

Jim Doerksen

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NCRWQCB

Date: March 14, 2009

MAR 16 2009

Mr. Matt St. John
North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa CA 95403

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RE: Comments to the 2008 Integrated Report for 305(b) Surface Water Assessment and 303(d) List of Impaired Streams

Dear Matt:

Thank you for the excellent workshop put on by you and Rebecca on March 12, 2009 and for taking the time to listen to both mine and Kate Wilson's (Russian Riverkeepers) concerns about Mark West Creek.

I have enclosed my comments which I also presented to the Board of Zoning Adjustments regarding the proposed Cornell Winery site on St. Helena Road and the north fork of Mark West Creek. This document explains why Mark West Creek, since it was listed in 2002 for being sediment/siltation and temperature impaired, has so rapidly and severely degraded that now only emergency measures will be necessary to save the remaining steelhead and coho.

I would ask that the 2019 TMDL implementation date be changed to 2009 or at the very latest 2010 implementation date.

Thank you.

Sincerely,


Jim Doerksen

P.S. Much of the enclosed documentation, including those from the NCRWQCB should be a valuable assessment tool.

TO: BOARD OF ZONING ADJUSTMENT
Dave Hardy, Supervising Planner, PRMD

RE: PROPOSED HENRY CORNELL WINERY - #UPE07-0008

DATE: November 13, 2008

My wife and I have lived at 7125 St. Helena Road, Santa Rosa and have almost one mile of Mark West Creek (Class I stream) flowing through our property. I have been here for over 40 years. We are the former Mark West Christmas Tree Farm. We also grow redwood and Douglas fir timber trees.

I intend to speak briefly at the November 13, 2008, hearing on this matter, but due to time constraints ask that this letter be accepted by this Board as my full and complete testimony and be made a part of the record.

I am a Civil Engineer and former hydrologist for Santa Clara County Flood Control & Water District, and am a retired City Engineer & Public Works Director. I have been in the timber business for almost 50 years. I have been awarded numerous environmental awards, one of which is for having the best tree farm (timber) in the western United States. My wife and I host up to 3,000 schoolchildren from schools throughout Sonoma County each year on our property; everything in these classes is centered around our segment of the Mark West Creek. (*See Exhibit A*)

Now another winery wants to take the last few drops of water and put the last nail in the coffin. Let me explain why this should not happen.

Cornell started work on their vineyards in 2000. We always had a nice summer time flow with lots of fry. In the earlier part of this decade, we noticed the level of summer time flows being reduced and winter time flows resulting in flash floods.

Exhibit B shows that historical low summer flows to be very consistent around 2 cfs (cubic feet per second) irregardless of low or high seasonal rainfall. This work was done by Fish & Game. When severely dropping flows were noticed, a neighbor with the help of the Community Clean Water Institute started measuring creek flows. As the graph shows, the volumes continued to drop and this year in September, readings were at .06 cfs. This is only a few percent of normal summer time flows. It is important to emphasize that a drought may exaggerate the numbers, but the 98" of rain in 2005/2006 did nothing to reverse this trend of reduced summer time flow. The reading of summer time temperatures shows exactly the same trend. Temperatures keeps going up. This work was started by Sotoyome RCD (Regional Conservation District) on our property since 1999. The same is occurring at the Clean Water Institute site. In July this year, we observed lots of fry (steelhead & coho salmon). Upon our return from an extended vacation in September, no fish were found except for scaup fish that are not heat sensitive. This means that water temperatures were exceeding the 21.C° maximum temperature that the fish cannot survive.

What is causing this disaster and was I forewarned? Yes, I had been. Upstream neighbors who said both Pride Vineyards and Henry Cornell were cutting down forests and planting vines that will cause serious damage. All I can say now is I'm kicking myself for not getting involved sooner. Had no idea two vineyards (Cornell and Pride) and one winery could cause such serious damage to the watershed.

Exhibit C is a letter from a property owner explaining what an adjacent vineyard was doing to Mark West Creek. I gathered considerable information from neighbors and all showed the same trend.

Many neighbors all along the creek from the upper reaches of Mark West Creek all the way to Wikiup have decided to see if we can save the last remaining water and then hope that steelhead and salmon will return. Why should two individuals, one not even living in California, cause so much destruction in their "wake"? Here is what we found out.

Pride started in the mid-nineties, and has expanded to become a 100+ acre vineyard, some of which appear to have been planted this year. (see **Exhibit D** aerial photo). Nobody in local government seemed to be aware of their continuous expansion. The creek levels dropped. Then along came Cornell vineyards in 2003. The creek levels started to drop precipitously and flash floods increased. Spawning coho and steelhead disappeared soon thereafter, parts of Mark West Creek went dry as did tributary streams feeding Mark West Creek, and local springs stopped supplying water.

Now the Board is being asked to approve an 18,670 sq. ft. winery on the Cornell vineyards on 245 Wappo Road, Santa Rosa. Reviewing the documentation on file at PRMD supporting the proposed winery, I find it fraught with errors, omissions and misrepresentations. I have not reviewed these documents by myself. I enlisted the help of neighbors, my engineering buddies, public agency experts, and they have helped with the research.

The *Pilot Study of Groundwater Conditions (Kleinfelder 2003)* was commissioned by the County in an effort to get an unbiased understanding of complex groundwater issues. This study includes the Mark West Springs area and discusses Mark West Creek. It makes some very significant findings germane to the Cornell project, summarized as follows:

- We are water scarce (p. 38)
- "Geology is considered the most important factor (for groundwater)" (p. 38)
- "The Franciscan Formation [predominant rock at Cornell] is mostly a tight, non-porous rock unit and groundwater occurs only in secondary openings such as joints, fractures, and shear zones. As a result, well yield is typically low, 1 to 3 gallons per minutes (gpm), although wells with yields as high as 68 gpm are recorded (Ford, 1975)" (p. 6)
- "DEPTH OF WELLS TREND in the Mark West Study Area [showed] the average depth of new wells has increased from about 120 feet in 1950 to

about 300 feet in 1997.” “The trend seems to reflect lower water levels
“...not due to changing weather conditions.” (emphasis added) (p. 35 & 36)

- “Water availability is limited in all water scarce areas of the county but it is particularly scarce in geologic materials such as the Franciscan and Petaluma formations. The composition and hydrologic characteristics of these formations and the nature of the materials in them limit key aquifer characteristics such as recharge potential, water storage capacity, and the ability of the formation to yield water. Or in other words, these factors determine how much water gets into the formation, how much water it can hold and how freely water flows from it” (emphasis added) “These poor aquifers have insufficient storage to supply some residents through the dry months of the year. In some areas, residents must supplement their water supply by trucking to their homes. This is evidenced by the frequent presence of water trucks on the roads.” (emphasis added) (p. 38)
- “Additional development will likely increase overdraft.” (p. 40)
- “The trend in depth to water in new wells shows evidence of an overdraft condition.” (p. 39)

Cornell hired RGH in 2004 & Todd Engineering in 2006 to do groundwater availability studies, both of which include the vineyards and winery of Cornell since they have no effective way to separate them. PRMD then hired Kleinfelder, as a consultant to the County, to review the Todd Report. Inconsistencies were noted between Kleinfelder’s 2003 “unbiased” overview and his 2007 review of Todd’s report; significant Kleinfelder findings included:

- ❖ “The Cornell Farm’s wells, although not tested, may be able to continuously and reliably produce 10 and 15 gpm”. So why these suppositions when Kleinfelder (2003) states very clearly they will typically be 1 to 3 gpm? And why not test when they are required to do so? Kleinfelder now working for PRMD agrees with Todd---totally contradicting his accurate and well done report of 2003.
- ❖ “... we agree that anecdotal interviews with well owners and drillers are not necessary for this study.” Not only another disagreement with his own report but bordering on irresponsibility. Pride Vineyards, a large 100+ ac. vineyard located above Cornell had its wells run out of water in May of 2008 and also last year and the previous. Todd has very carefully left Pride out of the equation. The Pride vineyards and winery, neighbors of Cornell, are not mentioned in Cornell’s application.

Exhibit E shows a water truck going to Pride Vineyards on July 21, 2008. The driver said they have been hauling to Pride since May 2008 from both Sonoma and Napa Counties. He also said he had hauled to Cornell. I have no evidence of that.

One would have to assume that if Pride is dry, the same has already happened to Cornell or “very” close to it.

- ❖ "Checklist Item 31 requires discussion of potential impacts of surface water and aquatic habitat. The Todd report and letters address the potential impacts to surface water but do not mention aquatic habitat. However, since the overall conclusion is that there will be no significant impact on surface water, then it may also be concluded that there will be no anticipated significant impact to aquatic habitats".
- ❖ "A short explanation of the relationship between groundwater use by this project and surface water flows in Mark West Creek is required (number 21 on the checklist). If there is no connection between the two, then please make this clear." "We believe Todd makes a clear and concise description of the relationship between potential groundwater, groundwater conditions and withdrawals, and their interaction with Mark West Creek. Their approaches are sound and are within what would considered (sic) acceptable practice and standard of care."

I am outraged! Todd & RGH have been hired by Henry Cornell to sell you/us a bill of goods which most of us know little about. The Planning staff can see some serious omissions with these reports. They then hire Kleinfelder to give us an impartial review of the reports by Todd (Aug. 2006) and RGH (Jul. 2004). Unfortunately, Kleinfelder continually agrees with suppositions made by both reports in total contradiction of what he states in the Kleinfelder Report of 2003. He now really goes out on a limb when he states there will be no significant impacts on surface water, aquatic habitat, and Mark West Creek. **Exhibit F-1** - Press Democrat photo in 1999, 9/13/99, and **Exhibit F-2** photo taken in early summer of 2008 at same location.

Some Board members may not be as familiar with the connection of groundwater, streamflows and, of course, the steelhead and salmon. I have long been aware of this problem when I worked for Santa Clara county Flood Control and Water District in the 1960's. There has been lots of research on this subject for a very long time. Brock Dolman of the Occidental Arts & Ecology Center teaches and gives seminars on this subject. He has a great slide presentation showing in detail how water from creeks and springs are lost when aquifers are overdrafted especially in regards to vineyard and winery water usage that is now becoming very common in Sonoma County. Brock is the guru of andronamous salmonids in Sonoma County.

A Timber Harvest Plan (THP 1-00-411SON) was done in 2000. The following comments were made by Cherie Blatt of the NCRWQCB (No. Coast Regional Water Quality Control Board) in a letter to California Dept. of Forestry, dated February 28, 2001.

"We are concerned about the water quality effects from the increase in flows due to vineyard clearing and timber harvesting. The THP does not address the potential change in runoff from the project. It has been documented that reductions in vegetative cover reduces evapotranspiration, rainfall interceptions, and fog interception. (Ziemer, 1998) This in turn, may cause bank and channel instabilities resulting from increased runoff. We are also

concerned about potential changes in summer flows in the Class I and II watercourses. The THP lacks information regarding well development or surface water drafting from the creeks and the quantities needed for vineyard supply. Overdrafting of groundwater or surface waters may affect down stream summer flows. Changes in stream flow volume, increased storm flow discharges and changes to stream channel morphology along with the resulting adverse impacts to beneficial uses should be addressed. In addition, the THP should mitigate these changes to protect the beneficial uses of water.” (Emphasis added)

Unfortunately, Cherie Blatt’s predictions came true:

➤ A Class I stream adjacent to the proposed winery has changed into a Class II and possibly Class III due to pumping and removal of trees. “Overdrafting of groundwater” has caused major changes in Mark West Creek resulting in large fish kills. **Exhibit G** shows a dry creek bed directly below the proposed winery site in May 2008.

- “...increased storm flow discharge” – I applied for flood insurance this year even though my home has been here since the 1850’s and have never had to file a claim.
- “Changes in streamflow morphology” – **Exhibit H** shows the erosion along my streambanks due to flash floods (9 large trees fell due to this). **Exhibit I** shows steelhead eaten by turkey vultures because of the extremely low water level this last winter in Mark West Creek.
- “May cause bank and channel instabilities resulting from increased runoff.” Added to this runoff was the removal of the trees on the proposed winery site without the benefit of a THP and “YOUR” approval. **Exhibits J1 through J6** shows the proposed winery site at different time periods.

J1 – A 1988 photo taken by previous owner looking from Wappo Road across proposed winery site; and same location today in 2008.

J2 – Shows the site being grubbed (illegal THP). Grubbed means to dig up by the roots according to Webster’s dictionary. Owner’s representative says the vegetation removed was only chamise, according to Jeri Finn of Calif. Dept. of Forestry (CDF/CalFire). Photos show otherwise.

J3 – Google Earth shows over 30 such piles of wood (which was burned).

J4 – Photo of site from neighbors. Note large amount of Douglas fir. Almost none existed in 1988 photos. This area had been burned and is still in a state of regeneration.

J5 – Cleared site from the air. Note “new” grading on right.

J6 – Cleared site adjacent to Wappo Road.

- A huge slide, just downhill from the winery site occurred. (*Exhibits K1 & K2*). This caused serious degradation to Mark West Creek and the spawning beds. One neighbor even used a pick to improve the impacted spawning areas. It is my opinion that more slides will occur. *Exhibit L* - Photo of edge of slide adjacent to proposed winery site. Note erosion, very steep banks and now a Class I stream is dry (May 2008).

On the follow-up (or resubmitted) THP 1-01-215SON Cherie Blatt of NCRWQCB arrives at the site to find trees being harvested prior to approval. She recommends Calif. Dept. of Forestry file a citation against Henry Cornell. Was this done?

The Sonoma County Grand Jury Report (July 1, 2004) and the League of Women Voters of Sonoma County report (October 2004) have a real good handle on these serious water issues. I even use these resources when I teach classes in forestry to Sonoma State and Santa Rosa Junior College students and classes in water management. Here is the Calif. Dept. of Fish & Game's take on this: "A substantial amount of coho salmon habitat has been lost or degraded as a result of water diversions and groundwater extraction (CDFG 1997, KRBFTF 1991)." "In some watersheds, the demand for water has already exceeded the available supply and some water rights have been allocated through court adjudication. " "Small coastal streams often rely on springs to maintain flows through the summer months, but the flow of these springs is often diminished by pumping from the aquifers that supply them. Many streams that once flowed year-round no longer do so, because of recent increases in hillside agricultural land conversion and reduction in local groundwater levels. The conversion of uplands from forest or grasslands to agriculture increase erosion and ground water use (CDFG 2001)".

Here is a short list of individuals that have a good understanding of the "problem". Ask them:

Christine Fontaine – Laguna de Santa Rosa Foundation
527-9277 E-mail: Christine@lagunafoundation.org

Dan Wilson – Calif. Dept. of Fish & Game
944-5534 E-mail: dwilson@dfg.ca.gov

Greg Damron – Pepperwood Preserve
542-2080, ext. 2 E-mail: gdamron@sonic.net

Dr. Matthew Deitch – Consultant, Center Eco System Management & Restoration
E-mail: deitch@cemar.org

Brock Dolman, Director, OAEC'S Water Institute
874-1557 E-mail: brock@oaec.org

Dr. Adina Merenlender – U.C. Berkeley
707-489-4362 E-mail: adina@nature.berkeley.edu

Don McEnhill – Russian Riverkeeper
433-1958 E-mail: rrkeeper@sonic.net

California Regional Water Quality Control Board (CRWQCB)
Cherie Blatt 576-2755 E-mail: CBlatt@waterboards.ca.gov
Charles Rich 916-341-5377 E-mail: CRich@waterboards.ca.gov

Mary Ann King - Trout Unlimited
510-649-9987 E-mail: mking@tu.org

David Bannister BTI Group
538-7738 E-mail: davidban@sonic.net

Todd Engineering also makes many statements/calculations not given to Kleinfelder by the County that appear to be very inaccurate and misleading. Examples are:

Todd says 1,200,000 gal./yr. of water is needed for the vineyards and 96,000 for the winery. I have no expertise here so I consulted others. U.C. Davis, Richard Nagaoka (who has done considerable consulting on Spring Mountain), and a local vintner. The numbers ranged from 3,750,000 to over 5,000,000 gal./yr. All agreed this area cannot be "dry farmed".

Todd estimates recharge of groundwater to be 3%. Everyone else disagrees and the most optimistic figure was from No. Coast Regional Quality Control Board with ½%. Of course, the forested areas adjacent to the vineyards will have a much better recharge. I personally believe it is much closer to zero and Kleinfelder again agrees Franciscan has a very limited recharge potential. This has a dramatic effect on water that would be available.

Do I have other things to discuss? Of course, there are many other issues regarding both Todd & RGH, but water is, in my opinion, the most serious and the most threatened.

The other really significant item as I see it is CEQA review with a "full blown" EIR. Probably its most important function is to keep all parties honest. As a former City Engineer/Public Works Director, had I tried to avoid this process, I would have been in big trouble. The Cornell winery project is far more significant than any projects I was involved in as they only had local impacts where this is having a major regional impact. Based upon my education, training and professional experience, and living with and nearby the Mark West Creek for more than 40 years, I have reached certain conclusions which cause me to oppose the Cornell winery application and PRMD's decision to issue a Mitigated Negative Declaration in lieu of requiring an EIR for Cornell's project. I have concluded, and would so testify under oath, that since Cornell began planting vineyards, etc. in or about 2001, (1) there has been a significant reduction of available groundwater in this upper watershed area; (2) due to timber removal and conversion to grapes, winter storm run-off from Cornell into Mark West Creek has destabilized the banks of the Mark West Creek - (see previous **Exhibit H**) shows creek bank destabilization; (3) largely destroyed spawning areas of endangered or protected species of coho and steelhead by depositing impenetrable silt where gravel once facilitated spawning; (4) during the research, other items such as sedimentation, slides, erosion, possible illegal THP, etc. came up. Lots of other problems here and hope someone will address them. I don't believe Cornell has much water left, if any, and neighbor Pride is out, as I said earlier.

No further development should occur until streamflows can be restored.

Thank you for reviewing my statement and research.

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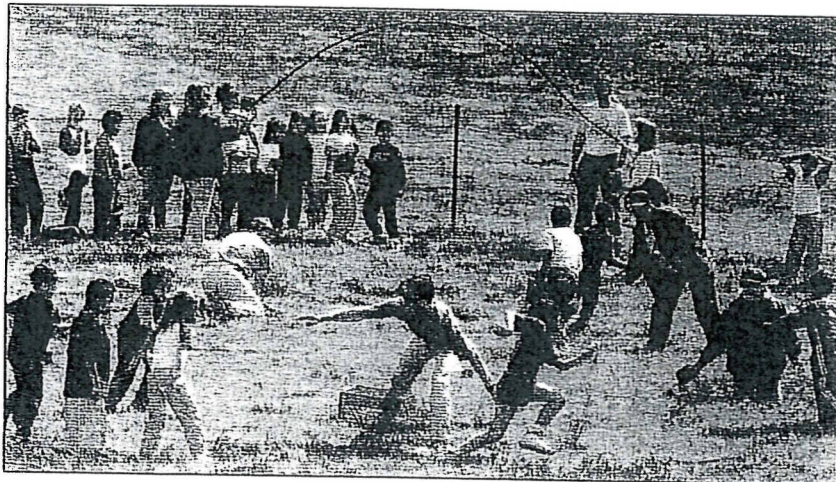


NATURE'S GUARD
Casa Grande's
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the environment/6

Family

www.pressdemocrat.com

**Lessons
in Life:**
Third graders
from Fremont
School play
"salmon," a
game that mim-
ics the life cycle
of the fish.



"We're
trying to
instill an
appreciation
for the
world
around
them."

HUGH GLESTINGER
PROGRAM DIRECTOR

learning *to love* land



One With Her Thoughts: Mary Thompson, a third grader at Fremont School in Santa Rosa, writes about her surroundings during a recent "In Our Own Backyard" outing at Rancho Mark West.

*'In Our Backyard' introduces kids to nature with hopes
that someday they'll become stewards of the environment*

learning *to love* their land



One With Her Thoughts: Mary Thompson, a third grader at Fremont School in Santa Rosa, writes about her surroundings during a recent "In Our Backyard" outing at Rancho Mark West.

'In Our Backyard' introduces kids to nature with hopes that someday they'll become stewards of the environment

STORY BY GEORGE LAUER IS PHOTOS BY JOHN BURGESS/Press Democrat staff

EXHIBIT A

Jose Hernandez, a rotund, impish third grader, grinned with pride. "I'm in fish heaven," he said, a little out of breath, "but the good way."

Impersonating a salmon, Hernandez had just completed an obstacle course full of danger. He swam through a turbine generator (jump rope), evaded raccoons and bears (parents in drag), outsmarted fishermen (teachers) and finally climbed a fish ladder (carpet samples) to the piscine promised land.

The object of the lesson plan disguised as a game was to join the roughly 2 percent of salmon who successfully complete a life cycle from egg to old age. If you fall prey to an obstacle, you go directly to fish heaven and start over.

"I did it that time. I made it back alive," Hernandez said, enjoying his heavenly respite before starting a new life cycle.

Hernandez was one of 30 third graders from Fremont School in Santa Rosa mak-

ing their third trip to their adopted piece of open space in a program called In Our Own Backyard, an environmental education program for Sonoma County schools.

At the beginning of the school year, about a dozen classrooms ranging from elementary to high school were paired with a piece of property and then scheduled for at least four field trips — one for each season. They learn biology, mapping, geography, botany, ecology and, ultimately, a sense of stewardship for "their" land.

Unless your kid is involved, you've probably never heard of this program, but if you're a taxpayer in Sonoma County, you should know about it. There is no roadside sign pointing to "Your Tax Dollars At Work," but it is precisely that. In Our Own Backyard is the educational arm of the Sonoma County Agricultural Preservation and Open Space District.

Ten years ago, Sonoma County voters became the first in the country to tax themselves to preserve their landscape. Every

time you buy something in Sonoma County, you pay a 1/4-percent tax used to buy property or conservation easements to preserve open space. The tax generates about \$13 million a year. A small portion of that — about \$64,000 this year — goes to Land Paths, a two-pronged nonprofit organization dedicated to getting people out onto the open space they're paying for.

One prong, aimed at the general public, arranges and leads group excursions on preserved property. The other prong, In Our Own Backyard, works in partnership with schools.

Hugh Stesinger, with two teaching credentials and working on an interdisciplinary masters degree in education, is the maestro of In Our Own Backyard. Teachers and administrators are impressed with his work, but the toughest critics — the kids — go a step further.

"He's really neat," said Ruby McNulty.

San Francisco Chronicle



JOHN BURGESS/PRESS DEMOCRAT

Hugh Slesinger, program coordinator for "In Our Own Backyard" leads a group of third graders from Fremont School in Santa Rosa in a song about the parts of plants.

Land

Continued from Page D1

"We were doing things with slugs last time, and he's reading us this story about apple trees. Look, there's a redwing black-bird," McNulty said peering through her mother's opera glasses, borrowed for the field trip.

Bruce Beasley, Sierra's dad, went along on last week's outing to see firsthand what he's been hearing about all year.

"She just loves this. For days after these outings we hear in great detail about how Hugh did this and Hugh did that. They have really made an impression," Beasley said.

It's not hard to see why. Slesinger and his co-teacher Jeff Domagalski use an effective combination of games, song and physical activity to engage the 9- and 10-year-old set. High school students do more hands-on projects, including mapping, wildlife observation, habitat restoration and stream enhancement. Older students are also involved in placing and monitoring nesting boxes for birds on several Open Space District parcels.

Fremont third graders in Jo Crouch and Paul Drake's class-

rooms have adopted Rancho Mark West, 163 acres in the hills east of Santa Rosa. The Open Space District bought a conservation easement from landowner Jim Doerksen, who lives on the property.

"I think this is a great use of the property and of the program," Doerksen said. "You can see these kids beginning to develop a feel for the land, and it's pretty obvious they enjoy themselves when they get out here."

Slesinger, who has classroom teaching experience in Milpitas and Occidental and outdoor teaching experience in a variety of camps and environmental educational programs, says the focus and approach may differ depending on the age group, but the goals are the same.

"We're trying to instill an appreciation for the world around them that will carry on beyond their years as a student," Slesinger said.

Steve Sharpe, acting general manager of the Open Space District, said In Our Own Backyard's first year can be rated a success.

"This was really a big experiment for all of us this year and I think everyone involved has been pretty pleased with how it's turning out. You certainly can't

argue about the importance of this kind of education," Sharpe said. "Kids are going to be the future. We'll all be long gone by the time they're running things. If they grow up with an appreciation for the natural world, we'll be doing the right thing."

• • •

By the end of the salmon life cycle game under the late-morning sun on a treeless field, every fish in the third-grade stream was sweating.

It's another learning opportunity for Slesinger and his students.

"Pretty hot out here, huh," Slesinger said. "Bet this would have been better in the shade."

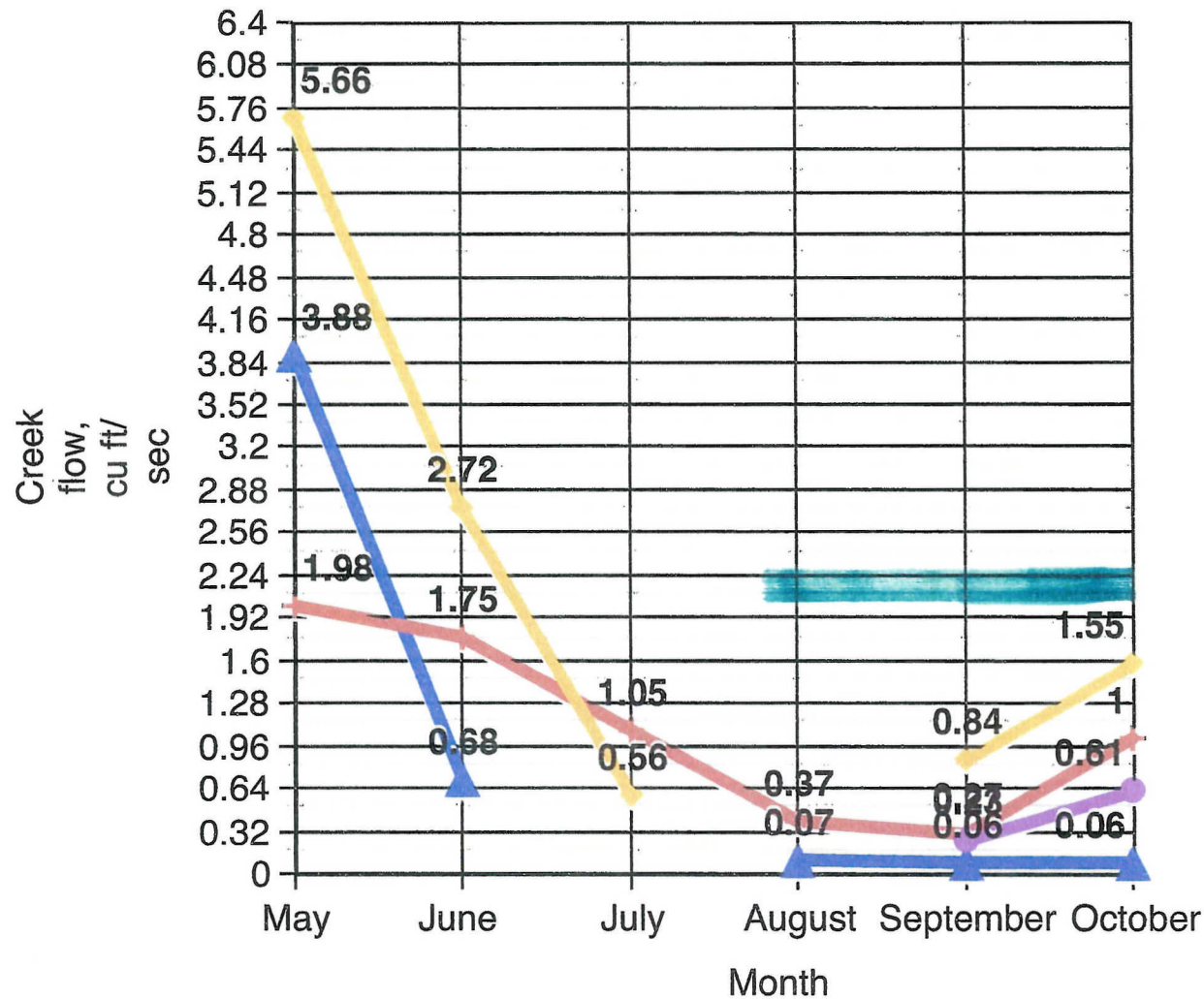
"Yeah, way better," the third graders agree.

"It's the same for the salmon," Slesinger said. "If they don't have shade and cool water when they're trying to fight their way back up stream, they get overheated just like you do."

"Remember those acorns we found last time we were out here? Well, I stuck them in some dirt," he said, holding up a couple of 6-inch seedlings. "And now they're ready to plant. So to finish up today, we're going to plant these guys next to the creek to help the salmon get back upstream."

"Cool," said the third graders.

Dry Season Creek Flow--Mark West Creek



from 5515 St Helena Rd (MWC 095)

Rainfall Data

Fish & Game historic flows for 1965, 1970, 1996 (little variation) @ 7125 St. Helena Road		
2005	04/05	82"
2006	05/06	96"
2007	06/07	38"
2008	07/08	44.5"

TO WHOM IT MAY CONCERN:

I purchased the property known as 100 Wappo Rd., Santa Rosa, CA (formerly known as 8561 St. Helena Rd.) in March 1994. At that time, and for approximately 3 years thereafter, the sole source of water for this property was Mark West Creek, which runs parallel to St. Helena Rd. St. Helena Rd. is the boundary to my property.

An electrical pump was located near the creek bank at the bottom of a hill. When switched on, the pump carried water from the creek to a water storage tank sitting at the top of that hill. This storage tank was located about 150 feet from the house. As the water tank sat on the top of a hill, it was significantly higher than the house and spigots located outside the house. Gravity caused the water to flow from the tank to the house and outside spigots at sufficient pressure to allow for watering domestic stock, taking showers, watering the garden, and other activities needing water. The tank took less than 5 minutes to fill after the pump was turned on.

This situation changed in the summer of 1998. A vineyard located east of my property began to irrigate the grapevines, which caused the creek to stop flowing. The pipe that carried the water from the creek to the holding tank was located in a fairly deep pool in the creek bed. When I attempted to fill the tank from this pool, the pool would be lowered to the point where the pipe would take in air, causing the flow of water to be broken. About 1/3 of the tank could be filled before the pump started to "suck air." I would have to wait approximately 45 minutes for the pool to refill above the end of the pipe, then prime the pump to start filling the tank again. The end of the pipe would again be above the water surface after filling another third of the tank. This process would have to be followed a third time to completely fill the tank. This size of the tank is not excessive; I believe that it has a capacity of 1,000 gallons.

In late summer or early fall of 1998 the pool in the creek rose so that the pipe remained filled with water long enough to fill the tank without having to start and stop as described in the paragraph immediately above. This increase in the availability of water coincided with the cessation of the vineyard's irrigation for the season.

Because a source of water is vital to raising animals, I hired a general contractor, Phil Farmer of Santa Rosa, and Weeks Drilling and Pump Company of Sebastopol, to drill a well, dig a trench from the well to the house, and lay the electrical lines and water pipes in the trench. As part of the project, Phil Farmer also poured a cement pad at the well head. The cost of drilling the well was in excess of \$12,000, and the ancillary work was in excess of \$6,000. These amounts were paid to Weeks and Farmer, respectively.

There is no question but that the irrigation of the vineyards directly affected the volume of water in Mark West Creek. I am concerned that additional water usage to irrigate newly planted vineyards near my property could negatively affect the existing water table to the extent that this well, which is now the sole source of water for my property, will no longer be productive.



Ali J. Farhat

June 15, 2008



Exhibit D – Aerial photo showing Pride Vineyards, Cornell, & proposed winery site.



Exhibit E – Water truck hauling to Pride Vineyards (July 21, 2008). The driver stated that they had been hauling to Pride since May 2008.

Rancher tends to damaged forest

3-decade effort draws acclaim

By TOM CHORNEAU
Staff Writer

Visitors to Jim Doerksen's ranch usually are invited up the hill to a peak overlooking his 130 acres and much of the Alpine Valley near the Napa County line.

Doerksen likes the spot because he can point to the hundreds of thousands of towering redwoods and thriving Douglas firs he's planted since taking ownership of the land in 1967.

It has taken 30 years, but observers say Doerksen's restoration has largely succeeded in overcoming nearly a century of disruptive logging and farm operations on the property.

"I'm not finished yet, but anyone who would have seen this ranch when we bought it and would look at it today would understand what we've accomplished," said Doerksen, who along with his wife, Betty, will be honored later this month by the American Forest Foundation for their land stewardship. "It's been a lot of work. A lot of days out there, clearing space and weeding out the brush."

By carefully selecting trees to cut and tearing out species that compete for water and sunlight, Doerksen said he has created an environment in which firs and redwoods can grow 10 times faster than they did under prior



MARY GARDELLA/PRESS DEMOCRAT

Jim and Betty Doerksen have received national recognition for reforestation work on their 120-acre ranch off St. Helena Road northeast of Santa Rosa.

P.D. 9/13/97

NAME in the NEWS

Who: Jim Doerksen

Age: 60

Occupation: Retired engineer and real estate entrepreneur, named 1999 Western Regional Tree Farmer of the Year, American Forest Foundation.



PRESS DEMOCRAT

and creeks," Bonos said. "It is something that he can take a lot of pride in."

The property, once part of the holdings of Gen. Mariano Vallejo, is on St. Helena Road only five miles from Rincon Valley. Known locally for its patch of Christmas tree pines sold annu-

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takes pulpit at gay church

By RANDI ROSSMANN
Staff Writer

GUERNEVILLE — Sonoma County District Attorney Mike Mullins took on the role as guest preacher Sunday morning at a small gay community church in Guerneville.

The Rev. John Torres invited Mullins to address the Metropolitan Community Church as part of bridge-building effort between the county's top prosecutor and the area's gay and lesbian community.

Torres said he received a couple of letters late last week from people saying Mullins was a poor choice, believing his office has not done enough in some cases of domestic violence against women.

Torres said that having Mullins as guest preacher was not an endorsement of everything his office has done. But with a growing gay and lesbian community in the county, it is important to continue to keep and nurture a relationship with elected officials, Torres said.

"I don't want to wait until there's a big controversy in the community. I want to talk now. Here's an olive branch," Torres said. "We're trying to connect with each other."

Of the 18 people who attended the service, several said they were glad he came.

Some people in the gay and lesbian community believe their community is left out when it comes to justice, said Steve Rickabaugh. Mullins' appearance was a "good connection we're trying to make. We need to connect with all parts of the community."

Mullins, the only one in a suit at the casual service, told the audience that he had a great-grandfather who had been a traveling Methodist minister and joked that

"It is amazing what nature will do if you help it along. We just weed out some of the brush and oaks to give the rest of the forest a chance."

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EXHIBIT F2 – Photo taken on Mark West Creek taken summer 2008 at same location as photo taken by Press Democrat in *Exhibit F1*.



Exhibit G – Dry creek bed



Exhibit H – Shows erosion along my streambanks in Mark West Creek



Exhibit I – Steelhead eaten by vultures in Mark West Creek because of extremely low water level last winter (07/08).



Exhibit J1 – As the proposed winery site looked in 1988 (photo taken by previous owner).



Exhibit J1 – As the site looks today in 2008.



Exhibit J2 – Proposed winery site being grubbed showing larger trees.

1" = 155'

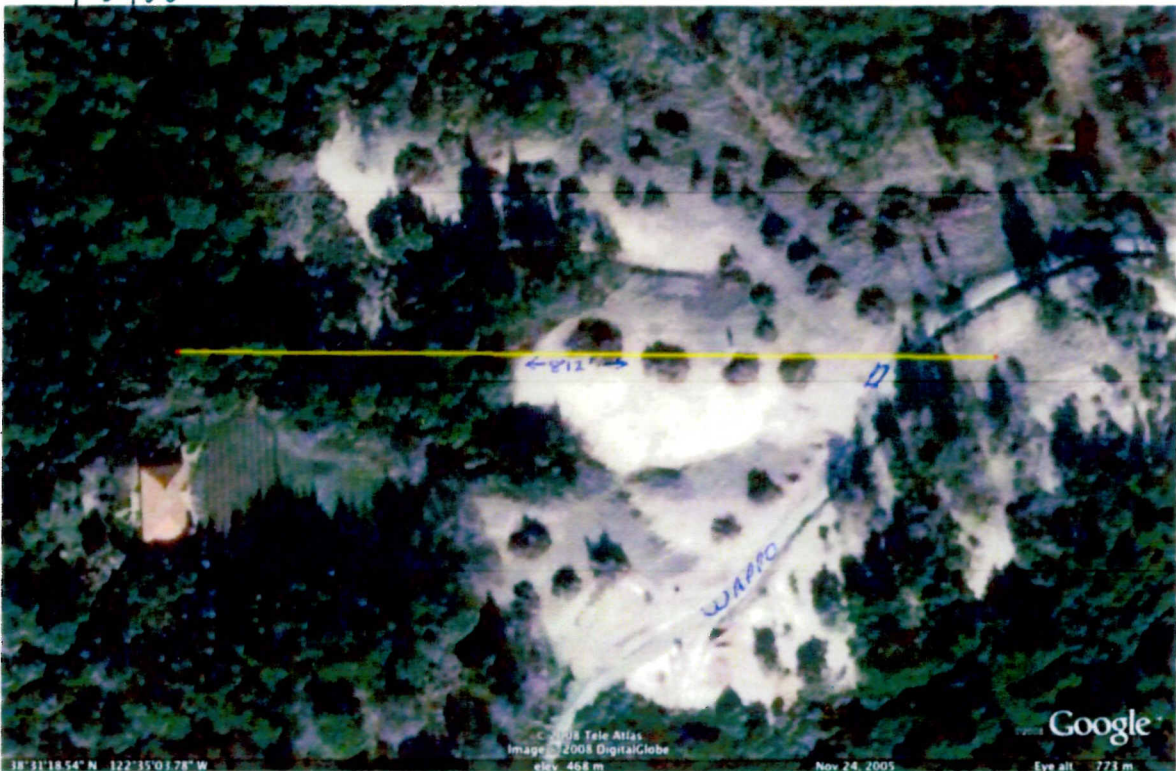


Exhibit J3 – Google Earth shows over 30 such piles of wood (Nov. 2005)



Exhibit J4 – Photo of proposed winery site from neighbor's.



Exhibit J5 – Cleared proposed winery site from the air. Note new grading at right.



Exhibit J6 – Cleared proposed winery site adjacent to Wappo Road.



Exhibit K1 – Landslide below Cornell's graded area, close to proposed winery site (2006)



Exhibit K2 – Sediment entering Mark West Creek after landslide



Exhibit L – Photo of edge of slide adjacent to proposed winery site