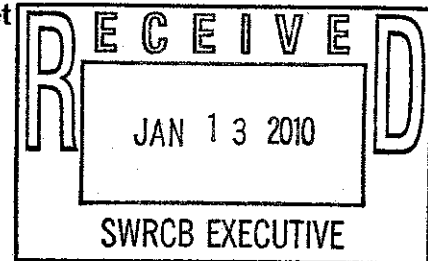


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January 12, 2010

Chairman Charles Hoppin
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



Re: **Comment Letter—Russian River Frost Water Draft Regulation**
Russian River Frost Protection Draft Regulation for the January 19th SWRCB
Workshop

Thank you for coming out to see the projects on the ground in Mendocino County. I would like to submit this letter to the Board's understanding of the issue of protecting and restoring fish in the Russian River watershed. Here are my comments:

To the Board of Directors:

If you had to buy this water, would you? How long would it take you to negotiate all the purchases that would be necessary? You know that you would have to tailor the purchases to the needs of the sellers, and get their cooperation.

Now you have an idea of the scope of the task you are asking farmers to do in a short few months. We understand "instantaneous demand" and we understand how this threatens endangered fish, and also how it threatens farmers, who comprise only 2% of the U.S. population. This certainly gives us empathy for the fish, and perhaps the opening statement will give you empathy for the farmers. But remember, you are only dealing with papers and people.

Yes, we understand that we have to adapt our frost protection methods and locations to provide sufficient water for the fish. But rather than working with paper or talking to people, the farmers must deal with finding scarce water resources on the land and designing alternative systems, getting permits, getting funding, and building alternative systems, if they are to stay in business.

As a certified Fish Friendly Farmer (since 2004) who has been through this process, I also know that the first proposed solution may not be workable. We had to explore, get information on, apply for, and seek funding for no less than 4 alternatives before we found one that would work for us, for the agencies, and for the fish:

1. We had to cut down our cover crop last year in our 5-acre vineyard to allow cold air drainage to get through the end of the season while we waited to hear if we would be reimbursed by the State (which had frozen grants till the State Budget was passed) for the alternate pipeline funds we had applied for to move our frost protection to a 65-year-old existing spring-fed pond. Fortunately there were no frost events below 30 degrees this year (2009). This method would not have worked below that temperature.

2. We got information and an estimate for two SIS vertical wind machines to frost-protect 7.3 acres of vineyards. The estimate was \$30,000 for a machine that would be used for 5 weeks out of the year. It was not verified to work well below 28 degrees or in regional frost situations.

3. We, and the public agencies we were working with, had originally agreed to a plan to put in the pipeline in #1 and supplement the spring-fed recharge of the pond with 30gpm of creek water. We applied for a DFG 1602 permit. The conditions of the permit came through (weeks later) saying that we could not pump water for recharge after March 31. Our frost season is March 15 through April 24. This meant we could not use the creek water for recharge even at this low rate, so we needed to come up with a non-creek source of water.

4. We had an existing well (no longer for domestic use) at 200 ft. below the (basalt) creek level that was known to have more than a desirable level of Boron. Since our soils are slightly Boron deficient, we had the water tested to find out the level of Boron. It was 100mg/dl (another wait for the results). We sent the info to an irrigation scientist at Cal Poly SLO. When he replied he said it would probably kill the vines at 1/10 that amount. We ran a test on 3 of our existing vines. They rapidly declined.

5. We decided to try drilling a well far off-stream. We heard AWEF funds were available, so we applied for (competitive) AWEF funding through the EQUIP program. Several weeks later we learned we had been approved for the funding. By this time the rainy weather was starting. The well driller was uncertain he could get his rig to the location where we were guessing we might find water. We had to get some major road work done to improve conditions for him to drill the well. Finally, they were able to drill the well, and came up with 25gpm at 340 ft. for use to recharge the pond. Then we had to wait for the water testing. It tested out OK for agricultural use. So we finally had a solution that worked.

You can see that it is no easy or speedy process to adapt your operation to use no water from the creeks or rivers. It is not as easy as typing a proposed regulation on a piece of paper. The consequences to the farmers in Sonoma and Mendocino Counties will involve a major, goal-driven process of trial and error of multiple solutions. Mendocino County Farmers have been able to move quickly to get major new off-stream reservoirs in place. Not so in Sonoma County, where just the delays caused by the bureaucratic process can significantly affect the water for the fish.

The dairy industry in Sonoma County has been successful in creating a program through the Farm Bureau for dealing with dairy waste and monitoring the results. It has worked diligently and achieved its goals.

The grape farmers of Sonoma County can do the same through the Farm Bureau and CAWG if you will give us the time we need to adapt our systems. Farms are biological systems too. They have to adapt to changing conditions. The farmers are willing to do this. But if they are required to change too rapidly, you will find the farms changing into wasteland, which creates ideal conditions for residential development. The economic viability of farming in Sonoma County is a major part of the plan by the Agricultural Preservation and Open Space District to preserve the 20,000 year old fertile soils of the Dry Creek and Alexander Valleys and the Russian River Valley.

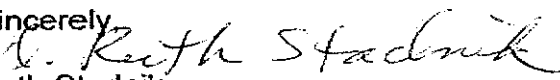
Your regulation needs to reflect the agreements you made with the stakeholders, the farmers who own the property. The farmers need time and financial assistance to adapt to the changing conditions. We are all experimenting with the variables that insure a viable fish population. 30 years ago fish were thriving when the creeks had runoff from dairies and there were summer dams above which they could survive the natural drying up of the creeks in the alluvial gravels below. Are we starving the fish with too clean rivers and no deep summer pools? None of us know the answers yet.

You need the cooperation of farm property owners to farm the fish. Residential owners will not do so, as we have seen in Los Angeles, where there are no fish. We cannot go back to conditions 200 years ago. The domestic users of California's waters are not going to go away. Your current action will drive many farmers out of business and create more residential development and fewer people who are willing to work with you to farm fish.

A reasonable deadline and availability of funding are needed to adapt our frost protection systems. A carefully planned scientific program that establishes baseline data, then tests one variable at a time in different areas will help us find the answers to the conditions under which the fish will thrive. Europe had to go through this process many years ago to domesticate their native animals and plants to provide a continuous food supply that the people could depend on for survival. America's largely non-native population is now in a similar situation thousands of years later. There is probably more data available from the Native American traditions that can be drawn upon to help the fish survive.

Please take a few moments to rewrite your regulatory proposal to reflect the agreements you have made with the property owners along the Russian River and its tributaries. It will be time well spent. You do your part, and we will do ours.

Sincerely,


Euth Stadnik
Green Pastures Valley, LLC