

January 13, 2010

Mr. Charlie Hoppin, Chair
and Members of the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814
Via email to commentletters@waterboards.ca.gov

RE: January 19, 2010 Meeting Item 5 Russian River Frost Protection Workshop

Dear Chair Hoppin and Members of the Board,

I am submitting these comments on behalf of Russian Riverkeeper and our over 1500 members in the Russian River watershed for the Russian River Frost Protection Workshop to receive staff's recommendations concerning possible Board action on this issue.

We urge the Board to move forward with the formal rulemaking process as quickly as possible due to the impending frost control season to both protect our public trust fishery resources and provide the grape growers with certainty on how they can protect their crops.

We support the staff draft to initiate the rulemaking process and support the interest in full participation by growers and allowance for grower-led solutions to specific problems. The rule should recognize the hydrologic and climate variability in the Russian River watershed and between the mainstem and tributaries and so the rule should provide for some level of regional variation.

We applaud the efforts of proactive growers who have spent a significant amount of time and funds to addressing this issue and those efforts should be supported in the rule. That said we believe that formal rulemaking is needed to ensure full participation from all growers and a level playing field for those who have already started to implement solutions and those who have not. In our experience a voluntary program will not ensure full participation and thus not protect Coho Salmon and Steelhead. The rulemaking should work with grower solutions and support those efforts while mandating that all growers participate to ensure fairness.

We look forward to submitting detailed comments when the draft rule is published for comment and in the meantime reiterate the three points Trout Unlimited has highlighted on the draft rule.

1. We strongly support the need for real-time stream flow monitoring and reporting of both diversions and flows. Although various state laws are meant to protect streamflows for salmon and steelhead the lack of information on diversions and flows has brought us to this

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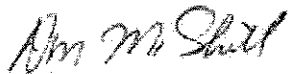
place so this information is critical to ensuring adequate streamflows for fish and all water users.

2. The goals and requirements of water use management programs developed by growers should be clear and detailed prior to completion of rulemaking. NMFS and DF&G have defined the problem and growers have proposed programs to address the problem so we hope the rulemaking will set forth a criterion that clearly alleviates the problem.

3. Time is of the essence for both fish and growers! We know the precarious state of the Coho and Steelhead provides little time for implementing solutions and after several bad return years this season is critical. On the other hand grape growers need certainty so that they can make plans to protect their crops in time for the upcoming frost season so we believe time is critical.

We urge you to act quickly and decisively for our fish and the grape growing community and we appreciate your consideration of our comments on this important matter.

Sincerely,



Don McEnhill
Russian Riverkeeper