

Department of
Conservation and
Development

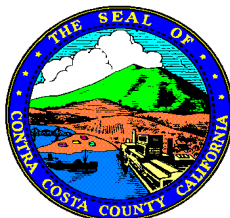
**Contra
Costa
County**

John Kopchik
Director

Water Agency

30 Muir Road
Martinez, CA 94553

Phone: 925-674-7824



July 27, 2018

State Water Resources Control Board
Attention: Jeanine Townsend, Clerk to the Board
1001 I Street, 24th Floor
Sacramento, CA 95814-0100
Email: LSJR-SD-Comments@waterboards.ca.gov

Re: Contra Costa County Comments on Revisions to Proposed Bay-Delta Plan Amendments

Dear Board members,

Contra Costa County has reviewed the proposed amendments to the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta) Water Quality Control Plan (WQCP) and supporting final Substitute Environmental Document (SED). These documents were released for public review on July 6, 2018 and focus on:

- Flow objectives for the Lower San Joaquin River (LSJR) and its tributaries, Stanislaus, Tuolumne, and Merced Rivers, for the reasonable protection of fish and wildlife beneficial uses; and,
- Revised salinity water quality objectives for reasonable protection of southern Delta agricultural beneficial uses.

Contra Costa County includes a large area of the nationally-significant Delta. The County borders on Old River to the east and the County's entire northern border is bounded by a waterfront that flows from the Delta to the Bay. The County is the ninth most populous county in California, with more than one million residents. Many of our residents rely on the Delta for their municipal, industrial and irrigation water supplies, for their livelihood, and recreation.

Contra Costa County's comments on the Proposed Final Amendments (Appendix K, Revised WQCP) are summarized below. More detailed comments are provided in the attachment to this letter.

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Delete Footnote 5, which states that salinity objectives are subject to the Variance Policy, Salinity Variance Program and Salinity Exception Program adopted in Central Valley Regional Water Board (RWQCB) Resolution No. R5-2014-0074. This footnote could be misunderstood to mean that the south Delta agriculture EC standards could be relaxed through this RWQCB Resolution.

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The statement that “*Flows provided to meet these numeric objectives shall be managed in a manner to avoid causing significant adverse impacts to fish and wildlife beneficial uses at other times of the year*” is a step in the right direction but there needs to be specific quantifiable flow objectives to ensure flows are not reduced July-January. There also needs to be a monitoring requirement to allow a determination of whether there are any adverse impacts to fish and wildlife during that period.

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The modification to the WQCP also requires that DWR and the U.S. Bureau of Reclamation consult with Contra Costa Water District to develop the Comprehensive Operations Plan. The SWRCB should also require that, prior to the Executive Director’s approval of the plans, reports, and studies, they be posted for 15-day public review and comment. That would allow other affected Delta stakeholders like Contra Costa County to participate in the process.

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New language in vii appears to significantly relax the requirements for publicly owned treatment works (POTWs) in the southern Delta to meet quantifiable discharge limits. While it is true that “*POTW discharges also reflect the EC levels of their source water, which is high in the southern Delta,*” the SWRCB’s proposal to relax the April-August south Delta agricultural EC standard and relax the discharge requirements on POTWs is a step in the wrong direction. It is contrary to the State policy of improving water quality to protect human health and the environment in the Delta (Cal. Water Code § 85020(e)). Relaxing the agricultural EC standard will allow increases in the EC levels of the source water of POTWs further exacerbating the problem.

Contra Costa County continues to support the SWRCB’s proposal to restore river flows in three tributaries in the San Joaquin Valley to protect fish and wildlife, and setting minimum flow requirements as a percentage of unimpaired flow. These improved flow requirements and those proposed as part of Phase 2 of the WQCP update will help restore and sustain the health of the Bay-Delta estuary and its tributaries. They will also set an important realistic baseline for regulatory decisions on future Delta and Central Valley water supply, water quality and ecosystem restoration projects.

Contra Costa County disagrees with the SWRCB’s response to our comments regarding the need for minimum flow objectives for the upper San Joaquin River. There is a good reason why the

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upper San Joaquin River “*does not currently support salmon runs*” and that is because there has been no SWRCB requirement to release any flow downstream of Friant Dam (Master Response 2.1: Amendments to the Water Quality Control Plan, top of page 18). If the SWRCB required minimum flows below Friant Dam, salmon runs would return.

Contra Costa County continues to oppose the SWRCB’s proposal to relax the April-August irrigation water quality standard in the South Delta. If, as the SWRCB argues in its Responses to Comments, there will generally be net reductions in salinities in the south Delta due to the proposed LSJR minimum flows, then relaxation of the south Delta EC standards are not necessary.

However, it is difficult to put any faith in the water quality modeling for the SED when the simulated ECs at Old River at Tracy Boulevard during April-August show a maximum of 1.20 mmhos/cm or more in the base case when the D-1641 standard is 0.7 mmhos/cm. The 0.7 EC standard is exceeded in the base case almost 50% of the time (Figure 23-10, Chapter 23, Antidegradation Analysis, page 23-21).

Thank you for considering the County’s comments on the proposed Final Amendments to Appendix K, Revised WQCP. Contra Costa County and Contra Costa County Water Agency are willing and available to work with the SWRCB and Bay-Delta stakeholders on all aspects of the update to the Bay-Delta WQCP.

If you have any questions, please contact me at (925) 674-7824, or Dr. Richard Denton, our Water Resources consultant, at (510) 339-3618.

Sincerely,



Ryan Hernandez
Manager
Contra Costa County Water Agency

Attachment: Contra Costa County Comments on Proposed Final Amendments (Appendix K, Revised WQCP)

cc: Board of Supervisors
John Kopchik, Director, Department of Conservation and Development
Maureen Toms, Conservation Planning Deputy Director

From: Ryan A. Hernandez <Ryan.Hernandez@dcd.cccounty.us>
Sent: Friday, July 27, 2018 10:48 AM
To: LSJR-SD-Comments@waterboards.ca.gov; WQCP1Comments
Subject: Contra Costa County Comment Letter and Attachment – Revisions to Proposed Bay-Delta Plan Amendments
Attachments: Contra Costa County Comments on Revisions to Bay-Delta Plan Amendments 27July2018.pdf; Attachment Contra Costa County Comments on Revisions to Bay-Delta Plan Amendments 27July2018.pdf

Categories: Red Category

Attached are Contra Costa County's comment letter and attachment on the revisions to the proposed Bay-Delta Plan Amendments.

Thank you.

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