
State Water Resources Control Board

FEB 10 2016

North Coast Resource Management, Inc.
c/o Ms. Estelle Clifton
P.O. Box 932
Calpella, CA 95418

Dear Ms. Clifton:

ONGOING APPROVAL OF THE WATER DEMAND MANAGEMENT PROGRAM (WDMP) FOR DIVERSIONS OF WATER FOR FROST PROTECTION FROM THE WEST FORK OF THE RUSSIAN RIVER, IN THE RUSSIAN RIVER WATERSHED IN MENDOCINO COUNTY

On February 17, 2015, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) approved the Water Demand Management Program (WDMP), proposed by the North Coast Resource Management (NCRM), pursuant to the Russian River Frost Protection Regulation (Regulation) (Cal. Code Regs., tit. 23, § 862). The program is for diversions of water for frost protection from the West Fork of the Russian River in the Russian River Watershed in Mendocino County.

The State Water Board's continuing approval of the WDMP is contingent on compliance with the requirements of the Regulation. This includes submittal of an Annual Report by September 1 and ongoing consultation with National Marine Fisheries Service (NMFS) and California Department of Fish and Wildlife (CDFW) regarding development and implementation of a Stream Stage Monitoring Program (Monitoring Program), and conducting a Risk Assessment.

Division staff have reviewed the Annual Report submitted by NCRM on September 1, 2015, and have determined that the WDMP is in compliance with the reporting requirements described in subdivision (c)(5) of the Regulation. The Annual Report documents that the sole participant in the WDMP did not make any diversions for frost protection during the 2015 frost protection season, and that consultation with CDFW and NMFS and development and implementation of the Monitoring Program and Risk Assessment are consistent with the schedule outlined in the initial WDMP.

This letter serves as notification that Dutra Vineyards, the sole participant in the WDMP remains in compliance with the Regulation.

Please provide an updated Inventory of Frost Diversion Systems (Frost Inventory) and an updated schedule for consultation with NMFS and CDFW by February 26, 2016. The Frost Inventory should include a description of the frost diversion system and its capacity, acres frost protected, and the source of water diverted for frost protection. The consultation schedule should include documentation of consultation with NMFS and CDFW to date, as well as a schedule for future consultation.

Since this WDMP has only one participant, the Division anticipates that you may encounter problems coordinating with nearby and downstream diverters to conduct a risk assessment and take corrective actions as necessary to satisfy all the requirements of the regulation. Please coordinate with the Governing Bodies for the other WDMPs in Mendocino County (Mendocino County Farm Bureau and California Land Stewardship Institute) to assess the impact that your diversions have on stream stage in the West Fork and Main Stem of the Russian River downstream of your diversion.

The second Annual Report must be submitted by September 1, 2016. The Division expects the report will contain updates to the Frost Inventory, stream-stage monitoring data, and documentation of the progress toward the installation of gages identified in the Monitoring Program. The Division anticipates that enough stream stage monitoring data will have been accumulated so that a risk assessment can be performed, and preliminary corrective actions, including notifying diverters of the potential risk, can be made. The report should also include documentation of coordination with the Mendocino County Farm Bureau and California Land Stewardship Institute and ongoing consultation with NMFS and CDFW regarding the Monitoring Program and Risk Assessment, and an explanation of any deviation from recommendations made by NMFS or CDFW during the consultation process.

Thank you for your diligence in working towards the goals of the Russian River Frost Protection Regulation. The updated Frost Inventory and related materials should be directed to Kyle Wooldridge at kyle.wooldridge@waterboards.ca.gov. WDMP program questions may be directed to Ms. Kathy Mrowka at (916) 341-5363, or by e-mail at kathy.mrowka@waterboards.ca.gov. Written correspondence should be addressed as follows: State Water Resources Control Board, Russian River Frost Regulation, Attn.: Kathy Mrowka, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,

ORIGINAL SIGNED BY:

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