



Media Release

State Water Board releases draft of possible updates to Bay-Delta Plan for public review

Presented options relate to Sacramento/Delta portions of plan

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SACRAMENTO – In its ongoing effort to address an ecosystem in a state of prolonged decline and improve environmental conditions for fish and wildlife in the Sacramento River and Delta watershed, the State Water Resources Control Board today released for public review and comment a draft of potential options for updating the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta Plan) for the Sacramento River and the Delta and associated tributaries (Sacramento/Delta).

The Bay-Delta Plan establishes beneficial uses of water in the watershed, water quality and flow objectives to reasonably protect those uses, and an implementation program that includes monitoring and reporting requirements. California law requires the State Water Board to adopt and periodically review water quality control plans for all surface waters; these reviews enable the state to adapt to changing environmental conditions as well as other changes. In December 2018, the board adopted updated flow objectives and an implementation program for the reasonable protection of fish and wildlife in the Lower San Joaquin River and its three salmon bearing tributaries: the Stanislaus, Tuolumne and Merced rivers.

“With the release of these possible updates to the Sacramento/Delta portions of the plan, the board would like to hear significant public input, which will be carefully considered as we work toward a comprehensive update that provides for the reasonable protection of beneficial uses of water in the watershed,” said Eric Oppenheimer, the State Water Board’s executive director.

The possible updates include a suite of potential numeric and narrative requirements for Sacramento/Delta inflows, cold water habitat, Delta outflows, and other more minor provisions. While this suite of potential updates is referred to as the “regulatory pathway,” any amendments adopted by the State Water Board, including amendments that incorporate voluntary agreements, would constitute regulatory requirements.



The regulatory pathway specifically includes the following:

- Year-round inflow requirements for the protection of salmon and other species on the Sacramento River, its tributaries, and eastside tributaries to the Delta (the Mokelumne, Calaveras and Consumnes rivers) of 55% of unimpaired flow, adaptively implemented within a range of 45%-65%, with exceptions during dry conditions and to meet human health and safety needs. The board is seeking comments on whether this range should be updated anywhere between 35% and 75%.
- Required tributary inflows protected as Delta outflows to ensure water passes through the watershed to protect fish and wildlife that depend on adequate freshwater outflows for habitat, migration, and food.
- New requirements for cold water habitat in the Sacramento River and Delta eastside tributaries for salmon species that require cold water to survive and reproduce.
- Adaptive management, monitoring, special study, evaluation, and reporting provisions.

The potential draft updates also include options for incorporating voluntary agreements (VAs), known as the [Healthy Rivers and Landscapes proposal](#), submitted by public water agencies, other water users, and state and federal agencies, as an alternative to the regulatory pathway. The VAs comprise voluntary water contributions and physical habitat restoration – both flow and non-flow measures – that are intended to contribute to protections for native fish and the doubling of salmon populations by 2050. The VAs also include monitoring and evaluation provisions.

In addition, the board will consider incorporating the definitions for Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB) beneficial uses into the overall Bay-Delta Plan.

The board has not yet made a decision on how to move forward with the Sacramento/Delta updates and is soliciting public input to inform its decisions. Accordingly, it will hold public workshops and receive comments on the draft updates through early 2025. The board will consider adoption of any changes at a later date.

Background:

The Bay-Delta watershed, which includes the Sacramento and San Joaquin River systems, the Delta, Suisun Marsh and San Francisco Bay, is the hub of the state's water supply network. The river systems, including their tributaries, drain water from about 40% of the state's land area, supporting a variety of beneficial uses. As one of the largest tidal estuaries on the west coast of the Americas, the Bay-Delta provides habitat to a vast array of aquatic, terrestrial, and avian wildlife in the Delta, San Francisco Bay, and near-shore ocean, as well as diverse species upstream of the watershed. The rivers and the Delta also provide a portion of the water supply for two-thirds of Californians and millions of acres of farmland, as well as for a variety of industrial

purposes and commercial and recreational fishing and boating businesses. Additionally, the watershed is of significance to numerous California Native American Tribes whose way of life, culture, religion and sustenance are intricately interwoven.

Among its duties, the State Water Board protects water quality for the Delta and all surface waters through the administration of the Porter-Cologne Act and portions of the federal Clean Water Act.

In response to deteriorating conditions in the Delta, the board initiated two processes to revise, adopt, and implement flow-dependent water quality objectives to protect fish and wildlife. These processes are progressing in different stages. In December 2018, the board adopted updated flow objectives and an implementation program for the reasonable protection of fish and wildlife in the Lower San Joaquin River and its three eastside tributaries: the Stanislaus, Tuolumne and Merced Rivers. The board also revised the southern Delta salinity objectives and program of implementation for the reasonable protection of agricultural uses. The board is currently developing measures to implement the Lower San Joaquin River flow/Southern Delta salinity updates.

Also in 2018, the board released a framework for possible updates to the Sacramento/Delta portions of the Bay-Delta Plan that informed the draft possible updates to the Bay-Delta Plan that were released today. In 2023, the board released a draft staff report that analyzes the potential benefits and impacts associated with the possible Sacramento/Delta updates.

More information about the Bay-Delta Plan update and implementation processes is available on the board's [website](#).

The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources and drinking water for the protection of the environment, public health and all beneficial uses, and to ensure proper resource allocation and efficient use for present and future generations.