

EIO/KIV  
AB 2121



DRY CREEK VALLEY SONOMA COUNTY

April 11, 2008

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

STATE WATER RESOURCES  
CONTROL BOARD  
2008 APR 23 AM 10:17  
DIV. OF WATER RIGHTS  
SACRAMENTO

**Re: Comment Letter – AB 2121 Policy**

Dear Ms. Niiya:

Thank you for the opportunity to comment on the Draft Policy for Maintaining Instream Flows in Northern California Coastal Streams ("Policy"). I am a vineyard owner in Sonoma County and I will be directly impacted by the Draft Policy. In 2003, I filed an application to appropriate up to 20 acre-feet of water in the winter months from an unnamed stream tributary to Dry Creek. One of our ponds is existing and is covered by a Small Domestic Use Registration.

An analysis on our project under the stringent bypass and diversion requirements of the Policy indicates that there would be devastating effects on our water yield and the ability to continue our family's vineyard operation. Small family farmers like me, who live on our land, have the most incentive to be good stewards of the land. We have farmed organically for six years and biodynamically for three years. We support efforts to protect endangered species and their habitat, but there is no indication in the Policy that fishery resources would be significantly benefited by imposing these drastic and costly compliance measures on my project. We believe the policy should recognize the competing needs of the environment and the agricultural and industrial community who share in the water resources.

Further, my application has already been pending for over five years. We are concerned that with a backlog of over 300 applications within the region affected by the Policy, that the processing of my application will be further delayed due to poorly-defined variance criteria in the Policy, which my project would be subject to.

The State Water Resources Control Board should reject the Policy and replace it with a one that balances economic and environmental needs, and that also addresses the obvious problems in the application processing system.

Sincerely,  
  
Vincent A. Ciolino

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