

THE STATE WATER RESOURCES CONTROL BOARD'S ROLE IN IMPLEMENTING THE DELTA PLAN

A Report
to the State Water Resources Control Board
and
the Delta Stewardship Council



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Water Code Section 85230

(d) The Delta Watermaster shall submit regular reports to the board and the council including, but not limited to, reports on water rights administration, water quality issues, and conveyance operations.



The Delta Plan

- Part of 2009 Water Reform Legislation
- Comprehensive, long-term management plan for the Delta
- Delta Stewardship Council to adopt by 1/1/12
- Co-equal goals
- Subgoals, strategies, and actions
- Implementation





Role of Other State Agencies

- Intent of new governance structure is to direct efforts across state agencies to develop a legally enforceable Delta Plan (W.C. sec. 85001c)
- Delta Plan May identify specific actions that state and local agencies may take to implement goals and strategies (W.C. sec § 85300a)
- The Council may incorporate other completed plans related to the Delta into the Plan to the extent the other plans promote the coequal goals (W.C. sec. § 85350)

The State Water Board's Role

- The State Water Board is the principal agency exercising the adjudicatory and regulatory functions of the state in the field of water resources (W.C. sec. 174)
- The State Water Board's authority may be used to implement the Delta Plan's co-equal goals, including the subgoals and strategies.



The Reliable Water Supply Coequal Goal

- Improved conveyance facilities: State Water Board approval of any changes to diversion points
- Additional storage projects: State Water Board approval of water rights permits
- Operation of conveyance facilities and/or storage systems: State Water Board terms and conditions
- Over-allocation Issues: State Water Board authorities to make “fully appropriated” declarations and to enforce permits/license conditions.

The Delta Ecosystem Protection Coequal Goal

- Reduce Delta Stressors
 - Flow Issues
 - Upstream Contaminants
 - Invasive Species
 - Legacy Pollutants
- Water Use Efficiency (Reasonable Use Doctrine)
- Monitoring



State Water Board Plans

- State Water Quality Control Plans for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (2006)
- Delta Strategic Workplan (2008)



Conclusion

- The Delta Plan should identify authorities of the State Water board that may be employed to implement its goals, subgoals, and strategies.
- The State Water Board's Bay Delta Plan and Delta Strategic Workplan should be incorporated into the Delta Plan.