

October 30, 2013

Felicia Marcus, Chair  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

Dear Chair Marcus:

We are writing to bring your attention to our concerns about two key planning efforts underway for the Bay-Delta system. We are deeply concerned about the long-term health of the San Francisco Bay-Delta Estuary in light of the serious decline of biological and public trust resources in recent years, and ask you to make improved freshwater flows to the Estuary a priority as you complete these planning efforts.

The State Board is going to play a defining role in the health of the Estuary and its tributary watersheds through the update of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan and the Bay Delta Conservation Plan (BDCP).

We encourage the State Board to seize the historic opportunity presented through these planning efforts to ensure additional freshwater flows for the San Francisco Bay-Delta Estuary. The science is clear that current conditions do not meet the state's co-equal goals. The Delta Reform Act of 2009 requires that water quality is improved throughout the Estuary, not just for water exported from the Delta. Therefore, we ask you to ensure improved freshwater flows are part of any plan to fix California's water supply through the following actions:

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Barbara Salzman  
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Sam Ziegler

**1) Increase Total Delta Outflows and Bay Inflows over Current Degraded Conditions through Phase 1 and Phase 2 Updates to the Bay-Delta Water Quality Control Plan**

**2) Require the BDCP to analyze the impacts of its proposed project on the San Francisco Bay.**

Your 2010 report, *Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem*, provided clear conclusions on the flows needed to protect fish and wildlife. The extensive analysis done for that report demonstrated a strong scientific basis for significantly increased flows over current levels, with recommendations of 60% of unimpaired San Joaquin River inflow from February through June, 75% of unimpaired Sacramento River inflow from November through June, and 75% of unimpaired Delta outflow from January through June.

The 2011 *State of the Bay Report* by SFEP similarly found that decline of freshwater flows has been matched by the loss of biological resources dependent on brackish freshwater habitat. The report finds that the Bay-Delta system has been in a chronic state of drought due to water management practices, resulting in reduced quantity and quality of springtime estuarine open water habitat that impairs the health of the Estuary.

A broad range of federal and state agencies, including the U.S. Environmental Protection Agency, National Academy of Sciences' Natural Resource Council Committee on Sustainable Water Management in California's Bay-Delta, U.S. Fish and Wildlife Service, National Marine Fisheries Service, State Water Resources Control Board, and California Department of Fish and Wildlife recognize that current Delta outflows are not adequate to maintain, recover or restore ecosystem processes and declining fish species in the San Francisco Bay-Delta Estuary. As recently stated by the EPA:

*There is broad scientific agreement that existing Delta outflow conditions are insufficient for protecting the aquatic ecosystem and multiple fish species, and that both increased freshwater flows and aquatic habitat restoration are needed to restore ecosystem processes in the Bay Delta and protect threatened & endangered fish populations.*  
(Federal Agency Comments on BDCP 7/18/13).

The BDCP omits any analysis of possible effects on San Francisco Bay. The Plan Area terminates at Carquinez Bridge, effectively excluding the entirety of San Francisco Bay. As a result, impacts to water quality, aquatic habitats, fish and wildlife, and estuarine dynamics in the San Francisco and San Pablo Bays have not been considered adequately in the Draft EIR/EIS and Effects Analysis. As noted by the National Research Council review of BDCP in 2011: since BDCP aims to address management and restoration of the San Francisco Bay-Delta, this is a significant omission that must be rectified.

The Friends of the San Francisco Estuary (Friends) is an incorporated 501(c)(3) non-profit organization. The Friends is a partner of the San Francisco Estuary Partnership (SFEP), which is a program of the Association of Bay Area Governments (ABAG) and one of 28 National Estuary Projects. We are dedicated to the restoration and management of a healthy San Francisco Bay-Delta Estuary through the development of public involvement, education, communication, and advocacy programs. The Friends also serve as an advocate for the implementation of the Comprehensive Conservation Management Plan for the San Francisco Estuary (CCMP), developed and approved in 1993 by the Governor and the U.S. EPA and revised and adopted in 2007.

We commend you, your fellow Board members, and your staff for your diligent work on the complex task of establishing flow objectives that will adhere to the state's co-equal goals of water supply reliability and the protection, enhancement, and restoration of the Delta ecosystem. This work fulfills Objective AR-4 of the Comprehensive Conservation Management Plan for the San Francisco Bay-Delta Estuary: *Adopt water quality and flow standards and operational requirements designed to halt and reverse the decline of indigenous and desirable non-indigenous estuarine biota.*

For Bay and Delta residents, the San Francisco Bay-Delta Estuary is not only a beautiful natural resource and an important symbol of our lives and values, but a major driver of the economy of our region and by extension California and the nation. In light of the findings mentioned above, ABAG passed a resolution in 2012 to urge the Delta planning processes to ensure that adequate Delta outflows to San Francisco Bay support wildlife, fisheries, habitat, water quality, and other beneficial uses. That resolution is attached and can also be found online at <http://www.abag.ca.gov/abag/events/agendas/e051712a-Item%207.E.,%20Bay%20Delta%20System.pdf>.

Thank you for your attention to our concerns. We look forward to working with you further on this important effort.

Sincerely,



Barbara Salzman  
President  
Friends of the San Francisco Estuary

att: ABAG Resolution No. 08-12

cc: Dorene D'Adamo  
Tam Doduc  
Steven Moore  
Frances Spivy-Weber

cc (via e-mail):

Congressman Jared Huffman  
Congressman John Garamendi  
Congressman Mike Thompson  
Congresswoman Doris Matsui  
Congressman Ami Bera  
Congressman Jerry McInerney  
Congressman Jeff Denham  
Congressman George Miller  
Congresswoman Nancy Pelosi  
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Assemblymember Paul Fong