

An aerial photograph of a water control facility. A winding canal or river flows through the center, bordered by green grassy areas and earthen levees. In the foreground, there are large, flat, brown fields, likely fallow or harvested. Several high-voltage power line towers are visible, crossing the canal and surrounding areas. The background shows more green fields and some buildings.

**Overview of
State Water Resources Control Board
Bay-Delta Water Quality Control Plan
Process**

**Special Committee on Bay-Delta
Item 3b, August 17, 2015**

Water Quality Control Plan

- Update on the State Water Resources Control Board (“Water Board”) process for periodic review of the Water Quality Control Plan (“WQCP”)
 - Explanation of WQCP process
 - Update on progress; and
 - Anticipated next-steps

Water Quality Control Plan

- Water Code requires periodic review of WQCP
- Water Board charged with balancing competing beneficial uses
- Water quality, flow, and water rights intersection
- WQCP review
 - Phase I: San Joaquin River (Ongoing)
 - Phase II: Sacramento River and Delta (Ongoing)
 - Phase III: Water rights/implementation (Future)
 - Phase IV: Priority upstream tributaries (Ongoing)

Water Quality Control Plan

Delta Plan

- Delta Reform Act mandates
 - Coequal goals
 - Water Board and State Fish and Wildlife develop flow recommendations
 - Water Board must adopt appropriate flow criteria prior to approval of new point of diversion
- Delta Stewardship Council, Delta Plan (May 2013)
 - Water Board adopt and implement flow criteria by June 2, 2014
 - Covered Action must be determined consistent with Delta Plan, which incorporates WQCP

Flow Recommendation (2010)

- Report suggests flows for fishery protection under existing conditions if there was not other use for water in the watershed
- *“Any attempts to portray the recommendations contained in this report as an indicator of future State Water Board decision-making ignores this critical, multi-dimensional balancing requirement and misrepresents current efforts to analyze the water supply, economic, and hydropower effects of a broad range of alternatives.” (SWRCB)*

Delta Science Program Expert Panel Reports

- Delta Outflow and Related Stressors Report (2014)
- Interior Delta Flow & Related Stressors Report (2014)

Water Quality Control Plan Issues

- Concurrent overlapping processes
 - Water Board Periodic review, Federal BiOp consultation
 - California Water Fix
 - DSC Delta Plan
- Reliability of science and evidence presented
- Potential protracted water rights proceedings

Water Quality Control Plan

MWD Staff Comments

- Recognize Water Board required to proceed with Review
- Coordinate with California Water Fix
- Rely on best available science
- Supplement record with new scientific developments
- Balance competing beneficial uses

Water Quality Control Plan

Coordination Efforts

- State Water Contractors
- State Department of Water Resources
- Federal Central Valley Project contractors
- US Bureau of Reclamation
- Northern California Water Association
- San Joaquin River Group
- Power agencies

Coalition letter

- If unimpaired flow regulations had been in effect during last five years, precious water resources would have already been drained from reservoirs before we entered these past several dry years.
- Stated another way, an “unimpaired flow” approach would create greater risk for all beneficial uses during dry years. This dynamic would be further exacerbated under the various climate change scenarios.

Water Quality Control Plan

- The WQCP review process will be moving forward and new SWRCB technical reports and CEQA compliance documents are expected;
- MWD legal and technical staff will be working together to present relevant information to the SWRCB to inform their decision-making;
- MWD will be coordinating our efforts with the state and federal water contractors and other stakeholders

QUESTIONS?