



**Sonoma
Water**

October 12, 2023

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

**RE: Petitions for Temporary Urgency Change—Permits 12947A, 12949,
12950, and 16596**

Dear Mr. Ekdahl:

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

- 1) Supplement to the October 2023 Temporary Urgency Change Petitions
- 2) Environmental Information for Petitions
- 3) Notice of Exemption
- 4) California Department of Fish and Wildlife Review Fee Payment
- 5) State Water Resources Control Board Petition Fee Payment

These petitions are being submitted due to changes in the Potter Valley Project imports that have resulted in a flawed hydrologic index that sets minimum instream flow requirements that do not align with current watershed conditions in the Russian River. I look forward to working with the Division of Water Rights staff on this important conservation effort.

Sincerely,

Grant ~~D~~avis
General Manager

c: S. Boland-Brien, K. Emanuel – State Water Resources Control Board
R. Coey, J. Fuller – National Marine Fisheries Service
D. Hines - California Department of Fish & Wildlife
B. McFadin, V. Quinto – North Coast Regional Water Quality Control Board
P. Jeane, D. Seymour, T. Schram, J. Martini-Lamb, D. Manning, K. Gylfe – Sonoma Water
C. O'Donnell, A. Brand, V. Ball – Sonoma County Counsel
R. Bezerra – Bartkiewicz, Kronick & Shanahan

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Please indicate County where your project is located here:

Sonoma / Mendocino

MAIL FORM AND ATTACHMENTS TO:
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DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
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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.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Distribution of Storage, Temporary Urgency, Instream Flow Dedication, Waste Water, Split, Terms or Conditions, 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 1/4-1/4 level and California Coordinate System (NAD 83).

Present: Proposed:

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 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.

[Empty box for names, addresses, and phone numbers]

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 rediversion and the proposed point of diversion or rediversion, 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:
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(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)

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- Point of Diversion Wat. Code, § 1701
Point of Rediversion Cal. Code Regs., tit. 23, § 791(e)
Place of Use Wat. Code, § 1701
Purpose of Use Wat. Code, § 1701
Distribution of Storage Cal. Code Regs., tit. 23, § 791(e)
Temporary Urgency [checked] Wat. Code, § 1435
Instream Flow Dedication Wat. Code, § 1707
Waste Water Wat. Code, § 1211
Split Cal. Code Regs., tit. 23, § 836
Terms or Conditions Cal. Code Regs., tit. 23, § 791(e)
Other
Application 15736 Permit 12949 License Statement

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

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Present:
Proposed:

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present:
Proposed:

Purpose of Use

Present:
Proposed:

Split

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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
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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Application 15737 Permit 12950 License Statement

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Present:
Proposed:

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present:
Proposed:

Purpose of Use

Present:
Proposed:

Split

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Application 19351 Permit 16596 License Statement

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Present:
Proposed:

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present:
Proposed:

Purpose of Use

Present:
Proposed:

Split

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Sonoma County Water Agency

Supplement to the October 2023 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, PG&E submitted a long-term flow regime request to modify flow requirements under the current FERC license on July 31, 2023. To reduce the potential seismic risk at Lake Pillsbury's Scott Dam, PG&E made the decision to keep the spillway gates open atop Scott Dam indefinitely, reducing the water storage capacity in Lake Pillsbury by approximately 20,000 acre-feet. Consequently, PG&E claims that Lake Pillsbury can no longer sustain normal operations under the current license terms. PG&E has proposed a reduction in the minimum flow requirements for the East Fork of the Russian River flows starting in 2024 until project decommissioning is complete.

In addition to these proposed reductions in transfers from lower minimum flow requirements, a transformer bank failure at the PVP powerhouse in 2021 has resulted in significant reductions in transfers into the Russian River. This failure caused PVP hydropower generation to cease and, with it, all associated discretionary transfers of Eel River water to the East Fork of the Russian River. In October 2021, PG&E initially announced that the anticipated repairs would take up to two years at a cost of five to ten

million dollars. On March 22, 2023, PG&E announced in a letter to FERC that it does not intend to replace the transformer.

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 into the East Fork of the Russian River will be reduced by up to 456 acre-feet per day¹.

This year, in addition to the long-term flow regime request, PG&E applied for a temporary variance of flow requirements on May 23, 2023 due to the seismic risk at Scott Dam. In the variance request, PG&E proposed changes to the minimum flows in the Eel River and the East Fork of the Russian River. This would have reduced minimum flow requirements in the East Fork of the Russian River from 75 cfs to 25 cfs and allow PG&E to reduce the flow further to 5 cfs if water temperatures of Lake Pillsbury releases exceed 16 degrees Celsius. On September 15, with the variance approval still pending, minimum flow requirements decreased to 35 cfs based on the terms of the FERC license. On October 2, FERC issued an order on the variance request. Per the order, PG&E is required to meet a minimum flow in the East Fork of the Russian River of 25 cfs unless dam safety and salmonid habitat concerns require otherwise. The order further states that PG&E may lower the minimum flow to 5 cfs, but it is required to report findings of adverse effects to aquatic resources to FERC and the resource agencies within two days. PG&E reported that as of October 4, minimum flows in the East Fork of the Russian River were 25 cfs.

As described above, multiple changes to the PVP operations have reduced and could further reduce the transfers of Eel River water into the Russian River. This historical link of the two watershed conditions is no longer applicable and the hydrologic index is not a reliable metric for Russian River water supply conditions without the large inter-basin transfer; the severance means the index does not and will not function as intended. While the Lake Pillsbury watershed on the Upper Eel River and the Upper Russian River are adjacent basins, the hydrologic conditions can be quite different. In water year 2021, Lake

¹ PVP has design flow capacities of up to 240 cubic feet per second (cfs) through the powerhouse for power generation and up to 135 cfs through the powerhouse bypass to meet FERC license requirements for minimum release flows into the East Fork Russian River and water supply contract requirements with the Potter Valley Irrigation District.

Mendocino experienced the second driest year on record for the Ukiah Valley (period of record: 128 years), unequivocally a 'Critical' condition. However, based on the cumulative inflow to Lake Pillsbury, water supply conditions in the Russian River were classified as 'Normal' on January 1, 2021 and 'Dry' on February 1, which remained the designated water supply condition for the rest of the calendar year.

Over a month, the difference between water needed for a 'Normal' water supply condition and a 'Dry' condition to maintain instream flow requirements is almost 4,500 ac-ft under the winter minimum instream flow requirements of Decision 1610. Under spring and summer requirements, it amounts to over 6,500 ac-ft. Year-round, the additional amount of water needed between a 'Dry' water supply condition and a 'Critical' condition to maintain instream flow requirements is nearly 3,000 ac-ft over a month.

In February 2020, Lake Mendocino was above the water conservation pool and at the top of the Forecast Informed Reservoir Operations (FIRO) pool of 80,050 ac-ft. This reservoir level is very similar to the current reservoir status. Over the next 20 months, the Russian River watershed experienced a severe drought and Lake Mendocino storage levels declined to 12,864 ac-ft in October 2021, in spite of Sonoma Water filing temporary urgency change petitions to drastically reduce minimum instream flow requirements and the State Water Board curtailing over 1,800 riparian claims and appropriative water rights.

Under the current hydrologic index, the applicable minimum instream flow requirements may require releases of water from Lake Mendocino and Lake Sonoma at unsustainable levels if the Russian River watershed experiences significantly less rainfall than the Lake Pillsbury watershed. Given these changes to PVP operations, the influence of the Eel River water imports on downstream hydrologic conditions in the Russian River is greatly diminished. Therefore, cumulative inflow into Lake Pillsbury is no longer an appropriate metric to assess 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 upon which minimum instream requirements are based. A similar approach using storage thresholds was requested by Sonoma Water in prior State Water Board filings for Temporary Urgency Change Petitions (TUCP) in December 2013 (approved December 31, 2013), January 2021 (approved February 4, 2021), November 2021 (approved December 10, 2021), and October 2022 (approved December 14, 2022). 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).

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 water rights Decision 1610, which the 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 River². 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 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 downstream to Dry Creek, the Decision 1610 required minimum flows in the Russian River are 185 cfs from April through August and 150 cfs from September through March 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 minimum flow requirements in the Upper Russian River during times when the combined storage in Lake Pillsbury (owned and operated by the PG&E) and Lake Mendocino on May 31 is unusually low. *Dry Spring 1* conditions exist if the combined storage in Lake Pillsbury and

² 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.

Lake Mendocino is less than 150,000 acre-feet on May 31. Under *Dry Spring 1* conditions, the required minimum flow in the Upper Russian River between the confluence of the East Fork and West Fork and Healdsburg is 150 cfs from June through March, with a reduction to 75 cfs during October through December if Lake Mendocino storage is less than 30,000 acre-feet during those months. *Dry Spring 2* conditions exist if the combined storage in Lake Pillsbury and Lake Mendocino is less than 130,000 acre-feet on May 31. Under *Dry Spring 2* conditions, the required minimum flows in the Upper Russian River are 75 cfs from June through December and 150 cfs from January through March.

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

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

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

1.2 WATER SUPPLY CONDITIONS

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

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

- 8,000 acre-feet as of January 1;
- 39,200 acre-feet as of February 1;
- 65,700 acre-feet as of March 1;

- 114,500 acre-feet as of April 1;
- 145,600 acre-feet as of May 1; and
- 160,000 acre-feet as of June 1.

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

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

Normal water supply conditions exist whenever a *Dry* or *Critical* water supply condition is not present. As indicated above, Decision 1610 further specifies three variations of the *Normal* water supply condition based on the combined storage in Lake Pillsbury and Lake Mendocino on May 31. These three variations of the *Normal* water supply condition determine the required minimum instream flows for the Upper Russian River from the confluence of the East Fork and the West Fork to the Russian River's confluence with Dry Creek. 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 (the Russian River between its confluence with Dry Creek and the Pacific Ocean). A summary of the required minimum flows in the 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, 2023, the cumulative inflow for the current water year (starting October 1, 2022) into Lake Pillsbury was 605,583 acre-feet and combined storage in Lake Pillsbury and Lake Mendocino was 155,358 acre-feet. Consequently, the water supply condition is categorized as *Normal* for the remainder of 2023. Sonoma Water is currently managing the Russian River under a *Normal* water supply condition with modified minimum instream flow requirements as authorized by the State Water Board's temporary urgency change order dated May 19, 2023. The order authorized a reduction in minimum instream flow requirements for the Upper and Lower Russian River that remains in effect until October 15, 2023. After October 15, 2023, the minimum instream flow requirements, for the remainder of the year, would revert to the Decision 1610 requirements under a *Normal* water supply condition. Minimum flow requirements would increase on the Upper Russian River from 125 cfs to 150 cfs and on the Lower Russian River from 70 cfs to 125 cfs.

2.1 POTTER VALLEY HYDROELECTRIC PROJECT

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 in the introduction above, the PVP powerhouse is inoperable and will not be repaired. This has severely reduced the transfer of Eel River water through the PVP. In addition, PG&E has revised operations at Lake Pillsbury to mitigate seismic risk, which has led to filing variances for this year and the long-term flow regime request that, when approved, will result in further reductions in transfers of Eel River water into the East Fork of the Russian River.

2.2 LAKE MENDOCINO

As of October 9, 2023, the water supply storage level in Lake Mendocino was 74,998 acre-feet. This storage level is approximately 74.4 percent of the major deviation storage curve for this time of year. Figure 2 shows observed storage in Lake Mendocino from 2014 through October 9, 2023. Current operations at Lake Mendocino are conducted under the Forecast Informed Reservoir Operations (FIRO) program, which implemented a major deviation to the reservoir's Water Control Manual allowing discretionary encroachment into the reservoir's flood control pool.

2.3 LAKE SONOMA

As of October 9, 2023, the water supply storage level in Lake Sonoma was 229,275 acre-feet. This storage level is approximately 87.7 percent of the minor deviation storage curve for this time of year. Figure 3 shows observed storage in Lake Sonoma from 2014 through October 9, 2023. Current operations at Lake Sonoma are conducted under the protocols of a minor deviation to the reservoir's Water Control Manual that was approved by the U.S. Army Corps of Engineers in December 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 State Water 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

For these petitions, an urgent need exists to implement the proposed changes due to the drastic reduction of potential Eel River water imports through PVP resulting from the inoperability of the powerhouse and revised operations at Lake Pillsbury. The volume of Eel River water that can be transferred to the Russian River is no longer correlated to cumulative inflow into Lake Pillsbury. An evaluation of the hydrologic condition in the Russian River is more appropriately established by conditions in its watershed. 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 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 these petitions are granted, Sonoma Water still will be required to maintain specified 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 legally may divert and use. Accordingly, granting these petitions 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 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 changes in PVP operations and corresponding loss of Eel River water imports through the project, Sonoma Water is filing these petitions requesting that the State Water Board make the following temporary changes to the Decision 1610 requirements:

Starting January 1, 2024, the minimum instream flow requirements for the Russian River will be established using an index based on water storage in Lake Mendocino, rather than the current index based on cumulative inflow into Lake Pillsbury. This temporary change is requested to ensure that the water supply condition for the Russian River is determined by an index that is reflective of actual watershed conditions. Specifically, Sonoma Water proposes that the monthly storage values listed below be used, in lieu of cumulative Lake Pillsbury inflow, to determine the water supply conditions that establish 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:

- 68,400 acre-feet as of January 1
- 68,400 acre-feet as of February 1
- 68,400 acre-feet as of March 1
- 77,000 acre-feet as of March 16
- 86,000 acre-feet as of April 1
- 91,000 acre-feet as of April 16
- 93,000 acre-feet as of May 1
- 94,000 acre-feet as of May 16

94,000 acre-feet as of June 1

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

42,000 acre-feet as of January 1
49,000 acre-feet as of February 1
57,000 acre-feet as of March 1
67,000 acre-feet as of March 16
73,000 acre-feet as of April 1
74,000 acre-feet as of April 16
75,000 acre-feet as of May 1
76,000 acre-feet as of May 16
76,000 acre-feet as of June 1

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

Because the proposed criteria for determining the applicable minimum instream flow requirements will be tied to Lake Mendocino storage, it will more accurately reflect the hydrologic conditions in the Russian River, adjusting up to monthly through February and biweekly from March 1 through June 1. This framework allows more responsive changes to the minimum flows in the late winter and spring as yields and hydrologic conditions develop. The proposed index establishes a new criteria for determining the water supply conditions of Decision 1610 and does not modify the associated minimum instream flow requirements. This will shift the criteria for establishing hydrologic conditions in the Russian River watershed to local conditions rather than rely on cumulative inflows to Lake Pillsbury in the Eel River watershed, which are no longer representative of Russian River hydrologic conditions.

These storage thresholds in Lake Mendocino were developed by Sonoma Water engineering staff using its Russian River ResSim 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 as outlined in the *Order Approving Temporary Variance of Flow Requirements Under License Article 52* (October 2, 2023) from the Federal Energy Regulatory Commission (FERC) in response to PG&E's flow variance request on May 23, 2023. The thresholds were developed based on an analysis of maintaining carryover storage in Lake Mendocino over a simulated historical hydrologic

dataset followed by a 1 in 100-year synthetic drought. 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 Water and the retail agencies of the Partnership continue to implement their primary programs, water waste prohibitions, and outreach campaigns to achieve long-term water savings and the permanent adoption of efficient water use habits. Through July 2023, calendar year demands for the Partnership are tracking 18 percent below 2020 totals for the same period. A \$2.0 million funding award from the Bureau of Reclamation's WaterSMART Water and Energy Efficiency Grant Program will be leveraged over the next three years to broaden the Partnership's work to remove turf grass, install smart irrigation

controllers, and incentivize high-efficiency appliance and fixture upgrades in homes and businesses. Additional funding will be needed to achieve the demand reductions stipulated in the State Board's 2023 rulemaking to *Make Conservation a California Way of Life*, which would create new Urban Water Use Objectives for retail water providers.

Currently, the Partnership is wrapping up its summer outreach campaign, called Stay Water Smart, which reinforces water saving practices emphasized during the drought. The campaign focuses on efficient irrigation practices, elimination of water waste, and planting and maintenance of low water use landscapes. The campaign also highlights the many tools and resources available on the Partnership's website to help residents and businesses save water. Print, digital, and social media ad placements are being utilized, containing links to the website at <https://www.savingwaterpartnership.org/>.

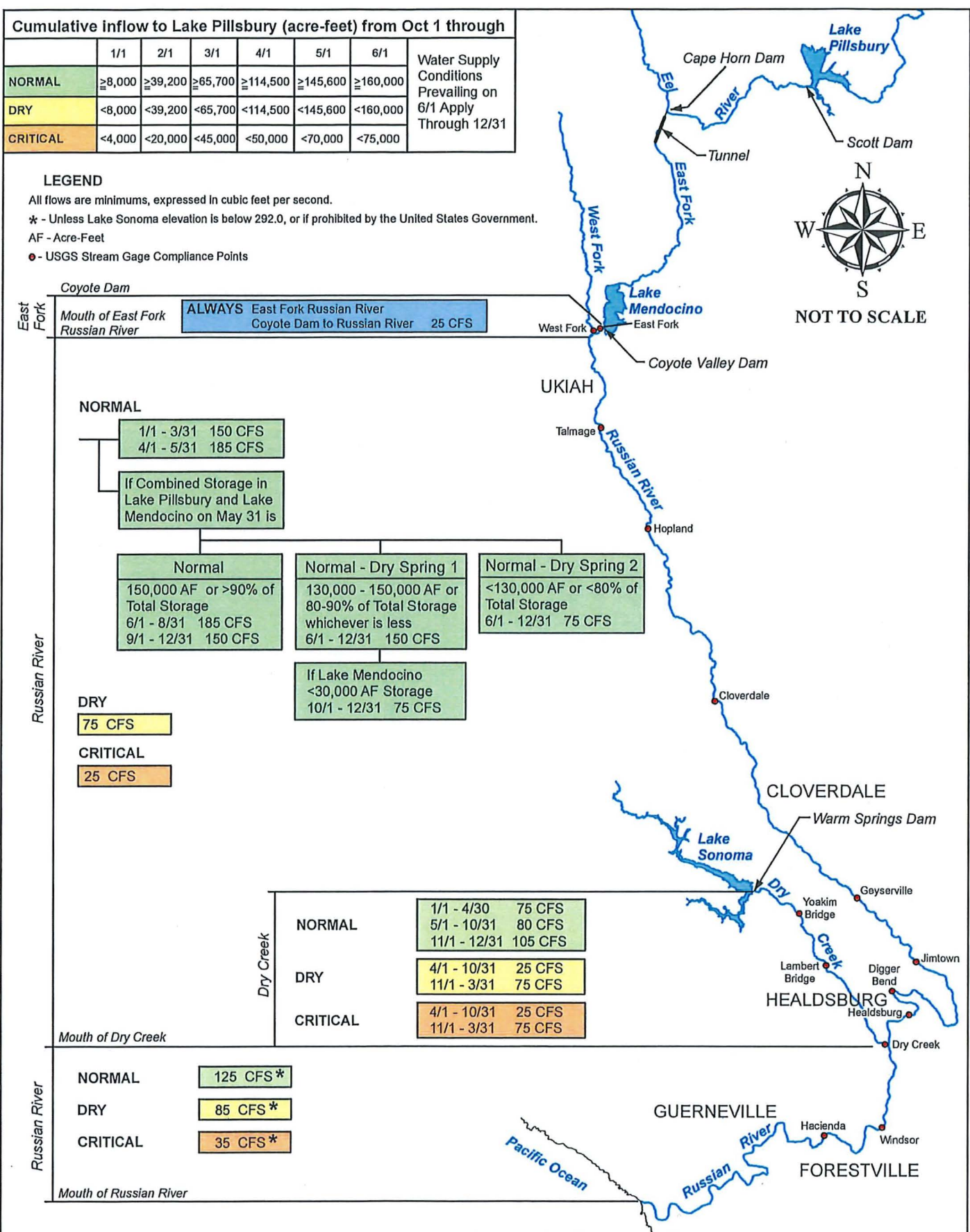
FIGURES

Cumulative inflow to Lake Pillsbury (acre-feet) from Oct 1 through						
	1/1	2/1	3/1	4/1	5/1	6/1
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

Water Supply Conditions Prevailing on 6/1 Apply Through 12/31

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	ALWAYS	East Fork Russian River	25 CFS
Mouth of 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
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Normal - Dry Spring 2	<130,000 AF or <80% of Total Storage	6/1 - 12/31	75 CFS
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If Lake Mendocino <30,000 AF Storage	10/1 - 12/31	75 CFS
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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

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

Figure 1

Lake Mendocino Storage

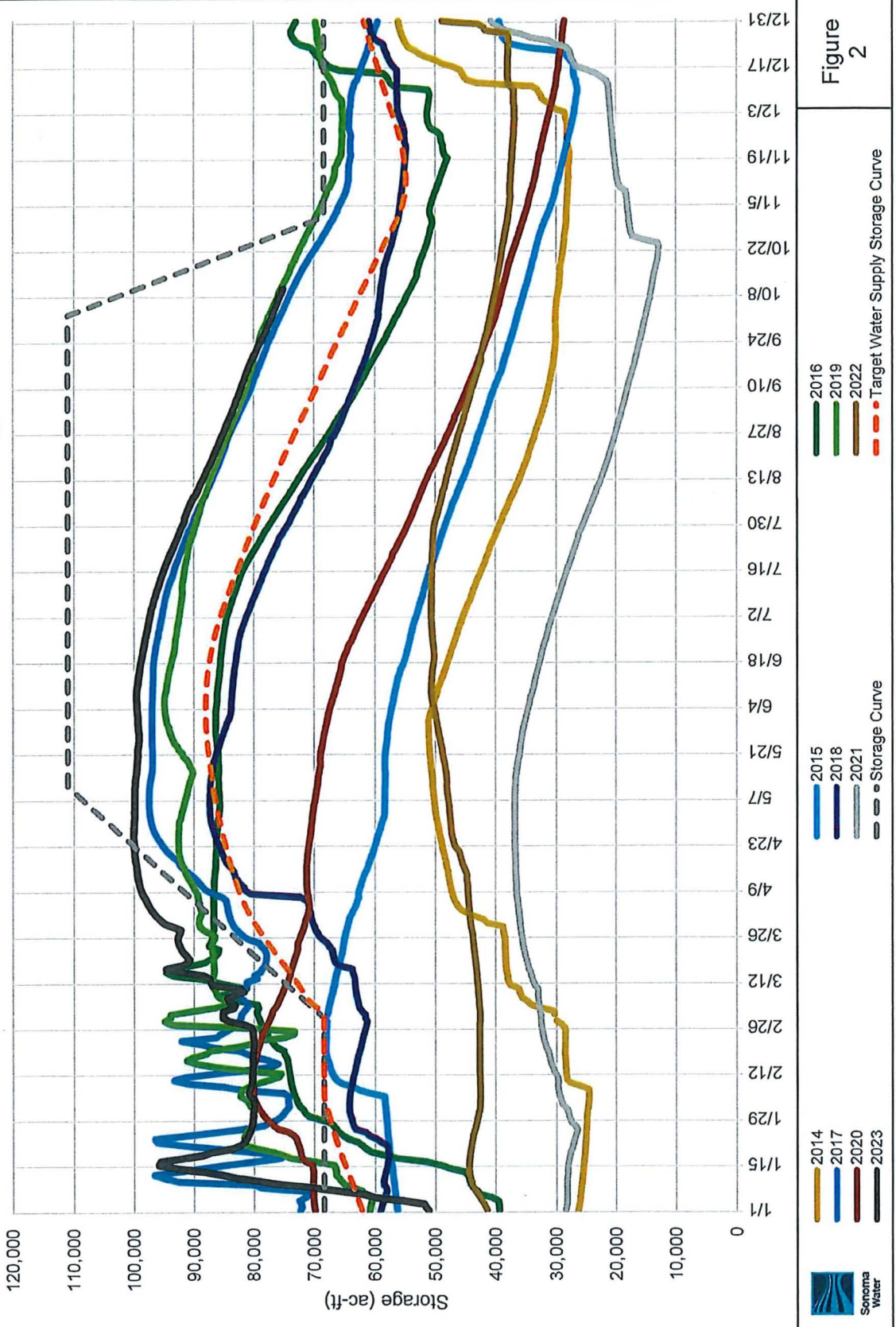
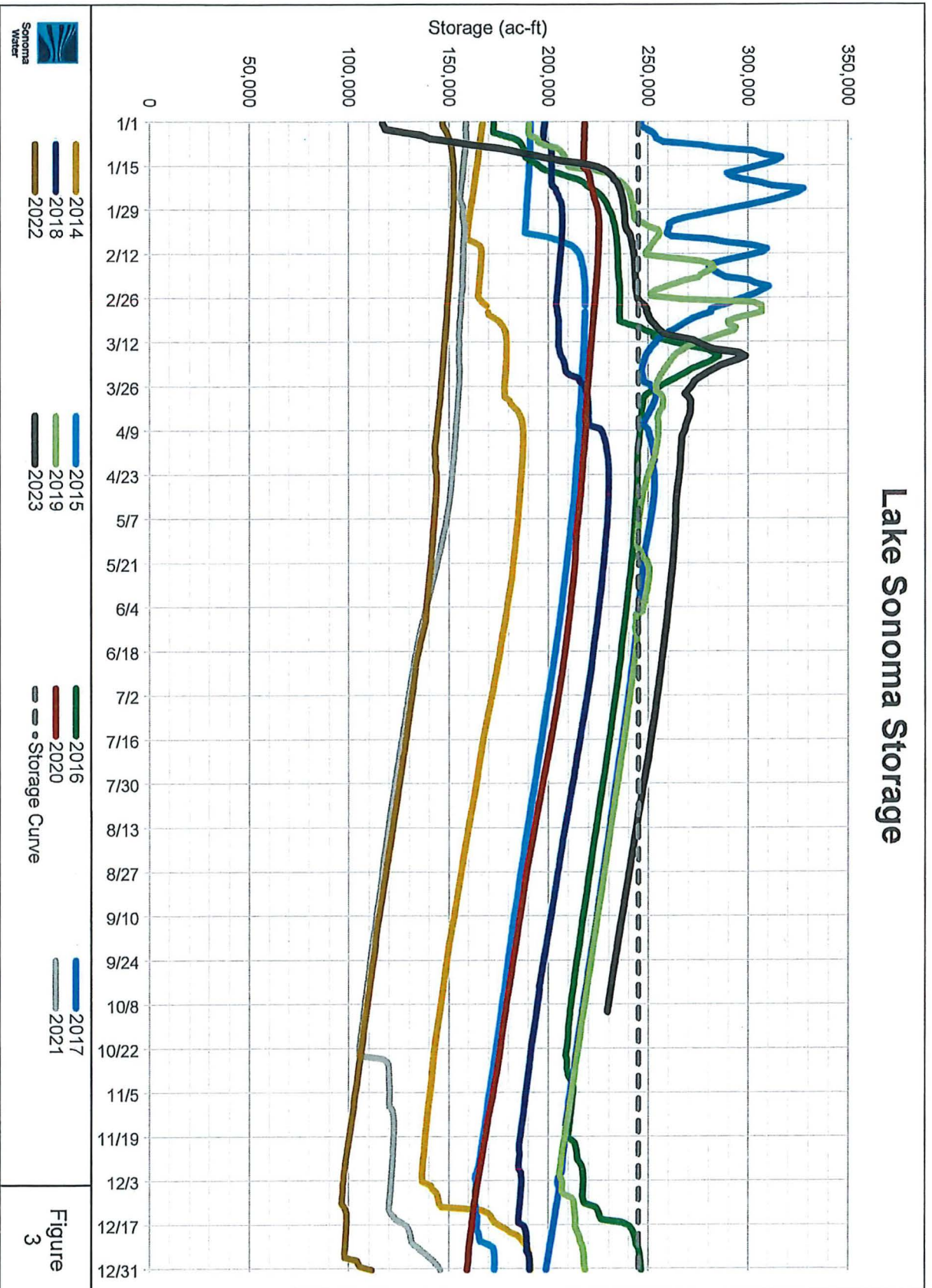


Figure 2



Lake Sonoma Storage



2014
2018
2022

2015
2019
2023

2016
2020
Storage Curve

2017
2021

Figure 3



SONOMA COUNTY WATER AGENCY

TECHNICAL MEMORANDUM

DATE: OCTOBER 12, 2023

SUBJECT: WATER RIGHTS LAKE MENDOCINO STORAGE HYDROLOGIC INDEX EVALUATION

Purpose

This technical memorandum provides the basis for the proposed Russian River hydrologic index in Sonoma Water's Temporary Urgency Change Petitions filing in October 2023 to replace the hydrologic index in Sonoma Water's water rights for water supply. The current hydrologic index was incorporated into Sonoma Water's water rights with the issuance of State Water Resources Control Board Decision 1610 (D-1610). The proposed hydrologic index will set the minimum instream flow requirements for the Upper Russian River, Dry Creek, and Lower Russian based on Lake Mendocino storage levels.

Methodology

Sonoma Water engineering staff utilized its Russian River reservoir/river operations model referred to as the Russian River System Model (RR ResSim) to develop and test the proposed hydrologic index. RR ResSim simulates reservoir operations with a daily time step over a range of hydrologic conditions. The proposed hydrologic index was designed to closely capture hydrologic conditions in the Russian River watershed and increase water supply reliability compared to the D-1610 hydrologic index that primarily relies on cumulative inflow into Lake Pillsbury in the Eel River watershed. The proposed hydrologic index evaluates Lake Mendocino storage against a storage threshold schedule to determine the water supply condition in the Russian River. The storage thresholds were designed based on a water supply analysis of Lake Mendocino storage by modeling a simulated historical hydrologic dataset and a 1 in 100-year synthetic drought hydrologic dataset using the RR ResSim model.

Potter Valley Project Imports to Russian River

Projected Potter Valley Project (PVP) imports (or diversions) by Pacific Gas & Electric (PG&E) are simulated using the Potter Valley System Model (PVP ResSim). The PVP ResSim model was developed



by the Water Supply Working Group as part of Congressman Jared Huffman's PVP Ad Hoc Committee. It was used for a PVP/Russian River operations alternatives analysis that met the Ad Hoc's objective of developing a 'Two-Basin Solution'. The simulated PVP diversions capture current operations based on changes to PVP that are described below.

Since October 2021, PVP normal operations have been interrupted by the failure of the transformer bank at the PVP powerhouse. PG&E has indicated that it does not intend to repair/replace the transformer bank based on costs to its rate payers and that they are in the process of surrendering the project's FERC license. Under these conditions, PG&E is no longer making discretionary transfers through the project for power generation, thereby limiting imports strictly to their license obligations for: 1) minimum release requirements into the East Fork Russian River, and 2) water supply contract deliveries to the Potter Valley Irrigation District.

Furthermore, in March 2023, PG&E informed FERC that they will no longer be closing the spillway gates on Scott Dam in the spring due to seismic concerns with the dam. This reduced the total storage capacity of Lake Pillsbury from approximately 77,000 ac-ft to approximately 56,000 ac-ft. The reduction in storage capacity going into the summer season has required PG&E to request flow variances to reduce releases from Scott Dam in order to manage the reservoir's cold water pool. Cold water releases support suitable habitat for steelhead and salmon species listed under the Endangered Species Act that rear in the Eel River downstream of Scott Dam in the late summer and early fall.

For the development of the proposed hydrologic index, it is assumed that PG&E will be operating PVP consistent with their operations described in the *Order Approving Temporary Variance of Flow Requirements Under License Article 52* (October 2, 2023) from the Federal Energy Regulatory Commission (FERC) in response to PG&E's flow variance request on May 23, 2023. These operating conditions attempt to preserve Lake Pillsbury's cold water pool by reducing PVP diversions from a maximum of 130 cfs diversion in the summer to an assumed potential maximum diversion of 75 cfs from May 16th to June 30th and 55 cfs thereafter. This represents an approximate 19,000 acre-feet reduction in summer diversion volume. This reduction in diversions may continue into a dry fall and winter if Lake Pillsbury storage does not recover to 36,000 acre-feet after October 1st.

Hydrologic Index Design



The proposed hydrologic index was designed to meet three objectives: 1) capture hydrologic conditions in the Russian River watershed, 2) maintain threshold evaluation dates similar to D-1610 hydrologic index evaluation dates, and 3) ensure Lake Mendocino storage will reliably not be depleted during a 1 in 100 year design drought.

The proposed hydrologic index will evaluate Lake Mendocino storage against storage thresholds to determine the water supply condition that sets the minimum instream flow requirements for the Russian River. Lake Mendocino storage was determined to be a suitable index for the Russian River due to its location as the upstream point in the watershed as well as its relatively low storage capacity, which results in its water supply reliability being very sensitive to changes in the watershed and PVP imports from the Eel River.

Storage threshold evaluation dates were selected to be similar to the D-1610 hydrologic index evaluation dates, which are the first of the month from January through June. The proposed index will evaluate storage thresholds on the first of the month from January through February, then the first and middle of the month from March through May, and then the first of the month for June and October through December. The additional evaluation days during March through May allows the hydrologic index to be more responsive to developing dry conditions in the spring that may result in excessive loss of storage in Lake Mendocino under drier than average conditions. The October through December evaluation dates serve the same purpose as D-1610 as they capture abnormally dry winters. However, the proposed hydrologic index can adjust the water supply condition for the Upper River, Dry Creek, and Lower River to any drier or wetter schedule, while D-1610 can only adjust the Upper River water supply condition from a Normal to Dry condition during the October through December evaluation period.

The primary priority in developing the proposed hydrologic index was ensuring Lake Mendocino water supply reliability. The storage threshold values were developed to achieve a minimum carry over storage on October 1st that would be sufficient to prevent storage from being depleted in the event of a subsequent 1 in 100 year design drought. This involved two steps: (1) determine the minimum carry over needed for a subsequent synthetic 1 in 100 year drought, (2) simulate the 107 years of hydrologic data through the RR ResSim model to determine how many years meet the minimum carry over storage criteria.



The minimum carry over Lake Mendocino storage needed for a subsequent 1 in 100 year drought was determined using three different scenarios simulated in RR ResSim. Each simulation runs from October 1st through December 31st of the following water year for a total of 15 months, with the synthetic drought used as the input hydrology. Each scenario corresponded to a different initial water supply condition (Normal, Dry, and Critical) that stayed constant until January 1st when all scenarios switched to a Critical water supply condition. The PVP imports were set to the appropriate water supply condition based on the scenario. Initial storage for Lake Mendocino was set high enough for each scenario so that the reservoir would not be depleted during the simulation. All simulated storage values were then adjusted lower so that the lowest storage was equal to the depleted reservoir storage value of approximately 2,100 ac-feet (Figure 1). The result is a time series of minimum storage values required to survive the 1 in 100 year synthetic drought starting on October 1st for each scenario (Figure 2). For example, to maintain a normal water supply condition from October 1st through December 31st and not deplete the reservoir in a following 1 in 100 drought year, Lake Mendocino will require a minimum storage of approximately 58,000 ac-ft on October 1st. The absolute minimum required storage values to not deplete the reservoir are shown in the Critical column of Figure 6, with approximately 36,000 ac-ft required on October 1st.

Figure 1: Lake Mendocino 1 in 100 Year Drought Analysis

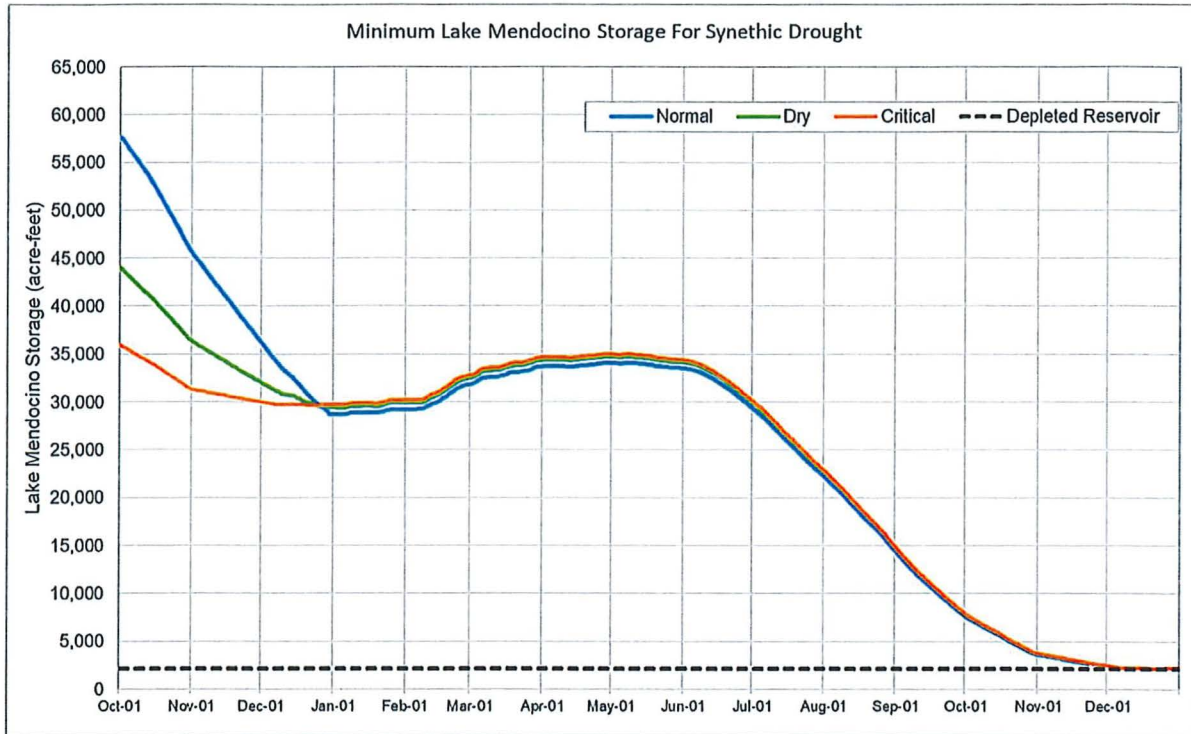


Figure 2: Minimum Required Lake Mendocino Storage for 1 in 100 year Drought

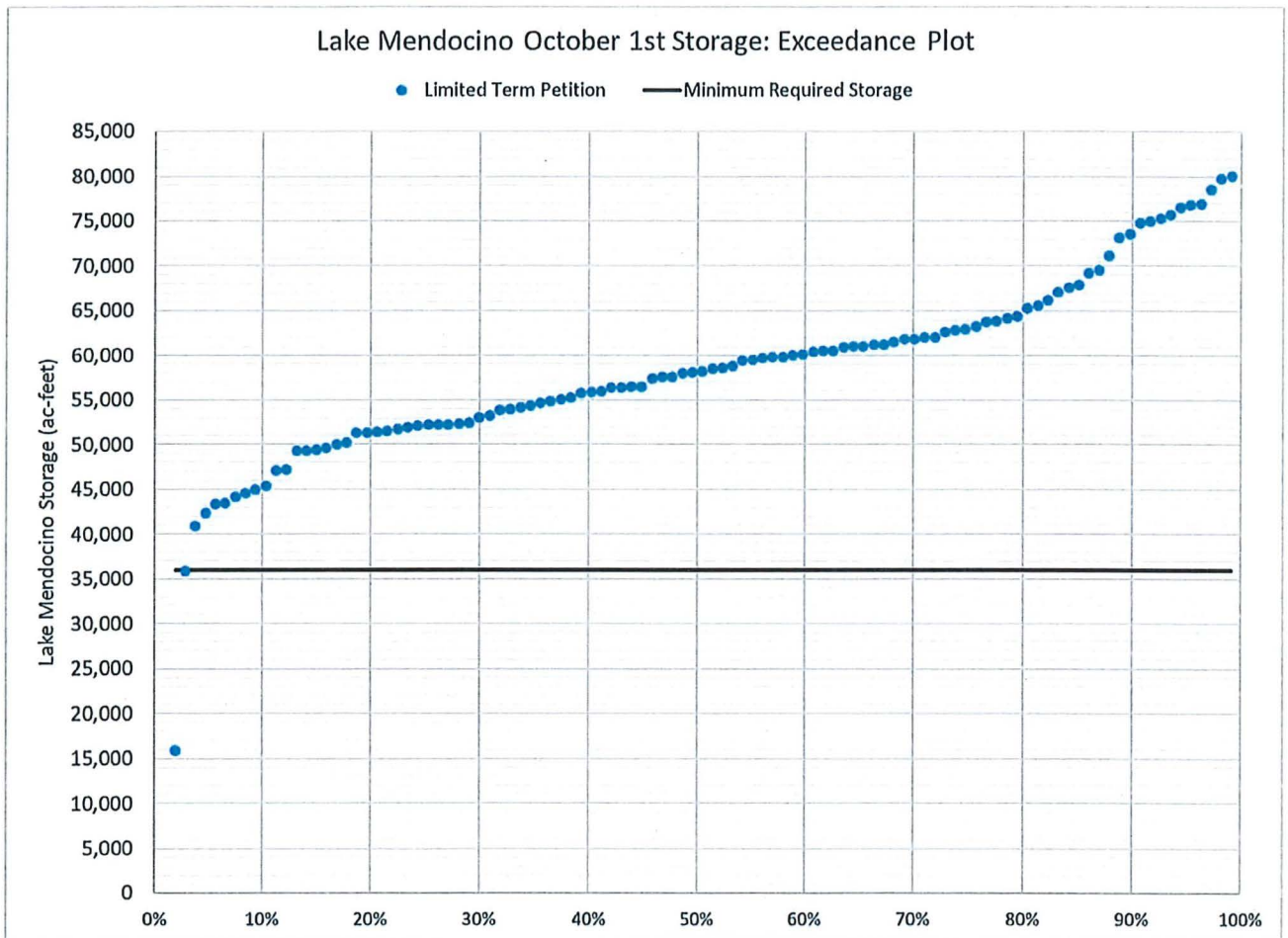
Minimum Required Lake Mendocino Storage (ac-ft)			
	Initial Water Supply Condition		
	Normal	Dry	Critical
October 1st	57,644	44,021	35,956
November 1st	45,469	36,305	31,311
December 1st	36,139	32,024	30,001
January 1st	28,743	29,452	29,718

Storage thresholds for the proposed hydrologic index were developed using RR ResSim by simulating Lake Mendocino storage for the 107-year hydrologic record. The storage threshold values were iterated to achieve Lake Mendocino October 1st carry over storages that are greater than the minimum required calculated in the 1 in 100 year drought analysis, while maintaining even distribution of water supply condition occurrences over the calendar year. The iterations resulted in storage thresholds where simulated Lake Mendocino storage on October 1st exceeded the minimum required in all but two years (Figure 3). The two years that did not meet the minimum required



October 1st storage are 1924 and 1977. Water year 1977 was significantly drier than 1 in 100 year synthetic drought and was determined to be too conservative to not meet the minimum storage requirement. Water year 1924 was abnormally dry in the Lake Pillsbury watershed, which resulted in a depleted reservoir in the early fall and the PVP diversions dropping to zero cfs.

Figure 3: Exceedance Plot of Simulated October 1st Lake Mendocino Storage



The final storage thresholds for the proposed hydrologic index are shown in Figure 4. The thresholds were finalized based on an iterative process resulting in a distribution of water supply conditions that are shown in Figure 5. April through December time periods with Normal water supply condition ranges between 42% and 63%, Dry conditions between 28% and 49%, and Critical condition between 6% and 9%. From January through March there is more variation in the water supply



condition distribution due the storage thresholds being limited by the Lake Mendocino conservation pool. The RR ResSim model assumes Lake Mendocino can store water up to the maximum that is authorized under the major deviation limit that is currently in place and is expected to be formalized in a water control manual update. However, the storage thresholds are set to the conservation pool because Sonoma Water does not have operational control above that storage level. The simulation results show that for February, Lake Mendocino sees large enough inflows to increase storage above the conservation pool in 69% of the years of the historical dataset. The occurrence of Normal water supply conditions in the summer were decreased compared to the fall to allow higher flows during steelhead and salmonid outmigration.

Figure 4: Lake Mendocino Storage Thresholds

		Storage Thresholds and Evaluation Dates for Proposed Hydrologic Index (ac-ft)											
		1/1	2/1	3/1	3/16	4/1	4/16	5/1	5/16	6/1	10/1	11/1	12/1
Dry		68,400	68,400	68,400	77,000	86,000	91,000	93,000	94,000	94,000	58,000	51,000	49,000
Critical		42,000	49,000	57,000	67,000	73,000	74,000	75,000	76,000	76,000	46,000	41,000	40,000

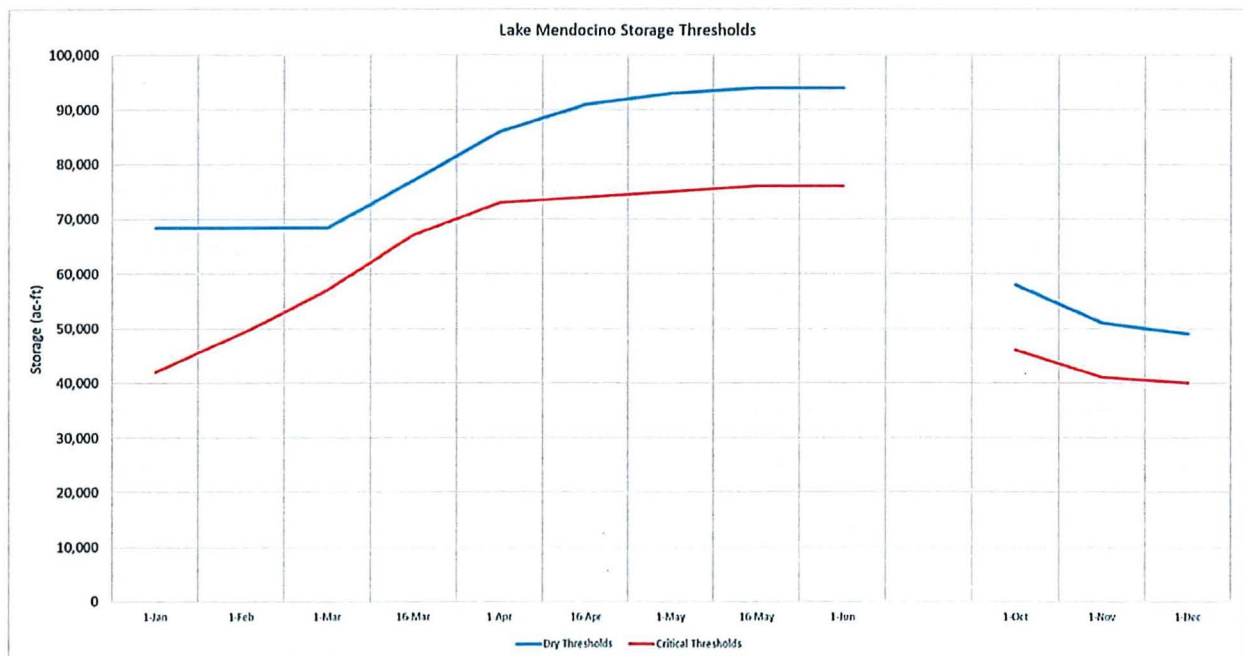




Figure 5: Percent Occurrence of Water Supply Conditions in Proposed Hydrologic Index

Water Supply Condition - Percent Occurrence			
Month	1	2	3
Jan	44%	51%	5%
Feb	69%	20%	11%
Mar	84%	10%	7%
Apr	63%	28%	8%
May	44%	47%	9%
Jun	42%	49%	9%
Jul	42%	49%	9%
Aug	42%	49%	9%
Sep	42%	48%	9%
Oct	51%	39%	9%
Nov	54%	37%	8%
Dec	57%	38%	6%
Average	53%	39%	8%

State of California
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>

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 October 2023 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

9/8/2023

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

Yes No

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

On September 8, 2023 at the bi-weekly meeting with the fishery agencies and Bryan McFadin of the North Coast Regional Water Quality Control Board (NCRWQCB), the filing of these temporary urgency change petitions was discussed.

Insert the attachment number here, if applicable:

Local Permits

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

Date of Contact

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

Person Contacted: Date of Contact:

Department: Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

Grading Permit Use Permit Watercourse Obstruction Permit

Change of Zoning General Plan Change Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Federal and State Permits

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

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

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

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

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

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Construction or Grading Activity

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

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Archeology

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

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

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

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

Photographs

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

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

Maps

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

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

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 10/12/2023 at Santa Rosa, CA.

Water Right Holder or Authorized Agent Signature

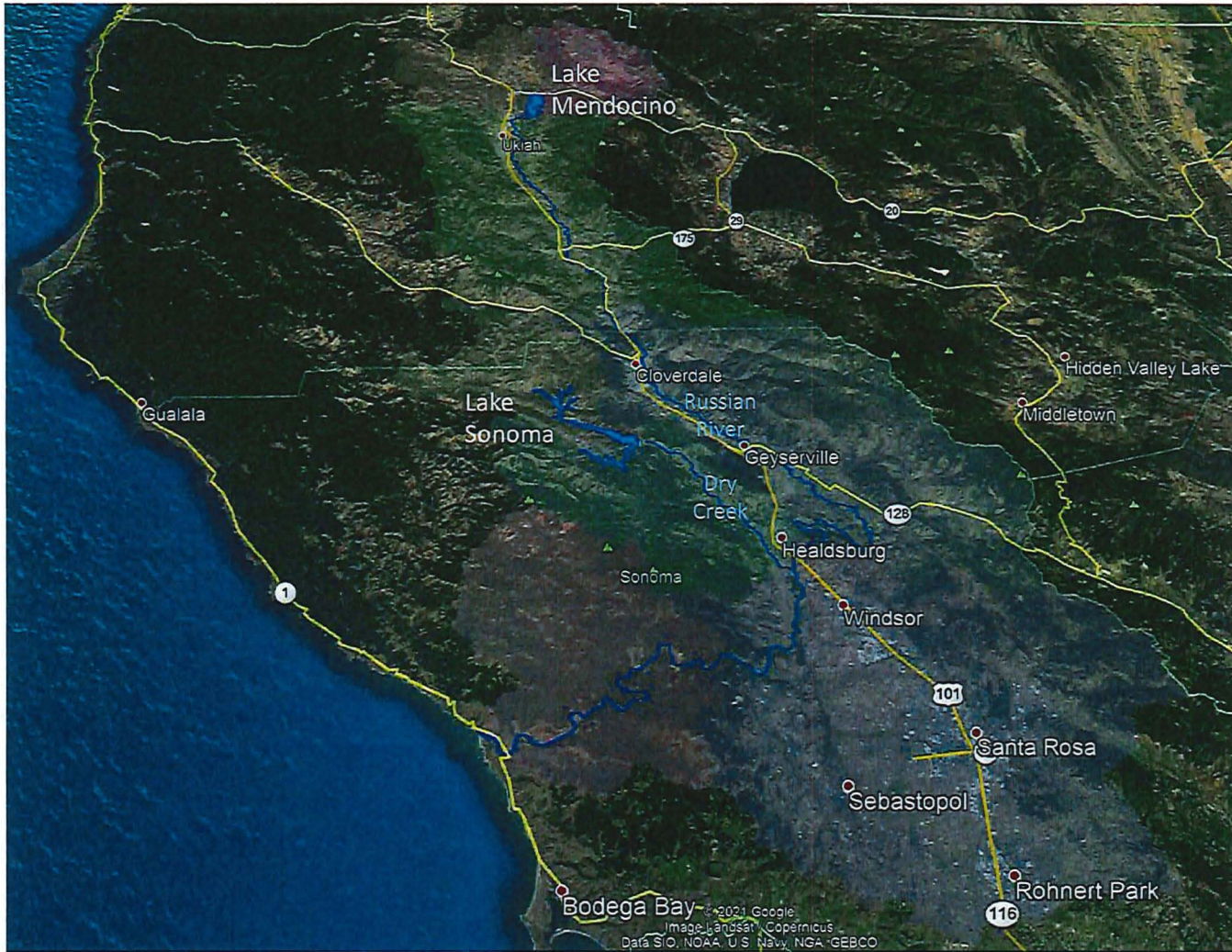
Water Right Holder or Authorized Agent Signature

NOTE:

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

SONOMA WATER

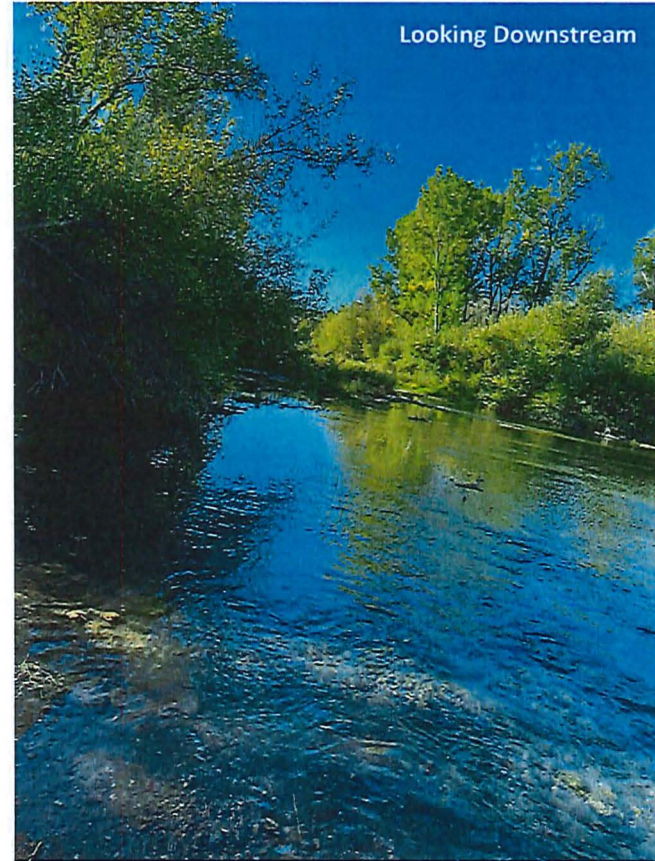
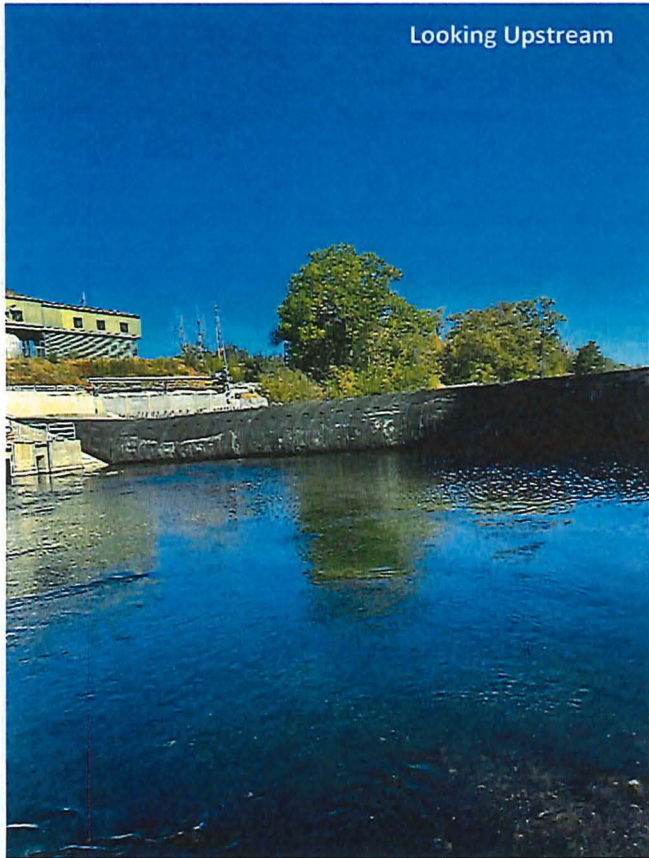
Russian River Watershed Place of Water Use



SONOMA WATER

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

Mirabel Inflatable Dam



NOTICE OF EXEMPTION

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

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

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

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

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

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

Project Location – City: N/A

Project Location – County: Mendocino and Sonoma

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

Sonoma Water is filing temporary urgency change petitions (TUCP) requesting that storage thresholds in Lake Mendocino be used as the hydrologic index to determine the water supply condition in the Russian River watershed. An urgent need exists to implement the proposed changes due to the drastic reduction of potential Eel River water imports through Pacific Gas and Electric's (PG&E) Potter Valley Hydroelectric Project (PVP). 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 levels that could cause serious impacts to human health and welfare and reduce water supplies needed for protection of listed salmon species in the Russian River. 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 PG&E's PVP, which transfers water into the East Fork of the Russian River.

PG&E submitted a long-term flow regime request to Federal Energy Regulatory Commission (FERC) to amend flow requirements in their operating license on July 31, 2023. To reduce the potential seismic risk at Lake Pillsbury's Scott Dam, PG&E made the decision to keep the spillway gates open atop Scott Dam indefinitely,

reducing the water storage capacity in Lake Pillsbury by approximately 20,000 acre-feet. Consequently, PG&E claims that Lake Pillsbury can no longer sustain normal operations under the current license terms. PG&E has proposed a reduction in the minimum flow requirements for the East Fork of the Russian River flows starting in 2024 until project decommissioning is complete.

In addition to these proposed reductions in minimum release requirements to the East Fork Russian River, a transformer bank failure at the PVP powerhouse in 2021 has also resulted in significant reductions in transfers of Eel River water into the Russian River. This failure caused PVP hydropower generation to cease and, with it, all associated discretionary transfers of Eel River water to the East Fork of the Russian River. On March 22, 2023, PG&E announced in a letter to the FERC that it does not intend to replace the transformer.

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 to the East Fork of the Russian River will be reduced by up to 456 acre-feet per day.¹

This year, in addition to the long-term flow regime request, PG&E applied for a temporary variance of flow requirements on May 23, 2023 due to the seismic risk at Scott Dam. In the variance request, PG&E proposed changes to the minimum flows in the Eel River and the East Fork of the Russian River. This would have reduced minimum flow requirements in the East Fork of the Russian River from 75 cfs to 25 cfs and allow PG&E to reduce the flow further to 5 cfs if water temperatures of Lake Pillsbury releases exceed 16 degrees Celsius. On September 15, with the variance approval still pending, minimum flow requirements decreased to 35 cfs based on the terms of the FERC license. On October 2, FERC issued an order on the variance request. Per the order, PG&E is required to meet a minimum flow in the East Fork of the Russian River of 25 cfs unless dam safety and salmonid habitat concerns require otherwise. The order further states that PG&E may lower the minimum flow to 5 cfs, but it is required to report findings of adverse effects to aquatic resources to FERC and the resource agencies within two days. PG&E reported that as of October 4, minimum flows in the East Fork of the Russian River were 25 cfs.

Given these changes to PVP operations, the influence of the Eel River water imports on downstream hydrologic conditions in the Russian River is greatly diminished. Therefore, cumulative inflow into Lake Pillsbury is no longer an appropriate metric to assess the hydrologic conditions in the Russian River watershed.

¹ PVP has design flow capacities of up to 240 cubic feet per second (cfs) through the powerhouse for power generation and up to 135 cfs through the powerhouse bypass to meet FERC license requirements for minimum release flows into the East Fork Russian River and water supply contract requirements with the Potter Valley Irrigation District.

Without the proposed changes, actual water supply conditions in the Russian River may be misaligned with the designated water supply condition based on the Lake Pillsbury cumulative inflow hydrologic index. As described above, multiple changes to the PVP operations have reduced and could further reduce the transfers of Eel River water into the Russian River. This historical link of the two watershed conditions is no longer applicable and the hydrologic index is not a reliable metric for Russian River water supply conditions without the large inter-basin transfer; the severance means the index does not and will not function as intended. While the Lake Pillsbury watershed on the Upper Eel River and the Upper Russian River are adjacent basins, the hydrologic conditions can be quite different. In water year 2021, Lake Mendocino experienced the second driest year on record for the Ukiah Valley (period of record: 128 years), unequivocally a 'Critical' condition. However, based on the cumulative inflow to Lake Pillsbury, water supply conditions in the Russian River were classified as 'Normal' on January 1, 2021 and 'Dry' on February 1, which remained the designated water supply condition for the rest of the calendar year.

Over a month, the difference between water needed for a 'Normal' water supply condition and a 'Dry' condition to maintain instream flow requirements is almost 4,500 ac-ft under the winter minimum instream flow requirements of Decision 1610. Under spring and summer requirements, it amounts to over 6,500 ac-ft. Year-round, the additional amount of water needed between a 'Dry' water supply condition and a 'Critical' condition to maintain instream flow requirements is nearly 3,000 ac-ft over a month.

The proposed changes are urgent because the current water supply condition criteria established in Decision 1610 is not reliably responsive to water supply conditions in the Russian River watershed. Sonoma Water requests the proposed changes to prevent an emergency that could result from a repeat of the 2020-2022 drought. In February 2020, Lake Mendocino was above the water conservation pool and at the top of the Forecast Informed Reservoir Operations (FIRO) pool of 80,050 ac-ft. This reservoir level is very similar to the current reservoir status. Over the next 20 months, the Russian River watershed experienced a severe drought and Lake Mendocino storage levels declined to 12,864 ac-ft in October 2021, in spite of Sonoma Water filing temporary urgency change petitions to drastically reduce minimum instream flow requirements and the State Water Board curtailing over 1,800 riparian claims and appropriative water rights.

Therefore, under the current hydrologic index, the applicable minimum instream flow requirements may require releases of water from Lake Mendocino and Lake Sonoma at unsustainable levels if the Russian River watershed experiences significantly less rainfall than the Lake Pillsbury watershed. This would risk substantial depletions of storage levels that could cause significant impacts to human health and welfare and reduce water supplies needed for fishery protection.

To address the changes in PVP operations and corresponding loss of Eel River water imports through the project, Sonoma Water is requesting the State Water Board approve TUCPs that uses storage thresholds in Lake Mendocino as the hydrologic index to determine the water supply condition in the Russian River watershed.

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

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

Exempt Status (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec.21080 (b)(4); 15269(b)(c)): Section 21080(b)(4) and State CEQA Guidelines 15269(c): Specific actions necessary to prevent or mitigate an emergency
- Categorical Exemption. State type and section number: State CEQA Guidelines 15307: Actions by Regulatory Agencies for Protection of Natural Resources; State CEQA Guidelines 15308: Actions by Regulatory Agencies for Protection of the Environment
- 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.

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 an urgent need to implement the proposed changes as a result of the drastic reduction of potential Eel River water imports through the PVP resulting from the inoperability of the powerhouse for the foreseeable future and PG&E's decision to keep the spillway gates open atop Scott Dam indefinitely, consequently revising the operations at Lake Pillsbury, and filing a long-term flow regime request to modify flow requirements. The volume of Eel River water that can be transferred to the Russian River is no longer correlated to cumulative inflow into Lake Pillsbury. An evaluation of the hydrologic condition in the Russian River is more appropriately established by conditions in its watershed. 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 levels. Such depletions in storage could cause serious impacts to human health and welfare and reduce water supplies needed for fishery protection. The required change is urgent, and cannot be accomplished within the timeframe required for completion of the Environmental Impact Report (already in process) that evaluates broader proposed changes to Decision 1610.

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 to ensure an accurate evaluation of water supply conditions that would 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. Approval of the TUCP would provide alternative storage thresholds and criteria for determining minimum instream flow requirements for the Russian River that would be based on a more accurate assessment of water supply conditions in the Russian River watershed. This would result in minimum instream flow requirements that more likely can be sustained with releases from Lake Mendocino and Lake Sonoma without the risk of severely depleting storage and exacerbating a water shortage condition and harm to natural resources and the environment.

Lead Agency Contact Person: Connie Barton

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

	General Manager	October 12, 2023
<i>Signature</i>	<i>Title</i>	<i>Date</i>

- 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
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

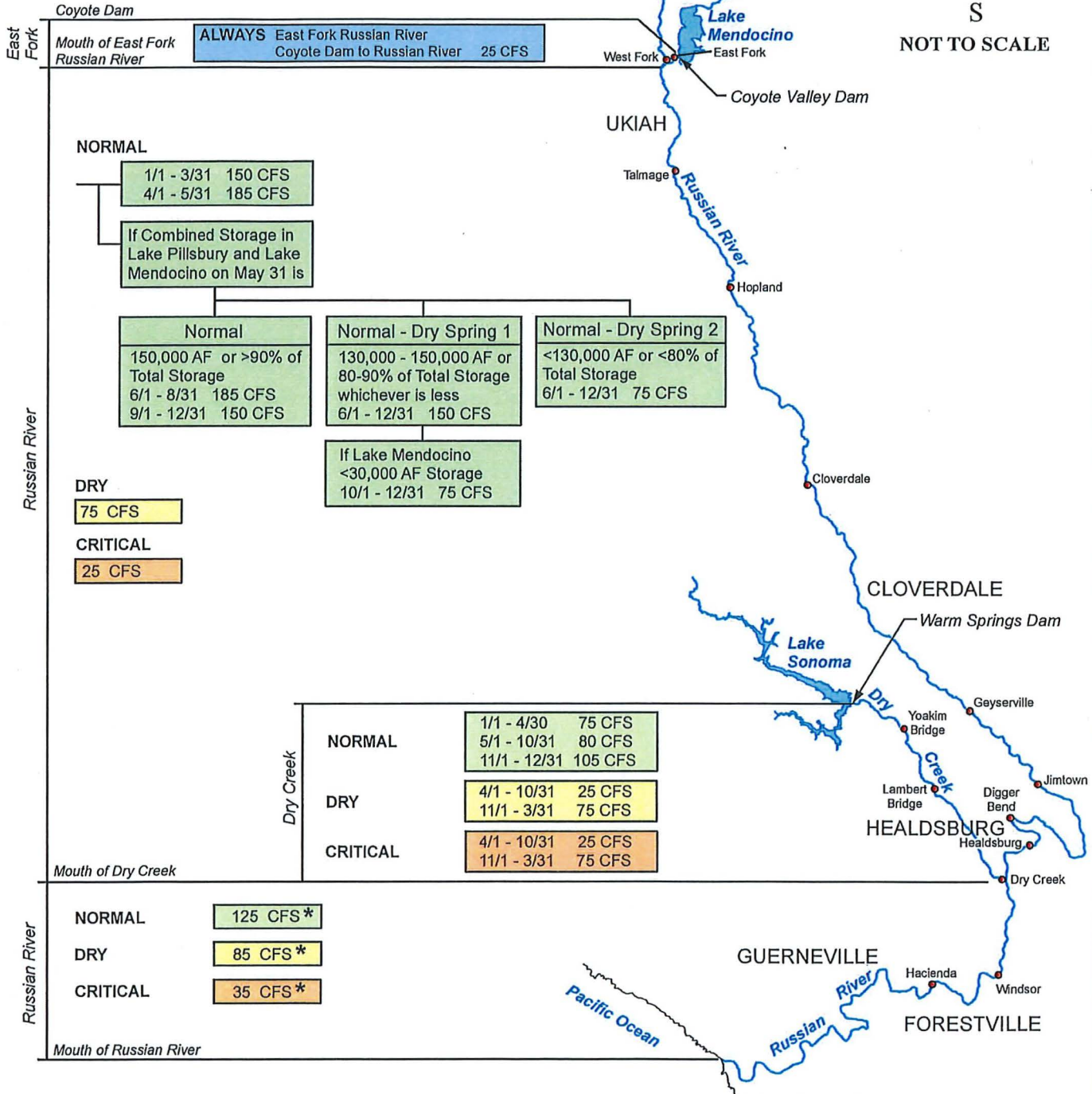
Water Supply Conditions Prevailing on 6/1 Apply Through 12/31

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



NOT TO SCALE



East Fork Russian River	Mouth of East Fork Russian River	ALWAYS	East Fork Russian River	25 CFS
	Coyote Dam		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
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CRITICAL	25 CFS
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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

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



Russian River Basin Streamflow Requirements

Per State Water Resources Control Board Decision 1610, April 1986

Figure 1

W:\FILES\SERVER\DATA\wmp\basin\sketch\Stream\Flow\med April 4, 2011