

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS
JUNE 15, 2021**

ITEM 5

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION TO ADOPT EMERGENCY REGULATIONS TO ADDRESS WATER SHORTAGES IN THE 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.

Where the Governor has declared a state of emergency due to drought conditions, Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations to “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”

These emergency regulations will establish a methodology for determining when releases of stored water are present in the mainstem of the Russian River downstream of Lake Mendocino or Lake Sonoma and to what extent diversions must cease to protect storage releases. The regulations would provide the State Water Board with a more streamlined process to curtail diversions of water to prevent unreasonable diversion or use of water such that appropriate minimum amounts of water are available for: (1) preservation of supplies and flows necessary for minimum human health and safety needs; (2) preserving storage in Lake Mendocino and Lake Sonoma to the extent possible; and (3) public trust needs for minimum flows for migration of state- and federally-listed anadromous fish.

POLICY ISSUE

Should the State Water Board adopt the proposed resolution?

FISCAL IMPACT

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

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

Approve resolution adopting emergency regulations.