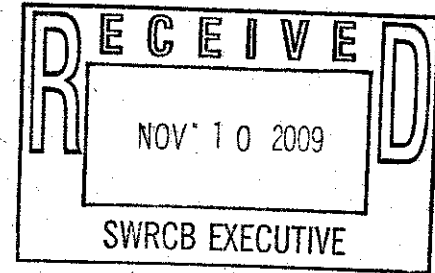


Nov. 9, 2009

LATE COMMENT

SWRCB
Division of Water Quality
PO Box 100
Sacramento, California 95812-0100



Dear Ms. Whitney and Board Members,

The Atascadero / Green Valley Watershed Council is very concerned with the upcoming hearings on water diversions for the purpose of vineyard frost protection. We have been active for many years in helping the recovery of steelhead and coho salmon in Green Valley Creek. This has included educational outreach, creek restoration projects, creek monitoring, creek clean-ups with school children, and general advocacy.

Information in your files indicates that diversion, licensed and unlicensed, for use in frost protection can, and does, have sufficient adverse effects on stream flow to cause harm or death to salmonids. We regularly hear of this reduction in flow in Green Valley Creek during frost protection events. Stream flow gauges in the Russian River watershed confirm this.

The SWRCB staff in 1997 identified water consuming frost protection activities in the Russian River as "unreasonable and wasteful." The growers have largely ignored this fact and water use has only grown over the last twelve years. Fish kill in the last two frost seasons has been documented by the National Marine Fisheries Service. We do not have time for more experiments, pilot projects, and long-term studies that tend to stretch out for many years and rarely bring about positive results. The coho are on the brink of extinction and the steelhead close behind in our watershed. Now is the time to forcefully act to fulfill the intent of the ESA.

We support the NMFS recommendation that no diversions for frost protection involving surface or hydrologically connected ground water in the Russian River Basin be allowed. We feel that the wine industry needs to face its own responsibilities in improving this situation that they have largely created. While we support a landowner's need or desire to earn a livelihood from his or her property, and wish to work cooperatively to try to find a solution, the fishery will not survive without immediate action. We look to the SWQRB to fulfill its obligations under state and federal codes and take prompt regulatory action.

Thank you for your consideration.

Respectfully submitted,

John Roberts
Board Member AGVWC