Changes to Proposed Final Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary

The Proposed Final Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) noticed and made available to the public on July 6, 2018, contain the State Water Resources Control Board's revisions and clarifications to proposed changes to the 2006 Bay-Delta Plan in response to comments. As explained in the July 6, 2018, notice, proposed changes to the Bay-Delta Plan are shown in underline and ~~strikeout~~, and revisions to the proposed changes are shown in double underline and ~~double strikeout~~. The Proposed Final Amendments are located in Appendix K, Revised Water Quality Control Plan, of the Final Substitute Environmental Document supporting the amendments.

For ease of understanding changes to the Proposed Final Amendments made since July 6, 2018, changes previously shown in underline and ~~strikeout~~, and revisions to the proposed changes previously shown in double underline and ~~double strikeout~~, are shown as clean text in this change sheet.

The revisions that are shown in **black bold single underline** and ~~**black bold single strikeout**~~ in this change sheet reflect subsequent changes made to the Proposed Final Amendments with this Change Sheet #1. The revisions are made in response to comments submitted on July 27, 2018, on the Proposed Final Amendments or initiated by staff to provide additional clarity.

1. Modify Chapter III.B, Table 2, footnote 5 (p. 16) to state:

   The ~~S~~salinity objective~~s are~~ **is** subject to the Variance Policy, Salinity Variance Program and Salinity Exception Program adopted in Central Valley Regional Water Board Resolution No. R5-2014-0074**, as may be amended**.

2. Modify Chapter IV.A.3, Stanislaus, Tuolumne and Merced Working Group (p. 32) to state:

   The State Water Board will seek participation in the STM Working Group by the following entities who have expertise in LSJR, Stanislaus, Tuolumne, and Merced Rivers fisheries management, hydrology, operations, and monitoring and assessment needs: the DFW; NMFS; USFWS; and water **diverters and** users on the Stanislaus, Tuolumne, and Merced Rivers.

3. Modify Chapter IV.B.1, Comprehensive Operations Plan (p. 44) to add the following sentence after the first sentence in the first full paragraph:

   The Executive Director will act on the COP after providing notice and opportunity for comment.

4. Modify Chapter IV. B.1., related the Central Valley Regional Water Board regulation of municipal publicly owned treatment works on page 46 to 49 as follows:

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The Central Valley Regional Water Board shall regulate impose discharge controls on in-Delta discharges of salts by agricultural, municipal POTW, and other dischargers consistent with applicable state and federal law, including, but not limited to, establishing water-quality based effluent limitations and compliance **where they are applicable**, monitoring and reporting requirements as part of the reissuance of National Pollutant Discharge Elimination System (NPDES) permits under the Clean Water Act and the regulations thereunder. In most, if not all, cases, it may be infeasible for POTWs discharging to the southern Delta to comply with traditional numeric water-quality based effluent limitations for salts in NPDES permits **where they are applicable**.

. . .

Where it is or becomes feasible for a POTW to comply with numeric water quality based effluent limitations for salts, the Central Valley Regional Water Board shall require them in the applicable NPDES permit. In such cases, POTW compliance actions include, without limitation, source control, such as reducing salinity concentrations in source water supplies; pretreatment programs, such as reducing water softener use among water users; and desalination. **In that event, the Central Valley Regional Water Board may grant compliance schedules for compliance actions where appropriate. All compliance schedules shall be in accordance with the State Water Board Compliance Schedule Policy, Resolution No. 2008-0025, except that the salinity water quality objective for the southern Delta set forth in Table 2 shall be considered a "new water quality objective" as used in the Compliance Schedule Policy.** Where appropriate, the Central Valley Regional Water Board may also grant variances in accordance with applicable state and federal law.

. . .

Upstream of Vernalis San Joaquin River Salinity Objectives: CV-SALTS established a subcommittee that developed a proposal for, and the Central Valley Regional Water Board approved, a basin plan amendment to the Water Quality Control Plan for the Sacramento River Basin and San Joaquin River Basin to establish numerical salinity objectives and a program of implementation for the Lower San Joaquin River upstream of Vernalis. **Those objectives are not affected by the Bay-Delta Plan.**

Changes to Draft Resolution Attachment 1, Draft CEQA Findings and Statement of Overriding Considerations Prepared for Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary

The following staff-initiated change is made to Attachment 1 of the Draft Resolution, which contains the Draft CEQA Findings and Statement of Overriding Considerations Prepared for Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. Modify the language on page 1-54 as follows:

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In addition, the total volume and range of flows provided by this alternative, 20 to 30 percent of unimpaired flow, do not meet the project purpose and goal **as well as LSJR Alternatives 3 and 4** to allow adaptive implementation of flows that will afford maximum flexibility in establishing beneficial habitat conditions for native fish, addressing scientific uncertainty and changing conditions, developing scientific information that will inform future management of flows, and meeting biological goals while still reasonably protecting the fish and wildlife beneficial uses.

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