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DEPARTMENT OF FISH AND GAME  
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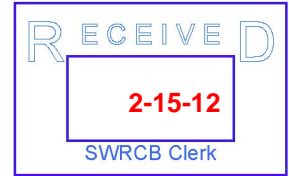
EDMUND G. BROWN, Jr., Governor  
CHARLTON H. BONHAM, Director



## LATE COMMENT

February 15, 2012

Charles R. Hoppin, Chair  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814



Subject: Supplemental Notice of Preparation (Supplemental NOP) and Notice of Additional Scoping Meeting for Environmental Documentation for the Update and Implementation of the 2006 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan)

Dear Mr. Hoppin:

The purpose of this memorandum is to provide you with comments on the schedule of actions to update the 2006 Bay-Delta Plan and how it relates to the Bay Delta Conservation Plan (BDCP). This topic will be discussed at the State Water Resources Control Board (State Water Board) meeting on Tuesday, February 21, 2012. In the next few weeks, before the April 25, 2012 deadline, DFG will provide you with comments on the Supplemental NOP regarding the scope and content of environmental information that should be included in the Substitute Environmental Document (SED) relating to the State Water Board's review of the Bay-Delta Plan. This NOP supplements the NOP that was released by the State Water Board on February 13, 2009.

We support your staged-approach to the environmental review of the 2006 Bay-Delta Plan and the environmental review for potential changes to water rights and other measures to implement any revisions to the Bay-Delta Plan. As described in the Supplemental NOP, review of the San Joaquin River flow and southern Delta salinity objectives is already underway. The State Water Board is now proposing to undertake the comprehensive review and potential update of other components of the Bay-Delta Plan and program of implementation. These components relate to the ecology and water quality of the Bay-Delta estuary including: (1) Delta outflow objectives; (2) export/inflow objectives; (3) Delta Cross Channel Gate operations; (4) Suisun Marsh objectives; (5) Old and Middle River flows; (6) potential new floodplain habitat flow objectives; (7) potential changes to the monitoring and special studies program; and (8) other potential changes to the program of implementation.

Information being developed in the BDCP planning documents may help the State Water Board in its review of the 2006 Bay-Delta Plan. We also support your plan to consider additional information, such as what is contained in your 2010 staff report, "Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem". This report describes flow criteria to protect public trust resources in the Delta ecosystem that was developed using a transparent process through an informational proceeding that involved a panel of scientific experts.

Updated Bay-Delta Plan objectives along with a program of implementation could help reverse the decline of at-risk fish species populations and improve conditions in the Bay-Delta ecosystem. We also support your review and update of the environmental monitoring program and special studies program which could help to reduce scientific uncertainties, particularly if these programs are implemented within the construct of science-based adaptive management.

In summary, we believe it prudent for the State Water Board to proceed with its review and potential update of the 2006 Bay Delta Plan in parallel with the development of the BDCP. We believe that the State Water Board's process may result in an updated Bay-Delta Plan and program of implementation that could help reverse the decline of pelagic organisms and other estuarine-dependent species including anadromous salmonids. We believe that it is critical to initiate this process now recognizing that it will take time to complete as will the BDCP planning and permitting process. We look forward to assisting you with any technical support we can provide during this process. Should you have any questions please contact me at (916) 445-1272.

Sincerely,



Scott Cantrell  
Water Branch Chief

cc: Kevin Hunting  
Sandra Morey  
Carl Wilcox  
Jeff Single  
Scott Cantrell  
Stafford Lehr  
Thomas Gibson  
Glenda Marsh