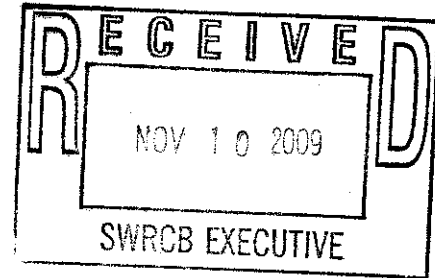




November 10, 2009

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](mailto:commentletters@waterboards.ca.gov)



**Re: 11/18/09 Russian River Frost Protection Workshop**

Dear Mr. Hoppin and Members of the Board:

On behalf of California Trout, I support the request by the National Marine Fisheries Service for an emergency reasonable use rulemaking to eliminate take of listed salmon and steelhead by diversions for frost protection in the Russian River. Failure to do so will continue to result in take, and the use of tremendous volumes of water diverted for frost protection will continue to pose a future threat to ESA listed salmonids, some on the verge of extinction, throughout the entire Russian River watershed.

Russian River fisheries are at a critical juncture. All anadromous salmonids are listed as either threatened or endangered. We are running out of options and no longer have any margin for error. Meaningful action on water usage is imperative.

The reasonable use rule must include monitoring and reporting of diversions, as well as monitoring and reporting of stream conditions. The frost program should include a focus on compliance with existing laws including a certified water right by SWRCB, compliance with F&G Code 1600, and required incidental take authorization.

Given the precarious state of our salmon and steelhead populations SWRCB must take a strong stance on compliance with existing law and prohibit activities that result in take.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Thomas J. Weseloh".

Thomas J. Weseloh, Northcoast Manager

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