

State Water Resources Control Board

MAR 13 2015

Mr. Paul Bialla
2740 River Road
Windsor, CA 95492

Dear Mr. Bialla:

**APPROVAL OF AN INITIAL WATER DEMAND MANAGEMENT PROGRAM (WDMP) FOR
DIVERSIONS OF WATER FOR FROST PROTECTION FROM THE MARK WEST
WATERSHED, IN THE RUSSIAN RIVER WATERSHED IN SONOMA COUNTY**

On January 12, 2015, the State Water Resources Control Board (State Water Board), Division of Water Rights (Division) received your proposed Water Demand Management Program (WDMP), pursuant to the Russian River Frost Protection Regulation (Regulation) (Cal. Code Regs., tit. 23, § 862), for diversions of water for frost protection from the Mark West Creek Watershed in the Russian River Watershed in Sonoma County.

Your submittal identifies that you will act as the governing body and sole participant of the WDMP and includes the sources of water used and the acreage frost protected, the locations of the diversions, a description of the diversion system and its capacity, and acreage frost protected by means other than water diverted from the Russian River stream system. The WDMP also includes schedules for completing the frost inventory, developing and implementing a stream stage monitoring program, and conducting a risk assessment.

Division staff confirmed that you contacted California Department of Fish and Wildlife (CDFW) staff regarding the WDMP. During implementation of the WDMP, consultation with the CDFW and National Marine Fisheries Service (NMFS) will be needed to assess and provide recommendations on proposed methodologies for the monitoring program and risk assessment.

The first annual report must be submitted by September 1, 2015. The Division expects the report will contain updates to the inventory, including information required pursuant to subdivision (c)(1)(E) of the Regulation, any stream stage monitoring data, and the governing body's progress towards development of protective stream stages. The report should also include documentation of consultation with NMFS and CDFW regarding the stream stage monitoring program and risk assessment, and an explanation of any deviation from recommendations made by NMFS or CDFW during the consultation process.

The Division has reviewed the proposed WDMP and concludes that it meets the requirements for approval of an initial WDMP as outlined in State Water Board Resolution No. 2011-0047, and this initial WDMP is hereby approved. Diversions for frost protection, in accordance with this WDMP, will be compliant with the Regulation for the 2015 frost protection season.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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The purpose of the Regulation is to prevent salmonid stranding mortality through cooperative management of diversions of water for frost protection. Therefore, it is important for the governing bodies of each WDMP to work together and exchange information for, at a minimum, conducting complete and accurate risk assessments. The Division understands that some diverters may want to participate in individual WDMPs. However, it is important to understand that each individual diversion can affect conditions for downstream diverters, and contributes to a cumulative risk that may be most effectively assessed by participation in a WDMP covering a larger area with more participants.

The Division has also approved a county-wide initial WDMP covering diversions from all tributaries to the Russian River in Sonoma County. For a list of approved WDMPs that you may join, please visit our Russian River Frost Protection Regulation webpage at:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/russian_river_frost/prctn_reg.shtml

Thank you for your diligence in working towards the goals of the Russian River Frost Protection Regulation. If you have any questions, please contact Ms. Kathy Mrowka at (916) 341-5363 or by e-mail at Kathy.Mrowka@waterboards.ca.gov. Written correspondence should be addressed as follows: State Water Resources Control Board, Russian River Frost Regulation, Attn.: Kathy Mrowka, P.O. Box 2000, Sacramento, CA 95812-2000.

Sincerely,



Barbara Evoy, Deputy Director
Division of Water Rights

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