

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2009-0079**

FINDING THAT THE DEPARTMENT OF WATER RESOURCES' SAFE, CLEAN, RELIABLE WATER SUPPLY ACT (PROP 204) FUNDED PROJECTS WILL ASSIST IN THE IMPLEMENTATION OF THE 2006 WATER QUALITY CONTROL PLAN FOR THE SAN FRANCISCO/SACRAMENTO-SAN JOAQUIN DELTA ESTUARY

WHEREAS:

1. The State Water Resources Control Board (State Water Board) adopted the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) under [Resolution No. 2006-0098](#) on December 13, 2006. The 2006 Bay-Delta Plan supersedes the 1995 Bay-Delta Plan adopted by the State Water Board on May 22, 1995, pursuant to [Resolution No. 95-24](#). In 2000 the State Water Board adopted revised [Decision 1641](#), which allocated responsibility to certain water right holders for meeting the water quality control plan objectives in the 1995 Bay-Delta Plan. Those responsibilities remain unchanged with the adoption of the 2006 Bay-Delta Plan.
2. The 1996 Safe, Clean, Reliable Water Supply Act (Act) (Wat. Code, § 78500 et seq.), Proposition 204, allocates funds to the "Sacramento Valley Water Management and Habitat Protection Subaccount" (subaccount). (Wat. Code, §§ 78681-78681.2.) The Department of Water Resources (DWR) is the designated State agency responsible for administration of the Proposition 204 subaccount for programs or projects in the Sacramento Valley. (*Id.*, § 78681.4.) Water Code section 78681.4 requires the Proposition 204 funds to be used to assist in the implementation of the Bay-Delta Plan.
3. The State Water Board must provide adequate public review for the programs or projects proposed for funding under the Act and must find whether or not the proposed programs or projects are consistent with the requirements of Water Code section 78681.4 (requiring the programs or projects to assist in the implementation of the Bay-Delta Plan). (Wat. Code, § 78681.8.) Only programs or projects that are not the obligation of the State Water Project (SWP) or the federal Central Valley Project (CVP) may be funded under the subaccount. (*Id.*, § 78681.9.)
4. On August 20, 2009, the DWR requested that the State Water Board review five proposed programs and projects (seeking a total of \$7,775,000 in funding) for consistency with Proposition 204: (1) Yuba/Wheatland In-Lieu Groundwater Recharge and Storage Project (cost: \$4,000,000); (2) Sacramento Valley Groundwater Monitoring and Modeling/Assessment and Data Gap Evaluation (cost: \$2,100,000); (3) Browns Valley Irrigation District Water Quality Improvement Project (cost: \$1,200,000); (4) Glenn County Groundwater Reliability and Recharge Pilot Program (cost: \$250,000); and (5) administration/completion of Sacramento Valley Water Management Agreement Environmental Impact Report/Environmental Impact Statement (EIR/EIS) (cost: \$225,000).

5. The Yuba/Wheatland In-Lieu Groundwater Recharge and Storage Project is a conjunctive use project in Yuba County that will convey Yuba River surface water, when available, to an area of Yuba County (South Yuba Basin) that is currently solely reliant on groundwater. Introduction of the surface water supply will enable in-lieu recharge of the Basin to improve water supply reliability, sustain and improve water quality, provide stored groundwater for local use when the surface water supply is limited, and provide water supply to the Environmental Water Account and the SWP and CVP. Environmental documentation and permitting have already been completed. Funding made available from Proposition 204 would be devoted entirely to construction and environmental mitigation of the project. This project would assist in the implementation of the Bay-Delta Plan by providing additional groundwater supply during dry and critical water years, thereby decreasing reliance on surface water supplies and increasing water supply for Bay-Delta estuary needs.
6. The Sacramento Valley Groundwater Monitoring and Modeling/Assessment and Data Gap Evaluation project involves conducting a holistic assessment of existing groundwater monitoring activities in conjunction with DWR Northern and Central District staff across the Sacramento Valley. This assessment will help to identify existing data gaps as well as prioritize and help guide future funding towards groundwater monitoring studies at locations that would provide the most benefit to the valley. The proposed project would also collect additional groundwater data and surface water-groundwater interaction data at key locations in the valley to assist in filling the highest priority data gaps and provide information to aid in understanding the effects that new and ongoing groundwater production will have on stream flows within the valley. This project would assist in the implementation of the Bay-Delta Plan by providing information and data through monitoring activities that would help increase state agencies' understanding of the effects that groundwater storage would have on surface water supplies, which affects the amount of water that moves to and/or through the Bay-Delta.
7. The Browns Valley Irrigation District (BVID) Water Quality Improvement Project involves the construction of a pumping plant and pipeline to capture and reuse irrigation return flows from Little Dry Creek, an ephemeral tributary of Dry Creek in Yuba County, reducing water diversions from the Yuba River by approximately 4,000 acre-feet. The pumping plant will allow BVID to convey agricultural return flows to rice fields now irrigated exclusively by riparian diversion from the Yuba River. By recycling ten cubic foot per second of agricultural return flows, BVID will reduce loadings of nutrients, pesticides and pathogens to the Yuba River as well as lowering the thermal loading. The project would assist in the implementation of the Bay-Delta Plan by improving the quality of water that would move to and/or through the Bay-Delta, thereby protecting beneficial uses.
8. The Glenn County Groundwater Reliability and Recharge Pilot Program will evaluate the feasibility of a conjunctive use program in the Capay area in Glenn County. Glenn County Water Advisory Committee will administer the program in cooperation with the Glenn-Colusa Irrigation District (GCID) and local landowners. The program is intended to provide increased water supply flexibility and reliability to water users in the Capay area by using surface water supplied by the GCID to reduce demand for groundwater. The pilot program would include the following tasks: local community outreach and education; identification of participating landowners; a land and water use survey of the project area; an analysis of benefits; a conceptual design and stakeholder interaction; and identification of implementation funding. The program has the potential to assist in the implementation of the Bay-Delta Plan by recharging groundwater storage using flood flows and excess surface

water. Recharge of groundwater would reduce stream leakage into the area during drier years, and allow that water to remain in the Sacramento River to help meet Bay-Delta standards.

9. The fifth proposed project is the administration and completion of the Sacramento Valley Water Management Agreement (SVWMA) EIR/EIS. The U.S. Bureau of Reclamation (USBR), DWR, water users in the Sacramento River Basin, and other signatories to the SVWMA are currently implementing the Short-Term Sacramento Valley Water Management Program (Short-Term Program). The Short-Term Program is a regional effort to increase water supplies and provide for environmental needs in the Sacramento Valley. USBR and DWR are in the process of jointly preparing a Draft EIR/EIS that will evaluate the impacts of implementing the Short-Term Program for a 10-year period that would make up to 185,000 acre-feet of water per year available through projects consisting of pumping groundwater in lieu of surface water diversions, reservoir re-operation, and system improvements (e.g., canal lining, flow measurement devices, etc.). Funding would be used to provide legal, environmental, and policy expertise and assistance to project proponents and signatories to the SVWMA and maintain necessary coordination including project refinement, stakeholder involvement and document review. Completion of the EIR/EIS is critical to the implementation of the proposed projects of the SVWMA program. The implementation of the proposed projects would assist in the implementation of the Bay-Delta Plan by helping meet Delta water quality and flow-related needs as well as assist in meeting other statewide water demands.
10. The State Water Board has notified the public and interested persons that it would consider this matter at its November 3, 2009 Board Meeting.
11. The proposals will assist in the implementation of the 2006 Bay-Delta Plan by making additional water supplies available, or providing information on water that could be made available, that can be used to help meet water quality objectives and protect beneficial uses identified in the plan.

THEREFORE BE IT RESOLVED THAT:

The State Water Board finds that:

1. The project titled "Yuba/Wheatland In-Lieu Groundwater Recharge and Storage Project" will assist in the implementation of the 2006 Bay-Delta Plan, consistent with the requirements of Water Code section 78681.4.
2. The project titled "Sacramento Valley Groundwater Monitoring and Modeling/Assessment and Data Gap Evaluation" will assist in the implementation of the 2006 Bay-Delta Plan, consistent with the requirements of Water Code section 78681.4.
3. The project titled "Browns Valley Irrigation District Water Quality Improvement Project" will assist in the implementation of the 2006 Bay-Delta Plan, consistent with the requirements of Water Code section 78681.4.
4. The project titled "Glenn County Groundwater Reliability and Recharge Pilot Program" will assist in the implementation of the 2006 Bay-Delta Plan, consistent with the requirements of Water Code section 78681.4.

5. The project titled "Sacramento Valley Water Management Agreement Environmental Impact Statement/Report Completion" will assist in the implementation of the 2006 Bay-Delta Plan, consistent with the requirements of Water Code section 78681.4.
6. These programs and projects are not the obligation of the Central Valley Project or the State Water Project.

### **CERTIFICATION**

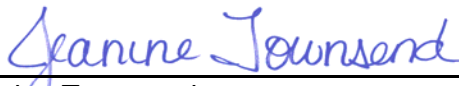
The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted at a meeting of the State Water Resources Control Board held on November 17, 2009.

AYE:            Chairman Charles R. Hoppin  
                  Vice Chair Frances Spivy-Weber  
                  Board Member Tam M. Doduc  
                  Board Member Arthur G. Baggett, Jr.  
                  Board Member Walter G. Pettit

NAY:            None

ABSENT:        None

ABSTAIN:       None

  
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Jeanine Townsend  
Clerk to the Board