

KRISTI FURMAN  
Clerk of the Board

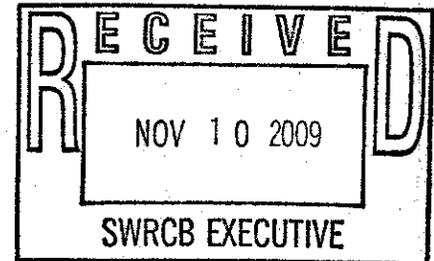


TELEPHONE: (707) 463-4221  
FAX: (707) 463-4245  
EMAIL: bos@co.mendocino.ca.us  
www.co.mendocino.ca.us/bos

COUNTY OF MENDOCINO  
BOARD OF SUPERVISORS  
501 Low Gap Road • Room 1090  
Ukiah, California 95482

November 10, 2009

## LATE COMMENT



State Water Resources Control Board  
Mr. Charles Hoppin, Chair  
P.O. Box 100  
Sacramento, CA 95812-0100

RE: Letter of Support for the Program of Conservation Actions, Monitoring and Transparency developed by the Upper Russian River Stewardship Alliance to Prevent the Take of Listed and Endangered Fish Species

Dear Chair Hoppin and Members of the Board:

I am writing to express the unanimous and strong support of the Mendocino County Board of Supervisors for the comprehensive program of conservation actions, monitoring and transparency developed by the Upper Russian River Stewardship Alliance (URSA) to prevent the take of listed and endangered fish species in the upper Russian River. We believe URSA has successfully identified both short and long term strategies and implementation measures that successfully address the alleged take of listed species that occurred in Mendocino County in April 2008.

Mendocino County and our citizens have suffered from the negative impacts associated with the decline of listed species and we would not endorse a program that would further impair these species or their habitat. To the contrary, we support all reasonable efforts to protect and restore our dwindling fisheries resources which help define our identity as a resource based economy and culture.

We believe the URSA organizations should be commended for developing and implementing a comprehensive program of conservation actions (new gauge telemetric meters, frost pumping protocol, Best Management Practices for frost water protection, enhanced forecasting) that have greatly enhanced demand monitoring and coordination and successfully prevented a reoccurrence of the alleged take of April 2008. The hard work and dedication of key members of URSA led to a significant reduction and flattening of the demand and a corresponding dramatic decrease in reductions in stream flows.

URSA has also identified long term strategies to permanently reduce or offset the instantaneous demand for direct diversion. URSA has secured significant funding for construction of ponds for offstream storage, and is pursuing the use of recycled water for filling and refilling ponds.

### THE BOARD OF SUPERVISORS

CARRE BROWN  
First District

JOHN MCCOWEN  
Second District

JOHN PINCHES  
Third District

KENDALL SMITH  
Fourth District

J. DAVID COLFAX  
Fifth District

Thanks to URSA, the alleged take in April 2008 in Mendocino County has been a catalyst that has led to the adoption of protocols that will prevent further take, result in long term beneficial changes in water management, as well as increased knowledge through the monitoring of selected tributaries. URSA's actions last spring contributed significantly toward the overall objective of conserving reservoir storage and achieving the 50 percent water conservation requirement imposed by the Board's order (WR 2009-0034-EXEC), issued on May 28, 2009.

The actions of URSA and more specifically, the improved scheduling of reservoir releases, benefit the citizens of Mendocino County as well as all other users of the Lake Mendocino supply in Sonoma and Marin counties. Accordingly, we urge the Board to take whatever actions it can to support and compliment the activities of URSA.

We are not aware of any studies that assert that water diversion for frost protection has contributed to the decline of listed species in the upper Russian River. We believe the alleged take of April 2008 was an isolated occurrence in response to extreme conditions. Ironically, through the enhanced protocols and monitoring, it is possible that this event will have a significant long term net benefit for the recovery of listed species.

We believe that a fair examination of the record before you will offer conclusive proof that the URSA member organizations and their members have successfully implemented conservation measures that have solved the short term problem and that they are well on their way to implementation of long term solutions that will have lasting beneficial effects.

Therefore, it is not appropriate to consider additional restrictions or prohibitions on the use of water diversion for frost protection. In conclusion, we believe the appropriate course of action is to endorse the measures already identified and implemented by URSA. If any regulatory action is warranted, it should be to simply direct URSA to stay the course they are on.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Pinches', with a long horizontal line extending to the right.

John Pinches, Chair  
Mendocino County Board of Supervisors