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STATE WATER RESOURCES CONTROL BOARD
2008 APR 28 PM 1:05
DIV. OF WATER RIGHTS
SACRAMENTO

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

Re: Comment Letter – AB 2121 Policy

- I am a landowner in Sonoma County and the proposed policy will directly impact me. I own 100 acres of land of which 46 are planted to vineyards and hope to divert water from an un-named stream for irrigation purposes.
- I filed an *Application* in 2005 to *appropriate water* for storage in an *off stream storage reservoir*.
- The proposed policy will directly impact the farming interests of my family/business.
- 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).
- I have cooperated with State Water Board staff in the processing of my water right *Application* but have been pending for more than 3 years.
- 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 economic interests and environmental protection.

Thank you for your kind consideration,

Kenneth L. Kahn
cc: Tam Doduc, Chair, SWRCB
SWRCB Members: Arthur Baggett,