



**Alan C. Lloyd, Ph.D.**  
Agency Secretary

# State Water Resources Control Board

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## Division of Water Rights

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**Arnold Schwarzenegger**  
Governor

March 24, 2005

Ron Milligan, Operations Manager  
U.S. Bureau of Reclamation  
Central Valley Operations Office  
3310 El Camino Ave., Suite 300  
Sacramento, CA 95821

Carl A. Torgersen, Chief  
SWP Operations Control Office  
CA Department of Water Resources  
P.O. Box 942836  
Sacramento, CA 94236-001

Dear Mr. Milligan and Mr. Torgersen:

### RESPONSE TO DRAFT AMENDMENTS TO THE WATER QUALITY RESPONSE PLAN – SOUTH DELTA CONSULTATION

This letter responds to your letter dated March 1, 2005, submitting draft amendments to the Water Quality Response Plan (WQRP) for Joint Points of Diversion (JPOD) pursuant to State Water Resources Control Board (State Water Board) Decision 1641.

On July 28, 2004, I temporarily approved the Department of Water Resources' (DWR) and the U.S. Bureau of Reclamation's (USBR) WQRP dated July 1, 2004 until August 1, 2005, subject to terms and conditions. I approved the WQRP on a temporary basis in order to allow DWR and USBR to determine and address any potential water quality impacts to South Delta Water Agency (SDWA) members associated with Stage 1 and Stage 2 JPOD. Condition 3 of the approval requires DWR and USBR to consult with SDWA and to submit a revised WQRP to me prior to March 1, 2005, based on that consultation.

In your letter, you state that you are submitting draft amendments to the WQRP due in part to the changing regulatory conditions in the southern Delta. You state that DWR and USBR anticipate that the State Water Board may make changes to the interior southern Delta salinity objectives (included in the 1995 San Francisco Bay/Sacramento-San Joaquin Delta Water Quality Control Plan (Bay-Delta Plan)) following its current workshop to consider changes to Bay-Delta Plan objectives. As a result, you state that upon completion of the State Water Board's review and before the current WQRP expires on August 1, 2005, DWR and USBR anticipate submitting a final revised WQRP.

Ron Milligan  
Carl A. Torgersen

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March 24, 2005

Your letter does not include any additions or changes to the WQRP. Instead, you describe three potential regulatory and operational scenarios and do not propose any conditions based on the scenarios. As a result, your letter does not satisfy the requirements of Condition 3 of the July 28, 2004 letter. Consequently, please submit a final revised WQRP that addresses potential impacts to southern Delta water quality associated with JPOD within 30 days from the date of this letter.

The State Water Board has not yet decided whether to make changes to any water quality objectives in the Bay-Delta Plan. If the State Water Board determines that changes to the objectives are needed, the State Water Board will need a substantial amount of time to process the changes to the objectives and any subsequent changes to water right permit/license requirements. As a result, when revising the WQRP you should assume continuation of the current regulatory conditions, including the requirement for DWR and USBR to meet the southern interior Delta salinity objectives on April 1, 2005. If the State Water Board makes any changes to the water quality objectives and/or the conditions included in DWR's and USBR's water rights, changes to the WQRP can be made at that time.

If you have any questions concerning this letter, please contact Diane Riddle, the Environmental Scientist in the Division of Water Rights assigned to this matter, at (916) 341-5297.

Sincerely,

ORIGINAL SIGNED BY

Victoria A. Whitney  
Division Chief

cc: John Herrick  
South Delta Water Agency  
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Stockton, CA 95207

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Ron Milligan  
Carl A. Torgersen

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cc: (Continuation page.)

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