

Lower San Joaquin River Committee of CV-SALTS



10 December 2010

Mona Shulman, Chair
Executive Committee
CV-SALTS
c/o Pacific Coast Producers
631 N Cluff Avenue
Lodi, CA 95240-0756

SUBJECT: RECONSIDERATION OF BENEFICIAL USE DESIGNATIONS

As part of its effort to prepare a Basin Plan Amendment for establishing water quality objectives for salinity and boron, the Lower San Joaquin River (LSJR) Committee of CV-SALTS conducted a preliminary review of present designations of beneficial use for the San Joaquin River from Mendota Dam to Vernalis. The LSJR Committee identified two (2) designations that need further analysis to determine whether a change in designation is warranted. After discussion, it was decided that the LSJR Committee would prepare the necessary background documents to determine the appropriateness of the designation for Municipal and Domestic Supply (MUN) and for Industrial Process Supply (PROC). Please find attached to this letter a brief explanation of the two designations the LSJR Committee has committed to reviewing (Attachment).

We would appreciate the Executive Committee concurrence that the LSJR Committee should undertake a review of the designations for MUN and PROC. The extent of our review of the MUN designation will depend on advice received from the questions the LSJR Committee is posing to legal counsel at the State Water Resources Control Board. The questions deal with flexibility available under the Sources of Drinking Water Policy (SWRCB Resolution 88-63). The LSJR Committee will consider this advice in developing a work plan for the designation review.

If you have any questions regarding this request, please contact Dennis Westcot at (530) 758-8633.

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cc: Daniel Cozad, Executive Director, CV-SALTS (*sent via electronic mail*)

**Beneficial Use Designations for Review by the Lower San Joaquin River
Committee
(FOR DISCUSSION ONLY)**

**Reconsider Municipal and Domestic Supply (MUN) as a Potential
Beneficial Use**

Designation Needing Review: Municipal and Domestic Supply (MUN) is designated as a potential beneficial use of the San Joaquin River for the reaches from the Mendota Dam to Vernalis (Mendota Dam to Sack Dam, Sack Dam to Mouth of Merced River and Mouth of Merced River to Vernalis). Information presented shows the potential beneficial use (P) designation for MUN for the Lower San Joaquin River from the Mendota Dam to Vernalis may not exist or have the potential to exist.

Preliminary Information Available to the LSJR Committee:

- Flow in the San Joaquin River from the Mendota Dam to Vernalis is highly regulated and made up primarily of operational releases for irrigation use, groundwater accretions from poor quality groundwater and agricultural return flows of varying quality (RWQCB Salt and Boron TMDL Staff Report);
- River flow in this reach is highly variable and may not provide sufficient volume for municipal or domestic supply;
- Surveys of this River reach in 1950, 1975 and again in 1985 showed that no municipal or domestic supply use or diversions were being made;
- There are no known water right permits or applications pending for municipal or domestic supply use;
- This River reach may be over appropriated at the present time and unlikely that any new use would be permitted;
- New flow requirements for Delta restoration may make new or expanded water right permits on the San Joaquin River unlikely;
- Even though the beneficial use has been listed as “potential” for almost 40 years, there is no known record of an entity or a plan in the works for such a use;
- The State Water Board’s WQ 85-1 Technical Committee did a complete review of beneficial use on the San Joaquin River in 1985 from the Salt Slough inflow to Vernalis. This Committee reported that no municipal or domestic supply uses existed and such a use was unlikely and therefore the designation should be considered for removal from the Basin Plan; and
- The California Department of Public Health, which regulates municipal and domestic water supply systems, has stated in correspondence to Stanislaus County Department of Environmental Health that they will not permit a municipal or domestic use of the Lower San Joaquin River under any conditions.

Impact from Salinity: When evaluated against MCL's for salt in drinking water as established by the California Department of Public Health, the MUN beneficial use would be impacted by the salinity levels presently found in the Lower San Joaquin River.

Conduct a Survey to Determine if the Industrial Process Supply (PROC) Beneficial Use Exists

Designation Needing Review: Industrial Process Supply (PROC) is designated as an existing (E) beneficial use for the entire Lower San Joaquin River from Mendota Dam to Vernalis. Information available to the LSJR Committee shows that use of the Lower San Joaquin River for industrial processing may not be an existing use. A survey of the River needs to be conducted to determine if PROC is an existing (E) beneficial use, only exists as a potential (P) or limited (L) use or should be de-designated as a beneficial use.

Preliminary Information Available to the LSJR Committee:

- Flow in the San Joaquin River from the Mendota Dam to Vernalis is highly regulated and made up primarily of operational releases for irrigation use, groundwater accretions from poor quality groundwater and agricultural return flows of varying quality (RWQCB Salt and Boron TMDL Staff Report);
- River flow in this reach is highly variable and may not provide sufficient volume for an industrial supply source;
- Surveys of this River reach in 1950, 1975 and again in 1985 showed that no such uses or diversions were being made of the River for industrial process supply although none of these surveys confirmed whether incidental use is being made as part of the agricultural harvest and processing;
- There are no known water right permits or applications pending for industrial process supply use;
- This River reach may be over appropriated at the present time and unlikely any new use would be permitted;
- New flow requirements for Delta restoration may make new or expanded water right permits on the San Joaquin River unlikely; and
- Even though the beneficial use has been listed as "existing" for almost 40 years, the two known processing plants along the river have been out of business for decades and the sites have been removed or are abandoned and there is no known plan in the works to restore these sites.

Impacted from Salinity: This beneficial use may be impacted by salinity changes as each industrial process may require different water quality needs.