

Irish Beach Water District

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April 29, 2008

K. Washburn
AB2121Policy@waterboards.ca.gov
State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor
Sacramento, CA 95814

STATE WATER RESOURCES CONTROL BOARD
SACRAMENTO

2008 MAY - 1 AM 9:02

Re: SB2121 DRAFT Instream Flow Policy

We find the Proposed Policy to be unclear with respect to whether the Irish Beach Water District will become subject to the policy or not. The water diversion history of the Irish Beach Water District dates back to 1964. As a subdivision, individual parcels have been sold for more than forty years, but to date we have not reached buildout and have not exhausted our potential water diversion. Our existing and future residences require year round water, and our permits have echoed that situation in that the diversion permits authorized year round diversion. We understand that our situation may become subject to the proposed policy as we seek renewal of our water rights. We have invested significant human and financial resources to secure our water rights during this time, and those rights are now at risk of revocation. We feel it is unfair to subject our water district to this new Instream Flow Policy given our history with permitted water rights.

The Irish Beach Water District recognizes water to be a precious resource providing humans and wildlife with an essential ingredient for continued existence. We agree that as a crucial resource, planning for the future of our water resources is of the utmost importance.

The Draft Instream Flow Policy is a massive document written in complex language that has thwarted its comprehension on even the most basic levels. If existing permits and licenses are not directly subject to this policy, please make that clear at the beginning of the document in order to allay concerns of those communities that have grown around their water supply. If existing permits or licenses are subject to this policy, it would be more clear if the policy specifically addressed New Applications, Renewal of Existing Permits and Licenses.

USGS streamflow gauges and rainfall gauges in the geographic area subject to this policy are crucial instruments with which to monitor streamflow conditions. However, the number of streamflow monitoring stations seems to diminish year to year. How are we to keep pace with the realities of diminishing streamflows if the instruments that measure streamflow continue to be slashed due to funding problems? Please use your political will and financial resources to fund continuation of these essential gauges.

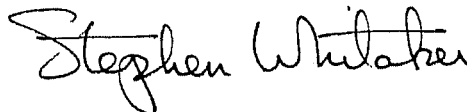
Please work to standardize techniques for all new groundwater wells that evaluate whether they are connected to streamflows nearby. Overdrafting groundwaters is a common reality that is likely to result in reduced instream flows during summer months.

The sedimentation experienced in north coast rivers has had a massive impact on maintaining instream flows. As sediments accumulate in our rivers, water increasingly flows beneath or within those gravels and becomes unavailable as instream flow for fish or humans. To date Forest Practice Rules and the lack of a grading ordinance has allowed watershed erosion to increase massively over background levels. Are those industries responsible for such sedimentation being held accountable, or just those trying to use the increasingly scarce surface water resources?

The Policy emphasizes storage as the answer to providing sustainable water resources year round. This will require a considerable land base to hold reservoirs and tanks. In the coastal zone, property for the storage of water is very costly and such features may never be permitted by the coastal commission. Water stored over long periods of time is likely to severely degrade in quality.

Your consideration of our concerns is greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "Stephen Whitaker". The signature is written in a cursive style with a large, prominent initial 'S'.

Stephen Whitaker, President
Board of Directors

cc: Dorothy Cong, Teri Jo Barber