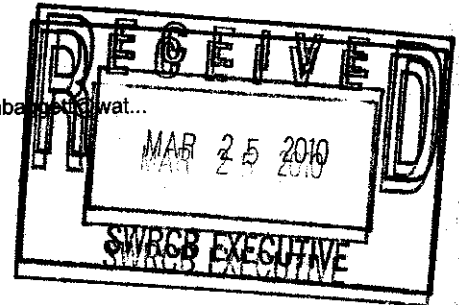


From: "Martha" <martha@mcn.org>  
To: <commentletters@waterboards.ca.gov>  
CC: <choppin@waterboards.ca.gov>, <fweber@waterboards.ca.gov>, <aba...@wat...>  
Date: 3/25/2010 5:42 PM  
Subject: COMMENT LETTER AB2121 POLICY



Chairman Charles R. Hoppin  
and Members  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

Dear Chair Hoppin:

We are opposed to adoption in its present form of the draft Policy for Maintaining Instream Flows in Northern California Coastal Streams to implement AB 2121.

My husband and I have been full-time residents at The Sea Ranch since 1998. We own no other home. As I'm sure you are aware, The Sea Ranch is the oldest environmentally-sensitive community in the State of California and probably in the nation. The Sea Ranch Water Company, solely owned by the The Sea Ranch Association has an exemplary record of careful stewardship of our water resources.

We just received the March 23, 2010 response of Victoria Whitney, Deputy Director for Water Rights to the many letters to the SWRCB from residents at The Sea Ranch. Needless to say, the reply is disappointing. It is astonishing to me that any state agency believes it is appropriate to essentially dismiss comments before the comment period is over and before a noticed public hearing on draft regulations.

Some inland water companies may have had adequate time to respond to the draft policy, but this is simply not the case for coastal communities--the ones most impacted by the proposed regulations. Not one notice has appeared here and no public hearing was held anywhere on the coast.

The other reason the notice has been totally inadequate is embedded in the policy itself. It is not possible without engineering calculations by experts familiar with a water system and stream flow characteristics to read the policy and know how a given water system will be impacted. The Sea Ranch Water Company retained Brown and Caldwell, an engineering firm to assess the impacts of the proposed regulations on our water system.

The engineers tell us that, if the proposed regulations are adopted and enforced, The Sea Ranch will not have enough water to sustain the community. In a normal water year such as 2004-05, at normal use rates, the community would be without any water for 26 days. During drought years, the community would be essentially waterless for months at a time. The Sea Ranch has a water conservation program, but the shortfall is too large to be made up with conservation. The community is naturally a low water user, because little water is used to irrigate landscaping and many houses have been constructed since the requirements for low-flow toilets and other water conservation measures were enacted.

The Water Company received the Brown and Caldwell report on March 17, 2010 and since then has alerted its users. As community members and water users, we have had less than a week to be heard on this issue. We urge you to extend the comment period and hold a public hearing or workshop on the coast. Coastal people are eager to restore and preserve our fish populations, but that needs to be balanced with other beneficial uses. We have many other comments on the policy itself, but like our fellow Sea Ranchers need more time to communicate concerns clearly and in detail.

Thank you for considering our request for additional time for public comment.

Martha L. Tyler  
Spurgeon S. Tyler  
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The Sea Ranch

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