

Friends of the Navarro Watershed

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State Water Resources Control Board

P.O. Box 2000

1001 I Street, 14th Floor

Sacramento, CA 95812

Re: Draft SED North Coast Instream Flow Policy Comments

Attention: Ms. Karen Niiya Division of Water Rights

Dear Ms. Niiya:

Thank you for the chance to address the SED for the implementation of AB2121. The flows in the streams addressed by AB2121 have been rapidly diminishing for years now, none much worse than the Navarro. Anderson Creek is the worst hit of the tributaries of the Navarro. It was declared fully-appropriated (for the summer months) years ago, yet has 13 pending (winter) applications, many of which were discovered in the 1998 WIP. I mention Anderson Creek in particular because it should still be running by my house at this time of year, especially after a late and wet spring. The fact that it isn't indicates a serious problem that has to be addressed with some will if there's any chance of saving the salmon and steelhead. AB 2121 presumably was intended for this very problem, and the 2002 Draft Guidelines are the standards for water appropriation that need to be rigorously applied. Somehow all water that would end up in the streams has to be brought under some level of regulation, or French drains and pumping of ground water will pick up where the regulation of surface water has left off, and instream needs won't be met.

The problem faced by the SWRCB, as I see it, is how to deal with the obvious over-drafting of the water that should still be flowing in the streams. While I'm using Anderson Creek, and the Navarro, as the example I'm most familiar with (having protested many applications in the vain attempt to mitigate the current water grab), there is reason to believe much of the area covered by AB2121 is in similar shape. Surely there will be difficult cases where onstream reservoirs, illegally installed, will have to be removed if they cannot be adequately bypassed. Even legally installed reservoirs being decommissioned can be considered if the owner can be convinced and if their seniority is unaffected. In either case, the physical removal needn't be a huge sediment load to the watershed downstream, given the technology and technique available such as temporary dams and planting of riparian vegetation to capture the soil deposited in the reservoir.

Surely the gain in flow would more than offset the mitigated sediment release and help create a rich expansion of riparian habitat in the captured soil.

Somehow, we need to not just stop the diminishment of instream flows, but actually to regain flow in some cases. While it cannot be easy or cheap, it's desperately necessary, and the Endangered Species Act, Clean Water Act, and TMDL process—to name a few—are all going in the same direction and trying to address the same problem. Please don't be deterred by the difficulties ahead. Please find a way.

Thank you,

Stephen Hall, for Friends of the Navarro Watershed