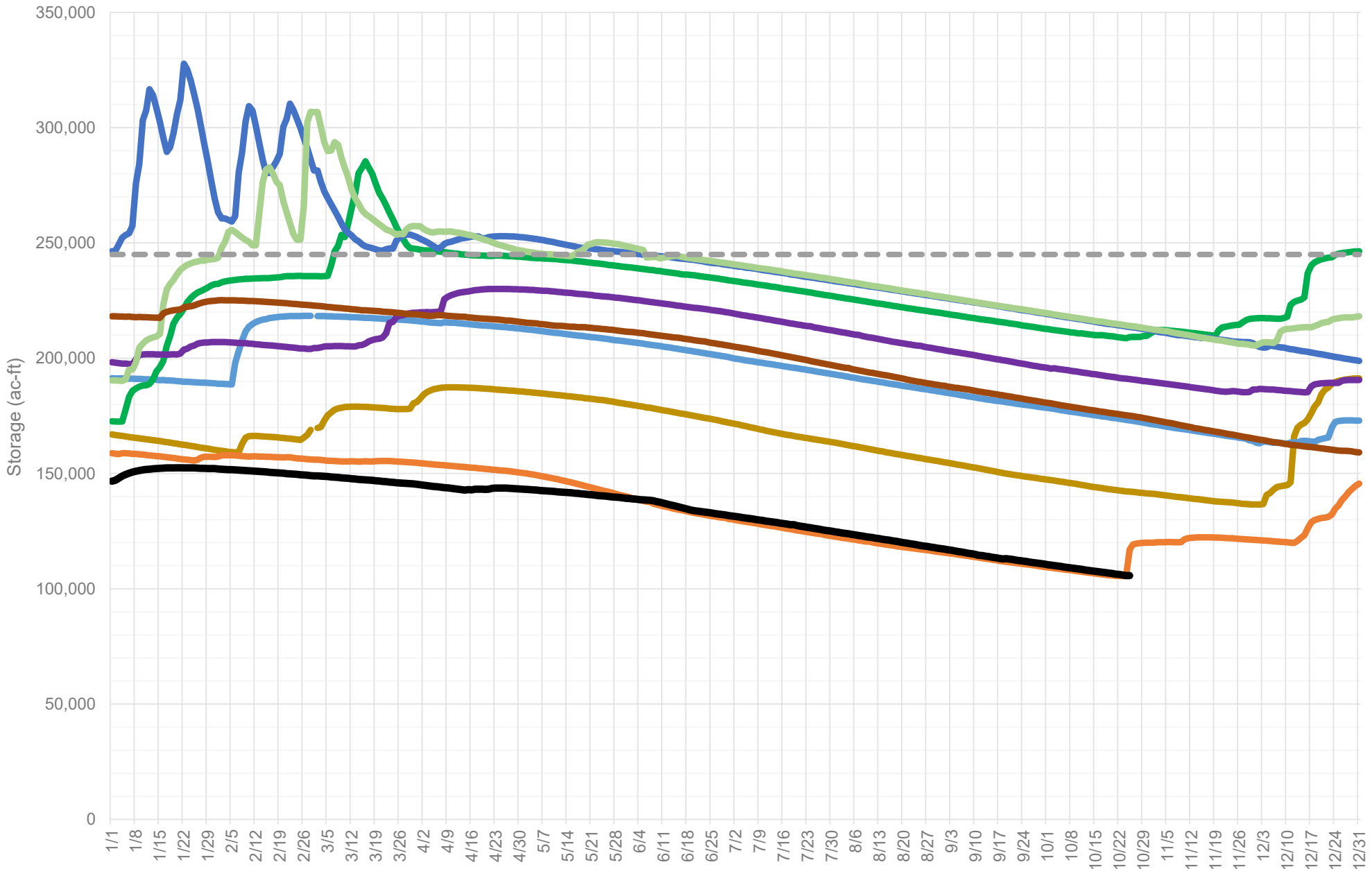
— 2014
— 2015
— 2016
- - - Storage Curve

— 2017
— 2018
— 2019
- - - Target Water Supply Storage Curve

— 2020
— 2021
— 2022

Figure 2

Lake Sonoma Storage



— 2014
 — 2015
 — 2016
 — 2017
 — 2018
 — 2019
 — 2020
 — 2021
 — 2022
 - - - Storage Curve

Figure 3

Lake Mendocino Storage Thresholds

The Lake Mendocino storage thresholds were developed 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 (Water Years 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. Gains associated with unimpaired flows and losses associated with municipal and industrial (M&I) diversions and/or other distributed demands are accounted for within each reach.

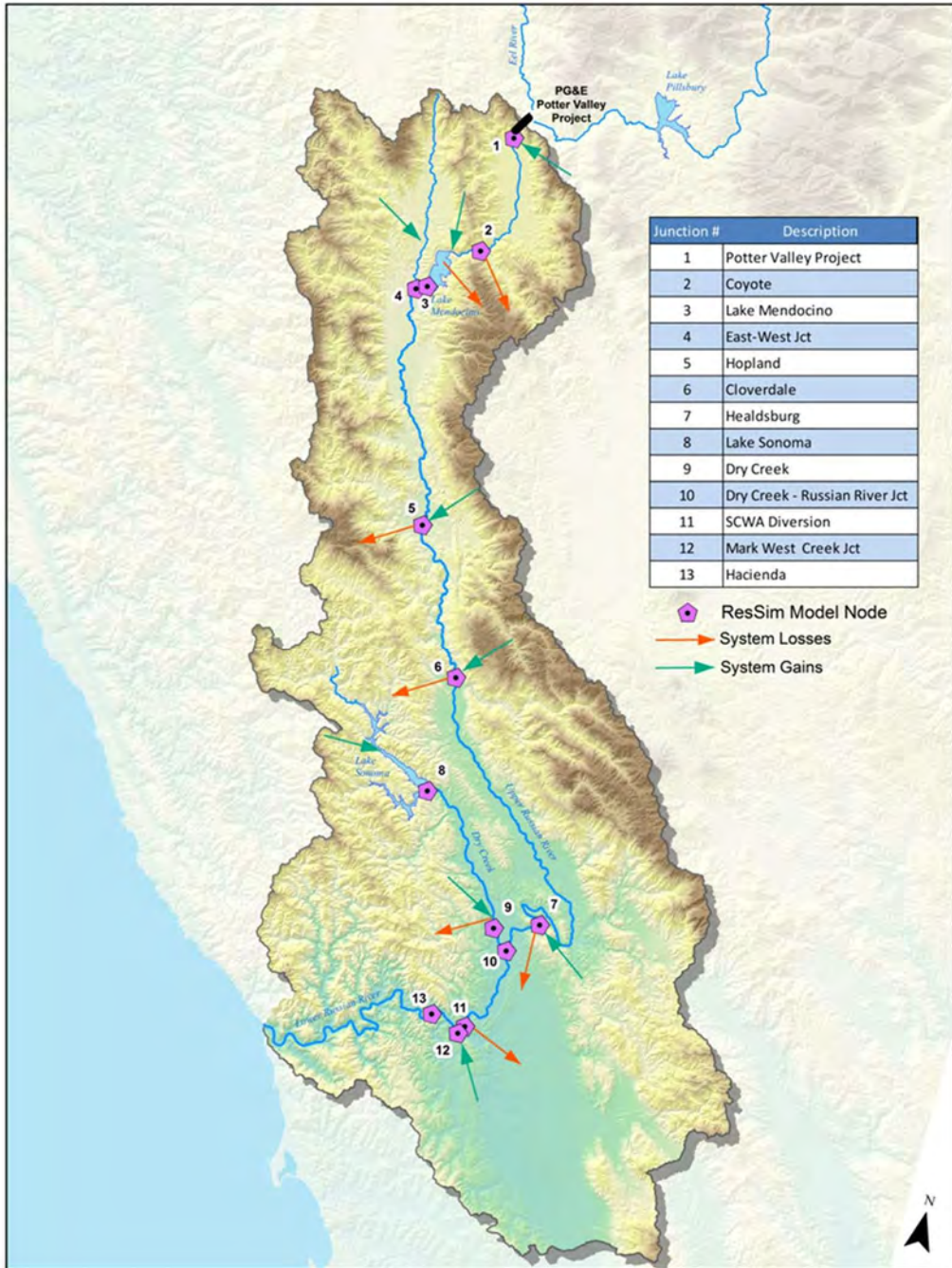


Figure 1: Russian River ResSim Model Schematic

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

ATTACHMENT A

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 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.

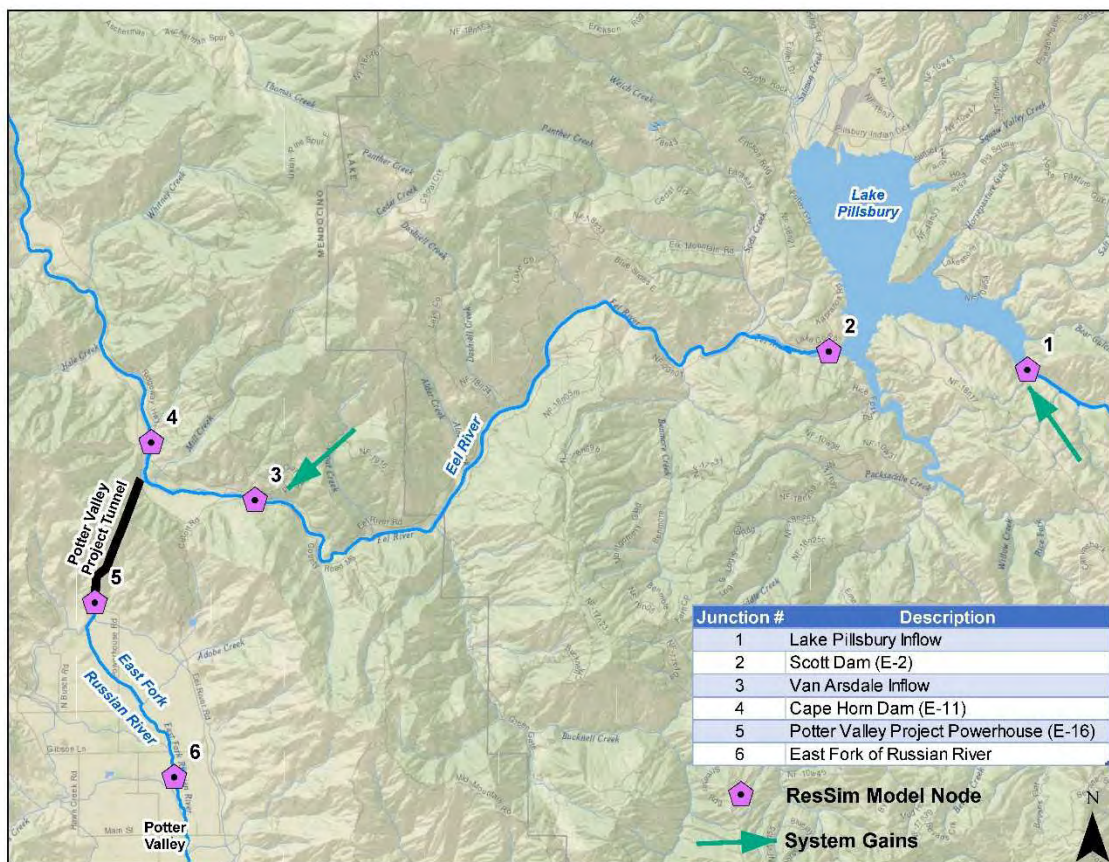


Figure 2: Potter Valley Project ResSim Model Schematic

ATTACHMENT A

Simulation of PVP operations included modified operations of the project due to out of service transformer banks. The modified operation removes discretionary PVP transfers used for increased power production while Lake Pillsbury storage is high during late fall through early spring, which can reduce peak wet season PVP transfers by as much as 195 cfs.

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 2023. These storage thresholds 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 ¹ Cumulative Inflow			LM ² Storage Thresholds		
	Normal	Dry	Critical	Normal	Dry	Critical
1-Jan	86.9	9.3	3.7	82.2	11.3	6.5
1-Feb	78.4	13.1	8.4	79.4	15.0	5.6
1-Mar	86.0	9.3	4.7	84.3	10.6	5.1
1-Apr	86.9	10.3	2.8	84.6	11.7	3.7
1-May	86.9	11.2	1.9	84.5	13.2	2.3
1-Jun	87.9	10.3	1.9	85.0	13.1	1.9
Average	85.5	10.6	3.9	84.2	12.8	3.0

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

ATTACHMENT A

These storage thresholds were updated from the November 2021 Temporary Urgency Change Petitions to incorporate operational settings of the Russian River that are reflective of current conditions. These updates include: (1) flood operations at Lake Mendocino in accordance with the *Planned Major Deviation (Deviation) of the Coyote Valley Dam/Lake Mendocino Water Control Manual* approved by USACE in February 2021; and (2) PVP modified operations as described above. The Major Deviation allows the USACE to consider meteorological and hydrological forecasts when determining Lake Mendocino flood releases when storage is below 80,050 ac-ft. This could lead to an increase in diversions to storage as high as 11,650 ac-ft. Combined, these modified operations affect the water balance at Lake Mendocino and necessitated changes to the previous storage thresholds.

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, Term 17 of Permit 12949, Term 17 of Permit 12950, and Term 13 of Permit 16596 will apply in the Russian River:

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

- 45,000 acre-feet as of January 1
- 60,000 acre-feet as of February 1
- 71,000 acre-feet as of March 1
- 75,000 acre-feet as of March 16
- 77,000 acre-feet as of April 1
- 76,500 acre-feet as of April 16
- 76,000 acre-feet as of May 1
- 75,500 acre-feet as of May 16
- 75,000 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
- 41,000 acre-feet as of February 1
- 53,500 acre-feet as of March 1
- 56,000 acre-feet as of March 16
- 56,500 acre-feet as of April 1
- 56,000 acre-feet as of April 16
- 55,000 acre-feet as of May 1

ATTACHMENT A

54,000 acre-feet as of May 16

53,500 acre-feet as of June 1

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

State Waterboard Environmental Info For Petitions

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Section A.1 - Introduction of Environmental Information for Petition(s)

GENERAL INFORMATION

This form is required for all petitions, including change petitions, time extension petitions, water right splits, wastewater change petitions and instream flow dedication 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.

Certification 

I acknowledge that I have read and understand the above information and that I will not be able to complete my petition form unless I have compiled all the required information.

Please enter the form number of the petition to which this environmental information corresponds. You can find this form number on your notice of submittal you received via email when submitting your petition form. The form number will be listed as WRA#####. **Input just the numbers after WRA below.** If you have not yet completed a petition form, please do so first and then return to this form.

 Form Number

446830

If this environmental information form corresponds to multiple petitions forms, please list each additional form number in its own box below.

Form Number 2

Form Number 3

Form Number 4

Form Number 5

Public Record Acknowledgement

The State Water Resources Control Board, Division of Water Rights, (the Water Board) is requesting personal information on this form. This form shall become a public record upon receipt by the Board. The Water Board may post the petition to its internet website and may mail the petition upon request.



I acknowledge that I have read and understand the above information. I also consent to disclosure by the Board of information provided on this form by posting to the Board's internet website, by direct or electronic mailing, or as otherwise required for the Board to act upon the petition. This consent allows the disclosure of personal information pursuant to Civil Code section 1798.24, subdivision (b).

Section A.2 - Description of Changes

Water Right Information:


This form is required for all petitions, including change petitions, time extension petitions, water right splits, wastewater change petitions and instream flow dedication petitions.

In order to fill out the table, press the green "+" symbol in the top right-hand corner. Once information has been entered, the green + symbol on the right side of that row must be clicked to confirm the information. For additional rows, press the green "+" symbol at the end of a row.

At least one of the following water right numbers must be filled out. If this form is related to other water rights, please provide the corresponding water right information in the table below.

Application or Statement IDs should follow this format A##### or S#####.

Water Right Type	Application or Statement ID	Permit Number	License Number
Appropriative Permit	A012919A	12947A	
Appropriative Permit	A019351	16596	
Appropriative Permit	A015736	12949	
Appropriative Permit	A015737	12950	

Is your petition a petition for extension of time? 

Yes | No

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

Provide a description of the proposed changes to your project including, but not limited to:


- Type of construction activity,
- Structures that are existing and that may be built,
- Area to be graded or excavated,
- Increase in water diversion or use,
- Changes in land use,
- Project operational changes, including changes in the timing of diversions or uses, or 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.



Include in your description any of the above elements that will occur during the requested extension period. (Note: Text box size can be adjusted by clicking on the bottom right corner of the text box and dragging to the desired size.)

See 'Supplement to the October 2022 Temporary Urgency Change Petitions' for a summary of the requested changes.

 Upload Documents here (optional)

Choose Files No file chosen

Upload

(Uploaded files:)

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Section B.1 - Environmental Documents


Has any California public agency prepared an environmental document for your project?  Yes


No


Section B.2 - Environmental Documents - Already Prepared

Submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency.

Name of California Public agency: 

State Clearing House Number: 

State Clearing House Document Date: 

 Upload Documents here (optional)

No file chosen

(Uploaded files:)

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fileName=1110_446831_78838_Environmentalln__UploadOfEnvDocsAlreadyPrepared_1.pdf)

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Section C.1 - Coordination with Regional Water Quality Control Board

Use the following navigation buttons to return to the previous pages:

Petitioners must request consultation with the appropriate Regional Water Quality Control Board (RWQCB) regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794, (b).

([https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?](https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)))

[viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)\)](https://govt.westlaw.com/calregs/Document/IB9C38FC0D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)))) To determine the appropriate RWQCB office for consultation, see:

https://www.waterboards.ca.gov/waterboards_map.html

(https://www.waterboards.ca.gov/waterboards_map.html)

For petition for change only: Provide the RWQCB contact information and the date you submitted the request for consultation below:

Person Contacted First Name:

Person Contacted Last Name:


Date of Contact:

Office:


Phone Number:

Permit Type Required for Project (if any):

Permit Status (if applicable):

Will your project, during construction or operation, (1) generate waste or wastewater containing 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

Section C.2 - Coordination with the California Department of Fish and Wildlife

Person Contacted First Name:

Person Contacted Last Name:


Date of Contact:

Office:

Phone Number:

Permit Type Required for Project and/or Consultation Status:

Describe any concerns identified by CDFW staff, or whether CDFW stated there were no concerns related to this project. If your project has the potential to impact any threatened and endangered species or if there are any other known environmental impacts, also provide the information here.

 Upload any related correspondence with CDFW or additional explanation if available.

No file chosen

(Uploaded files:)

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Section C.3 - Local Permits

For **temporary transfers only**, you must submit a copy of the Petition for Transfer and Environmental Information form to 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. (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1726&lawCode=WAT))

Person Contacted First Name:

Person Contacted Last Name:

Date of Contact:

Department:

Phone Number:

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

Person Contacted First Name:


Person Contacted Last Name:

Date of Contact:

Department:

Phone Number:

County Zoning Designation:

Are any county permits required for your project?  Yes No

Section C.4 - Federal and State Permits

Provide information for any additional Federal and/or State agencies that may require permits or other approvals for your project.:


Some Federal/State agencies that may require permits or other approvals are:

- Regional Water Quality Control Board
(https://www.waterboards.ca.gov/about_us/contact_us/rwqcb_directory.html)
- Department of Fish and Wildlife (<https://wildlife.ca.gov/>)
- Department of Water Resources, Division of Safety of Dams (<https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams>)
- California Coastal Commission (<https://www.coastal.ca.gov/>)
- State Reclamation Board (<https://www.usbr.gov/mp/>)
- U.S. Army Corps of Engineers (<https://www.usace.army.mil/>)
- U.S. Forest Service (<https://www.fs.usda.gov/>)
- Federal Energy Regulatory Commission (<https://www.ferc.gov/>)
- Natural Resources Conservation Service
(<https://www.nrcs.usda.gov/wps/portal/nrcs/site/national/home/>)
- Bureau of Land Management (<https://www.blm.gov/california>)
- State Water Resources Control Board (<https://www.waterboards.ca.gov/>)

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


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

If you selected a status of "Other", please explain:

Have you obtained any of the permits listed above?  Yes No None Required

Section C.5 - Construction and Grading Activity


Does the project involve any construction or grading activity that has significantly altered or would significantly alter the bed, bank, or riparian habitat of any stream or lake?

 Yes No

Section C.6 - Environmental Setting

For all petitions other than time extensions, attach a complete set of color photographs, clearly dated and labeled, showing the vegetation that exists at the below-listed four locations.

- Along the stream channel immediately downstream from the proposed point(s) of diversion.
- Along the stream channel immediately upstream from the proposed point(s) of diversion.
- At the proposed point(s) of diversion.
- At the place(s) where the water is to be used.

 Upload Documents here

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Section C.7 - 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, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq. & 794

([https://govt.westlaw.com/calregs/Document/I9A273720D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)\)](https://govt.westlaw.com/calregs/Document/I9A273720D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))))

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

  Upload Documents here (optional)

Choose Files No file chosen

Upload

(Uploaded files:)

Delete [EnviroInfo_TUCP_Map_26oct2022.pdf \(/MT/TakeSurvey/Download?fileName=1110_446831_79247_EnvironmentalIn__UploadofMaps_1.pdf\)](#)

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Section D.1 - Review

Use the following navigation buttons to return to the previous pages:

- [Section A.1 - Introduction](#)
- [Section B.1 - Environmental Documents](#)
- [Section C.1 - Coordination with RWQCB](#)

You can view a summary of your form before submitting by clicking here ([/MT/TakeSurvey/Summary?surveysTakenId=446831&surveyId=1110](#)). The summary will open in a new tab. To return to this screen, simply close the tab with the summary. If you need to make changes to your form, you may use the navigation buttons at the top of this page, or the Prev button below to navigate to previous pages. You will not be able to edit your form after you submit.

Section D.2 - Certification

  I (we) declare under penalty of perjury that the information within this survey is true and correct to the best of my (our) knowledge and belief.

By entering your name on the signature line, you are certifying the above (entering your name qualifies as signing the form).

I am the:

-  Water Right Owner
- Authorized Agent

Signature: 

Date: 

[Back to top of page](#)

[Show as PDF \(/MT/TakeSurvey/Summary?surveysTakenId=446831&showControls=True&asPDF=True\)](#)

[Return to Dashboard \(/MT/SurveyTaker\)](#)

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SONOMA WATER

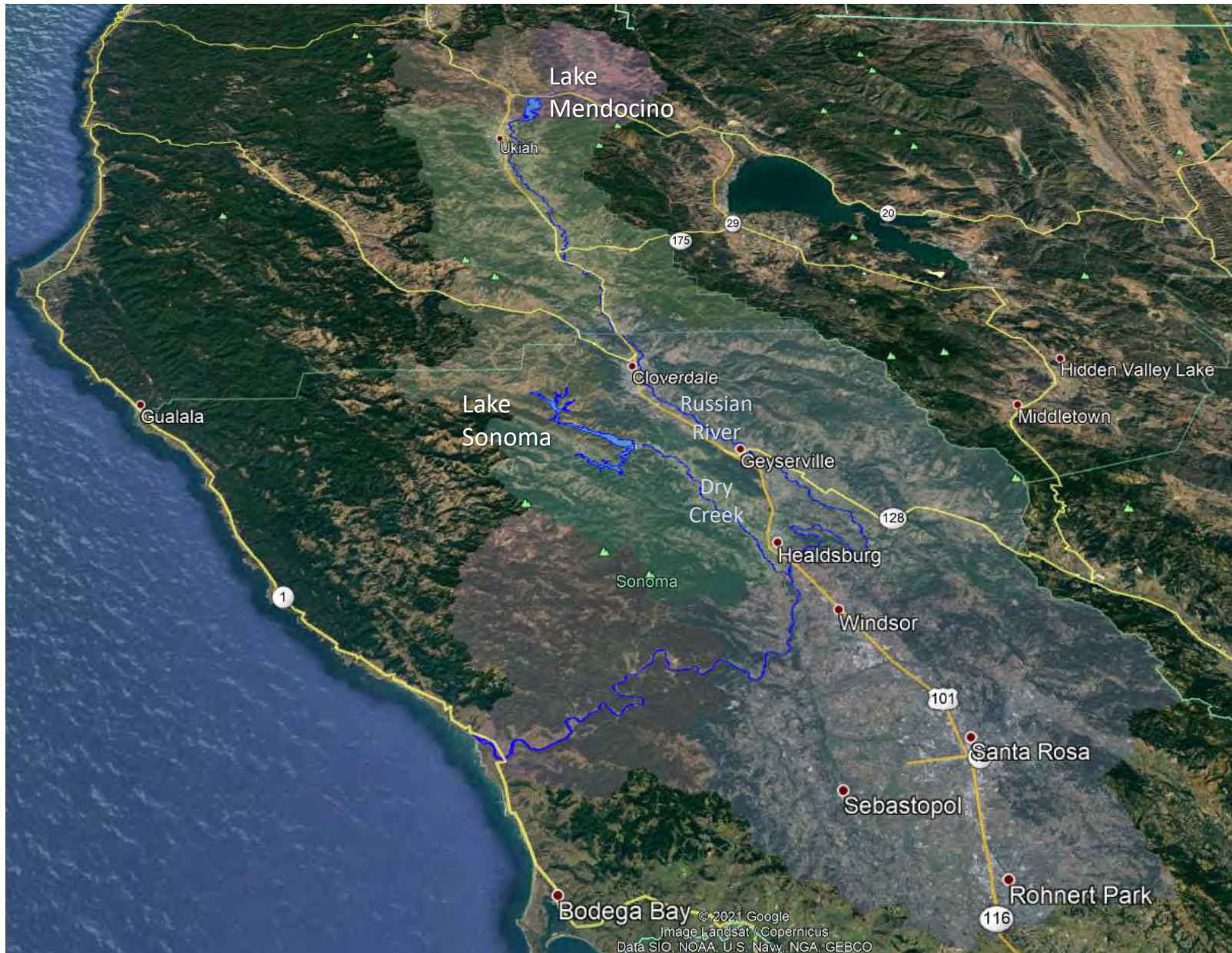
Photographs of Russian River Downstream of River Diversion System at Mirabel Park on May 16, 2022

Mirabel Inlatable Dam



SONOMA WATER

Russian River Watershed Place of Water Use



NOTICE OF EXEMPTION

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 (TUCPs) 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. The Federal Energy Regulatory Commission (FERC) license for the PVP expired on April 14, 2022, and now operates on an annual license. PG&E has elected to surrender the operating license and decommission the PVP and developed a plan and schedule that was approved by FERC on July 29, 2022. Per PG&E's schedule, a final license surrender application and decommissioning plan will be submitted by January 29, 2025. FERC's license-surrender proceedings will likely take several years before PVP operations and imports to the Russian River watershed are resolved.

Notwithstanding these long-term changes, the suitability of using Lake Pillsbury cumulative inflow as a hydrologic index for the Russian River has diminished due to the recent transformer bank failure at the PVP powerhouse, which ceased hydropower generation and its associated discretionary transfers of Eel River water to the East Fork Russian River. PG&E informed the Drought Working Group in October 2021 of the failure and the anticipated repair requirements that would take up to two years at a cost of five to ten million dollars. PG&E announced its intent to make the necessary repairs and restart power generation, but the status of this project is unknown at this time.

PG&E has indicated that without the ability to generate hydropower, PG&E will not likely make discretionary transfers 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 met. Without the discretionary transfer of Eel River water to generate hydropower, the total transfer through the PVP will be reduced by up to 456 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 October 24, 2022, the water supply storage level in Lake Mendocino was 38,563 acre-feet. This storage level is approximately 49 percent of the available water conservation pool for this time of year. This corresponds to approximately the 20th percentile storage level for this time of year. As of October 24, 2022, the water supply storage level in Lake Sonoma was 105,599 acre-feet. This storage level is approximately 43 percent of the available water conservation pool. This is the lowest storage level for this time of year since Lake Sonoma filled in 1986. The second lowest level on record was last year, which was over 10,000 acre-feet higher.

Consequently, Sonoma Water is requesting the State Water Board approve TUCPs that use 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.

Sonoma and Mendocino were the first counties placed under a region-specific drought state of emergency on April 21, 2021, by Governor Gavin Newsom. 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. As required by Government Code section 8630, the Board of Supervisors must review the proclamation of local emergency every 60 days and determine if there is a need for continuing the local emergency. The Sonoma County Board of Supervisors has approved the continuation of the drought emergency conditions every 60 days since April 2021, with the most recent extension occurring September 13, 2022. It is expected that drought emergency conditions will remain in effect through 2022.

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 2021 and 2022. Approval of the TUCPs 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, 2021, 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" to the extent "necessary to address the impacts of the drought in the Russian River Watershed". The Governor later issued drought proclamations on May 10, July 8 and October 19, 2021, but section 7 of his April 21, 2021, proclamation remains in effect. The Governor's July 8, 2021, Drought Proclamation also suspends CEQA to enable the State Water Board to consider changes to reservoir releases in order to maintain minimum supplies for environmental and human uses. 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: Connie Barton

Area Code/Telephone/Extension: 707-547-1905

[Redacted Signature]

General Manager
Title

October 27, 2022
Date

Signed by Lead Agency

Signed by Applicant

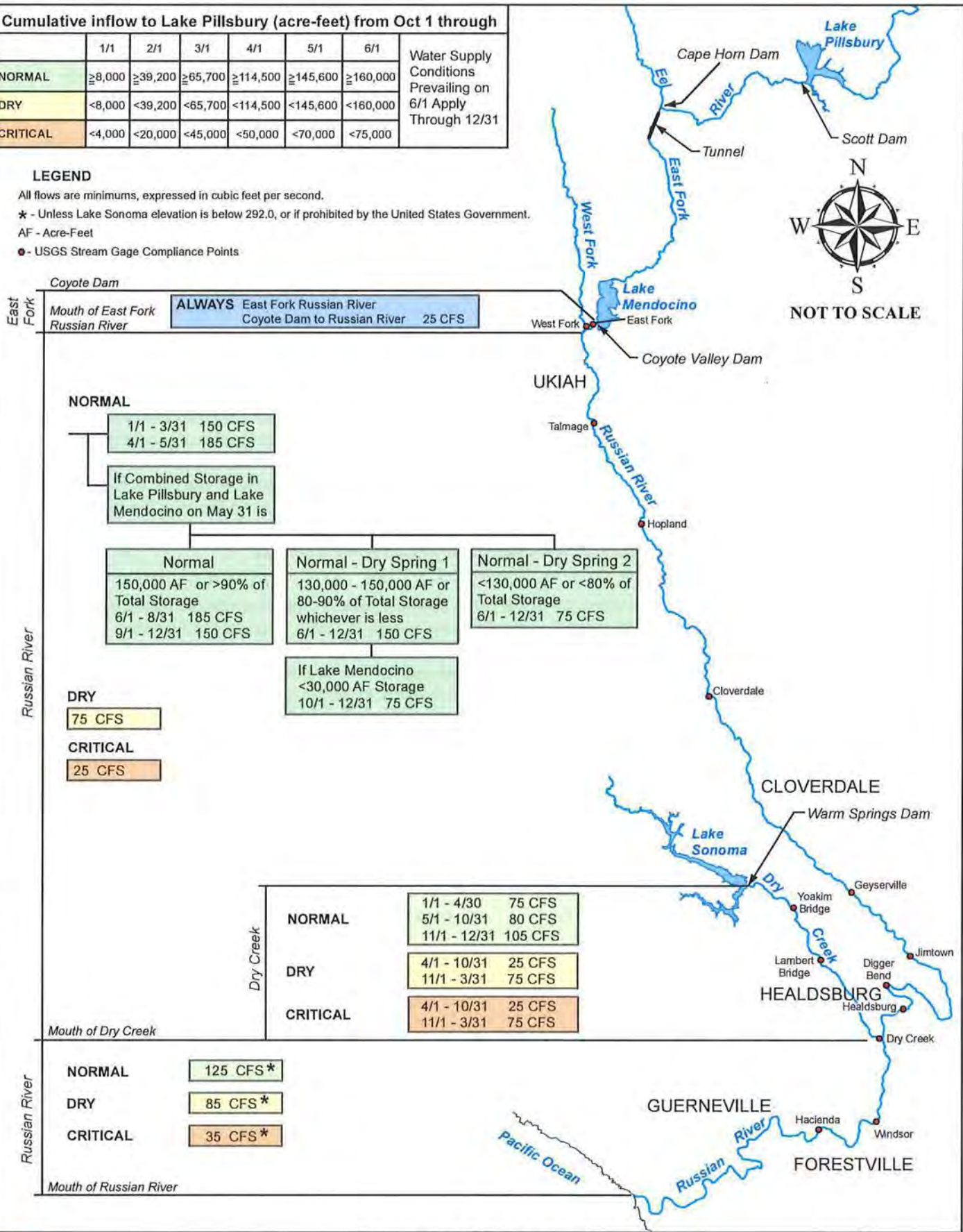
Date received for filing at OPR: _____

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
NORMAL	≥8,000	≥39,200	≥65,700	≥114,500	≥145,600	≥160,000	
DRY	<8,000	<39,200	<65,700	<114,500	<145,600	<160,000	
CRITICAL	<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



Coyote Dam

Mouth of East Fork Russian River	ALWAYS East Fork Russian River Coyote Dam to Russian River	25 CFS
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NORMAL

1/1 - 3/31	150 CFS
4/1 - 5/31	185 CFS

If Combined Storage in Lake Pillsbury and Lake Mendocino on May 31 is

Normal	150,000 AF or >90% of Total Storage	6/1 - 8/31	185 CFS
		9/1 - 12/31	150 CFS
Normal - Dry Spring 1	130,000 - 150,000 AF or 80-90% of Total Storage whichever is less	6/1 - 12/31	150 CFS
Normal - Dry Spring 2	<130,000 AF or <80% of Total Storage	6/1 - 12/31	75 CFS

If Lake Mendocino <30,000 AF Storage

10/1 - 12/31	75 CFS
--------------	--------

DRY

75 CFS

CRITICAL

25 CFS

Dry Creek

NORMAL	1/1 - 4/30	75 CFS
	5/1 - 10/31	80 CFS
	11/1 - 12/31	105 CFS
DRY	4/1 - 10/31	25 CFS
	11/1 - 3/31	75 CFS
CRITICAL	4/1 - 10/31	25 CFS
	11/1 - 3/31	75 CFS

Mouth of Russian River

NORMAL	125 CFS *
DRY	85 CFS *
CRITICAL	35 CFS *

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

Figure 1