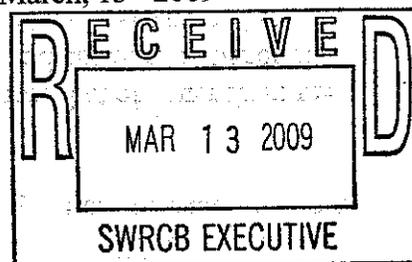


LA RIBERA VINEYARDS

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

March, 13th 2009



Regarding: Russian River Frost Protection Prohibition

Dear Chairman Hoppin and Board Members,

I own and operate La Ribera Vineyards in Mendocino County. As an environmentally responsible land owner we created a 90 acres dedicated riparian zone along the Russian River under a conservation easement and were one of the first vineyards on the Russian River to be certified in the Fish Friendly Farming program by National Marine Fisheries Service, the Regional Water Quality Control Board, and the Mendocino County Agricultural Commissioner.

I am very concerned with the action taken regarding the prohibition of drafting water from the Russian River for frost protection. Members of our agricultural community have been meeting with your staff, the National Marine Fisheries Service (NMFS) and Fish and Game for months developing a reasonable method of accomplishing frost protection while protecting the public trust resource. This process was blind-sided on March 5th by your staff and NMFS when they announced the preparation of "Emergency Regulations" banning the use of water for frost protection in the Russian River Basin in 2009!

Residents of Mendocino County have a legal right to 8,000 acre feet of water from the Russian River. Frost protection is a necessary, allowable, permitted and established beneficial use of that water. Stakeholders in the Upper Russian River understand and have agreed to significant water conservation guide lines to insure there will be enough water available for the Municipalities, public trust resources and agriculture. There is a very real possibility of over \$65 million in crop losses in Mendocino County alone. This does not take into consideration the ripple effect and significant negative impacts to related jobs and the economic health of the broader Mendocino County community.

It is imperative that a reasonable resolution is achieved that insures frost protection while minimizing impacts on all other water needs. In your 2008 Strategic Plan you state your goal is to *"be forward thinking, use best science available, and conduct business in an appropriately consistent and transparent manner, while protecting water quality and balancing the competing demands on our water resources"*. If you follow your stated plan I am confident you will not move forward with this Emergency Regulation developed by staff, instead work towards developing a workable forward thinking long term resolution to the problem.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas A. Thornhill III".

Thomas A. Thornhill III

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