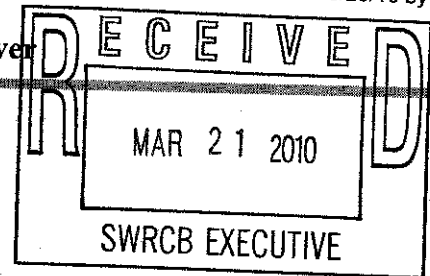


commentletters - Comment Letter AB 2121 policy-Gualala River



From: "Bob Kirkwood" <kirkwoodr@mindspring.com>
To: <commentletters@waterboards.ca.gov>
Date: 3/21/2010 6:27 PM
Subject: Comment Letter AB 2121 policy-Gualala River
CC: <Joe.Simitian@sen.ca.gov>, "Melanie Hamburger" <mhamburger@caltrout.org>

Dear Board members;

I am a strong believer in the importance of instream flows at critical times of the year for fish habitat. I understand that your proposed policy for the Gualala River is not tailored to the realities of that stream but is a general policy more appropriate to streams further inland. Applied to the Gualala it very likely will require extraordinary instream flows beyond that required for the fishery at times of the year when they could have an extremely adverse impact on the Sea Ranch where I have a home.

I believe it should be possible to provide needed flows specifically for the Gualala without imposing a huge burden on the Sea Ranch. The Water Company has already adjusted its practices to meet Term 14 of your water diversion permit issued only a few years ago. It may be necessary to make further adjustments but only if they are required to meet real needs specifically in the Gualala.

I realize that you are developing policies for a great many streams and wherever possible you will want to adopt general policies for a number of streams. Unfortunately some streams are simply not typical and your assessment needs to be on a stream specific basis. I submit that the Gualala is one such stream. A better approach might be working from and adding to recently approved permit documentation to determine what if any increased instream flow is appropriate for the specific fishery. That kind of review would allow you to focus on whether the specific diversion is the real problem or whether it originates further up the watershed or on another reach of the stream. That would seem preferable and much less burdensome both for you and permit holders than requiring full CEQA documentation prior to permitting any variation from a general policy applicable to all rivers.

I appreciate your consideration of these thoughts and hope you will find ways to act in the interests of all of California and its fish.

Sincerely

Robert C. Kirkwood
1221 Waverley St.
Palo Alto, Calif. 94301
Ph 650 279 7802
F 650 328 5058