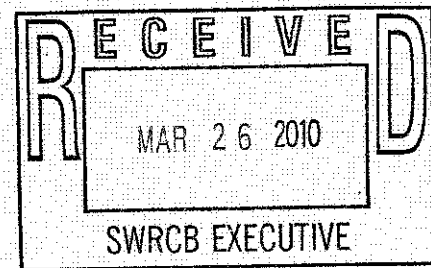


G D Cousins and D M Miles, 37 Wild Iris, The Sea Ranch, CA, 95497

State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
Jeanine Townsend, Clerk to the Board
commentletters@waterboards.ca.gov

March 26, 2010

Dear Sirs
Comment Letter – AB2121 Policy
February 2010 Draft North Coast Instream Flow Policy



We have further comments on this Policy.

We are sure most people in California would consider a doubling of water inflows to be a considerable step forward. The analysis of the proposals by The Sea Ranch Water Company show that if the new policy was applied to this community it would require a 1200% increase in the minimum by pass flow. This seems unreasonable jump from the existing standards and we question if it was the intention of the legislation to require increases of this magnitude.

The policy allows the alternative of a scientific study however it has been estimated that this would cost in the order of \$1,000,000. Again this seems a prohibitive burden for often small water companies and the communities they serve.

Why should existing communities be concerned?

There are a number of sections in the policy that, it appears, could require existing users to adopt the new standards including Section 3.3.1 item 2, Section 3.3.2.2 and Section 8.3.

Because the new requirements are so much higher than the existing even a small incremental increase in existing use would have a profound effect. Based on The Sea Ranch calculation a 10% increase in demand would require a 120% increase in flow requirements.

Section 8.3 gives authority to the SWRCB to review any existing license. There appear to be no stated performance criteria that companies can work to guarantee that they will not run into problems other than a subjective requirement for "reasonable use".

It appears that all existing communities could therefore be affected. The Sea Ranch study has shown that a community would either be saddled with enormous costs or be deprived of water for drinking, sanitation and fire protection. It seems unreasonable that they should bear the financial burden for mitigating the effects of all the other things that affect water flow in our rivers such as mining, logging, agriculture, etc. If this risk exists it will have an immediate economic effect.

To avoid these hardships we request that either the calculations should be revised or that there should be a cap on the increases to minimum by pass flows applied to existing users.

Yours faithfully

Handwritten signature of G D Cousins in cursive.

G D Cousins

Handwritten signature of Diane Miles in cursive.

D M Miles

