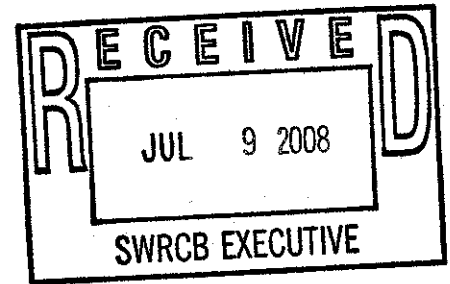




To promote the economic, social and environmental viability of Northern California by enhancing and preserving the water rights, supplies and water quality of our members.

July 9, 2008



Tam Doduc
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: NCWA COMMENTS ON JUNE 2008 DRAFT SWRCB BAY/DELTA STRATEGIC
WORKPLAN

Dear Ms. Doduc:

Northern California Water Association (NCWA) is a non-profit association representing fifty-five private and public agricultural water suppliers and farmers that rely upon the waters of the Sacramento, Feather, and Yuba rivers, small tributaries, and ground water to irrigate more than 750,000 acres of farmland in the Sacramento Valley. The core mission of NCWA is to protect water rights and assure reliable and affordable water supplies for areas and watersheds of origin. Central to meeting the core mission is the commitment to stewardship of the land and water resources of the Sacramento Valley. NCWA works closely with the State Water Resources Control Board and Central Valley Regional Water Quality Control Board to develop and implement regional programs such as the Sacramento Valley Water Quality Coalition in support of Irrigated Lands Regulatory Program, Sacramento Valley Integrated Regional Water Management Plan, and the Sacramento Valley Water Management Agreement.

NCWA generally supports the June 2008 draft Bay/Delta Strategic Workplan and its comprehensive proposal for the Water Boards to take appropriate actions to monitor and improve Bay/Delta water quality, control contaminants, to review Bay/Delta water-quality and flow objectives, and to prevent unauthorized diversions and wasteful uses of water. However, for the reasons discussed in the following parts of these comments, NCWA believes that three parts of the draft workplan needs to be edited.

Water Right Compliance, Enforcement, and Other Activities to Ensure Adequate Flows to Meet Water Quality Objectives

On pages 80-83, the draft workplan appears to assume that no diversions of water in the Bay/Delta watershed under valid appropriative rights should occur when such water is needed to implement any Bay/Delta water-quality objectives. Specifically, on page 81, the draft workplan states:

Many water right holders in the Central Valley continue to divert under their appropriative water rights when water is not available, taking into consideration the amount of water needed to meet water quality and flow objectives and senior-in-basin demands. As a result of diversions under these conditions, the SWP and CVP need to release additional stored water to meet objectives in the Bay-Delta.

The State Water Board's November 1999 Final EIR for Implementation of the 1995 Bay/Delta Water Quality Control Plan considered seven different alternative methods to implement the Bay/Delta water quality objectives. One of these alternatives was Flow Alternative 3, which would have implemented the flow and water quality objectives in the 1995 Bay/Delta Plan by requiring all appropriative water-right holders in the Bay/Delta watershed to curtail diversions, in reverse order of priority, to the extent necessary to implement the objectives. A fundamental problem with this flow alternative is that it did not contain any provisions requiring the State Water Project or the Central Valley Project to mitigate the impacts of their South Delta pumping on the Bay/Delta. (See Nov. 1999 Final EIR, pp. II-16 to II-27.) Instead, it inappropriately would have shifted major portions of this burden to the holders of other water rights in the Bay/Delta watershed. Such a shift is inappropriate because senior water rights and area-of-origin rights have priority over the SWP's and CVP's export rights and must be protected, even if that means that the SWP and CVP have to release more stored water to implement the Bay/Delta water quality objectives.

The text on pages 80-83 of the draft workplan appears to assume that the State Water Board already has adopted, or in the future will adopt, this Flow Alternative 3. However, because the major interested parties were able to reach a proposed settlement of the Phase 8 issues, the State Water Board never held Phase 8 of its Bay/Delta water-right proceeding, and the State Water Board certainly never adopted Flow Alternative 3. Moreover, it is uncertain whether or not the State Water Board ever will adopt Flow Alternative 3. There are several complex water-right issues associated with the question of the proper flow alternative for implementing Bay/Delta flow and water quality objectives, and any State Water Board decision on these issues probably would result in something besides Flow Alternative 3.

For these reasons, it would not be appropriate for the State Water Board's new Bay/Delta Strategic Workplan to contain text that assumes that the State Water Board will adopt Flow Alternative 3 in the future. Instead, the workplan should make it clear that the State Water Board has not yet made any final decision on the complex issues associated with implementation of Bay/Delta flow and water-quality objectives.

For similar reasons, the draft workplan's statements that natural and abandoned flows "continue to be unavailable" and are "inadequate" and "insufficient" to meet water quality and flow objectives (see Draft Workplan, pp. 6-7, 14, 81-82) should be edited. Like the statements discussed above, these statements also incorrectly assume that no diversions in the Bay/Delta watershed under valid appropriative rights should be allowed when such water is needed to implement any Bay/Delta water-quality objectives.

Our proposed changes to the draft workplan's text to correct these problems are attached as Exhibit 1. These changes do not change the draft workplan's important provisions regarding the need to take actions to prevent future unauthorized diversions of water in the Bay/Delta watershed or the important point that future assignments of state filings could affect DWR's and Reclamation's ability to meet the Bay/Delta water-quality and flow objectives.

Water Use Efficiency

The draft workplan establishes a goal "to promote the efficient use of water supplies and the protection of beneficial uses of water from the Bay-Delta and areas throughout the State." It also establishes an objective of "encouraging more efficient agricultural water use." (See Draft Workplan, p. 84). NCWA generally supports these goals and objectives, so long as issues of agricultural water use efficiency are considered in the context of local farm economies. The draft workplan, however, goes on to identify near-term and long-term water use efficiency activities that are being considered by the State Water Board, including the following: "The State Water Board could conduct adjudicative proceedings where urban or agricultural water use is higher than similar uses in similar locations or circumstances. An investigation would be performed to determine the reasonableness of water use and an order issued to prevent the waste, unreasonable use of water, unreasonable method of use, and unreasonable method of diversion of water." (Draft Workplan, p. 86.) The draft workplan further states that the State Water Board is considering (i) a requirement that all agricultural water suppliers file reports every five years to address water management and conservation practices; and (ii) "better" water use measurement and reporting that documents both surface and groundwater agricultural water use.

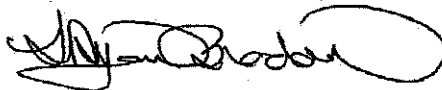
NCWA believes that adjudicative proceedings of the type described in the draft workplan and inflexible measurement and reporting requirements would be extremely counter-productive from the standpoint of achieving increased water use efficiency. Past history demonstrates that a "one size fits all" approach to agricultural water conservation simply does not work. Where, as in the Sacramento Valley, the water delivery system is interconnected so that one water user's return flows are another user's water supply, there is little if any benefit to be achieved by mandatory water measurement or water management programs. The State Water Board should continue to encourage innovation in the area of water use efficiency but it should not do so by regulatory mandate. California agriculture has demonstrated a willingness and ability to implement water use efficiency measures when such measures make sense from an economic and operational standpoint.

Other Activities

On pages 91-92, the draft workplan proposes the development of in-stream flow standards for various "priority California streams," including at least one Delta tributary. While such a process may or may not be appropriate, it definitely would concern issues that primarily would concern the specific stream or streams rather than the Bay/Delta. Such a process therefore should not be part of the Bay/Delta Strategic Plan. Our proposed changes to the draft workplan's text to correct this problem are attached as Exhibit 3

Northern California Water Association looks forward to working with the State Water Resources Control Board on the Strategic Plan update. Please feel free to contact me at 916-442-8333.

Regards,

A handwritten signature in black ink, appearing to read "L. Ryan Broddrick", written in a cursive style.

L. Ryan Broddrick

- Conduct a Selenium Screening Study for the Delta
 - Coordinate with the Department of Pesticide Regulation and Delta County Agricultural Commissioners on In-Delta Pesticide Use to Eliminate Pesticide Toxicity in Delta Waters
- 2) **Evaluation, Development, and Implementation of a Comprehensive Delta Monitoring Program:** This element will ensure that water quality contaminant control programs and water right actions continue to be focused, efficient, and effective.
 - 3) **Review and Implement Southern Delta Salinity and San Joaquin River Flow Objectives:** The State Water Board previously identified review of the southern Delta salinity and San Joaquin River flow objectives included in the Bay-Delta Water Quality Control Plan (Bay-Delta Plan) and their implementation as emerging issues. Reviewing and potentially revising these objectives and their implementation will protect beneficial uses, including fisheries, and provide appropriate San Joaquin River water quality for several parameters, including salinity and dissolved oxygen.
 - 4) **Review and Implement Suisun Marsh Objectives and Take Other Appropriate Actions:** This effort will be coordinated with development of the Suisun Marsh Habitat, Management, and Preservation Plan.
 - 5) **Comprehensive Review of the Bay-Delta Plan, Water Rights, and Other Requirements to Protect Fish and Wildlife Beneficial Uses and the Public Trust:** The State Water Board will review and amend, as appropriate, the objectives and implementation program in the Bay-Delta Plan. Changes in the plan will be implemented in part through a water right decision. The State Water Board will coordinate with the BDCP process in this review to ensure that the information developed pursuant to the BDCP can be used as part of the State Water Board's decision-making processes.
 - 6) **Activities to Ensure that the State Water Project's (SWP) and Central Valley Project's (CVP) Methods of Diversion in the Delta are Reasonable, Beneficial, and Protect the Public Trust:** The State Water Board will evaluate the reasonableness of the SWP's and CVP's methods of diversion and develop and may impose a remedy to address any unreasonable impacts of the methods of diversion if the Department of Water Resources (DWR) and U.S. Bureau of Reclamation (USBR) fail to develop or implement a comprehensive plan (such as BDCP) satisfactory to the State Water Board to address concerns in the Bay-Delta associated with their methods of diversion, or if new information supports immediate action.
 - 7) **Water Right Compliance, Enforcement, and Other Activities to Ensure Adequate Flows to Meet Water Quality Objectives:** To ensure that adequate natural and abandoned flow is available to meet water quality objectives, the State Water Board will employ its statutory responsibilities to investigate whether illegal diversions and other violations of water right permit and license conditions are occurring in the Bay-Delta watershed and take action to address those violations. ~~If adequate natural and abandoned flows continue to be unavailable to meet water quality and flow objectives,~~ the State Water Board may take additional actions, including water conservation

to address implementation of Bay-Delta water quality and

requirements, or a proceeding to ensure that natural and abandoned flows are not diverted when they are needed to meet flow objectives.

- 8) **Actions to Address Water Use Efficiency for Urban and Agricultural Water Users:** The State Water Board will implement a number of actions to address water use efficiency for urban and agricultural water users, consistent with the Governor's direction to achieve a 20 percent reduction in per capita water use statewide by 2020.
- 9) **Other Actions:** Includes establishing funding for Delta smelt refugia, assessment of the need for fish screens for in-Delta diversions, development and implementation of in-stream flow standards for a Delta tributary, and a salinity management plan for the Central Valley.

by the end of 2010 and implemented by DWR, USBR, and other parties thereafter. If DWR and USBR fail to develop or implement a plan satisfactory to the State Water Board to address concerns with their methods of diversion, or if new information supports immediate action, the State Water Board may undertake a water right proceeding to evaluate the reasonableness of the SWP's and CVP's methods of diversion and to develop a remedy to address any unreasonable impacts of the methods of diversion.

Water Right Compliance, Enforcement, and Other Activities to Ensure Adequate Flows to Meet Water Quality Objectives

Increasing demands on water from the Bay-Delta and its tributaries and mounting environmental concerns have intensified the need for the State Water Board to vigorously enforce water right requirements to ensure that sufficient flows are available to meet water quality objectives and to prevent DWR's, USBR's, and other parties developed water supplies from being impacted. To ensure that adequate natural and abandoned flow is available to meet water quality objectives, the State Water Board will employ its statutory responsibility to investigate whether illegal diversions are occurring in the Bay-Delta watershed and take action to address those illegal diversions. Concurrently, compliance inspections of permitted and licensed water rights will be performed to assess overall existing rights and compliance with terms and conditions. If and when illegal diversions are found, diverters will be subject to enforcement action and they will be directed to cease diversions, obtain a legal water right, or pursue a contract for water supplies with DWR, USBR, or another party. ~~If adequate natural and abandoned flows continue to be unavailable to meet water quality and flow objectives, the State Water Board may take additional actions, including water conservation requirements, will be considered as will a proceeding to ensure that natural and abandoned flows are not diverted when they are needed to meet flow objectives.~~

including

to address implementation of Bay-Delta water quality and

Water Use Efficiency

Water conservation reduces the demand for water throughout the State, thus assisting in the protection of beneficial uses in the Bay-Delta and promoting the reasonable and efficient use of the State's limited water resources. This element is responsive to the Governor's direction to reduce per capita water use statewide by 20 percent by 2020. The State Water Board will implement a number of actions to address both water use efficiency and conservation for both urban and agricultural water users:

- Adopt regulations that require water suppliers to provide an incentive to urban water users to conserve water and eliminate waste or unreasonable use of water.
- Conduct adjudicative proceedings for two areas or suppliers with high water use, one urban and one agricultural, to determine the reasonableness of such use and to prevent the waste, unreasonable use

Bay-Delta

and flow

Water Right Compliance, Enforcement, and Other Activities to Ensure Adequate Flows to Meet Water Quality Objectives

Goal: The goal of this Project is to ensure that adequate natural and abandoned flows are available to meet water quality objectives and to ensure that developed water supplies are not adversely affected by unauthorized diversions.

are implemented

Objective: The objective of this project is to fulfill the State Water Board's statutory responsibility to vigorously enforce water rights by preventing unauthorized diversions of water, violations of the terms of water right permits or licenses, and violations of the prohibition against the waste or unreasonable use of water in the Delta. This project will ensure that natural and abandoned flows are available to meet Bay-Delta flow and water quality objectives.

also

are implemented

Impetus: Increasing demands on water from the Bay-Delta and its tributaries, the effects of climate change, and mounting environmental concerns have intensified the need for the State Water Board to vigorously enforce water right requirements to ensure that sufficient flows are available to meet water quality objectives and to prevent DWR's, USBR's, and other water right holders' developed water supplies from being adversely affected by unauthorized diversions. The identification and curtailment of unauthorized diversions will contribute to the protection of beneficial uses in the Bay-Delta watershed, and will ensure the efficient allocation of water resources. These benefits are not limited to the Bay-Delta because vigorous enforcement will serve as a deterrent to other illegal users of water throughout the State and will benefit water supply contractors north and south of the Delta by protecting DWR's and USBR's developed water supplies.

Background: Water Code section 1825 states: "It is the intent of the Legislature that the state should take vigorous action to enforce the terms and conditions of permits, licenses, certifications, and registrations to appropriate water, to enforce state board orders and decisions, and to prevent the unlawful diversion of water." Governor Schwarzenegger's Action Plan for the Environment identifies that strict law enforcement is vital to assure environmental protection and that violators should not achieve unfair competitive advantages over those who comply. The Strategic Plans for both the California Environmental Protection Agency and the State Water Board prioritize improving enforcement programs with consistent, predictable, fair, and equitable actions.

~~Even if water diverters do possess appropriative water rights, permittees and licensees are not authorized to divert water when it is unavailable, taking into consideration the instream flows needed to satisfy water quality objectives and~~

~~senior water rights.⁶ Many water right holders in the Central Valley continue to divert under their appropriative water rights when water is not available, taking into consideration the amount of water needed to meet water quality and flow objectives and senior in-basin demands. As a result of diversions under these conditions, the SWP and CVP need to release additional stored water to meet objectives in the Bay-Delta. As a result, a fundamental principle of California water law, that a party cannot benefit from the developed water supply of another without the agreement of the owner of the developed water supply, is not always met.~~

Under certain hydrologic

~~Sufficient fresh water inflows are needed to provide habitat quality in the Bay-Delta and to prevent seawater from intruding into the Delta and degrading water quality. Reduced Delta outflows and elevated salinity can be harmful to various species of fish and wildlife, agricultural production, and municipal and industrial uses of water throughout the Bay-Delta estuary. Diversions upstream and within the Bay-Delta substantially alter fresh water inflows to the Bay-Delta. As a result, natural and abandoned flows are often inadequate to meet Bay-Delta water quality and flow objectives.~~

While senior water rights and area-of-origin rights have priority over the SWP's and CVP's export rights, these rights do not authorize the re-

diversion of water that has been released from storage to implement Bay-Delta water quality objectives

To assure that upstream diversions do not adversely impact fish and wildlife and other beneficial uses of water, the State Water Board establishes flow dependent water quality objectives in the Bay-Delta Plan and implements those objectives through requirements on water right holders. The State Water Board first established water quality objectives for the Delta in the 1978 Delta Plan and implemented that plan in D-1485 by requiring DWR and USBR to meet specified flow dependant water quality objectives. Currently, DWR and USBR are required to meet specified water quality objectives included in the 1995 Bay-Delta Plan pursuant to D-1641.⁷ In order to meet these requirements, DWR and USBR curtail their diversions or release additional water from storage when flows entering the Delta would otherwise be insufficient to meet the water quality objectives.

Efforts by DWR and USBR to meet water quality objectives reduce the amount of water DWR and USBR are able to use for project purposes. Illegal diversions when DWR and USBR are bypassing water or releasing water from storage to meet water quality objectives further reduces the amount of water DWR and USBR are able to use for project purposes. ~~In addition, otherwise legal water users who divert water when natural and abandoned flow is insufficient to meet water quality and flow objectives also increase demands on DWR and USBR to meet water quality and flow objectives.~~ In the future, the ability of DWR and

⁶ The fact that DWR and USBR are required to meet water quality objectives for the Delta does not give other water right holders who are not expressly responsible for meeting the objectives ~~the right to divert natural and abandoned flows needed to meet the objectives, or the right to divert previously stored water that has been released to meet the objectives.~~

⁷ Other water right holders are required to make certain flow contributions. However, DWR and USBR remain responsible to meet the water quality objectives.

USBR or other responsible water right holders to meet water quality and flow objectives could be affected by the numerous pending and future petitions for assignment of state filed applications seeking to appropriate large amounts of water.

(6) The number and magnitude of illegal diversions in the Bay-Delta watershed is unknown. However, it could be quite significant. In the past certain water diversions to Delta island properties had been characterized as taking place under riparian rights. Recently, however, the State Water Board found in Order WR 2004-0004, that some of these property owners lack a riparian right for their water diversions because their properties were not adjacent to Delta waterways. The San Joaquin County Assessor's records reveal that many parcels within Delta islands are not contiguous to Delta waterways, yet aerial photographs show the parcels are being cultivated and therefore are likely supplied with water diverted from Delta channels. While many of these diversions may possess valid pre-1914 appropriate water rights, the bases of right must be investigated to make that determination.

~~Scope: In order to address these issues, the State Water Board must investigate why natural and abandoned flows are inadequate to meet water quality and flow objectives.~~ As a first step in this effort, the State Water Board will employ its statutory responsibilities to investigate whether illegal diversions are occurring and take action to address those illegal diversions. This project initially focuses on the Delta. However, other areas of the Bay-Delta watershed are also subject to investigation and potential enforcement action. The State Water Board will use available detailed property mapping and title research information for areas of the Delta, which identifies properties that are not contiguous to Delta waters and consequently may lack riparian status. The State Water Board also has information from DFG regarding existing diversion facilities in the Delta that are not covered by water rights on record with the State Water Board. After the State Water Board provides notice to property owners and gives them an opportunity to identify their existing basis of right, or to cease diversion and use of water, State Water Board staff will gather information regarding the claimed basis of right for the diversion and the extent of consumptive use of water. Concurrently, compliance inspections of permitted and licensed water rights will be performed to assess overall existing rights and compliance with terms and conditions. If and when illegal diversions are found, diverters will be subject to enforcement action and they will be directed to cease diversions, obtain a legal water right, or pursue a contract for water supplies with DWR, USBR or another party.

~~If adequate natural and abandoned flows continue to be unavailable to meet water quality and flow objectives, the State Water Board may take additional actions, Water conservation requirements, will be considered as will a proceeding to ensure that natural and abandoned flows are not diverted when they are needed to meet flow objectives.~~

including consideration of

to address implementation of Bay-Delta water quality and

requirements or a proceeding to ensure that natural and abandoned flows are not diverted when they are needed to meet flow objectives.

- 8) **Actions to Address Water Use Efficiency for Urban and Agricultural Water Users:** The State Water Board will implement a number of actions to address water use efficiency for urban and agricultural water users, consistent with the Governor's direction to achieve a 20 percent reduction in per capita water use statewide by 2020.
- 9) **Other Actions:** Includes establishing funding for Delta smelt refugia, assessment of the need for fish screens for in-Delta diversions, ~~development and implementation of in-stream flow standards for a Delta tributary,~~ and a salinity management plan for the Central Valley.

of water, unreasonable method of use, and unreasonable method of diversion of water.

- Work with a multi-agency team to develop a State strategy to achieve the goal of reducing per capita water use by 20 percent statewide by 2020.
- Prepare a report to the Legislature to evaluate the feasibility, estimated costs, and potential means of financing a coordinated water measurement database.
- Adopt a State policy for water quality control to require the development of Water Recycling Plans and substantial increases in water recycling.

Other Activities

The Water Boards will need to adaptively plan and initiate new activities based on new information and new direction. The Water Boards are already involved in ~~four~~ additional activities that don't easily fall into the major workplan elements:

three

- ~~Work with the Department of Fish and Game (DFG) to establish and ensure the implementation of in-stream flow requirements for priority California streams, including a Delta tributary, to protect public trust resources.~~
- Oversight of the effort to develop a delta smelt refuge including oversight of State Water Board funds used to support this effort
- On-going assessment of needs for fish screens for Delta diversions
- Salinity Management Plan for the Central Valley (Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS))

Additional activities that are identified during the on-going planning of Bay-Delta actions will be placed in this category as needed.

Other Activities

Delta Smelt Refuge Population

Background: The State Water Board in Resolution No. 2007-0078 authorized funding in the amount of \$600,000 from the Cleanup and Abatement Account to cover expenses necessary to establish and maintain a delta smelt refuge at Byron through December of 2008. Approval has been obtained to disperse funds from the Cleanup and Abatement Account to reimburse expenses for establishing and maintaining the refuge. The State Water Board will disperse funds upon receipt of invoices.

Future Activities: The State Water Board will continue to monitor and track the development and maintenance of a refuge population of delta smelt and other species and will take actions, as appropriate, to ensure that funding and other resources for refuges are sustained as long as necessary.

Screening Diversions in the Delta and Tributaries

Background: Fish in the Delta may be affected both directly and indirectly by Delta water diversions. Diversions can cause entrainment and impingement of fish residing in, or migrating through, Delta channels and can affect flow through certain channels, which is believed to impact fish in a variety of ways. However, the complex interactions are not well understood. DFG surveys have identified approximately 2,300 diversions in the Delta. Approximately 200 of the 2,300 diversions are screened and fewer than 700 of these diversions are identified in the State Water Board's water rights database. These unidentified diversions may be attributable to movable points of diversion already reported to the State Water Board, riparian, or Pre-1914 appropriate diversions that are not required to report their diversion and use information to the State Water Board, or illegal diversions.

Future Activities: The State Water Board will work with DFG to: 1) develop and implement, as appropriate, a fish entrainment monitoring program, and to evaluate effects of diversions from the Delta on resident or migrating fish in the Delta; and 2) evaluate the need for, and as appropriate require, certain Delta water users to screen their water diversions to prevent entrainment or impingement of fish.

~~**Minimum In-Stream Flow Standards**~~

~~Background: Widespread declines in several species of both anadromous and resident fish highlight the need to review tributary streamflow conditions to ensure that conditions in tributaries are sufficient for the protection of fish and wildlife during all life stages, and that hydrodynamic conditions in the Delta do not cause adverse conditions. Public Resources Code section 10000 to 10005 sets forth a process by which DFG will make recommendations on streamflows needed for fish and wildlife to the State Water Board. The State Water Board~~

~~considers those recommendations when it processes new water right applications. The State Water Board also has continuing authority to manage and amend existing water rights to ensure the protection of public trust resources, including fisheries needs. The State Water Board has used this process to review and revise water right permits issued to the Los Angeles Department of Water and Power from Mono Lake and permits issued to the Yuba County Water Agency in Yuba County.~~

~~The Water Boards' draft 2008 Strategic Plan Update includes actions to maximize the efficient use of Water Board and other agency staff to initiate actions to ensure that adequate streamflows are available for the protection of fish and wildlife habitat while meeting the need for diversion of water for other uses.~~

~~Future Activities: The State Water Board will work with DFG and other watershed partners to develop a preliminary list of priority California streams for minimum stream flow standards development, including at least one stream tributary to the Delta or Suisun Marsh. State Water Board staff will then identify one minimum streamflow proposal affecting the Delta or Suisun Marsh that will be brought before the State Water Board for consideration and work with watershed partners on voluntary actions to implement actions necessary to achieve the streamflow. Where minimum flow standards have been developed and are not being met, the State Water Board will determine what State Water Board mandated actions (such as conservation, recycling, and limiting amount of water diverted) are necessary to protect the public trust by preventing waste or unreasonable uses or methods of diversion.~~

Salinity Management Plan for the Central Valley (CV-SALTS)

Background: The Water Boards have initiated a comprehensive effort to address salinity problems in the Central Valley and adopt long-term solutions that will lead to enhanced water quality and economic sustainability referred to as CV-SALTS. Details are available at:

http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/index.shtml

This activity will be coordinated with the development of a salt and boron TMDL for the San Joaquin River described in the Water Quality and Contaminant Control Element under TMDLs.

Future Activities: Central Valley Regional Water Board staff will continue to work with stakeholders to develop CV-SALTS. By June of 2010, the Central Valley Regional Water Board will determine whether there is need to initiate a traditional Basin Planning approach to develop a salinity management plan as opposed to the stakeholder driven and funded approach currently sought.