

ITEM:

SUBJECT: Status Report on the Management Agency Agreement with the U.S. Bureau of Reclamation Addressing Salinity in the Lower San Joaquin River

DISCUSSION: In 2004, the Central Valley Regional Water Quality Control Board (Regional Board) adopted the Salt and Boron Total Maximum Daily Load (TMDL) Basin Plan Amendment (amendment) that established TMDLs for salt and boron in the Lower San Joaquin River (LSJR). The amendment prescribed a salt load allocation to the U.S. Bureau of Reclamation (Reclamation) for salt in water imported via the Delta-Mendota Canal (DMC). The amendment also provided that, in lieu of adopting waste discharge requirements, the Regional Water Board could enter into a Management Agency Agreement (MAA) with Reclamation to address its load allocation requirements. The basic purpose of the MAA would be to describe and formalize into an agreement the mechanisms by which Reclamation would fulfill its load allocation requirements, and how compliance would be monitored, reported, and evaluated.

In December 2008, Reclamation and the Regional Water Board entered into an MAA, which was to last two years. Under this initial agreement, Reclamation agreed to:

- implement a salinity management plan;
- offset at least 25% of its excess DMC load by July 2010,
- initiate an effort to develop a collaborative real-time salinity management program for the LSJR; and
- prepare a Compliance Monitoring and Evaluation Plan (CMEP) and a Compliance Monitoring and Evaluation Report (CMER) to facilitate the Regional Board's evaluation of the plan's effectiveness.
- submit quarterly reports summarizing current activities conducted in accordance with their salinity management plan

Since entering into the MAA, in addition to fulfilling its commitments contained in the agreement, Reclamation has:

- Provided a significant amount of technical service and participation in the CV-SALTS process;
- Initiated a salt and nitrate sources, fate, and transport study of the Westside region of the San Joaquin River Valley;
- Implemented several activities to facilitate the development of a collaborative real-time water quality management program for the lower San Joaquin River;
- Updated its Action Plan to manage salt.

In the past year, Reclamation and Regional Board staffs, in

conjunction with a stakeholder review process, have drafted an updated MAA. Through the stakeholder process, public input has also been received on Reclamation's revised Action Plan, the CMEP, and the CMER, and those documents have been revised based on the public input received.

Staff will provide a status report on the work conducted pursuant to the MAA and the efforts under way to update the document.

RECOMMENDATION: This is an information item.

Mgmt. Review \_\_\_\_\_

Legal Review \_\_\_\_\_

DRAFT