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RESTORETHEDELTA.ORG

via email: [Robert.LHeureux@waterboards.ca.gov](mailto:Robert.LHeureux@waterboards.ca.gov)

January 7, 2022

Mr. Robert L'Heureux  
Regional Water Quality Control Board, Central Valley Region  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

**Subject: Restore the Delta Comments for Sacramento River and San Joaquin River Basin Plan Triennial Review**

Dear Robert:

Restore the Delta (RTD) is a grassroots campaign of residents and organizations committed to restoring the Sacramento-San Joaquin Delta so that fisheries, communities, and family farming can thrive there together again; so that water quality is protected for all communities, particularly environmental justice communities; and so that Delta environmental justice communities are protected from flood and drought impacts resulting from climate change while gaining improved public access to clean waterways. Ultimately our goal is to connect communities to our area rivers and to empower communities to become the guardians of the estuary through participation in government planning and waterway monitoring. RTD advocates for local Delta stakeholders to ensure that they have a direct impact on water management decisions affecting the well-being of their communities, and water sustainability policies for all Californians. While we did not have capacity to create comments on behalf of our local coalition partners, we can state with confidence that groups that have signed onto the May 2021 letter support our comments and concerns regarding local waterway concerns.

Thank you for the opportunity to provide comments to the Region 5 Water Board (Region 5) for the Triennial Review of the Basin Plan. Our comments are focused on San Joaquin River and Delta issues. We are also incorporating by reference comment letters regarding the Triennial Review of the Basin Plan by California Sportfishing Protection Alliance, PCL et al., and San Francisco Baykeeper. We share the concerns they raise and rely on their expertise regarding Grasslands Bypass Project waste discharge requirements, and other water quality monitoring programs for which we do not have the capacity to monitor directly.

We are grateful for the time put forth by staff to address local Delta issues plaguing San Joaquin County in particular. Projects 29 and 30 (Addressing Water Quality Issues Associated with Trash and Pathogens in the City of Stockton, the San Joaquin River Basin and the Sacramento San Joaquin River; and Addressing Harmful Algal Blooms in City of Stockton Waters) are

essential projects for improving local water quality conditions for disadvantaged communities, and the well-being of all Stockton residents.

In 2019, the San Joaquin County Point in Time count identified 921 unhoused residents. Since then, due to events like the pandemic and affordable housing crisis, that number has grown tremendously and is believed to be around 5,000. We will have an exact figure after this year's Point in Time count conducted by our local colleagues, which is currently underway. Whole communities of unhoused residents are being forced to move from encampment to encampment and each time they are moved, more and more of them are migrating towards the water ways to set up camp. Living along the waterways puts these individuals at a higher danger of being exposed to HABs than others in our community and this cannot be overlooked by the DWR, USBR, or the Water Boards.

In addition, we will be working on an effort being coordinated by partner organizations to implement trash collection programs led by the unhoused in months to come. Prioritization of accountability for local government agencies regarding water quality conditions and trash associated with encampments for the unhoused is a welcomed assistance. We believe that State agencies have an important role in helping to improve conditions by holding local government agencies accountable for improved sanitation and trash removal outcomes while assisting the unhoused in a legal, compassionate, and morally responsible manner.

Our critiques for the Triennial Review of the Basin Plan center around scoring and prioritization of projects that could help reduce/solve the harmful algal blooms challenge.

For instance, we think Project 10 (Evaluation of Effluent-dominated and Individual Water Bodies Dominated by NPDES Discharges) is scored incorrectly. Tribal Interests/Human Right to Water scoring should include water quality impacts to environmental justice communities for all beneficial uses of water. Members of disadvantaged communities have an equal right to public trust resources and for the use of water beneficial uses. Stockton community members have a difficult time monitoring permits and conditions for the Port of Stockton and City of Stockton's Municipal Discharge Plant. However, we have reason to believe from the limited reporting we can monitor that in addition to lack of flows, water circulation challenges, and warm water temperatures that discharge from these entities is contributing to harmful algal bloom growth in the Stockton area. One cannot tackle the HABs proliferation problem in the Delta without conducting the full complement of monitoring and Clean Water Act enforcement needed for pollution control because HABs are a toxic manifestation of other water quality and quantity problems.

Likewise, we see an under-evaluation for Project #11 (Temperature Management Plan). Like effluent discharge, water temperature conditions impact environmental justice communities for all beneficial uses of water. HABs production is known to increase with warmer water temperatures. In addition, warm water temperatures impact fishery production; and with 40,000 subsistence fishers relying on Delta fisheries to supplement their diets, managing the estuary for temperature control should be an environmental justice priority.

We recognize that part of this planning process is to rank priorities, and that Region 5 has limited funding to conduct an enormous job. We believe that improved funding for the California Water Boards, especially for monitoring and enforcement, should be a California legislative priority. However, until that objective can be reached, we do not want the Water Boards to lose

sight of how program priorities can impact the most vulnerable Californians. Environmental justice considerations should be included in the analysis of decision making for all programming decisions.

We are grateful for the opportunity comment on this document and appreciate the Regional Board's collaborative approach.

Sincerely,



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