

Water Rights & Water Management Working Group

Meeting #3

Monday, September 18, 2023

12:00 pm – 1:00 pm

Via Zoom

Welcome and Introductions

Meeting Objectives

- Review work product outline
- Discuss water rights category “buckets” to be used in work product
- Review next steps and upcoming meetings

Welcome and Agenda Review

Time	Topic
12:00 pm	Welcome, Introductions, and Agenda Review
12:10 pm	Review and Discuss Work Product Outline
12:40 pm	Discuss Proposed Water Rights “Buckets” for Work Product
12:55 pm	Review Next Steps and Upcoming Meetings
1:00 pm	Adjourn

Participation Guidelines

Working Group

- Please be mutually respectful.
- Actively listen.
- One person speaks at a time.

Members of Public

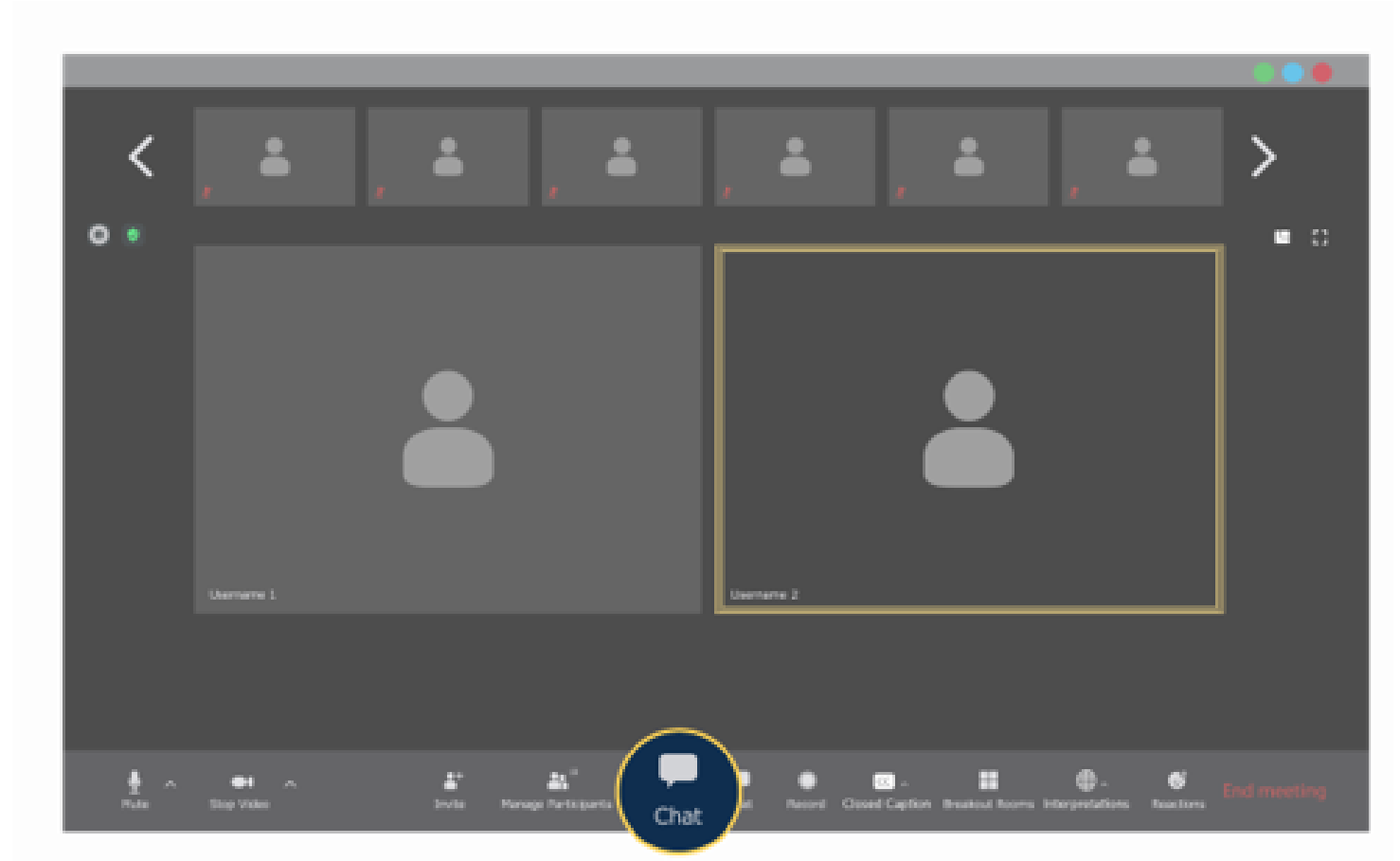
- Members of public are invited to observe.

Zoom Logistics

- Working Group members and alternates please Rename yourselves in Zoom so that your name begins with “WG – ” (e.g., “WG – Mike Harty”).
- Please virtually “raise your hand” to participate.
 - Please mute yourself when you are not speaking.
- State your name and affiliation, then make your comment.
- Facilitator ensures that Working Group members can participate fully.
- Presentation, meeting notes, and recording will be posted to the Russian River Water Forum website.

Zoom Instructions: How to Participate

- Please use the chat *only* for technical assistance.



Review of Work Product Outline

David Taber

Work Product Drafting Team and Core Team

- Drafting team
 - David Taber, Palomino Mutual Water Co. (Co-chair)
 - Phil Williams, Counsel to City of Ukiah (Co-chair)
 - Kristin Peer, Counsel to Sonoma Water
- Core team (regularly reviews the work of the drafting team)
 - Nikcole Whipple, Save California Salmon
 - Brenda Tomaras, General Counsel to Lytton Rancheria
 - Matt Clifford, Trout Unlimited
 - Adriane Garayalde, Russian River Confluence
 - + Drafting Team Members

Work Product

- A presentation (~20 slides) showing the implications of specific scenarios for major categories of water rights holders in the Russian and Eel River basins
- Scenario 1: Run-of-the-river diversion
 - Matches key assumptions of “Scenario 2” in Huffman Ad Hoc modeling work (Scott Dam removed, seasonal diversion, Lake Mendocino FIRO with Fish Flow EIS operations)
 - Assumes new diversion infrastructure
 - Assumes new diversion is owned and operated by a new regional entity
- Scenario 2: No diversion
 - No diversion flows
 - Matches key assumptions of “Scenario 3” in Huffman Ad Hoc modeling work
 - Purpose of evaluating this scenario is to clearly communicate the water rights and water availability implications of eliminating diversion flows

Introduction Section

- Slide 0: **Purpose Statement** (this will be omitted from published versions)
 - To educate interested parties about the most likely impacts of future Eel River imports to the Russian River through the PVP (or the lack of them) to Water Right holders on the Eel and Russian River Watersheds
- Slide 1: **Title page with pretty picture and contributors' names**
 - Title: The Effects of Changes to the Potter Valley Project (PVP) on Eel and Russian River Water Rights
- Slide 2: **Map of System and Scope of Analysis**
 - Content: Basic orientation and context regarding what we are/aren't examining
- Slide 3: **The Eel River and Russian Rivers in 1905 and today**
 - Content: To provide the “before” context as requested by the PG; photos + 3? bullets
- Slide 4: **Types of Water Rights**
 - Content: List of rights and the waters they are entitled to; the “buckets” defined (we'll discuss today)
- Slide 5: **The Two Scenarios: Interbasin water transfer or not**
 - Content: The two scenarios use pre-existing information to provide a high-level overview of what the impacts of each scenario are likely to be from a water supply and demand perspective.

Bedrock Information Section

- **Slide 6: Expected Future Water Supply in the Eel and Russian Rivers**
 - Content: Without storage in Lake Pillsbury, the Eel River will be [largely] unregulated; the Russian River will still be regulated by storage in Lake Mendocino; two graphics showing #years Lake Mendocino is filled, #years it's empty, with and without diversion
- **Slide 7: Climate Change Impacts**
 - Content: Qualitative description of consensus among models, as requested by the PG; quantitative impacts are mainly about the frequency of wet and dry years; include graphic.
- **Slide 8: Information Gaps and their Consequences for this Analysis**
 - Content: Lack of stream gauges on Eel and Lower Russian; lack of quantitative info on Tribal water rights; incomplete models
- **Slide 9-11?: Expected Water Demands in the Eel and Russian Rivers**
 - Content: Maps showing demands by reach. Level of detail between the Russian and Eel likely to be inconsistent.

Effects Section

- Slide 12: **Impacts of Removal of Scott Dam**
 - Content: Dam removal may affect Eel River Rights in summer months
- Slide 13-14?: **Impacts of a Continued Interbasin Transfer on Eel River Rights**
 - Content: A continued interbasin transfer may affect Eel River Rights in winter months
- Slide 15: **Impacts of a Continued Interbasin Transfer on the Upper Russian River Water Rights**
 - Content: With a continued interbasin transfer, operated by a New Regional Entity according to TBS assumptions, what is the expected water availability for water rights holders' frequency of curtailments, by "Bucket" -- demonstrate supply and demand by river reach in each scenario in maps
- Slide 16: **Impacts of No Continued Interbasin Transfer on Upper Russian River Water Rights**
 - Content: Without the continued interbasin transfer, what is the expected frequency of curtailments, water availability for water rights holders, by "Bucket"
- Slide 17: **Impacts of a Continued Interbasin Transfer on Lower Russian River Water Rights**
 - Content: With the continued interbasin transfer, what is the expected frequency of curtailments, water availability for water rights holders, by "Bucket"
- Slide 18: **Impacts of No Continued Interbasin Transfer on Lower Russian River Water Rights**
 - Content: Without a continued interbasin transfer, what is the expected frequency of curtailments, water availability for water rights holders, by "Bucket"

Conclusion

- Slide 19: **Conclusion**
 - Content: During the 2019-2022 drought, storage water from Lake Mendocino was needed to maintain minimum instream flow requirements and minimum human health and safety needs. Only the Tribes and the most senior rights in the Upper Russian River basin had water available for use. Some curtailment also occurred in the Lower Russian River.

Discussion: Water Rights “Buckets”

Proposed Water Rights “Buckets”

- **Tribal Water Rights**
- **Riparian Rights** (Russian & Eel: natural flow for "all" right holders)
- **Pre-1905 Appropriative Rights** (Eel: natural flow for "all"; Russian: natural flow for "all", no right to PVP or Lake Mendocino water)
- **1905-1949 Appropriative Rights** (Eel: natural flow for "all"; Russian: natural flow for "all", PVP for "all", no right to non-PVP Lake Mendocino water releases)
- **Post 1949 Appropriative Rights** (Eel: natural flow for "all"; Russian: natural flow for "all", PVP for "all", 10,000 AFY reservation for some, non-PVP Lake Mendocino releases only under contract)

Next Steps, Upcoming Meetings

- Water Rights Working Group Meetings
 - October 16 (Monday) 12 p.m. – 1 p.m.
 - Present full draft of work product
 - November 13 (Monday) 12 p.m. – 1 p.m.
 - Present near-final work product
- RRWF Planning Group Meetings
 - October 5 (Thursday) 10 a.m. – 1 p.m.
 - November 2 (Thursday) (time TBD)



Meeting is adjourned.

Thank you for attending!

Potter Valley Project Area Map

