

August 2014

**Attachment 1 to Sonoma County Water Agency
Temporary Urgency Change Petition**

Background

As discussed in section 5.0 of the *Supplement to the August 2014 Temporary Urgency Change Petition*, under the normal operating protocols the Sonoma County Water Agency (Water Agency) releases water from storage in Lake Mendocino to support demands and to maintain minimum instream flows for the Upper Russian River down to its confluence with Dry Creek. Because of these operating protocols, mandatory reductions in diversions of water from the Upper Russian River would be complementary to the changes in minimum instream flow requirements that are requested in the Water Agency's Temporary Urgency Change Petition (TUCP). As shown in Figure 5 to that Supplement, 20 percent reductions in diversions from the Upper Russian River during August through October, compared to 2013 diversions during those months, would result in December 1 Lake Mendocino storage being approximately 5,000 acre-feet higher than the level that would occur without such reductions in diversions.

Mendocino District TUCP

For this reason, the Water Agency is coordinating the filing of its TUCP with the filing of a separate TUCP by the Mendocino County Russian River Flood Control and Water Conservation Improvement District (Mendocino District) for its water right Permit 12947B (Application 12919B). The Water Agency has asked that the Mendocino District's TUCP ask the State Water Board to add the following terms to Permit 12947B during the term of the order on the Mendocino District's TUCP:

1. Provisions for Real Time Forecasts of Diversions.

District is currently implementing real time metering of customer diversions. Although the District currently does not have the ability to forecast all diversions by its customers in real time, the District shall work with its customers to develop a real-time forecasting plan that will assist SCWA in managing releases of water from Lake Mendocino storage to meet minimum instream flow requirements with as small of an operational buffer as possible while the SWRCB's orders on the District's and SCWA's TUCP's are in effect.

To develop this plan, the District shall hold a meeting of all of its customers within 7 days after the date of the SWRCB's approval of the District's TUCP, and using the input from its customers that the District receives during this meeting, the District shall prepare a plan for providing real time one-day and three-day forward forecasts of its customers' diversions to SCWA. The goal of this plan shall be to provide these forecasts of all diversions from the Russian River or its underflow by District customers with at least three-fourths of the total amount of water that is subject to District contracts.

The District shall file this plan with the SWRCB, and submit a copy of this plan to SCWA, within 14 days of the date of the SWRCB's approval of the District's TUCP. The District shall begin to

implement this plan immediately after the District files it with the SWRCB. The District shall continue to implement this plan while the SWRCB's order on the District's TUCP is in effect.

2. Plan for Reductions in Diversions.

District has currently imposed a mandatory 25% reduction in contract deliveries. While the majority of the District's customers have supplemental sources of supply, in 2014 the majority of those customers have had those supplies curtailed by the State Water Resources Control Board, so the 25% mandatory conservation has resulted in corresponding amounts of actual demand reduction. A chart depicting demand reductions achieved to date is attached as **Exhibit A**. [Note: Exhibit A was included in the District's August 7, 2014 TUCP.]

- District shall hold a meeting of its customers within 7 days after the date of the SWRCB's order approving the District's TUCP, and, during that meeting and through written correspondence, provide its customers with information about the drought emergency and the District's TUCP, and request sufficient reductions in its customers' diversions to achieve at least 20% reductions in their diversions (using the baseline defined in term U) while the SWRCB's order on the District's TUCP is in effect.
- District shall implement the requirements imposed by SWRCB Standard Permit Term U in accordance with a Water Demand Reduction Plan that the District will prepare and file with the Deputy Director for Water Rights within 14 days after the SWRCB's order approving the District's TUCP, for review and approval by the Deputy Director. The Plan shall be designed to ensure that all parties that beneficially use water diverted or stored under the District's water-right Permit 12947B will implement actions to meet reductions in all of their diversions of at least 20% of their baseline water demands (as defined in Term U)..

3. Long-Term Drought Contingency Plan.

- District shall develop a long-term drought contingency plan in cooperation with Sonoma County Water Agency. This plan will contain the following provisions: (a) protocols for real-time one-day and three-day advance forecasts of total diversions by all District customers under all bases of right, to facilitate SCWA's operations with releases of Lake Mendocino stored water with minimal operational buffers; (b) protocols for achieving reductions in the total diversions by each District contractor during future droughts; and (c) annual reporting to the SWRCB of the total monthly amounts water diverted by each District contractor, *with allocations of each of these amounts to water diverted under the customer's contract with the District and water diverted under the contractor's own rights* (with the report for each year to be filed by June 30 of the following year). The District shall file this plan with the SWRCB within six months after the date of the SWRCB's order approving the District's TUCP. [Note: The District's August 7, 2014 TUCP does not contain the language that appears in *bold italics* above. SCWA requests that the SWRCB's order on the District's TUCP include this language.]

4. Standard Permit Term U.

The temporary change(s) authorized by this Order are not effective unless right holder is operating in accordance with a Water Demand Reduction Plan (Plan) satisfactory to the Deputy Director for Water Rights. The Plan shall be designed to ensure that all parties that beneficially use water diverted and/or stored under this right implement actions to meet a water demand reduction of a minimum of 20% of the baseline water demand. The Plan shall define baseline water demand as appropriate for the right holder's situation based on considerations such as

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weather, economy, wholesale supplier allocations or other relevant information. For the purpose of compliance with this term, if the Plan does not define baseline water demand, it is assumed to be the average water demand for Use during 2013.

The Plan shall include, at a minimum, the following components:

1. All parties that beneficially use water diverted and/or stored under this right and/or parties otherwise subject to the temporary change(s) authorized by this Order;
2. Baseline water demand for all parties included in (1) above;
3. Existing actions and additional actions planned by each party included in (1) above to reduce water use in order to meet the water demand reduction required by this term, including a description of how such actions can be expected to meet the demand reduction. The Plan shall also identify additional actions to be implemented, in the event that the right holder does not attain the amount of water use demand reduction relative to baseline water demand.;

For right holders with municipal or domestic use: Additional actions to be considered include, at a minimum, those recommended in any applicable Governor's Drought Proclamation as applicable to the right holders operations, and determine if implementation of such action(s) may increase conservation of their water supply. If so, the right holder will either implement the recommendation(s) or provide documentation as to why such action is not reasonable for the right holders' situation. Actions to evaluate include, but are not limited to, 1) Avoid using water to clean sidewalks, driveways, parking lots and other hardscapes; 2) Turn off fountains and other decorative water features unless recycled or grey water is used for those water features, 3) Limit vehicle washing at home by patronizing local carwashes that use recycled water; 4) Limit outdoor watering of lawns and landscaping to no more than two times a week; 5) Recreational facilities, such as city parks and golf courses, and large institutional complexes, such as schools, business parks and campuses, should immediately implement water reduction plans to reduce the use of potable water for outdoor irrigation; 6) Commercial establishments such as hotel and restaurants should take steps to reduce water usage and increase public awareness of the drought through measures such as offering drinking water only upon request and providing customers with options to avoid daily washing of towels or sheets; 7) Professional sports facilities, such as basketball arenas, football, soccer, and baseball stadiums, and hockey rinks should reduce water usage and increase public awareness of the drought by reducing the use of potable water for outdoor irrigation and encouraging conservation by spectators.;

For right holders with irrigation use for commercial agriculture: Additional actions to be considered include, but are not limited to, those associated with on farm conservation, such as irrigation scheduling, tailwater recovery systems, and irrigation system improvements, and irrigation district system improvements, such as canal lining, canal structure improvements, and remote measurement, monitoring and control. Right holder shall determine if implementation of such action(s) may increase conservation of water supply. The right holder will either implement action(s) or provide documentation as to why such action is not reasonable for the right holders' situation.

4. For parties included in (1) above over which the right holder has the authority or other ability to impose the listed water demand reduction actions, a list of such parties and a description of such authority or other ability over each party;

5. For parties included in (1) above over which the right holder does not have the authority or other ability to impose the listed water demand reduction actions, a list of such parties, a description of the efforts of the right holder to coordinate with each of the listed parties to ensure that each party take appropriate action to reduce water demand, and a description of such actions for each party;

6. A detailed schedule with planned completion dates for key events. Right holder shall submit to the Deputy Director for Water Rights a written report within 15 days of the end of each month (monthly status update) that provides a summary of compliance with this term. The monthly status update shall, at a minimum, include a description of the right holder's actions to date to comply with the requirements of this term and the results of such actions, including but not limited to the amount of water demand reduction relative to baseline water demand. The data submitted for the amount of water demand reduction shall include both monthly and aggregate annual to date information and shall be compared to baseline water demand. When the monthly status update reflects that the right holder is not achieving the minimum water demand reduction of this term, the right holder shall also include additional actions the right holder has adopted and/or implemented to meet the demand reduction and identify the date when such additional actions will be fully implemented as part of the monthly status update.

Failure to achieve demand reduction may result in modification of this Order to limit the extent of the approved action, at the discretion of the Deputy Director for Water Rights.

State Water Board Order Directing Reductions in Diversions Under 10,000 af/yr Sonoma County Reservation

In its Order WR 74-30, the State Water Board added the following term to the Water Agency's water right Permit 12947A:

Permittee (Permit 12947A) shall release water from storage as required to meet the demands of junior appropriators not to exceed 10,000 acre-feet per annum, in Russian River Valley in Sonoma County, except to the extent that retention of stored water is necessary to insure satisfaction of the minimum streamflows required by this permit.

(Order WR 74-30, p. 13, ¶ 18.) This term now is Term 23 of Permit 12947A.

Order WR 74-30 stated that rights to the beneficial use of Coyote Valley Dam Project water under this 10,000 af/yr Sonoma County reservation could be obtained by the water users filing with the State Water Board applications to appropriate water. (Order WR 74-30, p. 4, ¶ 4.) Many such water users have filed such applications, and the State Water Board has issued permits and licenses on these applications. Rights to divert and use water under this reservation therefore now are administered by the State Water Board, and the Water Agency has no authority to direct these water users to reduce their diversions.

Because of the hydrological conditions described in the Supplement to the Water Agency's TUCP, reductions in diversions under this reservation, as provided for in Term 23, now are necessary so that water may be retained in storage in Lake Mendocino to insure satisfaction of the minimum streamflow requirements in Permit 12947A. The Water Agency therefore requests

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that the State Water Board consider taking actions to cause holders of water right permits and licenses that were issued under the 10,000 af/yr Sonoma County reservation to reduce their diversions by 20 percent (compared to 2013 diversions during the corresponding months) during the term of the State Water Board's order on the Water Agency's TUCP.