Biological Objectives Policy Regulatory Options

California Aquatic Bioassessment Workgroup

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Presentation Overview

- Policy Goals
- Policy Options
- Next Steps

Policy Goals

1. Establish Consistent:
   - Biological assessment methods
   - Methods for interpreting biological assessment data
   - Endpoints for reasonable protection of beneficial uses
2. Identify streams in good biological condition and protect them from degradation
3. Identify streams not in good biological condition and restore them to good or “best attainable” condition

Achieving Goal 1 – Consistent Methods

- Applicability
  - Perennial streams
  - Wadeable streams
  - Benthic macroinvertebrate indicators
- Monitoring and Assessment Methods
  - SWAMP protocols for field and laboratory methods
  - California Stream Condition Index for interpreting data
  - Definition of what a site score represents spatially
- Biological Condition Endpoints
- Process for defining current condition for anti-degradation analyses.

Biological Condition Endpoints

- Standard Biological Endpoints Compared to Reference
  - Good condition: 4-sample average ≥ 0.85 CSCI score
  - Not good condition: 4-sample average < 0.85 CSCI score
- Alternative Biological Endpoints for Modified Streams
  - Define population of streams
  - Assemble data and evaluate variability
  - Calculate CSCI scores
  - Set biological endpoint at fixed quantile within each category that is reasonably protective of beneficial uses

Option 1. Statewide Narrative Objective

- Amend Inland Surface Water and Enclosed Bays and Estuaries Plan to include a statewide narrative objective to protect biological communities
- Establish biological condition endpoints to protect beneficial uses
- Provide direction for reasonable protection of beneficial uses in “modified” streams

Option 1. Approaches for Modified Streams

- State Plan-level Approach
  - Establish alternative biological endpoints statewide
  - Assumes alternative biological endpoints support beneficial uses
- Regional Board Watershed-level Approach
  - Provide direction to Regional Water Boards to conduct a Use Attainability Analysis or Site-specific Objective
  - Not appropriate if use existed since 1975
- May require new sub-categories of beneficial uses

Option 2. Amend Listing Policy

- Amend the policy to allow listing based on biological data alone
- Amend the policy to specify methods for biological data collection, interpretation, and scoring
- Evaluate whether numbers of samples necessary for listing is appropriate for protecting biological communities

- Does not meet Policy Goal 2 for protecting streams from degradation.

Option 3. Statewide Policy for Water Quality Control

- Provides overarching framework for Water Boards to utilize biological assessment methods and data on a case-by-case basis
- May require Regional Water Boards to amend Basin Plans to incorporate new policy
- Regional Water Boards may not be able to use for enforcement

Balancing Policy Options

- Regional flexibility versus statewide consistency
- Bite off what we can chew in a statewide policy
- Evaluate costs

Next Steps

- Select preferred policy option
- Draft plan/policy language for further review
- Prepare final draft plan/policy language and staff report
- Prepare economic analysis per State Board Cost of Compliance Resolution
- Prepare documents and questions for external peer review
- Public review and comments
- Board workshop and adoption hearing