



## FOR IMMEDIATE RELEASE

### CONTACT:

Sean Bothwell, California Coastkeeper Alliance, 949-291-3401, [sbothwell@cacoastkeeper.org](mailto:sbothwell@cacoastkeeper.org)  
Don McEnhill, Russian Riverkeeper, 707-217-4762, [don@russianriverkeeper.org](mailto:don@russianriverkeeper.org)

## RUSSIAN RIVERKEEPER AND CALIFORNIA COASTKEEPER ALLIANCE LAWSUIT CHALLENGES THE COUNTY OF SONOMA TO PROTECT PUBLIC TRUST RESOURCES

**May 25, 2023 (Healdsburg, CA)** – Today, Russian Riverkeeper and California Coastkeeper Alliance filed a lawsuit in Superior Court to prevent Sonoma County from issuing new well permits until the County complies with the California Environmental Quality Act (CEQA) and changes its groundwater well construction and drilling ordinance to protect public trust resources of the Russian River, its tributaries, and the endangered Coho salmon and other wildlife that rely upon the watershed. As the Russian River faces repeated drought emergencies, Russian Riverkeeper and California Coastkeeper Alliance are working to hold Sonoma County accountable to protect public trust resources and prevent over pumping of the river and its tributaries. The County’s recently adopted groundwater ordinance falls short of this goal and exposes natural resources to further harm and could also impact existing well owners.

On April 18, the Sonoma County Board of Supervisors approved a revised groundwater well construction and drilling ordinance in response to a 2021 lawsuit filed by California Coastkeeper Alliance to compel the County to fulfill its obligations under the Public Trust Doctrine to ensure that groundwater extraction does not harm the salmon, steelhead, and other public trust resources of the Russian River watershed. Far from solving the problem, the County’s ordinance authorizes continuation of existing pumping by all current users plus new groundwater extraction in the County’s most ecologically sensitive areas.

“We witnessed many streams dry up this last drought, so we have a problem now,” says **Don McEnhill, Executive Director of Russian Riverkeeper**. “The County’s ordinance allows even more wells to be drilled with no evaluation of whether the additional water extractions will make the problem worse. It’s like having a negative balance in your checkbook yet continuing to write checks.”

Under the Public Trust Doctrine, the County is required to consider the impacts of groundwater extraction on public trust resources and mitigate those impacts to the extent feasible. Unfortunately, the County has not determined or analyzed whether its requirements will in fact mitigate the acknowledged, significant impacts of groundwater pumping on public trust resources. The ordinance does not require any reduction in existing groundwater use and provides a streamlined, ministerial permitting pathway for new groundwater extraction in areas already suffering from over-pumping.

“The County’s ordinance does not address a fundamental issue – groundwater is not unlimited,” says **Sean Bothwell, Executive Director of California Coastkeeper Alliance**. “The County’s ordinance is a missed opportunity to develop a proactive policy that demands quantifiable reductions in existing use and ensure Sonoma County residents and businesses live within their collective means.”

Further, the County did not evaluate or consider any alternative mitigation strategies, or whether the chosen conservation measures reflect all that is feasible. California law, including the Public Trust Doctrine and the California Environmental Quality Act (CEQA), demands that environmental impacts of government decisions be evaluated and that those impacts are mitigated where feasible. It also requires

the government to support its decisions regarding the feasibility of alternatives with facts and analysis, not assumptions and speculation. Neither the County's actions nor the ordinance itself meets these standards.

Russian Riverkeeper and California Coastkeeper Alliance's lawsuit will hold the County accountable to revise its groundwater ordinance so that it is consistent with the County's mandatory duties as an administrator of the public trust, and to consider the individual and cumulative impact of permits issuance on the public trust and to protect so far as feasible public trust resources.

Ultimately, the lawsuit seeks to ensure that recommendations from our resource agencies (i.e., National Marine Fisheries Service and California Department of Fish and Wildlife) and ecological experts are made part of this ordinance. The County has not demonstrated that the recent adoption is protective of public trust resources, nor have they committed to the robust adaptive management necessary to ensure our resources are protected in future years. With so much at risk, it is vital that this ordinance has a strong scientific basis and is adaptive to ever-changing conditions and new information—there must be a long-term commitment to protect our public trust resources. "Our water is too precious to make decisions with little data and no analysis" adds Don McEnhill of Riverkeeper.

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**ABOUT CALIFORNIA COASTKEEPER ALLIANCE** - California Coastkeeper Alliance represents Waterkeepers programs statewide as they fight for drinkable, swimmable, fishable waters for all Californians. CCKA defends and expands California's protective legislation and strengthens the function of our State Water Board. For more information, visit [www.cacoastkeeper.org](http://www.cacoastkeeper.org) or @CA\_Waterkeepers on social media.

**ABOUT RUSSIAN RIVERKEEPER** – Russian Riverkeeper's mission is to ensure now, and in the future, that the Russian River's mainstem and its tributaries are drinkable, swimmable, fishable, and equitably shared. Russian Riverkeeper actively pursues the protection and restoration of the Russian River's mainstem, tributaries, and interconnected groundwaters through focused, scientifically based advocacy, public outreach, and direct engagement with the Russian River community.