



**Sonoma
Water**

April 15, 2024

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 April 2024 Temporary Urgency Change Petition*
- 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 submitted to protect listed salmonids under the Endangered Species Act by implementing reduced minimum instream flow requirements that were required by the Russian River Biological Opinion (2008 Biological Opinion) issued by NOAA National Marine Fisheries Service (NMFS) on September 24, 2008. While the 2008 Biological Opinion had a 15-year term that ended in 2023, Sonoma Water and the U.S. Army Corps of Engineers are in consultation with NMFS and coordinating with California Department of Fish and Wildlife to draft the successor Biological Opinion, which is expected for release by the end of the year. I look forward to working with the Division of Water Rights staff on this important conservation effort.

Sincerely,

Grant Davis
General Manager

c: S. Boland-Brien, 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

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P.O. Box 2000, Sacramento, CA 95812-2000
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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.

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Wat. Code, § 1707 | <input type="checkbox"/> Waste Water
Wat. Code, § 1211 |
| <input type="checkbox"/> Split
Cal. Code Regs., tit. 23, § 836 | <input type="checkbox"/> Terms or Conditions
Cal. Code Regs., tit. 23, § 791(e) | <input type="checkbox"/> Other | |
| Application 12919A | Permit 12947A | License | Statement |

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

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Present:

Proposed:

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

Proposed:

Purpose of Use
Present:

Proposed:

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

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

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Temporary Urgency

This temporary urgency change will be effective from 05/01/2024 to 10/15/2024

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.

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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

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

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

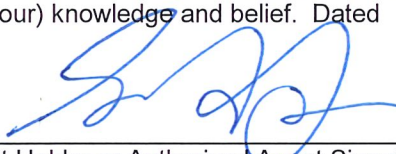
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All Right Holders Must Sign This Form: I (we) declare under penalty of perjury that this change does not involve an increase in the amount of the appropriation or the season of diversion, and that the above is true and correct to the best of my (our)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

 4.15.24

Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:

- (1) the form Environmental Information for Petitions, including required attachments, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
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Cal. Code Regs., tit. 23, § 836
Application 15736 | <input type="checkbox"/> Terms or Conditions
Cal. Code Regs., tit. 23, § 791(e)
Permit 12949 | <input type="checkbox"/> Other
License | Statement |

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| Application 15737 | Permit 12950 | License | Statement |

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Sonoma County Water Agency

Supplement to the April 2024 Temporary Urgency Change Petitions

1.0 BACKGROUND

The Sonoma County Water Agency (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 Resources Control Board (State Water Board) adopted on April 17, 1986. Decision 1610 specifies minimum flow requirements for the Upper Russian River, Dry Creek and the Lower Russian River. 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 have been subject to the Russian River Biological Opinion issued by the National Marine Fisheries Service (NMFS) on September 24, 2008. The term of the Biological Opinion was for 15 years, thereby ending in 2023. Sonoma Water and the U.S. Army Corps of Engineers (Corps) are in consultation with NMFS and coordinating with the California Department of Fish and Wildlife (CDFW) for drafting a successor Biological Opinion that is anticipated to be released before the end of the calendar year. To protect listed salmonids while the Biological Opinion is being prepared, Sonoma Water will continue to work with the State Water Board, Corps, NMFS, and CDFW to implement flows required under the 2008 Russian River Biological Opinion

1.1 MINIMUM FLOW REQUIREMENTS

Decision 1610 requires a minimum flow of 25 cubic feet per second (cfs) in the East Fork of the Russian River from Coyote Valley Dam to the confluence with the West Fork of the Russian River under all water supply conditions. From this point to Dry Creek, the Decision 1610 required minimum Russian River flows are 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 required minimum flows in the Upper Russian River during times when the combined storage in Lake Pillsbury (owned and operated by the Pacific Gas and Electric Company) and Lake Mendocino on May 31 is unusually low. *Dry Spring 1* conditions exist if the combined storage in Lake Pillsbury and Lake Mendocino is less than 150,000 acre-feet on May 31. Under *Dry Spring 1* conditions, the required minimum flow in the Upper Russian River between the confluence of the East Fork and West Fork and Healdsburg is 150 cfs from June through March, with a reduction to 75 cfs during October through December if Lake Mendocino storage is less than 30,000 acre-feet during those months. *Dry Spring 2* conditions exist if the combined storage in Lake Pillsbury and Lake Mendocino is less than 130,000 acre-feet on May 31. Under *Dry Spring 2* conditions, the required minimum flows in the Upper Russian River are 75 cfs from June through December and 150 cfs from January through March.

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

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

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

1.2 WATER SUPPLY CONDITIONS

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

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

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

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

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

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

As of January 1, 2024, current flow management in the Russian River is operating under modified criteria with an alternate hydrologic index that was implemented under the December 2023 Temporary Urgency Change Order (TUCO). Sonoma Water submitted temporary urgency change petitions on October 12, 2023, requesting that the hydrologic index of Decision 1610 that establishes water supply conditions based on Lake Pillsbury storage be replaced with Lake Mendocino storage thresholds that establish conditions as *Normal*, *Dry* or *Critical*. The hydrologic index evaluates storage thresholds from October

1 through June 1 with monthly evaluations on the first of the month until March, then bimonthly evaluations are added on the 16th of the month. These storage thresholds are shown in Table 1.

Table 1. Storage Thresholds for December 2023 TUCO Hydrologic Index (ac-ft)

	Oct 1	Nov 1	Dec 1	Jan 1	Feb 1	Mar 1	Mar 16	Apr 1	Apr 16	May 1	May 16	Jun 1
Dry	58,000	51,000	49,000	68,400	68,400	68,400	77,000	86,000	91,000	93,000	94,000	94,000
Critical	46,000	41,000	40,000	42,000	49,000	57,000	67,000	73,000	74,000	75,000	76,000	76,000

On the most recent evaluation date of April 1, 2024, Lake Mendocino storage was 96,709 acre-feet, which exceeded the threshold of 86,000 acre-feet (see Table 1) to establish a *Normal* water supply condition. The water supply condition has been *Normal* since February 1, 2024. The initial month under the TUCO hydrologic index, January 2024, was classified as a *Dry* water supply condition.

Under the TUCO hydrologic index, the required minimum instream flows in the Upper Russian River (from the East Fork Russian River to the Russian River’s confluence with Dry Creek) will likely be 185 cfs from April 1 through the end of the TUCO, June 28, 2024. Afterwards, the hydrologic index of Decision 1610 would apply.

From October 1, 2023, to April 12, 2024, the cumulative inflow into Lake Pillsbury was 432,215 acre-feet, which establishes a *Normal* water supply condition for the remainder of the year under Decision 1610 requirements. Beginning June 1, the required minimum instream flows in the Upper Russian River under Decision 1610 are also determined based on the combined storage of Lake Pillsbury and Lake Mendocino on May 31. Based on the reservoir projections, Sonoma Water anticipates that the combined storage will exceed 150,000 acre-feet thereby establishing the water supply condition as *Normal* with no dry spring classifications. Consequently, when the December 2023 TUCO expires on June 28, 2024, the required minimum instream flows in the Upper Russian River under Decision 1610 would be 185 cfs until August 31 and then 150 cfs for the remainder of the year. In the Lower Russian River, the required minimum instream flow will be 125 cfs.

2.1 LAKE MENDOCINO

As of April 12, 2024, the water supply storage level in Lake Mendocino was 99,289 acre-feet and still gaining. Current operations at Lake Mendocino are conducted under the Forecast Informed Reservoir Operations (FIRO) program through a multi-year planned

deviation to the Coyote Valley Dam/Lake Mendocino Water Control Manual, which allows discretionary encroachment into the reservoir's flood control pool by the Corps. The current storage level is 98.9 percent of the planned deviation pool for this date. During this period that started February 16, the planned deviation pool increases daily until a maximum pool is reached on May 10 at 111,000 acre-feet. Figure 2 shows the storage level in Lake Mendocino compared to the 30-year average between 1994 and 2023. As shown in the figure, the storage level is well above the 30-year average for this time of year.

2.2 LAKE SONOMA

As of April 12, 2024, the water supply storage level in Lake Sonoma was 265,292 acre-feet. Current operations at Lake Sonoma are conducted under the protocols of a multi-year minor deviation to the reservoir's Water Control Manual that was approved by the Corps in December 2022. Under the minor deviation, a discretionary encroachment into the reservoir's flood control pool of 19,000 acre-feet may be utilized from March 1 through September 30 to increase stored water conserved for water supply. During the winter months, the minor deviation allows a discretionary encroachment of 9,000 acre-feet. The current storage level is 100.5 percent of the minor deviation pool. Figure 3 shows the storage level in Lake Sonoma compared to the 30-year average between 1994 and 2023. As shown in the figure, the storage level is well above the 30-year average for this time of year.

3.0 RUSSIAN RIVER BIOLOGICAL OPINION

Under the federal Endangered Species Act (ESA), coho salmon in the Russian River watershed are listed as an endangered species, and steelhead and Chinook salmon are listed as threatened species. Additionally, coho salmon are listed as an endangered species under the California Endangered Species Act (CESA). In September 2008, the NMFS issued the Russian River Biological Opinion (Biological Opinion). This Biological Opinion was the culmination of more than a decade of consultation under Section 7 of the ESA by Sonoma Water and Corps with NMFS regarding the effects of Sonoma Water's and Corps' water supply and flood control operations in the Russian River watershed on the survival of these listed fish species.

Studies conducted during the consultation period led NMFS to conclude in the Biological Opinion that the summer flows in the Upper Russian River and Dry Creek required by Decision 1610 create velocities that are too high for optimal juvenile salmonid habitat. NMFS also concluded in the Biological Opinion that the historical practice of breaching the sandbar that closes the mouth of the Russian River to minimize flood risk during the

summer and fall may adversely affect the listed species. NMFS concluded in the Biological Opinion that it might be better for juvenile steelhead if the estuary was managed as seasonal freshwater lagoon in the summer months. Minimum instream flows lower than those required by Decision 1610 may result in flows into the estuary that improve opportunities to maintain a freshwater lagoon while minimizing risk of flooding low-lying properties.

To address these issues, NMFS's Biological Opinion required Sonoma Water and the Corps to implement a series of actions to modify existing water supply and flood control activities that, in concert with habitat enhancement measures, are intended to minimize impacts to listed salmon species and enhance their habitats in the Russian River and its tributaries. Sonoma Water is responsible for the following actions under the Biological Opinion:

- Petitioning the State Water Board to modify permanently the requirements for minimum instream flows in the Russian River and Dry Creek (original Petition filed on September 23, 2009; revised petition filed on August 17, 2016);
- Enhancing salmonid habitat in Dry Creek and its tributaries;
- Developing a bypass pipeline around Dry Creek, if habitat enhancement measures are unsuccessful;
- Changing Russian River estuary management;
- Improving water diversion infrastructure at Sonoma Water's Wohler and Mirabel facilities;
- Modifying flood control maintenance activities on the mainstem Russian River and its tributaries; and
- Continuing to participate in the Coho Brood stock program.

The Biological Opinion acknowledges that implementing permanent changes to the minimum instream flow requirements for the Russian River and Dry Creek will take several years, including the time needed for review under the California Environmental Quality Act (CEQA) and compliance with state and federal regulations. Consequently, the Biological Opinion required that, beginning in 2010, Sonoma Water file annual petitions with the State Water Board for temporary changes to the Decision 1610 minimum instream flow requirements in the main stem Russian River until the State Water Board has issued an order on Sonoma Water's petition for permanent changes to the Decision 1610 minimum instream flow requirements.

Sonoma Water and the Corps have completed a Biological Assessment and initiated consultation with NMFS to prepare the second iteration of the Russian River Biological

Opinion. California Endangered Species Act compliance for state listed Coho salmon will be provided by incidental take permits issued by CDFW for specific Sonoma Water projects. The next Biological Opinion will have a 10-year term and is anticipated to start by the end of 2024. To protect listed salmonids while the Biological Opinion is being prepared, Sonoma Water will continue to work with the State Water Board, Corps, NMFS, and CDFW to implement flows required under the 2008 Biological Opinion.

The 2008 Biological Opinion required Sonoma Water to request that the mainstem minimum instream flow requirements be temporarily changed to the following values during *Normal* water supply conditions:

- 70 cfs between May 1 and October 15 at the U.S. Geological Survey (USGS) gage located at Hacienda Bridge (with the understanding that an operational buffer typically will result in flows of approximately 85 cfs)
- 125 cfs between May 1 and October 15 at the USGS gage located at Healdsburg

The temporary changes to Decision 1610 minimum instream flow requirements specified in the Biological Opinion are summarized in Figure 4. (The Biological Opinion did not require Sonoma Water to seek any temporary changes to the minimum instream flow requirements for Dry Creek.)

4.0 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.

4.1 URGENCY OF THE PROPOSED CHANGE

Decision 1610 set the minimum instream flow requirements that the State Water Board concluded, in 1986, would benefit both fishery and recreation uses, and would “preserve the fishery and recreation in the river and in Lake Mendocino to the greatest extent possible while serving the needs of the agricultural, municipal, domestic, and industrial

uses which are dependent upon the water” (D 1610, § 13.2, page 21). The State Water Board also concluded in Decision 1610 that additional fishery studies should be done (D 1610, § 14.3.1, pages 26-27).

In 2008, the Biological Opinion concluded that summertime flows in the Russian River during *Normal* water supply conditions, as required by Decision 1610, are higher than the optimal levels for the listed fish species. The Biological Opinion contains an extensive analysis of the impacts of these required minimum instream flows on listed fish species. The Biological Opinion required Sonoma Water to file a petition (original petition filed on September 23, 2009; revised petition filed on August 17, 2016) with the State Water Board to improve conditions for listed species by seeking permanent reductions in the minimum instream flow requirements contained in Sonoma Water’s existing water rights permits. The Biological Opinion also contains the following requirement:

“To help restore freshwater habitats for listed salmon and steelhead in the Russian River estuary, SCWA will pursue interim relief from D1610 minimum flow requirements by petitioning the SWRCB for changes to D1610 beginning in 2010 and for each year prior to the permanent change to D1610. These petitions will request that minimum bypass flows of 70 cfs be implemented at the USGS gage at the Hacienda Bridge between May 1 and October 15, with the understanding that for compliance purposes SCWA will typically maintain about 85 cfs at the Hacienda gage. For purposes of enhancing steelhead rearing habitats between the East Fork and Hopland, these petitions will request a minimum bypass flow of 125 cfs at the Healdsburg gage between May 1 and October 15. NMFS will support SCWA’s petitions for these changes to D1610 in presentations before the SWRCB.”

(Biological Opinion, page 247)

One of the species listed under the federal ESA (coho salmon) is also listed under the California Endangered Species Act (CESA). The CDFW has issued a consistency determination in which it determined that the incidental take statement issued to Sonoma Water by NMFS in connection with the Biological Opinion is consistent with the provisions and requirements of CESA.

In light of this background, an urgent need exists for the proposed change. As discussed in the Biological Opinion, the temporary changes that are requested in this petition will improve habitat for the listed species by reducing instream flows and by increasing storage for later fishery use, without unreasonably impairing other beneficial uses, thus maximizing the use of Russian River water resources. Moreover, given the listings of Chinook salmon,

coho salmon, and steelhead under the federal ESA, there is a need for prompt action. As demonstrated by the Biological Opinion, there has been an extensive analysis of the needs of the fishery, and fishery experts agree that the Decision 1610 minimum instream flows appear to be too high.

4.2 NO INJURY TO ANY OTHER LAWFUL USER OF WATER

If this petition is 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 this petition will not result in any injury to any other lawful user of water.

4.3 NO UNREASONABLE EFFECT UPON FISH, WILDLIFE, OR OTHER INSTREAM BENEFICIAL USES

This petition is based upon the analysis contained in the 2008 Biological Opinion, which was issued primarily to improve conditions for fish resources in the Russian River system. Two types of improved conditions will result from an order approving this petition. First, the Biological Opinion concludes that stream flows that are required by Decision 1610 are too high for optimum fish habitat. If this petition is granted, then lower stream flows, which will result in better fish habitat, will occur. Second, lowering the required minimum instream flows will result in higher fall storage levels in Lake Mendocino. The resulting conservation of water in Lake Mendocino will allow enhanced management of Russian River flows in early fall for the benefit of fish migration.

It is possible that reduced flows in the Russian River may impair some instream beneficial uses, principally recreation uses. However, although some recreation uses may be affected by these reduced flows, any such impacts on recreation this summer will be reasonable in light of the impacts to fish that could occur if the petition were not approved.

4.4 THE PROPOSED CHANGE IS IN THE PUBLIC INTEREST

As discussed above, the sole purpose of this petition is to improve conditions for listed Russian River salmonid species, as determined by NMFS and CDFW. Approval of Sonoma Water's petition to reduce instream flow requirements to benefit the fishery will also result in higher fall storage levels in Lake Mendocino, which will make more water available in the fall for fishery purposes. Under these circumstances, it is in the public interest to temporarily change the Decision 1610 minimum required instream flows.

5.0 REQUESTED TEMPORARY URGENCY CHANGE TO PERMITS 12947A, 12949, 12950, AND 16596

To protect listed salmonids while the new Biological Opinion is being prepared, Sonoma Water will continue to work with the State Water Board, Corps, NMFS, and CDFW to implement flows required under the 2008 Russian River Biological Opinion. Therefore, to be in accordance with the terms and conditions of the 2008 Biological Opinion and to avoid excessively high flows that could result in violations to the Biological Opinion's Incidental Take Statement, Sonoma Water is filing this TUCP. It requests that the State Water Board make the following changes to Sonoma Water's permits for a period from May 1, 2024, until October 15, 2024:

- (1) reduce the required minimum instream flow in the Russian River from the confluence of the East and West Forks to the river's confluence with Dry Creek from 185 cfs to 125 cfs; and
- (2) reduce required minimum instream flow in the Russian River from its confluence with Dry Creek to the Pacific Ocean from 125 cfs to 70 cfs.

The sole purpose of the requested changes is to satisfy the intent of the terms and conditions of the Biological Opinion, as there is adequate water supply available in Lake Mendocino and Lake Sonoma to meet this year's water supply demands by legal users and minimum in-stream flows required by Decision 1610.

To improve its efforts at achieving the optimal habitat conditions in the Lower Russian River and to optimally manage flows in the entire river, Sonoma Water has requested in this year's TUCP (as in previous ones) that the minimum instream flow requirements be implemented on a 5-day running average of average daily streamflow measurements with the condition that instantaneous flows on the Upper Russian River be no less than 110 cfs and on the Lower Russian River be no less than 60 cfs. This adjustment will allow Sonoma Water to manage stream flows with a smaller operational buffer, thereby facilitating the attainment of the lower flow conditions that the Biological Opinion identifies as being conducive to the enhancement of salmonid habitat. Reducing the operational buffer will also conserve water supply in Lake Mendocino, resulting in higher storage levels in the fall for increased releases for migrating Chinook salmon and improving carry over storage for the following year.

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 adoption of efficient water use habits in alignment with the pending urban water use efficiency standards, objectives, and performance measures. The Partnership's 2024 water production totals through February are five percent below 2020 totals for the same period, which reflects a reduction in indoor water uses during these months. The 2024 percent reduction compared to 2020 is expected to increase once the irrigation months arrive, as was seen in each of the last two years. The lower wintertime reduction percentage is indicative of already low gallons per capita indoor use regionally.

Work is underway to complete Sonoma Water's 2024 Annual Water Supply and Demand Assessment (AWSDA) and Shortage Report, with preliminary results projecting ample water supplies available to meet contractors' unconstrained demands through June 2025, even when conservatively estimating dry conditions through that time frame. Consequently, no shortage stage implementation is anticipated for Sonoma Water or its contractors in the period from July 2024 through June 2025. Sonoma Water's AWSDA results and Shortage Report are on schedule to be submitted to the Department of Water Resources prior to July 1, 2024.

The Partnership is wrapping up its spring Dye Tab Challenge social media campaign to incentivize customers to complete and report results of toilet leak tests during February and March. Free leak dye-test tablets are distributed by mail or made available for pickup at utility offices. The Dye Tab Challenge coincides with the national E.P.A. WaterSense Program's Fix a Leak Week Campaign held March 18 to 24, and which is also being promoted through a social media campaign on Facebook, X, Instagram, and Nextdoor. On May 18, the Partnership will be hosting the annual Eco-Friendly Garden Tour at 26 gardens throughout Sonoma and Marin counties. The tour showcases water-wise and sustainable landscape practices to provide inspiration for participants interested in learning about and implementing similar practices at their homes.

The Partnership’s summer outreach campaign, which runs from June through September, will focus on creating climate ready landscapes that are better adapted to survive the climate change induced weather extremes of fire, floods, and drought. The campaign will highlight different topics each month, such as choosing water smart plants, irrigating efficiently, good garden design and maintenance, and use of rainwater and greywater. Weekly social media ads are planned over the 16-week campaign in addition to online and print ad placements. The Partnership will also be tabling at in-person events in the spring, summer, and fall at popular community events such as Earth Day, the City of Santa Rosa WaterSmart Expo, Zero Waste Sonoma’s Fix-it Fair, and the annual Fiesta de Independencia held at the Luther Burbank Center for the Arts. Like last year, the Partnership will be collaborating with the Master Gardener Program of Sonoma County to install a sustainable, climate ready garden display outside the Hall of Flowers at the Sonoma County Fair from August 1-11. An additional project is underway to remove non-functional turf in front of the Sonoma County Fair administrative offices to install a demonstration low water use landscape. This project is being co-sponsored by the Partnership, the Master Gardener Program of Sonoma County, and private nursery and landscape contractor firms, with an anticipated construction period in fall 2024.

Additional program information, tools, and resources are available on the Partnership’s website at <https://www.savingwaterpartnership.org/>.

7.0 CONCLUSION

The potential need to make changes after 1986 to the minimum instream flow requirements specified in Decision 1610 was contemplated by Decision 1610. Decision 1610 states: “Our decision will be subject to a reservation of jurisdiction to amend the minimum flow requirements if future studies show that amendments might benefit the fisheries or if operating the project under the terms and conditions herein causes unforeseen adverse impacts to the fisheries.” As discussed in this petition, fisheries studies conducted during the last several decades, which ultimately led to NMFS’ Biological Opinion, now indicate the need to amend the Decision 1610 minimum flow requirements. Sonoma Water therefore requests that the State Water Board approve this petition.

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
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	

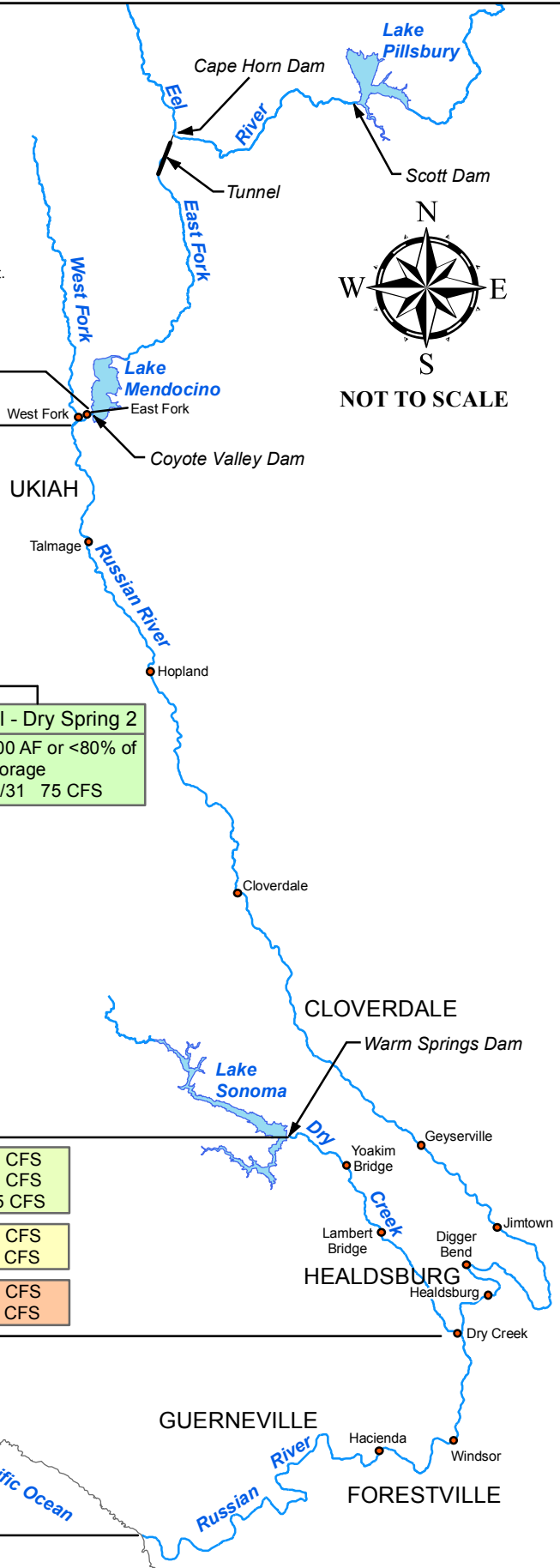
LEGEND

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



East Fork	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

Russian River	Mouth of Dry Creek	
	NORMAL	125 CFS *
	DRY	85 CFS *
CRITICAL	35 CFS *	
Mouth of Russian River		

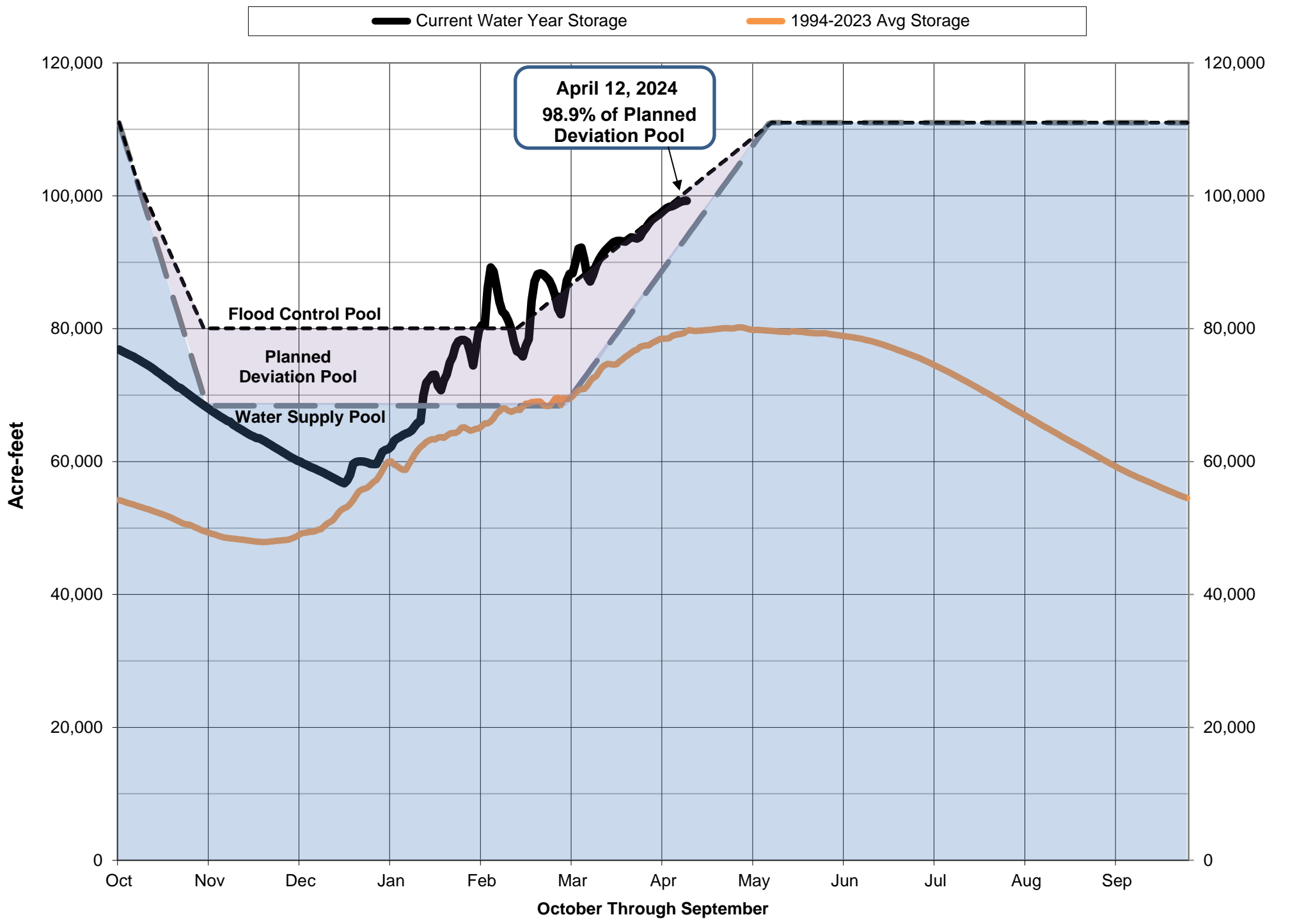
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Russian River Basin Streamflow Requirements

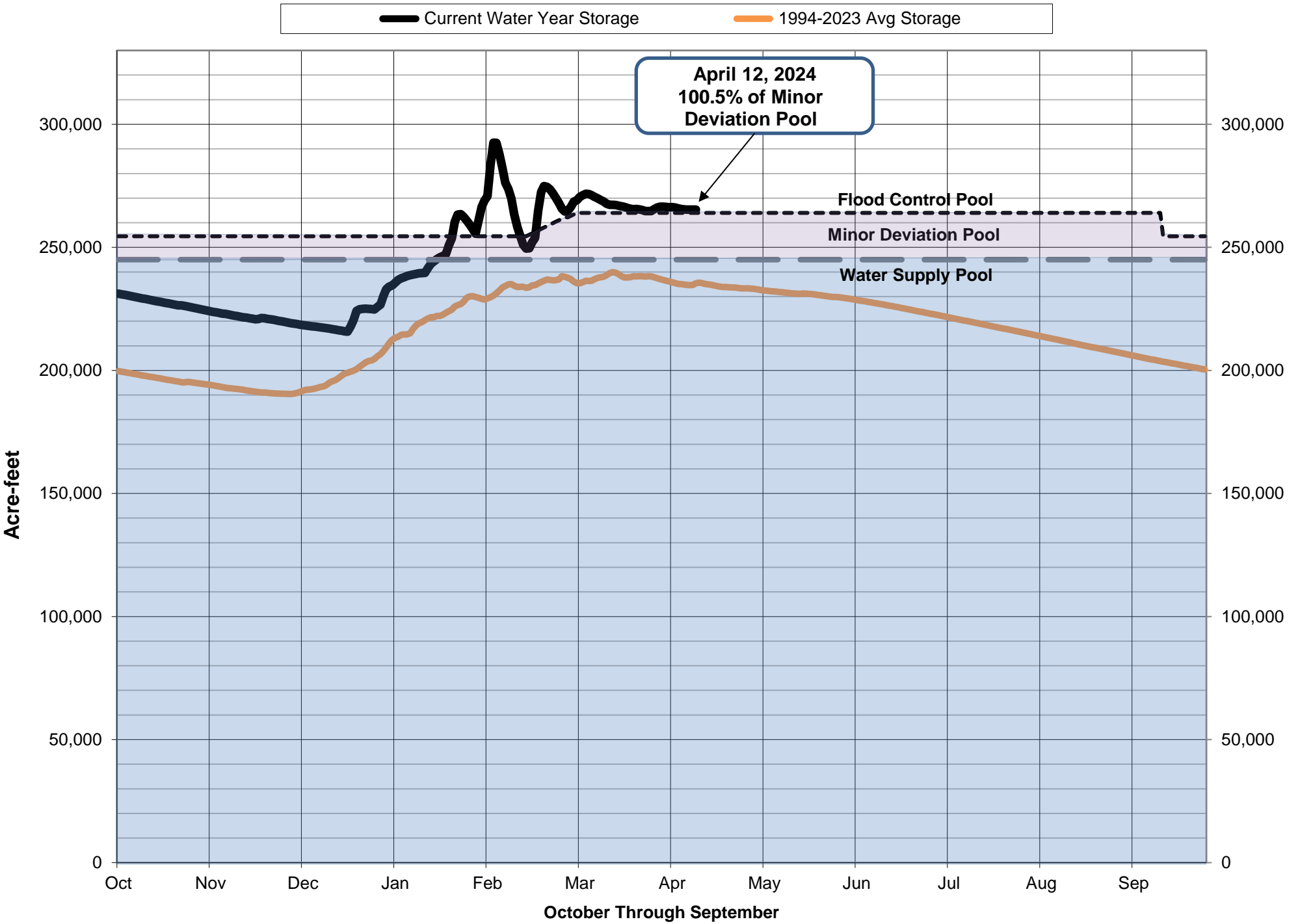
Per State Water Resources Control Board Decision 1610, April 1986

Figure 1



Lake Mendocino Storage

Figure 2



Lake Sonoma Storage

Figure 3

LEGEND

- AF - Acre-Feet
- - USGS Stream Gage Compliance Points



Upper Russian River

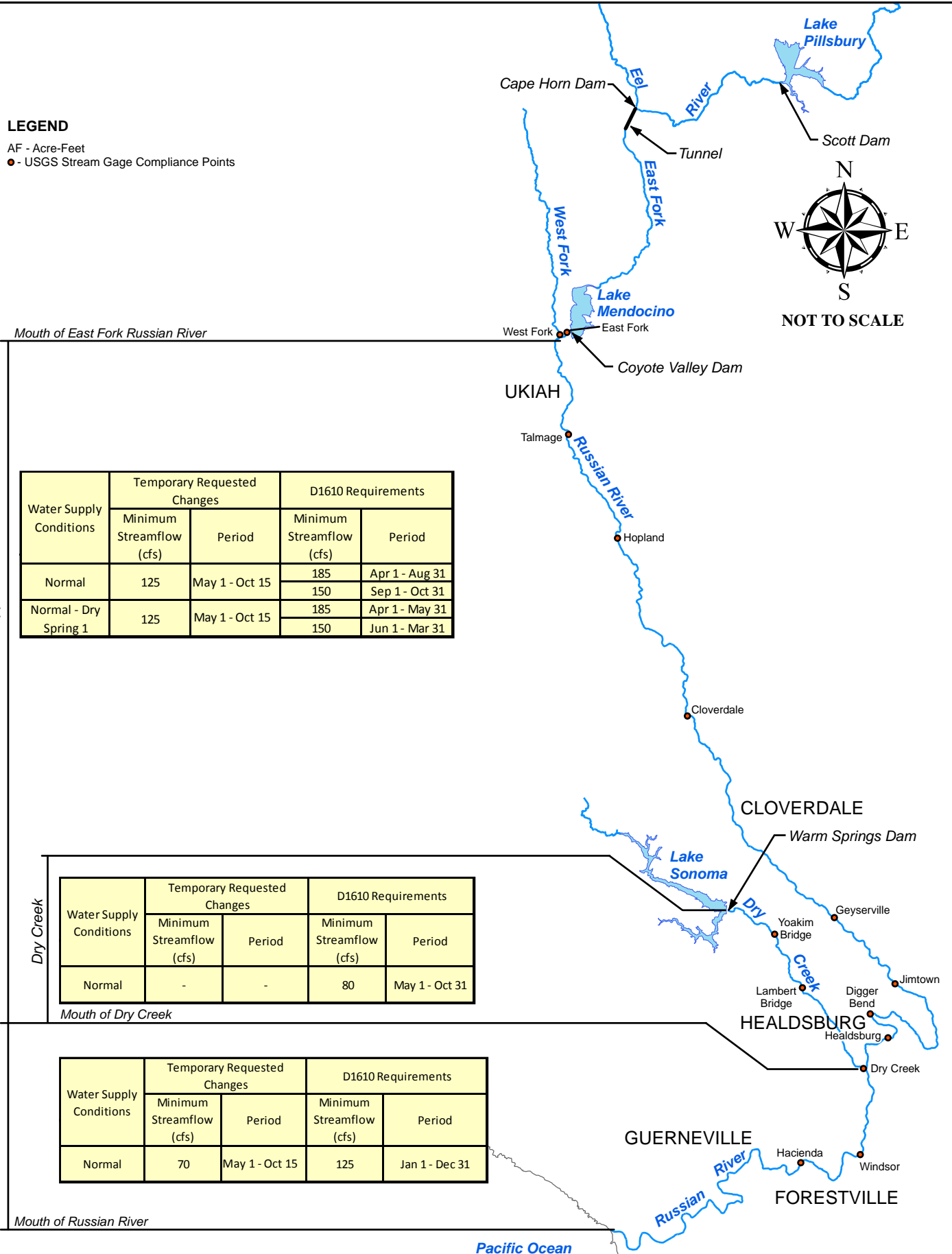
Water Supply Conditions	Temporary Requested Changes		D1610 Requirements	
	Minimum Streamflow (cfs)	Period	Minimum Streamflow (cfs)	Period
Normal	125	May 1 - Oct 15	185	Apr 1 - Aug 31
			150	Sep 1 - Oct 31
Normal - Dry Spring 1	125	May 1 - Oct 15	185	Apr 1 - May 31
			150	Jun 1 - Mar 31

Dry Creek

Water Supply Conditions	Temporary Requested Changes		D1610 Requirements	
	Minimum Streamflow (cfs)	Period	Minimum Streamflow (cfs)	Period
Normal	-	-	80	May 1 - Oct 31

Lower Russian River

Water Supply Conditions	Temporary Requested Changes		D1610 Requirements	
	Minimum Streamflow (cfs)	Period	Minimum Streamflow (cfs)	Period
Normal	70	May 1 - Oct 15	125	Jan 1 - Dec 31



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Russian River Biological Opinion
Proposed Temporary Minimum Instream Flow Changes
 Per National Marine Fisheries Service's Biological Opinion Issued September 24, 2008

Figure 4

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 April 2024 Temporary Urgency Change Petitions' for a summary of the requested changes.

Insert the attachment number here, if applicable:

Coordination with Regional Water Quality Control Board

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

Date of Request

04/05/2024

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 April 5, 2024 at the bi-weekly meeting with the fishery agencies and Bryan McFadin of the North Coast Regional Water Quality Control Board, 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 rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

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

All Water Right Holders Must Sign This Form:

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

Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

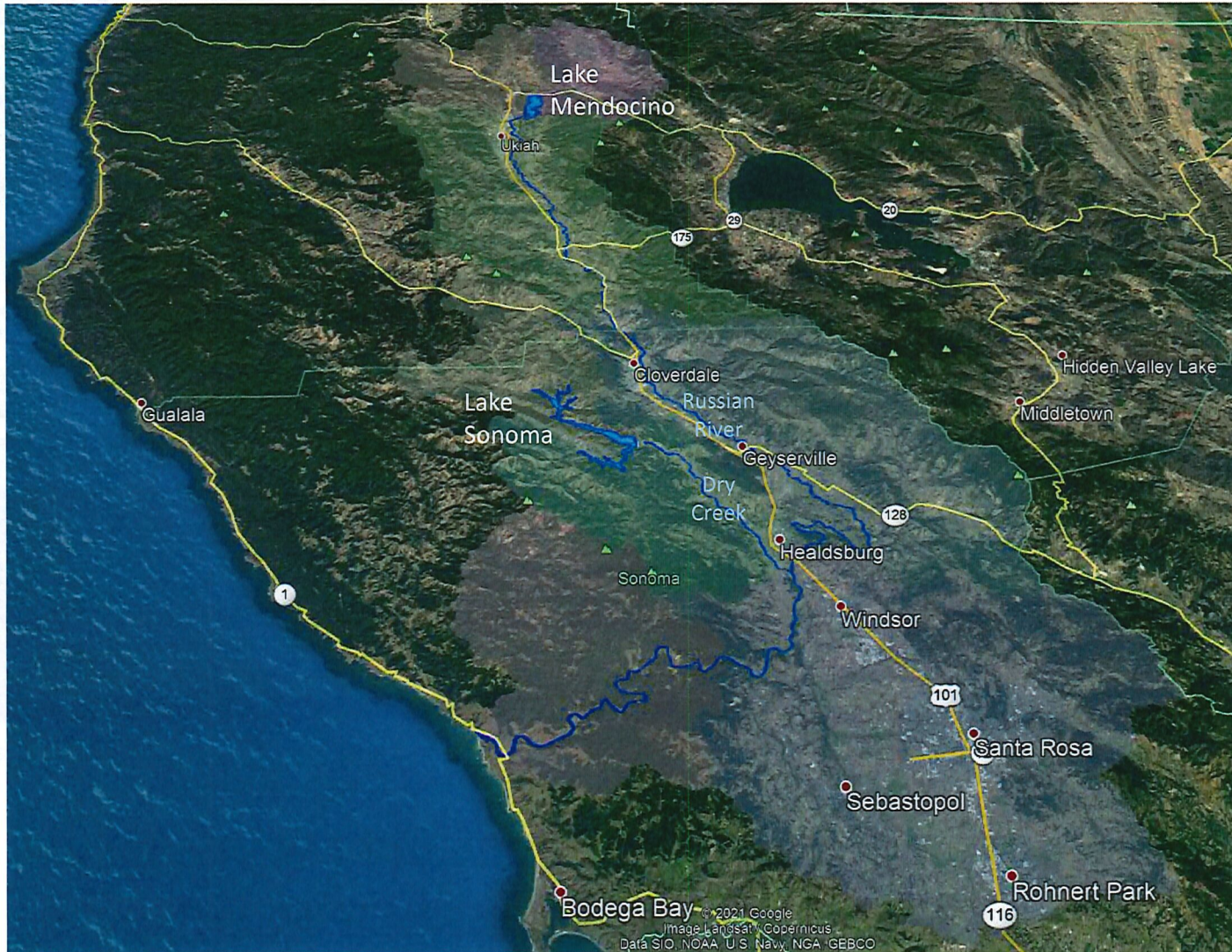
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4.15.24

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

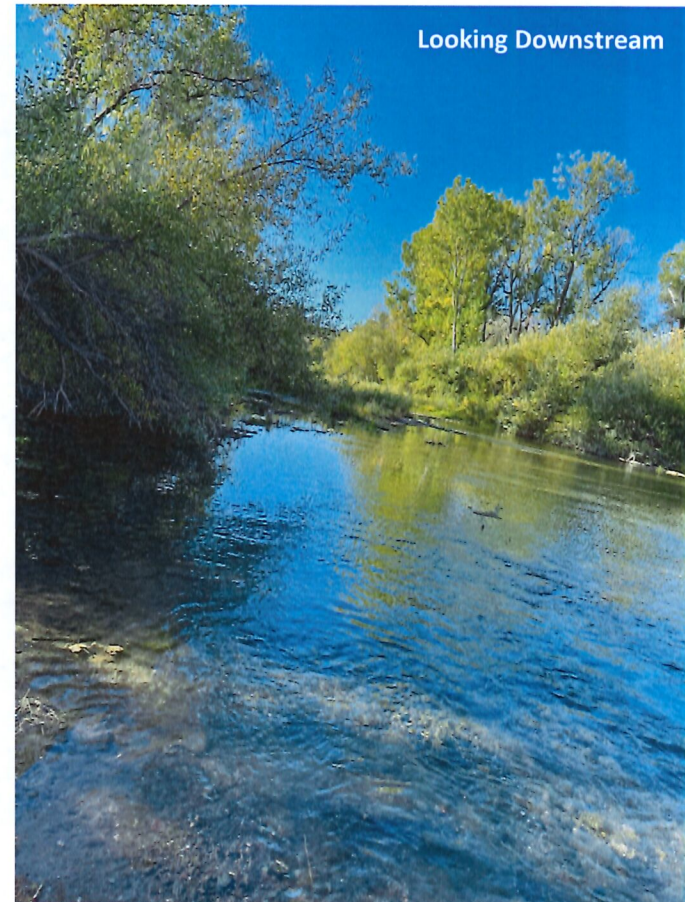
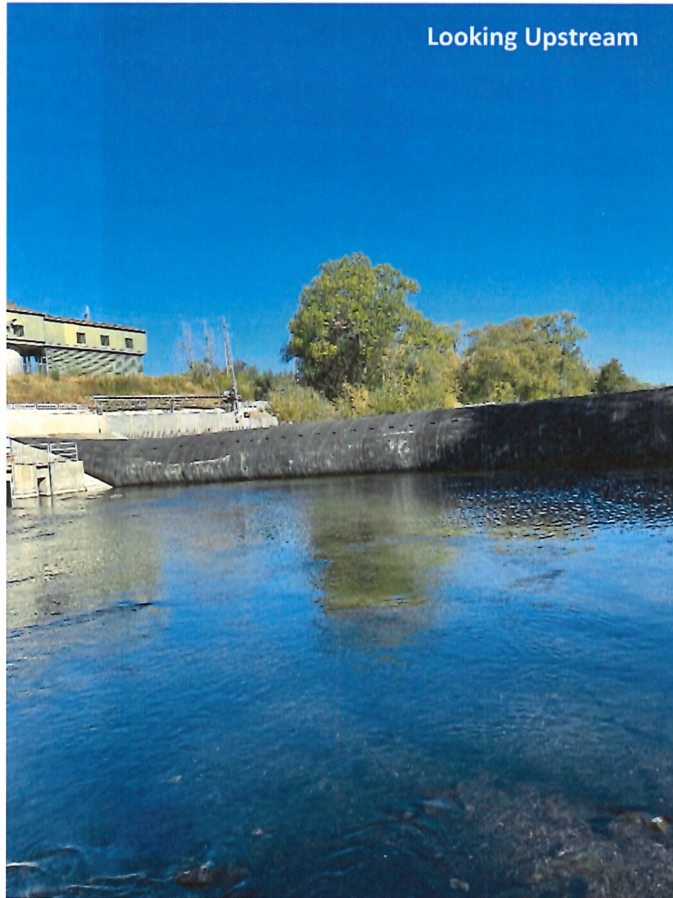
Russian River Watershed Place of Water Use



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

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

 X County Clerk
County of Sonoma
Santa Rosa, CA 95401

 X County Clerk
County of Mendocino
Ukiah, CA 95482

Project Title: Petition by Sonoma County Water Agency Requesting Approval of a Temporary Urgency Change in Permits 12947A, 12949, 12950 and 16596 in Mendocino and Sonoma Counties (Applications 12919A, 15736, 15737, and 19351): 2024 Temporary Changes to Minimum Instream Flow Requirements of Decision 1610

Project Location-Specific: The project will 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, and in the Lower Russian River from its confluence with Dry Creek to the Pacific Ocean. Figure 1 shows the minimum instream streamflow requirements for the Russian River system. Communities and cities along the Russian River include Ukiah, Hopland, Cloverdale, Geyserville, Healdsburg, Forestville, Mirabel Park, Rio Nido, Guerneville, Monte Rio, Duncans Mills, and Jenner.

Project Location – City: N/A **Project Location – County:** Mendocino and Sonoma

Project Background: The National Marine Fisheries Service (NMFS) issued its *Biological Opinion for Water Supply, Flood Control Operations, and Channel Maintenance conducted by the U.S. Army Corps of Engineers, the Sonoma County Water Agency, and the Mendocino County Russian River Flood Control and Water Conservation Improvement District in the Russian River Watershed* (2008 Russian River Biological Opinion) on September 24, 2008.¹ NMFS concluded in the Russian River Biological Opinion that the continued operations of Coyote Valley Dam and Warm Springs Dam by the U.S. Army Corps of Engineers (Corps) and Sonoma County Water Agency (Sonoma Water) in a manner similar to recent historic practices, together with Sonoma Water’s stream channel maintenance activities and estuary management, are likely to jeopardize and adversely modify critical habitat for endangered Central California Coast coho salmon and threatened Central California Coast steelhead.

The term of the 2008 Russian River Biological Opinion was for 15 years, thereby ending in 2023. Sonoma Water and the Corps have completed a Biological Assessment and initiated consultation with NMFS to prepare the second iteration of the Russian River Biological Opinion. California Endangered Species Act compliance for state listed Coho salmon will be provided by incidental take permits issued by the California Department of Fish and Wildlife (CDFW) for specific Sonoma Water Projects. The next Biological Opinion will have a 10-year term and is anticipated to start by the end of 2024. To protect listed salmonids while the Biological Opinion is being prepared, Sonoma Water will continue to work with the State Water Resources Control Board (SWRCB), Corps, NMFS, and CDFW to implement flows required by the 2008 Russian River Biological Opinion.

Sonoma Water controls and coordinates water supply releases from the Coyote Valley Dam and Warm Springs Dam projects in accordance with the minimum instream flow requirements that Decision 1610, adopted by the SWRCB in

¹ NMFS’ Russian River Biological Opinion may be accessed online at www.sonomacountywater.org and may be reviewed at the Sonoma Water’s office at 404 Aviation Boulevard, Santa Rosa, CA.

1986, added to Sonoma Water's water right permits. NMFS' Russian River Biological Opinion requires changes to the Decision 1610 minimum instream flow requirements to enable alternative flow management scenarios that will increase available rearing habitat in Dry Creek and the Upper Russian River, and provide a lower, closer-to-natural inflow to the estuary between late spring and early fall, thereby enhancing the potential for maintaining a seasonal freshwater lagoon that will likely support increased production of juvenile steelhead and salmon.²

As required by the Russian River Biological Opinion, in September 2009 Sonoma Water filed petitions with the SWRCB to make permanent changes to the Decision 1610 minimum instream flow requirements. These petitions were withdrawn and replaced with new petitions filed in August 2016, which are presently pending before the SWRCB. The SWRCB will not act on these petitions until the necessary environmental impact report is prepared and the water-rights issues associated with these petitions are resolved.

Until the SWRCB issues an order on these petitions, Sonoma Water must maintain the minimum instream flows adopted in Decision 1610, with resulting impacts to listed salmonids identified in NMFS' Biological Opinion, unless temporary changes to these requirements are authorized by the SWRCB. To help restore freshwater habitats for listed salmon and steelhead, the 2008 Russian River Biological Opinion required that Sonoma Water petition the SWRCB for temporary changes to minimum instream flow requirements beginning in 2010 and for each year thereafter until the SWRCB issues an order on Sonoma Water's petitions for the permanent changes to the Decision 1610 minimum instream flow requirements. NMFS' 2008 Russian River Biological Opinion did not contain any alternative mechanism for complying with its terms while the SWRCB is considering permanent changes to Decision 1610. Filing for an annual temporary change is the only way Sonoma Water is able to protect listed salmonids and be prevented from having take liability under the Endangered Species Act while the Biological Opinion is being prepared.

NMFS' 2008 Russian River Biological Opinion only required petitions for temporary changes to minimum instream flows on the mainstem Russian River, and not on Dry Creek. These petitions does not seek any changes in the Dry Creek minimum-flow requirements adopted in Decision 1610.

Description of Nature, Purpose and Beneficiaries of Project: To be in accordance with the terms and conditions of the 2008 Russian River Biological Opinion and to avoid excessively high flows that could result in violations to the Biological Opinion's Incidental Take Statement, Sonoma Water is filing temporary urgency change petitions with the SWRCB. The petitions request that the SWRCB make the following changes to Sonoma Water's water rights permits for the period from May 1, 2024, until October 15, 2024: (a) reduce the required minimum instream flow in the Russian River from the confluence of the East and West Forks to the river's confluence with Dry Creek from 185 cfs to 125 cfs; and (b) reduce required minimum instream flow in the Russian River from its confluence with Dry Creek to the Pacific Ocean from 125 cfs to 70 cfs.

Decision 1610 specifies the minimum instream flow requirements for Dry Creek and the Russian River (see Figure 1). These requirements vary based on defined hydrologic conditions. If approved, the requested reductions in Russian River instream flow requirements will be in effect May 1 through October 15, 2024. Under Normal water supply conditions, the Decision 1610 minimum flow requirements during this time period could be as high as 185 cfs in the Upper Russian River, 125 cfs in the Lower Russian River, and 80 cfs in Dry Creek. To improve its efforts at achieving the optimal habitat conditions in the Lower Russian River and to optimally manage flows in the entire river, Sonoma Water has requested in this year's TUCP (as in previous ones) that the minimum instream flow requirement be implemented on a 5-day running average of average daily streamflow measurements with the condition that instantaneous flows on the Upper Russian River be no less than 110 cfs and on the Lower Russian River be no less than 60 cfs. No temporary change in the Dry Creek minimum instream flow requirements was required by the Biological Opinion or proposed and the minimum instream flow requirement in Dry Creek will remain at 80 cfs during

² National Marine Fisheries Service. Biological Opinion for Water Supply, Flood Control Operations, and Channel Maintenance conducted by the U.S. Army Corps of Engineers, the Sonoma County Water Agency, and the Mendocino County Russian River Flood Control and Water Conservation District in the Russian River Watershed. p. 243. September 2008.

the temporary change period. The proposed temporary changes in Russian River minimum instream flow requirements will not result in any unusual circumstances, because the proposed minimum instream flow requirements are within the range of those that already occur during *Dry* and *Critical* water supply conditions under Decision 1610.

During the period that the proposed temporary flow changes are in effect, Sonoma Water will also monitor water quality and fish, and collect and report information and data related to monitoring activities, to be in accordance with NMFS' Russian River Biological Opinion.

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)

<input type="checkbox"/>	Ministerial (Sec. 21080(b)(1); 15268)	
<input type="checkbox"/>	Declared Emergency (Sec. 21080(b)(3); 15269(a))	
<input type="checkbox"/>	Emergency Project (Sec.21080 (b)(4); 15269(b)(c)):	
<input checked="" type="checkbox"/>	Categorical Exemption. State type and section number:	State CEQA Guidelines 15307: Actions by Regulatory Agencies for Protection of Natural Resources State CEQA Guidelines 15308: Actions by Regulatory Agencies for Protection of the Environment State CEQA Guidelines 15301(i): Existing Facilities
<input type="checkbox"/>	Statutory Exemptions. State code number:	

Reasons why project is exempt: The proposed action is categorically exempt from the California Environmental Quality Act (CEQA) under the State CEQA Guidelines Sections 15307, 15308, and 15301(i).

A. 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 from CEQA. If approved, the proposed changes in Russian River minimum instream flow requirements will increase available rearing habitat in the Upper Russian River and provide a lower, closer to natural inflow to the estuary between late spring and early fall, thereby enhancing the potential for maintaining a seasonal freshwater lagoon that could support increased production of juvenile steelhead. NMFS' 2008 Russian River Biological Opinion states that these changes are necessary to avoid jeopardizing the continued existence of the listed species.³

B. Existing Facilities

Guidelines Section 15301(i) provides, generally, that the operation of existing facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination is categorically exempt from CEQA. Subdivision (i) of Section 15301 specifically includes maintenance of streamflows to protect fish and wildlife resources. Sonoma Water's petition to the SWRCB to change to the minimum instream flow requirements specified in the 2008 Russian River Biological Opinion does not request and will not expand Sonoma Water's use or increase the water supply available to Sonoma Water for consumptive purposes. The proposed change in Russian River minimum instream flow requirements still will be within the existing operational parameters established by Decision 1610.

³ National Marine Fisheries Service. Biological Opinion for Water Supply, Flood Control Operations, and Channel Maintenance conducted by the U.S. Army Corps of Engineers, the Sonoma County Water Agency, and the Mendocino County Russian River Flood Control and Water Conservation District in the Russian River Watershed. p. 247. September 2008.

Lead Agency Contact Person: Connie Barton Area Code/Telephone: 707-547-1905

Signature:  Date: 4.15.24 Title: General Manager

Lead Agency 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	

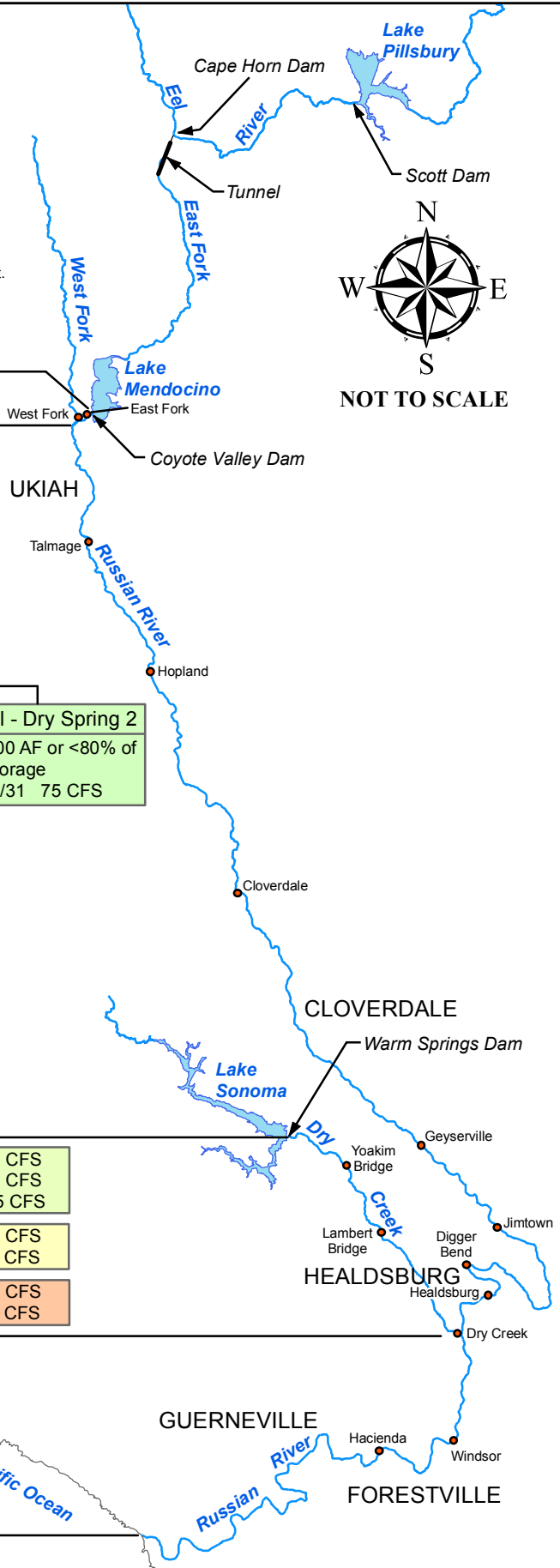
LEGEND

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



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

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

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