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>>> Alan Levine <alevine@mcn.org> 4/14/2008 11:55 AM >>>

The above noticed hearing (or workshop) may, or may not, allow for significant input from the public. Thus, Coast Action Group is providing some comment and questions that staff and the Board should consider (related to the questions posed in the Request to Appear).

Subjects:

Please be aware that several subjects to be considered in this request to appear are related to SWRCB Flows policy. CAG has attached comments to AB 2121 SWRCB proposed draft policy on North Coast Instream Flows. There is a very strong nexus with North Coast Flows Policy and issue as part of this Request to Appear and Status Report - use of Eel River, Russian River flows, and ground water pumping in the Santa Rosa Plain.

Item #1. Instream Flow Requirements: Though the Eel River is not considered in AB 2121, the river is noted as impaired due to Temperature and Sediment issue. Flow is a related factor to those impairments. AB 2121 considerations should apply (see attached CAG comments on North Coast Flows Policy). The Eel River salmon productive capacity is limited due to the above noted impairments. It can be argued that additional limitations should be attached to diversion from Eel River Flows.

Item #2. Work Plan and Estimation of all diversion in the Russian River: It is unclear as to the the status and reliability of any information that can be obtained at this time. The SWRCB has been noticed regarding litigation for statutory non-compliance of the SCWA Urban Water Management Plan. If the UWMP is not accurate or reliable, the accuracy of demand, use, and supply data is in question. In addition, factors related to AB 2121 regarding diversion and use in the Russian River watershed must be considered.

Item #4. Ongoing Coordinative Efforts: Coordinative efforts associated with the "Salmon Coalition are not yet evident. "Watershed Approach" planning efforts are subject to policy set under AB 2121 (Please review comments on this subject in the Comments - attached). In general there is a problem with agricultural use in the Dry Creek and Russian River basin that needs resolution. Desired outcomes are, in part, dependent on how the final application of the Policy to Maintain Instream Flows is resolved.

Item #5. Goal - Twenty Percent per capita reduction in water use by 2020 - Water Conservation:

The Sonoma County Water Agency was requested to reduce diversion from the Russian River during a specific time period last summer. It has been reported by the SCWA that this specific goal was met. However, In part, some percentage of the demand and use was supplanted by ground water pumping by the City of Santa Rosa. Ground water pumping from this area of the Santa Rosa Plain would effect, both, stored ground water levels and subsurface flows that eventually reach the Russian River (there

is proven connectivity with the subsurface flows and tributary streams to flow into the Russian River). The SWRCB should request accurate accounting of pumping and sales by the City of Santa Rosa to get a more accurate picture of what the reduction of use actually was.

The goal of 20 percent per capita reduction in use is a good and reasonable conservation target. However, since domestic use of water in California is less than 10% of the total water use, the 20% reduction target for per capita domestic use pales in the face of what a 20% reduction of agricultural use would mean to available water supplies (this assumes that agriculture consumes from 70% to 80% of the State's available water). In this case a 10% reduction in agricultural use would have huge available supply implications.

In the case of available water for fish and aquatic life on California's north coast, diversion and off-stream storage, during a limited diversion period (January through March) when water is taken during peak hydrologic events, (as per the way State Instream Flow Policy, AB 2121 should work) would provide sufficient flows to support fishery and aquatic life needs - while still supply the needs of agriculture.

Please take these comments into consideration on the above noted subjects.

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