

Letter to U.S. Environmental Protection Agency Regarding California's Failure to Update Bay-Delta Water Quality Standards





Friends of the North Fork American River



Local Agencies of the North Delta



Marin Audubon Society



Mount Diablo Audubon Society



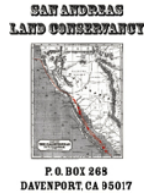
North Fork American River Alliance





Protect Our Water

Public Trust Alliance



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Siskiyou Land Conservancy



SOUTH DELTA WATER AGENCY



WILD Equity INSTITUTE



April 5, 2016

Jared Blumenfeld, Regional Administrator
Region IX, U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

RE: STATE OF CALIFORNIA'S FAILURE TO REVIEW AND AMEND BAY-DELTA
WATER QUALITY STANDARDS

Dear Regional Administrator Blumenfeld:

Our organizations are writing to urge the U.S. Environmental Protection Agency to initiate proceedings to develop and adopt sufficiently protective new water quality standards for the San Francisco Bay-Delta Estuary, in light of the continuing failure of the California State Water Resources Control Board to do so, as required under the Clean Water Act.

There is no dispute in the scientific or resource management communities that the current water quality standards in the 2006 Bay-Delta Water Quality Control Plan (WQCP) are failing to protect fish and wildlife and other beneficial uses of the estuary's water. The record is strong and clear that insufficient freshwater flows and inadequate water quality are primary drivers of the long-term degradation of ecological conditions for the public trust resources of the Bay-Delta estuary, and this state of affairs is only growing worse. The decline of pelagic organisms that was first detected in the early 2000s has accelerated, with many native fish species at record or near-record low population levels in recent surveys.

Yet the State of California has not substantively or comprehensively updated the current water quality standards for the Bay-Delta estuary since 1995. The Board initiated its current review of the standards in 2009, but six years later has yet to adopt any amendments to the WQCP. Instead of adopting new protections, in fact, the Board relaxed standards over the last two years, completely devastating several year classes of multiple Chinook salmon runs, risking extinction of some native fish species, and causing significant injury to other fish and wildlife beneficial uses. Recently, the Board again revised its schedule for completing the WQCP update, this latest delay to mid-to-late 2018.

The Board is required under federal and state law to review the WQCP every three years. The latest delay would in essence start the 3-year clock ticking again, after six years of work. Water quality conditions in the estuary are simply too urgent to allow for such a delay. Given the existence of an extensive record on which to base action and the State of California's continuing failure to use that information to take action, we are writing to urge US EPA to initiate the process of adopting scientifically justified, more protective new standards, with an end-date of final action by the end of 2017.

Sincerely,

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