



**Linda S. Adams**  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Water Rights

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P.O. Box 2000 ♦ Sacramento, California 95812-2000  
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**Arnold Schwarzenegger**  
Governor

## NOTICE OF PUBLIC WORKSHOP

### Consideration of the Southern Delta Water Quality Objectives for Salinity in the Water Quality Control Plan for the San Francisco Bay/ Sacramento-San Joaquin Delta Estuary

Commencing on Tuesday, January 16, 2007, and continuing on  
Friday, January 19, 2007, if necessary  
All sessions will commence at 10:00 a.m. unless announced otherwise

Joe Serna, Jr./Cal-EPA Building  
Sierra Hearing Room  
1001 I Street  
Sacramento, California

Additional hearing dates, times, and locations will be announced as necessary.

### SUBJECT OF WORKSHOP

The purpose of this workshop is to commence a proceeding regarding the southern Delta salinity objectives for agriculture that are contained in the current Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary adopted in 1995 (1995 Plan or Plan). At the workshop, the State Water Resources Control Board (State Water Board)<sup>1</sup> will receive information and conduct detailed discussions on the southern Delta salinity objectives. As a result of this workshop, the State Water Board will, if there is adequate justification, develop and manage a thorough study or studies of the sources, concentrations, loads, and effects of salinity, and methods for its control in the southern Delta.

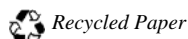
### BACKGROUND

On October 11, 2006, the State Water Board considered a proposed order amending State Water Board Decision 1641 to comply with a writ of mandate that requires the State Water Board either to assign responsibility for meeting the southern Delta salinity 0.7 Electrical Conductivity (EC) objective in the 1995 Plan or to amend the Plan.<sup>2</sup> The State Water Board did not approve the water right order, but directed staff to commence a proceeding regarding southern Delta salinity objectives in the 1995 Plan.

<sup>1</sup> A quorum of the members of the State Water Board may be present at the workshop.

<sup>2</sup> On February 9, 2006, the Court of Appeal, Third District of California, issued its opinion in the appeals of a trial court decision regarding Decision 1641. The Court of Appeal generally upheld D-1641, but with regard to the salinity objectives at three compliance stations in the southern Delta, the Court of Appeal held that the State Water Board acted without authorization when it included footnote 5 of Table 3 on page 182 of D-1641. Footnote 5 would replace the 0.7 mmhos/cm Electrical Conductivity (EC) with the 1.0 EC objective under certain conditions after April 1, 2005. The court held that the Board must either fully implement the southern Delta salinity objectives as set forth in the 1995 Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary or must duly amend the Plan.

**California Environmental Protection Agency**



The State Water Board adopted the southern Delta salinity objectives for agriculture, with compliance measurement points at Interagency Station Nos. C-6, C-8, and P-12 (respectively San Joaquin River at Brandt Bridge, Old River near Middle River, and Old River at Tracy Road Bridge) in the 1978 Water Quality Control Plan for the Sacramento-San Joaquin Delta (1978 Plan). The objectives are based on conditions, crops, and irrigation practices in the interior southern Delta at the time when the objectives were adopted. These objectives remain unchanged in the 1995 Plan.

The State Water Board adopts and implements water quality control plans under its authority to protect the beneficial uses of water. Water Code section 13240 provides the authority to revise water quality control plans. The federal Clean Water Act, at section 303(c) (33 U.S.C., § 1313(c)) requires approval by the United States Environmental Protection Agency of State water quality "standards," as defined in the Act.

The State Water Board conducted a periodic review of the 1995 Plan in 2004. Subsequently, the State Water Board conducted a multi-day workshop to receive additional information on selected issues<sup>3</sup>, one of which addressed the objectives that are the subject of this workshop. During that workshop, participants provided enough information to support the need to conduct additional review of the salinity objectives, including research as to the sources, concentrations, loads, and effects of salinity, and methods for its control in the southern Delta.

#### **MATTERS FOR DISCUSSION IN THE WORKSHOP**

The State Water Board is seeking to obtain information in addition to the information it received in the 2004-2005 workshop regarding the southern Delta salinity objectives. The additional information should focus on salinity objectives for the southern Delta, including a corresponding program of implementation. At this salinity workshop, the State Water Board specifically requests that the Department of Water Resources (DWR) and any other participants present detailed current information they have on southern Delta salinity objectives, including: 1) spatial and temporal variability of salinity in southern Delta channels, compliance measurement points (Interagency Station Nos. C-6, C-8, and P-12), and salinity sources; 2) spatial and temporal variability of irrigation practices and cropping patterns; 3) actions taken to control salinity and the effects of these actions; and 4) the reasonableness of the existing salinity objectives.

The State Water Board also requests that participants recommend the scope of work for studies they believe are needed regarding salinity in the southern Delta. The State Water Board requests that participants who recommend studies provide a reasonably detailed study plan for consideration, including completion dates for studies and other actions. The study plans, completion dates, and potential actions will be discussed at the workshop.

If it is evident that information is available which supports embarking on a study, this salinity workshop will be the starting point for the State Water Board to develop and manage a thorough study or studies of salinity issues in the southern Delta. The State Water Board expects that the study or studies and other efforts may result in a Plan amendment. If the State Water Board amends the 1995 Plan, it may implement the Plan amendments through a

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<sup>3</sup> On September 29, 2006, as a result of the workshop in 2004-2005, the State Water Board released a draft amended Bay-Delta Plan and gave notice of a hearing on November 13, 2006, to consider amending the 1995 Bay-Delta Plan in accordance with the draft amended Bay-Delta Plan. The proceeding noticed on September 29, 2006, is separate and distinct from the proceeding commenced by this notice.

water right and/or water quality proceeding. This overall process may require two or more years to complete.<sup>4</sup>

### **PROCEDURAL MATTERS**

At least ten days in advance of the workshop, the participants must submit documents satisfying the above requests for information, including scopes of work and study plans. At the workshop, participants will be given an opportunity to summarize and supplement their written materials with oral presentations.

To ensure a productive and efficient workshop, and to ensure that all participants have an opportunity to participate, oral presentations may be given time limits. Participants with similar comments are requested to make joint presentations.

The workshop will be informal. There will be no sworn testimony or cross-examination of participants, but the State Water Board and its staff may ask clarifying questions.

After the workshop, the State Water Board staff will advise the participants of the next steps in reviewing the salinity issues for the interior southern Delta.

Participants are required to provide their written materials by January 5, 2007. The State Water Board requests that ten copies of written comments be sent to:

Ms. Gita Kapahi, Chief  
Bay Delta/Special Projects Unit  
P.O. Box 2000  
Sacramento, CA 95812-2000

Hand and special deliveries can be dropped at:

Division of Water Rights - Records Unit  
1001 "I" Street, 2<sup>nd</sup> floor  
Sacramento, CA 95814

Participants are encouraged to also submit their comments electronically. Any documents submitted electronically must be in Adobe™ Portable Document Format (PDF). Electronic submittals to the State Water Board of documents less than 15 megabytes in total size (incoming mail server attachment limitation) may be sent via electronic mail to: [gwilson@waterboards.ca.gov](mailto:gwilson@waterboards.ca.gov), with a subject of "Southern Delta Salinity Workshop". Electronic submittals to the State Water Board of documents greater than 15 megabytes in total size should be sent by regular mail in PDF format on compact disk (CD™) media.

Each participant is requested to bring additional copies of any written submittals to the workshop for the use of the other participants.

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<sup>4</sup> The State Water Board will consider changing the agricultural salinity objectives for the southern Delta or the program of implementation for these objectives upon the submission of adequate information, including data and modeling studies, to support a change.

**INFORMATION REGARDING WORKSHOP**

Questions concerning this notice may be directed to Gita Kapahi, Chief, Bay-Delta Unit, at (916) 341-5289 or Barbara Leidigh, Staff Counsel IV, at (916) 341-5190.

**PARKING AND ACCESSIBILITY**

The enclosed map shows the location of the Joe Serna, Jr. (Cal EPA) Building and public parking sites in Sacramento. The Joe Serna, Jr. (Cal EPA) Building, Sierra Hearing Room, is accessible to persons with disabilities.

Due to enhanced security precautions at the Joe Serna, Jr. (Cal EPA) Building, all visitors are required to sign in prior to attending any meeting. Visitors can sign in and obtain badges in the Visitor and Environmental Services Center, which is just inside and to the left of the building's public entrance. Visitors may be asked to show valid picture identification. Valid identification can take the form of a current driver's license, military identification card, or state and federal identification cards. Depending on the size and number of meetings scheduled on any given day, the security check-in could take from three to fifteen minutes. Please allow adequate time to sign in before being directed to your meeting.

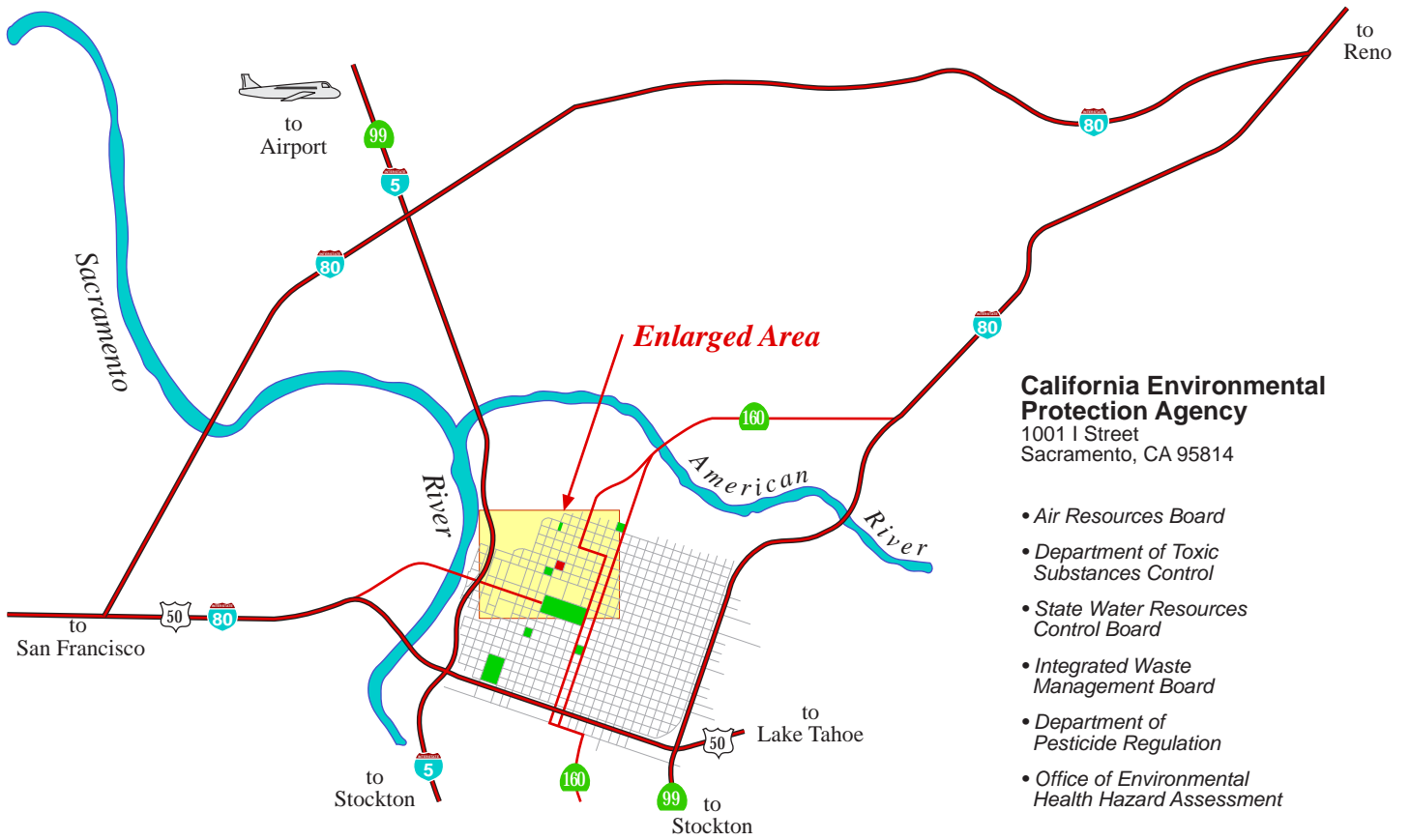


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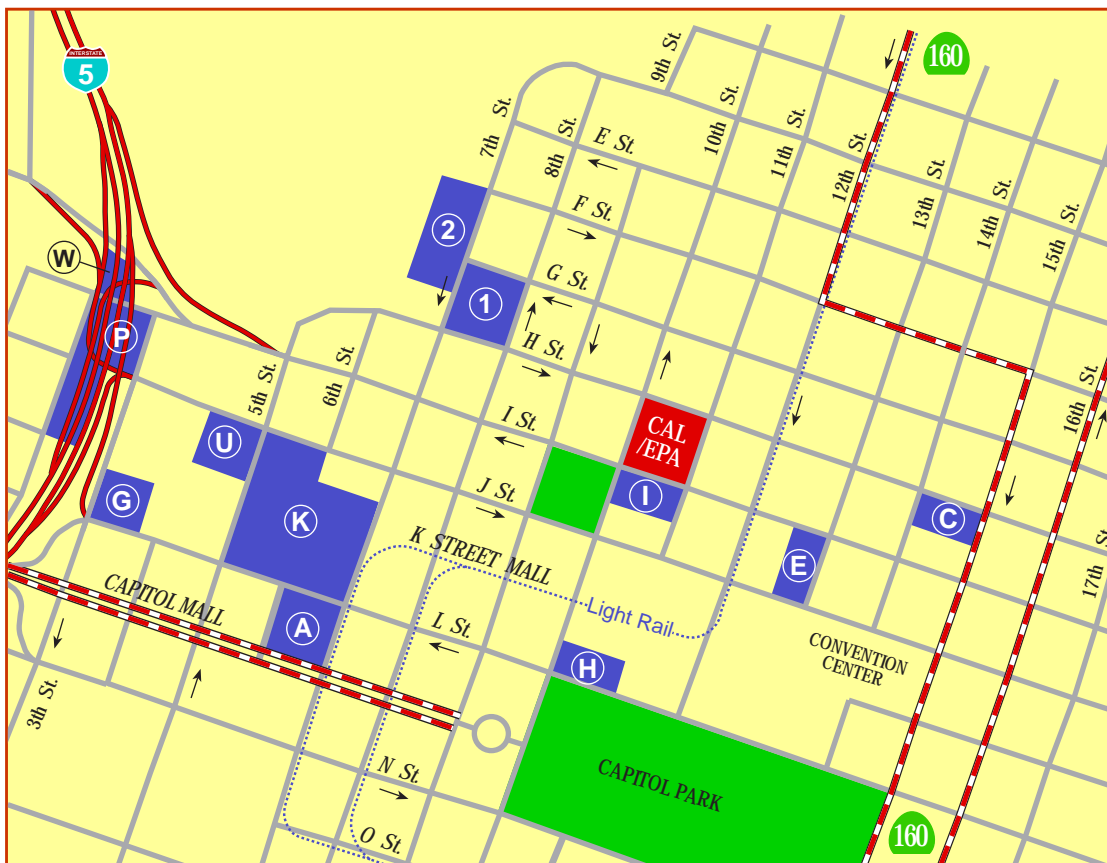
Song Her  
Clerk to the Board

Date: October 13, 2006

Enclosure



### Parking Lot Locations



- Lot 1 - (7th & G St.)
- Lot 2 - (7th & G St.)
- Lot A - (7th & Capitol)
- Lot C - (14th & H St.)
- Lot G - (3rd & L)
- Lot H - (10th & L)
- Lot I - (10th & I, 11th & D)
- Lot K - (6th & J/L, 7th & K)
- Lot P - (2nd & I)
- Lot U - (5th & J)
- Lot W - (2nd & I St.)