

*Mendocino County Russian River Flood Control  
& Water Conservation Improvement District*

**STAFF REPORT**

To: Board of Trustees  
From: E. Salomone, General Manager  
Meeting: Monday, June 7, 2021  
RE: Agenda Item 6: Water Supply Conditions Update & District Response

---

**The Strategic Plan** relevant priorities are: (a) **Secure** (b) **Use** (c) **Advocate** & (d) **Administer** water resources in alignment with the District's Mission Statement to proactively manage the water resources of the upper Russian River for the benefit of the people and environment of Mendocino County.

**Water Supply Conditions**

Lake Mendocino storage level is 34,758 acre feet as of June 3, 2021. Levels continue to drop and will throughout the summer season. Operators, regulators, and stakeholders continue to monitor conditions closely, paying particular focus on concerns for water quality, storage target, and environmental impacts.

Sonoma Water Agency submitted a Temporary Urgency Change Petition to the State Water Resources Control Board (SWRCB) that, if approved, would supersede the current one and expand to include the lower Russian River. Terms include a continued minimum instream flow requirement of 25 cfs in the Upper Russian River, a reduction from 85 to 35 cfs in the Lower Russian River, and a five day moving average of minimum instream flow measurements. The **attached** support letter was submitted by the District to SWRCB. No response has yet been received by the SWRCB.

**Lake Pillsbury Reservoir and Potter Valley Project Diversions**

In addition to rainfall and runoff, a major contribution to the water storage in Lake Mendocino is the water diverted from the Lake Pillsbury reservoir and Eel River through the Potter Valley Project. Due to drought conditions and operating restrictions in the Eel River watershed, Lake Pillsbury storage levels are less than 60% of capacity and in a steady decline. PG&E filed a Drought Flow Variance Due to Limited Water Availability with the Federal Energy Regulatory Commission (FERC.) FERC issued an Order Modifying and Approving Temporary Variance of Flow Requirements Under License Article 52 approving reductions in releases to the East Fork Russian River from 25 cfs to 5 cfs and with no affects in the Eel River, noting avoidance of impacts to aquatic resources and species listed under the Endangered Species Act. East Branch Russian River water allocations curtail irrigation by 50% and aquatic habitat releases by 80%. It is uncertain how much, if any, of the East Fork flow will reach Lake Mendocino in the coming months, equating to approximately 5,000 acre feet less than expected. The variance was granted for a limited period, only through June 21, 2021, to allow a 30 day public review and comment period. The District Board directed GM Salomone and IWPC representatives Trustee Reardan and Treasurer Froneberger to submit a comment letter by the deadline.

(Continued...)

### **State Water Resources Control Board Response**

The State Water Resources Control Board (SWRCB) has convened a stakeholder group to coordinate current conditions. The Russian River Drought Response Group includes right holders, water use representatives, and regulatory agencies to disseminate and discuss current conditions, projections, coordinated responses, and SWRCB regulatory actions. A Steering Committee of the group meets weekly to identify agenda topics, etc. Originally, focus included developing a Drought Agreement and while there is still interest and effort in that direction, conditions in 2021 are too extreme and dire to entertain voluntary reductions.

The SWRCB issued Notices of Water Unavailability and the **attached** press release in May. The notice explains “information indicates by June 1<sup>st</sup> water will not be available for all post -1914 appropriative water rights nor sufficient to fulfill riparian and pre-1914 claims.” Right holders must complete a Water Unavailability Certification Form and there are potential exceptions to the notices such as human health and safety and diversion of stored water from a reservoir. All right holders are encouraged to subscribe to receive email updates and SWRCB staff is developing an informational webinar for all water right holders to be held in early June. Emergency Regulations are being developed that may result in curtailment orders, which act as a reinforcement to the Notices and can extend to formally curtail riparian, pre-1914, and Project Water rights. SWRCB has also launched a resources website:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/](https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/)

### **Outreach**

The District contracted with Mendocino County Resource Conservation District to conduct public outreach and initiate the 2021 Drought Preparedness Campaign. The County of Mendocino and the California Department of Water Resources have dedicated funding for the Campaign beginning in July, when the District’s contract ends. The Campaign has been recognized and supported by Sonoma Water Agency, Sonoma-Marín Water Saving Partnership, Russian River Watershed Association, the Mendocino County Board of Supervisors, the State Water Resources Control Board, and Department of Water Resources.

### **Regional Response:**

For summary of regional responses, see **attached** Russian River Watershed 2021 Drought Declarations and Water Saving Actions prepared by the Resource Conservation District.

### **Attachments:**

- District TUCP support letter to State Water Resources Control Board
- State Water Resources Control Board Press Release dated May 26, 2021
- Russian River Watershed 2021 Drought Declarations and Water Saving Actions

***Mendocino County***

***Russian River Flood Control & Water Conservation Improvement District***

*151 Laws Avenue Suite D, Ukiah, CA 95482 707.462.5278 Website: RRFC.net [DistrictManager@rrfc.net](mailto:DistrictManager@rrfc.net)*

May 28, 2021

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

Dear Mr. Ekdahl,

**RE: Support for Temporary Urgency Change filed May 13, 2021  
for Permits 12947A, 12949, 12959, and 16596**

The Mendocino County Russian River Flood Control and Water Conservation Improvement District (Mendocino District) urges the State Water Resources Control Board (Water Board) to immediately approve Sonoma Water's Petition for Temporary Urgency Change (TUCP.) The Water Board staff has been extremely active with stakeholders in the Russian River watershed and is well aware of the dire water supply situation.

The Mendocino District has conducted extensive outreach to District customers, which includes a majority of water right holders in the District, as well as regional partners, media, and the general public. The Statements of Water Unavailability have now been issued by the Water Board and Emergency Regulations are expected. Unfortunately, the timing of these actions has allowed for continued diversion under water rights junior to those of the Mendocino District when forecasts and projections have shown insufficient water supplies to meet their demand. While the Mendocino District appreciates the careful data analysis and preparation for these restrictive actions, further delay in restricting river diversions that infringe upon the rights to stored water in Lake Mendocino and Lake Sonoma must be avoided.

The Mendocino District and Sonoma Water have continued to work closely on water resource management issues of the Upper Russian River. The Mendocino District strongly supports mandatory cooperation of authorized diversion scheduling and frequent reporting to reservoir operators for the most efficient use of the remaining stored water in Lake Mendocino.

The District thanks you for your consideration of these comments and our ardent appeal to approve it.

Yours Sincerely,



Elizabeth Salomone  
General Manager



Jeanne Zolezzi  
General Counsel

**CC:**

*Mendocino County Board of Supervisors & CEO Carmel Angelo  
Sonoma County Water Agency Board of Directors & GM Grant Davis  
Mendocino County Inland Water and Power Commission  
Upper Russian River Water Agency & City of Ukiah  
The Honorable Mike McGuire, Senator  
The Honorable Jim Wood, Assembly*

**President**  
Christopher Watt

**Vice President**  
Alfred White

**Treasurer**  
Matthew Froneberger

**Trustee**  
Tyler Rodrigue

**Trustee**  
John Reardan



# Media Release

## **Extremely dry conditions prompt restrictions for some water right holders on the Russian River**

***Low flows are a threat to drinking water supplies, endangered fish***

**May 26, 2021**

**Contact:** Ailene Voisin  
Ailene.Voisin@waterboards.ca.gov

**SACRAMENTO** – With drought conditions resulting in low flows in the Russian River and historically low water storage levels at Lake Mendocino, the State Water Resources Control Board today notified 930 junior water rights holders in the Upper Russian River basin that there is not enough water in the system and that diversions must be reduced immediately to safeguard the community’s drinking water availability later this year and next year.

“Unless we immediately reduce diversions, there is a real risk of Lake Mendocino emptying by the end of this year,” warned Erik Ekdahl, deputy director for the State Water Board’s Division of Water Rights. “We need to implement the water rights system to protect supplies in case of another dry winter, which could transform the Russian River into a series of disconnected pools and restrict the availability of drinking water in the area.”

The state is responding aggressively to unprecedented dry conditions throughout the state, including the Russian River watershed. As of April 30, Lake Mendocino was at 43% of water supply capacity and Lake Sonoma was at 62% of water supply capacity, the lowest on record for this date. Rainfall in Santa Rosa and Ukiah in 2021 is less than 40 percent of long-term averages. This follows a dry year in 2020, which was then the third driest on record.

In April, Mendocino and Sonoma were the first counties Governor Gavin Newsom declared a regional drought emergency for, which now encompasses 41 counties. Today’s letters from the State Water Board tell water users in the Russian River watershed to reduce diversions before more regulatory curtailments authorized under the emergency proclamation occur to protect drinking water availability later this year and next year.

The Russian River watershed spans Sonoma and Mendocino Counties. Water stored in Lake Mendocino, a reservoir north of Ukiah, is released downstream to maintain flows in the Upper Russian River. This supplemental water protects multiple endangered fish



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

STATE WATER RESOURCES CONTROL BOARD

1001 I Street, Sacramento, CA 95814 • Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 • [www.waterboards.ca.gov](http://www.waterboards.ca.gov)



species and supports a variety of municipal and agricultural uses. During dry conditions, water stored in the lake accounts for nearly all the water in the river. As drought persists, unchecked diversions by junior water right holders will require additional releases of stored water and risk draining the lake completely, resulting in loss of drinking water for those that rely on the lake releases.

Under California law, a water right holder can use surface water for beneficial purposes such as agriculture, municipal supply, recreation, and protection and enhancement of the environment. The age and type of right, be it appropriative or riparian, generally informs how restrictions apply when responding to drought conditions. In times of shortage, those with more junior rights may be required to stop diverting from rivers and streams before restrictions are imposed on more senior water right holders.

Today's notice was distributed to all post-1914 appropriative water right holders in the Upper Russian River watershed, notifying them of insufficient supply for water rights with a priority date of 1949 and younger, and that by June 1, there will be insufficient supply for all post-1914 appropriative rights. Those who continue diverting can be subject to enforcement actions, including fines up to \$1,000 per day.

The notices sent today are likely to remain in effect until winter rains restore flows. Given that it is still early in the dry season, conditions are likely to worsen and additional actions may be needed. The board encouraged diverters to collaborate with communities to adapt to water shortages, conserve water, prevent impacts to other legal right users, and benefit fish and wildlife.

State Water Board staff will closely monitor conditions and update junior right holders if flows improve and water becomes available.

With historic drought conditions advancing rapidly -- compounded by the impacts still being felt from the 2012-2016 drought -- the state is moving urgently to address acute water supply shortfalls while comprehensively building our water resilience as drought conditions persist, potentially into a third year. The board website contains further information about the [notices of unavailability](#) and [drought conditions](#).

*The State Water Board's mission is to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use for current and future generations.*

## **Russian River Watershed 2021 Drought Declarations and Water Saving Actions**

As of June 3, 2021

Prepared by the 2021 Drought Awareness Campaign

### Governor Gavin Newsom

April 21: State of Emergency Proclamation

Drought conditions in Russian River watershed – Sonoma and Mendocino counties

Orders state agencies to:

- a. Partner with local districts and utilities
- b. Promote the Save Our Water campaign
- c. Coordinate with partners to respond to water shortages
- d. Partner with Native American tribes to respond to drought conditions
- e. Support water suppliers to submit and post water shortage contingency plans

### State Water Resources Control Board

- a. Russian River Drought Response Group initiated – April 7
- b. Example warning letter – May 25
- c. Example Notice of Unavailability – May 25
- d. Issuance of Notice of Unavailability letters to right holders – May 25
- e. May 26 press release “Extremely dry conditions....on the Russian River”
- f. Scheduling a water right holder webinar for early June on curtailments
- g. Emergency Regulations to State Water Board for approval – June 15
- h. Implementation of Emergency Regulations if approved – July 1

### Mendocino County Board of Supervisors

- a. Water Workshop – April 12
- b. Drought Emergency & Imminent Threat of Disaster Resolution– April 20
- c. Call for 20% water use reduction countywide regardless of water source
- d. Established Drought Ad Hoc – April 20
- e. Countywide Drought Task Force Meeting – June 10

### Sonoma County Board of Supervisors

- a. Proclamation of Local Emergency Due to Drought Conditions in the Sonoma County Operational Area – April 23
- b. Call for 20% water use reduction countywide regardless of water source
- c. Drought Town Hall – June 3

### Sonoma Water

- a. May 13, 2021: Temporary Urgency Change Petition submitted
- b. Commitment to 20% reduction in Russian River diversions

### Russian River Flood Control District

- a. Declaration #21-03 (May 17, 2021) Declaring a Water Shortage Emergency
- b. Requesting customers to implement drought contingency measures.
- c. No surplus water is available for Redwood Valley County Water District
- d. District will work with others to secure public health and safety supplies.
- e. All customers on mandatory demand management program and reduced water allocations.

Calpella County Water District

Website statement: “Water theft is a crime. Report it.”

Hopland Public Utilities District

Website statement: WE ARE EXPERIENCING ONE OF THE DRIEST YEARS ON RECORD, PLEASE CONSERVE WATER!!

June 10, 2021 – Declaration of Emergency Water Shortage

Millview County Water District

May 17, 2021 – Declaration of Emergency Water Shortage

Redwood Valley County Water District

May 4, 2021 – Declaration of Water Shortage Emergency

Agriculture customers will receive no more water as of May 1.

Residential customers limited to 55 gpd/person?

River Estates Mutual Water Company

Website statement: WE ARE EXPERIENCING ONE OF THE DRIEST YEARS ON RECORD, PLEASE CONSERVE WATER!!

Rogina Water Company

Minimal outdoor water usage is allowed as of May 7, 2021.

Water Conservation tab on website

Water Conservation and Rationing Plan

Ukiah, City of

May 16, 2021, joint press release on Water Resiliency Task Force

Website: Water Utility Tab

Recycled Water and Wastewater Tab

Storm Water Tab

Willow County Water District

May 17, 2021 – Declaration of Emergency Water Shortage