Nutrient Scoping Meeting

October 27, 2011

State Water Resources Control Board

1

The Purpose of the Scoping Meeting

- This meeting is to provide a forum for early public consultation on the development of the proposed nutrient policy.
- This consultation will assist staff with the scope and content of the environmental information that should be considered prior to the decision making process.
- No action will be taken by the State Water Board at the scoping meeting.

2

Scoping Questions

- Are there additional alternatives staff should consider?
- Would there be any adverse environmental effects from the alternatives proposed today?

3

Environmental Considerations of Nutrients

- An extremely high (or low) nutrient level is of concern as it can impair the health and beneficial uses of waters of the state.
- The nutrient concentration that results in impairment in a high-gradient, shaded stream may be much different from the one that results in impairment in a low-gradient, unshaded stream.

4

Environmental and Policy Needs

- States consider U.S. EPA "criteria guidance" when they adopt water quality standards
- U.S. EPA determined that a single pollutant concentration number is not appropriate for nutrients

5

Why the proposed Nutrient Policy?

- There are no statewide nutrient objectives for inland surface waters.
- U.S EPA expects states and tribes to develop water quality criteria and standards for nutrients in their geographic regions based on the guidance provided by the Agency.

6

Introduction to Proposed Nutrient Policy

- The State Water Resources Control Board (State Water Board) is proposing a nutrient policy that would establish nutrient water quality objectives and establish methods to control nutrient over-enrichment in inland surface waters of the state (Nutrient Policy).
- This Nutrient Policy does not apply to ocean, enclosed bays and estuaries.

7

Elements of the Proposed Nutrient Policy

- May include:
  - Narrative nutrient objectives with translator mechanisms to help implement these narrative objectives (NNE).
  - Implementation procedures
  - Monitoring requirements for nutrient loads, biological indicators and cofactors.
  - USEPA's 25% Ecological Approach

8

Objective Alternatives

9

No Action (Option 1)

- The current language for nutrients within each of the Regional Water Board Basin Plans would remain in place.

10

Adopt U.S. EPA's Recommended Nutrient Criteria (Option 2)

- State Water Board may choose to adopt U.S. EPA's recommended nutrient criteria.

11

Adopt a Statewide Nutrient Policy (Option 3)

- The State Water Board could adopt narrative nutrient objectives with translator mechanisms to implement these narrative objectives.
- The translator mechanisms would use the freshwater CA NNE framework and scoping tools to set nutrient threshold limits.

12

Adopt a Statewide Nutrient Policy (Option 3)

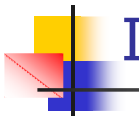
- The CA NNE framework and Scoping tools
  - Beneficial Use Risk Categories (BURCs)
  - Secondary Indicators and Cofactors

13

Adopt a Statewide Nutrient Policy (Option 3)

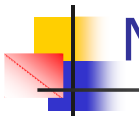
- The CA NNE framework and Scoping tools
  - BATHTUB model
  - Benthic Biomass tool

14



Implementation Alternatives

15



No Action (Option 1)

- The current language for nutrients within each of the Regional Water Board Basin Plans would remain in place.

16

Adopt Implementation Under USEPA's Ecoregion Approach (Option 2)

- Regional Water Boards would be required to implement a nutrient control plan, consistent with the requirements of the U.S. EPA Ecoregion Approach.

17

Adopt Freshwater CA NNE Implementation Methods (Option 3)

- Regional Water Boards would be required to implement a nutrient control plan, consistent with the requirements of the CA NNE.
- Secondary indicator targets would be converted to nutrient concentration targets appropriate for assessment, permitting, and the calculation of TMDLs.

18

Monitoring Alternatives

19

No Action (Option 1)

- The current language for nutrient monitoring within each of the Regional Water Board Basin Plans would remain in place.

20

Establish Monitoring Based on U.S. EPA's Ecoregional Approach (Option 2)

- The Nutrient Policy would include a detailed plan for statewide nutrient monitoring that the Regional Water Boards would be required to use.
- To support the Ecoregion Approach, monitoring plans could use ambient nutrient concentrations within a waterbody alone to predict eutrophication.

21

Establish Monitoring Based on the Freshwater CA NNE (Option 3)

- Under the CA NNE Approach, monitoring would take place during the summer season since the freshwater CA NNE framework and scoping tools are developed for this season only.
- Monitoring would take place for nutrient concentrations, risk cofactors and secondary biological indicators.

22

Provide Narrative Guidance (Option 4)

- The Regional Water Boards would establish requirements for monitoring plans for their regions based on guidance provided by the State Water Board.

23

Additional Comments?

24

Next Steps

- Scoping Comments due Thursday, November 10, 2011
- Work on Draft Policy / Staff Report: first half of 2012
- Public Draft: Second half of 2012
- First Board hearing Fall: 2012
- Adoption: 2013

25