

Ms. Karen Niiya, Senior Engineer
Division of Water Rights
State Water Resources Control Board
1001 I Street, 2nd Floor
P.O. Box 2000
Sacramento, CA 95814

STATE WATER RESOURCES CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
2008 APR 31 AM 9:00

Re: Comment Letter – AB 2121 Policy

Dear Ms. Niiya,

- I am a landowner in Napa County and the proposed policy will directly impact me. I own 100 acres of vineyard and divert water from an unnamed stream tributary to Lake Hennessey thence Conn Creek thence the Napa River for irrigation purposes.
- I hold two Permits and a License for storage in onstream reservoirs for which I may file Petitions for Change.
- The proposed policy will directly impact the farming interests of my business, should I file Petitions.
- Implementation of the Policy will result in further delays in water right processing because the majority of applicants and petitioners will need to seek a variance due to the stringent bypass and diversion rate limitations in the Policy. The variance criteria are not clearly defined in the Policy; therefore, we believe that processing of numerous variance requests will exacerbate the already back-logged workload of the State Water Board staff, and further delay approval of our pending action(s).
- The Policy does not provide a balance to the competing needs for water as it fails to weigh the many benefits derived from the agricultural, domestic and industrial uses of water.
- I am concerned that the severe and costly compliance measures imposed on my project will result in drastically reduced water yields and possibly loss of my productive farmland. There is no indication in the Policy that the fishery resources would actually benefit from my implementation of such measures.
- The State Water Board should concentrate on fixing the water right process. Applicants deserve clear and effective guidance as to how to obtain a water right permit. The Draft Policy should be rejected and replaced with one that balances agricultural interests and environmental protection.

Sincerely,

Jon-Mark Chappellet
1581 Sage Canyon Road
St. Helena, CA 94574

cc: Tam Doduc, Chair, SWRCB
SWRCB Members: Arthur Baggett, Jr., Charles Hoppin, Frances Spivy-Weber, Gary Wolff

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2008 MAY -1 AM 11:34