

# California Environmental Quality Act Scoping Meeting for Bay-Delta Water Quality Control Plan Implementation Regulation

August 10, 2022



Division of Water Rights

# Meeting Logistics

- Evacuation Instructions
- Instructions to obtain the presentation slides and the recording will be posted on the LSJR Implementation Activities webpage: [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/implementation-activities-lower-san-joaquin-river.html](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/implementation-activities-lower-san-joaquin-river.html)
- If you are attending in person and would like to provide oral comments – submit a speaker card to Water Board staff
- If you are participating online and would like to submit written comments – email [LSJR-SD-Comments@waterboards.ca.gov](mailto:LSJR-SD-Comments@waterboards.ca.gov)

# Today's Presentation

- Notice of Preparation (NOP) and Scoping Meeting
- 2018 Bay-Delta Water Quality Control Plan (Bay-Delta Plan) Update
- 2018 Bay-Delta Plan Implementation
- Project Location and Regulation Area
- Potential Environmental Effects
- Environmental Review
- Public Comments
- Additional Information

# NOP and Scoping Meeting

- NOP and notice of scoping meeting issued pursuant to the California Environmental Quality Act (CEQA) July 15, 2022, revised August 8, 2022
- Purpose:
  - to advise responsible/trustee agencies, Tribes, and others that the State Water Board will prepare a draft Environmental Impact Report (EIR) for a proposed regulation implementing the 2018 Bay-Delta Plan
  - to seek input on significant environmental issues, reasonable alternatives, and mitigation measures that should be addressed in the EIR, with specific input from responsible/trustee agencies on areas of responsibility

# 2018 Bay-Delta Plan Update

- Bay-Delta Plan: Protects water quality in the Bay-Delta watershed
  - Identifies beneficial uses of water, water quality objectives to protect uses, program of implementation (PI) to achieve objectives, and monitoring and special studies
  - Board engaged in a multi-year process to amend Bay-Delta Plan to revise outdated flow objectives for the protection of fish and wildlife in the Lower San Joaquin River (LSJR) and salinity objectives for the protection of agriculture in the southern Delta
- December 12, 2018 – State Water Board adopted amendments
- February 25, 2019 – Office of Administrative Law approval

# Bay-Delta Plan & Updates

- 2009 – Periodic Review and NOP for Bay-Delta Plan amendments
- 2012 – Draft Substitute Environmental Document (SED) and proposed changes LSJR flows & southern Delta salinity
- 2016 – Recirculated SED and revised changes LSJR flows & southern Delta salinity
- Extensive Public Outreach and Engagement
  - 6-month comment period on 2016-2017 Draft SED
  - Public hearings and meetings
  - Additional stakeholder meetings

# LSJR Flow Objectives and PI

- Narrative Objective

- Maintain inflow conditions from San Joaquin watershed to the Delta at Vernalis to support and maintain natural production of viable native San Joaquin River watershed fish populations migrating through the Delta

- Numeric Objective

- Stanislaus, Tuolumne, and Merced Rivers: 40% of unimpaired flow, with adaptive range of 30%-50%, from February through June
- SJR at Vernalis: 1,000 cubic feet/second (cfs), 800-1,200 cfs adaptive range, February through June

- PI: Adaptive Implementation - LSJR flows can be adjusted, including the required flow, shaping, and shifting within the range

# Southern Delta Salinity Objectives and PI

- Numeric Objective
  - Salinity: 1.0 deciSiemens per meter, electrical conductivity, year round
    - SJR at Vernalis
    - SJR from Vernalis to Brandt Bridge
    - Middle River from Old River to Victoria Canal
    - Old River/Grant Line Canal to Head of Old River to West Canal
- PI: Primarily implementation through water right and water quality control actions that affect flow; however, the regulation of discharges of waste is also required

# Implementation of 2018 Bay-Delta Plan

- Proposed regulation to establish responsibility of water right holders/claimants to implement 2018 Bay-Delta Plan
  - Would establish requirements for water right holders/claimants to bypass flows to meet LSJR flow and southern Delta salinity objectives
  - Would establish requirements for water right holders/claimants to meet reservoir storage/refill measures, or other requirements to avoid temperature or other impacts
  - Would provide a path for implementation through voluntary agreements
  - Other requirements for PI elements

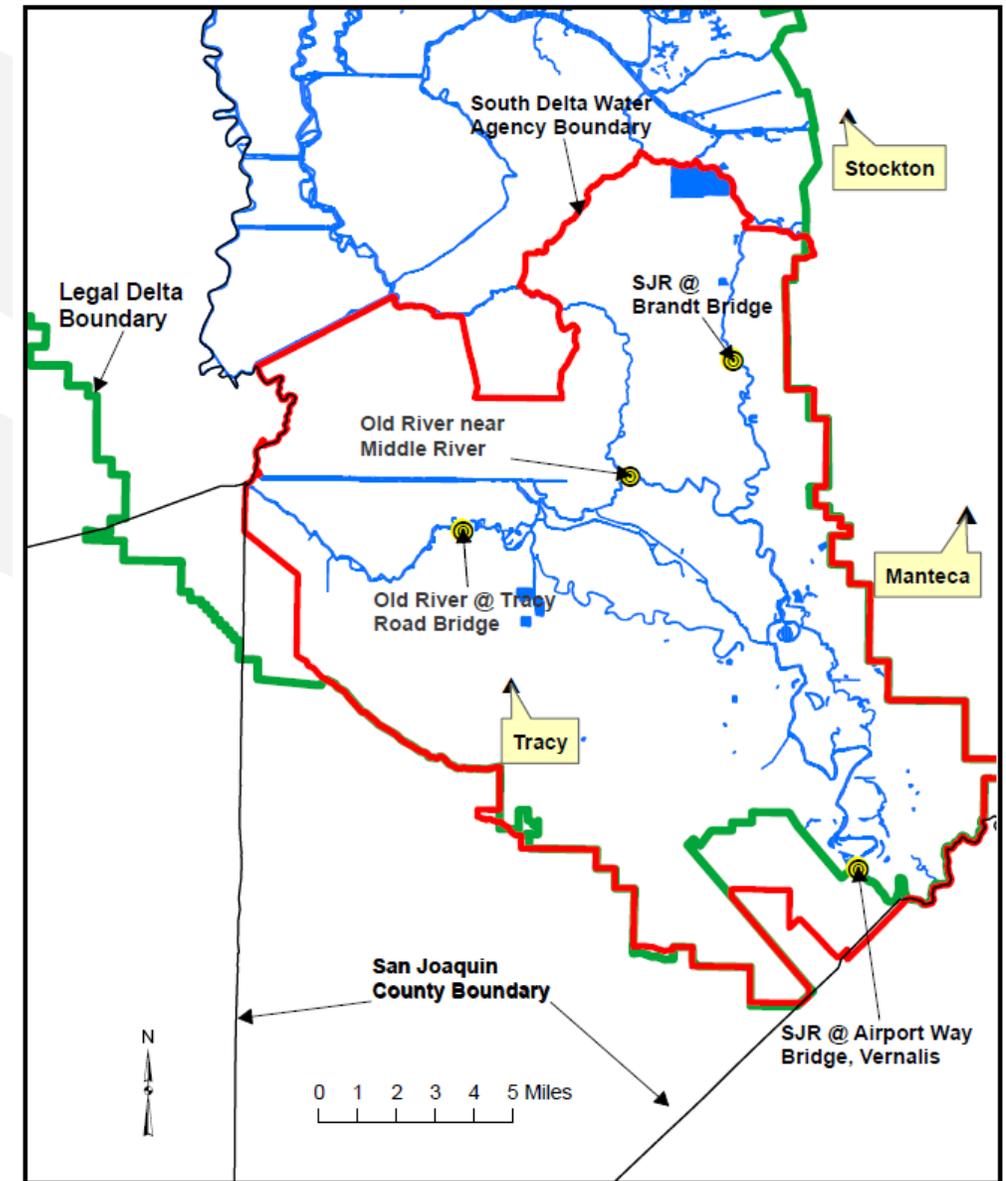
# Project Location

- LSJR flow objectives and PI
  - Stanislaus, Tuolumne, and Merced Rivers
  - San Joaquin River near Vernalis, and through the Delta



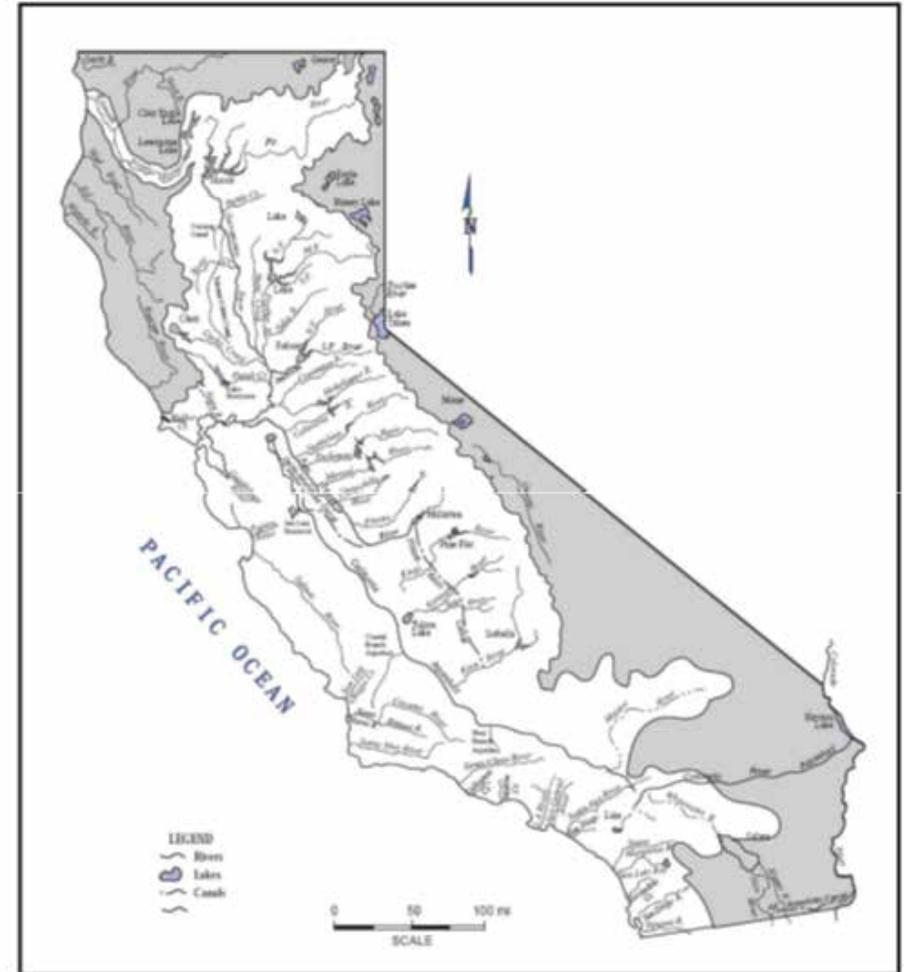
# Project Location

- Southern Delta salinity objective and PI
  - Encompasses the lands and channels from Vernalis north to Stockton
  - Mostly within the boundary of the South Delta Water Agency



# Project Location

- Other areas receiving water exported from the LSJR and Bay-Delta that could be impacted by implementation of the LSJR flow objectives and southern Delta salinity objective
- The nonshaded areas of the map include the Project area and the area of potential environmental effects



# Potential Environmental Effects

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology / Soils
- Greenhouse Gas Emissions
- Hazard and Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation / Traffic
- Tribal Cultural Resources
- Utilities / Service Systems
- Mandatory Findings of Significance

# Environmental Review

- Draft Environmental Impact Report
  - Will tier from the SED supporting the 2018 update to the Bay-Delta Plan
    - Will avoid redundancy with the SED and focus on project-specific impacts
  - Will provide the analysis to support a State Water Board decision regarding adoption of regulations that allocate responsibility for implementing the LSJR flow and southern Delta salinity components of the Bay-Delta Plan
- Any proposed CEQA alternatives must fully implement through a regulation the LSJR flow objectives, southern Delta salinity objective, and the PI for both

# Public Comments

- Electronic submittals to [LSJR-SD-Comments@waterboards.ca.gov](mailto:LSJR-SD-Comments@waterboards.ca.gov) (if less than 15 megabytes in total size)
- Written submittals to  
Division of Water Rights Mail Room  
Attn: San Joaquin Unit  
State Water Resources Control Board  
P.O. Box 100, Sacramento, CA 95812-2000 (mail)  
or  
1001 I Street, 2nd Floor, Sacramento, CA 95814 (hand-delivery)
- Due by Friday, September 9 at 12:00 p.m. (noon)

# Additional Information

- State Water Board's website:  
[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/)
- Sign up for "Bay Delta Notices":  
[https://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html)  
under Water Rights

# Questions?