



Principles for Designating Surface Waters as AGR

- 1) The AGR use may not be removed or downgraded if it is an existing use.
- 2) AGR should be considered an existing use if the water has been diverted from the surface water source to support that purpose since November 28, 1975 provided that the surface water diversion occurred in accordance with state and federal law.
- 3) AGR should be considered an existing use if water quality meets the objectives assigned to protect that use.
- 4) AGR refers to commercial agricultural operations, including farming, orchards, ranches and dairies. It does not include non-commercial agricultural activities such as hobby farms, personal gardening, keeping and caring for domestic animals (e.g. dogs, cats, horses, etc.)
- 7) The AGR designation signifies that a surface water body is suitable for the agricultural purposes (e.g. crop irrigation, animal watering) that are likely to occur given other normal considerations and constraints such as appropriate soil conditions, climate, meteorology, land slope, zoning, water rights, and water quality naturally available to the area using a weight-of-evidence approach.
- 8) Some crop yields may be adversely affected by elevated concentrations of total dissolved solids (TDS) or elevated concentrations of some specific ions such as boron or chloride. By reducing crop yields, excess salinity poses a potential risk for economic impairment of the beneficial use.
- 9) An AGR-1 subclassification indicates that the normal range of TDS concentrations in the surface waterbody are suitable for supporting commercial agricultural operations that focus on raising salt-sensitive crops or animals (generally, where electrical conductivity is less than or equal to approximately 700 uS/cm).
- 10) An AGR-2 subclassification indicates that the normal range of TDS concentrations in the surface waterbody are suitable for supporting most commercial agricultural operations except for those that focus on raising salt-sensitive crops or animals (generally, where electrical conductivity is greater than 700 uS/cm).

- 11) While all surface waters are presumed to be capable of supporting an AGR use, the Regional Board makes no presumption as to whether any individual waterbody is AGR-1 or AGR-2.
- 12) The determination as to whether an AGR use should be subclassified as Level 1 or Level 2 is made on a case-by-case basis after considering relevant factors (such as: historical farming/ranching patterns, soil slope and type, local climate and meteorology, water quality naturally available in the area, and historical yields) using a weight-of-evidence approach.
- 13) Surface waters should not be designated AGR where naturally-occurring sources of pollution preclude attainment of the use.
- 14) Surface waters should not be designated AGR where ephemeral, intermittent or low flows and hydrologic modifications prevent the use from being attained.
- 15) Surface waters should not be designated AGR where human caused conditions or sources of pollution prevent the attainment of the use and cannot be remedied or would cause more environmental damage to correct than to leave in place.
- 16) Dams, diversions or other types of hydrologic modifications preclude attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modifications in a way that would result in attainment of the use.
- 17) Controls more stringent than those required by Sections 301(b) and 306 of the Act would result in substantial and widespread economic and social impact.
- 18) The Regional Board will consider segmenting a waterbody where necessary to ensure more accurate and precise designation of beneficial uses in order to facilitate greater application of integrated water resource management strategies.
- 19) The Regional Board must continue to establish water quality objectives necessary to protect the designated uses of a waterbody and the designated uses of any downstream waterbody. The Regional Board may adopt appropriate wasteload allocations to ensure upstream discharges will meet water quality objectives at the point of downstream use.
- 20) Where existing water quality is better than necessary to protect the designated use, that higher water quality must be managed in accordance with federal and state antidegradation policies.
- 21) Where AGR is determined to be a potential use, but not an existing use, the Regional Board must establish water quality objectives that do not preclude the potential use from being attained if and when other factors constraining the use are eliminated.