United States Department of the Interior

Comments Regarding the California State Water Resources Control Board's Notice of Public Workshops for the San Joaquin River Flow and Salinity Objectives for the San Francisco/Sacramento-San Joaquin Delta Estuary

April 6, 2009

I. Introduction

The United States Department of the Interior (Interior) on behalf of the Bureau of Reclamation (Reclamation) and the Fish and Wildlife Service (Service) is pleased to participate in the State Water Resources Control Board (SWRCB or the Board) April 22, 2009 workshop regarding the San Joaquin River Flow and Salinity Objectives for the San Francisco/Sacramento-San Joaquin Delta Estuary. With the impending end of the San Joaquin River Agreement (SJRA), also comes the end of the so-called Reclamation agreement to "backstop[1]" San Joaquin River flow objectives at Vernalis, in lieu of the Board assigning responsibility to all water users of the San Joaquin and its tributaries. However, as evidence mounts regarding declining fisheries, Interior is committed to assisting the Board with resolving San Joaquin River flow issues, especially with how those flows impact the San Francisco/Sacramento-San Joaquin Delta Estuary (Delta) and San Joaquin River fisheries.

This past fall, for the September 17, 2008, Board workshop, Interior provided written comments regarding several items, including: (1) the Department of Fish and Game (DFG) San Joaquin River Salmon Escapement Model; (2) the Vernalis Adaptive Management Plan (VAMP); (3) the declining fisheries in the San Joaquin basin; (4) other beneficial uses in the San Joaquin basin; and (5) the San Joaquin River Agreement.

Rather than reiterate our previous comments, Interior now provides brief comments on the San Joaquin River Agreement and Interior's recommendation that the Board evaluate the San Joaquin flow and salinity objectives in an open, collaborative process among federal and state agencies, and interested parties, using new information and models that have been developed during the past few years.

San Joaquin River Agreement (SJRA)

As we discussed in September, the SJRA was entered into by Reclamation and the Service in 1999 as a result of negotiations with the California Department of Water Resources (DWR), fishery agencies and various San Joaquin River interests (the San Joaquin River Group Authority). The SJRA expires on December 31, 2009. Interior agencies are currently working

[1] Reclamation has agreed to be responsible, to the best of its ability, for the Vernalis Spring Flow (or baseflow) Objective, generally for the term of the San Joaquin River Agreement (SJRA).

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with the interested parties to extend the existing Agreement and VAMP for a two year period so as to provide the target pulse flows at Vernalis through 2011.

Recommendation

Interior believes that sufficient San Joaquin flows are important for emigrating salmonids and federally listed delta smelt. Sufficient flows on each of the tributaries are important for spawning, rearing, and outmigration of salmonids in the San Joaquin basin. It is important to consider that relying on Vernalis flows solely from the Stanislaus River is not reasonable and does not address the fishery needs on the Tuolumne and Merced rivers. Since the SJRA will be extended through 2011, Interior urges the Board to use the next two years to collect sufficient data and information, including new hydrological and biological tools developed in the past few years, and facilitate an open, cooperative process among federal and state agencies, and interested parties, to accurately understand the fishery and other beneficial use needs, hydrology, water supply availability and other dynamics of the San Joaquin Basin in order to adopt and implement appropriate flow and salinity standards for the San Joaquin River. The end result of such analysis, in our view, would put the Board in a position where it could adopt, implement and enforce a workable plan for apportioning responsibility for flow and salinity standards on the San Joaquin River among all basin water users and diverters.

Conclusion

Interior looks forward to participating in the Board's April 22, 2009 San Joaquin workshop, as well as subsequent workshops held by the Board regarding important lower San Joaquin/south Delta issues. Our goal is to provide the Board with meaningful information regarding Interior's knowledge and experience with managing water supplies and studying fishery needs in the lower San Joaquin River, its tributaries, and the south Delta. Although the SJRA is coming to an end, Interior remains committed to assisting the Board with better future regulation and management of the beneficial uses of the San Joaquin/south Delta.

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