

EIO/KW
AB2121



RODNEY STRONG

Vineyards

April 16, 2008

Ms. Karen Niiya, Senior Engineer
Division of Water Rights
State Water Resources Control Board
1001 I Street, 2nd Floor
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, the associated technical appendices, and Substitute California Environmental Quality Act (“CEQA”) environmental compliance document (“Policy”).

I am a winery and landowner, and lessee of vineyard lands within Sonoma County. The proposed Policy will directly impact the vineyards and farming interests of my family’s business. Collectively, we have an interest in 952 acres of existing vineyard in Sonoma County. We have six water right applications and one petition on file seeking appropriation of water from streams within the Russian River watershed. Three of the applications were filed 10 years ago, and three have been pending since 2002. The delays in processing of our pending applications for our proposed vineyard project have cost my family over \$1.5 million in increased development costs.

It is my understanding that your Division has a backlog of over 300 applications in the north coast, and we are concerned that the proposed Policy will continue and intensify the existing backlog of water right applications and petitions due to the poorly-defined variance criteria, which my and most other applications will be subject to. Applicants deserve clear and effective guidance as to how to obtain a water right permit. The draft Policy is not it.

We are stewards of the land that we farm and are a leader in the industry in the use of solar power. We are a certified green winery in Sonoma County. We also practice fish friendly farming. However, it is highly questionable whether the fishery resources within the areas affected by the Policy will benefit significantly from what we understand will be *severe* and costly compliance measures imposed on ours and others’ existing storage reservoirs, and which will result in drastically reduced water yields. The proposed 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 within the north coast region.

The State Water Resources Control Board should reject the Draft Policy and replace it with a policy based on sound scientific data that provides appropriate balance between economic interests and environmental protection. I look forward to your full consideration of my concerns.

Sincerely,

Tom Klein

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