

# Voluntary Agreements: A New Way Forward to Improve Conditions for Fish & Wildlife

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## INTRODUCTION

The State Water Resources Control Board (SWRCB) has been undertaking a phased review and update of the 2006 Water Quality Control Plan for the Bay-Delta (2006 Bay-Delta Plan) and water quality objectives to protect beneficial uses in the Bay-Delta watershed.

As an alternative to the SWRCB Bay-Delta proposal that has come from the process, which the Sacramento River Settlement Contractors (SRSC) believe won't help fish, and to mitigate the risk associated with potentially new flow standards, the SRSC has been developing an alternative Long-Term Voluntary Settlement Agreement Proposal (Voluntary Agreement) that will provide a more effective, less harmful approach based on a portfolio of assets and actions to be implemented in lieu of imposing new flow standards.

Voluntary agreements provide a new way forward for our region and are our best chance at improving conditions for fish and wildlife, while minimizing the loss of water supply.

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## CURRENT STATUS

After extensive negotiations between local, state and federal agencies, as well as some conservation organizations, the initial project description and umbrella agreement (*see attached*) have been submitted and approved by the SWRCB.

### What is the Bay-Delta Plan?

The Bay-Delta Plan identifies beneficial uses of water in the Bay-Delta, water quality objectives for the reasonable protection of those beneficial uses, and a program of implementation for achieving the water quality objectives.

The current plan development process appears to be designed to redirect water rights and supplies away from the Sacramento Valley water right holders and suppliers to provide more flows for the Delta. Securing an alternative to this plan continues to be the primary focus for Northern California water right holders and suppliers.

Specific details are still being negotiated and a full agreement is expected later this year.

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## BACKGROUND

### ***A Voluntary Agreement Provides a Better Path Forward***

For the last several decades, various debates have focused on concepts such as unimpaired flows, fish vs. farms, equitable apportionment, and competing demands for water. These debates have yet to produce real, comprehensive solutions.

The SWRCB has one proposal on how to improve the situation. The SRSC are working towards another solution – voluntary agreements – which are rooted in understandings gained from on-the-ground work and are the product of extensive negotiations. The voluntary agreements being developed include approaches and actions to achieve specific water quality and environmental objectives including flows, habitat enhancements, and much more. We know what will work to improve conditions for fish and wildlife and these voluntary agreements reflect the lessons learned from projects that have already been implemented and will provide the science to guide future decisions.

Once approved by the SWRCB, the agreements will lead to immediate improvements to the environment and endangered species, while also setting the course for the next 15 years for collaboration and commitment by local, regional, state and federal agencies.

***Without a Voluntary Agreement, Sacramento Valley Waters Users Risk Their Water Supplies***

The SWRCB proposal provides an unproven approach to helping fish and presents significant risks for water users on the Sacramento River, whereas the agreement SRSC is seeking to reach, while not ideal and reflective of the difficult choices facing water suppliers, will ultimately better serve fish and water users on the Sacramento River.

The Bay-Delta plan update, along with other Bay-Delta processes, are all looking to redirect water from the Sacramento River Basin to serve various water needs in the Bay-Delta. The SWRCB proposal would mandate 45%-65% unimpaired flows at each tributary within the Sacramento River watershed and on the mainstem Sacramento River. For context, it is estimated that these processes would redirect 1,000,000 acre-feet from the region.

Without a Voluntary Agreement, the Bay-Delta plan update process will most certainly result in significantly increased required bypass flows and water rights being amended to the detriment of Northern California water users.

***A Voluntary Agreement Will Allow Sacramento Valley Water Users to Continue Advancing Innovative and Comprehensive Projects to Benefit Fish and Wildlife***

The SRSC remain committed to actively working with federal and state agencies to manage water resources in the Sacramento Valley for multiple beneficial purposes that include water for cities, rural communities, farms, fish and wildlife and their habitats.

Partnerships between the SRSC, federal and state agencies and solution-oriented environmental groups have led to tremendous progress on projects that have had a positive impact on salmon and other wildlife. For example, projects completed to promote fish passage and increase habitat for salmon and other fish species:

- Painter's Riffle Anadromous Fish Habitat Enhancement Project
- Knights Landing Outfall Gates
- ACID North Bank Fish Ladder
- Creation of a Spawning Riffle near Market Street Bridge
- River Garden Farms Salmon Rearing Habitat Project

More work is ahead though and a Voluntary Agreement will ensure that work can continue.

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**In sum, instead of a proposal that focuses on unimpaired flows, as proposed by SWRCB staff, the SRSC are committed to achieving an alternative approach through the negotiation and final approval of the Voluntary Agreement, which will improve the system and management on the Sacramento River to benefit fisheries.**