



State of Utah

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MEMORANDUM

TO: Walt Baker

FROM: Chris Bittner

DATE: March 23, 2011

SUBJECT: Triennial Review of Water Quality Standards Comments Received

Comments were solicited from the public on standards changes to be considered for the 2011 Triennial Review. The following table summarizes the comments received, the commenter, and the DWQ action.

Division of Water Quality (DWQ) Actions for Comments on Water Quality Standards Revisions for the 2011 Triennial Review			
No.	Commenter	Comment	DWQ Action
1.	EPA, RN, WRA	Resolve USEPA disapproval for antidegradation R317-2-3.5(b)(1)(d)	Added to revision list for 2011
2.	EPA	Resolve USEPA disapproval for Price River site-specific TDS standard	Added to revision list for 2011
3.	EPA	Adopt updated human health water quality criteria for phenol, acrolein, and tributyl tin	Added to revision list for 2011
4.	EPA	Adopt updated aquatic life water quality criteria for acrolein, chloride, chlorpyrifos, and tributyl tin	Added to revision list for 2011
5.	EPA	Review iron criterion, specifically whether dissolved or total iron is appropriate	Added to revision list for 2011
6.	EPA, WRA, RN	Review Narrative Standard and revise to be consistent with assessment methods such as the stream macroinvertebrate assessments	Added to revision list for 2011
7.	EPA	Review use designations for potential revisions, e.g., tiered aquatic life criteria, frequent or infrequent contact recreation	Added to revision list 2011
8.	EPA	Make supporting information and rationale available to the public	DWQ agrees but not a standards revision
9.	EPA	Revise the reference to R317-2-3.5(c) in Table 2.14.2 Footnote 14 to be consistent with the March 2010 revisions to the antidegradation policy	DWQ may evaluate revising the selenium triggers in Footnote 14 after the USEPA takes action on the selenium standard.

Division of Water Quality (DWQ) Actions for Comments on Water Quality Standards Revisions for the 2011 Triennial Review			
No.	Commenter	Comment	DWQ Action
10.	EPA, RN, WRA	Adopt human health criteria for methyl mercury	Added to revision list
11.	EPA, RN, WRA	Develop an implementation plan for methyl mercury criteria	Added to revision list
12.	EPA	Delete acute mercury criteria	Added to revision list for 2011
13.	EPA, RN, WRA	Develop statewide nutrient criteria	Added to revision list
14.	CDA	Update copper aquatic life water quality standards to include biotic ligand model (BLM)	Added to revision list
15.	IZA	Update zinc aquatic life water quality standards to include biotic ligand model (BLM)	Added to revision list
16.	RN, WRA	Supportive of proposed changes from Class 2B to 2A and recommend additional reaches to be classified	Added to revision list for 2011
17.	RN, WRA,	Develop a translator to estimate bird egg selenium concentration from water concentration	Added to revision list
18.	RN	Review Class 3C aquatic life use criteria	Added to revision list
19.	RN	Establish process for site-specific standards and use attainability analyses	Not a Standards revision but DWQ agrees that compiling relevant USEPA documentation would be helpful to stakeholders.
20.	RN, WRA	Develop numeric standards for Great Salt Lake	Added to revision list
21.	RN	Develop variance policy	Added to revision list
22.	RN, WRA	Develop sediment criteria	Added to revision list
23.	TU	Change from Category 3 to Category 2 the Provo River between Jordanelle Reservoir and Olmsted Diversion, excluding Deer Creek Reservoir	Added to revision list for 2011
24.	WRA	Adopt water quality criteria for elemental mercury	R317-2 has freshwater standards for mercury that would include elemental mercury. These standards were based on direct toxicity and may not be protective for bioaccumulation. As criteria or indicators are developed for GSL, all relevant chemical forms of mercury will be considered.
25.	WRA	Develop nutrient criteria for Willard Spur	Added to revision list
26.	WRA	Develop nutrient criteria for Great Salt Lake	Added to revision list
27.	WRA	Revise selenium standard to a more protective value	No action because the existing standard is protective and scientifically defensible and the selenium standard is being reviewed by USEPA
28.	WRA, RN	Classify all waters as 2A, frequent primary and secondary contact recreation	No action because the recreational subcategories, frequent and infrequent, are appropriate and provide DWQ flexibility in achieving the swimmable goals of Clean Water Act.

Division of Water Quality (DWQ) Actions for Comments on Water Quality Standards Revisions for the 2011 Triennial Review			
No.	Commenter	Comment	DWQ Action
29.	WRA	Delete road construction exemption for Category 1 waters	Add to revision list 2011. DWQ recommends that the road construction example be deleted but retain the concept of allowing activities that have temporary and limited impacts on water quality. This concept is consistent with USEPA policy (July 13, 1991 memorandum Antidegradation Policy: ONRW).
30.	WRA	Evaluate temperature standards and revise if appropriate	Added to revision list
31.	WRA	Delete examples from antidegradation review requirements	Added to revision list for 2011
32.	WRA	Develop sediment criteria for GSL	Added to revision list
33.	WRA, LM	Finish development of assessment methods for Farmington Bay wetlands	Added to revision list
34.	LM	Change the Water Quality Standard for all of Willard Spur to match the standard for the Bear River Bay Bird Refuge. The change would for all the area north of GSL Minerals.	Appropriate beneficial uses for Willard Spur will be best determined when data from the ongoing studies are available. Add to revision list.
35.	LM	Drop TDS standards for all GSL wetlands	The agricultural beneficial use class has a numeric TDS standard but this beneficial use is not assigned to GSL transitional waters or wildlife management areas. GSL wetlands do not have TDS standards.
36.	LM	Develop an action planning process when an MMI Analysis does not show a wetland meets an acceptable quality level as compared to the reference wetland. This would include the an analysis of beneficial use protection and would be in conformance with recommendations from the National Academy of Sciences TMDL Report (see page 49).	Added to revision list
37.	LM	Develop a mixing policy for Wetland discharges. This would include an allowance for effluent dominated wetlands.	Added to revision list
38.	WWP	Add criteria to effectively evaluate habitat degradation	The Narrative Standard will be revised during this Triennial Review. Habitat assessment methods can then be developed. Currently, some data that measures habitat integrity but objectives methods for assessing these data are still under development.
EPA: Environmental Protection Agency RN: River Network LM: Leland Myers TU: Trout Unlimited WRA: Western Resource Advocates WWP: Western Water Project			