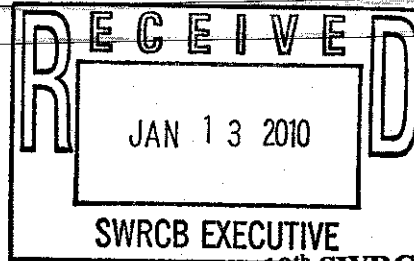


Chairman Charles Hoppin
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100



1/19/10 Bd Mtg/Wrkshp Item 7
Russian River
Deadline: 1/13/10 by 12 noon

Re: Russian River Frost Protection Draft Regulation for the January 19th SWRCB Workshop

Dear Chairman Hoppin and Board Members,

This is in response to the State Water Resources Control Board (SWRCB) draft regulation relating to use of water for frost protection of crops in the Russian River watershed in Mendocino and Sonoma Counties.

Our family has been growing grapes and making wine on our ranch along the Russian River two miles south of the town of Healdsburg for 114 years. We have 135 acres planted on the eastern river bank, of this 42.5 acres are setup for frost protection. Our water comes from 2 wells adjacent to the river. If we were to lose grapes due to a frost we would then not have that wine to sell over the next few years putting a severe hardship on our family. We are an estate bottled winery and therefore our vineyard is our only source for grapes.

This draft regulation does not give any consideration to the Frost Protection Program that was presented to the SWRCB at the November 18, 2009 Russian River frost protection workshop. The Program represents a collaborative effort by local growers and other stakeholders in Mendocino and Sonoma Counties over the last year and offers real solutions to identifying problem areas within the watershed and how instantaneous demand issues can be lessened. We believe your draft regulation is an impractical starting point from which to continue the collaborative efforts to resolve the water use needs for both the agricultural community and the fishery resources.

This draft regulation appears to be an attempt by the SWRCB to secure new jurisdiction over groundwater sources. This goes beyond the initial scope of developing a program to reduce instantaneous demand during frost events. We are concerned about the statewide implications to groundwater resources that could result from such a regulation.

We ask that you re-consider the Russian River Frost Program and the proposed policy that was submitted to you. Agriculture has demonstrated that it is able and willing to work with the SWRCB and other regulatory agencies to address problems in the watershed. Please do not adopt a regulation that would thwart that effort.

Sincerely,

Louis M. Foppiano

Foppiano Vineyards & Winery
12707 Old Redwood Hwy.
P.O. Box 606
Healdsburg, CA 95448 louis@foppiano.com // 707-433-7272