

SOUTH DELTA WATER AGENCY

4255 PACIFIC AVENUE, SUITE 2
STOCKTON, CALIFORNIA 95207
TELEPHONE (209) 956-0150
FAX (209) 956-0154
E-MAIL Jherrlaw@aol.com

Directors:

Jerry Robinson, Chairman
Robert K. Ferguson, Vice-Chairman
Natalino Bacchetti
Jack Alvarez
Mary Hildebrand

Engineer:

Alex Hildebrand
Counsel & Manager:
John Herrick

July 22, 2009

Via E-Mail byee@waterboards.ca.gov

Ms. Betty Yee
Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

Re: Comments to Triennial Review of Sacramento and San Joaquin River Basins

Dear Ms. Yee:

On behalf of the South Delta Water Agency, I would like to submit the following comments regarding the Regional Board's above-referenced triennial review. There are numerous ongoing processes and programs dealing with basin-wide issues, and we may cite our comments to those at a later date, and may provide additional comments.

1. San Joaquin River Salinity. The SWRCB has previously instructed the Regional Board to expedite the development and implementation of salinity standards above Vernalis. Such standards are now at least 10 years overdue. The Regional Board should promptly adopt and implement such standards. Although various upstream efforts by water districts have apparently decreased the load of salt in the river during some times, the concentration problems remain.

Regional Board efforts to date have placed no time line on actually addressing the salinity problem, only defer action or enforcement. It is clear that the salt problem derives from the surface and subsurface drainage from the CVP service area on the west side of the valley. The only possible solutions to the problem are (i) removal of the salts from the discharges, (ii) cessation of discharges, or (iii) dilution of the concentrations. The Basin plan should recognize these limited options and move forward to require action on the appropriate one or ones. No other actions, discussions, or programs will protect the beneficial uses adversely impaired by the high salinity concentrations.

Ms. Betty Yee
July 22, 2009
Page Two

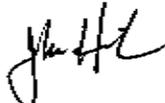
2. The Basin plan must address the issue of minimum flows on the San Joaquin. Current practices are decreasing the amounts of flow, especially during summer and fall months. This will eventually (if it already hasn't) result in a river which cannot support all protected beneficial uses. The best example of this are the efforts by upstream water districts to decrease their discharges, which has resulted in decreased downstream flows. Currently the flow as measured at Vernalis is listed as approximately 500 cfs. This flow is radically low and deleterious to fishy, recreational and agricultural beneficial uses.

Current DFG modeling, as well as current NMFS and USFWS Biological Opinions indicate that additional flows are needed in order to preserve endangered and threatened species.

3. The Basin plan should reaffirm both federal and state anti-degradation laws. There are ongoing efforts to relax such protections to the detriment of beneficial uses. The Regional Board should take note of recent reports which indicate that salinity may likely affect fish, by creating false gradients which impair the normal migrations.

Finally, our comments to the various TMDL processes are herein incorporated. Please feel free to contact me if you have any questions.

Very truly yours,



JOHN HERRICK