

State of California

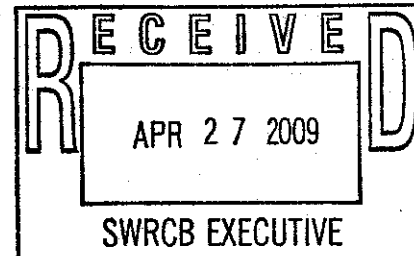
Before the State Water Resources Control Board

Petition for Temporary Urgency Change

Water Rights Permits 12947A, 12949, 12950, and 16596

Sonoma County Water Agency, Permittee and Petition

Workshop on May 6, 2009\



Comments by the California Salmon and Steelhead Association

On April 6, 2009 the Division of Water Rights issued Order WR 2009-0027-DWR approving Sonoma County Water Agency's (SCWA) petition for a temporary urgency change to the subject permits. SCWA submitted the petition pursuant to California Water Code section 1435. The Order approves the reduction of Instream flow requirements for the Russian River from April 6 through October 2, 2009. The Order, in effect, reduces the minimum flows for the Russian River from normal year criteria to dry-year criteria for the period from April 6 to October 2, 2009, and to critically dry-year criteria for the period from July 1 to October 2, 2009, in the event that cumulative inflow to Lake Mendocino is less than or equal to 25,000 acre-feet from April 1 through June 30.

The Instream flow requirements reductions in Order WR 2009-0027-DWR must be in compliance with California Fish and Game Code Section 5937 at Lake Mendocino. More Instreamflow water may be needed to protect fishery resources and their habitat pursuant to California Fish and Game Code Section 5937. Sonoma County Water Agency must be required to fund Instreamflow studies in the Russian River below Lake Mendocino to determine the amount of water necessary to protect: all fish species and their habitat; aquatic species and their habitat; riparian habitat; water quality for cold water fish and aquatic species; and other needs of the environment of the river.

The Instream flow requirements reductions in Order WR 2009-0027-DWR must not affect river flows in the Russian River to its mouth with the Pacific Ocean to prevent any harm and damage to endangered Coho salmon and their habitat pursuant to the federal and state Endangered Species Act. Sonoma County Water Agency must be required to fund Instreamflow studies in the Russian River to its mouth with the Pacific Ocean to determine the amount of Instream flows necessary to protect: endangered Coho salmon and their habitat (all life stages); migration flows; water quality for cold water species; and other life stage requirements.

The Instream flow requirements reductions in Order WR 2009-0027-DWR must not affect river flows in the Russian River to its mouth with the Pacific Ocean to prevent any harm and damage to DeFacto threatened fall-run Chinook salmon species and their habitat pursuant to the federal and state Endangered Species Act. Sonoma County Water Agency must be required to fund Instreamflow studies in the Russian River to its mouth with the Pacific Ocean to determine the amount of Instream flows necessary to protect: fall-run Chinook salmon species (all life stages) and their habitat; migration flows; water quality for cold water species; and other life stage requirements.

The Instream flow requirements reductions in Order WR 2009-0027-DWR must not affect river flows in the Russian River to its mouth with the Pacific Ocean to prevent any harm and damage to threatened Steelhead Trout and their habitat pursuant to the federal and state Endangered Species Act. Sonoma County Water Agency must be required to fund Instreamflow studies in the Russian River to its mouth with the Pacific Ocean to determine the amount of Instream flows necessary to protect: threatened Steelhead Trout and their habitat (all life stages); migration flows; water quality for cold water species; and other life stage requirements.

Additional water conservation measures must be implemented by the Sonoma County Water Agency to prevent adverse effects to endangered Coho salmon and threatened steelhead species and their habitat. We recommend that the drinking supply is not affected, but irrigation water is significant reduced. It should be noted that fish are property of the people of California and are protected by state and federal statutes, but grapes and vineyards are not.

Clearly the Russian River Watershed is over appropriated. We recommend the Board re-visit all water rights and licenses in the Russian River Watershed and balance the beneficial uses of the people's water between the needs of the anadromous fisheries and the river, and the needs of the people's domestic water supply. Irrigation needs must be reduced significantly so there is a balance of the needs of the anadromous fisheries and the river, and the needs of the people's domestic water supply.

We are part owners of the public trust anadromous fisheries of the Russian River, which includes the people's water.

That concludes the written comments of the California Salmon and Steelhead Association. Place our comments into the records for the workshop and other related activities. Feel free to read our written comments at the public workshop.

Respectfully Submitted

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Dated: April 27, 2009