

1 [Urging Adoption of State Water Board Proposed Updates to the 2006 Bay-Delta Plan and
2 Subsequent Voluntary Agreements]

3 **Resolution urging the State Water Board to act at its November 7, 2018 meeting to**
4 **adopt the current proposed update to the 2006 Water Quality Control Plan, and**
5 **further urging the State Water Board to allow SFPUC, other water agencies, and**
6 **environmental and fishing groups to enter into voluntary agreements in a timely**
7 **manner for consideration by the State Water Board prior to implementation of the**
8 **proposed Plan update.**

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10 WHEREAS, The San Francisco Bay/Sacramento-San Joaquin River Delta Estuary (the
11 “Bay-Delta Estuary”) is critical to the natural environment and economy of the State of
12 California, providing drinking water to two-thirds of the State’s population, supplying some of
13 the State’s most productive agricultural areas, and constituting one of the largest ecosystems
14 for fish and wildlife habitats and production in the United States; and

15 WHEREAS, The Tuolumne River, which flows into the Bay Delta Estuary, is the
16 primary water source for more than 2.7 million people in the Bay Area via the San Francisco
17 Public Utilities Commission (SFPUC); and

18 WHEREAS, The Water Quality Control Plan for the San Francisco Bay/Sacramento-
19 San Joaquin Delta Estuary (the “Bay-Delta Plan”) establishes beneficial uses of the Bay-Delta
20 Estuary and water quality objectives in furtherance of those beneficial uses; and

21 WHEREAS, The Porter-Cologne Act, also known as the California Water Code, was
22 established in 1969 and authorized the California State Water Board to create the Bay-Delta
23 Plan and issue updates to the Plan; and

24 WHEREAS, The State Water Board’s last amendments to the Bay-Delta Plan were
25 completed in 2006, and the most recent substantive changes to water quality objectives,

1 implementation program, and monitoring and special studies in the Bay-Delta Plan were
2 completed in 1995; and

3 WHEREAS, In 2009, California lawmakers passed Senate Bill 1, the Delta Reform Act,
4 which required State agencies to look at upstream river flows, or “flow criteria,” as part of a
5 more holistic approach to regulating the entire watershed; and

6 WHEREAS, Pursuant to the mandate of the 2009 Delta Reform Act, the State Water
7 Board adopted Resolution No. 2010-0039 approving its Final Report on Development of Flow
8 Criteria for the Sacramento-San Joaquin Delta Ecosystem, which found, based on the best
9 available science, that current flows are insufficient to protect public trust resources, and
10 suggested maintenance of 60% flow on the lower San Joaquin River during the months of
11 February through June in order to sufficiently protect Delta fisheries, assuming, for sake of
12 analysis, that habitat conservation was the sole beneficial use of the subject flows; and

13 WHEREAS, The current proposed update to the Bay-Delta Plan seeks to strike a
14 balance between multiple beneficial uses, including an update to San Joaquin River flow
15 objectives to both protect fish and wildlife beneficial uses while protecting other agricultural
16 and urban beneficial uses; and

17 WHEREAS, In seeking this balance between various beneficial uses, the State Water
18 Board has recommended updating the Plan to require 40% unimpaired flow from each of the
19 Stanislaus, Tuolumne, and Merced Rivers from February through June in order to maintain
20 inflow conditions from the San Joaquin River watershed to the Delta sufficient to support and
21 maintain the natural production of viable native San Joaquin River watershed populations,
22 including maintenance of flows that more closely mimic the natural hydrographic conditions to
23 which native fish species are adapted; and

24 WHEREAS, The Plan provides for flexibility through “adaptive management” which
25 optimizes flows to achieve the aforementioned environmental objectives and further states

1 that voluntary agreements, including commitments to meet flow requirements and to
2 undertake non-flow actions, can help inform and expedite implementation of the Plan’s
3 objectives; and

4 WHEREAS, In recent years, up to 90% of the water has been taken out of the San
5 Joaquin River, causing salmon populations to plummet from approximately 70,000 Chinook
6 salmon in 1984 to just 8,000 in 2014; and

7 WHEREAS, The National Wildlife Federation classifies Chinook salmon as an
8 important keystone species of the region, a vital food source for a diversity of wildlife including
9 orcas, bears, seals and large birds of prey, and a proverbial “canary in the coalmine” relative
10 to the impact of climate change on the health of regional ecosystems; and

11 WHEREAS, The debate around water supply and environmental and fishery uses of
12 Bay-Delta water flows has, in recent months, become a matter of national political
13 significance, as President Trump and his administration have overtly politicized matters better
14 addressed through peer-reviewed, relevant science and innovative solutions to regional water
15 use; now, therefore, be it

16 RESOLVED, That the San Francisco Board of Supervisors urges the State Water
17 Board to act at its November 7, 2018 meeting to adopt the current proposed update to the
18 2006 Water Quality Control Plan, and further urges the State Water Board to allow SFPUC,
19 other water agencies, and environmental and fishing groups to enter into voluntary
20 agreements in a timely manner for consideration by the State Water Board prior to
21 implementation of the proposed Plan update; and, be it

22 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the
23 SFPUC to take necessary and immediate steps to further diversify its water supply; and, be it

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1 FURTHER RESOLVED, That the Clerk of the Board of Supervisors forward this
2 Resolution to the SFPUC, California State Water Board, and each of the City's elected State
3 and Federal representatives.

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