



VINEYARDS & WINERY

STATE WATER RESOURCES  
CONTROL BOARD

2008 APR 17 PM 12:20

DIV OF WATER RIGHTS  
SACRAMENTO

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

April 17, 2008

Re: Comment Letter – AB 2121 Policy

Dear State Water Resources Control Board,

- I am a landowner in Sonoma County and the proposed policy will directly impact me. I own 710 acres of land with 250 acres of irrigated vineyards. I divert water from Sotoyome and Starr creeks for irrigation, recreation and fire protection purposes.
- I am in the process of filing for water rights, but have found the existing process cumbersome and difficult to manage.
- The proposed policy will directly impact the farming interests of my family and 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, I 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 the 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.

Sincerely,

Douglas Lumgair

cc:

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

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