

**State Water Board's  
Bay-Delta Water Quality Control Plan,  
Phase 1 SED**

*Stanislaus County Ag Advisory Board*

*July 7, 2014*

# About the BDWQCP

- *“The Bay-Delta Water Quality Control Plan identifies beneficial uses of water in the Bay-Delta, water quality objectives for the reasonable protection of those beneficial uses, and a program of implementation for achieving the water quality objectives.”*
- Certified regulatory program
  - SED in lieu of an EIR
    - informational document; no approval or denial of a project
- Current WQCP requirements from 1995 plan
  - 2006 update identified “emerging issues”
- Not self-implementing

# State Water Board Bay-Delta Activities

- Phase 1: Bay-Delta Plan review and update of the San Joaquin River flow and southern Delta salinity objectives and program of implementation
- Phase 2: Comprehensive review and update of other components of the Bay-Delta Plan and program of implementation
- Phase 3: Amendment of water rights and other measures to implement changes to the Bay-Delta Plan resulting from Phases 1 and 2
- **Phase 4: Development and implementation of flow criteria and flow objectives for priority tributaries to the Sacramento-San Joaquin Delta watershed, with a focus on the Sacramento River watershed**

**What does Phase 1 aim to do?**

# Proposed Narrative Objective

“Maintain flow conditions from the San Joaquin River Watershed to the Delta at Vernalis, together with other reasonably controllable measures in the San Joaquin River Watershed, sufficient to support and maintain the natural production of viable native San Joaquin River watershed fish populations migrating through the Delta....

# Proposed Narrative Objective

“Flow conditions that reasonably contribute toward maintaining viable native migratory San Joaquin River fish populations include, but may not be limited to, **flows that mimic the natural hydrographic conditions to which native fish species are adapted**, including the relative **magnitude, duration, timing, and spatial extent of flows as they would naturally occur**.”

Indicators of viability include abundance, spatial extent or distribution, genetic and life history diversity, migratory pathways, and productivity.”

# Program of Implementation

- February through June: 35 percent of unimpaired flow from the salmon bearing tributaries (the Merced, Tuolumne, and Stanislaus Rivers) on a 14-day running average unless otherwise approved by State Water Board through adaptive management...
- Notes:
  - not to exceed flood control levels
  - 1,000 cfs minimum base flow at Vernalis

# What it would do to the region

- Flows described in the SED will negatively impact water supply and water quality for our region and negatively impact the socioeconomic fabric of our region.
  - 35% UF = additional flows in any water year type
  - Initial SJTA numbers
    - 210,000 acres fallowed
    - 1,200 jobs lost
    - \$187 million in ag sector income loss
    - 25 percent increase in GW pumping



# Phase 1 background

- Feb. 2009 notice of preparation
- April 2011 revised NOP to plan for SED
- March 2012 technical app released for review
- Draft SED released Dec. 2012
- SWRCB March 20-21, 2013 workshop
- June 2013: SWB staff recirculates SED internally to address comments/make changes
- Groundwater, drought, curtailment efforts
- Original adoption of final SED planned for 8/6/13

# What's to come

- Revised/Final SED completed as early as fall of 2014 for review
- Comment period to submit written comments
- Public hearing held before the State Board.  
Workshop for input? Or action item?
- Looking to adopt the document before 2015

# Scientific Evaluation Process (SEP)

- Engaged in options to stave off litigation
- A means to avoid SED objectives?
- Discussions focus on items such as:
  - “zone of responsibility”
  - use of non-flow enhancements
    - habitat creation (e.g. Honolulu Bar)
    - predator suppression
  - Stanislaus River talks ongoing
    - If successful, onto Merced and Tuolumne