

April 2016

STATE WATER RESOURCES
CONTROL BOARD
2016 APR 15 PM 1:24
DIV OF WATER RIGHTS
SACRAMENTO

April 2016

Sonoma County Water Agency

Supplement to the April 2016 Temporary Urgency Change Petition

1.0 BACKGROUND

The Sonoma County Water Agency (Water Agency) 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 the Water Agency's water-right Permit 12947A (Application 12919A). The Decision 1610 requirements for the Lower Russian River are contained in term 17 of the Water Agency's water-right Permit 12949 (Application 15736) and term 17 of the Water Agency'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 the Water Agency's water-right Permit 16596 (Application 19351).

The Water Agency's operations are also subject to the Russian River Biological Opinion issued by the National Marine Fisheries Service on September 24, 2008.

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 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

From October 1, 2015 to April 12, 2016, the cumulative inflow into Lake Pillsbury was 423,966 acre-feet. Consequently, the water supply condition will be categorized as *Normal* for the remainder of the year. Based on these criteria, the Decision 1610 required minimum instream flows in the Upper Russian River (from the East Fork Russian River to the Russian River's confluence of Dry Creek) will be 185 cfs between April 1 and May 31. The required minimum in-stream flows starting June 1 will be determined based on the combined storage of Lake Pillsbury and Lake Mendocino on May 31. At this time, the projected combined storage amount is difficult to predict because it is heavily dependent on late spring precipitation. However, based on the current hydrologic trends, the Water Agency anticipates either *Normal* or *Normal-Dry Spring 1* water supply conditions starting June 1. Consequently, the Decision 1610 required minimum instream flows in the Upper Russian River will likely be either 185 cfs or 150 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, 2016 the water supply storage level in Lake Mendocino was 86,615 acre-feet (AF). This storage level is 93 percent of the seasonal water conservation pool. Figure 2 shows the storage level in Lake Mendocino compared to the 25-year average between 1991 and 2015. As shown in the figure, the storage level is well above the 25-year average for this time of year.

2.2 Lake Sonoma

As of April 12, 2016 the water supply storage level in Lake Sonoma was 245,226 AF. This storage level is slightly greater than 100 percent of the available water conservation pool. Figure 3 shows the storage level in Lake Sonoma compared to the 25 year average between 1991 and 2015. As shown in the figure, the storage level is well above the 25-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 National Marine Fisheries Service (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 the Water Agency and U.S. Army Corps of Engineers (Corps) with NMFS regarding the effects of the Water Agency'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 requires the Water Agency and 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. The Water Agency 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 (Petition filed June 23, 2009);
- 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 the Water Agency's Wohler and Mirabel facilities;
- Modifying flood control maintenance activities on the main stem 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 requires that, beginning in 2010, the Water Agency 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 the Agency's petition for permanent changes to the Decision 1610 minimum instream flow requirements. The Biological Opinion requires the Water Agency to request that the main stem 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 flows specified in the Biological Opinion are summarized in Figure 4. (The Biological Opinion does not require the Water Agency 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, 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).

Thirty years later, it appears that the flows set by Decision 1610 no longer benefit fishery uses. To the contrary, the Biological Opinion concludes that summertime flows in the Russian River during Normal water supply conditions, at the levels 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 requires the Water Agency to file a petition with the State Water Board to improve conditions for listed species by seeking permanent reductions in the minimum instream flow requirements contained in Water Agency’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 California Department of Fish and Wildlife (DFW) has issued a consistency determination in which it determined that the incidental take statement issued to Water Agency 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, the Water Agency 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 DFW. Approval of the Water Agency's petition to reduce instream flows 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, 16596

To meet the terms and conditions of the Biological Opinion and to avoid excessively high flows that could result in violations to the Biological Opinion's Incidental Take Statement, the Water Agency is filing this TUCP. It requests that the State Water Board make the following changes to the Water Agency's permits for a period of 180 days from May 1, 2016 until October 27, 2016:

- (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 meet 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 instream 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, the Water Agency 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. This adjustment will allow the Water Agency to manage stream flows with a smaller operational buffer, thereby facilitating the attainment of the low 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 Water Agency's water contractors are committed to eliminating non-beneficial uses of potable water. The Water Agency and its water contractors continue to implement water use efficiency programs that align with the California Urban Water Conservation Council's Best Management Practices (BMPs) and comply with SB 7x-7. While these BMPs remain the baseline for the region, the establishment of the Sonoma-Marín Water Saving Partnership (Partnership) in December 2010 memorialized the region's commitment to long-term, year-round water use efficiencies. The Partnership removes one of the most significant barriers to implementing conservation programs, funding. Each Partner has committed to a sustained level of funding that is allocated specifically to implementing conservation programs while continuously implementing water conservation programs to reduce overall regional water use.

The Partnership represents ten North Bay water utilities in Sonoma and Marin counties that have joined together to provide regional solutions for water use efficiency. The utilities (Partners) are: the Cities of Santa Rosa, Rohnert Park, Petaluma, Sonoma, Cotati; North Marin Water, Valley of the Moon and Marin Municipal Water Districts; Cal American Water Company-Larkfield; the Town of Windsor and the Sonoma County Water Agency. The Partnership was formed to identify and recommend water use efficiency projects and to maximize the cost-effectiveness of water use efficiency programs in our region.

On November 13, 2015, Governor Edmund G. Brown Jr. issued Executive Order B-36-15 calling for an extension of urban water use restrictions until October 31, 2016. The Partners have collectively reduced water production by 23% from June 1, 2015 through February 29, 2016 compared to a collective water conservation standard of 19%. The Partners will continue to adhere to the State conservation target and all reporting requirements, as directed by the State Water Board.

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 two decades, which ultimately led to NMFS' Biological Opinion, now indicate the need to amend the Decision 1610 minimum flow requirements. The Water Agency 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	

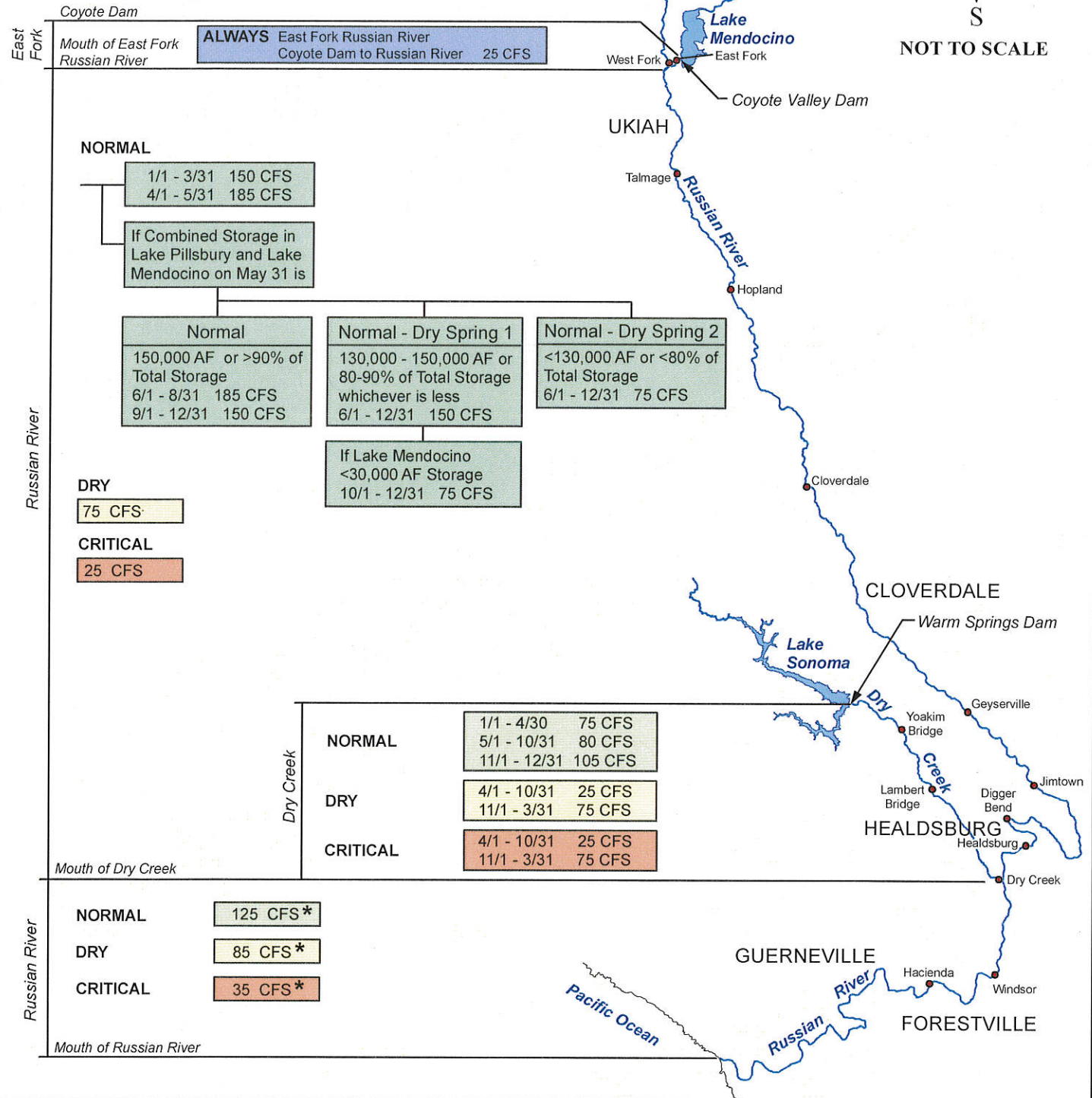
LEGEND

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



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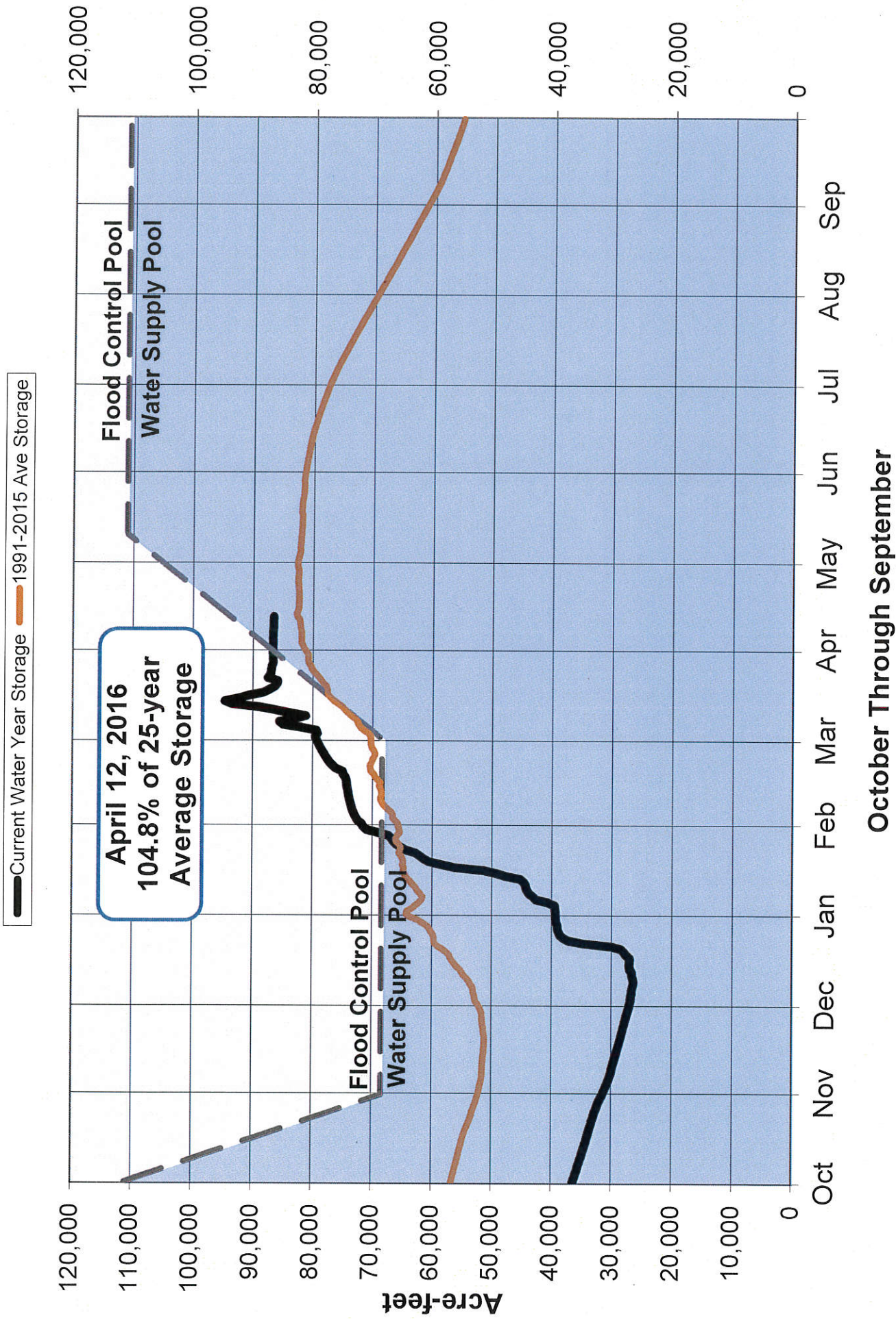


Russian River Basin Streamflow Requirements

Per State Water Resources Control Board Decision 1610, April 1986

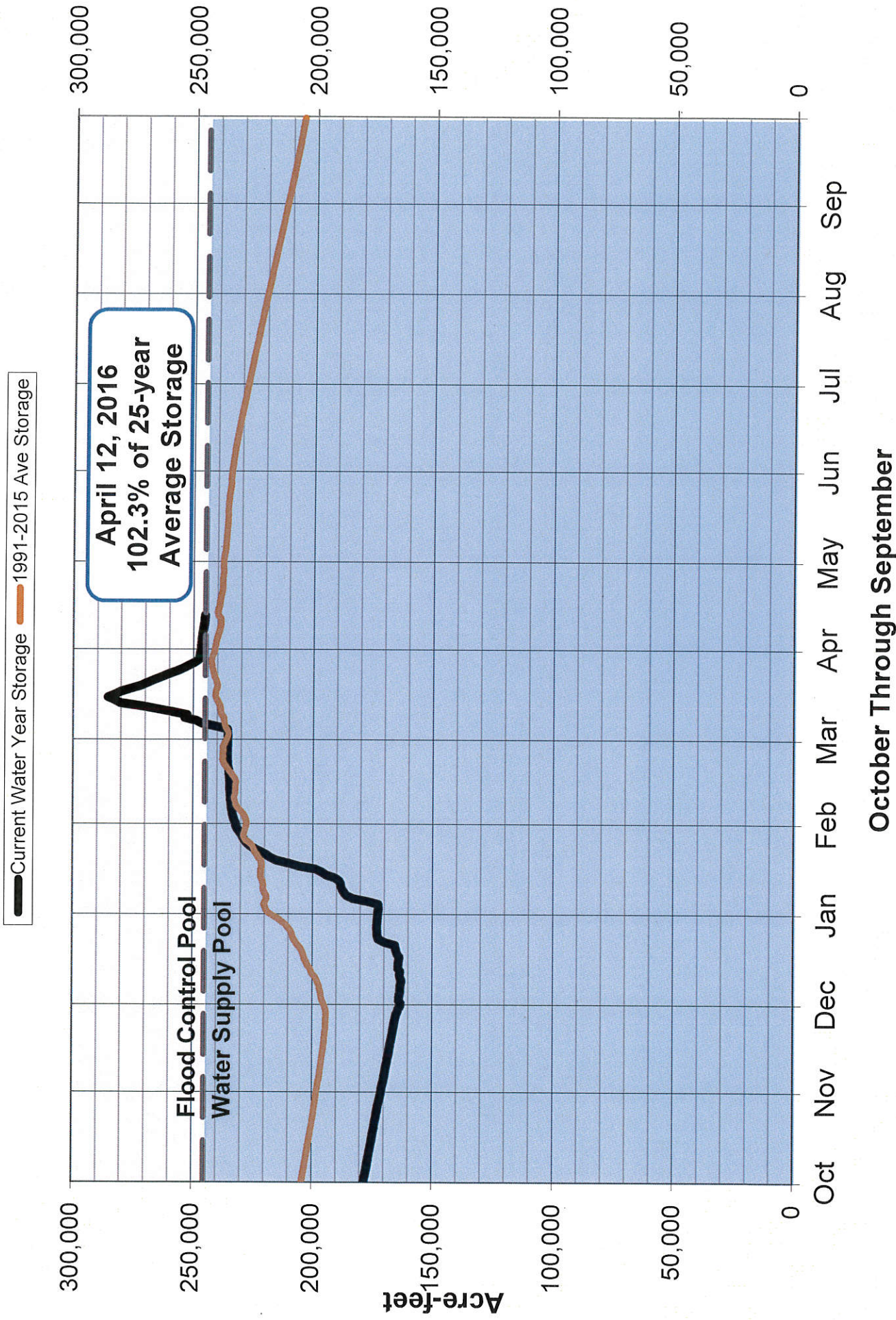
Figure 1

Figure 2 - Lake Mendocino Storage



October Through September

Figure 3 - Lake Sonoma Storage



October Through September

LEGEND

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



NOT TO SCALE

Upper Russian River

Mouth of East Fork Russian River

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

Dry Creek

Water Supply Conditions	NMFS Biological Opinion Proposed Changes				D1610 Requirements	
	Temporary Changes		Permanent Changes		Minimum Streamflow (cfs)	Period
	Minimum Streamflow (cfs)	Period	Minimum Streamflow (cfs)	Period		
Normal	-	-	40	May 1 - Oct 31	80	May 1 - Oct 31

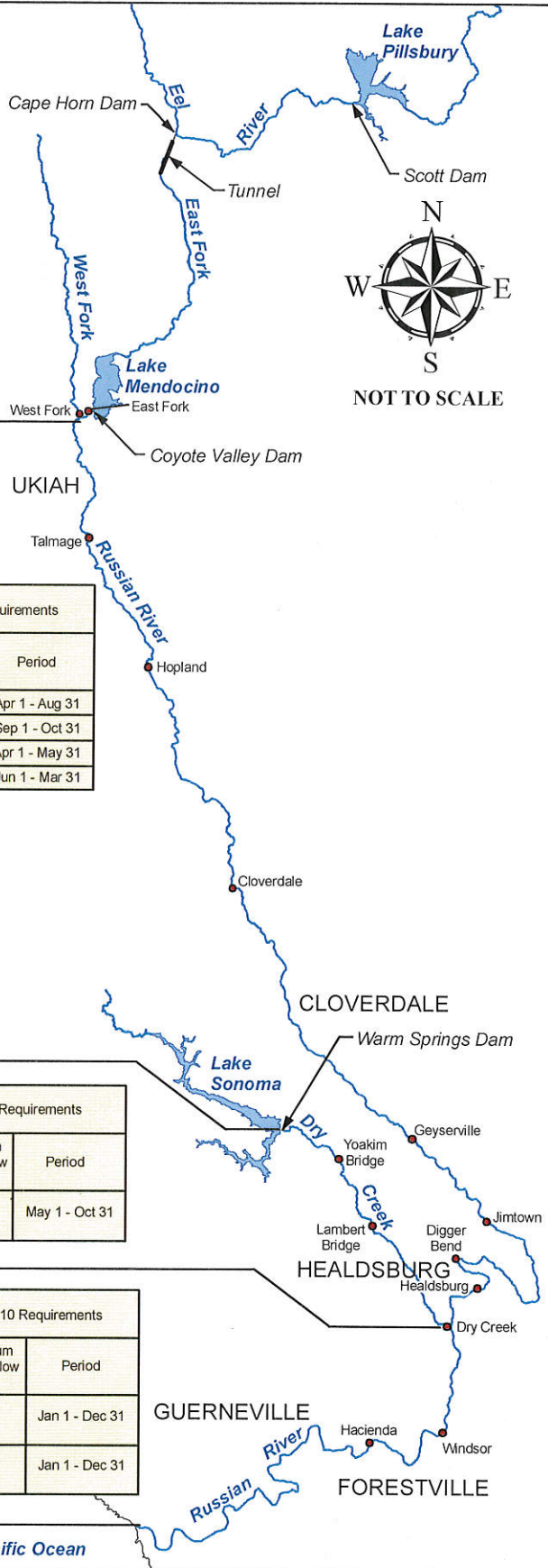
Mouth of Dry Creek

Lower Russian River

Water Supply Conditions	NMFS Biological Opinion Proposed Changes				D1610 Requirements	
	Temporary Changes		Permanent Changes		Minimum Streamflow (cfs)	Period
	Minimum Streamflow (cfs)	Period	Minimum Streamflow (cfs)	Period		
Normal	70	May 1 - Oct 15	70	Jan 1 - Dec 31	125	Jan 1 - Dec 31
Dry	-	-	70	Jan 1 - Dec 31	85	Jan 1 - Dec 31

Mouth of Russian River

Pacific Ocean



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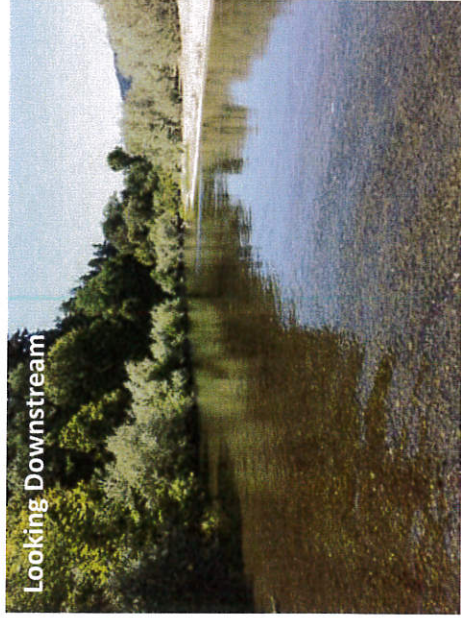


**Russian River Biological Opinion
Proposed Minimum Instream Flow Changes**
Per National Marine Fisheries Service's Biological Opinion Issued September 24, 2008

Figure 4

Sonoma County Water Agency
Photographs in Vicinity of Main Diversion Facilities at
Wohler and Mirabel Park

Russian River Between at Mirabel Park on July 25, 2014



Russian River Watershed



NOTICE OF EXEMPTION

To: X State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

X County Clerk
County of Sonoma
Santa Rosa, CA 95401

X County Clerk
County of Mendocino
Ukiah, CA 95482

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

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): 2016 Temporary Changes to Minimum Instream Flow Requirements

Project Applicant: Sonoma County Water Agency

Project Location: The proposed action is to temporarily change the required minimum instream flows in the Russian River in Mendocino and Sonoma Counties. Figure 1 shows the minimum instream-flow requirements in the water-right permits of the Sonoma County Water Agency (Water Agency) for its Russian River Project that are in effect now and that will remain in effect if the proposed action is not approved. The proposed action is to temporarily change some of these requirements to the "Temporary Changes" shown in Figure 2, for the period from May 1, 2016, through October 27, 2016. Communities and cities along the Russian River include Ukiah, Hopland, Cloverdale, Geyserville, Healdsburg, Windsor, Forestville, Mirabel Park, Rio Nido, Guerneville, Monte Rio, Duncans Mills, and Jenner.

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 District in the Russian River Watershed* (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 and Water Agency in a manner similar to recent historic practices, together with the Water Agency'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 Water Agency controls and coordinates water supply releases from the Coyote Valley Dam and Warm Springs Dam projects in accordance with the minimum flow requirements that Decision 1610, adopted by the State Water Resources Control Board (SWRCB) in 1986, added to the Water Agency's water right permits. NMFS' Russian River Biological Opinion states that changes to the Decision 1610 minimum instream flow requirements will 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

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

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.

As required by the Russian River Biological Opinion, in September 2009 the Water Agency filed a petition with the SWRCB to make permanent changes to the Decision 1610 minimum instream flow requirements. This petition presently is pending before the SWRCB. The SWRCB will not act on this petition until the necessary environmental impact report is prepared and the water-rights issues associated with this petition are resolved.

Until the SWRCB issues an order on this petition, the Water Agency must maintain the minimum instream flows adopted in Decision 1610, with resulting impacts to listed salmonids, unless temporary changes to these requirements are authorized by the SWRCB. To help restore freshwater habitats for listed salmon and steelhead, NMFS' Russian River Biological Opinion requires that the Water Agency 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 the Water Agency's petition for the permanent changes to the Decision 1610 minimum instream flow requirements. The temporary changes include a reduction in the minimum instream flow to 70 cubic feet per second (cfs) in the lower Russian River between May 1 and October 15, with the understanding that, because of the need to maintain an operational buffer above this minimum requirement, the Water Agency typically will maintain a flow of about 85 cfs at this point. Additionally, for the purposes of enhancing steelhead rearing habitat between the East Fork and Hopland, the temporary changes include a reduction in the minimum instream flow to 125 cfs in the upper Russian River between May 1 and October 15.³ NMFS' Russian River Biological Opinion only requires petitions for temporary changes to minimum streamflows on the mainstem Russian River, and not on Dry Creek. This petition therefore does not seek any changes in the Dry Creek minimum-flow requirements adopted in Decision 1610.

Description of Purpose, Nature, and Beneficiaries of Project: To comply with the requirements of the Russian River Biological Opinion, the Water Agency is filing a temporary urgency change petition with the SWRCB that asks the SWRCB to temporarily change the instream flow requirements for the Russian River mainstem that were adopted in Decision 1610 and now are in the Water Agency's water right permits between May 1 and October 27, 2016 to the following: (a) a minimum instream flow requirement of 125 cfs in the upper Russian River (upstream of the confluence with Dry Creek and downstream of the confluence of the East and West Forks), measured as a 5-day running average of average daily streamflow measurements with a provision that instantaneous flows will not be less than 110cfs. and (b) 70 cfs in the lower Russian River (downstream of its confluence with Dry Creek), measured as a 5-day running average of average daily streamflow measurements with a provision that instantaneous flows will not be less than 60 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 27, 2016. 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. Under the proposed temporary change, the minimum flow requirements during the period of the temporary change could be as low as 110cfs in the upper Russian River and 60 cfs in the lower Russian River. No temporary change in the Dry Creek minimum flow requirements is required by the Biological Opinion or proposed and the minimum flow requirement in Dry Creek will remain at 80 cfs during the temporary change period. The proposed temporary changes in Russian River 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, the Water Agency will also monitor water quality and fish, and collect and report information and data related to monitoring activities, as required by NMFS' Russian River Biological Opinion. This information will assist with the study and development of required future permanent minimum instream flow changes.

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.

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)) _____
- Categorical Exemption. State type and section number:**
 - State CEQA Guidelines 15307: Actions by Regulatory Agencies for Protection of Natural Resources _____
 - State CEQA Guidelines 15308: Actions by Regulatory Agencies for Protection of the Environment _____
 - State CEQA Guidelines 15301(i): Existing Facilities _____
- Statutory Exemptions. State code number: _____

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

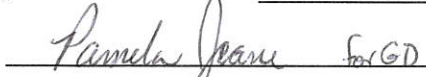
A. Actions by Regulatory Agencies for Protection of Natural Resources and the Environment

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' Russian River Biological Opinion states that these changes are necessary to avoid jeopardizing the continued existence of the listed species.⁴

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. The Water Agency's petition to the SWRCB to change to the instream flow requirements specified in the Russian River Biological Opinion does not request and will not expand Water Agency use or increase the water supply available to the Water Agency 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.

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

Signature:  Date: 04/13/2016 Title: General Manager

Lead Agency Applicant

Date Received for filing at OPR: _____

⁴ 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.

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	

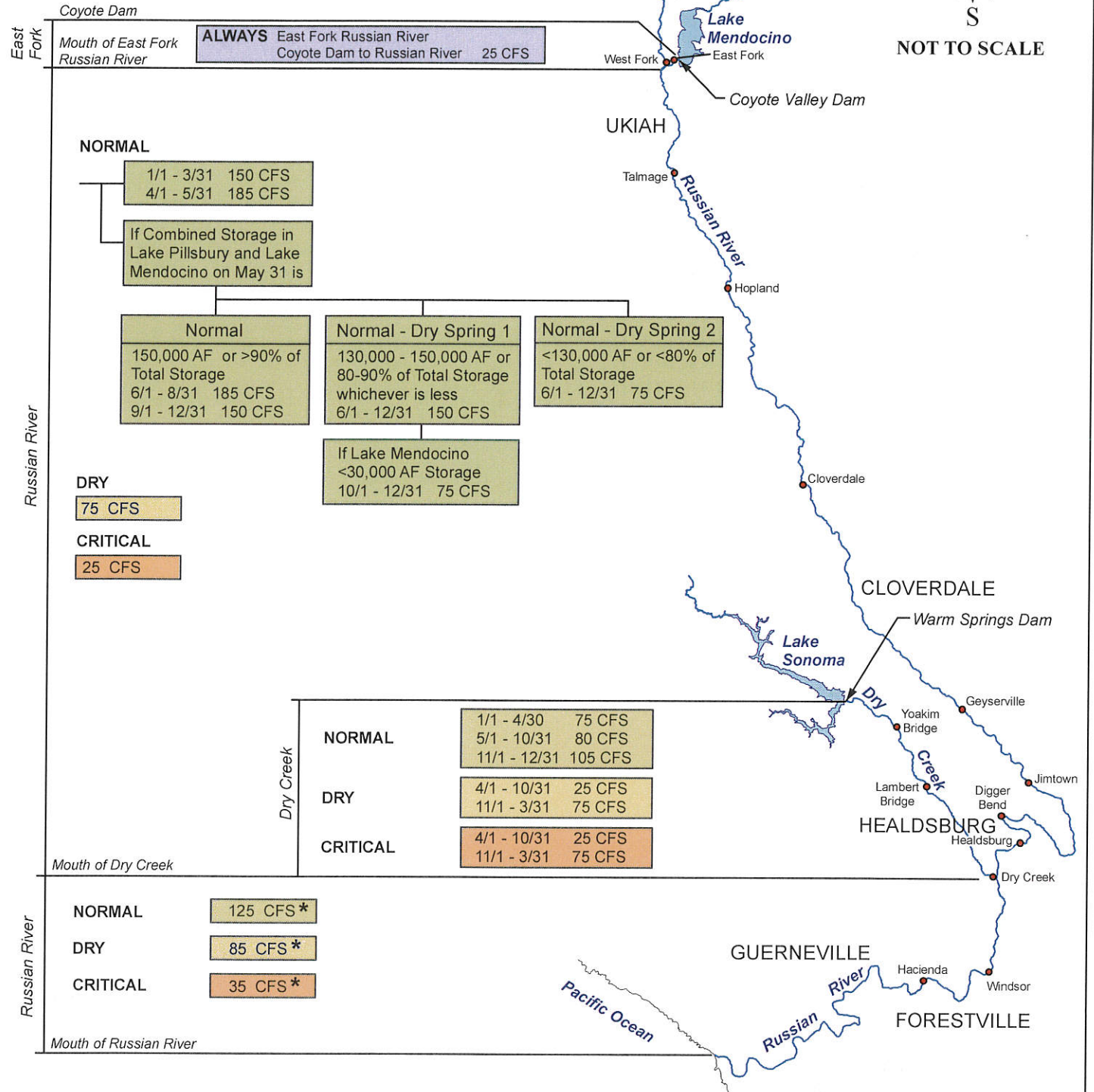
LEGEND

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



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Russian River Basin Streamflow Requirements

Per State Water Resources Control Board Decision 1610, April 1986

Figure 1

LEGEND

AF - Acre-Feet

● - USGS Stream Gage Compliance Points



Upper Russian River

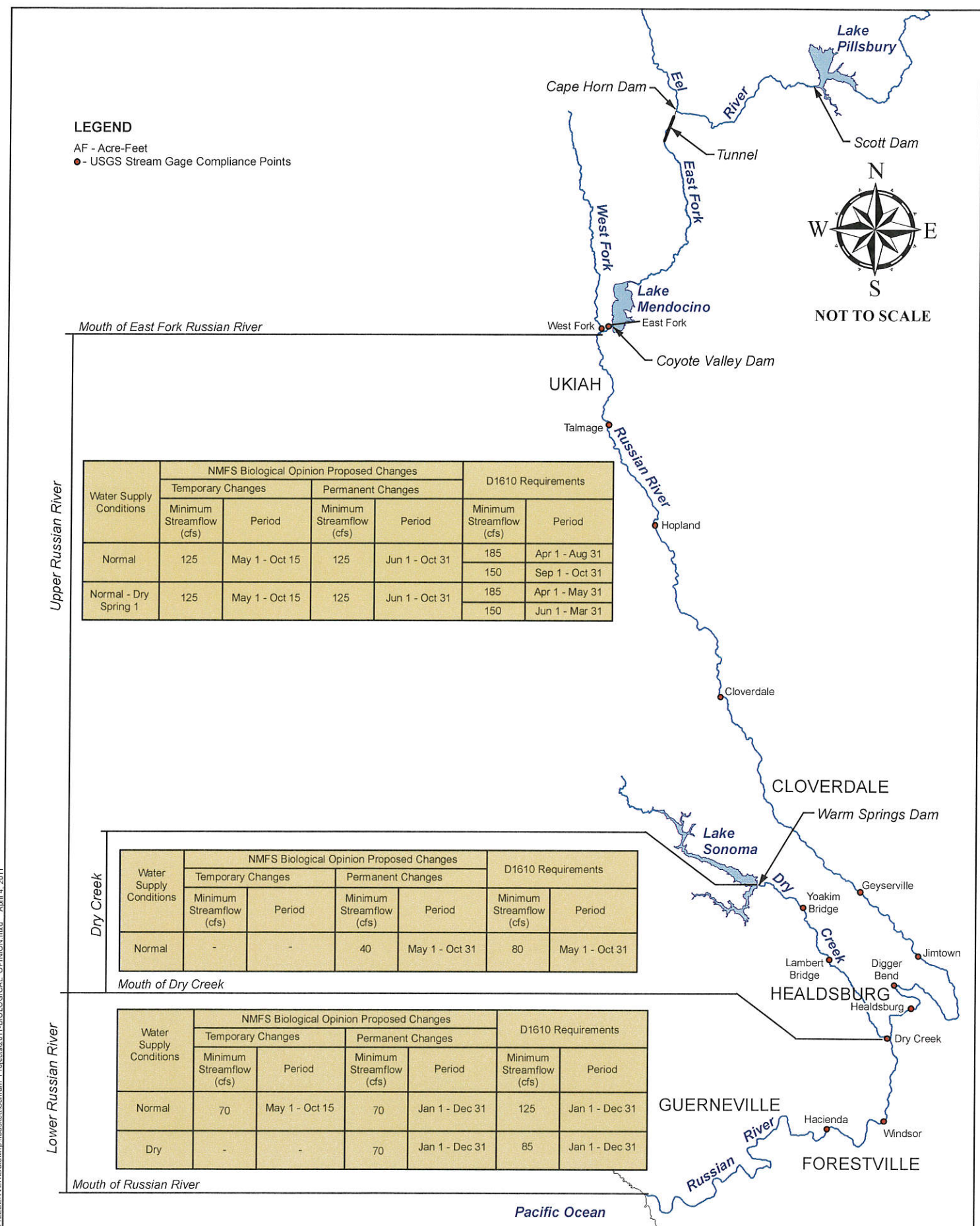
Water Supply Conditions	NMFS Biological Opinion Proposed Changes				D1610 Requirements	
	Temporary Changes		Permanent Changes		Minimum Streamflow (cfs)	Period
	Minimum Streamflow (cfs)	Period	Minimum Streamflow (cfs)	Period		
Normal	125	May 1 - Oct 15	125	Jun 1 - Oct 31	185	Apr 1 - Aug 31
					150	Sep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

Dry Creek

Water Supply Conditions	NMFS Biological Opinion Proposed Changes				D1610 Requirements	
	Temporary Changes		Permanent Changes		Minimum Streamflow (cfs)	Period
	Minimum Streamflow (cfs)	Period	Minimum Streamflow (cfs)	Period		
Normal	-	-	40	May 1 - Oct 31	80	May 1 - Oct 31

Lower Russian River

Water Supply Conditions	NMFS Biological Opinion Proposed Changes				D1610 Requirements	
	Temporary Changes		Permanent Changes		Minimum Streamflow (cfs)	Period
	Minimum Streamflow (cfs)	Period	Minimum Streamflow (cfs)	Period		
Normal	70	May 1 - Oct 15	70	Jan 1 - Dec 31	125	Jan 1 - Dec 31
Dry	-	-	70	Jan 1 - Dec 31	85	Jan 1 - Dec 31



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

Figure 2