



One Water and Stewardship Committee

Update on State and Federal Bay-Delta Regulatory Processes

Item 6a

January 13, 2025

Item 6a

Update on State and Federal Bay-Delta Regulatory Processes

Subject

Update on State and Federal Bay-Delta Regulatory Processes

Purpose

Provide update to the Board on current status of the Reinitiation of Consultation on Long-Term Operations of the SWP and CVP and the Water Quality Control Plan Update and Proposed Healthy Rivers and Landscapes Program

Next Steps

Return to the Board with regular Bay-Delta regulatory updates and additional updates as needed

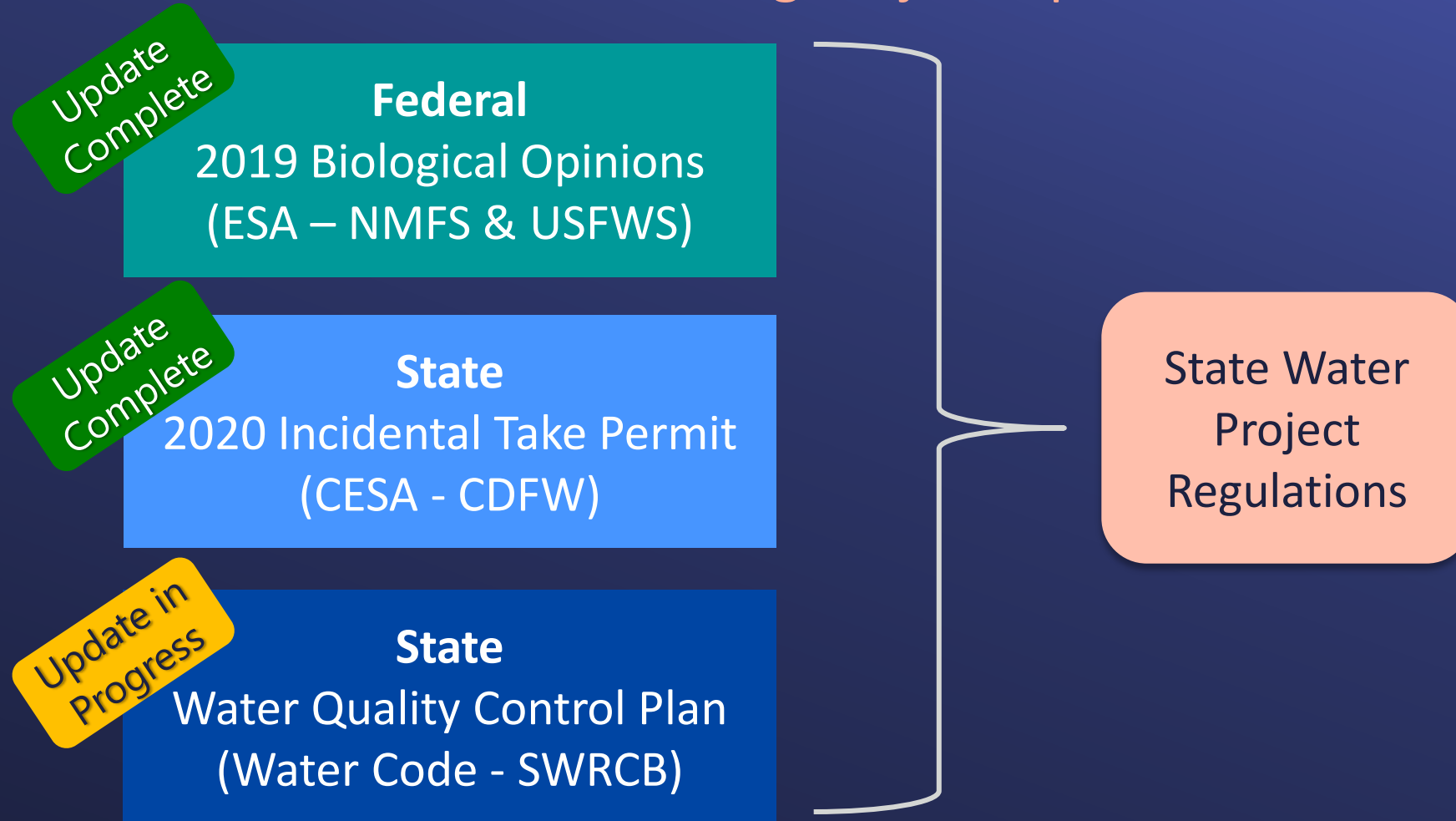
Update on State and Federal Bay-Delta Regulatory Processes

Presentation Summary

- Regulatory Overview
- Reinitiation of Consultation on Long-Term Operations of the SWP and CVP
- Water Quality Control Plan Update and Proposed Healthy Rivers and Landscapes Program
- Next Steps

SWP Regulatory Overview

Key Permits and Standards Governing Project Operations



ESA = Endangered Species Act

CESA = California Endangered Species Act

NMFS = National Marine Fisheries Service

USFWS = United States Fish and Wildlife Service

CDFW = California Department of Fish and Wildlife

SWRCB = State Water Resources Control Board



Reinitiation of Consultation on Long-Term Operations of the SWP and CVP

Reinitiation of Consultation on Long-Term Operations

Timeline Milestones



2024 ITP and BiOps - Key Takeaways

- Total mitigation funding commitments are about the same as in 2020
- OMR criteria are generally consistent and relatively unchanged
 - White Sturgeon included in the ITP only
- Summer-fall outflow 100 TAF action removed
- Spring outflow reverts to HRL after approval

Reinitiation of
Consultation
on Long-Term
Operations



2024 ITP– Remaining Issues

- Technical operational and mitigation requirements that should be further clarified and resolved
- NGO & CVP legal action on EIR/ITP
 - SF Baykeeper
 - California Sportfishing Protection Alliance
 - Tehama-Colusa
 - Central & South Delta Water Agencies

Reinitiation of
Consultation
on Long-Term
Operations

water quality control plan

Sacramento-San Joaquin Delta and Suisun Marsh



August 1978

STATE WATER RESOURCES CONTROL BOARD

Update and Proposed Healthy Rivers and Landscapes Program

Water Quality Control Plan Background

Why

- Required under the Porter-Cologne and Clean Water Acts

What

- Identifies beneficial uses of water including municipal, agricultural and environmental uses
- Adopts water quality objectives for the reasonable protection of beneficial uses
- Standards impact SWP and CVP operations

When

- Periodic review required under Clean Water Act and Porter Cologne

WQCP Update Timeline

Update to 2006 Water
Quality Control Plan begins

2009

Phase 2:
Sacramento
River & Delta

In-Progress

Phase 1:
San Joaquin River
December 2018

Implementation Phase:
Assignment of
responsibilities for
Phase 1 & 2

Future

Water Quality Control Plan Update Recent Activities

HRL Workshops April 2024

- Overview of flow & non-flow measures, science plan, governance, and enforcement

Draft Program of Implementation October 2024

- Describes how water quality objectives will be met
- Workshops in late 2024 and early 2025
- Public comment ends in January 2025

Program of Implementation



Preliminary Concerns, Potential Focus of Comments

- Need to reflect HRL accurately as submitted
- Program of Implementation needs to be actionable
- Improved tribal engagement
- Efficient State Board Oversight
- Appropriate monitoring & reporting
- State Board should not include provisions that would severely limit viability of Sites & DCP
 - Appropriate conditions can be applied during the future hearings for those projects

Update on State and Federal Bay-Delta Regulatory Processes

Next Steps

- Long-Term Operations Process
 - Future updates to the Board as needed
- Water Quality Control Plan Process
 - Submit comment letter
 - Participate in ongoing & future workshops
 - Updated Bay-Delta Plan anticipated in mid 2025

