**Notice of Exemption Attachment**

**Project Title: Temporary Urgency Change Petitions for Permit 12947A**

**Project Applicant: Sonoma County Water Agency**

The State Water Board has reviewed the information submitted by Sonoma County Water Agency and has made its own independent finding that the requested changes are statutorily and categorically exempt from CEQA. The changes sought by the petitions are consistent with the following statutory and categorical CEQA exemptions for the following reasons:

1. Information provided by Sonoma Water demonstrates that continued releases of water pursuant to the current hydrologic index in Term 20 of Permit 12947A as it applies to the upper Russian River could cause storage levels in Lake Mendocino to decline to unsafe levels. Extensive drought conditions in the Russian River watershed throughout 2020 and extending into 2021 have resulted in already low storage conditions in Lake Mendocino. Drought conditions that may persist through 2021 will result in continued low storage levels in Lake Mendocino. If storage in Lake Mendocino is further depleted, there will be serious impacts to human health and welfare, and water will not be available to protect aquatic life, including threatened and endangered species in the Russian River. Approval of the petition is therefore necessary to respond to drought conditions and prevent and mitigate loss of, or damage to, the environment, fishery resources, property, public health, and essential public services. Accordingly, the project is statutorily exempt from CEQA because it is necessary to prevent or mitigate an emergency. (Pub. Resources Code, § 21080, subd. (b)(4); Cal. Code Regs., tit. 14, § 15269, subd. (c).)
2. A Class 1 exemption “consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.” (Cal. Code Regs., tit. 14, § 15301.) The proposed action consists of the operation of existing facilities involving negligible or no expansion of use beyond that existing, and accordingly is categorically exempt from CEQA under a Class 1 exemption. The proposed action will be within the range of minimum instream flows established by Decision 1610.

1. A Class 7 exemption “consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.” (Id., § 15307.) The proposed action will ensure the maintenance of a natural resource (i.e., the instream resources of the Russian River) by increasing availability and improving the quality of salmonid rearing habitat in the upper Russian River and more closely mimicking natural inflow to the estuary, thereby enhancing the potential for maintaining a seasonal freshwater lagoon that could support increased production of juvenile steelhead. Accordingly, these changes are categorically exempt from CEQA pursuant to a Class 7 exemption.
2. A Class 8 exemption “consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.” (Id., § 15308.) The proposed action will ensure the maintenance of the environment (i.e., the instream environment of the Russian River) in the same way as stated for the Class 7 exemption.