

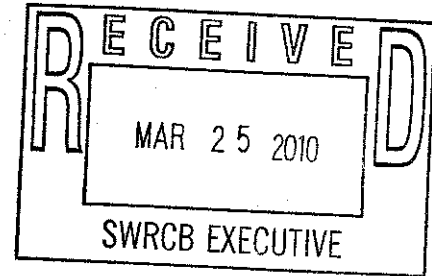


## NAPA COUNTY FARM BUREAU

811 JEFFERSON ST. NAPA, CALIFORNIA 94559 T. 707-224-5403 F. 707-224-7836

March 25, 2010

State Water Resources Control Board  
Charles Hoppin, Chair  
P.O. Box 2000  
Sacramento, CA 95812-2000



**Re: *Public Comment Period and Notice of Adoption Hearing on Proposed Policy for Maintaining Instream Flows in Northern California Coastal Streams***

Dear Chairman Hoppin:

Napa County Farm Bureau's Natural Resources Committee is committed to sustainable farming and helping the State Water Board adopt an Instream Flow Policy that sustains healthy watersheds and thriving farms and fisheries. We have spent significant time analyzing the 2002 Draft Instream Flow Guidelines, the 2007 Draft Instream Flow Policy, the 2009 Joint Recommendations on the Instream Flow Policy and now the 2010 Draft Instream Flow Policy. Despite our best efforts, we are unable to deliver cogent comments on this complex revised policy and respectfully request an extension of time and technical assistance to understand the impact to our farms.

Your Board released the revisions to its Draft Policy for Maintaining Instream Flows in Northern California Streams (Policy) on February 18, 2010 and scheduled an adoption hearing for April 27, 2010. The public is given only until March 26, 2010 to submit comments on the extremely complex 1,000+ pages of the revised Policy, supporting documents and responses to comments.

Napa County Farm Bureau represents 956 members with over 200,000 acres of farm and ranch lands in the Napa River Watershed that could be impacted by the proposed Policy. These farming and winery businesses employ over 50,000 workers and produce over \$400 million in crop value. Our winegrape industry has an economic impact of over \$10 billion in Napa County. The revised Instream Flow policy does not appear to evaluate the secondary environmental and economic impacts that will result from the denial of permits for pending projects unable to meet the new criteria of the proposed Policy.

The proposed Policy does not explain how these new requirements would affect real world projects named in pending water right applications and petitions in the North Coast. This effort will require many hours of hydrologic modeling by water resource engineers to understand how it will affect a specific pending project. It is our understanding that most reservoir projects will

fail the regional criteria analysis and thus require site specific analyses, for which no clear indication is given as to how a pending project would be permitted.

Your Board recognized the need to provide the public additional information about the implications of the first draft Policy (2007) and held a technical staff workshop in the Policy region and a 70-day extension of time to comment. The 2010 revised draft Policy should be no different. There is inadequate information provided to the public and inadequate time to evaluate all of the ramifications associated with the proposed revised Policy in time for the March 26, 2010 comment submittal date. An extension of the comment period is necessary for the regulated community to understand the environmental, economic and legal consequences of the proposed Policy and provide meaningful comments. Further, we believe it is inappropriate to hold an Adoption Hearing on April 27, 2010 without the benefit of public workshops where the public would have the opportunity to question the Board (or staff) about specific parts of the proposed Policy.

We respectfully request at least a 90-day extension to comment on the revised Policy, cancellation of the proposed State Water Board Adoption Hearing, and scheduling of one or more technical workshops on the revised Policy within the Policy region.

Thank you very much for considering this request.

Sincerely,



Jim Lincoln  
President

cc: Frances Spivy-Weber, Vice Chair  
Tam Doduc  
Arthur Baggett  
Walter Pettit  
Dorothy Rice  
Victoria Whitney