**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

May 25, 1993

To: Board of Directors (Water Problems Committee--Information)
From: General Manager
Subject: United States Environmental Protection Agency Proposed Bay/Delta Water Quality Standards

Report

On September 3, 1991, United States Environmental Protection Agency (USEPA) disapproved the State Water Resources Control Board's (SWRCB) water quality objectives for the Bay/Delta estuary. The USEPA stated that, under the Clean Water Act, they are required to "promptly" propose replacement standards if the State does not adequately modify its water quality objectives. Since 1991, in keeping with the Clean Water Act's recognition that the states have primary responsibility for setting and implementing water quality standards, USEPA has continued discussions with the SWRCB in the expectation that the State would render federal promulgation unnecessary by adopting approvable standards in the proposed Interim Water Rights Decision 1630 (D-1630).

However, due to the Governor's urging and the resulting action by the SWRCB to stop work on developing interim standards, and in response to the recent lawsuit filed by the Sierra Club Legal Defense Fund along with 18 other environmental organizations, the USEPA has accelerated its promulgation effort to set federal standards for the Bay/Delta estuary.

In May 1993, the USEPA's regional San Francisco office (Region 9) forwarded proposed draft water quality standards to its headquarters office in Washington, D.C. It is not known when the proposed standards will be officially published in the Federal Register. However, once they are published USEPA must conduct a public comment process which could take several months, and a final decision by USEPA regarding the standards may not occur until next year.

The water quality standards proposed by Region 9 are based on recommendations from the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the California Department of Fish and Game. The following is a summary of these proposed standards:

- Estuarine Habitat: Region 9 recommends a salinity standard of 2 parts per thousand (ppt) from February through June in the western Delta at Chipps Island, at the western end of Roe Island in Suisun Bay, and at the confluence of the Sacramento and San Joaquin rivers. This standard is dependent on the year-type designation.
- Fish Spawning: Region 9 recommends a salinity standard of 0.44 mmhos/cm electrical conductivity on the San Joaquin River from Jersey Point to Vernalis (a point far beyond what the SWRCB proposed) during the spawning season for striped bass. This standard would be relaxed during dry and critical years.
- Fish Migration: Region 9 recommends setting salmon smolt survival requirements which would vary by water-year type.

The impact on Metropolitan resulting from the adoption of these proposed standards and the implications for the State include the following:

- Increased water costs and loss of reliable supply to urban and agriculture users;
- Loss of State control over allocation of its water resources;
- No requirements by USEPA to balance social, economic, and environmental costs;
- Inability to revise standards in the future due to federal anti-degradation standards; and
- Increased red-tape in obtaining necessary permit approvals. (for example, approval to operate the four new pumps to capacity at the State's Delta Pumping Plant).

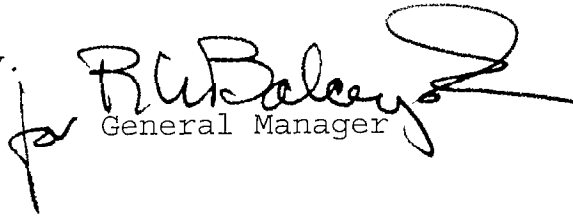
Attached is a copy of the Region 9 proposed standards. On May 17, staff met with Region 9 staff to discuss these standards, and will continue these discussions. Staff will keep your Board fully informed as the USEPA process progresses.

Board Committee Assignment

This letter is referred for information to the Water Problems Committee because of its authority to study, advise, and make recommendations with regard to policies, sources, and means of importing water required by Metropolitan, pursuant to Administrative Code Section 2481(a).

Recommendation

For information only.


General Manager

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**EPA PROPOSED WATER QUALITY STANDARDS
FOR THE SAN FRANCISCO BAY/DELTA ESTUARY**

| Designated Use | Criteria | | | Purpose | Period | Source | |
|---|---|------------|---------------------------------|---|---|---|------------|
| Estuarine Habitat | Number of days 2 ppt salinity line must be downstream of: | | | Reflects occurrence of low salinity habitat in Suisun Bay prior to 1976 | Feb-June | SF Estuary Project findings; FWS proposed critical habitat for Delta smelt; Dr. Peter Moyle (UCD) | |
| | YEAR TYPE | Roe Island | Chippis Island | | | | Confluence |
| | WET | 135 | 147 | | | | 150 |
| | ABOVE NORMAL | 116 | 141 | | | | 150 |
| | BELOW NORMAL | 80 | 118 | | | | 150 |
| | DRY | 36 | 114 | | | | 150 |
| CRITICAL | 0 | 80 | 150 | | | | |
| Fish Spawning (Striped bass spawning on San Joaquin River) | .44 mmhos/cm EC (salinity) | | | Protects historical striped bass spawning range in San Joaquin River | April-May | DFG evidence: SWRCB 1991 Salinity Control Plan (Alternative 3-D) | |
| | WET, ABOVE & BELOW NORMAL | | Jersey Point to Vernalis | | | | |
| | DRY & CRITICAL | | Jersey Point to Prisoners Point | | | | |
| Fish Migration; Cold-Water Habitat (Salmon smolt survival index on Sacramento and San Joaquin Rivers) | Survival varies by water year type: | | | Index of survival of fall run salmon smolts passing through Delta | Sac R: April-June SJR: April-May | 5-Agency Workgroup evidence; FWS, DFG, NMFS recommendations | |
| | | Sac River | SJ River | | | | |
| | WET | .48 | .46 | | | | |
| | ABOVE NORMAL | .39 | .30 | | | | |
| | BELOW NORMAL | .37 | .26 | | | | |
| | DRY | .32 | .23 | | | | |
| CRITICAL | .29 | .20 | | | | | |