

>>> Dan Silver <dsilverla@earthlink.net> 8/25/2007 11:18 AM >>>
August 25, 2007

Ms. Diane Riddle
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812

RE: Water rights and public trust resources in Santa Ynez River (RDEIR for Bradbury Dam)

Dear Ms. Riddle:

The RDEIR does not include a range of alternatives that fulfill the project's objectives including protecting steelhead as a public trust resource in the Santa Ynez River, as required by state laws. Of the five alternatives identified in the RDEIR Alternatives 5B and 5C would provide the most benefits for steelhead, but the RDEIR should also evaluate additional measures that can restore and protect steelhead as a viable, public resource, including additional flow regimes for the lower river and steelhead passage around Bradbury Dam. Currently, downstream water rights releases are made from Cachuma to replenish dewatered aquifers in the Santa Ynez and Lompoc areas. These short-term, high volume releases are made during mid- to late-summer after the river has dried out, and thus do little to benefit steelhead. The RDEIR should analyze alternative (more continuous) downstream water rights release patterns so that water released for groundwater recharge can concurrently improve conditions for steelhead. Of all the alternatives, the RDEIR only identifies 5B as potentially resulting in a water-supply related impact caused by the need to tap alternative water supplies during the critical 3-year drought about once every 100 years. However, the State's leading authority on water conservation, Pacific Institute has concluded that water conservation in the urban areas served by Cachuma could offset a water supply shortfall.

Sincerely,

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