

Working Meetings on Draft Sacramento/Delta Updates to Bay-Delta Plan

Working Meeting #2: Inflow Objective
and Program of Implementation



January 28, 2025

Attendees

Welcome to Today's Meeting

- Facilitator
 - Meagan Wylie, Zephyr Collaboration
- Presenter
 - Dr. Laura Twardochleb, Division of Water Rights
- Additional Board staff from the Division of Water Rights and Office of Chief Counsel providing support
- One or two Board members may attend this and other meetings to observe but are not otherwise planning to participate or provide input

Reminders

Format

- 2-hour staff-led virtual meeting
- Staff will present key questions (provided in advance) and slides relevant to today's topic to guide discussion
- Focus only on the major provisions relevant to today's topic
- Participants must raise hand by using hand icon in Zoom or dialing *6 on phone if calling in and wait to speak until you are called upon

Participation Guidelines

- Use appropriate and respectful dialogue
- Stay on topic
- Share speaking time considerately
- Be as concise and specific as possible
- Be open to listening to and understanding different perspectives
- Review relevant sections of draft plan in advance
- Designate point person to speak on group's behalf, if possible
- Provide constructive input
- Avoid general comments

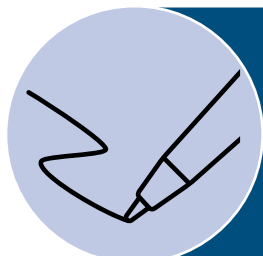
Purpose of Today's Meeting



Discuss the inflow objective and program of implementation provisions in the October 2024 draft Bay-Delta Plan* updates



Hear constructive input on whether and what changes should be made to specific provisions and concepts, if any



Share input with Board to inform development of revised draft Bay-Delta Plan for additional public review and comment

**Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Watershed*

Provisions to be Discussed Today

- Narrative and numeric inflow objective
 - Unimpaired flow range
- Drought provisions
- Implementation through curtailments
- Compliance locations
- Adaptive implementation
- Timelines for implementation

Guiding Questions

- 1) Should the Board consider changes to the default unimpaired flow range of 45-65% for the inflow objective within the range of 35-75% of unimpaired flow (p. 50)?
- 2) What, if any, modifications should the Board consider to the provisions that require lower unimpaired flow levels (45% and 35%) when reservoir storage conditions are low (below 75% and 50% of flood control storage) in order to improve carryover storage conditions and reduce water supply effects during droughts (p. 51-52)?
- 3) Should the Board consider methods other than water right curtailments to implement the numeric inflow objective consistent with the water right priority system (p. 52)?
- 4) What, if any, modifications should the Board consider to the initial compliance locations for the inflow objective or the processes for refining those locations (p. 52)?
- 5) What, if any, modifications should the Board consider to the provisions for adaptive implementation, including allowable flow shaping and moving up or down within the unimpaired flow range (p. 54)?
- 6) Should the Board consider modifications to the required timeline and provisions for implementation of the inflow objective (p. 52)?

Narrative and Numeric Inflow Objective

COMPLIANCE LOCATIONS	PARAMETER	DESCRIPTION (UNIT)	WATER YEAR TYPE	TIME PERIOD	VALUE
SACRAMENTO RIVER/DELTA TRIBUTARY FLOWS					
Sacramento River and its tributaries and the Mokelumne, Calaveras and Cosumnes Rivers (collectively, Delta eastside tributaries)	Flow rate	Narrative and cfs	All	Year round	<p>Maintain inflow conditions from the Sacramento River/Delta tributaries sufficient to support and maintain the natural production of viable native fish populations and to contribute to Delta outflows. Inflow conditions that reasonably contribute toward maintaining viable native fish populations include, but may not be limited to, flows that more closely mimic the natural hydrographic conditions to which native fish species are adapted, including the relative magnitude, duration, timing, quality and spatial extent of flows as they would naturally occur.</p> <p>Maintain inflows from the Sacramento/Delta tributaries at 55% of unimpaired flow, within an allowed adaptive range between 45 and 65% of unimpaired flow, except where specific exceptions apply. <i>[Note to reader: The percent of unimpaired flow range included in this objective reflects what was considered in the September 2023 draft Staff Report. The State Water Board is still in the process of determining specific changes to the Bay-Delta Plan and these numbers may change based on additional consideration and public input.]</i></p>

Reference: Table 3. Water Quality Objectives for Fish and Wildlife Beneficial Uses (pp. 17-18)

Unimpaired Flow Range

- In addition to adjustments to the unimpaired flow range due to low reservoir storage levels (to be discussed later), the required percent of unimpaired flow may be adjusted to any value between 45 and 65 percent of unimpaired flow, inclusive.
- Flows may be lower in the range if:
 - 1) lower flows provide for the reasonable protection of fish and wildlife or to further assist in meeting the cold water habitat objective and narrative provisions of the inflow objective, including to preserve reservoir storage supplies to maintain water quality and temperature conditions or for the protection of native fish species; or
 - 2) where successful local cooperative solutions achieve the narrative provisions of the inflow objective and the cold water habitat objective using a combination of flow and other measures to achieve comparable benefits as would be achieved under default implementation.

Inflow Objective Applies To

- The inflow objective applies throughout the Sacramento/Delta watershed, including on the Sacramento/Delta tributaries that support or contribute to the protection of anadromous fish species:
 - American River
 - Antelope Creek
 - Battle Creek
 - Bear Creek
 - Bear River
 - Big Chico Creek
 - Butte Creek
 - Cache Creek
 - Calaveras River
 - Clear Creek
 - Cosumnes River
 - Cottonwood Creek
 - Cow Creek
 - Deer Creek
 - Elder Creek
 - Feather River
 - Mill Creek
 - Mokelumne River
 - Paynes Creek
 - Putah Creek
 - Mainstem Sacramento River
 - Stony Creek
 - Thomas Creek
 - Yuba River
- All water right holders on these tributaries are subject to the provisions of the objective, except those determined to have a de minimis effect on inflows.
- The numeric provisions will be implemented by requiring a year-round minimum flow level of 55 percent of unimpaired flow on a minimum 7-day running average from each of the Sacramento/Delta tributaries unless a different flow level applies or adaptive implementation provisions are being implemented.

Drought Provisions

Tributaries with reservoirs listed in Table 6 of the Bay-Delta Plan may adjust within the range of percent of unimpaired flow in order to allow for improved reservoir storage conditions in dry periods for the benefit of cold water habitat protection and to minimize water supply impacts. During the period of October 1 through March 31, required tributary inflows are reduced during specified low reservoir storage levels as follows:

- During the October 1 through March 31 period when collective reservoir storage in a tributary is less than 75 percent of the allowable flood control storage level as specified by the USACE or other appropriate flood control agency acceptable to the Executive Director, the required minimum inflow level is reduced to 45 percent of unimpaired flow.
- During the October 1 through March 31 period when collective reservoir storage in a tributary is less than 50 percent of the allowable flood control storage level as specified by the USACE or other appropriate flood control agency acceptable to the Executive Director, the required minimum inflow level is reduced to 35 percent of unimpaired flow.

Implementation of Numeric Objective

- Numeric provisions of the inflow objective will be implemented by limiting water diversions to ensure flow requirement remains instream
- Demands for water that exceed available supplies while preserving instream flows and amounts needed to serve senior water right demands will be curtailed in order of water right priority unless an exception to curtailment applies
- Water that would otherwise be available under the water right holder's priority of right that is bypassed or released from storage is not abandoned and is not available for downstream diversion
 - Water Code 1707 petitions are not required to protect this water
- An implementation methodology will be developed to determine when water is not available under specific water rights

Initial Compliance Points

- Initial compliance points where the numeric provisions will apply include:
 - the confluence of Sacramento/Delta tributaries with the Sacramento River;
 - at the confluence with the Legal Delta for the Cosumnes, Calaveras, and Mokelumne Rivers;
 - on the mainstem of the Sacramento River at the confluence with the Delta;
 - and, where applicable, at upstream locations on Sacramento/Delta tributaries at the confluence with each major Sacramento/Delta tributary fork as identified in Table 5
- Locations may be updated by Executive Director as part of public process to develop implementation methodology or through review processes

Adaptive Implementation

- To optimize flows to benefit fish and wildlife while also minimizing water supply impacts and allow objective to be implemented in a coordinated fashion with cold water habitat and inflow-based Delta outflow provisions
- May be allowed on a seasonal, annual, or long-term basis as part of local cooperative solutions or Executive Director (annual or seasonal only) or Board requirement
- Any adjustments will be subject to public process and Executive Director (annual or seasonal only) or Board approval
- Must be informed by best available science, including monitoring and evaluation of effectiveness of measures in meeting the narrative objectives and biological goals when available

Timelines for Implementation

Implementation of inflow objective to begin within two years of adoption (p. 52)

- Possibility of one year extension approved by Executive Director
- Full implementation within five years if Executive Director approves incremental implementation
- Curtailment regulations to be adopted within two years of adoption of Sacramento/Delta updates to the Bay-Delta Plan (p. 65)
- Adjustments for adaptive implementation and compliance locations to occur as part of annual and periodic reviews (p. 52-54)

Guiding Questions

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Next Meeting

Jan. 28	<i>Inflow Objective and Program of Implementation</i>	Feb. 13	<i>Provisions for Continuation, Modification, or Termination of VAs*</i>
Jan. 29	Cold Water Habitat Objective and Program of Implementation	Feb. 19	<i>VA* Habitat Commitments and Accounting Provisions</i>
Jan. 30	<i>Inflow-Based Delta Outflow Objective and Program of Implementation</i>	Feb. 20	<i>Monitoring and Evaluation for VA* Provisions</i>
Feb. 4	<i>Methodology to Determine Water Unavailability and Implement Bay-Delta Plan</i>	Feb. 27	<i>VA* Flow Commitments and Accounting</i>
Feb. 5	<i>Monitoring and Evaluation for Regulatory Provisions</i>	Mar. 4	<i>Tribal Provisions</i>



Register via links provided in January 3 letter:

www.waterboards.ca.gov/bay_delta/docs/2025/ltr-baydeltaplan-workmtgs.pdf

**Voluntary Agreements, also referred to as the Healthy Rivers and Landscapes Proposal*

Resources and Contact Information

- Sacramento/Delta Update to Bay-Delta Plan: waterboards.ca.gov/bay_delta/comp_review.html
- Proposed VAs: waterboards.ca.gov/bay_delta/proposed_voluntary_agreements.html
- Bay-Delta Watershed: waterboards.ca.gov/bay_delta/
- Email: SacDeltaComments@waterboards.ca.gov



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