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MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

FEB 13 2015

Russian River Watershed Conservation Council
Mr. Pete Opatz, President
855 Bordeaux Way, Suite 100
Napa, CA 94558

Dear Mr. Opatz:

**APPROVAL OF AN INITIAL WATER DEMAND MANAGEMENT PROGRAM (WDMP)
FOR DIVERSIONS OF WATER FOR FROST PROTECTION IN THE RUSSIAN RIVER
WATERSHED IN SONOMA COUNTY**

On January 28, 2015, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) received your proposed WDMP pursuant to the Russian River Frost Protection Regulation (Regulation) (Cal. Code Regs., tit. 23, § 862) for diversions of water for frost protection in the Russian River watershed in Sonoma County.

Your submittal identifies the Russian River Water Conservation Council (Council) as the governing body for the WDMP and contains a list of the names of the participating diverters, and, for each participating diverter, the sources of water used and the acreage frost protected. The submittal also includes a schedule for completing the frost inventory, developing and implementing a stream stage-monitoring program, and conducting a risk assessment. Division staff also confirmed that you contacted National Marine Fisheries Service (NMFS) and California Department of Fish and Wildlife (CDFW) staff regarding the WDMP. During implementation of the WDMP, consultation with the fishery agencies will be needed to assess and provide recommendations on proposed methodologies for the monitoring program and risk assessment.

The Division has reviewed the proposed WDMP and concludes that it meets the requirements for approval of an initial WDMP, as outlined in State Water Board Resolution No. 2011-0047. Your initial WDMP is hereby approved.

As outlined in the initial WDMP, the Council expects to be able to submit the rest of the frost protection diversion inventory, except for diversion data, by March 1, 2015. This includes, for each participating diverter, the locations of the diversions, a description of the diversion system and its capacity, and acreage frost protected by means other than water diverted from the Russian River stream system. The Division has determined that this information should be submitted to the State Water Board no later than May 15, 2015.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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The Division understands that you expect to have other diverters within the area represented by this WDMP joining your program following receipt of this approval. Please provide Division staff with updates of the new participants, their frost acreage, and their sources prior to these new participants diverting water for frost protection in the upcoming frost protection season. This approval does not extend to additional participants until the required information for each participant is submitted by the governing body. Unless the Division objects within 15 days of receiving complete information for each participant (name, acreage, and sources), the new participants may assume that their inclusion in the WDMP is approved. Frost diversions are authorized for such persons on the date the Division receives the WDMP amendment. No action will be taken on incomplete submittals; they will be considered automatically rejected.

The first annual report must be submitted by September 1, 2015. The Division expects the report will contain updates to the inventory, including information required pursuant to subdivision (c)(1)(E) of the Regulation, stream stage monitoring data, and the governing body's progress towards development of protective stream stages. The report should also include documentation of consultation with NMFS and CDFW regarding the stream stage monitoring program and risk assessment, and an explanation of any deviation from recommendations made by NMFS or CDFW during the consultation process.

The purpose of the Regulation is to prevent salmonid stranding mortality through cooperative management of diversions of water for frost protection. Therefore, it is important for the governing bodies of each WDMP to work together and exchange information for, at a minimum, conducting complete and accurate risk assessments.

Thank you for your diligence in working towards the goals of the Russian River Frost Protection Regulation. Should you have any questions, please contact 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,



Barbara Evoy, Deputy Director
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