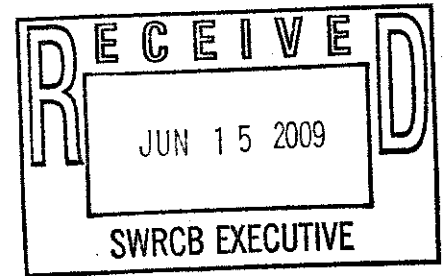


**The Bay Institute
Natural Resources Defense Council**

By email and hand delivery

June 14, 2009

Charles Hoppin, Chair
c/o commentletters@waterboards.ca.gov
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000



RE: DRAFT STAFF REPORT ON PERIODIC REVIEW OF 2006 BAY-DELTA PLAN

Dear Chairman Hoppin,

This letter is submitted as the comments of the Bay Institute and the Natural Resources Defense Council regarding the May 2009 draft staff report on periodic review of the 2006 Water Quality Control Plan (WQCP) for the San Francisco Bay/ Sacramento-San Joaquin Delta Estuary. We commend the staff for an exceptionally thorough and comprehensive analysis of the issues relating to periodic review of the 2006 WQCP, and we generally concur with the staff's recommendations as to which provisions of the Plan the Board should consider amending, and why.

We note, however, one critical omission in the draft report: the failure to address the Plan's existing narrative objective for salmon protection. More than enough information is available to augment this narrative objective with numeric criteria, both in the Plan itself (particularly, by amending the Vernalis flow objectives and the export criteria) and in the Program of Implementation (most importantly, by requiring the establishment of flow objectives and other water quality criteria in the Sacramento and San Joaquin Basin Plans, and taking associated water right and other actions, to support attainment of the narrative objective).

Thank you for your consideration of these comments. Please contact us if you have any questions regarding this letter.

TBI/NRDC comments re 2006 WQCP periodic review staff draft report
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Sincerely,

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