

Chapter II, Section C, to the 1995 WQCP, which is entitled "Water Quality Objectives for Fish and Wildlife Beneficial Uses", to be amended as follows:

The objectives for the protection of fish and wildlife beneficial uses are ~~established~~ **continue** for the following parameters: dissolved oxygen, salinity (expressed as electrical conductivity), Delta outflow, river flows, export limits, and Delta Cross Channel gate operation. ~~Unlike water quality objectives for parameters such as dissolved oxygen, temperature, and toxic chemicals, which have threshold levels beyond which adverse impacts to the beneficial uses occur, there are~~ **The 1995 Plan recognized that as the long-term planning process for the Estuary was developed and implemented, the objectives would be evaluated and modified, as necessary, to provide a level of protection predicated on more optimal physical facilities and management actions. Since 1995, the objectives were evaluated and information has been developed, which confirms that no defined threshold conditions that can be used to set objectives for flows and project operations and that** ~~Instead, the available information indicates that a continuum of protection exists. Higher flows and lower exports provide greater protection for the bulk of estuarine resources up to the limit of unimpaired conditions. Therefore, these objectives must be set based on a subjective determination of the reasonable needs of all of the consumptive and nonconsumptive demands on the waters of the Estuary. As the long term planning process for the Estuary, cited in the Framework Agreement, is developed and implemented, these objectives will be evaluated and modified, as necessary, to provide a level of protection predicated on more optimal physical facilities and management actions.~~

While the 1995 Plan objectives have not been modified, the fishery and project agencies will be authorized, subject to SWRCB oversight, to implement certain of the objectives in a more flexible manner. Information developed through real-time operations shows that rigid application of the Delta outflow, Rio Vista, and export limits objectives can, at times, result in the use of valuable water resources with minimal or no benefit to the fishery. Inflexible implementation in a constantly changing natural environment can result in loss of water that otherwise could be used for more critical fish and wildlife needs, and/or to more fully protect other beneficial uses. Flexible implementation of these objectives to more accurately reflect the real-time location of fish in the estuary, the effect of in-Delta actions on upstream fishery needs, and the balance between the water resources expended and fishery benefits derived, can eliminate insufficient uses of water at times when there is little or no benefit to fishery resources. The "Decision Tree for Water Quality Control Plan Flexibility" establishes the process and limitations for flexing the Delta outflow, Rio Vista, and export limits objectives. Periodically, the SWRCB may amend or supplement the "Decision Tree for Water Quality Control Plan Flexibility."

The water quality objectives in Table 3 are included for the reasonable protection of the following beneficial uses: EST, COLD, WARM, MIGR, SPWN, WILD, and RARE. These fish and wildlife beneficial uses also provide protection for the beneficial uses of SHELL, COMM, and NAV. The objectives in Table 3, together with the program of implementation and the requirements of other water quality control plans and policies, provide comprehensive protection for the fish and wildlife beneficial uses in the Estuary. These objectives replace the objectives for fish and wildlife in the 1978 Delta Plan, and the 1991 Bay-Delta Plan, **and continue the**

1995 Bay-Delta Plan objectives with the addition of the Decision Tree for Water Quality Control Plan Flexibility.

A dissolved oxygen objective is included to protect fall-run salmon migration in the lower San Joaquin River. This objective is unchanged, ~~with the exception of including a provision for a compliance schedule, from the 1991~~ **from the 1995** Bay-Delta Plan.

Salinity objectives for the lower San Joaquin River are included to protect striped bass spawning habitat. Salinity objectives for the managed portions of the Suisun Marsh are included for the protection of channel and soil water salinities which affect the vegetative composition of the marshlands. These objectives are based on standards in D-1485 and the Suisun Marsh Preservation Agreement (SMPA) among the DWR, USBR, DFG, and Suisun Resource Conservation District (SRCD). A narrative objective for the brackish tidal marshes of Suisun Bay is included to protect the remnant tidal marshes.

Delta outflow objectives are included for the protection of estuarine habitat for anadromous fishes and other estuarine-dependent species. Sacramento and San Joaquin river flow objectives are included to provide attraction and transport flows and suitable habitat for various life stages of aquatic organisms, including Delta smelt and chinook salmon. A narrative objective for salmon protection is included to ensure increased natural production of salmon.

Objectives for export limits are included to protect the habitat of estuarine-dependent species by reducing the entrainment of various life stages by the major export pumps in the southern Delta. An objective for closure of the Delta Cross Channel gates is included to reduce the diversion of aquatic organisms into the interior Delta where they are more vulnerable to entrainment by the major export pumps and local agricultural diversions.