

Texas Surface Water Quality Standards Update



Goose Island State Park
Image Credit: Texas Parks and Wildlife

2014 TCEQ Water Quality / Stormwater Seminar

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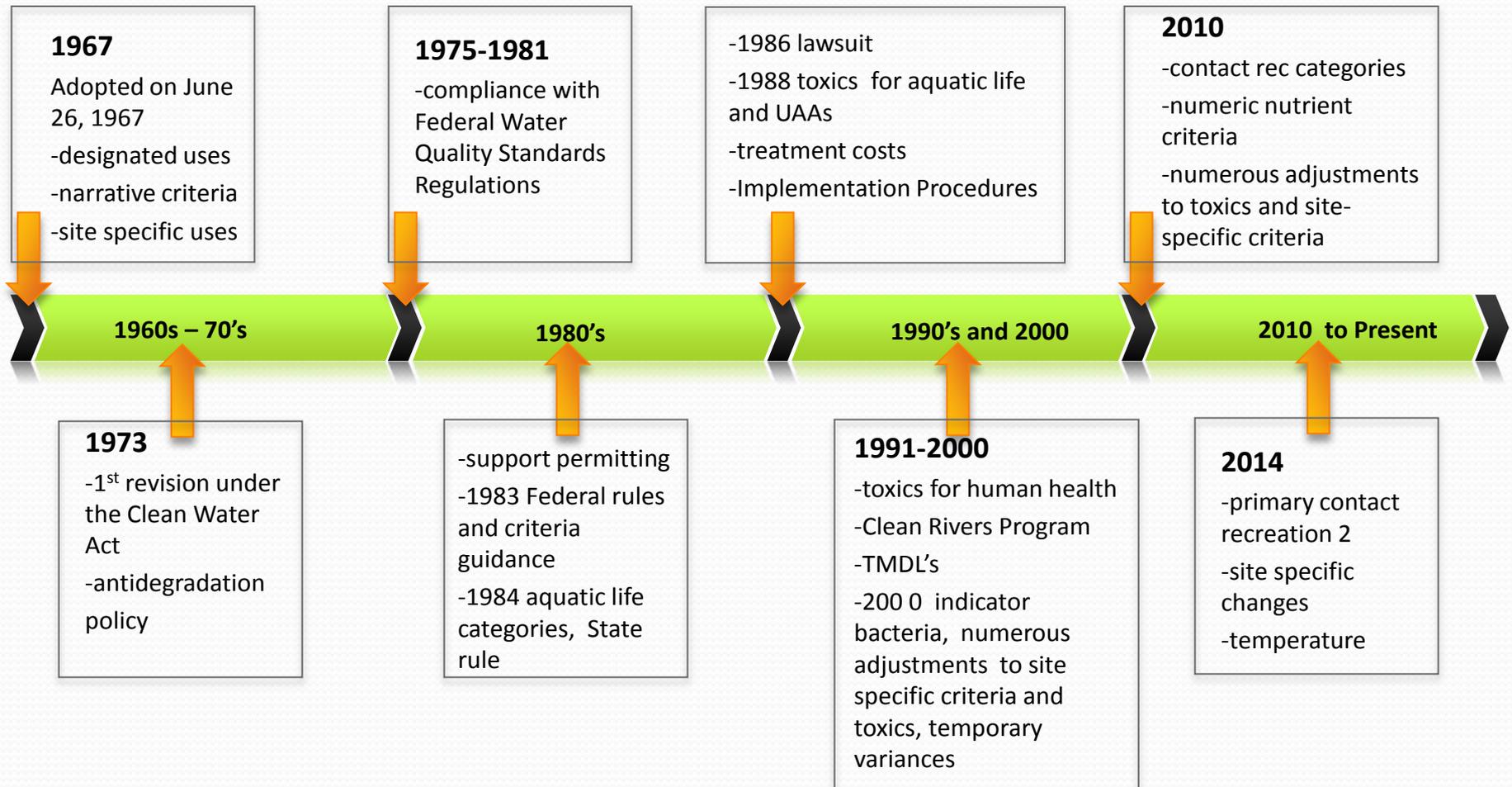
Water Quality Standards Group Leader



Water Quality Standards 101

- The Texas Surface Water Quality Standards (Title 30, Chapter 307 of the Texas Administrative Code) describe the chemical, physical, and biological conditions to be attained in the surface waters of Texas.
- Authority for adopting and revising water quality standards is contained in §26.023 of the Texas Water Code (TWC), and in §303(c) of the Federal Clean Water Act.

Timeline of Standards Development



2010 Revision: EPA Action

- EPA Action Letters

- June 29, 2011
- August 24, 2012
- July 2, 2013



- Action letters posted on TCEQ Website
- Highlighted 2010 rule indicates status of approval



Types of Actions

- **Approved** - available for use in all Clean Water Act (CWA) activities – permitting, assessment, TMDL...
 - **Conditional approval** - subject to completion of consultation with USFWS under Endangered Species Act
- **Disapproved** - not available for use in CWA activities
- **No action** - not considered water quality standards under the CWA
- **Under review**

Approvals



- Human Health Criteria (all proposed except mercury)
- Aquatic Life Criteria
- Bacteria
 - Recreation use criteria categories
 - Removal of single sample
 - Procedures to assign presumed primary contact recreation and secondary contact recreation 1 uses (unclassified waters)
 - Appendix G (Site-specific contact recreation criteria)
- Appendix B (Sole source surface drinking water supplies)
- Appendix C (Segment descriptions)
- Appendix E (Site-specific toxic criteria)
- Appendix F (Site-specific numeric nutrient criteria)

Disapprovals

- Mercury human health criterion (Table 2, §307.6)
- Deferred aquatic life listings (§307.9)
- High flow exemption for bacteria (§307.9)
- Site- specific criteria for:
 - North Sulphur River
 - Oso Bay
 - Laguna Madre
 - Lavaca River
 - 36 Reservoirs in Appendix F (Nutrients)



No Action – EPA Considerations

- What is / is not a water quality standard under CWA 303(c)(3)?
 - Is it legally binding according to state law?
 - Does it address designated uses, criteria (narrative and numeric) or anti-degradation?
 - Does it establish a desired level of condition or protection?
 - Is it a new or revised standard?





No Action – 2010 WQS

- Portions of §307.6 – biomonitoring and toxicity reduction evaluations
- Portions of §307.7 – Use of USDA action levels to determine acceptable toxic concentrations in shellfish
- Portions of §307.8 – Minimum analytical levels, once-through cooling waters and storm water dischargers
- Portions of §307.9 - assessment procedures

Still Under Review



- EPA has acted upon vast majority of revisions from 2010!
- Appendix A
 - Temperature criteria for 3 segments (Guadalupe and Cypress Creek Basins)
 - Dissolved minerals criteria for 19 segments



Alligator Gar, Trinity River
Image Credit: Larry D. Hodge, ©Texas Parks and Wildlife



2014 Triennial Revision

- Preliminary comments received (July, 2011)
- Advisory Workgroups (March, May, November 2012)
- Proposed (August 21, 2013)
- Public hearing (October 17, 2013)
- Adoption Agenda (February 12, 2014)
- Effective as a state rule (March 6, 2014)
- Sent to EPA (April 23, 2014)



2014 Revision

- Revision of statewide toxic criteria
 - Mercury
 - Human health criteria are all based on water column concentrations
- Additional site-specific standards for individual water bodies
 - Dissolved minerals, pH, DO, contact recreation, toxics



Additional Topics

- Temperature Criteria
 - Different mixing zone sizes for specific numeric criteria
 - Industrial cooling water areas
- Expand recreational categories
 - Primary Contact Recreation 2 – freshwater only
 - Geomean criteria 206 *E. coli* / 100 mL
 - Activities like swimming and wading by children that occur on a less frequent basis due to limited public access or physical characteristics of the water body
 - Requires a contact recreation study

2014 Revision: Next Steps

- Pending EPA action
- Provisions must be approved by EPA to be used in Clean Water Act activities like wastewater permitting and assessment



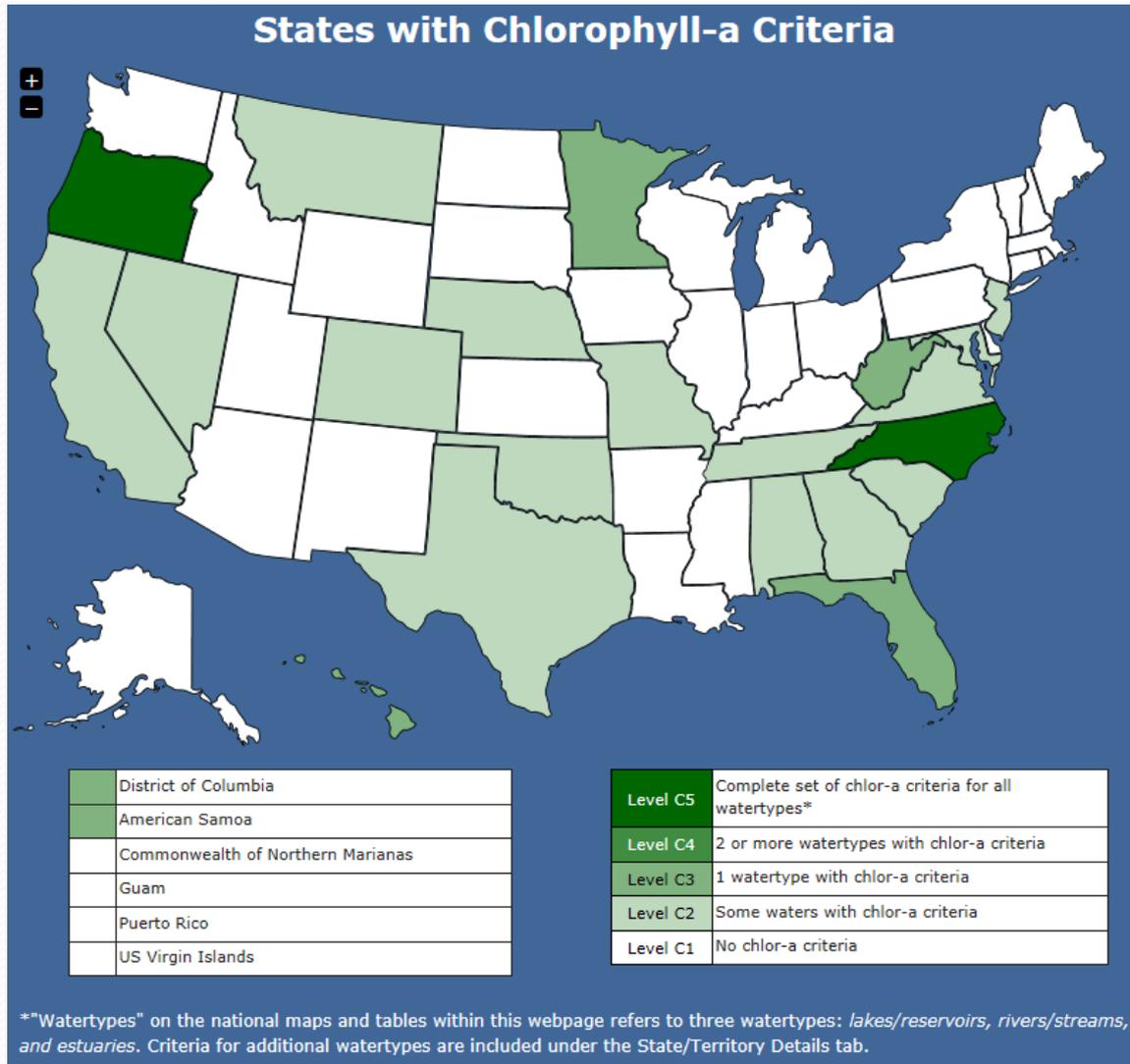
Frio River, Garner State Park
Image Credit: Texas Parks and Wildlife

Current Work: Nutrients

- On July 2, 2013 EPA approved 39 out of 75 site-specific chlorophyll a criteria for reservoirs.
 - Disapproved 36
- Additional nutrient criteria were not included in 2014 revisions to the standards
- Address reservoir criteria disapproved by EPA
- Estuaries
- Streams and Rivers



Nutrients: What Next?



- 2014: Nutrient Criteria Development Plan
- 2017: Refine reservoir criteria
- 2017: Consider criteria in selected estuaries and upstream contributing inputs

Getting Involved

- Surface Water Quality Standards Advisory Workgroup
- Nutrient Criteria Development Advisory Workgroup
 - October 1



Llano River, "The Slab" swimming hole
Image Credit: LakesandHills.com



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