NOTICE OF PUBLIC MEETING AND CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE SAN FRANCISCO BAY/SACRAMENTO–SAN JOAQUIN DELTA ESTUARY AND FINAL SUBSTITUTE ENVIRONMENTAL DOCUMENT

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board ("State Water Board") will hold a public meeting to consider adoption of proposed amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (the "Bay-Delta Plan") and the supporting proposed final Substitute Environmental Document ("Final SED"). An opportunity to submit written comments on modifications to the proposed amendments is being provided, as described below.

The proposed amendments include new and revised flow objectives for the Lower San Joaquin River ("LSJR") and its tributaries, the Stanislaus, Tuolumne, and Merced Rivers, for the reasonable protection of fish and wildlife beneficial uses and revised salinity water quality objectives for the reasonable protection of southern Delta agricultural beneficial uses, as well as a program of implementation for these objectives ("Proposed Final Amendments"). The proposed Final SED evaluates the potential environmental impacts, benefits, and economic impacts of the proposed amendments and includes written responses to comments received during the extensive comment period that ended March 17, 2017.

In response to the comments received, the text of the proposed amendments was modified. Those changes are identified in double strikeout and double underline in the Proposed Final Amendments, which are included as an appendix to the Final SED (Appendix K, *Revised Water Quality Control Plan*). The public may submit written comments on the changes that are identified in double strikeout and double underline in Appendix K, *Revised Water Quality Control Plan,* in accordance with the procedures of this notice. The comment period on the adequacy of the SED concluded in March 2017, and the State Water Board will not accept written comments on this matter.

The date, time, and location of the meeting to receive oral public comments and for consideration of adoption is:

Tuesday, August 21, 2018, 9:30 a.m.
and
Wednesday, August 22, 2018, 9:30 a.m.
Joe Serna Jr. CalEPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

The meeting may be continued if necessary.

BACKGROUND

The San Francisco Bay/Sacramento-San Joaquin River Delta Estuary ("Bay-Delta") is important to the natural environment and economy of California. The Bay-Delta Plan protects water quality in the Bay-Delta watershed by identifying the beneficial uses of the waters, water quality objectives to protect those uses, and a program of implementation to achieve the water quality objectives. The Porter-Cologne Water Quality Control Act and the federal Clean Water Act require the State Water Board to regularly review and update the Bay-Delta Plan, which was last updated in 2006.

Since adoption of the 2006 Bay-Delta Plan, concerns related to adequate flows for protection of fish and wildlife have escalated and new information on crop salinity tolerances in the southern Delta has emerged. In 2009, the State Water Board initiated review of the Bay-Delta Plan LSJR flow and southern Delta water quality objectives and the program of implementation for those objectives. In December 2012, the State Water Board released draft amendments to the Bay-Delta Plan ("2012 Draft Amendments") and a draft substitute environmental document ("2012 SED") and provided opportunity for written public comment and oral comment at a hearing that concluded in March 2013. In consideration of the large number of public comments received on the 2012 Draft Amendments and 2012 SED, and new additional information, the State Water Board released revised amendments to the Bay-Delta Plan on September 15, 2016 ("2016 Draft Amendments") and recirculated a substantially revised draft substitute environmental document ("Recirculated SED") in its entirety for public review and comment. The review and comment period on the 2016 Draft Amendments and Recirculated SED lasted for six months and included a five-day public hearing in four cities that concluded on January 3, 2017. The public comment period closed at 12 noon on March 17, 2017.

The 2016 Draft Amendments included the following elements: (1) new and revised narrative and numeric flow objectives for the LSJR, the Stanislaus, Tuolumne, and Merced Rivers for the reasonable protection of fish and wildlife beneficial uses, (2) revised salinity water quality objectives for the reasonable protection of agricultural beneficial uses in the southern Delta, (3) a program of implementation to achieve those objectives, and (4) monitoring and special studies necessary to fill information needs and determine the effectiveness of, and compliance with, the new objectives. The new and revised flow objectives would require increased flows in February through June that can be adaptively implemented under the program of implementation to reasonably protect fish and wildlife beneficial uses. The revised salinity water quality objective would increase the existing objectives, which are lower than necessary to reasonable protect agricultural beneficial uses in the southern Delta.

The State Water Board has considered all oral testimony and timely written public comments on the 2016 Draft Amendments and Recirculated SED. The State Water Board has prepared responses to those comments and made modifications to the 2016 Draft Amendments and the Recirculated SED that are reflected in the Proposed Final Amendments and the Final SED based on the comments received. At the public meeting, the State Water Board will consider adoption of the Proposed Final Amendments and the Final SED.

DOCUMENT AVAILABILITY

The Final SED includes the Proposed Final Amendments (located in Appendix K, *Revised Water Quality Control Plan*), responses to comments, and modifications to the Recirculated SED. The Final SED is available on the State Water Board's web site at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/bay_delta_plan/water_quality_control_planning/2018_sed/.

For a reasonable cost for copying, you may obtain an electronic copy of the documents on disk by contacting the Division of Water Rights Records Unit at (916) 341-5421 or at dwr@waterboards.ca.gov.

SUBMISSION OF WRITTEN COMMENTS ON REVISED APPENDIX K

The text of the Proposed Final Amendments is found in Appendix K of the Final SED. Extensive public participation, including review and comment, was already provided on the prior draft documents. The public comment period on the Recirculated SED closed on March 17, 2017 and, except for Appendix K as specified below, no additional written comments on the Final SED will be accepted, consistent with the State Water Board's regulations. (Cal. Code Regs., tit. 23, § 3779, subd. (e).)

The State Water Board will only accept written comments on the revisions to the 2016 Draft Amendments that are reflected in the Proposed Final Amendments in double underline and double strikeout, located in Appendix K, *Revised Water Quality Control Plan,* of the Final SED. Written comment letters must be **received by 12:00 p.m. (noon) on Friday, July 27, 2018**.

The State Water Board requests that comment letters on the changes to Appendix K be submitted via email to Jeanine Townsend, Clerk to the Board, by email at LSJR-SD-Comments@waterboards.ca.gov (please note that the email capacity is less than 50 megabytes total). Please title the subject line: "Comment Letter – Revisions to Proposed Bay-Delta Plan Amendments." Electronic submission by email in pdf text format is preferred.

If submitting a hard copy of a comment letter, please address the letter to the attention of Jeanine Townsend, Clerk to the Board, State Water Resources Control Board, 1001 I Street, 24th Floor, Sacramento, CA 95814. Couriers delivering comment letters in person to CalEPA Headquarters Building must check in with lobby security personnel.

PROCEDURAL MATTERS

At the public meeting at which the State Water Board will consider adopting the Proposed Final Amendments and Final SED, interested persons will have an opportunity to comment orally on the proposed action. The State Water Board may consider and adopt changes to the Proposed Final Amendments consistent with the general purpose of the amendments.

There will be no sworn testimony or cross-examination of participants. However, the State Water Board and its staff may ask clarifying questions. In order to ensure a productive, efficient, and fair meeting in which participants have an opportunity to be heard, oral comments will be limited to **three minutes** per speaker or as otherwise directed by the State Water Board Chair depending upon the number of commenters waiting to be heard on a given day.

FUTURE NOTIFICATIONS

The State Water Board will hold the public meeting at the time and location noted above. Any change in the date, time, and location will be provided by notices sent via the Lyris e-mail list. Any person desiring to receive future notices on this matter must sign up for the Lyris e-mail list. To sign up, access the E-mail List Subscription form, click on the "Water Rights" title bar, select the box for "Bay-Delta Notices" and provide the required information. The form is located at: https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

WEBCAST INFORMATION
Video and audio broadcasts of the public meeting will be available via the internet and can be accessed at: https://video.calepa.ca.gov/.

CALIFORNIA ENVIRONMENTAL QUALITY ACT
This is to advise that the State Water Board is considering amending the Bay-Delta Plan in accordance with a regulatory program exempt under Section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and with other applicable laws and regulations.

PARKING AND ACCESSIBILITY
For directions to the Joe Serna, Jr. CalEPA Headquarters Building and public parking information, please refer to the map on the State Water Board Web site: http://www.calepa.ca.gov/headquarters-sacramento/location/.

The CalEPA Headquarters Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5254 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922. Video and audio broadcasts of the meeting will be available via the internet and can be accessed at: https://video.calepa.ca.gov/.

On-site Spanish translation may be provided upon request. For more information, or to request Spanish interpreting services, please contact Chris Carr at (916) 341-5305 or chris.carr@waterboards.ca.gov, no later than August 6, 2018.

Durante la reunión se proveerá servicio de intérprete en español si alguien lo solicita. Para más información o para solicitar servicios de intérprete en español, puede contactar a Chris Carr, (916) 341-5305 o chris.carr@waterboards.ca.gov, a más tardar para el Agosto 6, 2018.

All visitors to the CalEPA Headquarters Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

ADDITIONAL INFORMATION
For more information on this matter, please direct questions to Chris Carr at (916) 341-5305 or chris.carr@waterboards.ca.gov, or Tim Nelson at (916) 445-5987 or timothy.nelson@waterboards.ca.gov.

July 6, 2018
Date

Jeanine Townsend
Jeanine Townsend
Clerk to the Board