



Media Release

State Water Board releases proposed updates to Sacramento/Delta portions of Bay-Delta Plan

Proposal incorporates both voluntary agreements and a regulatory pathway

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Contact: [Ailene Voisin](#), Information Officer

SACRAMENTO – Continuing the state’s work to protect the ecosystem of the Sacramento River and Delta watershed while balancing the need to protect water supply, the State Water Resources Control Board today announced important [proposed updates](#) to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Watershed (Bay-Delta Plan).

The announcement begins a public review and comment period on the proposal that would update measures in the Bay-Delta Plan to protect the Sacramento River, the Delta and associated tributaries (Sacramento/Delta).

The State Water Board’s proposed updates include two distinct pathways for water users and agencies to comply with water quality requirements: one that incorporates [voluntary agreements \(VAs\)](#) proposed by some state and federal agencies and other water users, known as the Healthy Rivers and Landscapes Program, and a regulatory pathway for those who are not parties to approved VAs. Both pathways will create legally enforceable requirements.

The proposal also incorporates tribal beneficial uses and formally designates Tribal Tradition and Culture beneficial uses in the watershed in recognition of the intrinsic connection between native fish populations—including salmon—and tribal tradition and culture.

“The proposed updates to the Bay-Delta Plan would improve conditions for fish and wildlife through a combination of flow and habitat measures while considering the needs of cities, towns and farms,” said State Water Board Executive Director Eric Oppenheimer. “It reflects a holistic approach to the Bay-Delta that leverages cooperation to advance ecosystem benefits as soon as possible.”

The Bay-Delta Plan, which was first adopted by the board in 1978, identifies beneficial uses of water in the Delta watershed, water quality and flow objectives to protect those uses, and an implementation program that includes monitoring and reporting requirements.



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To address changing environmental conditions, including the increasing intensity and frequency of drought, the board periodically reviews the plan and considers updated protective measures. In December 2018, the [board adopted new flow objectives and an implementation program](#) in the Lower San Joaquin River and its three salmon-bearing tributaries (Stanislaus, Tuolumne and Merced rivers) and also outlined a framework for revisions to the plan's Sacramento/Delta requirements.

The proposed updates to those requirements released today are based on the [September 2023 staff report](#) and the [October 2024 draft plan](#); they are also informed by extensive public input gathered across 11 topic-specific meetings, a multi-day hearing, a multi-day workshop, consultation with independent subject matter experts and a [comprehensive scientific basis report](#), which was written collaboratively by board staff, the California Department of Water Resources and the California Department of Fish and Wildlife.

Specifically, the proposal includes new narrative Sacramento/Delta inflow, cold water habitat, Delta outflow, interior Delta flow, and fish viability objectives. The board will implement these objectives via new requirements on water right holders, through either the VA or regulatory pathway.

The board is accepting written comments on the proposed updates through September 10. It will hold a public hearing to receive oral comments on September 8, with the potential to extend the hearing to September 9 if needed. The board will consider adopting the proposal at a future date.

Voluntary Agreement Pathway

The voluntary agreement pathway allows water right holders who are parties to the VAs to implement Bay-Delta Plan requirements, including water quality objectives, through a combination of flow and habitat restoration commitments that would be documented through accounting provisions and periodic review by the board.

Key elements of the VAs include the following: a combination of additive flows occurring largely during the ecologically important January-June period; habitat restoration commitments; substantial funding for habitat restoration and water purchases; a science program to test benefits of flow and habitat for native fish; annual reports and triennial reviews to demonstrate compliance and evaluate ecosystem benefits; and monitoring, accounting and reporting to ensure flow and habitat commitments materialize.

The VAs have the potential to bring habitat, flows and resulting benefits more quickly than the regulatory approach. However, if the VA parties fail to adhere to flow and habitat commitments, or the board determines after eight years that the benefits are insufficient, the board could initiate a process to compel compliance through the regulatory pathway.

Regulatory Pathway

The proposed regulatory pathway provisions would apply in the absence of approved VAs and for water right holders who are not parties to approved VAs. This pathway would direct water right holders to implement new water quality objectives largely through an approach requiring a percentage of the unimpaired flow to remain instream. This approach is consistent with the board's efforts in 2018 on the Lower San Joaquin River tributaries.

Since the October 2024 draft, the regulatory pathway provisions have been refined to include flow measures, called water supply adjustments, that create a more dynamic unimpaired flow requirement. The new adjustments take dry and wet conditions into account (requiring higher flows during wet periods and lower during dry) and allow for reductions of required inflows from 55% of unimpaired flow down to 45% and 35%, as well as offramps to inflow requirements during extreme conditions on specific tributaries.

The adjustments provide for greater adaptive management and are designed to reduce potential water supply impacts to agriculture, municipal water service and hydropower production, while maintaining reasonably protective flows and preserving cold water in reservoirs for fish downstream.

More information about the proposed Bay-Delta Plan update is available on the board's [website](#).

The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources and drinking water for the protection of the environment, public health and all beneficial uses, and to ensure proper resource allocation and efficient use for present and future generations.