SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors **AGENDA NO. V-C**

FROM: Steve Mack, General Manager

Meeting Date: July 6, 2017

SUBJECT: District Water Rights and the SCWA Fish Flow Project

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RECOMMENDED ACTION: None.

FISCAL IMPACT: Not known.

DISCUSSION:

This item has been included as a placeholder for Board discussion, should there be a wish to discuss this topic further. Background hasn't change since the last meeting.

Attached is an article on this topic that appeared in Sonoma West Times on June 13, 2017.

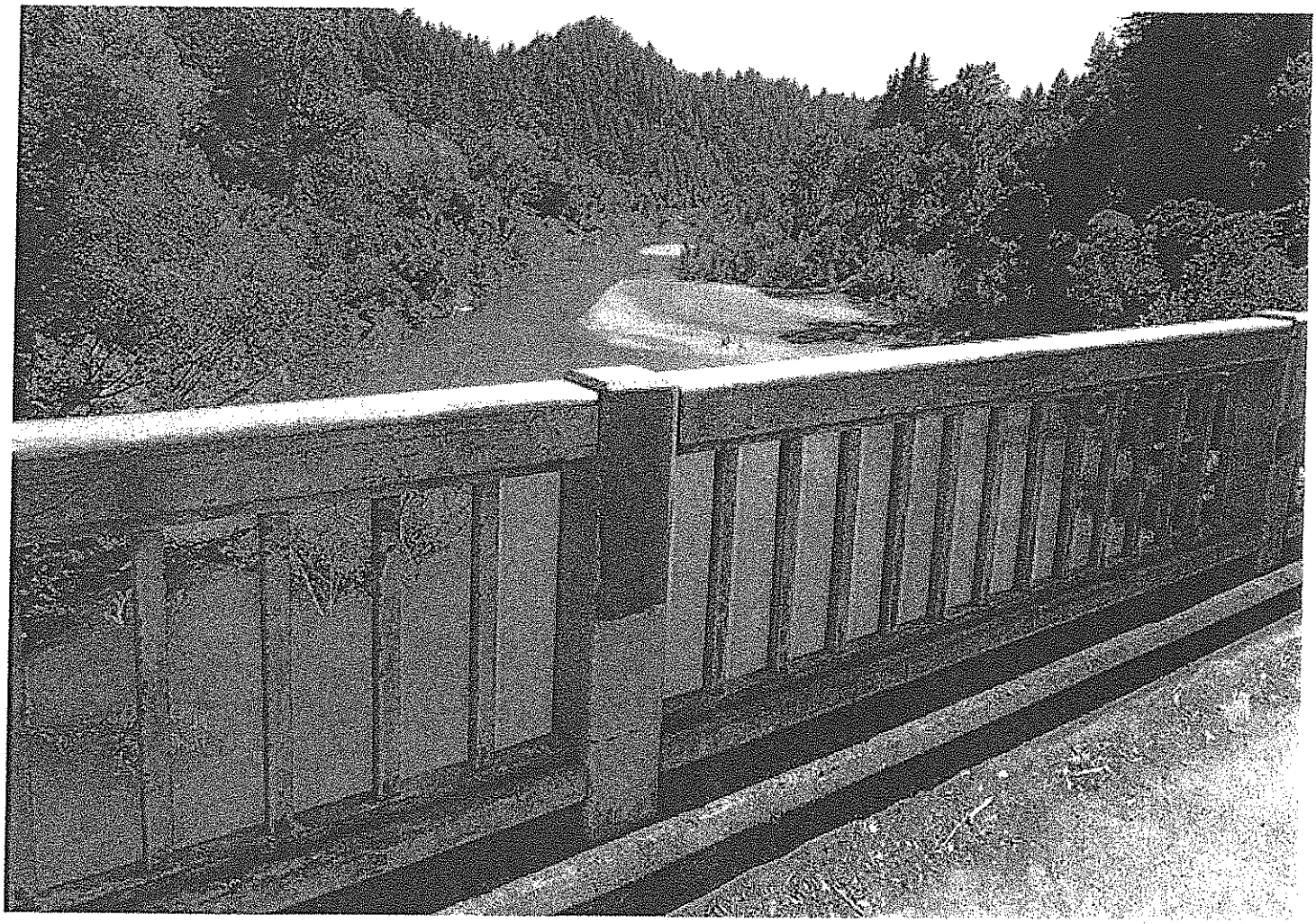
Presents
Gates Open at 5:30pm
FIREWORKS & MUSIC FESTIVAL
JUNE 3RD 2017

http://www.sonomawest.com/sonoma_west_times_and_news/news/fish-flow-project-versus-local-water-users-along-the-river/article_07357e40-5058-11e7-b069-f7f1be8793ee.html

FEATURED

Fish Flow Project versus local water users along the river

By Frank Robertson, staff writer Jun 13, 2017



WATER RIGHTS — The Sonoma County Water Agency says it has rights to all the water flowing past the Haciend Bridge during critical dry years when the Russian River is mostly supplied with water released from the upstream Warm Springs dam. Photo Frank Robertson

Guerneville water faucets could run dry if drought conditions reduce the Russian River's flow to critical levels seen in recent years, according to a controversial opinion from the Sonoma County Water Agency.

Flow Project" that would reduce the amount of water released into the river every summer from upstream dams, according to Sweetwater Springs Water District General Manager Steve Mack.

Mack said Sweetwater has a "major issue" with the Water Agency's Fish Flow Draft Environmental Impact Report (DEIR) released last year because "that the project could impact the district's ability to provide water to its customers...This is not discussed in the DEIR."

Water Agency staff told Sweetwater "they believe the [Sweetwater] district does not have the right to divert water when the river is in a critically dry condition," said Mack in a report to Sweetwater district directors.

Both the Water Agency and the Sweetwater district pump water from the Russian River to supply customers. The Water Agency supplies approximately 600,000 customers in Sonoma and northern Marin counties. The Sweetwater Springs Water District serves approximately 9,000 people from Rio Nido to Monte Rio.

The Water Agency notified the Sweetwater district last year that the district may have a water rights problem if critical dry-year conditions, such as the low flows seen in recent statewide droughts, recur.

Sweetwater Springs directors disagree and contend that state water officials would not allow longtime Sweetwater district consumers to lose their water in a dispute with the Water Agency over access to the lower Russian River water supply.

"This opinion on the district's water rights by SCWA is just that — an opinion," Mack's report said. "The Sonoma County Water Agency (SCWA) "does not determine water rights."

The Sweetwater district has a licensed municipal water supply, said Mack's report, adding "it's difficult to believe due process would allow that water supply to be turned off."

The Water Agency pumps most of its water out of the river at Mirabel and Wohler Bridge, where in the summer most, if not all, the river's flow is supplied by water released from Lake Sonoma behind Warm Springs Dam in Healdsburg.

The Water Agency's position is that in a critically dry year under state rules, all Russian River water passing the Hacienda Bridge near Forestville would belong to the Water Agency under its current water rights permit called Decision 1610.

The possibility that Sweetwater Springs wouldn't have rights to the water first popped up last year.

"This was first expressed in Oct. 2016 in a meeting on SCWA comments on the district's Urban Water Management Plan," said Mack's report. "That opinion (and that's all it is) was reinforced in a phone call" with Water Agency officials

A Water Agency spokesman this week said the agency is in the process of responding to numerous comments on the Fish Flow draft EIR.