

State Water Resources Control Board

October 4, 2017

OPPORTUNITY TO PROVIDE INPUT TO INFORM THE DEVELOPMENT OF THE PROGRAM OF IMPLEMENTATION FOR THE PHASE II UPDATE TO THE BAY-DELTA PLAN

Opportunity to Provide Input

This notice provides the public with the opportunity to comment on the development of potential changes to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary Bay-Delta (Bay-Delta Plan). The State Water Resources Control Board (State Water Board or Board) is in the process of updating the Bay-Delta Plan in two separate phases. This notice concerns Phase II of the update to the Bay-Delta Plan focused on protection of fish and wildlife beneficial uses in the Sacramento River, Delta and associated tributaries.¹ A Fact Sheet that further describes the Phase II process and the conceptual basis for proposed changes the Bay-Delta Plan is available on the State Water Board's website at:

www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/docs/201710_phasell_factsheet.pdf. The Final Phase II Scientific Basis Report (Science Report) documenting the science upon which potential changes to the Bay-Delta Plan are based is also posted on the State Water Board's website at:

http://waterboards.ca.gov/water_issues/programs/peer_review/docs/scientific_basis_phase_ii/201710_bdphasell_sciencereport.pdf. To help further develop the potential Phase II changes to the Bay-Delta Plan program of implementation, the State Water Board provides a list of questions below for optional and early public input. Written responses to the questions should be **limited to 20 pages** and should be provided **by noon on, November 9, 2017**, to be considered. Comments should be submitted by email to Bay-Delta@waterboards.ca.gov with the subject line of "Phase II Bay-Delta Plan Input." Input received as a result of this notice will inform further development of proposed changes to the Bay-Delta Plan. Those changes and the potential environmental and economic effects of those changes and alternative changes to the Bay-Delta Plan will be identified in a draft Staff Report/Substitute Environmental Document that will be circulated for formal public review and comment at a later date.

Issues for Comment

State Water Board staff is soliciting focused stakeholder on the questions listed below for consideration in the development of the program of implementation for the Phase II Update of the Bay-Delta Plan. A response is optional and need not address every question.

¹ Phase I is addressing the protection of beneficial uses in the San Joaquin River watershed and southern Delta in a separate proceeding.

1. What specific provisions should be included in the program of implementation to ensure the expeditious implementation of the inflow and cold water habitat objectives?
 - a. How long should the State Water Board allow for voluntary tributary or regional plans to be developed and implemented to meet the inflow and cold water habitat objectives and what are the minimum provisions those plans should include to be acceptable?
 - b. What measures should the State Water Board take to implement the inflow and cold water habitat objectives if satisfactory voluntary tributary or regional plans are not developed?
2. How should the State Water Board ensure that water released to meet objectives is protected through the system and not rediverted for other purposes?
3. What improvements should be made to measure compliance with the existing Delta outflow objectives (that are intended to be retained), and with the proposed new inflow-based Delta outflow objectives?
4. Understanding that the proposed outflow objective is derived from the inflow objective but will require some accounting methodology to accommodate Valley floor and Delta accretions and depletions and floodplain inundation, how should implementation and compliance with the new inflow and inflow-based Delta outflow objectives be coordinated?
5. What approach should the State Water Board use to transition from the current Delta outflow objective in Table 4 of the 2006 Bay-Delta Plan to a new inflow-based Delta outflow objective to ensure that Delta outflows are not reduced while the tributary inflow requirements are being implemented?
6. How should the State Water Board account for flows provided for floodplain inundation to benefit native species?
7. How should the State Water Board structure adaptive management for the new objectives?
8. How should the State Water Board ensure that non-flow measures included in voluntary tributary or regional plans are implemented in a timely and effective manner?
9. What specific drought measures should be included in the Bay-Delta Plan?
10. What should be the threshold for triggering drought measures?
11. How could the State Water Board incentivize creative voluntary drought measures?