



Update on Voluntary Agreements

Board Meeting
Item 10-1
August 17, 2021

Overview

- Water Quality Control Plan (WQCP) background
- Voluntary Agreement approach
- Moving forward

State Water Board Regulatory Authority

- Responsible for developing and updating the Bay-Delta Water Quality Control Plan
- Establishes water quality objectives to protect beneficial uses
- Periodic review required

State Water Board's Process

2009

- Current review/update of the 2006 WQCP began in 2009

2010

- Flow Criteria workshops and report

2011

- Lower San Joaquin River and Southern Delta – Scientific Basis Report

2013

- Lower San Joaquin River and Southern Delta – Draft CEQA document

2016

- San Francisco Bay/Sacramento – San Joaquin Delta Estuary – Draft Scientific Basis Report

2017

- Lower San Joaquin River and Southern Delta – Revised Draft CEQA document

2017

- San Francisco Bay/Sacramento – San Joaquin Delta Estuary – Final Scientific Basis Report

2018

- Lower San Joaquin River and Southern Delta – Final Environmental Document & SWRCB Adoption

Complexities of Regulatory Approach

2019 Biological Opinions/Incidental Take Permit/Water Quality Control Plan



Winter/Spring X2
Summer Flow

Shasta Reservoir

Temperature Management

Shasta Reservoir

Temperature Management

Summer/Fall Habitat Actions

Sacramento

Fish and Wildlife Flows

Summer/Fall Habitat Actions

Cross

Channel Gates

Cross Channel Gates

Agriculture/Urban Salinity

Old and Middle River
Reverse Flows

Inflow/Export Ratio

Old and Middle River
Reverse Flows

SWP Pumps Export/Import Ratio

San Joaquin River
Inflow/Export Ratio

CVP Pumps

Same Water Quality Criteria Different Implementation Approaches

Narrative Objectives: Salmon and Viability Objectives

Regulatory Approach

- Only flow requirements
- No specific funding provisions

Voluntary Agreements

- Flow and non-flow actions
- Science Program
- Funding commitments

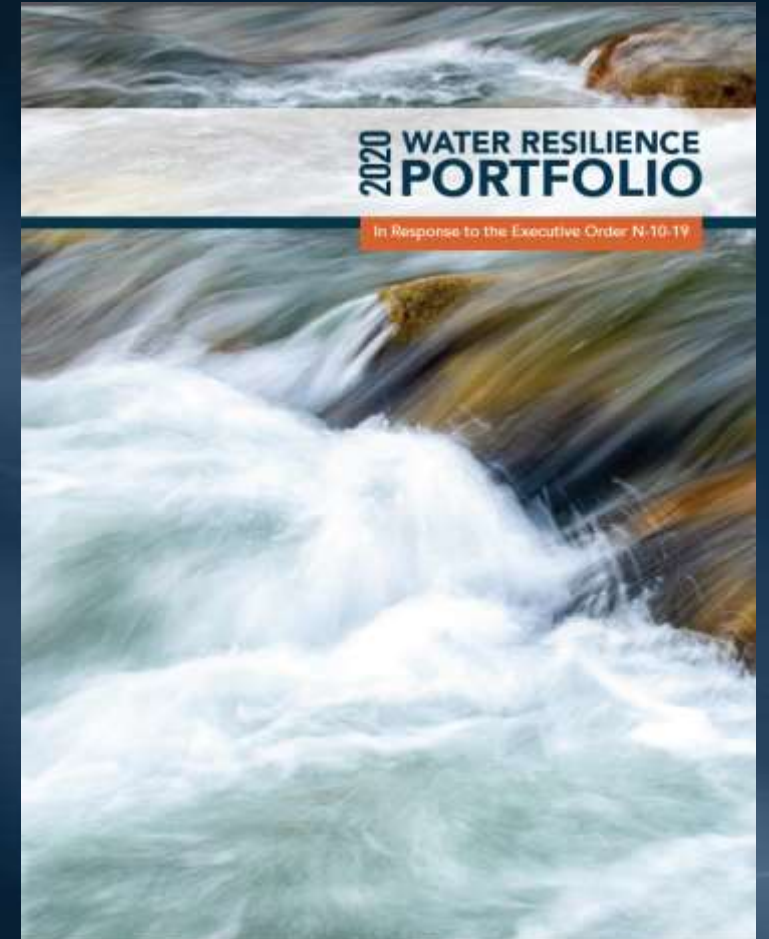
Watershed-wide Voluntary Agreements Components



- Watershed-wide
- Specified term of agreements
- Early implementation actions
- Science and Governance Program (Adaptively Managed)
- Commitments
 - Funding
 - Flow
 - Habitat

Voluntary Agreement Consistent with State Policy

- Voluntary Agreements align with:
 - Water Resilience Portfolio
 - State's priorities in Executive Orders (Drought and Biodiversity)
 - State's desire to fund multiple benefit programs



Voluntary Agreements Status

2018

- State presented Voluntary Agreements to State Water Board

2019

- State submitted Voluntary Agreements proposal to State Water Board

2020

- State presented Framework of Voluntary Agreements

2021

- Water users worked on proposal and discussions with State

August
2021

- State presented its most recent Framework for Voluntary Agreements

Current

- Water users continue to work with State

Voluntary Agreements

Key Agreements

- MOU (Term Sheet and Appendices)
- Global Agreements
 - Structure
 - Funding
 - Science Program
 - Governance
(all Voluntary Agreements parties)
- Implementing Agreements



Water Quality Control Plan Update with Voluntary Agreements

- Agreement on MOU
- State Board considers Voluntary Agreements as an alternative implementation of narrative objectives in Substitute Environmental Document
- Approval of the Update to the Water Quality Control Plan that includes the Voluntary Agreements
- Implementation of Voluntary Agreements

SWP Flow Issues Related to Litigation

BiOps

Incidental Take Permit

WQCP/VAs

SWP can only provide a discreet amount of outflow
Flow is involved in all of the permits

