



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

January 7, 2005

State Water Resources Control Board
Attention: Debbie Irvin, Clerk to the Board
P.O. Box 100
Sacramento, CA 95812-0100

RE: Bay-Delta Plan Periodic Review

Dear Members of the Board:

The U.S. Environmental Protection Agency (EPA) appreciates this opportunity to provide you with comments on the Periodic Review of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (1995 Plan). My comments here are limited to the delta outflow/estuarine habitat objective. EPA may offer additional comments as the SWRCB's workshops proceed.

EPA recommends that the SWRCB retain the existing outflow objective because the scientific basis of the objective adopted in 1995 has been reinforced by data gathered since then. As you may be aware, the California Bay-Delta Authority is pursuing a research strategy to determine the ecological mechanisms underlying the "fish:X2" relationships that are the basis of this objective. EPA strongly supports such scientific efforts.

The present state of knowledge suggests that the outflow standard adopted in 1995 protects the values associated with estuarine habitat. The persistence of the "fish:X2" relationships, despite massive changes in the food web of the upper estuary, strongly suggests that the mechanisms are not mediated through trophic effects. If the relationships, instead, reflect direct physical aspects of estuarine habitat then the outflow/X2 standard seems likely to remain the best regulatory tool.

Continued data collection by the Interagency Ecological Program (IEP) remains our best tool for understanding the status and trends of aquatic resources and their responses to changing estuarine conditions. EPA urges the SWRCB to ensure that the long-term reference datasets entrusted to IEP are collected in the future.

EPA looks forward to working with the Board on this important review of the 1995 Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Schwinn".

Karen Schwinn
Deputy Director
Water Division