

**Agenda Item: 6**  
**Meeting Date: September 9, 2004**

**CALIFORNIA BAY-DELTA PUBLIC ADVISORY COMMITTEE**  
**STATE WATER RESOURCES CONTROL BOARD'S PERIODIC REVIEW**  
**OF ITS BAY-DELTA WATER QUALITY CONTROL PLAN**

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**Summary:** Both the California Water Code and Federal Clean Water Act require that water quality standards be reviewed periodically. The State Water Resources Control Board has announced it will consider holding a series of workshops to consider potential revisions to its 1995 Water Quality Control Plan for the Bay-Delta.

**Recommended Action:** This is an informational item only. No action will be taken.

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**Background**

On September 14, 2004, the State Water Resources Control Board (SWRCB) will hear public comments concerning the proposal by its staff to conduct workshops this fall on various issues surrounding water quality objectives contained in its 1995 Water Quality Control Plan (Attachment 1). On September 30, 2004, SWRCB will be asked to approve a resolution adopting the recommendations in the staff report, including any amendments that may occur as a result of comments received.

The staff proposal is to schedule a number of workshops from October 12 through November 17, 2004 (Attachment 2). It is proposed that the workshops include the following topics in the order set forth below:

1. Objectives Related to Delta Outflow
  - a. Delta outflow
  - b. River flows: Sacramento River at Rio Vista
  - c. River flows: San Joaquin River at Airport Way Bridge, Vernalis:  
February-April 14 and May 16-June
  - d. Export limits
2. Flow Objectives in the San Joaquin River at Airport Way Bridge, Vernalis;  
31 day pulse flow April 15-May 15

3. Salinity Objectives
  - a. Southern Delta electrical conductivity
  - b. Chloride objectives, compliance location at Control Costa Canal at Pumping Plant #1, and potential new objectives
4. Miscellaneous Topics
  - a. Salmon protection
  - b. Delta cross-channel gates closure
  - c. Changes to water quality compliance and baseline monitoring program
5. Recommended changes to the Program of Implementation

All interested persons may submit to the SWRCB for its consideration on September 14, information regarding the staff proposal to conduct the workshops. Comments may address both the workshop schedule proposed by staff and the suggested topics for discussion at the workshops. Comments regarding the specifics of any particular objective that may be under review will be taken at the follow-up workshops tentatively scheduled for October and November. After SWRCB concludes any follow-up workshops, SWRCB staff will propose specific revisions to the 1995 Plan and will prepare the necessary environmental documents associated with those revisions. If revisions are recommended, SWRCB will consider those revisions at a future workshop.

### **List of Attachments**

Attachment 1 - Agenda Item for September 14, 2004 SWRCB Workshop  
Attachment 2 - Notice of Proposed October-November 2004 Workshops

### **Contact**

Gita Kapahi, Chief  
Special Projects Unit, Division of Water Rights  
State Water Resources Control Board

Phone: (916) 341-5289



**STATE WATER RESOURCES CONTROL BOARD**

**WORKSHOPS**

**Wednesday, September 8, 2004 – 10:00 a.m.**  
Coastal Hearing Room – Second Floor  
Joe Serna Jr./Cal/EPA Building  
1001 I Street, Sacramento

**AND**

**Tuesday, September 14, 2004 – 10:00 a.m.**  
Central Valley Auditorium – Second Floor  
Joe Serna Jr./Cal/EPA Building  
1001 I Street, Sacramento

**SEPTEMBER 8 WORKSHOP**

**PUBLIC FORUM**

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction provided the matter is not on the Board's agenda, or pending before the Board or a Regional Board. *Presentations at the Public Forum will be limited to 5 minutes or otherwise at the discretion of the Chairman.*

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**CONSENT AGENDA (Items 1-5)**

**FINANCIAL ASSISTANCE**

**1. Consideration of a resolution approving a project and authorizing issuance of a grant to East Merced Resource Conservation District for Pin 901, Merced River Alliance Project (Pin 901 project), under the consolidated watershed protection, watershed management, and nonpoint source pollution control grants program**

**2. Consideration of a resolution adopting the proposed revision to the Costa-Machado Water Act of 2000**

**(Proposition 13) Priority List, Pesticide Research and Identification of Source, and Mitigation (PRISM) Grant Program**

**3. Consideration of a resolution adopting the proposed revision to the Costa-Machado Water Act of 2000 (Proposition 13) Phase III Priority List**

**WATER QUALITY**

**4. Consideration of a resolution adopting regulations that require electronic submittal of information for groundwater cleanup programs**

**5. Consideration of a resolution approving an amendment to the Water Quality Control Plan for the Los Angeles Region revising a total maximum daily load for trash for Ballona Creek and Ballona Creek Wetland**

**REGULAR AGENDA (Items 6-10)**

**WATER RIGHTS**

**6. Informational report by the Bay/Delta project operators regarding the temporary relaxation of two western Delta salinity objectives authorized under Water Right Order 2004-0033-DWR in response to the Jones Tract levee break**

**WATER RIGHTS**

7. Consideration of a resolution adopting proposed emergency regulations revising the State Water Resources Control Board's Water Right and Water Quality certification fee schedules [For copies of the proposed revisions to the regulations, visit our web site at <http://www.waterrights.ca.gov/fees/> or call our fee phone line at 916-341-5431.]

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**WATER QUALITY**

8. Consideration of a resolution approving an amendment to the Water Quality Control Plan for the Santa Ana Region to incorporate an updated Total Dissolved Solids (TDS) and Nitrogen Management Plan including revised groundwater subbasin boundaries, revised TDS and nitrate-nitrogen water quality objectives for groundwater, revised TDS and nitrogen wasteload allocations, revised reach designations, and TDS and nitrogen objectives and beneficial uses for specific surface waters

**Items 9 and 10 will not be heard prior to 11:00 a.m.**

**FINANCIAL ASSISTANCE (PETITION)**

9. Consideration of an order in the matter of the petition of Murray Kelsoe for review of a decision by the Division of Financial Assistance, State Water Resources Control Board, regarding eligibility of a claim to the Underground Storage Tank Cleanup Fund SWRCB/OCC File UST-208 (As previously noticed, written comments period on the draft order must be received by 5:00 p.m., August 31, 2004.)

**Item 11 will not be heard prior to 11:00 a.m.**

10. Consideration of a resolution to adopt the Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List (As previously noticed, written comments are due by 5:00 p.m., August 25, 2004.) (To view draft Section 303(d) Listing Policy go to [http://www.swrcb.ca.gov/tmdl/303d\\_listing.html](http://www.swrcb.ca.gov/tmdl/303d_listing.html))

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**SEPTEMBER 14 WORKSHOP**

**REGULAR AGENDA (Item 1)**

1. Consideration of a proposed resolution adopting the draft staff report on the periodic review of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (To view draft staff report and associated documents go to <http://www.waterrights.ca.gov/baydelta/Triennial%20Plan.htm>)

The State Water Resources Control Board encourages submittal of written comments. **Written comments must be submitted by 5:00 p.m., September 1, 2004 for the September 8 Workshop agenda items; and by 12:00 p.m., September 8, 2004 for the September 14 agenda item.** Time limitations on presentations may be imposed. See "Presentations to the Board" at <http://www.swrcb.ca.gov/board.html>.

>>Written comments on agenda items are to be **addressed and submitted to Debbie Irvin**, Clerk to the Board, either by email at [dirvin@swrcb.ca.gov](mailto:dirvin@swrcb.ca.gov); fax (916) 341-5620; or mail addressed to the State Water Resources Control Board, P. O. Box 100, Sacramento, California, 95812-0100. Please also indicate in the subject line, "COMMENT LETTER – xx/xx/04 (date of meeting) WORKSHOP/BOARD MEETING, and ITEM NUMBER \_\_". Thank you.<<

**All visitors are required to sign in and receive a badge prior to attending any meeting. Valid picture identification may be required due to the security level so please allow up to 15 minutes for this process. Individuals who require special accommodations are requested to contact Adrian Perez, Office of Employee Assistance, at (916) 341-5880. TTY users may contact the California Relay service at 1-800-735-2929 or voice line at 1-800-735-2922.**

This notice can be accessed electronically at <http://www.swrcb.ca.gov> and agenda items/associated reports after August 31, 2004. For a map of our location, see <http://www.calepa.ca.gov/EPABldg/location.htm>. If you have questions about the September 8 or September 14 agenda, contact Debbie Irvin via email or call (916) 341-5600.



**Terry Tamminen**  
*Secretary for  
Environmental  
Protection*



**Arnold Schwarzenegger**  
*Governor*

**NOTICE OF PUBLIC WORKSHOP**

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**Consideration of Potential Amendments or Revisions of the**  
**Water Quality Control Plan for the**  
**San Francisco Bay/**  
**Sacramento-San Joaquin Delta Estuary**

Commencing at 10:00 a.m. on October 12, 2004 and  
continuing on October 13 and 14;  
October 27, 28 and 29; November 9 and 10; and  
November 15, 16 and 17  
(additional days may be added as necessary)

at Joe Serna, Jr. (Cal EPA) Building  
Sierra Hearing Room or Coastal Hearing Room  
1001 I Street  
Sacramento, California

Note 10:00 a.m. start on initial day and various starting times and  
locations on subsequent days.  
See table for specific times and locations.

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**SUBJECT OF WORKSHOP**

The purpose of this multiple-date workshop is to receive information and conduct detailed discussions regarding specific plan amendments or revisions of the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary adopted in 1995 (1995 Plan).

**BACKGROUND**

Under its authority to protect beneficial uses of water, the State Water Resources Control Board (SWRCB) adopted the 1995 Plan on May 22, 1995, in Resolution No. 95-24. The 1995 Plan superseded the Water Quality Plan for Salinity (adopted in May 1991, in Resolution No. 91-34) and the Water Quality Control Plan for the Sacramento-San Joaquin Delta and Suisun Marsh (adopted in August 1978, in Resolution No. 78-43). Water Code section 13240 requires that water quality control plans be periodically reviewed. The federal Clean Water Act, at section 303(c) (33 U.S.C., § 1313(c)) requires a triennial review of state water quality "standards," as defined in the Act.

The SWRCB conducted a periodic review of the 1995 Plan earlier in 2004. At a workshop on the periodic review, held by the SWRCB on January 8, 2004, and in written comments filed by February 5, 2004, numerous participants recommended that the SWRCB adopt various

amendments of the 1995 Plan. SWRCB staff members have compiled a staff report<sup>1</sup> detailing the comments and making staff recommendations as to the parts of the 1995 Plan that the SWRCB should or should not consider amending.

## **WORKSHOP SCHEDULE AND TOPICS**

### **Times and Locations of Public Workshop**

October 12	10:00 a.m.	Sierra Hearing Room
October 13	9:00 a.m.	Coastal Hearing Room
October 14	9:00 a.m.	Sierra Hearing Room
October 27	9:00 a.m.	Sierra Hearing Room
October 28	9:00 a.m.	Sierra Hearing Room
October 29	9:00 a.m.	Sierra Hearing Room
November 9	10:00 a.m.	Sierra Hearing Room
November 10	9:00 a.m.	Sierra Hearing Room
November 15	9:00 a.m.	Sierra Hearing Room
November 16	10:00 a.m.	Coastal Hearing Room
November 17	9:00 a.m.	Sierra Hearing Room

The workshop will address the topics recommended in the staff report on the periodic review. The SWRCB will consider adopting the staff report at the September 30, 2004 Board Meeting.

The workshop will include the following topics in the order set forth below.

1. Objectives Related to Delta Outflow
  - a. Delta outflow
  - b. River flows: Sacramento River at Rio Vista
  - c. River flows: San Joaquin River at Airport Way Bridge, Vernalis:  
February - April 14 and May 16 - June
  - d. Export limits
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  - a. Salmon protection
  - b. Delta cross channel gates closure
  - c. Changes to the water quality compliance and baseline monitoring program
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<sup>1</sup> The staff report is available at <http://www.waterrights.ca.gov/baydelta/Triennial%20Plan.htm> or by calling Ms. Gita Kapahi at (916) 341-5289, or via U.S. mail: Ms. Gita Kapahi, Chief, Bay/Delta Unit, P.O. Box 2000, Sacramento, CA 95812-2000.

## PROCEDURAL MATTERS

The workshop will commence at 10:00 a.m. on October 12, 2004 and will continue through the workshop schedule from one topic to the next until discussion of all topics is completed. At the close of each workshop day, staff will post on the Division website an update as to what topics were covered on that day, which topic will be addressed at the beginning of the following workshop day, and any changes to the meeting schedule. At the beginning of each topic, the Board member leading the workshop will determine the order of the presentations. Participants are encouraged to summarize their written materials. To ensure that the workshop moves efficiently and that everyone has an opportunity to participate, oral presentations may be subject to time limits. Participants with similar comments are requested to make joint presentations. Due to the continuous nature of the workshop, all participants should be prepared early in the workshop to address all of the topics in which they have an interest.

The workshop will be informal. There will be no sworn testimony or cross-examination of participants, but the SWRCB and its staff may ask clarifying questions.

After the workshop, the SWRCB staff will prepare plan amendments or a revised plan, including appropriate environmental documentation in accordance with Public Resources Code section 21080.5. (See Cal. Code Regs., tit. 14, § 15251(g), and tit. 23, § 3775, et seq.) After staff has prepared the draft plan amendments or a draft revised plan and environmental documentation, the SWRCB will provide notice of a public hearing to consider whether to adopt the proposed amendments or revised plan, pursuant to Water Code section 13244. After the hearing, the SWRCB will prepare responses to comments on significant environmental points and will then schedule a Board meeting to vote on a resolution adopting the plan amendments or revised plan.

By Thursday, October 7, 2004, participants should submit documents that include: (1) detailed written technical information, (2) recommended language for plan amendments or revisions, and (3) legal justification for the plan amendments or revisions they are seeking. At the workshop, the participants will be given an opportunity to supplement their written materials with oral presentations.

The SWRCB requests that an original plus 16 copies of written comments be sent to:

Debbie Irvin, Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100, Sacramento, CA 95812

Written comments may also be sent by electronic mail to [dirvin@swrcb.ca.gov](mailto:dirvin@swrcb.ca.gov), faxed to Ms. Irvin at (916) 341-5620, or delivered by hand to the following address:

State Water Resources Control Board  
Cal/EPA Headquarters  
1001 "I" Street  
Sacramento, CA 95814

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

All documents submitted timely will be posted on the Division of Water Rights website at <http://www.waterrights.ca.gov/baydelta/Triennial%20Plan.htm>. Each participant is requested to bring additional copies of any written submittals to the workshop for the use of the other participants on the day the participant expects to make a presentation.

### **PARKING AND ACCESSIBILITY**

The enclosed maps show the location of the Joe Serna, Jr. (Cal EPA) Building and public parking sites in the immediate vicinity. The Sierra and Coastal Hearing Rooms in the Joe Serna, Jr. (Cal EPA) Building are accessible to persons with disabilities.

Due to enhanced security precautions at the Joe Serna, Jr. (Cal EPA) Building, all visitors are required to sign in prior to attending any meeting. Visitors must sign in and obtain badges in the Visitor and Environmental Services Center, which is just inside and to the left of the building's public entrance. Visitors may be asked to show valid picture identification. Valid identification can take the form of a current driver's license, military identification card, or state and federal identification cards. Depending on the size and number of meetings scheduled on any given day, the security check-in could take from three to fifteen minutes. Please allow adequate time to sign in before being directed to your meeting.

### **ORIGINAL SIGNED BY**

Debbie Irvin  
Clerk to the Board

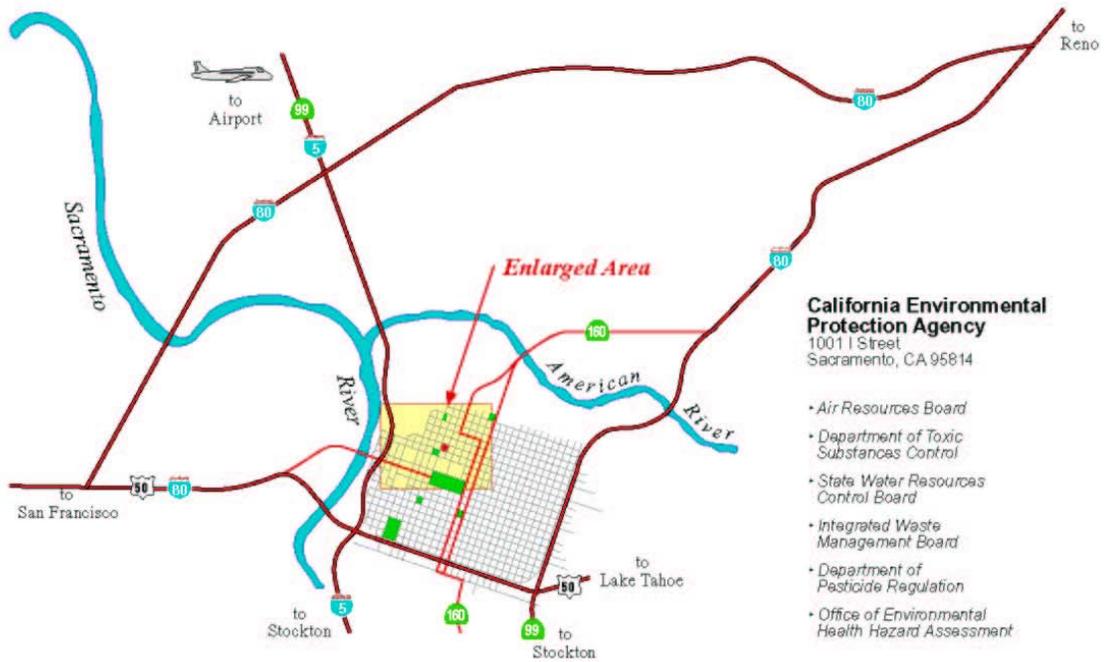
Dated: August 17, 2004

Enclosure

**Enclosure**

GK:llv 08/04/04;jmtipps08.16.04

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**Parking Lot Locations**



**Parking Lot Locations**

- Lot 1 (7th & G St.)
- Lot 2 (7th & G St.)
- Lot A (7th & Capitol)
- Lot C (14th & H St.)
- Lot G (3rd & L)
- Lot H (10th & L)
- Lot I (10th & I, 11th & I)
- Lot K (6th & J/L, 7th & K)
- Lot P (2nd & I)
- Lot U (5th & J)
- Lot W (2nd & I St.)