

From: "William Smith" <mendo12@sbcglobal.net>
To: "Karen Niiya Senior Engineer" <AB2121Policy@waterboards.ca.gov>
Date: Mon, Apr 21, 2008 11:11 AM
Subject: Comment Letter - AB 2121 Policy

William Smith
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April 21, 2008

Karen Niiya Senior Engineer
Division of Water Rights
1001 I Street, 2nd Floor
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DIV OF WATER RIGHTS
SACRAMENTO

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STATE WATER RESOURCES
CONTROL BOARD

Dear Ms. Niiya:

The Draft Policy is not a workable approach to protecting instream flows. Instead of providing water users guidance on appropriate instream flows, the Draft Policy establishes restrictive, regional criteria that severely limit the ability to divert water when it is most plentiful. This misguided attempt to preserve instream flows for the benefit of salmonids fails to follow California water law, fails to help fish, and actually impairs the ability of many farmers to make improvements to fish habitat.

The Draft Policy is not based upon sound science. It sets standards for very small watersheds, less than a couple square miles, even though the science supporting the policy comes from large watersheds.

The Draft Policy not only fails to relieve the backlog of pending water rights applications, it further complicates an already cumbersome process.

By attempting to apply specific criteria across a very diverse region, the Draft Policy will force the majority of pending applications to perform site-specific studies or to seek exceptions.

Water in California must be used to its full potential - to benefit habitat as well as agriculture.

I urge the State Water Board to adopt an alternative policy that is based on sound scientific facts, provides the appropriate balance between economic development and protecting natural habitat and wildlife species, while using water to its full potential.

Sincerely,

William F. Smith
707 462 3385
TREE FARMER