



Fact Sheet

Bay Delta Planning Efforts

Overview

The San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta) includes the Sacramento-San Joaquin Delta, Suisun Marsh, and San Francisco Bay. California's two major rivers, the Sacramento and the San Joaquin, converge in the Delta and meet incoming seawater from the Pacific Ocean in San Francisco Bay. Water diversions from the Delta supply a portion of the drinking water to over two thirds of Californians and for millions of acres of farmland.

The State Water Resources Control Board (State Water Board) holds dual responsibilities of allocating surface water rights and protecting water quality. The State Water Board allocates water through an administrative system that is intended to maximize the beneficial uses of water while protecting the public trust, serving the public interest, and preventing the waste and unreasonable use or method of diversion of water. State water quality law requires the adoption of Water Quality Control Plans that identify existing and potential beneficial uses of waters of the state and establish water quality objectives to protect these uses. The plans also contain implementation, surveillance and monitoring elements. While most water quality control planning is done by the Regional Water Boards, the State Water Board has authority to adopt statewide Water Quality Control Plans and adopts the Bay-Delta Plan because of its importance as a major source of water supply for the state. The Bay-Delta Plan protects water quality in the region and includes water quality objectives to protect municipal and industrial, agricultural, and fish and wildlife beneficial uses.

The State Water Board's Bay-Delta Program facilitates the development and review of plans and policies to protect beneficial uses of the water in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta) pursuant to the California Water Code and federal Clean Water Act. The Bay-Delta Program also facilitates water right activities related to the Bay-Delta, including implementation of the Bay-Delta Water Quality Control Plan through water right requirements. The Bay-Delta Program resides in the Division of Water Rights because of the critical importance of flow objectives in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan). The Bay-Delta Program also oversees implementation of the State Water Board's and Central Valley and San Francisco Bay Regional Water Quality Control Boards' (Water Boards) 2008 Strategic Workplan for Activities in the Bay-Delta. This workplan identifies a broad, integrated list of water right and water quality activities and is available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/strategic_plan/docs/baydelta_workplan_final.pdf



Recent Efforts

Numerous scientific documents have identified fishery declines and the ecological crisis in the Delta. Addressing the ecological crisis in the Delta is essential. In 2009, the State Water Board issued a Notice of Preparation under the California Environmental Quality Act to begin the process of updating the Bay-Delta Plan, including evaluating potential amendments to Delta flow and other water quality objectives. In 2009, the Legislature also enacted the Sacramento-San Joaquin Delta Reform Act, which required the State Water Board to develop flow criteria for the Delta ecosystem. The 2009 legislation also specified that no construction of Bay Delta Conservation Plan (BDCP) facilities is allowed until the State Water Board approves necessary changes in the point of diversion for the State Water Project and the Central Valley Project and that any change in the point of diversion shall include appropriate Delta flow criteria. In addition, the Delta Stewardship Council has recommended that the State Water Board adopt and implement flow objectives for the Delta by June 2014.

In 2010, pursuant to the 2009 Delta Reform Act, the State Water Board prepared a report titled "Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem". This report presents a technical assessment of flow and operational requirements to provide fishery protection under existing conditions. The report did not consider competing uses for water such as hydropower, recreational, municipal and industrial, and agricultural supply. Restoration and protection of the Delta ecosystem will also depend on many factors, including actions to improve habitat, reduce salmon predation, minimize entrainment of fish at pumping facilities, prevent pollution, and increase river flows. The competing uses of water are other factors are being considered in the State Water Board's current planning efforts.

Current Efforts

The State Water Board is now in the midst of a four-phased process of developing and implementing updates to the Bay-Delta Plan and flow objectives for priority tributaries to the Delta to protect beneficial uses in the Bay-Delta watershed. Phase 1 of this work involves updating San Joaquin River flow and southern Delta water quality requirements included in the Bay-Delta Plan. Phase 2 involves other comprehensive changes to the Bay-Delta Plan to protect beneficial uses not addressed in Phase 1. Phase 3 involves changes to water rights and other measures to implement changes to the Bay-Delta Plan from Phases 1 and 2. Phase 4 involves developing and implementing flow objectives for priority Delta tributaries outside of the Bay-Delta Plan updates.

Phase 1

On December 31, 2012, The State Water Board released for public review and comment, a draft Substitute Environmental Document (SED) in support of potential changes to San Joaquin River flow and southern Delta water quality objectives and a program of implementation to be included in the Bay-Delta Plan. The proposal is intended to balance the use of water for fishery protection against the competing uses for water such as municipal supply, agriculture and hydropower. After receipt of comments received both written and in testimonial form during a two day March 2013 workshop, the State Water Board will make any needed changes to the SED and prepare written responses to comments along with a final

draft SED and final draft changes to the Bay-Delta Plan for consideration by the State Water Board later this year. More information on the proposal is available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/2012_sed/

Phase 2

Phase 2 will focus on the following issues: (1) Delta outflow objectives, (2) export/inflow objectives, (3) Delta Cross Channel Gate closure objectives, (4) Suisun Marsh objectives; (5) potential new reverse flow objectives for Old and Middle Rivers; (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. The State Water Board will also consider other potential changes to the Bay-Delta Plan during this phase, including issues identified through the scoping process, and information that is produced as part of the BDCP. The State Water Board held six days of workshops September through November 2012 to receive information on Ecosystem Changes and the Low Salinity Zone, Bay-Delta Fishery Resources, and Analytical Tools for Evaluating Water Supply, Hydrodynamic and Hydropower Effects. An informational item will be scheduled for an upcoming Board meeting to determine next steps on how this information should be used in the Board's planning process. More information is available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/comp_review.shtml

Phase 3

Phase 3 will include implementation of changes to the Bay-Delta Plan through water rights and other measures. This phase has not commenced.

Phase 4

The State Water Board is developing flow objectives, with regulatory effect, to protect the public trust resources and other beneficial uses of water, such as agriculture, municipal, and hydropower uses. Flow objectives will be tailored to each tributary to address the unique hydraulic/geomorphic characteristics, public trust resource considerations, and beneficial uses of water. The State Water Board intends to develop flow objectives and associated implementation plans for six to nine Sacramento-San Joaquin Delta priority tributaries by June 2018. State Water Board staff is consulting with the fisheries resource agencies in the selection of the Sacramento-San Joaquin Delta priority tributaries. The State Water Board is interested in collaboration with stakeholders to implement flow objectives. There will be a variety of opportunities to provide information as part of the Phase 4 flow objective setting process. More information on this effort is available at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/flow_objectives/index.shtml#instream