

---

## Central Valley Regional Water Quality Control Board

**TO:** Debra M. Cornez, Director  
Office of Administrative Law  
300 Capitol Mall, Suite 1250  
Sacramento, CA 95814

**FROM:** *Original Signed by Patrick Pulupa*  
Executive Officer  
**CENTRAL VALLEY WATER BOARD**

**DATE:** 22 November 2019

**SUBJECT:** MINOR, NON-SUBSTANTIVE CHANGES TO THE BASIN PLAN  
AMENDMENTS ADOPTED UNDER CENTRAL VALLEY WATER BOARD  
RESOLUTION NO. R5-2018-0034

The Central Valley Water Board adopted amendments to the Water Quality Control Plans for the Sacramento River and the San Joaquin River Basins and the Tulare Lake Basin on 31 May 2018 under Resolution R5-2018-0034. The amendments were approved by the State Water Resources Control Board on 16 October 2019.

Central Valley Water Board Resolution R5-2018-0034 grants the Executive Officer the authority to make minor, non-substantive changes to the language of the adopted Basin Plan amendments. Based on review during the State Water Board approval process, staff determined that minor, non-substantive changes to the record are needed for clarity or consistency. I am hereby making minor, non-substantive changes to the Basin Plan amendment language adopted through Resolution R5-2018-0034 to correct the following:

1. Unmerge two bullets points in Table S-1 on page 11 of Attachment 1 to Resolution R5-2018-0034, under the Conservative Salinity Permitting Approach- NPDES Surface Water Discharge Permittees.

**TABLE S-1: COMPARISON BETWEEN THE CONSERVATIVE AND ALTERNATIVE SALINITY PERMITTING APPROACHES DURING PHASE I**

<p align="center"><b>Conservative Salinity Permitting Approach</b></p>	<p align="center"><b>Alternative Salinity Permitting Approach</b></p>
<p><u>All Permittees</u></p> <ul style="list-style-type: none"> <li>• Apply conservative assumptions for interpretation of the narrative objectives and application of numeric water quality objectives to protect AGR and MUN beneficial uses</li> <li>• Limited availability of a compliance or time schedule to meet a salinity-related effluent limit or waste discharge requirement (subject to the discretion of the Central Valley Water Board)</li> </ul> <p><u>Groundwater Discharge and Non-NPDES Discharge Permittees</u></p> <ul style="list-style-type: none"> <li>• Limited new or expanded allocation of assimilative capacity subject to the discretion of the Central Valley Water Board</li> <li>• Does not meet eligibility requirements for an exception</li> </ul> <p><u>NPDES Surface Water Discharge Permittees</u></p> <ul style="list-style-type: none"> <li>• A new or expanded allocation of assimilative capacity may be authorized only where a permittee can demonstrate that the impact of the new discharge or the increased discharge will be spatially localized or temporally limited, a determination subject to the discretion of the Central Valley Water Board <del>Does not meet eligibility requirements for a variance</del></li> <li>• <u><i>Does not meet eligibility requirements for a variance</i></u></li> </ul>	<p><u>All Permittees</u></p> <ul style="list-style-type: none"> <li>• Participate in the Phase I Prioritization and Optimization Study throughout its duration</li> <li>• Continue implementing reasonable, feasible and practicable efforts to control salinity through performance-based measures as determined by the Central Valley Water Board, including: <ul style="list-style-type: none"> <li>- Salinity management practices</li> <li>- Pollution prevention, watershed, and/or salt reduction plans</li> <li>- Monitoring</li> <li>- Maintenance of existing discharge concentration or loading levels of salinity</li> </ul> </li> </ul> <p><u>Groundwater and Non-NPDES Discharges</u></p> <ul style="list-style-type: none"> <li>• Salinity limits not used as a compliance metric except to ensure implementation of performance-based measures;</li> <li>• Permittees that meet requirements of the alternative salinity permitting approach are considered in compliance with their salinity limits</li> </ul> <p><u>NPDES Surface Water Discharges</u></p> <ul style="list-style-type: none"> <li>• Eligible for a salinity variance</li> </ul>

2. Replace the SNMP acronym with Salt and Nitrate Control Program on page 16 of Attachment 1 to Resolution R5-2018-0034, under item 2 Groundwater and Non-NPDES Surface Water Discharge.
  2. Implementation of Reasonable, Feasible and Practicable Efforts to Control Salt - The Central Valley Water Board will require dischargers to continue to implement reasonable, feasible and practicable efforts to control levels of salt in discharges. Such efforts may include, but are not limited to, implementation of management practices that are designed to reduce salt in discharges; implementation of pollution prevention plans, watershed plans, and/or salt reduction plans that help to reduce salt loads in discharges to groundwater or surface water; and, monitoring for salt in surface water or groundwater as part of existing local, watershed-based or regional monitoring programs, in coordination with monitoring under the ~~SNMP~~ Salt and Nitrate Control Program.
3. Remove the superscript referencing footnote number 11 on page 43 of Attachment 1 to Resolution R5-2018-0034, under the section Management Zone Request for Allocation of Assimilative Capacity. Footnote number 11 does not exist.
  - (i.) A comprehensive antidegradation analysis, consistent with the State Antidegradation Policy, which includes an evaluation of impacts to down-gradient areas.<sup>14</sup>
4. Correct the footnote superscript in the second paragraph on page 55 of Attachment 1 to Resolution R5-2018-0034. The footnote superscript referenced as number 15 has been changed to number 14.

Agencies, Districts, Associations, Commissions, Coalitions, Industry and other entities<sup>14</sup> responsible for existing and future water resource and/or salinity treatment and/or disposal facilities within the Central Valley should participate in and provide funding for the P&O Study, and subsequent phases of the Salt Control Program as appropriate, and participate in management zone implementation plans as appropriate to ensure that actions they plan, permit or implement minimize reductions in surface and groundwater quality within the Central Valley while promoting water sustainability.
5. Remove footnote number 15 on page 55 of Attachment 1 to Resolution R5-2018-0034.

~~<sup>15</sup>These parties include, but are not limited to, Resource Conservation Districts, California League of Food Processors, Dairy CARES, Wine~~

~~Institute, California Urban Water Agencies, Association of California Water Agencies, California Association of Sanitation Districts, Contra Costa Water District, Metropolitan Water District, San Joaquin River Authority, Kern Water District, Westlands Water District, East San Joaquin Water Quality Coalition, South Delta Water Agency, Friant Water Users Authority, San Joaquin River Water Contractors, State Water Contractors, Santa Clara Water District, East Bay Municipal Utility District, and others.~~

6. Add the missing five numbering in strikethrough on page 74 of Attachment 1 to Resolution R5-2018-0034, under Exception Application Provisions Specific to Boron.

(1) ~~(5)~~ When granting an exception to the implementation of water quality objectives for *boronsalinity* under this Program, the *Central Valley Water Board*~~Regional Water Board~~ shall require the discharger to prepare and implement a *Boron*~~Salinity~~ Reduction Study Work Plan, or a *boronsalinity*-based watershed management plan. A *Boron*~~Salinity~~ Reduction Study Work Plan...

7. Incorporate the additions as shown in underline and italics, and the deletions in strikethrough on page 77 of Attachment 1 to Resolution R5-2018-0034, under Drought and Conservation Policy to maintain consistency.

The following paragraphs ~~include~~are proposed modifications ~~and for~~ additions to *Chapter 4 Implementation of* the Sacramento River and San Joaquin River Basin Plan's ~~Chapter 4 Implementation~~ in the sections indicated below. Note that these changes are also proposed for the Tulare Lake Basin Plan and the Tulare Lake Basin Plan within the proposed Salt and Nitrate Control Program at a location in the chapter to be determined.

8. Correct the footnote superscripts on page 83 of Attachment 1 to Resolution R5-2018-0034. The footnote superscript referenced as number 31 has been changed to number 20, and the footnote superscript referenced as number 32 has been changed to number 21.

For groundwaters, compliance with the Secondary Maximum Contaminant Levels for aluminum, copper, iron, manganese, silver, zinc, color and turbidity in Table 64449-A will be determined from samples that have been passed through a 1.5-micron filter to reduce filterable residue<sup>34~~20~~</sup>; metal constituents will then be analyzed using the acid-soluble procedure described in EPA Approved Methods<sup>32~~21~~</sup> as appropriate, or other methods approved by the Central Valley Water Board.

Debra M. Cornez  
Office of Administrative Law

5

22 November 2019

If you have any questions on this matter, please contact me at (916) 464-3291 or Anne Walters at (916) 464-4840.

cc: Central Valley Water Board Members  
Jessica Jahr, OCC