Beneficial Uses

1	**MUN - no existing drinking water use & need for DPH pemission**	United States Bureau of Reclamation	"Salinity is regulated in the South Delta and the Lower San Joaquin River solely for the protection of agricultural beneficial uses. Drinking water is protected as a beneficial use in the western Delta at Delta intakes, at a higher salinity than the most protective existing agricultural standards. (Note, the Rock Slough chloride standard was set to protect a historic industrial beneficial use, and remains as a surrogate for bromide). There are no existing drinking water uses of the South Delta or Lower San Joaquin River, which would require permission from the California Department of Public Health."	Refer to CV-SALTS	The MUN designation is a potential beneficial use which needs to be protected as much as a actual beneficial use. Qualifying the objective based on the realities of the potential for consumption is possible.
11	**Selecting crops to protect**	United States Bureau of Reclamation	"Again, the Regional Water Board and CVSC should carefully consider the economic underpinnings of salinity regulation. For example, should salinity regulations be established to protect water-intensive crops in a region with low water supply reliability, and who should bear the risk/cost of that decision?"	Refer to CV-SALTS	Noted

Model Assumptions/Model use

22	**Level of Crop Protection**	Central Valley Clean Water Association	"Additionally, the endpoint selected for the model is currently 100% yield of the target crops. Due to the variability in the natural environment, it is not reasonable to expect 100% yield for all conditions. Basing the objectives on 100% yield 100% of the time is analogous to setting an aquatic life or human health criteria value based on zero risk of impact, which is not reasonable. Moreover, the Porter Cologne Water Quality Control Act (Porter-Cologne) requires water quality objectives be set at a level that provides for reasonable protection of the beneficial use. (See Wat. Code §§ 13000, 13050(h), 13241.) Thus consideration should be given to determination of a reasonable yield target that reflects some level of risk. When considering a transient model, it may be appropriate to perform a continuous simulation using historical conditions, whereby the model may generate yields less than 100% due to conditions unrelated to the irrigation water quality. The historical yield generated by the model for conditions where the irrigation water quality is not a factor should be the benchmark for the yield."	Selection of acceptable yield loss is outside the scope of this Report. However, the Study Report notes that a call on what level of yield to protect for is a policy call. (See Pg. 121, Section 6.2.1)	Aquatic life objectives are set to be protective of the most sensitive species in the assemblage, which is similar to the 100% protection of yield
5	**Protection During Varying Precipitation Levels, Including Droughts**	United States Bureau of Reclamation	"In regards to riparian water rights on the Lower San Joaquin River, protections against crop yield reductions during drought years (low precipitation) are not warranted if the only source of flow during these time periods is stored flows. The precipitation value should be selected based on the conditions at which flow is available to riparian water right holders. These water right holders may have obtained other water supplies to improve their supply reliability. In general, protections against crop yield reductions during drought periods are not warranted if all crops within the region are suffering from drought conditions."	Refer to CV-SALTS	Potential solution is to set objectives based on rainfall to date as of March 1 of each water year
10		United States Bureau of Reclamation	"Similar to the existing salinity and boron TMDL, a more adaptively managed approach should be considered in any regulation. Given the sensitivity to precipitation, objectives that vary with precipitation levels could be explored, in order to minimize unnecessary impacts on water supplies."	Refer to CV-SALTS	Real time management may be considered as an option and could take precipitation into account.
6	**Additional Sources of High Quality Irrigation Water**	United States Bureau of Reclamation	"This Draft Report only models the application of Lower San Joaquin River water to crop types. How does the periodic use of other (higher quality) water supplies on the same crops effect their long-term yields?"	It is beyond the scope of the Study Report. The model could be used to account for this. If so, we advise that CV-SALTS consults with Dr. Hoffman.	Can consider blended sources if information is available. Need to contact the irrigation districts to obtain information on how blending occurs.

Economics

15	**Point of Compliance and cost to dischargers for end-of-pipe effluent limits**	City of Tracy	"Because the long term average values for EC have been demonstrated by years of data to maintained over time and because these objectives are not set to protect against short-term acute effects, the objectives should be set to apply only at identified, permitted water diversion points that are used to extract water from the River or Delta for irrigation or municipal supply purposes. Setting EC objectives to apply throughout the water body is unnecessary since these objectives are being set for off-stream use protection, not for instream uses such as aquatic life protection or recreational uses. This would provide dischargers (both point and non-point) with some level of dilution and mixing credit while still ensuring that the compliance points maintain the needed water quality to protect the AGR and MUN uses, where applicable. Alternatively, explicit mixing zones, dilution credit, or other variance provisions should be included in Basin Plan amendments incorporating the revised objectives."	Refer to CV-SALTS	Noted

16		City of Tracy	"Since there is no evidence that municipal discharges have caused the average values in the local waterway (outside a mixing zone) to exceed the currently applicable EC objectives, there is no need to over-regulate these sources of salinity as they have not been demonstrated to be the major drivers of salinity in the Delta. With a thoughtful and reasonable implementation policy, which does not require end-of-pipe effluent limitations equivalent to the objectives themselves, all uses can be protected while also reasonably regulating discharges to the River and Delta. In this financially difficult time for municipalities, the City urges the Regional Board to incorporate regulatory flexibility into any salinity objective adoption process."		All dischargesrs will be regulated as needed and no further
14		City of Tracy	"As the Regional Board contemplates the proper salinity objectives for the lower San Joaquin River and southern Delta, the City would like to point out that hundreds of millions of dollars will be needed around the Delta for many of the municipal dischargers to consistently meet an end-of-pipe effluent limits that equate to the water quality objectives, even if those objectives are raised from current levels. Similarly, if all agricultural discharges currently regulated under the waiver need to meet these same objectives, the costs to farmers will be huge.	Refer to CV-SALTS	Noted
2	**More Integrated Approach**	United States Bureau of Reclamation	"The management of salinity in the San Joaquin basin should not be approached merely from a traditional Clean Water Act, one pollutant loading perspective. Water supply, environmental regulations, beneficial use needs, and especially economics should be fully determined and analyzed for the benefits, costs, and trade-offs of salinity regulation. CVSC should also consider the impacts/benefits of proposed actions on dissolved oxygen in the Delta."	Refer to CV-SALTS	Noted

Miscellaneous

3	**Shoter time-scale and impermanance of salinity impairment**	United States Bureau of Reclamation	"Unlike many other constituents, salinity impairment is neither permanent nor irreversible. The water supplies of the San Joaquin basin are prioritized to provide water supplies and to meet other environmental flow and water quality objectives. Periodic wet years already flush out these salts, and the system could be operated/regulated (through the WQCP process) to make salinity regulation a higher priority if important beneficial use protection is needed in the future."	Refer to CV-SALTS	
4	**Water Rights**	United States Bureau of Reclamation	"In Section 1.1, the report identifies a list of water agencies that utilize San Joaquin River water. Unlike in the Hoffman Report, this report identifies water agencies that most likely have access to multiple water supplies. Because of the potential economic and environmental impacts, any regulation should carefully identify what actual water rights exist and under what circumstances those rights can be exercised. This information is crucial to interpreting this Draft Report. Existing water rights should not be expanded to include stored water as a result of salinity regulation."	Pg. 1 of the Study Report: "Staff's purpose in developing the LSJR Irrigation Use Area was to provide a general sense of the areas that may use irrigation water rather than an exact determination of use. Staff feels that this coarse level of assessment is acceptable for the purposes of this Report, and caveats that it is not intended to confirm any party's existing or potential water rights." If CVSalts/RB Staff wishes, they may take this approach take this further.	Pg. 1 of the Study Report: "Staff's purpose in developing the LSJR Irrigation Use Area was to provide a general sense of the areas that may use irrigation water rather than an exact determination of use. Staff feels that this coarse level of assessment is acceptable for the purposes of this Report, and caveats that it is not intended to confirm any party's existing or potential water rights." If CVSalts/RB Staff wishes, they may take this approach take this further.
62	**Boron Analysis**	San Joaquin River Group Authority	**There is no need for an independent analysis of Boron impacts:** The present study report cites the need to conduct an analysis of water quality impacts from boron in the Lower San Joaquin River. The SJRGA feel this would be a complete waste of resources. The entire study area is known to be a boron enriched area since the soils were developed from marine formations that line the western edge of the study area. In addition, it is well know that boron sensitivity is most pronounced in orchard crops including apricots, walnuts and stone fruits. The entire Western Stanislaus County is being converted to orchard crops and Patterson is known as the "Apricot Capital of the World". These two factors alone should provide sufficient evidence that a problem does not exist in the area.	Refer to CV-SALTS	
70		SJRGA	Page 2, Paragraph 2, second, third and fourth sentences: It is unclear what the inconsistencies were. When is the boron analysis scheduled and what will it include? Will it be done on a separate track from this effort? This same comment applies to Page 9, Paragraph 2. Also see our comments above on there not being a need for a boron analysis		Staff response needed Staff response needed