



November 13, 2015

Felicia Marcus, Chair
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Chair Marcus,

I write to offer the Resource Agency's support of the State Water Resources Control Board's Delta Water Quality Control Plan update process. The Agency is committed to investing in programs, projects, and processes that will contribute to the improved ecological health of the Delta watershed and its tributaries. The State Water Board's current efforts to develop and implement flow objectives in the tributaries to the Delta is key to achieving this shared vision.

The recent exchange of letters between you and Assembly Members Olsen and Gray, and California Department of Fish and Wildlife Director Bonham, illustrates the possibility that collaboration, among all stakeholders and agencies could produce flow and water quality objectives, provide protection of fish and wildlife, and respect water rights. The Agency agrees with that possibility. In fact, as you know, the California Water Action Plan (CWAP) recognizes the necessity of providing enough water of the right quality, at the right time, and the right location, to restore the abundance and health of native fisheries (anadromous and pelagic) in the Delta watershed; and that non-flow measures are also critical to achieving these goals. In addition, Action 4 of the CWAP states that the Brown administration will analyze the many proceedings that are underway in the Delta watershed and recommend an approach that integrates both regulatory and voluntary efforts necessary for improved ecological functionality.

To this end, the Agency proposes the goal of voluntary settlement agreements, between appropriate parties, by December 31, 2016, that will help to achieve flow-dependent and related narrative water quality objectives in the rivers and in the Delta. The Agency can help coordinate and convene, as necessary, interested stakeholders to achieve this goal, including state and federal agencies, the conservation community, and water districts, and users. If done correctly, such settlement agreements will contribute in the very near term to material improvements in ecological conditions in the Delta watershed.

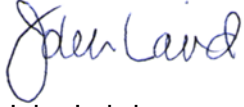
As such, I request that our staff meet to discuss the appropriate framework for such voluntary settlement processes to assure that our common goals and objectives would be met. For example, each such settlement process must contain certain elements that best meet the requirements of applicable law, including Water Code section 13242. These measures could include: flow and non-flow measures that materially improve baseline conditions for natural resources, accountability for performance and related enforceability, annual reporting to the State Water Board, and periodic adaptive management incident to triennial review.

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I look forward to working together to achieve our mutual goals and objectives in restoring the ecological integrity of the Delta watershed and its tributaries.

Sincerely,

A handwritten signature in blue ink that reads "John Laird". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

John Laird
Secretary for Resources

cc: Nancy McFadden, Executive Secretary, Office of the Governor
Matthew Rodriguez, Secretary, California Environmental Protection Agency
Karen Ross, Secretary, California Department of Food and Agriculture
Charlton H. Bonham, Director, California Department of Fish and Wildlife
Mark Cowin, Director, California Department of Water Resources