



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

California State Water Resources Control Board
Submitted via Email: commentletters@waterboards.ca.gov

Re: Comment Letter – 06/06-07/2023 BOARD MEETING – ITEM # 7: Consideration of Addition of Tribal Beneficial Uses to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta

Dear State Water Resources Control Board,

The U.S. Environmental Protection Agency (EPA) appreciates the opportunity to comment on the State Water Board's consideration of the addition of tribal beneficial uses to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta.

As we noted in past comments, EPA recognizes that the State Water Board understands the inequities of how “low or non-existent in-stream flows, and associated water quality problems, impair or prevent water-related cultural, spiritual, and subsistence practices.”¹ We appreciate the listening sessions held by the State Water Board where tribal representatives have requested specific recognition of tribal and subsistence fishing beneficial uses in the Bay-Delta Plan. We believe that the State Water Board's inclusion of all tribal beneficial uses in the Bay-Delta Water Quality Control Plan would be a meaningful shift toward substantive inclusion of tribal interests, putting such considerations on par with other interests, and would strongly support such an inclusion.

EPA appreciates the opportunity to inform the Water Board's rulemaking process and remains committed to our partnership to protect and restore water quality in the Bay-Delta watershed. Please contact me at torres.tomas@epa.gov if you would like to discuss our comments.

Sincerely,

Tomás Torres
Director, Water Division

¹ State Water Board [Resolution No. 2021-0050, Condemning Racism, Xenophobia, Bigotry, and Racial Injustice and Strengthening Commitment to Racial Equity, Diversity, Inclusion, Access, and Anti-Racism](#) (November 16, 2021)