



Axioms for Setting or Changing Stormwater Standards

- 1) Appropriate beneficial uses must be designated. (40 CFR 131.10a)
- 2) Uses must be designated where the use is actually being attained. (40 CFR 131.10i)
- 3) Water quality objectives must protect the designated uses. (40 CFR 131.11a)
- 4) Water quality objectives must protect the most sensitive use. (40 CFR 131.11a)
- 5) Existing uses may not be downgraded or deleted. (40 CFR 131.10-h-1)
- 6) The level of water quality necessary to protect existing uses shall be maintained. (40 CFR 131.12a)
- 7) Existing uses are those uses actually attained in the water body on or after November 28, 1975, whether or not they designated. (40 CFR 131.3e)
- 8) REC-1 and Aquatic Life Habitat (ALH) are presumed to be attainable (40 CFR 131.10d)
- 9) Failure to designate REC-1 and ALH requires a UAA (40 CFR 131.10j)
- 10) Water quality objectives must protect downstream beneficial uses (40 CFR 131.10b)
- 11) Deleting or downgrading a designated use requires a UAA (40 CFR 131.10j)
- 12) Subcategorizing w/ less stringent water quality criteria requires a UAA (40 CFR 131.10j)
- 13) Uses are deemed attainable, and may not be removed, if the use can be achieved with cost-effective and reasonable best management practices for nonpoint source control. (40 CFR 131.10d and 40 CFR 131.10-h-2)
- 14) May delete, downgrade or subcategorize a use only under certain conditions (40 CFR 131.10g)
- 15) Seasonal uses are allowed. (40 CFR 131.10f)
- 16) EPA's recommended water quality criteria are presumed to be protective for the associated designated uses. (40 CFR 131.11)
- 17) States may adopt and implement mixing zones, variances and low flow policies (40 CFR 131.13)
- 18) Regional Board must consider factors identified in Section CWC §13241, including "economics," when adopting water quality objectives to protect beneficial uses.
- 19) Undesignated waterbodies have the same beneficial uses as the designated waterbodies to which they are tributary (SAR Basin Plan, pg. 3-5)