# Hearing on the Adequacy of the Draft Substitute Environmental Document In Support of Potential Changes to the Bay-Delta Water Quality Control Plan: San Joaquin River Flows and Southern Delta Water Quality

**March 20, 2013**

# Water Boards' Bay-Delta Efforts

- 2008 Strategic Workplan: identifies activities the State Water Board and Central Valley and San Francisco Bay Regional Water Boards will take
  - Addresses flow and non-flow related factors within Water Boards' purview
  - Many activities completed, moving forward to address emerging issues

# Flow Objectives and Implementation Activities

- Phase I – Review and update of Bay-Delta Plan's San Joaquin River flow and southern Delta water quality requirements

- Phase II – Review and update of remainder of the Bay-Delta Plan: Delta inflows/outflows, operational requirements

# Flow Objectives and Implementation Activities Cont.

- Phase III – Implementation of revised Bay-Delta Plan

- Phase IV – Develop and implement instream flow requirements for priority Delta tributaries

# Bay-Delta Water Quality Control Plan (Bay-Delta Plan)

- Identifies: beneficial uses to be protected, water quality objectives for the reasonable protection of beneficial uses, and a program of implementation for achieving objectives
- Porter-Cologne and Clean Water Act require regular review
- Not self implementing

# Process to Date

- February 2009: Notice of preparation (NOP)/scoping meeting (April 2009)
- January 2010: Salt Tolerance Report
- August 2010: Delta Flow Criteria Report
- October 2010: Draft Scientific Basis Report
- April 2011: Revised NOP/scoping meeting (June 2011) and draft amendments to the Bay-Delta Plan

# Process to Date Continued

- February 2012: Technical Reports released
  - Revised Scientific Basis Report
  - Agricultural Economic Effects Report
  - Hydropower and Electric Grid Analysis
- March 2012: Information Meeting on Reports
- Scientific Basis and Agricultural Economics Reports peer reviewed
- Delta Independent Science Board reviewed Scientific Basis Report

# Draft Substitute Environmental Document (SED)

- Released end of 2012 for public review and comment
- Comments due on the Adequacy of SED by noon on March 29, 2013
- Comments welcome on the content of the draft objectives, program of implementation, and on the adequacy of the SED and supporting technical documents

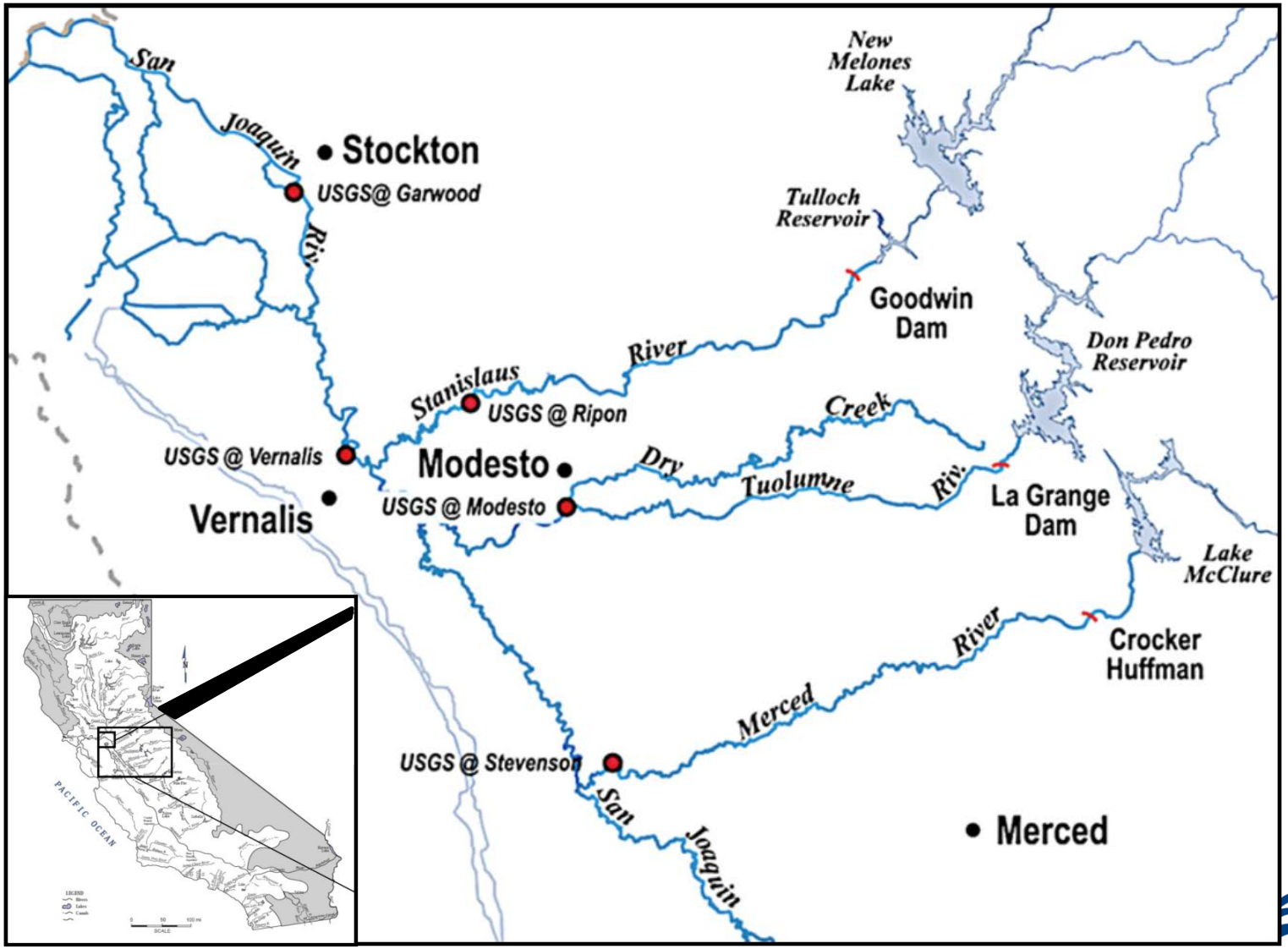
# Purpose of SED

- Document the purpose and need for changes to San Joaquin River flows, south Delta salinity
- Evaluates general/programmatic effects
- Meets requirements of the California Environmental Quality Act- functionally equivalent to an Environmental Impact Report
- Meets requirements of water code to evaluate environmental and economic effects

# Final SED

- Will be prepared after receipt of public comments
- Will include necessary changes to SED and responses to public comments
- Draft may be recirculated if substantial new information added or new significant impacts identified
- If not recirculated plan for final SED in late summer/early fall

# San Joaquin River Flow Proposal



# Basis for San Joaquin River Flow Proposal

- Scientific Basis Report: concludes that more flow of a more natural pattern needed from February through June from salmon bearing tributaries to San Joaquin River
- SED analyses of impacts and economics: includes evaluations of flows from February through June on tributaries of: 20%, 40%, and 60% of unimpaired flow, in addition to no project alternative

# 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

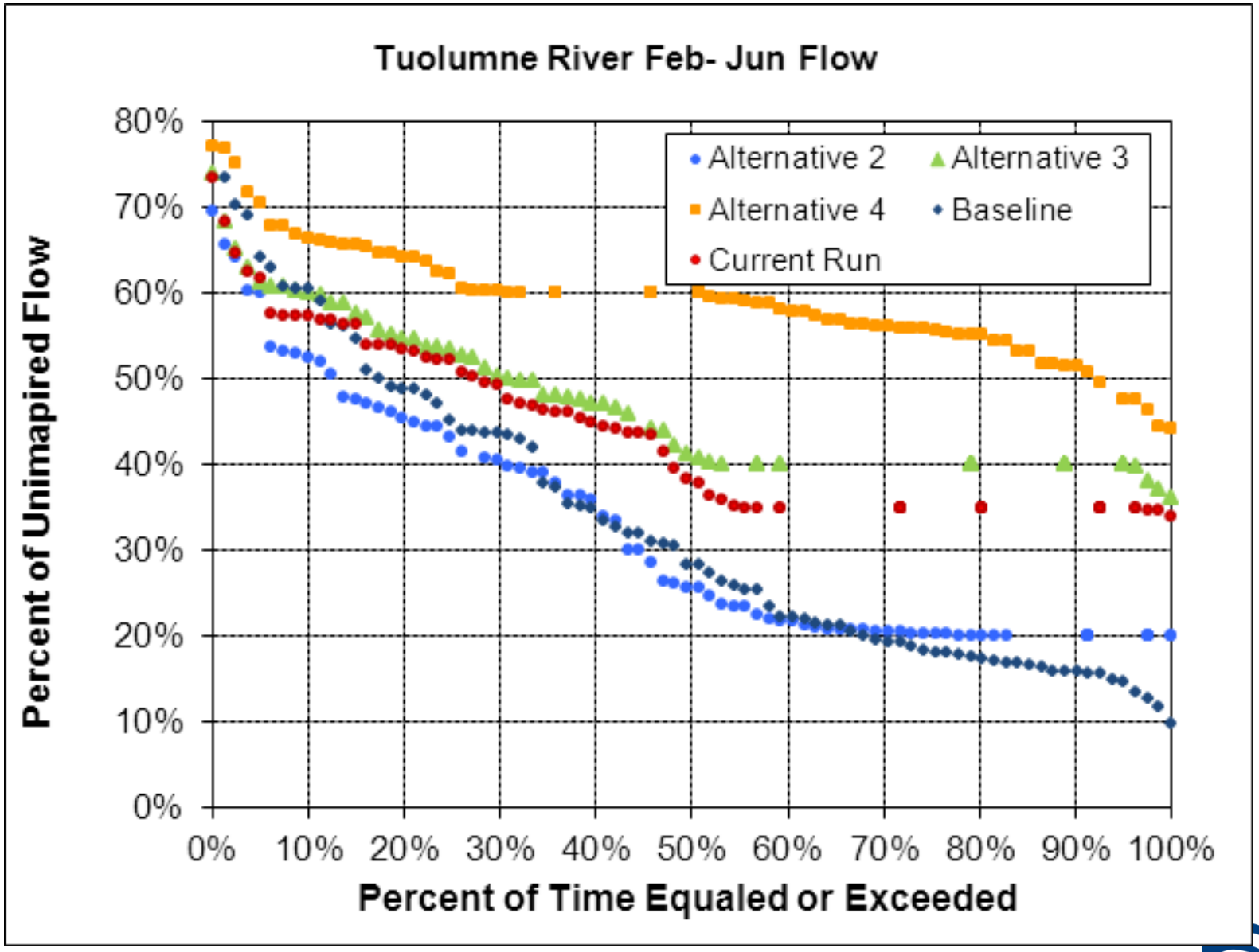
"Flow conditions that reasonably contribute toward maintaining viable native migratory San Joaquin River fish populations include, but may not be limited to, flows that mimic the natural hydrographic conditions to which native fish species are adapted, including the relative magnitude, duration, timing, 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."

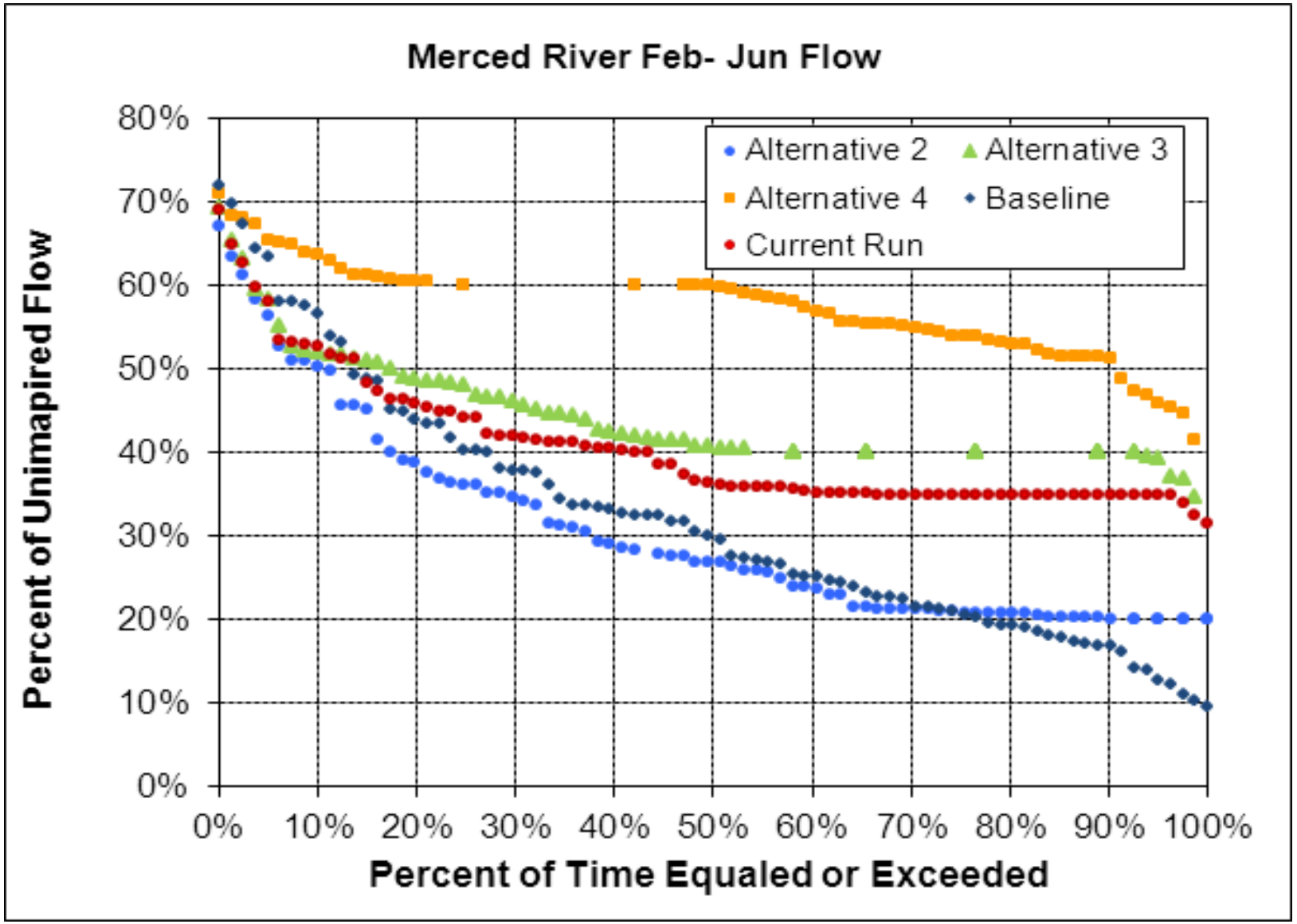
# Key Elements of Program of Implementation

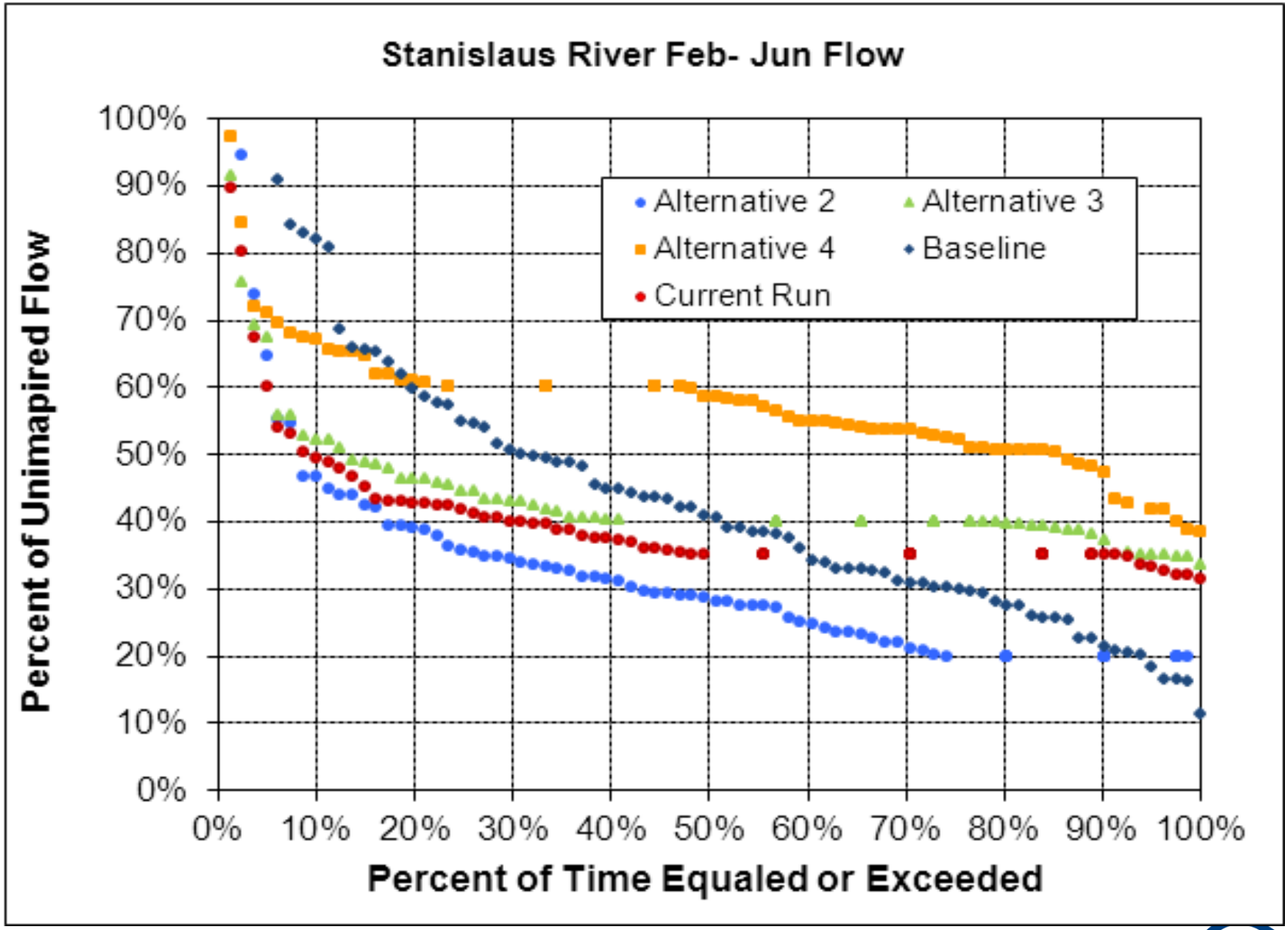
- Requires tributary flows, not just Vernalis
- Narrative objectives implemented by percent of unimpaired flow
- Flows may be adaptively managed within established bounds and framework process
- Adaptive management does not require a Bay-Delta Plan update
- Recommends actions to other agencies for non-flow measures to support beneficial uses

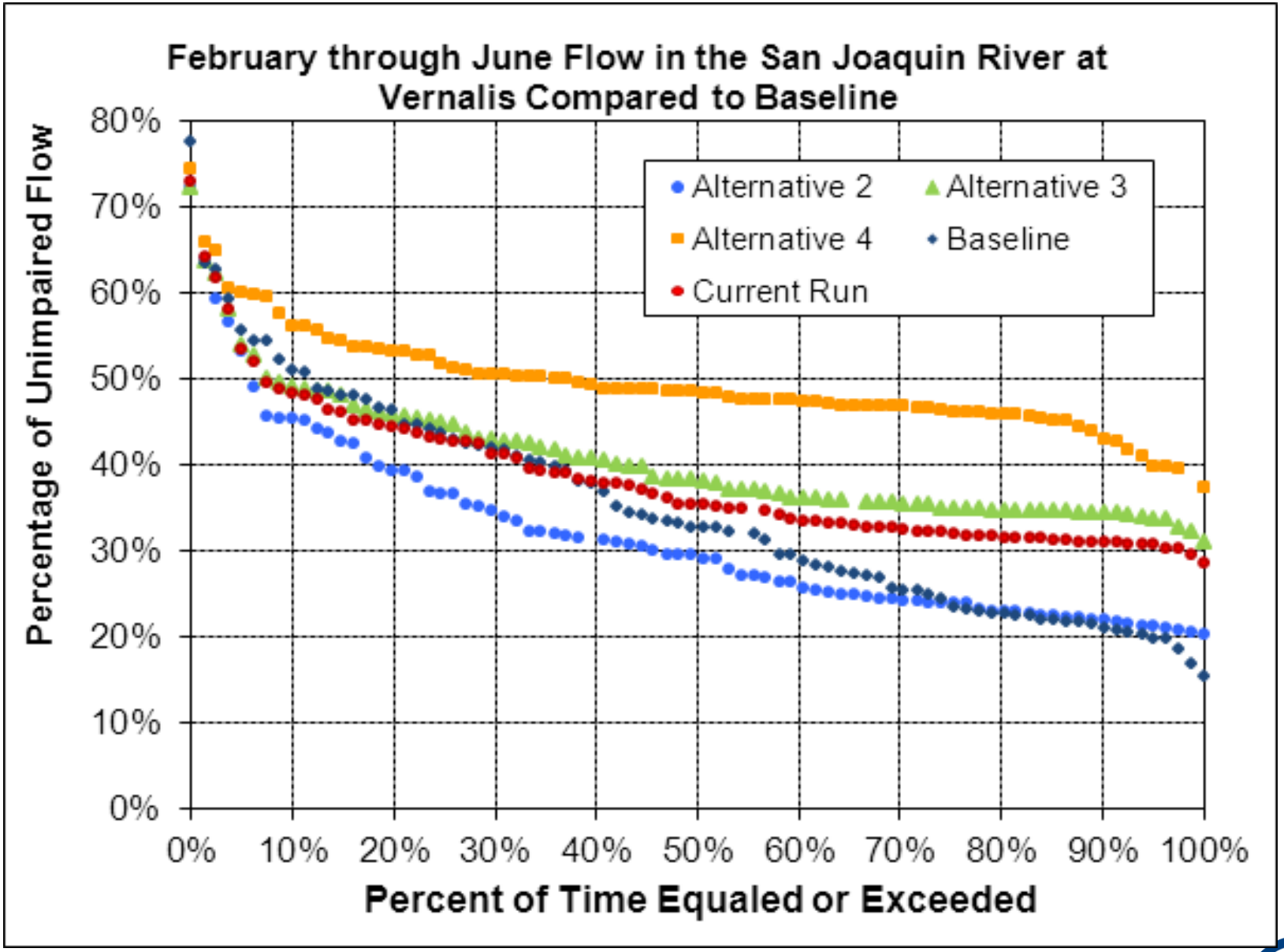
# Program of Implementation

- 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









# Implementation Provisions

- Allows for phasing in by 2020 in order to integrate with other planning activities and refine flows
- Implementation through water rights, Federal Energy Regulatory Commission licensing requirements, or other measures
- During implementation will consider actions to: protect flows downstream, establish minimum carryover storage requirements, and measures to avoid groundwater impacts

# Other Provisions of the Program of Implementation

- Actions by other entities to address non-flow related factors
- Monitoring, special studies, and reporting requirements to:
  - Implement adaptive management
  - Evaluate the need for changes to flow requirements and additional flow requirements for other times of year