

Sacramento/Delta Update to the Bay-Delta Water Quality Control Plan (Bay-Delta Plan) *Overview of Draft Staff Report* 2023



Presentation Overview

- State Water Resources Control Board (State Water Board or Board)
- Bay-Delta Water Quality Control Plan (Bay-Delta Plan)
 - Sacramento River and Delta (Sacramento/Delta) updates to the Bay-Delta Plan
- Draft Staff Report in support of Sacramento/Delta updates to the Bay-Delta Plan
- Next steps and opportunities for engagement

State Water Board

- Mission – To preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations
- Responsible for allocating surface water rights and protecting water quality, while protecting the public trust and public interest and preventing the waste and unreasonable use of water
- Responsibilities converge in the Bay-Delta

Bay-Delta Plan

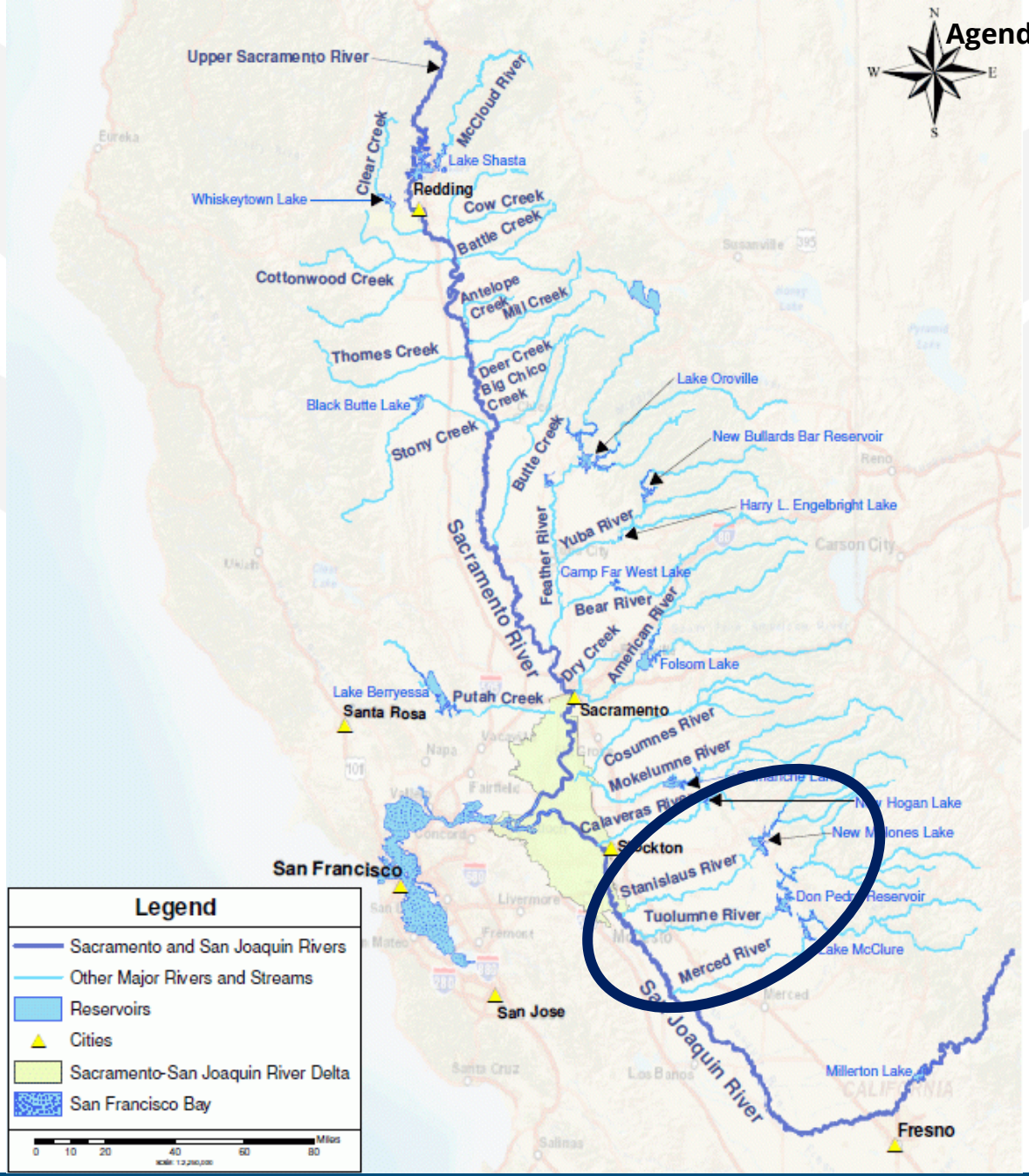
- Identifies beneficial uses of water, water quality objectives to protect those uses, a program of implementation to achieve the objectives, and monitoring and special studies
 - Beneficial uses: municipal and industrial, agricultural, fish and wildlife
 - Water quality objectives: narrative and numeric (primarily flow-dependent)
 - Program of implementation: flow and nonflow actions
 - Monitoring and evaluation to assess compliance and effectiveness of implementation actions

San Francisco Bay/ Sacramento-San Joaquin Delta (Bay-Delta) Watershed

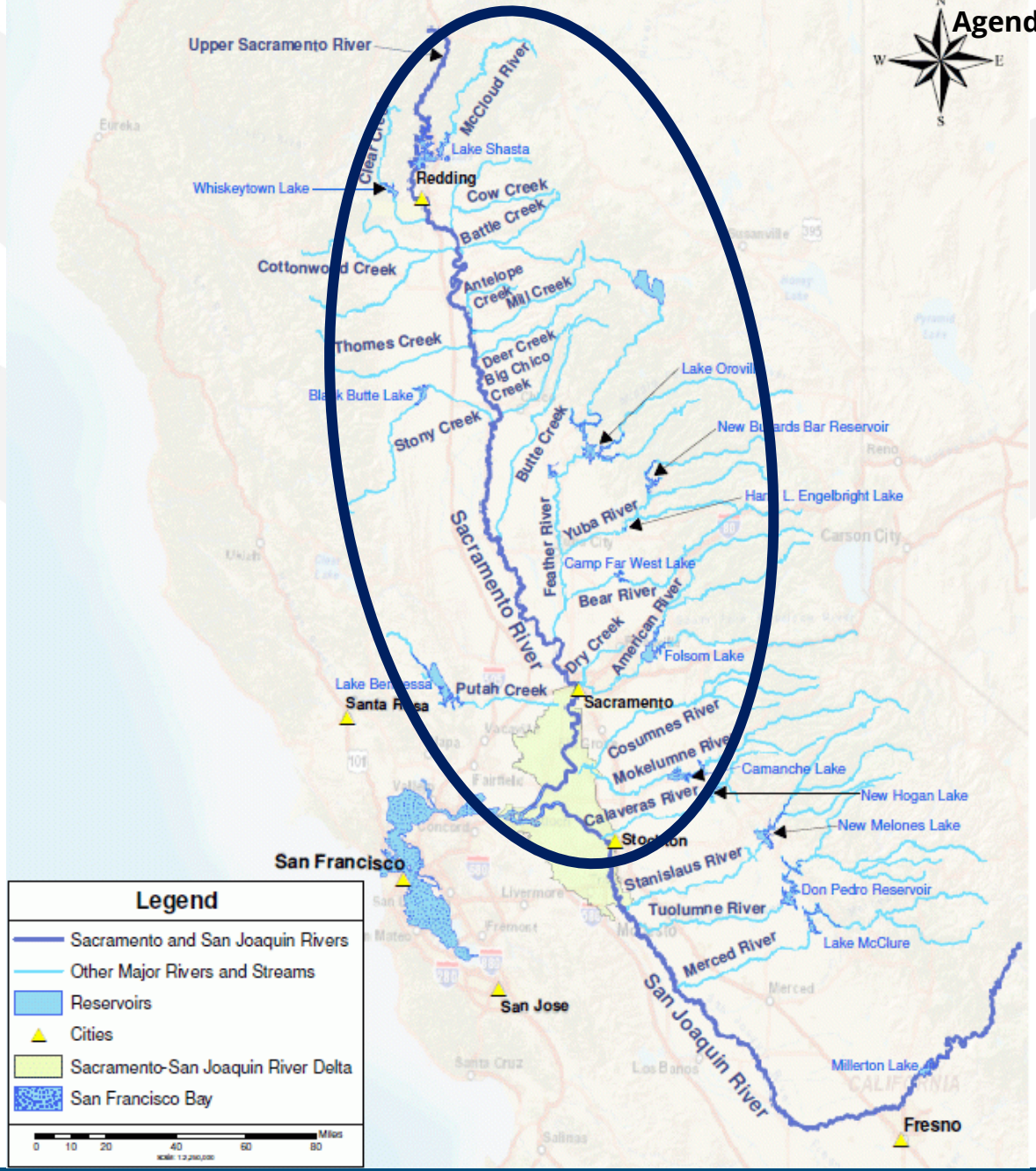
Bay-Delta Plan Updates



Bay-Delta Watershed



Bay-Delta Watershed



Purpose of Updates to the Bay-Delta Plan

- Native species have undergone substantial population declines
- Aquatic ecosystem stressors:
 - Flow alteration
 - Habitat loss
 - Water quality
- Bay-Delta Plan updates are intended to establish flow and related measures to protect native species
- Those measures are then implemented through subsequent water right/water quality actions



Sacramento/Delta Update Background

- 2012: Supplemental Notice of Preparation for Sacramento/Delta update to the Bay-Delta Plan
- 2012-2016: Workshops and public meetings to inform Sacramento/Delta updates to the Bay-Delta Plan and draft Scientific Basis Report development
- 2017: Peer-reviewed Scientific Basis Report Completed
 - Evaluates Sacramento and Delta tributary (Mokelumne, Cosumnes, and Calaveras) inflows and cold-water habitat, Delta outflows, and interior Delta flows
- 2018: Framework for possible Sacramento/Delta updates to the Bay-Delta Plan

Proposed Plan Amendments

- Possible Sacramento/Delta changes to the Bay-Delta Plan identified in 2018 Framework referred to as “proposed Plan amendments”
 - Year-round inflows of 55% of unimpaired inflows with an adaptive range from 45–65% that would apply to Sacramento River and Delta (Mokelumne, Cosumnes, Calaveras) salmon bearing tributaries
 - Narrative cold water habitat objective and implementation measures
 - Year-round inflow-based Delta outflows that would provide for required inflows and outflows
 - Interior Delta flows to avoid export related impacts
 - Science, monitoring, evaluation, reporting and other provisions
- Board has not decided on changes to the Bay-Delta Plan, which will be informed by public comments and other information

Recent Sacramento/Delta Update Activities

- 2022: Proposed Voluntary Agreements (VAs)
 - Proposed by water users, the Secretaries of the CA Natural Resources Agency and Environmental Protection Agency, and U.S. Bureau of Reclamation
 - Propose flow and habitat restoration actions
 - Proposed strategic planning, governance, science, and adaptive management provisions
- 2023: Draft Scientific Basis Report Supplement for proposed Sacramento/Delta VAs
 - Documents science supporting Sacramento/Delta provisions of proposed VAs
 - Supplements 2017 Scientific Basis Report
 - Revised based on public input and included as appendix to draft Staff Report and submitted for independent scientific peer review
- September 2023: Draft Staff Report in support of Sacramento/Delta updates to the Bay-Delta Plan

Proposed VAs

- Propose flow, habitat restoration, and other actions on Sacramento, Feather, American, Yuba, and Mokelumne Rivers, Putah Creek, and in Delta
- Propose: (1) a new narrative objective to achieve viability of native fish populations, and (2) to provide participating parties' share to contribute to achieving the existing narrative objective to double salmon populations by 2050
- Initial 8-year term proposed, following which VAs could be extended or modified, or regulatory pathway could apply if proposed VAs are not found to be effective
- Draft Staff Report identifies proposed regulatory pathway consistent with the inflow, outflow, and cold water habitat provisions of 2018 Framework, assumes pathway applies to non-VA regions, and applies if VAs not continued after initial implementation

Draft Staff Report

- Evaluates potential benefits and environmental/economic impacts of possible alternatives for updating the Sacramento/Delta components of the Bay-Delta Plan
- Assesses a range of alternatives, including proposed Plan amendments, proposed VAs, and others
- Identifies proposed inclusion of tribal beneficial uses in the Plan
- Complies with California Environmental Quality Act (CEQA), Water Code, and other laws
- Public's opportunity to review and comment on analyses
- Public input will inform the State Water Board's planning process and eventual consideration of adoption of Sacramento/Delta updates

California Environmental Quality Act (CEQA)

- CEQA's basic purposes:
 - Inform governmental decision makers and the public about potential significant environmental effects of proposed activities
 - Identify ways that environmental damage can be avoided or significantly reduced
 - Prevent significant, avoidable damage to the environment by requiring changes in projects through alternatives or mitigation measures
- Staff Report fulfills the requirements of CEQA and the State Water Board's CEQA regulations, as well as other applicable requirements

Water Quality Planning Factors

- Certain factors must be evaluated when establishing water quality objectives:
 - Past, present, and probable future beneficial uses of water
 - Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto
 - Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area
 - Economic considerations
 - The need for developing housing within the region
 - The need to develop and use recycled water
- Climate change is a relevant factor that also merits consideration

Organization of Draft Staff Report

- Chapter 1: Executive Summary
- Chapter 2: Hydrology and Water Supply
- Chapter 3: Scientific Knowledge to Inform Fish and Wildlife Flow Recommendations
- Chapter 4: Other Aquatic Ecosystem Stressors
- Chapter 5: Proposed Changes to the Bay-Delta Plan for the Sacramento/Delta
- Chapter 6: Changes in Hydrology and Water Supply
- Chapter 7: Environmental Analysis
- Chapter 8: Economic Analysis and Other Considerations
- Chapter 9: Proposed Voluntary Agreements
- Chapter 10: Economically Disadvantaged Communities
- Chapter 11: Tribal Engagement
- Chapter 12: Public Participation
- Appendices (Modeling results, Scientific Basis Report, VA Scientific Basis Report Supplement, VA MOU and other draft VA components)

Draft Staff Report Alternatives

- See Section 7.2, *Alternatives Description*
- Stand-Alone Alternatives:
 - Proposed Plan Amendments (based on 2018 Framework)
 - Proposed VAs (based on VA MOU)
 - Low Flow Alternative – same as Proposed Plan Amendments but inflows of 35-45% of unimpaired flow
 - High Flow Alternative – same as Proposed Plan Amendments but inflows of 65-75% of unimpaired flow
 - No Project Alternative
- Modular Alternatives:
 - Interior Delta Flow and Fall Delta Outflow Variations
 - Drought Alternatives
 - Protection of VA Flows Alternative
- State Water Board has not yet made any decisions on how to move forward, and all alternatives are available for consideration

Recent and Upcoming Public Participation and Tribal Engagement Opportunities

- **Oct. 19, 2023:** Public Workshop – Draft Staff Report
- **Nov. 2, 2023:** Public Workshop – Modeling Workshop
- **November 2023:** Tribal Meeting and Workshop (tribal representatives only)
- **Nov. 17, 2023:** Board Hearing Day 1 (9:30 a.m.)
- **Dec. 1, 2023:** Board Hearing Day 2 (9:30 a.m.)
- **Dec. 11, 2023:** Board Hearing Day 3 (4:00 p.m.)
- **January 19, 2024:** Written comments due (extended from Dec. 15, 2023)

Anticipated Timeline

- **Fall 2023:** VA Scientific Basis Report Supplement Report submitted for independent scientific peer review
- **Late 2023:** VA parties submit additional draft components of VA proposal (flow accounting, various agreements, governance charter) to the Board and for public review
- **Early to Mid 2024:** Release specific draft changes to Bay-Delta Plan, including program of implementation language, for public review and comment, and hold public meeting
- **Late 2024:** Develop responses to public comments on draft Staff Report and any needed changes to Staff Report and proposed changes to the Bay-Delta Plan for Board consideration
- **Late 2024:** Board meeting to consider adoption of Sacramento/Delta updates to Bay-Delta Plan and final Staff Report

Resources and Contact Information

For questions and to submit written comments:

SacDeltaComments@waterboards.ca.gov

Webpage:

Bay-Delta Watershed:

www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/

Sacramento/Delta Updates:

www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/comp_review.html

Bay-Delta Notices

Email Subscription List:

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