



April 24, 2009

Dear Chairman Hoppin and Members of the Board:

As a forty year lower Russian River resident, I would like to comment on several of the serious potential impacts that will occur if the Temporary Urgency Change in Permits 12947A, 12949, 12950, and 16596 are granted. I would further like to recommend immediate mitigation measures if the Board adopts this recommendation, so that our public health and ESA-listed salmonids are not further endangered.

Before implementing the temporary urgency order, it is important to balance the needs of adult upstream migrating Chinook against the needs of out-migrating ESA listed juvenile salmonids. If ESA listed juvenile salmonids are lost (resulting in a net-take), due to a 72% flow-reduction scenario designed to support adult salmonids... we cannot achieve a net gain for our fragile fishery.

Former deep-water habitat pools have degraded at an alarming rate in the past 10 to 20 years, back filling with sediment and reducing their habitat values for out-migrating juvenile salmonids. Many pools on the lower river that were once 14 to 17 feet deep are now an average of 2 to 4 feet deep (even with current average summer flow rates). Reducing flows by 72% ($125\text{cfs} - 72\% = 35\text{cfs}$) will be devastating to these already badly damaged habitat areas. Water temperatures will rise and dissolved oxygen will be reduced, placing additional stress on juvenile salmonid populations and encouraging the growth of noxious weeds like Ludwigia, depleting important habitat values even further. If this reduced flow scenario is implemented, it must be accompanied by a zero sediment discharge order.

Additionally, there is a direct conductivity between the flow rate in the lower Russian River (Guerneville Hydrologic Subarea) and lower river tributaries, which are some of the most fragile habitat areas juvenile salmonids occupy during summer months. When the flow rate of the main stem of the lower Russian River is drastically reduced, flow rates of the lower river tributaries respond proportionately (almost immediately). No studies have been conducted on the conductivity of lowering main river flows and its direct correlation to reduced lower river tributary flows, so these impacts have been disregarded. Yet unfortunately this is where low flows may have the most devastating effects on ESA-listed juvenile salmonids. Immediate mitigation efforts must be made to protect these juvenile fish if the recommended flow scenario is implemented. Off site water storage and new water sources must be provided for farms, ranches and residences, along these tributaries that rely on shallow wells for agriculture and household use. When flow rates severely drop, the added impact of shallow wells along these tributaries is devastating, dropping in-stream flows below gravel beds. This results in the super-heating of remaining salmonid habitat pools, exposure to predation, and massive loss of remaining water quality. Mitigation must be provided to counter these cumulative effects.

The lower river also suffers from bacteriological problems during the summer, even at the current rate of average flow and dilution. Sonoma County Environmental Health found bacteriological testing at Monte Rio Beach exceeded single sample value per draft guidance for fresh water beaches multiple times last year. Environmental Health tests for total coliform, E.coli (*Escherichia coli*) and enterococcus bacteria. Above certain numeric levels these agents suggest the presence of other difficult to detect pathogenic microorganisms that can cause health effects. A 72% reduction in flow will result in a severe reduction of the water available for dilution of bacteriological pollution, increasing the parts per million ratios of pathogenic agents and further endangering public health on the lower river. As much of the leachate causing this pollution comes from poorly operating septic systems, the State Water Resources Control Board must provide immediate assistance to upgrade failing septics, and protect public health if they implement this flow reduction order. Severely reducing flows to the lower river proportionately increases the impacts of this pollution, adversely affecting public health, fisheries, wildlife and the Russian River Region's principal economic base of tourism (estimated at over \$100 million dollars annually). Past emergency flow reductions (reducing the average flow to 85 cfs) resulted in increased water temperatures, algae blooms, the spread of noxious weeds and severe depreciation of overall water quality. I do not believe the river will be able to absorb the cumulative impacts that accompany a 72% flow reduction to 35cfs.

Finally, it is imperative that illegal draws for the Russian River be immediately curtailed and prosecuted. In light of the serious water shortage we are facing, it is unconscionable that the current volume of illegal draws for the Russian river is allowed to continue. In the face of a 72% reduction in flow, illegal draws drastically affect public health, overall water quality and our ESA-listed fisheries. I applaud the board's recent work to help prosecute a high-profile offender, but there are many, many others known to our resource agencies. In good conscience, if the board enacts the urgency change, they must also order the immediate prosecution of all known illegal draws on the Russian River. It is the only fair move that can be made to protect our vital resource and the people of Mendocino and Sonoma County.

A sincere thank you for reading this letter and considering these crucial recommendations,

Sincerely yours,



Royce Brooks
22855 Moscow Rd.
Duncans Mills, CA. 95430