

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS
JUNE 7, 2022**

ITEM 6

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION APPROVING A VOLUNTARY WATER SHARING AGREEMENT IN THE UPPER RUSSIAN RIVER WATERSHED

DISCUSSION

On April 21, 2021, Governor Newsom declared a [regional drought emergency](#) for the Russian River watershed (declaration) due to the acutely dry conditions within Mendocino and Sonoma Counties. The declaration directed the State Water Resources Control Board (State Water Board) to consider adoption of emergency regulations “to curtail water diversions when water is not available at water right holders’ priority of right or to protect releases of stored water.” The directive also suspended Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division in Mendocino and Sonoma Counties to the extent necessary to address the impacts of drought in the Russian River watershed. On March 28, 2022, Governor Gavin Newsom issued Executive Order N-7-22, recognizing that the drought emergency persists.

On May 10, 2022, the State Water Board voted unanimously to readopt a Russian River Drought Emergency Regulation (“Emergency Regulation”). Section 877.4 of the readopted Emergency Regulation authorizes Russian River water users to propose a voluntary water sharing agreement that, if approved by the State Water Board, could operate as an authorized exception to curtailment for signatories diverting in accordance with that agreement. Parties from the watershed have been working in coordination with State Water Board staff since 2020 to develop a voluntary approach to responding to water supply shortages that would otherwise necessitate curtailment actions by the State Water Board. The parties have since developed a program that will allow water right holders to enroll and commit to water use reductions to share available supplies amongst program signatories. The program has been titled the 2022 Upper Russian River Voluntary Water Sharing Agreement (Voluntary Sharing Agreement, or VSA). The VSA is now ready for consideration and approval by the State Water Board.

State Water Board staff have reviewed the proposed VSA, which includes recitals, commitments to be made by signatories to the VSA, and exhibits that describe the calculations and implementation activities associated with the VSA. Staff have concluded that the VSA meets the requirements of section 877.4 and is consistent with the findings required for State Water Board approval under section 877.4. If approved, the VSA would be the first of its kind and therefore will benefit from the administrative support and expertise of Board staff during its first year of implementation. If the VSA is approved, State Water Board staff propose to support its implementation by facilitating the enrollment process and implementing the technical analyses associated with

establishing water available for sharing under the agreement and the necessary levels of individual signatory water use reductions.

POLICY ISSUE

Should the State Water Board adopt the proposed resolution authorizing a voluntary water sharing agreement in the Upper Russian River watershed?

FISCAL IMPACT

This activity is budgeted within existing resources and no additional fiscal demands will occur as a result of approving this item.

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

Approve resolution to approve Upper Russian River Voluntary Water Sharing Agreement pursuant to section 877.4 of the Russian River Drought Emergency Regulation.