



**From:** Nakagawa, Brandon <bnakagawa@sjgov.org>  
**Sent:** Thursday, November 9, 2017 10:05 AM  
**To:** WB-DWR-Bay-Delta  
**Cc:** Attebery, Rod; Balaji, Kris; Buchman, Fritz; Villalpando, Kelly  
**Subject:** PHASE II OF THE BAY-DELTA PLAN INPUT

State Water Resources Control Board,

The San Joaquin County Flood Control and Water Conservation District (District) appreciates the opportunity to provide input to Phase II of the Bay-Delta Plan. Your October 4, 2017 notice solicited input through a list of questions to the public to help inform the development of the implementation program for Phase II of the Bay-Delta Plan. As an initial approach to the development of Phase II of the Bay-Delta Plan, the District respectfully offers the following input:

**1. State Clear Ecological Goals and Outcomes**

Phase II of the Bay-Delta Plan needs to clearly state the specific ecological goals and expected outcomes for the Delta and each of its tributaries. These goals and outcomes should also clearly state and identify priorities and milestones for achieving the identified goals and outcomes. The specificity of the goals and outcomes will encourage experienced water managers with reputable track records of fisheries flow and habitat management actions to offer viable solutions which achieve the stated ecological goals instead of the current approach of a taking a percentage of unimpaired flow.

**2. Utilize an-Approach for Flow and Non-Flow Measures**

Phase II of the Bay-Delta Plan focuses primarily on the use of unimpaired flow for updating water quality objectives with the goal of increasing the health of the Bay-Delta. This approach does not fully account for the current physical and regulatory realities of the Sacramento and San Joaquin Watersheds. In reality, water year type, long-term droughts, climate change, hydropower projects, diversions, flood control requirements, infrastructure limitations, channel losses, and current channel capacities (among other factors) affect the timing and rate of flows on these rivers.

The use of an unimpaired flow metric does not adequately account for these realities nor appreciate the need to coordinate the operation of various projects and facilities on the tributaries. While Phase II of the Bay-Delta Plan may include some flexibility in the application of the use of unimpaired flow metrics, more flexibility is needed to address specific river system conditions especially for tributaries who have achieved success in meeting established ecological goals.

Primarily focusing on unimpaired flow metrics discounts the role of non-flow measures, which are essential for protecting fishery ecosystems. On some streams, stakeholders have developed programs that have controlled flow regimes and developed non-flow measures that have successfully restored and protected fisheries and the ecosystem while still meeting municipal and agricultural beneficial uses. Water rights holders should get credit for the non-flow measures which have proven successful for fisheries.

Requiring higher releases can have an adverse impact on beneficial uses during dry years when there is insufficient runoff to meet all water supply needs and emergency water conservation orders are in place to preserve water. Requiring higher releases in dry years will deplete water in storage reserved for subsequent

years and result in other impacts to fish. A regime that relies primarily on unimpaired flows in a dry year or dry year sequence presents a significant risk of depleting cold water pools required for fishery health. An analysis of the impact of historic drought sequences on water supplies for all beneficial uses should be required for each Alternative in Phase II of the Bay-Delta Plan.

### **3. Consider and Integrate SGMA**

Phase II of the Bay-Delta Plan could result in a reduction of water supplies relied on and invested in by local water agencies. The Phase I Substitute Environmental Document (SED) of the Bay-Delta Plan acknowledged that all of the Alternatives would impact groundwater, and Alternatives 3 and 4 “would have significant and unavoidable impacts on groundwater (supply and quality)...” (pg. 22-12.). The SED goes on to state that the reduction in surface water supply would be offset by increases in groundwater pumping.

The whole point of SGMA is to achieve sustainable groundwater management with particular priority placed on basins in critical overdraft. With SGMA in place, substituting lost surface water supplies with groundwater is not feasible nor acceptable. The District recommends that the Phase I SED and Phase II of the Bay-Delta Plan include an analysis that considers SGMA, does not assume that groundwater can be substituted for the loss of surface water, and also includes the amount of water needed for groundwater recharge and groundwater banking for future dry years.

### **4. Assess Cumulative Impacts From the Existing Export Operations and the California WaterFix**

The existing export pumping operations affect salmon and steelhead on tributaries to the Delta including the Mokelumne River. These operations combined with the California WaterFix, would reduce Sacramento River fresh water flows into the Delta and further impact critical portions of the Delta’s ecosystem and the anadromous fishery. As a result, Phase II of the Bay-Delta Plan must consider the cumulative effects of the WaterFix Project to ensure an adequate environmental review.

The District appreciates the opportunity to provide input on Phase II of the Bay-Delta Plan. Should you have any questions, please feel free to contact me at, (209) 468-3089, or [bnakagawa@sjgov.org](mailto:bnakagawa@sjgov.org).

Sincerely,

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