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AB2121

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State Water Resources

Ms. Karen Niiya, Senior Engineer
Division of Water Rights
State Water Resources Control Board
1001 I Street, 2nd Floor
P.O. Box 2000
Sacramento, CA 95814

April 24, 2008

Re: Comment Letter – AB 2121 Policy

Dear Ms. Niiya:

I am a vineyard manager in Sonoma County and the proposed policy will directly impact me. I manage around 750 acres of vineyard and divert water from the Russian River for irrigation purposes. The proposed policy will directly impact the farming interests of my business.

Implementation of the Policy will result in further delays in water right processing because the majority of applicants and petitioners will need to seek a variance due to the stringent bypass and diversion rate limitations in the Policy. The variance criteria are not clearly defined in the Policy; therefore, I believe that processing of numerous variance requests will exacerbate the already back-logged workload of the State Water Board staff, and further delay approval of pending actions.

This policy is only going to lead to less stable water rights and more regulation. It does not provide a balance to the competing needs for water as it fails to weigh the many benefits derived from the agricultural, domestic and industrial uses of water. I believe that this bill impairs private property rights, threatens jobs and livelihoods, increases government red tape, and flies in the face of public participation in government decision making.

I am concerned that the **severe and costly** compliance measures imposed by this policy will result in drastically reduced water yields, higher fees and possibly loss of my productive farmland. There is no indication in the Policy that the fishery resources would actually benefit from my implementation of such measures.

The State Water Board should concentrate on fixing the water right process. Applicants deserve clear and effective guidance as to how to obtain a water right permit. The Draft Policy should be rejected and replaced with one that balances economic interests and environmental protection.

Sincerely,

Michael Vellutini