

39100 Curlew Reach

The Sea Ranch

California, 95497

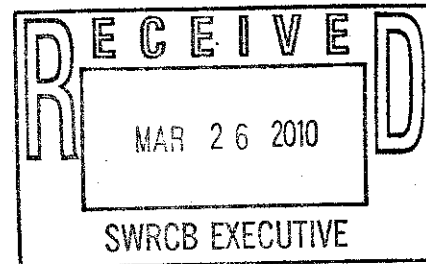
March 26, 2010

State Water Resources Control Board

1001 I Street, 24th Floor

Sacramento, CA 95814

RE: COMMENT LETTER AB2121 POLICY



Dear Members of the Board,

We are writing to convey our family's great concern over the threat to our water supply at The Sea Ranch by the Proposed State Water Resources Control Board (SWRCB) Instream Flow Policy. We are above all concerned that the draft policy as it stands may have a devastating impact on our community and on the neighboring residents of Gualala. We are liable to be very adversely affected through both its direct impact on our ability to occupy our property and its impact on employment. But we are also greatly concerned at the undemocratic way in which this policy was developed without consultation of those affected by it, the citizens. There is a very bad odor about this, and it is not sufficient to suggest that it was the responsibility of the water supplier to alert us. We have a right to enjoy our lives here and the property which we created in good faith. This draft policy takes direct aim at that right, we object to its present provisions strongly, and we object to the fact the Board did not consult us.

The proposed policy could have a drastic, negative impact on The Sea Ranch if applied to the Gualala River according to Regional Criteria, without consideration of all relevant local circumstances. The proposed policy assumes one size fits all. It was not validated for the Gualala River, but instead for inland conditions far different from ours. The policy has no basis in science applicable specifically to the Gualala River watershed or to our pumping from the aquifer within this watershed.

The Regional Criteria would require huge flows in the South Fork Gualala River before our community could operate our legally permitted wells on which we depend for year-round water supply. The flows would have to be approximately ten times greater than the current permitted policies. The proposed regional policy does not take into account the hydrology of the Gualala River nor the primary threats to fish (the State has designated the Gualala River as impaired because of silt and high temperatures caused by *de-vegetation of riparian zones*.)

The proposed policy as it stands could leave The Sea Ranch without water supply for days or even months each year. We agree with the Sea Ranch Water Company and the Association Board that the proposed policy should be revised to require that the economic impacts on current water users be taken

into account. The policy should be evaluated by including burden as well as benefit. Water needed for The Sea Ranch should not be re-dedicated to instream flow, especially when it is not even needed for that purpose.

There is no low-cost or otherwise feasible work-around available to us. The Sea Ranch already has an excellent water conservation program and very low gallons per capita per day usage. Effects could be significant loss of the \$2 billion property value at The Sea Ranch; resale markets in other developments that have lost their water supply have a small fraction of their initial value. Jobs would be lost in the surrounding area and tax revenue would be lost to Sonoma County.

Our family agree with the Sea Ranch Association and the Water Company that the proposed policy should be revised to require that the economic and other impacts to current water users be taken into account. The policy should be evaluated by including burden as well as benefit. Further, the policy should employ science that addresses conditions comparable to those found on the South Fork Gualala River.

Sincerely,

Robert and Karen Boyd