

## NOTICE OF EXEMPTION

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

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

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

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

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

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

**Project Location – City:** N/A

**Project Location – County:** Mendocino and Sonoma

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

Sonoma Water is filing temporary urgency change petitions (TUCPs) requesting that storage thresholds in Lake Mendocino be used as the hydrologic index to determine the water supply condition in the Russian River watershed. An urgent need exists to implement the proposed changes due to the drastic reduction of potential Eel River water imports through Pacific Gas and Electric's (PG&E) Potter Valley Hydroelectric Project (PVP). Without the proposed changes, the applicable minimum instream flow requirements may require releases of water from Lake Mendocino and Lake Sonoma at levels that would risk significant depletions of storage levels. Such depletions could cause serious impacts to human health and welfare and reduce water supplies needed for protection of listed salmon species in the Russian River. These changes are necessary to ensure that the water supply condition and corresponding minimum instream flow requirements in the Russian River watershed are aligned with actual watershed hydrologic conditions. This is essential to maintain sustainable reservoir/river operations to protect municipal water supply and listed salmon species in the Russian River.

In Sonoma Water's water right permits' terms established under State Water Board's Decision 1610, the water supply condition for the Russian River is determined using cumulative inflow into Lake Pillsbury as the hydrologic index. Lake Pillsbury is a storage reservoir located in the Eel River watershed for PG&E's PVP, which transfers water into the East Fork of the Russian River (East Fork).

Since 2021, a transformer bank failure at the PVP powerhouse has resulted in significant reductions in Eel River transfers into the Russian River. This failure caused PVP hydropower generation to cease and with it all associated discretionary transfers of Eel River water to the East Fork. With the plans to surrender the license and decommission the project, PG&E announced in March 2023 that the transformer would not be replaced, permanently ending hydropower operations.

With hydropower operations no longer occurring at the project, PG&E has stated that discretionary transfers beyond its FERC license and contract obligations will not be made. As a result of the project no longer generating hydropower, discretionary transfers of Eel River water to the East Fork have been reduced by up to 456 acre-feet per day<sup>1</sup>.

Additionally, on July 31, 2023, PG&E submitted a long-term flow regime request to modify flow requirements under current Federal Energy Regulatory Commission (FERC) license. To reduce the potential seismic risk at Lake Pillsbury's Scott Dam, PG&E made the decision to keep the spillway gates open atop Scott Dam indefinitely, reducing the water storage capacity in Lake Pillsbury by approximately 20,000 acre-feet. Consequently, PG&E claims that Lake Pillsbury can no longer sustain normal operations under the current license terms. PG&E proposed a reduction in the minimum release flow requirements for the East Fork flows starting in 2024 until project decommissioning is complete. The long-term flow regime request is still under review by FERC. On January 30, 2025, as part of this process, PG&E submitted a Non-Capacity License Amendment application as requested by FERC.

While the license amendment request is under FERC review, PG&E will continue with annual requests for a temporary variance of flow requirements due to the seismic risk at Scott Dam and its decision to no longer close the spillway gates. On August 4, 2025, FERC issued an order approving PG&E's February 14, 2025 variance request. FERC approved changes to the minimum release flows in the Eel River and the East Fork that included: (1) a reduction in minimum release flow requirements for the Eel River below Scott Dam to the critical water year classification requirement of 20 cfs; (2) a reduction in minimum release flow requirements for the East Fork immediately from 75 cfs to 25 cfs and an authorized reduction to 5 cfs if water temperatures of Lake Pillsbury releases exceeded 15 degrees Celsius; (3) the minimum release flow requirement for the East Fork to increase on September 30<sup>th</sup> to 25 cfs and remain there while the FERC order is in effect. Post September 30<sup>th</sup>, reductions to the East Fork may be implemented if PG&E forecasts storage in Lake Pillsbury to drop below 12,000 acre-feet. The order will terminate upon storage in Lake Pillsbury exceeding 36,000 acre-feet after October 1.

Without the proposed changes to Sonoma Water's water rights permits, actual water supply conditions in the Russian River may be misaligned with the designated water supply condition based on the Lake Pillsbury cumulative inflow hydrologic index. As described above, multiple changes to the PVP operations have reduced and could further reduce the transfers of Eel River water into the Russian River. The historical link between the two watersheds on which Decision 1610 is based is no longer applicable. The hydrologic index of Decision 1610 is no longer a reliable metric for Russian River water supply conditions without the historical large inter-basin transfer and will not function as intended. While the Lake Pillsbury watershed on the Upper Eel River and the Upper Russian River are adjacent basins, the hydrologic conditions can be quite different. For example, in water year 2021, Lake Mendocino experienced the second driest year on record for the Ukiah Valley (period of record: 128 years), unequivocally a 'Critical' condition. However, based on the cumulative inflow to Lake Pillsbury, water supply conditions in the Russian River were classified as 'Normal' on January 1, 2021, and 'Dry' on February 1, which remained the designated water supply condition for the rest of the calendar year.

Over a month, the difference between water needed for a 'Normal' water supply condition and a 'Dry' condition to maintain instream flow requirements is almost 4,500 ac-ft under the winter minimum instream flow requirements of Decision 1610. Under spring and summer requirements, it amounts to over 6,500 ac-ft. Year-round, the additional amount of water needed between a 'Dry' water supply condition and a 'Critical' condition to maintain instream flow requirements is nearly 3,000 ac-ft over a month. During a period of drought, not properly assessing

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

the water supply condition could lead to significantly more depletion of storage than intended under such conditions. Such was the case that occurred during the 2020-2022 drought when the D1610 hydrologic index if followed would have resulted in an additional 25,785 ac-ft of storage release prior to the reservoir reaching its seasonal low point of 12,864 ac-ft on October 23, 2021.

Under the current Decision 1610 hydrologic index, the applicable minimum instream flow requirements may require releases of water from Lake Mendocino and Lake Sonoma at unsustainable levels if the Russian River watershed experiences significantly less rainfall than the Lake Pillsbury watershed. Given the changes to PVP operations, the influence of the Eel River water imports on downstream hydrologic conditions in the Russian River is greatly diminished. Therefore, cumulative inflow into Lake Pillsbury is no longer an appropriate metric to assess the hydrologic conditions in the Russian River watershed. Continuing to use this metric to determine the hydrologic water supply condition and therefore minimum instream flow requirements in the Russian River watershed would risk substantial depletions of storage levels that could cause significant impacts to human health and welfare and reduce water supplies needed for fishery protection.

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

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

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

**Exempt Status (check one):**

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

**Reasons why project is exempt:** The project is statutorily exempt under California Environmental Quality Act (CEQA) Statute 21080(b)(4) and categorically exempt from CEQA under the State CEQA Guidelines Sections 15269(c), 15307 and 15308.

*A. Actions to Prevent or Mitigate an Emergency*

California Public Resources Code, Division 13, Section 21080(b)(4) provides that specific actions necessary to prevent or mitigate an emergency are exempt from CEQA. The emergency conditions are due to an urgent need to implement the proposed changes as a result of the drastic reduction of potential Eel River water imports through the PVP resulting from the inoperability of the powerhouse for the foreseeable future and PG&E's decision to keep the spillway gates open atop Scott Dam indefinitely. The consequences of revised operations at Lake Pillsbury led to PG&E's filing for a long-term flow regime request to modify flow requirements. The volume of Eel River water that can be transferred to the Russian River is no longer correlated to cumulative inflow into Lake Pillsbury. An evaluation of the hydrologic condition in the Russian River is more appropriately established by conditions in its watershed. Without the proposed changes, the applicable minimum instream flow requirements may require releases of water from Lake Mendocino and Lake Sonoma at levels that would risk significant depletions of storage levels. Such depletions in storage could cause serious impacts to human health and welfare and reduce water supplies needed for fishery protection. The required change is urgent and cannot be accomplished within the timeframe required for completion of the Environmental Impact Report (already in process) that evaluates broader proposed changes to Decision 1610.

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

CEQA Guidelines Sections 15307 and 15308 provide that actions taken by regulatory agencies to assure the maintenance, restoration or enhancement of a natural resource and the environment are categorically exempt. Sonoma Water is proposing temporary urgency changes to its water right Permits 12947A, 12949, 12950, and 16596 that the State Water Resources Control Board, as the regulatory agency, will consider and potentially approve. Those changes are necessary to ensure an accurate evaluation of water supply conditions that would maintain viable operations to support municipal use, protect listed salmon species, address water supply conditions at Lake Mendocino and Lake Sonoma, and best prevent Lake Mendocino from declining to a storage level at which the reservoir may no longer be functional. Approval of the TUCPs would provide alternative storage thresholds and criteria for determining minimum instream flow requirements for the Russian River that would be based on a more accurate assessment of water supply conditions in the Russian River watershed. This would result in minimum instream flow requirements that could more likely be sustained with releases from Lake Mendocino and Lake Sonoma without the risk of severely depleting storage and exacerbating a water shortage condition and harming natural resources and the environment.

**Lead Agency Contact Person:** Connie Barton

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

 *for* General Manager October 3, 2025  
Signature Title Date

Signed by Lead Agency

Signed by Applicant

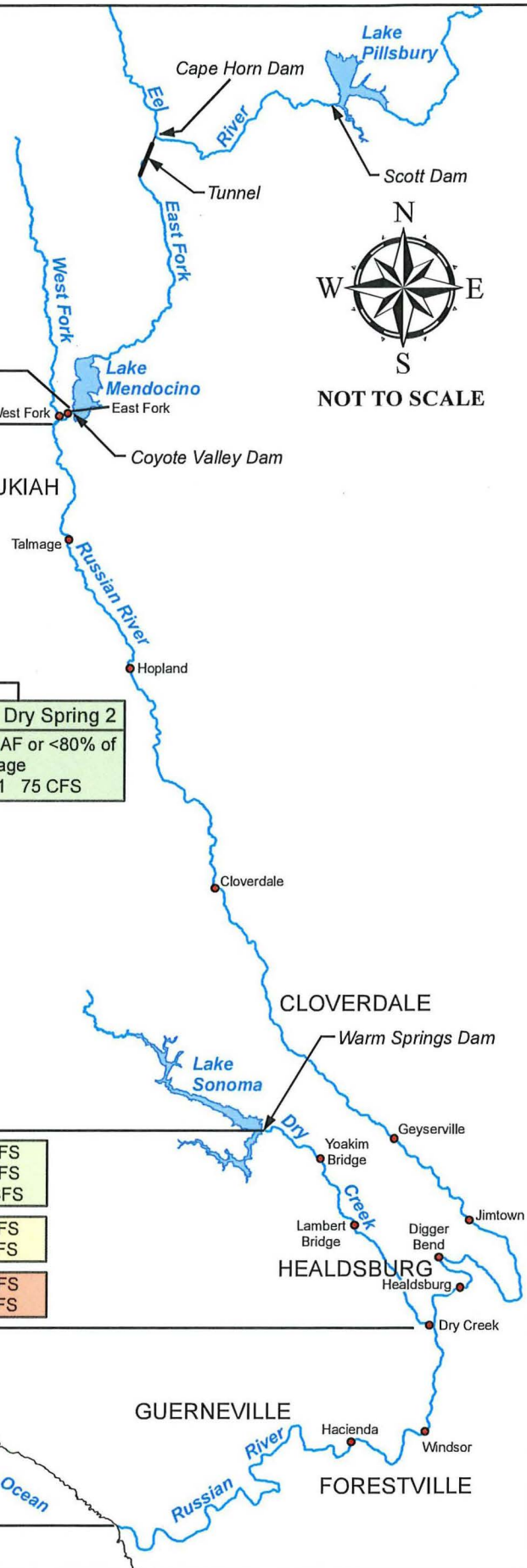
Date received for filing at OPR: \_\_\_\_\_

**Cumulative inflow to Lake Pillsbury (acre-feet) from Oct 1 through**

	1/1	2/1	3/1	4/1	5/1	6/1	Water Supply Conditions Prevailing on 6/1 Apply Through 12/31
<b>NORMAL</b>	≥8,000	≥39,200	≥65,700	≥114,500	≥145,600	≥160,000	
<b>DRY</b>	<8,000	<39,200	<65,700	<114,500	<145,600	<160,000	
<b>CRITICAL</b>	<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 Russian River	Coyote Dam	<b>ALWAYS</b> 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

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

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

Mouth of Dry Creek

<b>NORMAL</b>	125 CFS *
<b>DRY</b>	85 CFS *
<b>CRITICAL</b>	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