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AB2121

STATE WATER RESOURCES  
CONTROL BOARD

2008 APR 28 PM 3:19

DIV OF WATER RIGHTS  
SACRAMENTO

Dino Dina, M.D.  
Ciamrossa Vineyards  
P.O. Box 573  
Angwin, CA 94508

Monday 28<sup>th</sup> April, 2008

Ms. Karen Niiya,  
Senior Engineer  
Division of Water Rights  
State Water Resources Control Board  
1001 I Street, 2<sup>nd</sup> Floor  
P.O. Box 2000  
Sacramento, CA 95814

**Re: Comment Letter – AB 2121 Policy**

Dear Ms. Niiya:

Thank you for the opportunity to comment on the Draft Policy for Maintaining Instream Flows in Northern California Coastal Streams ("Policy"). I am a vineyard owner in Napa County and am very concerned about the implementation of the Draft Policy and the affect it will have on the processing of my pending water right application.

Nearly ten years ago I filed an application to appropriate 15 acre-feet of water in the winter months from an unnamed stream within the Conn Creek watershed (located upstream of Lake Hennessey). This reservoir was constructed by a prior owner of the property over 50 years ago. The draft Initial Study was originally submitted in 2004 for this project, but your Division continues to revise it. We are now in our fourth revision, and it has still not been circulated for public comment.

I understand that the State Water Board has a backlog of over 300 applications within the region affected by the Policy. I have fully cooperated with staff's directives, have spent over \$60,000 in engineering and environmental studies, and yet we have been in the water right 'process' for almost ten years. I believe that the manner in which the application process has been handled represents a clear dereliction of your duty as a public agency. I am greatly concerned that the Policy will exacerbate the workload at the State Water Board, thereby further delaying approval of our project.

The State Water Resources Control Board should not adopt this Policy, but instead, should concentrate on fixing the water right process to establish clear and effective guidelines for environmental review and regulatory decision making. Applicants deserve such guidance in the water right process.

Sincerely,



Dino Dina, M.D.

cc: Tam Doduc, Chair, SWRCB  
SWRCB Members: Arthur Baggett, Jr., Charles Hoppin, Frances Spivy-Weber, Gary Wolff