FOR IMMEDIATE RELEASE

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

APPELLATE COURT CONFIRMS COUNTIES MUST PROTECT RIVERS FROM GROUNDWATER PUMPING AND ORDERS SONOMA COUNTY TO CONDUCT ENVIRONMENTAL REVIEW OF ITS WELL ORDINANCE

August 5, 2026 (Healdsburg, CA) – Yesterday, the California Court of Appeal issued a decision in Russian Riverkeeper and California Coastkeeper Alliance's long-running lawsuit over Sonoma County's groundwater well ordinance, delivering two significant wins for California's rivers and the communities that depend on them. First, the Court squarely rejected the County's attempt to escape the Public Trust Doctrine altogether, reaffirming that counties across California share the state's responsibility to protect rivers, streams, and the fish and wildlife that depend on them when permitting groundwater wells. Second, the Court affirmed that Sonoma County violated the California Environmental Quality Act (CEQA) by adopting its Well Ordinance without required environmental review and upheld the lower court's order rescinding the County's claimed CEQA exemptions.

On appeal, Sonoma County asked the Court to "decline to follow" *Environmental Law Foundation v. State Water Resources Control Board*, the landmark 2018 decision holding that counties have a fiduciary duty to consider impacts to public trust resources—like salmon and steelhead—when issuing well permits. Had the County succeeded, counties statewide could have washed their hands of any responsibility for the harm groundwater pumping causes to interconnected rivers and streams. The Court of Appeal refused, holding that counties share responsibility for administering the public trust when authorizing groundwater pumping that impacts public trust resources.

"The most important part of this decision is what the County failed to achieve," says **Sean Bothwell, Executive Director of California Coastkeeper Alliance**. "Sonoma County spent years and significant taxpayer money trying to convince the courts that counties have no duty to protect our rivers from excessive groundwater pumping. The Court of Appeal shut that door in a decision that now binds every county in California. Counties can no longer pretend the Public Trust Doctrine doesn't apply to their actions."

The Court also affirmed the heart of the Keepers' CEQA claim. When the County adopted its amended Well Ordinance in 2023, it declared itself exempt from environmental review, claiming the ordinance would protect the environment. The Court of Appeal found no substantial evidence supporting that claim. By the County's own calculations, roughly 95 percent of well permit applications would remain rubber-stamped through ministerial review, and the County admitted it could not quantify any water savings from the ordinance's conservation measures. As the Court explained, the County's "intent" to protect the environment and its "expectation" that water use would decline are not evidence—and cannot substitute for the environmental analysis CEQA requires.

"For nearly two decades we've watched creeks run dry and salmon runs collapse while the County issued hundreds of well permits a year without ever studying the consequences," says **Don McEnhill, Deputy Director of Russian Riverkeeper**. "The Court of Appeal has now confirmed what we've said from the beginning: the County cannot simply declare its ordinance good for the environment and skip the analysis. It must actually study the impacts of groundwater pumping on the Russian River and its tributaries—and show its work to the public."

While the Court of Appeal deferred to the County's legislative judgment on the specific terms of the ordinance—applying what it described as "the most deferential level of judicial scrutiny"—it did so only after confirming the County remains bound by its public trust duties. And the ordinance the County adopted must now go through the CEQA process, requiring the County to publicly disclose, analyze, and mitigate the environmental impacts of its groundwater permitting scheme, including impacts to threatened and endangered coho salmon, Chinook salmon, and steelhead in the Russian River watershed and to groundwater supplies. Both CEQA and the Public Trust Doctrine demand decisions made that impact our shared public resources be based on careful analysis and include measures to mitigate the impacts.

Russian Riverkeeper and California Coastkeeper Alliance remain committed to working with the County to ensure that the required environmental review is meaningful and that Sonoma's rivers, streams, and fisheries are protected for future generations.

###

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 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. For more information, visit www.russianriverkeeper.org or @rriverkeeper on Instagram.