

May 1st, 2008

STATE WATER RESOURCES
CONTROL BOARD

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Ms. Karen Nilya, Senior Engineer
Division of Water Rights
State Water Resources Control Board
1001 I Street, 2nd Floor
Sacramento, CA 95814

DIVISION OF WATER RIGHTS
SACRAMENTO

Re: AB2121

Dear Ms, Nilya,

We have very serious concerns about the proposed draft policy for maintaining instream flows for Northern California. A one size fits all approach will not work. We wonder my certain water sheds were omitted in this policy? Namely the Eel River and the southern part of the Russian River water shed. We are most concerned with the restrictions the policy places on individual home owners whose only source of water is drawing from these sources and the hardships they will incur. This is a social justice issue.

The season of diversion should start at the first rain and if diversions were to start to early the headwaters of the Mattole (the river which we live on) would stop flowing. The March 31st deadline is too early for residents to stop diversions. Residents in Humboldt and Northern Mendocino Counties have been encouraged to stop collecting water between the periods of August 1st through the first heavy rain, which occurs after late October. A trend has started to install storage tanks that would hold enough water to carry a household's water needs from the time August 1st to the first rain. This is usually about a three month supply which is 50,000 gallons for the average house with a garden plus reserve for fire. These storage tanks cost an average of 50 cents per gallon resulting in a purchase price of \$25,000 which is a rather large investment for lower and middle class families of this area. Many environmentally friendly are trying to the right thing for the fish to survive. A seven month period of no diversion would require storage on the order of 116,000 gallons which would way too large for most properties to place in this rugged terrain as well as being too expensive for the average household to afford, \$58,000.

How will an individual provide themselves with basic household water? Most already use extensive water conservation techniques. Rain catchment is the most eco friendly and cleanest water but requires an even more expensive system to collect and store water. Many will resort to pirating the water which is nearly impossible to catch the offenders. Many will rely on water deliveries. During the driest of months the water trucks are the most reliable way to ensure a water supply. These trucks work overtime sucking water from the Mattole and Eel River watersheds. At 3,000 gallons a truck load this sometimes transported over 30 miles to its destination. The water is still indirectly diverted and the fossil fuels involved are enormous. This policy should encourage on site storage and rain catchment as the best and most efficient approach to solving the water shortage.

The annual rainfall in this area can be as high as 160 inches whereas the annual rainfall in Marin County can be the teens. With this much rainfall our stream flows are so much greater during the rainy season in this area than in areas of lower rainfall. An individual formula for water diversion in each watershed would be more practical taking into account the differences in rainfall, flows, and diversions from summer to winter. One size fits all approach is not fair for this area.

The Eel River watershed is not included in this policy. Why not? The Eel River should be included because it is suffering the same consequences, if not greater, from diversions as the other watersheds included in this policy. The toxic algae in the Eel, due to low flows, have killed many people's dogs and have made many people sick. Recreation is halted during the hot summer months on this river. We can only conclude that this is an accepted cost of diverting water through the Potter Valley Dam to the benefit of the Russian River watershed fueling the unrestricted growth of the Sonoma County Water Agency. Why should these large water diversions be ignored in this policy while the rest of us must make the sacrifices called for in this policy? We do not see any efforts to reduce diversions in this area or the drastic measures we are required to take to conserve water. We have watched the Russian River be destroyed by the pumps at Waller Bridge and Beach which are used to supply the metropolis of Santa Rosa. Through the years we wondered when you would sink your teeth into this issue. When will the water board have the courage to seriously deal with this? Have any of you tried swimming in the Russian Rive now that Santa Rosa dumps its treated sewage down the river and sucks out all the water during the driest months? Sonoma County must lift its ban rain catchment and encourage water conservation. These issues must be addressed in this policy if you are to actually achieve the goal of improving the habitat for the fish of Northern California

This plan as is resembles the policies of water rationing during the mid 1980's when those of us in Northern California were restricted to 50 gallons per day per person while acres and acres of lawns in Southern California were watered daily with no restrictions.

Sincerely,

Mark Hilovsky
Rod Silva