



Test Consensus Recommendations of the Executive Committee

Based on previous discussions by the Executive Committee, from May thru August of 2012, the following keystone "principles" may enable a more practical and beneficial approach to developing and implementing a Salt and Nitrate Management Plan for the Central Valley Region. This is a limited subset of a much broader range of potential changes that may also merit consideration. These principles are intended to test whether the Collaborative Process is can generate consensus recommendations for any of the most critical concerns.

- 1)** Regulatory management decisions should focus on the permit conditions needed to protect existing and probable beneficial uses in the actual "zone-of-influence" of a given discharge. Primary responsibility for gathering and analyzing the data required to define the zone-of-influence and potential effects rests with the waste discharger. Projected impacts must be evaluated for at least 10 years following the term of any discharge permit or waiver and must be updated prior to extending any permit or waiver. Exception: waste discharges that comply with all applicable water quality objectives at the confluence with first encountered groundwater need not submit a detailed fate and transport analysis for the larger zone of influence.

- 2)** The numeric water quality objectives based on the secondary MCLs should be deleted from the Basin Plan. These constituents should be regulated using other provisions of the Basin Plan that prohibit nuisance and restrict water quality degradation. The secondary MCLs should continue to serve as guidelines for interpreting these narrative objectives.

- 3)** The MUN beneficial use is reasonably protected provided electrical conductivity levels remain at or below 1,600 uS/cm (approx. 1,000 mg/L TDS). Where actual conductivity is better than these levels, the state antidegradation policy will apply to preserve this higher water quality. Where existing water quality is worse than these levels, and a given waste discharge would actually improve existing quality, such discharges should be permitted even if EC levels in the discharge are higher than 1,600 uS/cm.

- 4) The AGR beneficial use will continue to be protected from excess salinity using the existing narrative objectives in the Basin Plan. In general, given modern agricultural management practices, the AGR beneficial use is reasonably protected when electrical conductivity levels remain at or below 1,600 uS/cm provided that best practical control technology (BPCT) is still required to minimize salinity concentrations in permitted waste discharges. Where EC levels in the receiving water are already less than 1,600 uS/cm, the Regional Board will impose permit conditions to preserve existing water quality consistent with the state's antidegradation policy. The Regional Board may authorize higher or lower salinity concentrations for some waste discharges based on site-specific factors including, but not limited to: soil conditions, general climate conditions, specific drought conditions, dominant cropping patterns, existing water supply and access to alternative supplies, irrigation methods and timing in the areas affected by these discharges (e.g. zone-of-influence). In general, the narrative objective should be interpreted to ensure that salinity levels will protect 95% of the probable expected yield for 95% of the probable commercial crops in 95% of all years. However, EC levels greater than 3,000 uS/cm should be deemed to "impair" the AGR use.
- 5) "Offsets" may be used (and should be encouraged) as an alternate procedure to demonstrate compliance provided all of the following conditions are met:
- a) The proposed offset would provide a net improvement in water quality greater than that achieved by prohibiting the permitted discharge entirely.
 - b) The proposed offset would provide greater protection to actual existing beneficial uses (especially in economically disadvantaged communities with existing water quality impairments) than would requiring compliance with water quality objectives at the point where wastes are discharged.
 - c) The waste discharge continues to meet existing to apply best management practices (BMP) and to provide best practical control technology (BPCT) where required.
 - d) There is no economically, technically or environmentally feasible alternative available to assure more direct compliance with the applicable water quality objective.