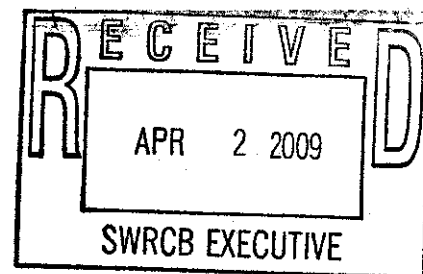


From: <bartbrosvnyd@pacific.net>
To: commentletters@waterboards.ca.gov
Date: Thu, Apr 2, 2009 11:44 AM
Subject: 4/7/09 Russian River Frost Protection Workshop



April 2, 2009

To: State Water Resources Control Board

From: Vincent Bartolomei, Bartolomei Brothers Vineyard, member Mendocino County Farm Bureau

RE: 4/7/09 Russian River Frost Protection Workshop

To The Board,

My family has been growing winegrapes along McClure Creek since 1919. My father permitted and licensed a pond and flashboard dam starting in 1970. By 1986 everybody had signed off (DFG) and we got a license to use 47 acre/feet and store 25 acre/ft in a pond and 4 acre/feet in the dam. We bought the my aunt Rosie's property in 1990 and realized that the pond, built in 1970, was never permitted or licensed. In 1996 my family began to get a license on this 18 acre/ft pond that we use for over-head sprinkler frost protection and drip irrigation. We are nearing the \$100,000.00 mark on the cost of this application and I still have no idea when anything will get done or even if it will. Our plan has always been to build another storage pond after getting the license on the 18 acre/ft pond. If we had this third pond we could divert water at a much different rate when needed but since we don't have the permission to build we have to divert water at a faster rate. It seems to me that a lot of regulations are causing this problem you have just realized.

Also most of the government agencies involved in making the regulations have no comprehension of the problems in this area or even the rainfall or water flow occurrences. There is Lake Mendocino which is run by the Federal government. The Sonoma County Water Agency and their use of the Russian River as a pipe to move water. And the fact that over the last five or ten years several studies have been done and then recently used to make changes in the outflows of Lake Mendocino. This recent change is why these other problems are now occurring. What you are doing is trying to regulate a situation that is 100 years old and solve it in 2 years. You will only end up making more and more regulations that cause the problem to get worse and ruin many people economically. What you need to do is devise a plan and then systematically implement it over a period of years so that it can be done properly and economically to everyone.

Then there is the fact that the Russian River channel is messed up from 100 years and it is straight and deep now instead of meandering and shallow. This isn't all ag related, a lot is flood control for houses. So now the channel is deep and the protocol has changed, less water flows down river. That causes the water table to drop and the all the tributaries dry up farther from the river because the water goes underground sooner. On Friday the 13th of March 2009, I talked to 2 NMFS wardens who said they found dead fish in Mill Creek in Talmage due to illegal water diversion for frost. Point 1: nobody was frost protection or

diverting and if they did divert it would take 30 days before it was no longer riparian and they needed permission. Only when you find some one actually diverting and they do not have proper fish screens or such would it be slightly illegal. Point 2: It had not rained for 9 days prior and the creek dried up on its own near the river. I have watched the water in McClure Creek for over 45 years and have seen many times the point at which the water goes underground move up and down the creek as the water table rises and falls. This year the water from Mill and McClure Creek probably flowed to the river for maybe 2 weeks in late Feb and early March. Point 3: Get some info from this area, not Washington state, before making decisions. This all should have been done 10 years ago but he government works so slow that now with such bad economic times it will deeply hurt us and take even longer to solve any problems.

Thank You,

Vincent Bartolomei
Bartolomei Brothers Vineyard
P.O. Box 3 ~ Talmage, CA 95481
Phone(707)462-2205