

Response to Key Questions

Delta Flow Criteria Informational Proceeding March 22, 2010

The following are brief “bullet-point style” responses to the five questions posed by the State Water Board in its original notice. The written testimony and the supporting documents submitted by the City of Antioch elaborate on these responses.

Key Question #1

What key information, in particular scientific information or portions of scientific information, should the State Water Board rely upon when determining the volume, quantity, and timing of water needed for the Delta ecosystem pursuant to the board’s public trust obligations?

- The current Delta ecosystem is very different than the historical Delta – both flow and salinity are altered compared to historical conditions. For example:
 - since European settlement in the 1850s, dramatic changes to the Delta landscape have occurred, including removal of tidal marsh and building of permanent river channels
 - water management operations (reservoir storage and diversions) since the early 1900s have increased reservoir storage in the upstream watersheds to more than 30 million acre-feet (MAF)
 - water exports from the Delta have been steadily increasing since the 1950s to the present, from about 0.5 MAF/yr to about 5 MAF/yr
- Before 1918 (i.e., before large-scale diversions for upstream agricultural operations), freshwater conditions were pervasive in the western Delta as indicated by literature and technical reports (e.g., testimony from the Antioch lawsuit in 1920, DPW 1931 and DWR 1960)
- Salinity monitoring data indicate that salinity at Antioch has increased from 1965 to present; the increase in salinity continues in recent years.
- Salinity intrusion under current management conditions occurs earlier in the year (currently beginning in about March, as compared to June-July historically). Salinity intrusion also persists longer; currently, the period of high salinity persists for about 10 months on average, compared to about 5 months on average for unimpaired flow conditions (i.e., without any current management operations but with the current Delta channel configuration).

For large reports or documents, what pages or chapters should be considered?

- Specific page number references have been provided in the detailed exhibit and supporting documents.

What does this scientific information indicate regarding the minimum and maximum volume, quality, and timing of flows needed under the existing physical conditions, various hydrologic conditions, and biological conditions?

- Historic Delta was significantly fresher than the current Delta.
- Characterization of the Delta as “historically saline” is false and is not based on scientific evidence.
- Salinity intrusion under current management conditions occurs earlier (timing) and persists longer (duration) compared to unimpaired flow conditions (i.e., without any current management operations but with the current Delta channel configuration).
- Salinity has continued to increase in recent years at Antioch.
- The fraction of time that water at Antioch is suitable for use (when salinity is < 250 mg/L chlorides or 1000 μ S/cm EC) has declined significantly.
- Historical fresh conditions must be considered in any effort to restore ecological conditions in the Delta.

With respect to biological conditions, what does the scientific information indicate regarding appropriateness of flow to control non native species?

- This question is not addressed in the City’s submittal.

What is the level of scientific certainty regarding the foregoing information?

- Salinity and flow monitoring data were collected using scientific techniques which are universal and reliable.
- Testimony and historical evidence presented is consistent with historical literature reports, measurements made by the California & Hawaiian Sugar Refining Corporation (C&H) during the early 20th century, and also with paleo records constructed from tree rings and sediment cores (presented by others and in CCWD salinity report).

Key Question #2

What methodology should the State Water Board use to develop flow criteria for the Delta? What does that methodology indicate the needed minimum and maximum volume, quality, and timing of flows are for different hydrologic conditions under the current physical conditions of the Delta?

- The City suggests that, given historical conditions, salinity should not be allowed to rise (and flows should not be allowed to decline) beyond existing levels as required by D-1641 and X2 operations criteria.
- The City requests that compliance points should not be moved land-ward.
- The SWRCB should consider using the gauging station at Antioch as a point of interest for monitoring of both salinity and flow conditions in the western Delta.

Key Question #3

When determining Delta outflows necessary to protect public trust resources, how important is the source of those flows?

- Even though Antioch is on the San Joaquin River, the Sacramento River was historically and continues to be the main source of water at Antioch. Thus, the Sacramento River has historically been the main source of water in the western Delta, and the source of water to which Delta species have been historically exposed and to which they may have adapted.
- In the context of flushing of the South Delta, baseline residence times should be established based on current conditions, and to be used as a measure by which future actions (e.g., BDCP) can be assessed.

How should the State Water Board address this issue when developing Delta outflow criteria?

- This question is not addressed in the City's submittal.

Key Question #4

How should the State Water Board address scientific uncertainty when developing the Delta outflow criteria?

- The City of Antioch respectfully suggests, in light of the information provided, that the SWRCB should err on the side of not allowing greater salinity intrusion.

Specifically, what kind of adaptive management, monitoring, and special studies programs should the State Water Board consider as part of the Delta outflow criteria, if any?

- This question is not addressed in the City's submittal.

Key Question #5

What can the State Water Board reasonably be expected to accomplish with respect to flow criteria within the nine months following enactment of SB 1? What issues should the State Water Board focus on in order to develop meaningful criteria during this short period of time?

- This question is not addressed in the City's submittal.