

## State Water Resources Control Board

OCT 29 2015

The Honorable Kristen Olsen  
California State Assembly  
State Capitol, Room 3104  
Sacramento, CA 95814

Mr. Chuck Bonham, Director  
California Department of Fish and Wildlife  
1419 Ninth Street, 12<sup>th</sup> Floor  
Sacramento, CA 95814

The Honorable Adam Gray  
California State Assembly  
State Capitol, Room 4117  
Sacramento, CA 95814

Dear Assembly Member Olsen, Assembly Member Gray and Director Bonham:

Thank you for your October 5, 2015, letter regarding your recent meetings with local irrigation districts and conservation organizations regarding flows on the Stanislaus, Merced, and Tuolumne Rivers (collectively San Joaquin River tributaries) and your work to encourage these leaders to forge a consensus based approach to water sharing on these tributaries. Your letter asks the State Water Resources Control Board (State Water Board) to include language in the introductory or preface section of the revised Substitute Environmental Document for the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) that expresses the Board's willingness to carefully consider and give preference to negotiated settlements as a means of implementing and achieving flow and water quality objectives in the San Joaquin River tributaries.

I appreciate and support your work to encourage local community representatives to develop a consensus based approach to water sharing in the San Joaquin River Tributaries. I believe that negotiated settlements between broad coalitions are often the best and most durable pathway to resolving contentious or litigious water rights disputes. In the past, the State Water Board has demonstrated its support for implementing the Bay-Delta Plan through such agreements, including having previously approved the implementation of San Joaquin River flow objectives under the Board's Water Right Decision 1641. The State Water Board's current effort to develop and implement flow objectives in these San Joaquin River tributaries to protect beneficial uses continues to provide the impetus and flexibility to allow for a collaborative negotiation process through the San Joaquin River Tributaries Settlement Process.

The State Water Board would be happy to include language in the revised Substitute Environmental Document that expresses the Board's willingness to carefully consider negotiated settlements as a means of implementing and achieving flow and water quality objectives in the San Joaquin River tributaries. Such agreements, however, must ensure reasonable protection of fish and wildlife, downstream water quality, and respect water rights.

The State Water Board is currently revising the 2012 draft changes to the Bay-Delta Plan and environmental document for San Joaquin River tributary flow objectives, and expects to release

Assembly Member Olsen  
Assembly Member Gray  
Director Bonham

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both documents for public review by early 2016 and for final adoption as early as the summer of 2016. Following the adoption of the San Joaquin River tributary flow objectives, the State Water Board will then consider implementation of these flow objectives through water rights in order to ensure protection of fish and wildlife. It is important for the settlement negotiations to move forward expeditiously, so that we can carefully consider any proposed settlements as part of the State Water Board's water rights implementation process.

Please feel free to contact me at (916) 341-5614 or Tom Howard, Executive Director, at (916) 341-5615 if you would like to discuss this matter further.

Sincerely,



Felicia Marcus  
Chair

cc: Ms. Camille Wagner  
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State Capitol  
Sacramento, CA 95814

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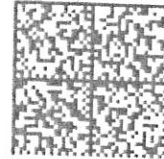
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