

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

Stanislaus County Ag Advisory Board

April 4, 2016

Outline

- The threat
- The impacts
- Solutions
- Take action

SWRCB 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
 - Presentations, testimony from TID, many others
- June 2013: SWRCB staff recirculates SED
- **September 2015: “Revised SED released for comment”**

What's the purpose of Phase 1?

1. Maintain **flow** from the SJ River Watershed to the Delta at Vernalis to support and maintain the natural production of viable SJ River **fish** populations migrating through the Delta
2. Improve **salinity** levels in the SJ River and Delta

Draft SED's preferred alternative

- 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

2010 Flow Report: One form of rationale for increased flows

- *“The best available science suggests that current flows are insufficient to protect public trust resources.”*
- *“In order to preserve the attributes of a natural variable system to which native fish species are adapted...60% of unimpaired San Joaquin River inflow from February through June.”*

The rationale? (con't.)

- *“There is sufficient scientific information to support the need for increased flows to protect public trust resources; while there is uncertainty regarding specific numeric criteria, scientific certainty is not the standard for agency decision making.”*
- *“The flow criteria in this report do not consider any balancing of public trust resource protection with public interest needs for water.”*

Is there support for this?



We urge the SWRCB to require that:

- At least half (and as close to 60% as possible) of the San Joaquin River's natural flow reach the Delta during the first six months of each year.

December 2014 letters to SWRCB

Is there support for this?

November 2014 petition submitted to the SWRCB
by Food & Water Watch w/ 1,800 signatories

Dear Governor Brown and the State Water Board:

California is in a water crisis. The San Francisco Bay-Delta estuary is in a state of crisis because too much of its water is diverted to benefit corporate agribusiness. Please protect the Bay-Delta and all the associated benefits including its salmon, wildlife refuges and recreational opportunities.

As a first step, please require that 60% of the San Joaquin River's full natural flow makes it all the way to the San Francisco Bay-Delta estuary in the winter and spring. This is the level of San Joaquin River flow that the Board has determined necessary to fully protect our precious and irreplaceable natural resources.

The impacts

- Surface water hit
 - Socioeconomic hit
 - Land fallowing
 - Job loss
 - Economic decline
 - Lower tax base
- Groundwater hit
- Domestic water hit
 - MID/City of Modesto
 - TID/cities of Turlock and Ceres
 - Disadvantaged communities
- Hydropower hit
 - Timing issues
 - Electric rates

MID-TID required annual flows

Water Year Type (per FERC license)	Current	35% flow Feb-June	Increase from current
Critical Water Year and Below (aka 2014)	94,000 AF	353,638 AF	250,000 AF (276%)
“Average” year	165,003 AF	641,492 AF	475,000 AF (289%)
Median Wet/Maximum	300,923 AF	1,371,656 AF	1 MAF (356%)

For some perspective:

- *Tuolumne River averages 1,900,000 AF per year; 588,000 AF in '13-'14*
- *TID normal year irrigation is about 520,000 AF; 334,000 AF in '14*

What it would do to the region

- Our region relies on surface water
- Less surface water for region = problems
- Flows described in the SED will negatively impact the socioeconomic fabric of our region
 - In dry years, regionally (*from Draft SED, 2012*)
 - Up to 210,000 acres fallowed
 - Up to 1,200 jobs lost
 - Up to \$187 million in ag sector income loss
 - Up to 25 percent increase in GW pumping
 - Long-term direct and indirect impacts?

Water to canals is valuable

- Socioeconomic numbers
 - Within TID
 - Value of crops produced: \$359.3 million
 - Avg. land values: \$20,000 per acre (2007-2012); twice CA average
 - Within study area (area served by MID and TID)
 - Milk production value supported: \$537.4 million
 - Don Pedro Project supports \$4.109 billion in economic output and \$734.8 million in labor income

Not just crop production

- 11.2% of local ag output (\$56.5 M) is used in top five food processing sectors to produce \$569 M
 - Wineries (\$227 million)
 - Fruit/vegetable canning/pickling/drying (\$205 million)
 - Snack food manufacturing (\$70 million)
 - Frozen food manufacturing (\$35 million)
 - Animal food manufacturing (\$32 million)
- Balance is exported, consumed locally or used in other sectors/industries

What it would do to the region

- Groundwater

- GW is historic *hydrological drought* buffer

- As surface water becomes less reliable, more people rely on GW

- A *regulatory drought* would be vicious cycle

1. Increased demand for GW
2. Less GW recharge
3. Fewer opportunities to capture SW storage

- Sustainable GW Management Act of 2014



CA groundwater law

- “All relevant state agencies, including, but not limited to, the board, the regional water quality control boards, the department, and the Department of Fish and Wildlife, shall consider the policies of this part, and any groundwater sustainability plans adopted pursuant to this part, when revising or adopting policies, regulations, or criteria, or when issuing orders or determinations, where pertinent.”

§ 10720.9 of the CA Water Code

Stripers are hungry

THURSDAY FEBRUARY 4 2016
SACBEE.COM



FISHING LINE

TOP PICKS

- **FEATHER RIVER**
Hatchery steelhead smolts are expected to be released this week, which normally fuels a good striper bite on the Feather. Jumbo minnows or cut anchovies typically work best. A few sturgeon are being caught near the mouth of the Bear River.

DA sokada@sacbee.com

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slid up to

LAKE
another



Predation

- During 2007-2011 estimated salmon losses to predation in all water year types ranged from 74% (2011) to 98% (2007)

TID-MID 2012 Predation Study conducted on the Tuolumne River

What would TID suggest?

- For salmon
 - Suppress predators to increase salmon smolt survival through predator suppression in lower tribs and Delta
 - Improve/restore habitat at contemporary flow levels
 - Enforce illegal diversions in the Delta
 - Solutions from relicensing

Some fundamental beliefs

- Flows described in the SED will negatively impact the socioeconomic fabric of our region
- Flow approach misses mark
 - no guarantee fish will thrive; seems cavalier
- No guarantee water gets to Delta
- Non-flow measures can work; predation control, habitat restoration
- Span of control; cannot be held responsible for salmon survival to Pacific Ocean and back to Tuolumne

Some of TID's efforts

- Made our case at March 2013 Draft SED workshop
- Informing/seeking advocacy
- Making this part of the SGMA discussion
- Further developing outreach contact list
- Working w/ SWRCB members and staff
- Developing science/studies in DP relicensing record with FERC
- Focusing on non-flow measures
- Partnering w/ SJTA agencies and counties; strength in numbers
- **Campaign with MID**
- Website/ Online petition ready to go
- Planning to present our case to SWRCB again
- **Evaluating several legal options**

What can I do?

- Remain informed | www.tid.com/SED
- Make opposition to Phase 1 known
 - Online Petition / Comment letter when SED released
 - Letters to state/federal electeds
 - Letters to local publications
- Let us talk with you or present information
 - Talk to your governing bodies / decision makers about advocacy options
 - Keep in contact with us about taking strategic action on those options come June.
- We will need the loudest regional voice possible, because this fight is not only that of the irrigation districts’.

What's to come

- Revised SED completed
- Comment period to submit written comments
- Public hearing held before the State Board
- State Board looking to adopt the document before ~~2014~~ ~~2015~~ 2016 ends
 - Still, only objectives adopted, no immediate water loss
 - But objectives set a baseline

“This is wrongheaded, unscientific and counterproductive to solving our state’s water problems. While other regions of the state shoulder none of this burden, our communities will be devastated economically.”

The Modesto Bee

modbee.com

Assemblyman Adam Gray: Our water future is at a critical crossroads

BY ADAM GRAY -

04/01/2015 10:01 AM | Updated: 04/01/2015 11:16 PM



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