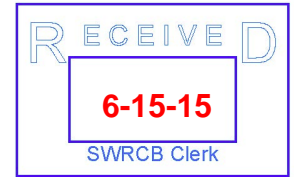




June 11, 2015

(6/16-17/15) Board Meeting- Item 12
Russian River
Deadline: 6/15/15 by 12:00 noon



Felicia Marcus,
Chair, State Water Resources Control Board
and Members
c/o Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Emergency Regulation for Fisheries Protection on the Russian River Tributaries

Dear Chair Marcus and Members:

We support the State Water Resources Control Board's (Board) proposed emergency regulations. These regulations provide a common sense approach to water conservation that is necessary to protect Coho Salmon and Steelhead Trout in the Russian River and its tributaries. These threatened fish are at serious risk to lose all recovery gains that have been recently made, and we should protect these important species.

Coho Salmon and were once found abundant throughout California, but their numbers have steadily declined due to overfishing, development, damming of streams, and timber harvesting. Central California Coast Coho are listed as endangered, and are at threat of extinction. Ocean caught Coho Salmon provide an excellent source of nutrition, as well as recreational and economic benefits. Coho Salmon are also important cultural icons of many tribes. Protecting this species in California is important to us all.

Similarly, Steelhead Trout are an iconic species that has faced issues due to overfishing, development, and damming of streams, leading to a threatened designation for the Central California Coast Steelhead. Recovery of this species would provide numerous benefits to the fishing community, also providing recreational and economic benefit.

Under the public trust doctrine, the state has an affirmative duty to protect wildlife. We believe that the proposed regulation identifies actions that will prevent disaster for these fish species. The measures identified will save water without impacting any non-essential uses. Allowing for watering of things like ornamental turf and landscapes while species go extinct would be a waste of water.

We also are in strong support of the Board using its authority over hydraulically-connected groundwater. Pumping of water too close to a gaining stream can be just as damaging to a stream to as surface diversions. As courts have correctly noted, the state has an affirmative duty to regulate hydraulically-connected groundwater pumping where there is an impact on public trust resources, as we are facing on the Russian River and its tributaries. We hope the Board will continue to look into pumpers of groundwater as a means of protecting fish species.

One area of concern we have for the regulations are the exemption of commercial agriculture from the conservation regulation. There are currently no listed curtailment orders for the Russian River, and we hope

that this will be considered going forward. While most agricultural water use is properly conserved through curtailment orders, there are some areas where agriculture is supplied through urban water agencies that do not face the same curtailments. These water users should be asked to do their part in cutting back, and we would like to see the Board address the issues associated with those who may have more efficiency options but are not covered in this and other conservation regulations or curtailment orders.

Additionally, groundwater pumping adjacent to the Russian River and its tributaries can have deleterious effects on the watercourse depending on well location. Any well creates a zone of depression, which if sited close to a stream it can drawdown water levels quickly. The Board should look into addressing the pumpers for hydraulically-connected groundwater for all users. The proposed collection of information from these pumpers is an important step on this goal.

Protecting species is an important piece of the Board's work during this drought, and these proposed regulations are a good step in protecting the Coho Salmon and Steelhead Trout on the Russian River and its tributaries. We hope the Board considers more comprehensive work going forward by addressing any possible inefficiencies in agricultural use.

Sincerely,

A handwritten signature in blue ink, appearing to read 'KJ', is positioned above the typed name.

Kyle Jones
Policy Advocate