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STATE WATER RESOURCES CONTROL BOARD

John Curry and Janice Crow
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2008 MAY -2 AM 11:15

DIV. OF WATER RIGHTS
SACRAMENTO

Karen Niiya, Senior Engineer
Division of Water Rights
State Water Resources Control Board
1001 I Street, 2nd Floor
Sacramento, CA 95814

Dorothy R. Rice, Executive Director, SWRCB, Charles R. Hoppin, Board Member, SWRCB, Arthur G. Baggett, Jr., Board Member, SWRCB, Frances Spivy-Weber, Board Member, SWRCB, Tam M. Doduc, Board Member, SWRCB, Gary Wolff, Vice Chair, SWRCB

SUBJECT: Comment Letter – AB 2121 Policy

Dear Ms. Niiya and the Board,

Firstly, Ms. Niiya, I would like this letter to be delivered to all the addressees listed above.

We do not own a pond. Riparian elements do not flow through our property. However, more importantly, we are members of a close community, Sonoma. As such, what affects our neighbors directly, affects us at the very least, indirectly.

It has come to our attention that the SWRCB may implement a new policy which will have devastating effects on our community. Apparently, in an attempt to comply with AB2121, you have taken the easy route. If the legislation is narrowly interpreted and limited only to the increase of waterflows, you are, in fact, even doing a disservice to the fisheries you purport to enhance.

In peer review, Charles M. Burt, Registered Civil and Agricultural Engineer, stated, "...an activity to clear a passageway in the upstream areas of a watershed will have no impact until passage impediments are first removed further downstream. The final policy proposal indicates the existence of numerous natural in-stream barriers - would it be sufficient to remove simply the natural in-stream barriers?"

If this question was asked during peer review, we surmise that it was not adequately addressed in the creation of this proposal. **How can the SWRCB impose such a draconian policy without first resolving this critical issue?**

Now consider the impact on our neighbors, small pond owners, farmers and community. By focusing on waterflows only, you are neglecting the impact upon these people. You will force pond owners to modify or remove existing ponds at disastrous expense. You will take the very source of sustenance from a multi-billion dollar industry in Sonoma and surrounding counties: water.

This is how the SWRCB will affect us, personally. You will blindsides our community by implementing this unbalanced, bureaucratic policy. Perhaps you feel that you have satisfied AB2121, but you have not done your job. You have totally neglected social and economic factors, as well as the critical question of efficacy. You have not shown, for sure, that these policies will even work! And yet, you put at risk whole communities and industries!

This is where we take offense to your proposed policy. It puts at risk our farms, corollary industries, neighbors, and most important of all, that which binds, our community. **Shame on you!**

John Curry and Janice Crow

