

April 9, 2009

Members of the Water Advisory Committee

RE: TEMPORARY URGENCY CHANGE ORDER

The State Water Resources Control Board has issued Order 2009-0027-DWR, copy enclosed, approving the petition filed by the Water Agency to amend Russian River minimum flows this summer and fall. The purpose of the Agency's petition was to prevent Lake Mendocino from going dry and preserve storage necessary for survival of listed Russian River salmonid fisheries and the agricultural and municipal uses that depend on Lake Mendocino.

Section 1.12 of the Restructured Agreement for Water Supply requires that the Agency and each water contractor "implement or use their best efforts to secure the implementation of any water conservation requirements that may be added as terms or conditions of the Agency's appropriative water rights permits or licenses, or with which the Agency must comply under compulsion of regulation or law." The State Water Board has broad authority to condition water rights orders to prevent waste of water. Order 2009-0027-DWR contains findings and restrictions under that authority that require your attention and, under Section 1.12, your action.

The Order requires that the Agency temporarily reduce diversions from the Russian River by 25%, temporarily prohibit irrigation of commercial turf grass, and, within 30 days, submit and implement a water conservation plan by which Russian River water users reach a water conservation goal of 25% in Sonoma County and 50% in Mendocino County. We must also submit a Water Conservation Status Report by December 31 and a Water Conservation Plan within one year.

We will be discussing the scope and content of the Report and Plan with your staff in the near future. However, we must take immediate action to implement the 25% diversion reduction and the commercial turf irrigation prohibition and achieve the 25% and 50% water conservation goals. I'm sending this letter to give you the Agency's views on how those elements of the Order should be implemented.

We will use 2004 as our base year for both the 25% diversion reduction and the 25%

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water conservation goal, as we did in 2007. We interpret the commercial turf irrigation prohibition as requiring you to prohibit your customers from irrigating turf that is not used regularly by a significant number of people. This prohibition would apply to commercial and governmental uses such as ornamental turf in median strips along streets, at public and private office buildings, business parks, out-of-bounds areas at golf courses, and unused areas in parks. The prohibition would not apply to regularly used turf, such as baseball, soccer, and other recreational fields, golf courses, and park and other areas where turf is actually used by substantial numbers of people to walk, play, or sit on (as opposed to turf that is primarily ornamental). Of course, any turf area irrigated, we do expect that a smart weather track controller is being used to minimize the use of water. Most of you are probably already using recycled water on many of those areas. Because the Order is for the purpose of preserving potable Russian River water, in our view the prohibition would also not apply to irrigation with recycled water or to irrigation from groundwater wells that are either private or, if public, not connected to a municipal water supply system served by the Water Agency. Please feel free to call me if you would like to talk about any specific situations.

California is in its third consecutive year of drought and, as Order 2009-0027-DWR recognizes, Governor Schwarzenegger has asked all urban water users to reduce their water use by 20%. I am confident that the residents of our region can outperform the rest of the state and that the cities, town and water districts that use Agency water will be able to achieve the 25% goal.

I have directed my staff to be available to answer any of your questions about the Order and to attend meetings of the Water Advisory Committee or Technical Advisory Committee, if you would like to have them. In addition, we will, as we have done in the past, hold public meetings in areas affected by the Order.

Please call me if you have any questions.

Sincerely,

Randy D. Poole
General Manager/Chief Engineer

c: Victoria A. Whitney, Deputy Director for Water Rights - SWRCB
Members of the Technical Advisory Committee
Board of Directors, Sonoma County Water Agency