Questions and Answers re
Salinity Management Regulatory and Policy Challenges
CVSALTS Executive Committee Meeting
February 11, 2021
(Revised March 8, 2021)

Question 1

What do you believe are the biggest obstacles/challenges to achieving salt balance/management in the Central Valley?

- Water movement and water availability are critical elements of salinity management.
  - Authority over water movement, in stream flow requirements, environmental requirements, water transfers etc. resides outside the Regional Board's jurisdiction and the major water players are not at the table for Phase 1 of the P & O Study.
  - Water exports and water movements in and outside the Central Valley
    - Large water projects contribute to saltier water within the Valley.
    - Although assimilative capacity is removed and has salt impacts, exportation is not considered a discharge.
- The permit-by-permit scheme for regulating water quality does not lend itself to the regional or sub-regional approaches needed.
- The sheer size, scope and geographic diversity within the valley is a challenge.
- The Salinity Control Program must be seen as a California/national issue in order to succeed. Political will, major funding and commitment are key to a long term solution.

Question 2:

What are the existing and future conflicts between different requirements affecting salinity management? Do they exist on the face of the rules/policies or in their interpretation and implementation?

- Water efficiency & conservation—potential to increase salinity in GW
  - Reduced use of water for its purpose usually leads to higher concentrations of salts. During drought, some mandatory conservation leads to permanent reductions which impact salts (low flow fixtures, removal of irrigated landscapes, etc.) This results in higher concentration effluents without necessarily changing the load.
  - What are the impacts on leaching of moving to drip irrigation?

- Instream flow requirements
  - Potential to increase salinity in GW
  - Instream flows may reduce the ability to recycle or to recharge, may increase reliance on groundwater which could lead to a saltier discharge since groundwater typically has a higher starting EC than

surface water. Even where not mandated, instream flows may not allow water recycling because habitat was created by the historic discharge of effluent.

- Water allocation and use (outside valley) versus WQ impacts (in valley)
- Expanded use of recycled water– may be restricted by antidegradation or other water quality provisions pertaining directly to salinity and may be restricted by groundwater recharge regs and concern re CECs
- Brine disposal – may be in conflict with discharge limits in either SF Bay Basin Plan or Ocean Plan for non-salinity related parameters
- Sources of Drinking Water Policy—has been applied broadly and arbitrarily making it very difficult to protect the MUN use appropriately, where it actually exists.
- State Water Board desire for unanimity among regions may limit CV Regional Board's use of strategies/tools (e.g. proposed limited MUN designation)

Question 3:

What are the overlapping or conflicting agency responsibilities for regulating and managing water and salinity?

- SWRCB regulates water rights, Regional Board regulates water quality
- Department of Conservation, CDFA have roles in addressing salinity
- USEPA role/ability to override on surface water requirements (objectives, uses)
- Planning Disconnects
  - Example Master Plans developed with little input from various city departments
  - Development approvals consider the physical number of wells or total supply, but if several wells are down due to WQ concerns, power, etc., it impacts the amount of water actually available.

Question 4

Are there any existing regulatory tools or options that can assist in salt management that are currently under-utilized?

- Use designations—de-designation, tiered uses, seasonal uses. (Note--current process is difficult, expensive and lengthy. See also note re State Board desire for uniformity in response to Question 2 above.)
  - Differentiation within beneficial uses depending on salinity
  - Characterize uses as existing/potential/intermittent
- Groundwater recharge using seasonal peak flows – may be a tool to improve groundwater quality in some basins—but, conflict with water rights rules that don't consider recharge a beneficial use; conflict with downstream water rights holders; possible conflict with new stream flow standards established by SWRCB

Question 5

Are there future regulatory changes/reforms that would help to resolve conflicts and facilitate long term salt management solutions?

- Reforms/simplification of the 303(d) listing process
- Simplify the de-designation process for groundwater basins to establish salt management areas (the Tulare Lakebed de-designation of MUN and AGR can provide lessons learned for exploring streamlined approaches.
- Providing a true water rights/water quality nexus and using tools