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State Water Resources Control Board  
Via E-Mail

**Re: 6/16-17 Board Meeting  
Proposed Resolution re Drought-Related Emergency Regulation- Russian  
River Tributaries**

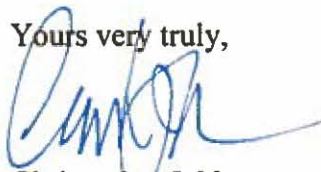
Dear Members of the Board:

Assuming that there is justification for such a drastic action, and further assuming that the traditional riparian uses may be constrained on the basis of emergency resolution, the remaining unanswered question is why the burden falls exclusively upon the users adjacent to the tributaries.

Should not the burden of the reduction also be shared by the users in the Sonoma County Water Agency place of use?

The Russian River instream flows are managed by the Sonoma County Water Agency pursuant to D-1610. The reduction of use of water in the tributaries increases the flow into the main stem of the Russian River decreasing the in-stream management obligations of the Sonoma County Water Agency. Should not those who benefit by the increased flows caused by the imposed restrictions also share in the burden imposed upon the riparian rights holders? The beneficial use argument and the nexus breaks down very quickly when the burden is imposed only upon a few for the benefit of the larger pool of urban users.

The views expressed herein have not been authorized by any clients of mine do the time constraints for comment so therefore these views should be viewed as being those of the undersigned.

Yours very truly,  
  
Christopher J. Neary

CJN/cm