

TABLE A: NITRATE-NITROGEN OBJECTIVES AND BENEFICIAL USE PROTECTION

| | Use Protection | Burden of Proof | Approvable Outcome |
|--------------------------|---|--|--|
| ≤5 mg/L | MUN use fully protected; preferred by water agencies for managing drinking water supplies because it provides maximum resource flexibility with minimal need for blending. | Rebuttable presumption of MUN protection; substantial evidence required to sustain argument that beneficial uses are impaired by recycled water provided that the cumulative effect of all recharge projects does not increase groundwater concentrations above 5 mg/L. | Existing NN objectives <5 mg/L can be raised to a concentration less than or equal to 5 mg/L to encourage greater use of recycled water provided that beneficial uses remain fully protected in all downgradient management zones. |
| >5-8 mg/L | MUN use protected but operational flexibility and public confidence in water supplies diminishes as NN concentration increases. | Burden-of-proof is on sponsors and proponents of recycling projects throughout the review process to demonstrate beneficial uses remain fully protected in all affected receiving waters, including those downgradient from the point of discharge/recharge. Project sponsors must demonstrate compelling state interest. The burden-of-proof is proportionate to the change in water quality; increasing as the resulting nitrate-nitrogen concentration changes from 5 mg/L to 8 mg/L. | Established groundwater objectives are not likely to be revised above 5 mg/L unless there is a compelling state interest (such as drought-induced water shortages or significant reduction in State Project Water supplies) to justify lowering water quality. |
| >8-10 mg/L | MUN use protected but public confidence and flexibility in managing water supplies significantly diminished in this range. Very limited operational safety factor to prevent exceedance of USEPA/CDHS drinking water standards. | Burden-of-proof is on sponsors and proponents of recycling projects throughout the review process to demonstrate beneficial uses remain fully protected in all affected receiving waters, including those downgradient from the point of discharge/recharge. Project sponsors must demonstrate compelling state interest. High level of proof required. | Established objectives in this range for groundwater management zones are based on historic water quality. The increment between 8 mg/L and 10 mg/L provides a safety factor to minimize the possibility that the EPA/CDHS criteria will be exceeded, even temporarily, thereby triggering significant reporting requirements and undermining public confidence in water supplies. Therefore, objectives are not likely to be raised above 8 mg/L in order to maintain this safety factor. |
| >10 mg/L | MUN use impaired | Non-rebuttable presumption that the MUN use is when NN concentrations are greater than 10 mg/L. | Regional Board cannot approve NN objectives greater than 10 mg/L for groundwaters designated MUN. |

TABLE B: TOTAL DISSOLVED SOLIDS OBJECTIVES AND BENEFICIAL USE PROTECTION

| | Use Protection | Burden of Proof | Approvable Outcome |
|------------------------|---|---|--|
| ≤500 mg/L | MUN use fully protected. Preferable for drinking water supply. Recommended EPA/DHS Criterion | Rebuttable presumption of MUN protection; substantial evidence required to sustain argument that recycled water impairs beneficial uses provided that the cumulative effect of all recharge projects does not raise groundwater concentrations above 500 mg/L. | Most established TDS objectives for groundwater management zones ≤ 500 mg/L, including maximum benefit objectives set to support water resource management (including recycled water). Established groundwater objectives not likely to be revised above 500 mg/L unless there is a compelling state interest (such as drought-induced water shortages or significant reduction in State Project Water supplies) to justify lowering water quality. Requirements for mitigation rather than revision of objectives likely. |
| ≥500-750 mg/L | MUN use protected, but water quality less acceptable to consumers due to taste and odor. TDS at 750 mg/L is last practical use - highest concentration that allows for an additional increment of use (250 mg/L) before exceeding CDHS long-term maximum of 1000 mg/L | Burden-of-proof is on sponsors and proponents of recycling projects throughout the review process to demonstrate beneficial uses remain fully protected in all affected receiving waters, including those downgradient from the point of discharge/recharge. Project sponsors must demonstrate compelling state interest and that compliance with mitigation requirements would not be reasonably feasible. The burden-of-proof is proportionate to the change in water quality; increasing as the resulting TDS concentration changes from 500 mg/L to 750 mg/L. | Established objectives in this range for groundwater management zones are based on historic water quality. Further degradation strongly discouraged. Increases to established objectives unlikely. Mitigation requirements in lieu of revision of established objectives highly likely. |
| ≥750-1000 mg/L | Beneficial uses presumed to be unreasonably affected at concentrations greater than 750 mg/L. Some crops (ex.: avocados) are adversely affected at TDS concentrations greater than 750 mg/L.) Concentrations ≤ 1000 mg/L meet CDHS long-term maximum for MUN use, but water quality becomes less acceptable to consumers due to taste and odor. TDS greater than 750 mg/L does not allow for additional use increment (250 mg/L) before exceeding CDHS long-term maximum (1000 mg/L) | N/A | Regional Board will not approve petitions to increase established objectives to any value greater than 750 mg/L. Mitigation of TDS discharges in lieu of revision of established objectives will be required. |
| ≥1000-1500 mg/L | DHS temporary maximum is 1500 mg/L. Supplies in 1000-1500 mg/L range are acceptable only for short-term use where there are no practical alternatives for higher quality sources of supply. | N/A | Insufficient data were available to establish TDS objectives for certain management zones as part of the N/TDS Basin Plan amendments. Objectives for these management zones will be set based on quality conditions when and if sufficient data are available. Objectives higher than 1,000 mg/L, if appropriate, would only be approved when such high concentrations represent the best water quality attained since 1968. |
| 3000 mg/L | Groundwater management zones less than 3000 mg/L TDS must be designated MUN per Sources of Drinking Water Policy; no practical use without treatment/significant blending that may constitute unreasonable use of water, in violation of California Constitution | N/A | Insufficient data were available to establish TDS objectives for certain management zones as part of the N/TDS Basin Plan amendments. Objectives for these management zones will be set based on quality conditions when and if sufficient data are available. Objectives higher than 1,500 mg/L will not be approved by the Regional Board. |