



Felicia Marcus, Chair
c/o Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95812-2000

February 9, 2015

Dear Chair Marcus:

As elected representatives of the San Francisco Bay-Delta Estuary and its 9.8 million residents, we are writing to urge the State Water Resources Control Board (SWRCB) to protect public trust resources and associated beneficial uses in the San Francisco Bay-Delta Estuary through your Phase 1 updates to the *San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan (WQCP)*.

Phase 1 updates will set flow objectives for the lower San Joaquin River and four major tributaries and water quality objectives for the south Delta. Appropriate standards set in Phase 1 can begin to improve this degraded system and repair the damages wrought by decades of mismanagement. In order to address the unacceptable conditions in the lower San Joaquin River and southern Delta, we urge the SWRCB to require the following:

- **Ensure that no less than 50% of the San Joaquin River's total natural flow reaches the Delta (measured at Vernalis) during the critical February-June period.**
- **Ensure that the management of winter-spring flows in the lower San Joaquin and tributaries follows natural patterns with respect to variations in magnitude, duration, timing, and frequency of freshwater flow.**
- **Ensure that summer-fall flows are sufficient to maintain fish, wildlife, water quality, and recreational uses in the Bay-Delta, lower San Joaquin, and San Joaquin tributaries and to prevent redirection of flow reduction impacts from February-June to July-January.**
- **Ensure that any revision of salinity standards for the southern Delta is consistent with beneficial uses for fish, wildlife, and water quality for drinking water, recreation, and local agricultural uses as well as state and federal antidegradation statutes.**
- **Focus adaptive management of freshwater flows and other non-flow restoration measures on the attainment of specific and measurable biological and physical outcomes, as established in the Central Valley Improvement Act and existing Water Quality Control Plan doubling targets for anadromous fish.**

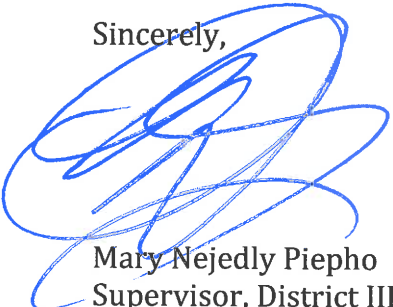
Phase 1 has the potential to uphold the public trust doctrine and set the stage for subsequent phases of the WQCP, including Phase 2 which will set flow objectives for the Sacramento River basin, in-Delta, and through-Delta flows. In order to set the appropriate physical and regulatory context for much needed, larger scale improvements in the Bay-Delta Estuary, we ask that you adopt the above recommendations of the scientific community and regulatory agencies in Phase 1.

The San Joaquin River's native fish, wildlife, and supporting habitats depend on healthy rivers and clean water. Healthy riverine and estuarine ecosystems support fisheries including: recreational fishing for steelhead, sturgeon, and flounder and both recreational and commercial fishing for Chinook salmon and Pacific herring. These fisheries provide jobs in communities throughout the Bay and Delta, in the Central Valley, and along California's coast. Similarly, freshwater flows and water quality affect recreational opportunities, municipal water use, agricultural operations, and wetlands restoration efforts in the Bay and Delta.

In recent years, only one-third of available freshwater flows have reached the Delta from the San Joaquin River watershed during the critical winter-spring period. Southern Delta water quality has been highly degraded by the lack of fresh water. These status quo conditions have resulted in the impairment of public trust resources and negative impacts to the Delta economy. A large body of scientific studies indicates that major improvements in flow and salinity conditions are necessary to protect public trust resources and associated beneficial uses in these waters.

The ongoing drought and over-allocation of freshwater supplies are causing precarious and desperate conditions in our riverine and estuarine ecosystems. We urge the SWRCB to seize this once-in-a-generation opportunity to restore the balance between the needs of water users and the ecosystems of the lower San Joaquin River and Bay-Delta Estuary.

Sincerely,



Mary Nejedly Piepho
Supervisor, District III
Contra Costa County



Doug Hardcastle
Mayor
City of Oakley



Mark Luce
Supervisor, District II
Napa County

See attached letter

Steve Kinsey
Supervisor, District IV
Marin County



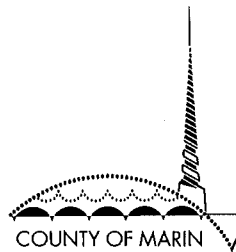
Julie Pierce
President
Association of Bay Area Governments



Dave Pine
Supervisor, District I
San Mateo County

See attached letter

Katie Rice
Supervisor, District II
Marin County



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Improvement Act and existing Water Quality Control Plan doubling targets for anadromous fish.

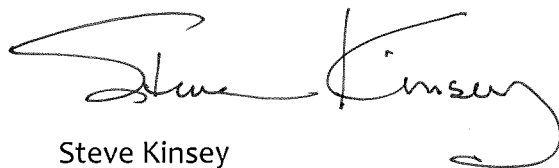
We regard Phase 1 of the WQCP as a litmus test of your support for implementing the public trust doctrine across the state and as an indicator of your approach to Phase 2 updates, which will set flow objectives for the Sacramento River basin, in-Delta, and through-Delta flows. In order to set the appropriate physical and regulatory context for much needed, larger scale improvements in the Bay-Delta Estuary, we ask that you adopt the recommendations of the scientific community and regulatory agencies in Phase 1.

A failure to follow the best available science in Phase 1 will argue poorly for the SWRCB's willingness and ability to set adequate water quality conditions in Phase 2. The San Joaquin River's native fish, wildlife, and supporting habitats depend on healthy rivers and clean water. Healthy riverine and estuarine ecosystems support fisheries including: recreational fishing for steelhead, sturgeon, and flounder and both recreational and commercial fishing for Chinook salmon and Pacific herring. These fisheries provide jobs in communities throughout the Bay and Delta, in the Central Valley, and along California's coast. Similarly, freshwater flows and water quality affect recreational opportunities, municipal water use, agricultural operations, and wetlands restoration efforts in the Bay and Delta.

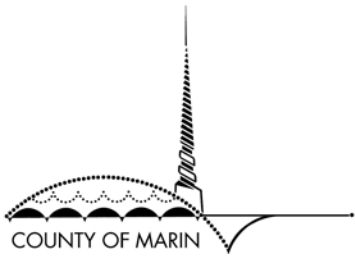
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The ongoing drought and over-allocation of freshwater supplies are causing precarious and desperate conditions in our riverine and estuarine ecosystems. We urge the SWRCB to seize this once-in-a-generation opportunity to restore the balance between the needs of water users and the ecosystems of the lower San Joaquin River and Bay-Delta Estuary.

Sincerely,



Steve Kinsey



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Katie Rice