



January 10, 2020

Joaquin Esquivel, Chair
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Re: Bay-Delta Water Quality Control Plan Implementation

Dear Chair Esquivel,

On behalf of Sierra Club's more than half a million members and supporters statewide, I write to follow up on my public comments given at the State Water Resources Control Board's ("Board") December 18, 2019 meeting urging the Board to pursue rapid implementation of Phase I of the 2018 Update to the Bay-Delta Water Quality Control Plan adopted over a year ago, and set new water quality objectives for Phase II as quickly as possible.

At its December 2018 meeting, the Board committed to providing the voluntary agreement ("VA") participants the opportunity to develop an agreement that would be at least as protective and restorative of the Delta as the 2018 Update. In doing so, the Board gave participants 1 year to bring the Board an adequate VA package.

Since then, the public has learned that the current VA process is both procedurally and substantively deficient. Not only has the process not met the timeline afforded, and will likely result in unenforceable funding commitments and flow requirements, the process has not provided adequate flow standards that will restore the Bay-Delta estuary.

The California Water Code and federal Clean Water Act authorize states to establish water quality standards and requires reviews of those standards at least every three years. The last comprehensive update of the Bay-Delta Water Quality Control plan was in 1995, with the most recent update, before the one adopted in 2018, occurring in 2006.

While swift review and adoption are required by the Water Code and federal Clean Water Act, both this Board's own science and the 2019 State of the Estuary report further illustrate the need for implementation of the 2018 update objectives and rapid development of Phase II requirements. Without speedy action, severely endangered fish populations will continue to decline and toxic threats such as algal blooms will continue to plague Delta communities. Both scenarios will only be compounded by new federal rules increasing Delta diversions and exports and the state's advancing of ill-advised conveyance projects.

The time is now for the Board to move forward, do what is legally required, and implement the more protective objectives adopted over a year ago. Any delay in implementation due to the Board's encouragement of the voluntary agreements must end. The Delta ecosystem and its residents depend on it.

Sincerely,

A handwritten signature in black ink, appearing to read "Brandon Dawson", with a long horizontal flourish extending to the right.

Brandon Dawson
Policy Advocate

CC: Jared Blumenfeld - Secretary, California Environmental Protection Agency
Dorene D'Adamo - Vice Chair, State Water Resources Control Board
Tam Doduc - Member, State Water Resources Control Board
Sean Maguire - Member, State Water Resources Control Board
Laurel Firestone - Member, State Water Resources Control Board
Eileen Sobeck - Executive Director, State Water Resources Control Board
Christine Hironaka - Deputy Cabinet Secretary, Office of the Governor