

NORTH DELTA WATER AGENCY

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May 16, 2012

Charles R. Hoppin, Chair
State Water Resources Control Board
1001 I Street
Sacramento, California 95814

LATE COMMENT



Re: Scoping Meeting Comments: Update on the Current Review of the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary

Dear Chair Hoppin and Members of the Board:

The North Delta Water Agency (NDWA) submits the following information for consideration by the State Water Resources Control Board (SWRCB) as part of the above-referenced matter.

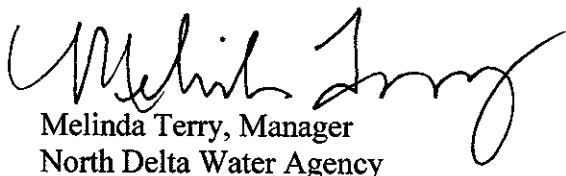
On January 28, 1981, the NDWA entered into an agreement (copy previously submitted to SWRQB at informational hearing on 2/17/12) with the California Department of Water Resources (DWR), which requires DWR to maintain water quality within North Delta equal to the better of water quality (salinity) objectives established by the SWRCB or the 1981 Agreement criteria and also requires that DWR not convey State Water Project water in such a way that is to the detriment of North Delta channels or water users within the NDWA.

Subsequently, during "Phase IV" of the water right hearings that led up to Water Right Decision No. 1641 revised, DWR acknowledged its responsibilities to NDWA by means of a Memorandum of Understanding dated May 26, 1998 (copy submitted 2/17/12).

Taken together, these documents represent a settlement between NDWA and DWR. In revising the 2006 Water Quality Control Plan and/or in considering the Bay Delta Conservation Plan, the SWRCB should not take any action that would interfere with this settlement.

NDWA would be pleased to meet with you or your staff to further discuss these documents and how they relate to the update of the Bay-Delta water quality plan.

Respectfully,


Melinda Terry, Manager
North Delta Water Agency