

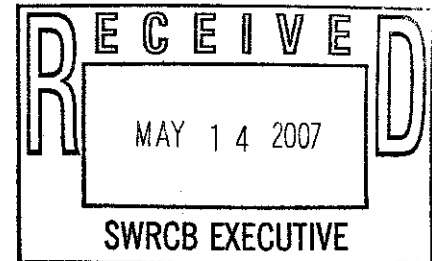
Wetland/Riparian Policy
Deadline: 5/15/07 12 noon

From: Jo <jobobs@comcast.net>
To: <commentletters@waterboards.ca.gov>
Date: Mon, May 14, 2007 2:02 PM
Subject: Riparian and Wetland Policy- Public Comments

To: Song Her, Clerk to the Board
Executive Office, State Water Resources Control Board

Date: May 14, 2007

I have reviewed the proposed wetland and riparian protection protection policy. I support Alternative # 4. Alternative # 3 is very similar to the current approach and the current approach (dredge and fill) is not working. Alternative #4 , which would allow evaluation of a broader range of impacts to creeks and wetlands would result in better protection. The need for a stronger and more protective policy is well supported by the facts; California has lost 91 % of its historic wetlands and , in the North Coast where I live, riparian disturbance is a contributing factor for continued degradation and impairment of watersheds. My support of Alternative #4 is also based on 35 years of personal observations in Sonoma County witnessing first hand the loss, destruction, mis-use and degradation of riparian corridors and wetlands. I only need to look out my back door to see that the State Board's proposed policy is long overdue.



I read some of the comment letters posted on your website and am familiar with the arguments against regulating protection of wetland and riparian areas in California. When Sonoma County recently held public hearings to adopt a policy of increased riparian protection during their General Plan update, organized property rights advocates came out in force to oppose the proposals. The property rights arguments are-1) the policy would be a duplication of existing regulation as there are already too many agencies regulating wetlands and creeks and 2) increased protections will result in "a take of private property". Agriculture is strongly opposed to increased protections. They want special waivers or exemptions to the policy, much like they enjoy now. Some private land owners, claiming to be "stewards of the environment," want things to stay the way they are. In general, I think that the arguments given by those who oppose riparian and wetland protections are weak, out-dated and based mainly on emotion and the spread of misinformation. The opposition's arguments are rarely grounded on facts. There is a body of research to support the need for the SWRCB proposed policy. The facts show that water quality , water quantity, and wildlife habitat are degraded and declining in the State because we continue to destroy wetlands and provide inadequate protection of riparian areas. A stronger policy will benefit everyone, even those who oppose strengthening the policy, now and in the future.

There is no consistence overall policy to enforce the use of adequate buffers between wetlands/ riparian areas and development, agriculture or septic systems. Currently, in Sonoma County, there is a lack of communication between agencies and no overall framework, or policy, which all agencies can follow. There appears to be no co-ordinated approach among agencies to provide protection of wetlands and riparian areas, even though these areas are the richest natural resources in the County and are known to provide huge benefits to water quality, water

quantity, flood and pollution control, wildlife habitat (including migratory birds), and wildlife movement corridor.

Fish and Game, the Regional Water Board and ACOE may not be notified prior to disturbance of wetlands and riparian corridors. Riparian corridors are disked and denuded of all vegetation up to top of bank during agricultural development. Vernal pools and the rare plant assemblages associated with them are disked and graded to extinction. Creek setbacks from development are not wide enough to provide long-term protections of riparian functions and are not enforced. Wetlands in the County are not mapped and land uses in critical habitat areas (i.e. areas of significant biological importance) designated in the current General Plan are not always recognized or protected during the County planning process. Grading permits are issued ministerially without adequate environmental review. The definition of a wetland is important to clarify in this policy since many wetlands in the North Coast may not fall under the federal definition. During the planning or development process on the local level, wetlands may not even be recognized, making avoidance a moot point.

It seems obvious to me that that a part of the problem is that the public lacks the information it needs to make an informed decision, especially with regard to the important functions and values of wetlands and riparian areas. I think that educating the public (including local and State agency staff) about these issues should be a necessary and critical component of this policy. I believe it is similar to the global warming debate where facts and public education were ultimately the key to an acceptance of the problem by policymakers.

There has been, and continues to be, a lack of co-ordinated or enforceable regulatory response to the management of wetlands and riparian areas in California. Yet California voters continue to approve funding to be used to restore creeks and wetlands. Water is California's most precious resource. Not only are humans dependent on the availability of water, but so is wildlife. It is no longer acceptable to allow individual land use practices that negatively affect water quality/quantity for "downstream users."

It is essential to adopt a policy now to guide the future land use of these restored areas, in addition to providing increased protections for the last remaining undeveloped areas. This proposed policy can set in place the long needed protections these resources deserve. Wetlands and creeks are shared natural resources of the public trust, and these lands require careful management and protection for all future generations to come. Please adopt Alternative #4 to ensure their future protection.

Thank you for accepting these comments-

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