

**From:** "Gary Wilsey" <wwine@aol.com>  
**To:** "Karen Niiya Senior Engineer" <AB2121Policy@waterboards.ca.gov>  
**Date:** Thu, Apr 17, 2008 10:34 AM  
**Subject:** Comment Letter - AB 2121 Policy

Gary Wilsey  
Vineyard Owner  
607 Harvest Ln  
St. Helena, CA 94574-1228

April 17, 2008

Karen Niiya Senior Engineer  
Division of Water Rights  
1001 I Street, 2nd Floor  
Sacramento, CA 95814

STATE WATER BOARD  
CONTROL BOARD  
2008 APR 17 PM 5:00  
DIV OF WATER RIGHTS  
SACRAMENTO

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 State Board failed to provide proper notice of the proposed policy to the hundreds of impacted farmers.

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

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.

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.

In addition, the State Board has not been able to determine the extent in which instream flows are necessary to maintain the fishery in north coast streams, nor have they accounted for the many factors impacting fish populations besides flow.

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,

Gary Wilsey  
707 963-3977  
Vineyard Owner

**From:** "Annette Cooley" <aacooley@gmail.com>  
**To:** "Karen Niiya Senior Engineer" <AB2121Policy@waterboards.ca.gov>  
**Date:** Thu, Apr 17, 2008 8:32 AM  
**Subject:** Comment Letter - AB 2121 Policy

Annette Cooley  
Cooley Logging  
PO Box AG  
Willits, CA 95490-0810

April 17, 2008

Karen Niiya Senior Engineer  
Division of Water Rights  
1001 I Street, 2nd Floor  
Sacramento, CA 95814

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Sincerely,

DIV. OF WATER RIGHTS  
SACRAMENTO

2008 APR 17 PM 5:00

STATE WATER RESOURCES  
CONTROL BOARD

Annette Cooley  
707-459-2562  
Cooley Logging