

May 22, 2008

State Water Resources Control Board  
Division of Water Rights  
P O Box 2000  
Sacramento CA 95812

Attention: Karen Niiya, Sr. Engineer

RE: NORTH COAST INSTREAM FLOW POLICY

Dear Karen:

I have had the opportunity to review the documentation you have sent me regarding the North Coast Flow Policy.

I have some questions and comments as follows:

1. We live on Mark West Creek and have a small permitted reservoir (Permit #5422) on an adjacent intermittent watercourse. The permit dates from approximately 50 to 60 years ago. Does this proposed policy have any affect on my dam and reservoir? I have talked to other neighbors with dams and no one has any idea what I am talking about! If someone had not sent me a copy of the notice, neither would I.
2. The other item is much more complicated. Mark West Creek and its tributaries have been a great spawning ground for steelhead, silver and king salmon. I have wonderful photos that show this to be the case. Everything seemed okay in this beautiful creek, but there were less fish. Then about 5 or 6 years ago, the water levels became totally erratic with every year being worse than the previous year. Small storms now are providing an almost instantaneous runoff followed by an immediate low flow in the creek. The summertime flows appear to be down by 70 to 80% from about 10 years ago. The small tributary in front of my home is now threatening my house during small storms and then dried up last summer. This Class I stream now needs to be reclassified as a Class II or III stream. I also have photos of steelhead taken in August

STATE WATER RESOURCES  
CONTROL BOARD  
2008 MAY 28 AM 11:12  
DIV OF WATER RIGHTS  
SACRAMENTO

and even September many years ago with no visual damage to their bodies. The deep water holes are almost dry as I write this letter.

The fish that arrived in "my backyard" to spawn this year were one King, 2 coho, and 14 steelhead and they were all white from the beating they took on the bed of rocks they had to encounter on their way upstream. As I observed them trying to spawn, it was even more pathetic. With the little energy they had left, they had no way to place their eggs in the gravel which now had been impacted to form an almost concrete type of material. I observed eggs laying exposed out of the water which had no chance of hatching. This is all very disheartening.

A couple of years ago, a number of neighbors on Mark West Creek had a meeting to get to the bottom of this problem. Other neighbors have had a better understanding of the cause long before I did. I simply was not aware that large tracts of forest above my property had been turned into vineyards and wineries built. The trees are gone, vineyards planted on the steep slopes, wells were drilled deep into the ground, some of which are now going dry. Experts point out this lowering of the water table in the upper reaches of the mountain stream will in short order eliminate the remaining fish.

I apologize for this lengthy dissertation, but I not only wanted to explain what is really happening, as I don't see this issue being addressed in your documentation. If it is not, then large numbers of fish will disappear in areas where intense agriculture takes place in the upper watershed, and much monies will be wasted on policies that will have very little effect on helping the fish. I understand some counties are aware of this problem and are taking remedial means, but Sonoma County most certainly is not one of them. I have gathered thousands of pages of backup material, numerous photos, stream and rainfall records of Mark West Creek to prove the results of this upper watershed denuding of forests for intensive agricultural development.

Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Doerksen", written over the word "Sincerely".

Jim Doerksen

cc: Victoria A. Whitney, Dep. Director  
Linda S. Adams, Secty. for Environmental Protection  
Steve Krimel, Attorney