

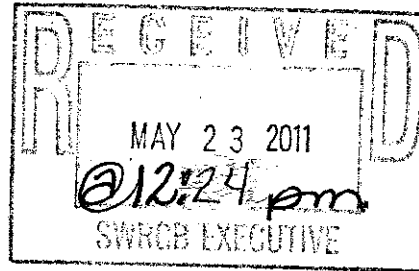


DELTA STEWARDSHIP COUNCIL

A California State Agency

May 23, 2011

Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



CHAIR
Phil Isenberg

MEMBERS
Randy Fiorini
Gloria Gray
Patrick Johnston
Felicia Marcus
Hank Nordhoff
Don Nottoli

RE: Comments on revised southern Delta salinity and San Joaquin River flow objectives

EXECUTIVE OFFICER
P. Joseph Grindstaff

Dear Ms. Townsend:

LATE COMMENT

The Delta Stewardship Council (Council) appreciates this opportunity to provide comments to the State Water Resources Control Board (State Water Board) regarding the Notice of Preparation of Environmental Documentation to amend the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan). The Legislature created the Council in November 2009 and tasked it with, among other things, achieving the State's coequal goals for the Delta: Providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem (in a manner that protects and enhances the unique values of the Delta as an evolving place).

As required by statute, the Council is addressing the coequal goals in a long-term management plan for the Delta (Delta Plan), which is to be completed by Jan. 1, 2012. To help coordinate our efforts with the State Water Board we offer several comments on the scope and content of the environmental documentation to be amended in the Bay-Delta Plan as it applies to the Council's statutory responsibilities. These comments reflect staff's review of the Notice of Preparation and have not been adopted by the Council itself.

We recognize the State Water Board's statutory responsibility and authority to regulate water quality and protect beneficial uses for the Delta, and note the State Water Board's current actions to revise the Bay-Delta Plan specifically address:

- 1) San Joaquin River flow objectives for the protection of fish and wildlife beneficial uses,
- 2) water quality objectives for salinity for the protection of southern Delta agricultural beneficial uses, and
- 3) implementation through changes to water rights and water quality regulation.

Achievement of the coequal goals will require comprehensive flow-based standards that balance ecosystem and water supply needs and are based on the best available science. Accordingly, we support and encourage the timely development and enforcement of both flow objectives for protecting fish and wildlife beneficial uses, and water quality objectives for salinity for protecting agricultural beneficial uses.

We recognize that fish and wildlife beneficial uses require sufficient year-round San Joaquin River flows. Based on scientific information developed for the draft Delta Plan, we support providing more natural flow conditions, including more natural spatial and temporal patterns, along with utilizing an adaptive

Coequal goals means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.

Ms. Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
Page Two

management approach to systematically achieve optimal flow conditions for protecting fish and wildlife beneficial uses in the San Joaquin River, while minimizing water supply costs. We encourage the involvement of Natural Resources Agency staff and stakeholders in developing adaptive management flow recommendations. We further support the proposed development of a comprehensive monitoring, special studies, evaluation and reporting program to inform real time adaptive management and long-term management of San Joaquin River flows. Additionally, we encourage the State Water Board to work closely with the Delta Science Program to help ensure that the proposed San Joaquin River Monitoring and Evaluation Program is based on the best available science.

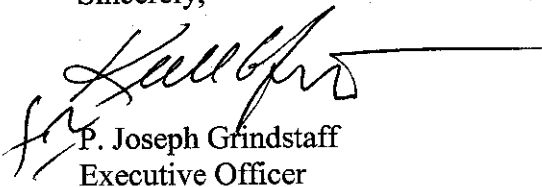
We recognize that agricultural beneficial uses in the southern Delta need reasonable protection from the effects of salt accumulation and seawater intrusion, and support the proposed approach for development and implementation of salinity objectives to meet these needs. We also support the proposed new special studies, monitoring and reporting requirements, and again encourage the State Water Board, Department of Water Resources (DWR) and U.S. Bureau of Reclamation (Reclamation) to work with the Delta Science Program on these efforts to develop and use the best available science for decision-making.

We recommend that the State Water Board adopt the proposed salinity and flow-based objectives as quickly as possible as a first step in revising the remainder of the water quality objectives in the Bay-Delta Plan. We can support an amended Bay-Delta Plan that specifies control actions for implementation by the water rights holders, including DWR and Reclamation, since it is clear that the salinity regime in the Delta is driven both by natural flows and water management. We encourage the State Water Board to continue to work collaboratively with state and federal agencies and to adopt flow-based criteria for the San Joaquin River and the remainder of the Delta that support achievement of the coequal goals.

Finally, we encourage the continued engagement of the State Water Board in the process of developing the Delta Plan, so that all efforts can be implemented in an integrated and cohesive manner that helps to achieve the State's coequal goals for the Delta.

If you have any questions, please contact Keith Coolidge, Acting Chief Deputy Executive Officer, at 916-445-4500 or keithc@deltacouncil.ca.gov.

Sincerely,



P. Joseph Grindstaff
Executive Officer

cc: Delta Stewardship Council Members