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## State Water Resources Control Board

**REVISED**

# **NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND BOARD WORKSHOP ON DRAFT SCIENTIFIC BASIS REPORT SUPPLEMENT IN SUPPORT OF PROPOSED VOLUNTARY AGREEMENTS FOR THE SACRAMENTO RIVER, DELTA, AND TRIBUTARIES UPDATE TO THE SAN FRANCISCO BAY/SACRAMENTO-SAN JOAQUIN DELTA WATER QUALITY CONTROL PLAN**

**NOTICE IS HEREBY GIVEN** that the State Water Resources Control Board (State Water Board or Board) will accept public comments on the Draft Scientific Basis Report Supplement in Support of Proposed Voluntary Agreements for the Sacramento River, Delta, and Tributaries Update to the Bay-Delta Water Quality Control Plan (Scientific Basis Report Supplement). Public written comments must be submitted no later than 12:00 p.m. (noon) on **Wednesday, February 8, 2023**. Public written comments must be submitted per the procedures in the “Submission of Comments” section of this public notice.

**NOTICE IS ADDITIONALLY HEREBY GIVEN** that the State Water Board will hold a Board Workshop on the Draft Scientific Basis Report Supplement on **Thursday, January 19, 2023**. The Board Workshop will commence following completion of the January 18-19, 2023 Board Meeting agenda items, and will not commence prior to 10:00 a.m. A quorum of the State Water Board may be present, but the State Water Board will take no action. During the Board Workshop, staff from the State Water Board, California Department of Fish and Wildlife (DFW), and Department of Water Resources (DWR) will provide a presentation, followed by the opportunity for public comments. This Board Workshop will commence at:

**Thursday, January 19, 2023 – no earlier than 10:00 a.m.**

**Coastal Hearing Room – Second Floor**

Joe Serna Jr. – CalEPA Building

1001 I Street, Sacramento

**And via Video and Teleconference (For public commenters)**

**Video and Teleconference Option:** This meeting will occur with both a physical meeting location with an option for the public to participate from a remote location.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

- For those who only wish to watch the meeting, the webcast remains available at either <https://www.youtube.com/user/BoardWebSupport/> or <https://video.calepa.ca.gov/> (closed captioning available) and should be used UNLESS you intend to comment.
- For members of the public who wish to comment on an agenda item or are presenting to the Board, additional information about participating telephonically or via the remote meeting solution will be available at least 10 days before the meeting at: [https://www.waterboards.ca.gov/board\\_info/remote\\_meeting/](https://www.waterboards.ca.gov/board_info/remote_meeting/)

Any person desiring to receive future notices about changes to the date, time, location, or format of the public meeting should sign up for the email distribution list, as described below under “Future Notices”.

## **BACKGROUND**

The State Water Board protects water quality that affects beneficial uses of water in the San Francisco Bay/Sacramento-San Joaquin River Delta Estuary (Bay-Delta) in part through its Water Quality Control Plan for the Bay-Delta (Bay-Delta Plan). The Bay-Delta Plan identifies beneficial uses of water, water quality objectives to protect those beneficial uses, a program of implementation to achieve the water quality objective, and monitoring and evaluation provisions to assess the effectiveness of those measures. In December 2018, the State Water Board updated the Lower San Joaquin River flow and southern Delta salinity components of the Bay-Delta Plan. The State Water Board is also considering amendments to other components of the Bay-Delta Plan focused on the Sacramento River and its tributaries, Delta eastside tributaries, Delta outflows, and interior Delta flows (Sacramento/Delta Update to the Bay-Delta Plan).

In 2017, the State Water Board finalized a [Scientific Basis Report in Support of possible New and Modified Requirements for Inflows from the Sacramento River and its Tributaries and Eastside Tributaries to the Delta, Delta Outflows, Cold Water Habitat, and Interior Delta Flows](#) (Scientific Basis Report). The Scientific Basis Report describes the science supporting staff proposed Sacramento/Delta Update to the Bay-Delta Plan. Thereafter, in July 2018, State Water Board staff released a [Framework for a possible Sacramento/Delta Update to the Bay-Delta Plan](#), including Sacramento River and tributary and Delta eastside tributary (including Calaveras, Cosumnes, and Mokelumne rivers) inflows and cold water habitat measures, Delta outflows, and interior Delta flows.

In March 2022, the State Water Board received a [Memorandum of Understanding \(MOU\) Advancing a Term Sheet for VAs](#) to update and implement the Bay-Delta Plan. Subsequently, the State Water Board received [updates to the MOU](#) to include additional parties. Signatories to the MOU include several state and federal agencies and water users (collectively referred to as VA Parties). State Water Board staff is now preparing a Staff Report/Substitute Environmental Document (SED) in support of possible Sacramento/Delta Update to the Bay-Delta Plan, including the Framework and VAs.

The Draft Scientific Basis Report Supplement has been prepared to document the science supporting the proposed provisions included in the VAs and serves as a supplement to the 2017 Scientific Basis Report. The Draft Scientific Basis Report Supplement was developed by State Water Board staff in collaboration with staff from DFW and DWR. Following receipt of public comments, the Draft Scientific Basis Report Supplement will be revised as appropriate and a final Draft Scientific Basis Report Supplement will be submitted for scientific peer review pursuant to the requirements of California Public Health and Safety Code section 57004, which requires that the scientific basis of any statewide plan, basin plan, plan amendment, guideline, policy, or regulation undergo external scientific peer review before adoption. Following peer review, the report may be further revised.

### **DOCUMENT AVAILABILITY**

The Draft Scientific Basis Report Supplement is available for review on the State Water Board's website at:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/docs/2023/202301-bd-draft-sbrsupp.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/docs/2023/202301-bd-draft-sbrsupp.pdf). You may also request a copy of the Draft Scientific Basis Report Supplement by contacting State Water Board staff at: [Bay-Delta@waterboards.ca.gov](mailto:Bay-Delta@waterboards.ca.gov).

### **PROCEDURAL MATTERS**

Parties that would like to make a presentation at the workshop should inform State Water Board staff of their intent to participate and submit their presentation **no later than ~~12:00 p.m. (noon)~~ 10:00 a.m. on January 16 17, 2023**. Presentations should be kept to 20 minutes or less. Presentations must be in PowerPoint format and should not include any transitions or external media sources. Please be aware that State Water Board staff will be sharing and advancing all presentation slides during the workshop. If multiple speakers wish to organize as a panel, please identify the number and names of all panelists. For recommendations regarding presentations to the Board, please go to:

[https://www.waterboards.ca.gov/board\\_info/meetings/board\\_presentations.html](https://www.waterboards.ca.gov/board_info/meetings/board_presentations.html).

Other public comments should be limited to no more than 5 minutes. Depending on the number of speakers, the State Water Board may further limit oral comments in order to provide all speakers with the opportunity to comment.

### **SUBMISSION OF COMMENTS**

The State Water Board will accept both written and oral comments on the Draft Scientific Basis Report Supplement. To submit written comments, please use the subject line: "**Comment Letter – Draft Scientific Basis Report Supplement**". Written comments must be received by 12:00 p.m. (noon) on **Wednesday, February 8, 2023**, and should be submitted via email to [Bay-Delta@waterboards.ca.gov](mailto:Bay-Delta@waterboards.ca.gov).

At the Board Workshop, commenters will be given an opportunity to make oral comments to the Board or to summarize and supplement their written materials. If you would like to provide oral comments, please follow the remote participation guidelines available at:

[https://www.waterboards.ca.gov/board\\_info/remote\\_meeting/#provide\\_comments](https://www.waterboards.ca.gov/board_info/remote_meeting/#provide_comments)

### **FUTURE NOTICES**

Any change in the date, time, or the public comment period will be provided via the State Water Board's email distribution list. The subscription form is located at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html)

To subscribe, select the "General Interests" category, then check the box for "Board Meetings", and provide the required information.

### **ACCESSIBILITY**

If you have limitations hearing or speaking, you may contact the California Relay Service at (800) 735-2929 (teletypewriter) or (800) 735-2922 (voice). A broadcast of the hearing will be available via internet and can be accessed at

<https://video.calepa.ca.gov>.

### **ADDITIONAL INFORMATION AND QUESTIONS REGARDING THE WORKSHOP**

Questions concerning this notice may be directed to [Bay-Delta@waterboards.ca.gov](mailto:Bay-Delta@waterboards.ca.gov).

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January 10, 2023  
Date

  
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Jeanine Townsend for  
Clerk to the Board