

# LATE COMMENT

February 21, 2012

Charles R. Hoppin, Chairman  
Frances Spivy-Weber, Vice-Chair  
Tam M. Doduc, Member  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814



**Re: Item 5 (Informational Update on Current Review of the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and its Implementation)**

Dear Board Members:

American Rivers, California Trout, the Merced River Conservation Committee, The Nature Conservancy, Trout Unlimited, and the Tuolumne River Trust support the current schedule for the Board's adoption of revised flow objectives for the Bay-Delta Basin Plan.

We understand that the Board intends to adopt San Joaquin objectives by December 2012; and other objectives, by July 2013. Time is of the essence for completion of this task. Revision of such objectives is necessary to attain and protect beneficial uses, currently impaired by water diversions (as well as other stressors). Revision is also necessary for timely review and action on the Bay Delta Conservation Plan (BDCP). Further, since the Clean Water Act requires revision of basin plans every three years, the revision of the 2006 Bay-Delta Plan is overdue. Finally, the existing scientific record is sufficient for plan revision. The Delta is the most studied estuary in the world, and any delay in this proceeding will not materially improve the record or the flow objectives themselves.

The implementation program will be a much harder task, as demonstrated by Phase 8 of the 1995 plan proceeding. In this plan revision, the responsibility to attain the revised flow objectives must be allocated among all water diversions and uses, not just the Central Valley and State Water Projects. This approach to implementation is necessary for effectiveness – actually attaining the objectives – and for compliance with the *Racanelli* decision.

In various ways, our organizations are actively involved in relicensing, BDCP, and other proceedings that relate to Delta water quality. We are working with interested stakeholders to develop scopes, schedules, and procedures for negotiations related to allocation of the responsibility to attain flow objectives. We will submit an approach for the Board's consideration at your May 16, 2012 scoping meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric Wesselman".



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*Michael Martin*

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