

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS
SEPTEMBER 6, 2023**

ITEM 6

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION TO APPROVE THE FINAL INITIAL BIOLOGICAL GOALS FOR LOWER SAN JOAQUIN RIVER FLOW OBJECTIVES.

DISCUSSION

In December of 2018, the State Water Board approved updates to the Lower San Joaquin River (LSJR) flow components of the 2018 Bay-Delta Water Quality Control Plan (Bay-Delta Plan or Plan) for the reasonable protection of fish and wildlife. As part of the 2018 LSJR update, the State Water Board committed to develop and consider approval of biological goals for the LSJR. The State Water Board also committed to establishing a Stanislaus, Tuolumne, and Merced Working Group (STM Working Group) to be a watershed group and forum for facilitating coordination among the State Water Board and interested water agencies and other stakeholders who have expertise in LSJR issues. The 2018 LSJR update requires that the State Water Board seek recommendations from the STM Working Group on the biological goals.

Biological goals for the Bay-Delta Plan are quantitative metrics that the State Water Board will use to assess if the actions it is taking under the Bay-Delta Plan, and in coordination with State agencies and other entities to implement the Plan, are making sufficient progress towards the Plan's objectives of achieving and maintaining the natural production of viable native fish and aquatic species populations. The 2018 LSJR update requires biological goals to be developed for salmonids including goals for abundance, productivity, diversity, and population spatial extent, distribution, and structure. Fall-run Chinook salmon were selected for the development of initial biological goals due to their more abundant status and ability to serve as an indicator species for conditions protective of native fish species. Biological goals will be used to inform adaptive implementation of the LSJR flow requirements and, along with other available scientific information, evaluate the effectiveness of its program of implementation, guide development and assessment of the monitoring and evaluation program, and inform future changes to the Bay-Delta Plan.

After an extensive public process spanning multiple years, and substantive revisions and changes based on public input from the STM Working Group and other interested persons, the Draft Final Report is being brought to the Board for their consideration of approval. A draft initial biological goals report was released on September 20, 2019, with a comment period extending through October 25, 2019. A revised draft initial biological goals report (2022 revised draft) was released on June 24, 2022, with a comment period extending through August 11, 2022. A workshop on the 2022 revised

draft was held on August 4, 2022, to receive input and recommendations on possible revisions and improvements from members of the STM Working Group and other interested persons. Two STM Working Group meetings were held on November 21, 2022, and December 7, 2022, to seek additional recommendations and facilitate technical dialogues with STM Working Group members and other interested persons. A third STM Working Group meeting was held on March 9, 2023, to seek recommendations from and facilitate discussion with STM Working Group members and receive additional public comment on the 2022 revised draft. A second revised draft initial biological goals report (2023 second revised draft) was released on April 10, 2023, with a comment period extending through May 12, 2023. A STM meeting was held on April 21, 2023, to seek recommendations and facilitate dialogue on the 2023 second revised draft, and a Board workshop was held on May 3, 2023, to receive additional public comments. The Draft Final Report is the fourth public draft of proposed biological goals and addresses public comments received on the 2023 second revised draft, as well as input and recommendations from the STM Working Group received to date.

POLICY ISSUE

Should the State Water Board adopt the proposed resolution approving the draft final initial biological goals.

FISCAL IMPACT

None. The biological goals are not regulatory. They will be used to inform the adaptive methods, evaluate the effectiveness of the Bay-Delta Plan's program of implementation, the San Joaquin River Monitoring and Evaluation Program, and future changes to the Bay-Delta Plan.

REGIONAL BOARD IMPACT

None. The biological goals are not regulatory. They will be used to inform the adaptive methods, evaluate the effectiveness of the Bay-Delta Plan's program of implementation, the San Joaquin River Monitoring and Evaluation Program, and future changes to the Bay-Delta Plan.

STAFF RECOMMENDATION

Staff recommends that the State Water Board adopt the proposed resolution approving the draft final initial biological goals.