



**Linda S. Adams**  
Secretary for  
Environmental Protection

## Division of Water Rights

1001 I Street, 14<sup>th</sup> Floor ♦ Sacramento, California 95814 ♦ 916.341.5300  
P.O. Box 2000 ♦ Sacramento, California 95812-2000 ♦ Fax 916.341.5400  
♦ [www.waterboards.ca.gov/waterrights](http://www.waterboards.ca.gov/waterrights) ♦



**Arnold Schwarzenegger**  
Governor

## NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

### ON THE REVIEW OF AND POTENTIAL MODIFICATIONS TO THE SAN JOAQUIN RIVER FLOW AND SOUTHERN DELTA SALINITY OBJECTIVES INCLUDED IN THE 2006 WATER QUALITY CONTROL PLAN FOR THE SAN FRANCISCO BAY/ SACRAMENTO- SAN JOAQUIN DELTA ESTUARY

This notice is to advise interested persons of the opportunity to submit comments and information on the review of and potential modifications to San Joaquin River flow and southern Delta salinity objectives included in the 2006 Water Quality Control Plan for the San Francisco Bay/ Sacramento-San Joaquin Delta Estuary (Bay-Delta) (2006 Bay-Delta Plan), and a program of implementation to achieve these objectives. On October 29, 2010, the State Water Resources Control Board (State Water Board) issued a notice of a public workshop, scheduled for January 2011, and opportunity for public comment on a Draft Technical Report on the scientific basis for alternative San Joaquin River flow and southern Delta salinity objectives (Draft Technical Report) ([http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/bay\\_delta\\_plan/water\\_quality\\_control\\_planning/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/)). By this notice, the State Water Board seeks additional information regarding the water quality control planning process that will not be addressed at its January 2011 technical workshop.

The State Water Board seeks any information related to the State Water Board's review and potential modification of the objectives and program of implementation beyond that covered by its October 29, 2010, workshop notice regarding the Draft Technical Report. This information may include information pertaining to the program of implementation, economics, or any other pertinent information. Any additional information must be submitted by the deadline below in order to be fully considered by the State Water Board in its review and development of potential modifications to San Joaquin River flow and southern Delta salinity objectives in the 2006 Bay-Delta Plan and a program of implementation to achieve these objectives. A public workshop to discuss the information and comments received in response to this notice may be scheduled at a later date.

### BACKGROUND

In July of 2008, the State Water Board adopted a Strategic Workplan for Activities in the Bay-Delta, which identifies actions that the State Water Board, Central Valley Regional Water Quality Control Board, and San Francisco Bay Regional Water Quality Control Board will take to protect beneficial uses in the Bay-Delta. Among other activities, the Strategic Workplan calls for the review and potential amendment of the southern Delta salinity and San Joaquin River flow objectives included in the 2006 Bay-Delta Plan and their implementation.

*California Environmental Protection Agency*

On February 13, 2009, the State Water Board released a Notice of Preparation and of Scoping Meeting for Environmental Documentation for the Update and Implementation of the Bay Delta Plan: Southern Delta Salinity and San Joaquin River Flows, and the associated scoping meeting was held on March 30, 2009. Also on February 13, 2009, the State Water Board issued a notice of public staff workshop, which was subsequently held on April 22, 2009, to receive further information and conduct discussions regarding southern Delta salinity and San Joaquin River flow objectives. A follow-up staff workshop was held on June 19, 2009, to update the public on progress to date with associated San Joaquin River flow modeling. On August 13, 2009, and November 11, 2009, two public staff workshops were held as a continuation of that process as it related to southern Delta salinity, specifically for Dr. Glen Hoffman to present the draft study report entitled Salt Tolerance of Crops in the Southern Sacramento-San Joaquin Delta (Study Report) and discuss responses to written comments and how the comments would be addressed in the final Study Report.

A public workshop is scheduled for January 6 and 7, 2011, for the presentation and discussion of the Draft Technical Report. The information and tools described in the Draft Technical Report are intended to provide the State Water Board with the scientific information and tools needed to develop alternative San Joaquin River flow and southern Delta salinity objectives. The workshop is primarily intended to discuss what, if any, changes should be made to the Draft Technical Report prior to the scientific peer review of that report. Following the workshop, the State Water Board will make any necessary changes to the Draft Technical Report and will submit the report for scientific peer review. The Final Technical Report, developed after consideration of comments from the workshop and peer review, will support development of alternative San Joaquin River flow and southern Delta salinity objectives to be further analyzed in a Substitute Environmental Document (SED). The information received during the workshop and pursuant to the October 29, 2010, notice, along with information submitted pursuant to this information request, will inform development of the SED and any decision by the State Water Board concerning what, if any, changes should be made to the San Joaquin River flow and southern Delta salinity objectives, and a program of implementation to achieve these objectives.

#### **PROCEDURAL MATTERS**

Written comments and other information related to the review of and potential amendments to the San Joaquin River flow and southern Delta salinity objectives included in the 2006 Bay-Delta Plan, and a program of implementation to achieve these objectives must be submitted by noon on Tuesday, February 8, 2011. In order to allow adequate time for processing and review in this water quality control planning process, it is important that comments be submitted by this date.

As explained in State Water Board's October 29, 2010, workshop notice, written comments on the Draft Technical Report and related information must be submitted by noon on Monday, December 6, 2010, and will be discussed at the January 6 and 7, 2011, workshop. These timeframes are unchanged by this notice. Information and comments submitted for the January 2011 workshop by the December 6, 2010, deadline do not need to be resubmitted on February 8, 2011.

Persons submitting comments are encouraged to submit their materials/comments electronically. Documents submitted electronically must be in Adobe Portable Document Format (PDF). Electronic submittals to the State Water Board of documents less than 11 megabytes in total size (incoming mail server attachment limitation) may be sent via electronic mail to: bay-delta@waterboards.ca.gov, with a subject of "Nov 2010 SJR flow and S. Delta salinity Response." For electronic submittal of documents greater than 11 megabytes in size, please contact Kari Kyler at (916) 445-5987, or by email at kkyler@waterboards.ca.gov, or send the documents by regular mail in PDF format on compact disc media to the address below. Copies of all comments submitted will be posted on the State Water Board website for the information of other persons.

The State Water Board requests six copies of the written comments be sent to:

Kari Kyler  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, CA 95812-2000

Written comments may also be delivered by hand to the following address:

Division of Water Rights File Room  
State Water Resources Control Board  
Cal/EPA Headquarters  
1001 "I" Street, 2nd Floor  
Sacramento, CA 95814

Couriers delivering comments must check in with lobby security and have them contact the State Water Board's second floor mailing room. Any comments sent by electronic mail or fax must be followed by a mailed hard copy with an original signature.

#### ADDITIONAL INFORMATION

Questions concerning this notice may be directed to Kari Kyler, Environmental Scientist, at (916) 445-5987 or by email at [kkyler@waterboards.ca.gov](mailto:kkyler@waterboards.ca.gov).

Nov. 22, 2010  
Date

Barbara Evoy  
Barbara Evoy, Deputy Director  
Division of Water Rights

