

Upcoming Actions to Update and Implement the Bay-Delta Plan

Informational Item



Division of Water Rights

Topics for Discussion

- General Background on the Water Quality Control Plan for the San Francisco Bay-Sacramento-San/Joaquin Delta (Bay-Delta Plan)
- Bay-Delta Plan Update Processes
 - Lower San Joaquin River and Tributaries (LSJR) Flows and Southern Delta (SD) Salinity Update to the Bay-Delta Plan (LSJR/SD Update)
 - Sacramento River, Delta, and Tributaries Update to the Bay-Delta Plan (Sac/Delta Update)

Bay-Delta Plan

- Bay-Delta Plan: identifies beneficial uses of water, water quality objectives to protect those uses, a program of implementation (PI) to achieve the objectives, and monitoring and special studies
 - Beneficial uses: municipal and industrial, agricultural, fish and wildlife
 - Water quality objectives: narrative and numeric (primarily flow-dependent)
 - PI: flow and nonflow actions
- State Porter-Cologne Act/Federal Clean Water Act require periodic/triennial review

San Francisco Bay-Delta Watershed

Bay-Delta Plan Updates



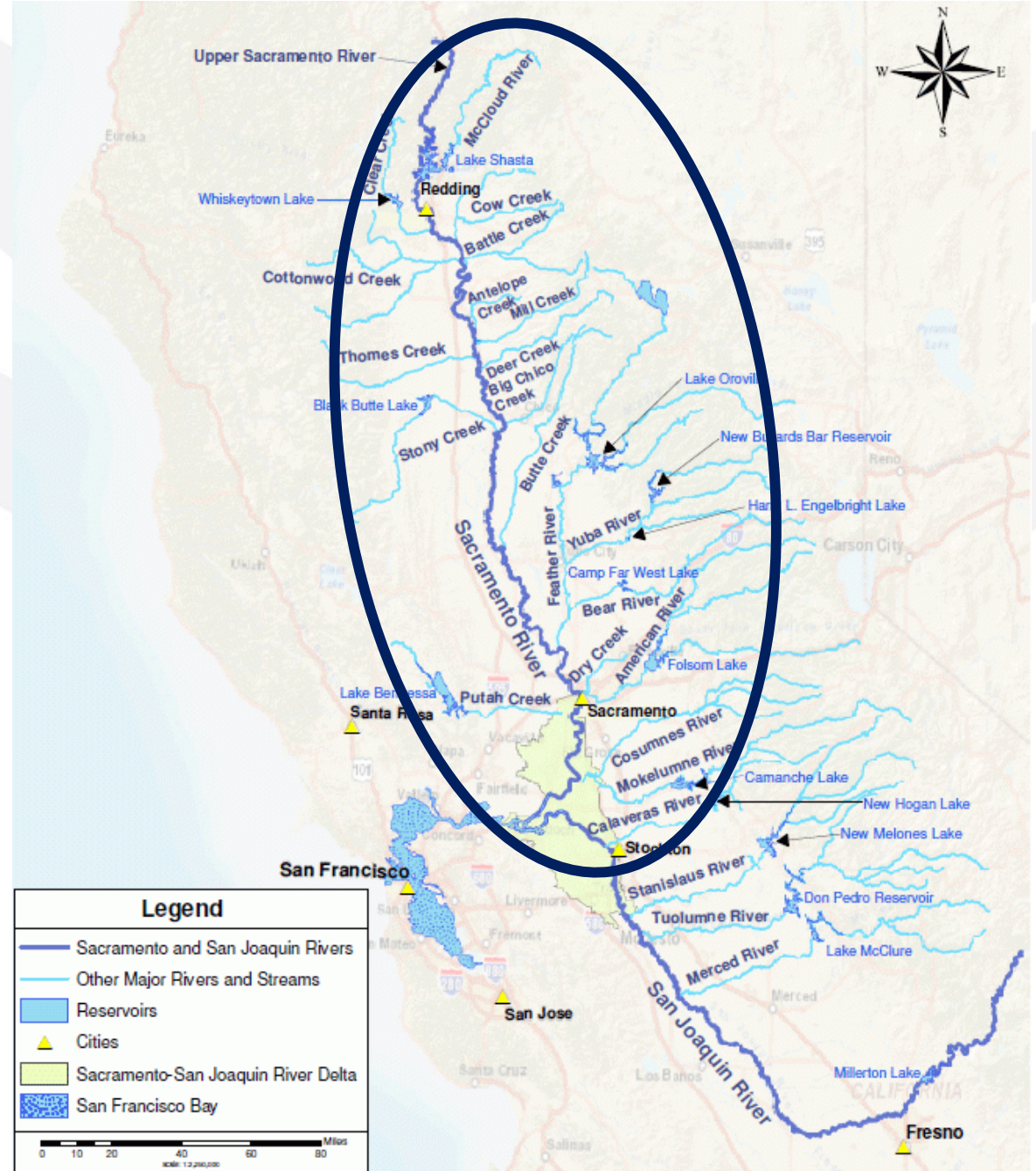
San Francisco Bay-Delta Watershed

2018 LSJR/SD Updates to the Bay-Delta Plan



San Francisco Bay-Delta Watershed

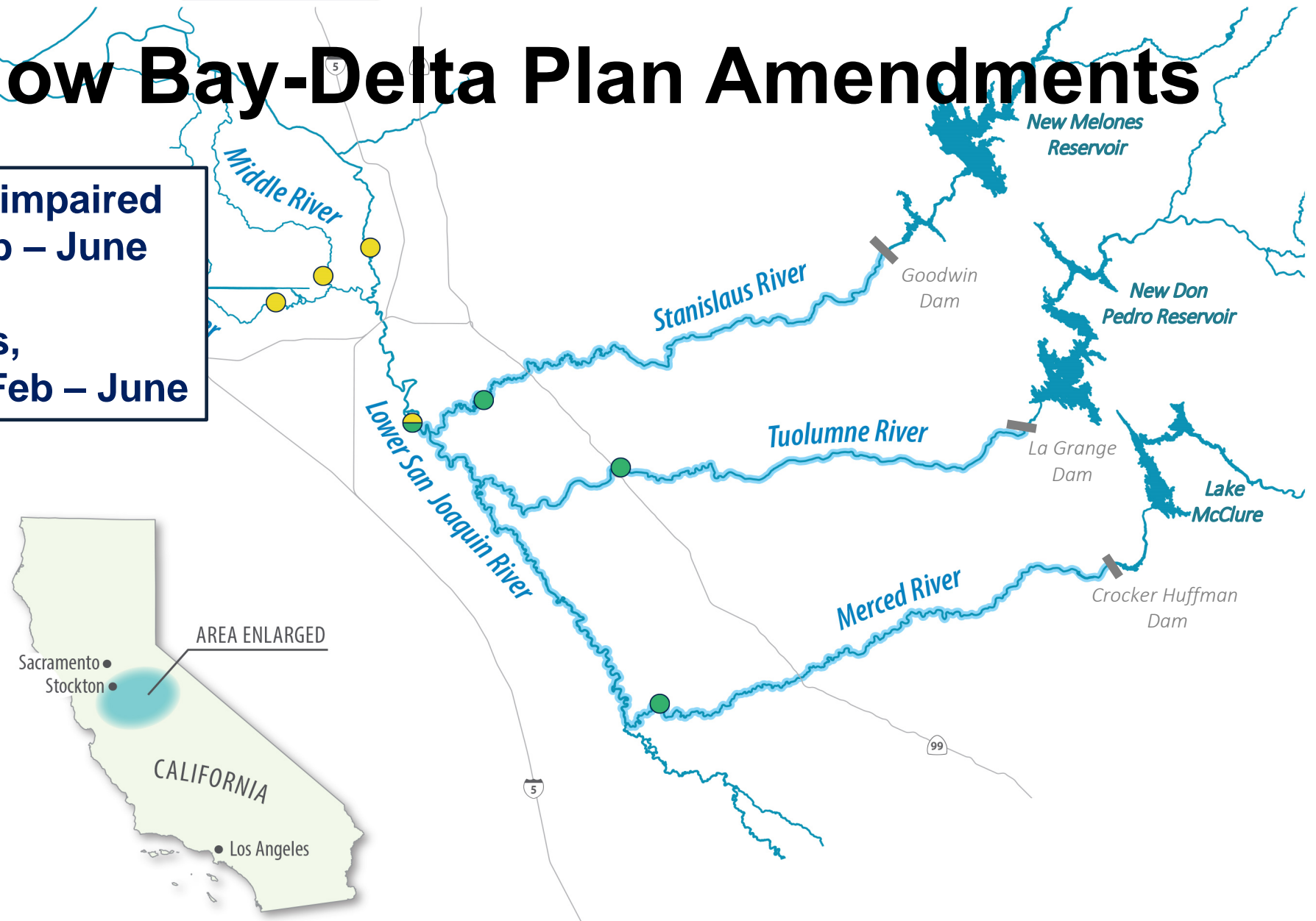
Sac/Delta Updates to the Bay-Delta Plan



LSJR Flow Bay-Delta Plan Amendments

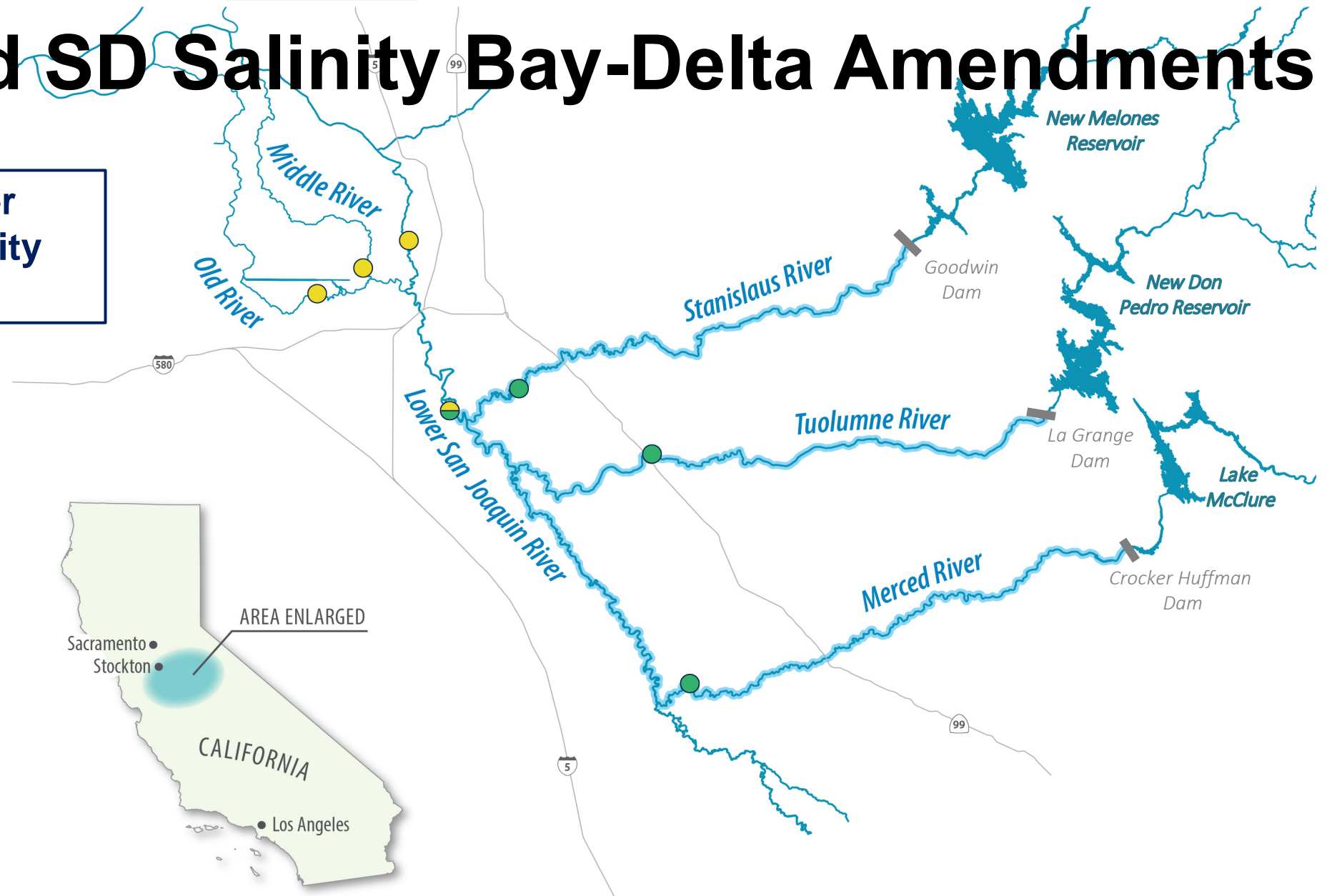
Tributary Flow: 40% unimpaired flow, 30-50% range, Feb – June

Vernalis Flow: 1,000 cfs, 800 – 1,200 cfs range, Feb – June



LSJR and SD Salinity Bay-Delta Amendments

Salinity: 1.0 dS/meter
Electrical Conductivity
Year-round



Implementation Activities to Date for 2018 Bay-Delta Plan Amendments

- LSJR Flows
 - Draft Biological Goals for LSJR watershed
 - Initial Compliance Methods for LSJR Flow Objectives
 - Final Water Quality Certification for Merced River and Merced Falls Hydroelectric Projects
 - Final Water Quality Certification for Don Pedro and La Grange Hydroelectric Projects on the Tuolumne River
 - Stanislaus, Tuolumne, and Merced Working Group (STM)
- SD Salinity
 - Draft Comprehensive Operations Plan and Monitoring and Special Study Plan for Southern Delta Salinity

Biological Goals

- Bay-Delta Plan
 - Narrative Objectives
 - Beneficial Use Protection
- Numeric Biological Goals
 - Adaptive Implementation
 - Assessment



Biological Goals

- Past Activities

- January 2019 – Independent Science Advisory Panel: Concepts and Ideas for Developing Biological Goals for the Bay-Delta Plan
- September 2019 – Draft Initial Biological Goals for the LSJR for public comment

- Current Activities

- Completion of revisions based on public comment to produce a draft Final Biological Goals Report

- Future Activities

- Winter/Spring 2022 – Release draft Final Biological Goals Report
- Winter/Spring 2022 – Public Workshop & comment
- Summer 2022 – Board consideration of adoption

Compliance Methods

- Bay-Delta Plan
 - Numeric Objective
 - Narrative Objective
- 30 – 50 Percent of Unimpaired Flow
 - Default objective - 7-day running average
 - Adaptive Implementation – Budget of Water

Compliance Methods

- Past Activities
 - September 2019 Released Initial Unimpaired Flow Compliance Measures for the Lower San Joaquin River
- Current Activities
 - Methods and data used to calculate daily unimpaired flow
 - Compliance methods for default objective and flow accounting
 - Compliance options for adaptive implementation
- Future Activities
 - Winter/Spring 2022 – Release draft Compliance Methods Report
 - Winter/Spring 2022 – Public Workshop/opportunity for public comment
 - Summer 2022 – Executive Director consideration of approval

SD Salinity Comprehensive Operations Plan

- Past Activities
 - February 2020 Released Draft Comprehensive Operations Plan (COP) and Monitoring and Special Study (MSS) for public comment
 - Agency communication and stakeholder meetings
- Current Activities
 - Stakeholder meetings on monitoring and special studies
 - Continued discussion regarding Draft COP and MSS
- Future Activities
 - Winter 2022 – Finalize draft COP and MSS (dependent on Depart of Water Resources/U.S. Bure of Reclamation timing to revise)
 - Winter/Spring 2022 – Executive Director consideration of COP and MSS
 - Implementation activities associated with the COP and MSS to follow

Stanislaus, Tuolumne, and Merced Working Group (STM)

- Regional watershed group to coordinate LSJR flow implementation including: Biological Goals, compliance methods, adaptive methods, operations, and monitoring and evaluation
- Participants may include those with expertise in the LSJR and tributaries, fisheries management, hydrology, and monitoring and assessment needs
- Past Activities: To date entities that may be part of STM have been given opportunity to participate in implementation efforts to date
- Future Activities: Establishment of STM will occur (Winter 2022)

Implementation Processes

- Possible Implementation Pathways:
 - Regulation
 - Adjudicative Water Right Proceeding
 - Water Quality Certifications – in progress
- Final determination has not been made on implementation pathway
- All pathways provide options for voluntary agreements through adaptive implementation

Adaptive Implementation Methods and Voluntary Agreements

- Adaptive Implementation- LSJR flows can be adaptively implemented as part of possible voluntary agreements, or otherwise, including:
 - Managing flows as total volume of water or “flow budget” for better protection of fish and wildlife
 - Release a portion of the total volume after June to avoid adverse fisheries effects
 - Adjustments to flow requirement within the range of 30 – 50 percent of unimpaired flow based on nonflow actions that reduce the need for flows, cold water pool needs, and other relevant considerations
- Any Possible Voluntary Agreements
 - Should be submitted for review as soon as possible if water users would like them considered in implementation process, but can be considered after implementation process completion

LSJR Flow/SD Salinity Implementation Next Steps Assuming Regulation Path

Spring 2022 – Spring 2023

- Initiate CEQA process
- Draft environmental document and public comment
- Notice of draft regulation
- Final environmental document

Summer 2023

- State Water Board consideration of approval
- Notice of final regulation
- Submission to Office of Administrative Law

Sac/Delta Update to the Bay-Delta Plan

- Past and Upcoming Products
- Possible Elements of Update
- Key Milestones and Timeline

Sac/Delta Update to the Bay-Delta Plan

- 2017 Peer-reviewed Scientific Basis Report
- July 2018 Framework for the Sac/Delta Update to the Bay-Delta Plan (Framework) containing staff proposal
- In Development: Draft Staff Report evaluating environmental and economic impacts of alternatives, including July 2018 Framework and possible voluntary agreement

Possible Elements of Sac/Delta Update to the Bay-Delta Plan

- Inflow objective for the Sacramento River and Delta tributaries
- Cold water habitat objective for tributaries
- Delta outflow objective
- Interior Delta flow objectives
- Changes to the program of implementation: voluntary and default implementation paths, compliance and effectiveness accounting, monitoring, reporting, assessment, and adaptive management measures

Sac/Delta Update: Key Milestones

- Early 2022: expected submittal of proposed voluntary agreement
- Winter – Summer 2022: development of Scientific Basis Report for any voluntary agreement, including public review and comment
- Fall 2022: Draft Staff Report public review and comment
- Winter 2023: Public workshop on Draft Staff Report
- Early Fall 2023: Response to comments and development of proposed final changes to the Bay-Delta Plan
- Late Fall 2023: Board consideration of adoption

Questions?