

From: "N.Neil Berger" <berger@mcn.org>
To: "State Water Board" <commentletters@waterboards.ca.gov>
CC: "Efren Carrillo" <ecarrillo@sonoma-county.org>
Date: 3/26/2010 11:10 AM
Subject: COMMENT LETTER - AB2121 POLICY

February 2010 Draft North Coast Instream Flow Policy
Strong Objection to this Draft policy and Request for Extension of Time

I request that these comments be made part of the administrative record for the Proposed Policy for Maintaining Instream Flows in Northern California Coastal Streams.

In response to AB2121, the State Water Resources Control Board (SWRCB) staff has recommended a proposed policy applicable regionally, that would have drastic negative impacts on The Sea Ranch, CA 95495 water supply. It would leave The Sea Ranch without water supply for days or even months each year.

The proposed policy provides limited, and generally constraining, criteria by which a "site specific" alternative would be evaluated. Any alternative could be subjected to an ill-defined and arbitrary concept rather than a scientifically justified standard. The Principles which the draft policy indicates would apply to the site specific studies also direct water to be dedicated first and foremost for instream flow. There is no provision for consideration of other beneficial uses of water. There is no provision for consideration of the impacts of the policy.

The proposed policy was announced on February 18, 2010. Forty-five days is an inadequate time for evaluation of the impact of a very complex and highly technical policy on specific sites. While The Sea Ranch has had the opportunity to do an initial evaluation of its impacts, We have not had the time needed to evaluate the economic effects on our property (primary and only residence) on the The Sea Ranch, or the larger coastal community. We request that the SWRCB extend the comment period for 90 days.

The SWRCB has scheduled one weekday hearing on the proposed policy, to be held in Sacramento, many hours drive for those whose lives will be affected by the proposed policy. We request that the SWRCB schedule workshops and hearings in the north coast region so that those citizens whose homes and livelihoods will be affected by the SWRCB's decisions may be heard.

Yours sincerely, N. Neil Berger & Ann Berger living at: 378 Wild Moor Reach, The Sea Ranch, CA 95497
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cc: Efren Carrillo, Sonoma County Supervisor

Wesley Chesbro, California State Assemblymember
<http://democrats.assembly.ca.gov/members/a01/default.aspx>

Pat Wiggins, State Senator <http://dist02.casen.govoffice.com/>

Governor Arnold Schwarzenegger <http://gov.ca.gov/>

