

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER RIGHTS
OCTOBER 28-29, 2026**

ITEM 1

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION TO ADOPT FINAL STAFF REPORT/SUBSTITUTE ENVIRONMENTAL DOCUMENT AND AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE SAN FRANCISCO BAY/SACRAMENTO-SAN JOAQUIN DELTA WATERSHED.

DISCUSSION

State law requires that the State Water Resources Control Board (State Water Board or Board) adopt water quality control plans to reasonably protect beneficial uses of water. The State Water Board is required to periodically review its water quality control plans and to update those plans as needed through a public process. The State Water Board protects water quality that affects beneficial uses of water in the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta) watershed, in part, through its Bay-Delta Water Quality Control Plan (Bay-Delta Plan or Plan). The Bay-Delta Plan identifies: (1) beneficial uses of water in the Bay-Delta, which currently include municipal, industrial, agricultural, and fish and wildlife uses; (2) largely flow-based water quality objectives to reasonably protect the beneficial uses; and (3) a program of implementation to achieve the objectives, including monitoring and reporting requirements.

The State Water Board is now considering amendments to the Bay-Delta Plan (Plan amendments) focused on the reasonable protection of fish and wildlife in the Sacramento River and its tributaries, Delta eastside tributaries (including the Calaveras, Cosumnes, and Mokelumne Rivers), and Delta (Sacramento/Delta). The Plan amendments add new narrative objectives for tributary inflows, Delta outflows, cold water habitat, interior Delta flows, and fish viability, as well as an inflow-based Delta outflow objective. The amendments to the program of implementation include two pathways: (1) a voluntary agreement (VA) pathway that implements Healthy Rivers and Landscapes (HRL) flow and non-flow commitments and applies to HRL water rights identified in the Plan; and (2) a regulatory pathway that applies to water rights not included as part of the approved VA pathway and to water rights for which the VA pathway is discontinued. The Plan amendments also include general provisions that would apply regardless of pathway, including provisions for interior Delta flows; monitoring, evaluation, reporting, and special studies; biological goals; annual and periodic review; and other general provisions.

The State Water Board has engaged in a multi-year process to amend the Sacramento/Delta portions of the Bay-Delta Plan. The State Water Board provided numerous opportunities for public input on the Sacramento/Delta updates, including through written comments, hearings, workshops, listening sessions, technical working meetings, and other forums. On September 28, 2023, the State Water Board released the draft Staff Report/Substitute Environmental Document (Staff Report) in support of Sacramento/Delta updates to the Bay-Delta Plan for public review and comment and in compliance with the California Environmental Quality Act. The State Water Board released draft updates to the Bay-Delta Plan in October 2024 for public review and comment that incorporated alternatives identified in the 2023 draft Staff Report with revisions based on public comments. The State Water Board released a revised draft Plan in December 2025 together with a new chapter of the draft Staff Report for a limited recirculation to provide clarifying information and further analysis of the Plan amendments (2025 partially recirculated draft Staff Report). The State Water Board received comments on the December 2025 revised draft Plan and 2025 partially recirculated draft Staff Report in writing and orally at a three-day public hearing. On August 19, 2026, the State Water Board released the proposed final Plan amendments and proposed final Staff Report, and provided notice that it would consider adoption at the October 28–29, 2026 Board meeting.

POLICY ISSUE

Should the State Water Board adopt the proposed resolution adopting the final Staff Report and amending the Bay-Delta Plan?

FISCAL IMPACT

The Plan amendments are expected to be implemented through existing State Water Board and Regional Water Quality Control Board (collectively, Water Boards) programs.

REGIONAL BOARD IMPACT

Yes. The Plan amendments include direction to the Water Boards to continue to take specific water quality actions that support the Water Boards' mission statement, including regulation of waste discharges, implementation of existing Total Maximum Daily Loads (TMDLs), and updating the 303(d) list of water quality-impaired waterbodies. The Plan amendments also include provisions for coordinating with or consulting with the Central Valley Regional Water Board, San Francisco Bay Regional Water Board, and North Coast Regional Water Board. However, the Plan amendments are planned to be implemented through existing Water Board programs.

STAFF RECOMMENDATION

Staff recommends that the State Water Board adopt the proposed Resolution adopting the final Staff Report and amendments to the Bay-Delta Plan.