

>>> Alan Levine <alevine@mcn.org> 12/1/2008 4:30 PM >>>
Maintaining Instream Flows

I am sorry that I can not attend the Flow Workshop on December 2. I have a meeting on the Sonoma County/City of Santa Rosa MS4 permit that I am obligated to.

Please consider the short discussion on Flow Maintenance Policy - below.

The "Watershed Approach" model has some positive aspects - including: Watershed based analysis and programmed diversion to help maintain higher instream flows.

There are several difficulties associated with the application of the Watershed Approach Mode. If we are to have an affect on Flows via Flow Maintenance Policy and hence on fish populations, these issue must be dealt with.

1) Watershed Analysis and program development will take years to complete. What happens to the majority of instream diversions that are currently unlicensed and those that are stream migration blockers in the interim?

Policy needs to address this issue.

2) Does the State have the funds to implement such policy? Would not less complex policy, as per the 2002 DFG/NMFS Guidelines be easier, less costly, and more effective to implement? Should not unpermitted impoundments and dams blocking migration and fish access to habitat be immediately removed?

3) In the case of one proposed pilot project involving Sonoma County participants (from a group know as the Sonoma County Salmon Coalition), it appears that their co-operation and participation is based on their need for anonymity with near stream ground water use/diversion and privately hired studies to be excluded from public view and held as proprietary information - and - they are counting on group diversion permitting that would inhibit focus on any single diverter. First, group licensing or permitting is inconsistent with Cal Water Code. Second, all relevant information must be included in analysis for CEQA review that is necessary under the "Watershed Approach. Private and secret planning is not an option.

Any programs and policy that would keep information needed for determinations secret are programs or policy that is very unlikely to

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deliver the intended results.

4) There are limited valid arguments for maintaining dams and impoundments in place that are stream and habitat blockers. Policy should not permit this and should assure prioritized removal of such structures.

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