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**Oakdale, CA 95361**

Public Hearing (3/20/13)  
Bay-Delta Plan SED  
Deadline: 3/29/13 by 12 noon

March 28, 2013

State Water Resources Control Board Members  
Cal/EPA Headquarters  
1001 "I" Street, 24th Floor  
Sacramento, CA 95814



Dear Neighbors –

Thank you for your service on the California Water Resources Board. I appreciate your part in the efforts to keep our extremely limited and valuable resource, water, clean and plentiful for our families and other neighbors, given the challenges before you.

I wanted to write to you regarding establishing a new 35% unimpaired springtime flow rate from the Sierra Nevada source tributaries into the Delta as is now under discussion. I am sure you have been told that this is both a good idea and a bad idea. I think it is a bad idea; a very bad one even.

My family has farmland both in the Modesto Irrigation District and the Oakdale Irrigation District. Modesto's motto, properly punctuated when established was, "Water Wealth, Contentment, Health" (no comma between Water and Wealth). I do not know what effect unimpaired flows might have to our operations, but I know that they will damage some of our other neighbor's ability to grow food for human consumption. (I think this is a notable issue in today's hungry world).

I am not going to try and quantify the personal harm done to my farm neighbors who might be afflicted by taking away water that they have, because of their riparian rights or irrigation district membership; long held, widely recognized and well established rights to. Nor will I try to quantify the harm done to our country or the world at large. I am only going to say that what is being proposed is not supported by science, wise or fair.

When our neighbors bought their farm property, they acquired it in an irrigateable condition. They can trace their rights to irrigation back to the original irrigation districts and the dams that were built long ago. At the time the districts were formed and the dams were built, the issues that are being discussed today (water quality, fish populations, delta quality, who had the rights to the water) were all discussed and fought over, and to a large degree; settled. I am sure you heard of Samuel Clemens (1835-1910) saying that whisky was for drinking and water was for fighting over. Well, there was a fight, the fight is over, and the parties need to live with the outcome. Our farm neighbors are living with the outcomes of later fights that they do not agree with, like sending water to the South!

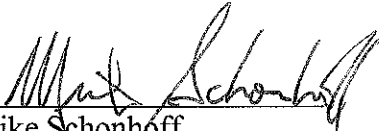
I am told that the reason the Board is being asked to consider unimpaired flows at the rate under discussion is to support native fish populations. I have heard that there are quite-a-few factors that have to do with native fish population declines, and flow rates are not

necessarily the reason or even a reason for the declines. I am sure you have heard all of the other reasons including more than just; water transfers to Southern California, non-native predator species, deep water channels, wetland drainage and levy building. I wonder; why are we not discussing those issues instead?

In today's enlightened age of science and wisdom, if there were an obvious answer to this one problem the Board is facing I think one could expect the various reasonable stake holders to be able to agree on a single, correct solution. I have looked and not found science to support the conclusion that unimpaired flows will protect or enhance native fish populations. Further, I do not see the wisdom in imposing certain destruction on some of our neighbors on speculation that we might help native fish populations. And lastly, I do not think it is fair that you are being asked to even consider taking away something that belongs to someone else. By old and existing law, the rights to the water inseparably go with the land. Trying to separate them to take part? Surely fair minded people would not do that.

Please do not listen to the voices that would have you experiment with such a crude and arbitrary tool as 35% unimpaired flows in order to try and fix something that in all likelihood is not even fixable.

Respectfully,



Mike Schonhoff

Cc: Kristin Olsen  
Assemblymember, 12<sup>th</sup> District