



# Minnesota's Water Quality Standards and the

## NEW

# Triennial Review Process

Catherine O'Dell

Water Quality Standards Unit



# Minnesota's Water Quality Standards and the **NEW** Triennial Review Process

September 4, 2013  
9:00 to 10:00 am

**Email questions to:**

**[minnrule7050.pca@state.mn.us](mailto:minnrule7050.pca@state.mn.us)**





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# Water Quality Standards are used to:



- § Protect beneficial uses
- § Assess the quality of the state's water resources
- § Identify waters that are impaired
- § Set limits for discharge permits and cleanup activities

# Who and What is Protected?

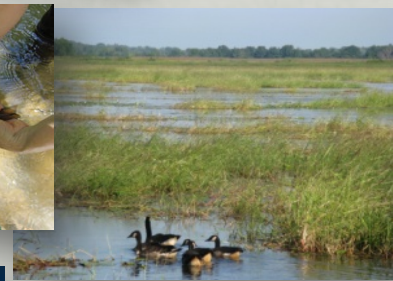
- ¢ Waters assigned beneficial uses
- ¢ Minnesota Statutes (Section 115.44, Subd. 3):
  - ✧ "...best usage in the interest of the public..."
- ¢ Clean Water Act (Section 303(c)(2)(A)):
  - ✧ "...use and value for public water supplies, propagation of fish and wildlife, recreational purposes, and agriculture, industrial, and other purposes, and also...use and value for navigation."



# Beneficial Uses

¢ Seven classes in MN Rules:

1. Domestic consumption
2. Aquatic life and recreation
3. Industrial use and cooling
4. Agricultural and wildlife use
5. Aesthetics and navigation
6. Other uses
7. Limited resource value



# Surface Waters have Multiple Beneficial Use Classifications

**Class 1** – Drinking water (ground and surface waters)

**Class 2** – Aquatic life and recreation (can include drinking water and 7052 includes fish-eating wildlife)

**Class 3** – Industrial use and cooling

**Class 4A** – Agricultural use, irrigation

**Class 4B** – Agricultural use, livestock, and wildlife watering

**Class 5** – Aesthetics and navigation

**Class 6** – Other uses

**Class 7** – Limited resource value waters

# What Conditions are Protective?

- ✧ Standards identify the conditions needed to support the beneficial use



- § Can be numeric or narrative (descriptive)
- § Generally statewide or region-specific



# How Is Good Water Quality Protected?

- ¢ Antidegradation is a key protection tool
- ¢ Three areas of policy/rule provisions:
  1. Maintain existing beneficial uses
  2. Protect high quality waters
  3. Maintain exceptional waters (ORVWs)

# One more time: What Are WQ Standards?

- ¢ Foundational part of the Clean Water Act
- ¢ CWA objective:
  - ✧ “Restore and maintain the chemical, physical and biological integrity of the nation’s waters”
  - ✧ “Fishable and swimmable” interim goal
- ¢ Address three key questions:
  1. What and who are we protecting?
  2. What conditions are protective?
  3. How do we maintain high water quality?

# The Triennial Review is...

A requirement under Section 303 of the federal Clean Water Act:

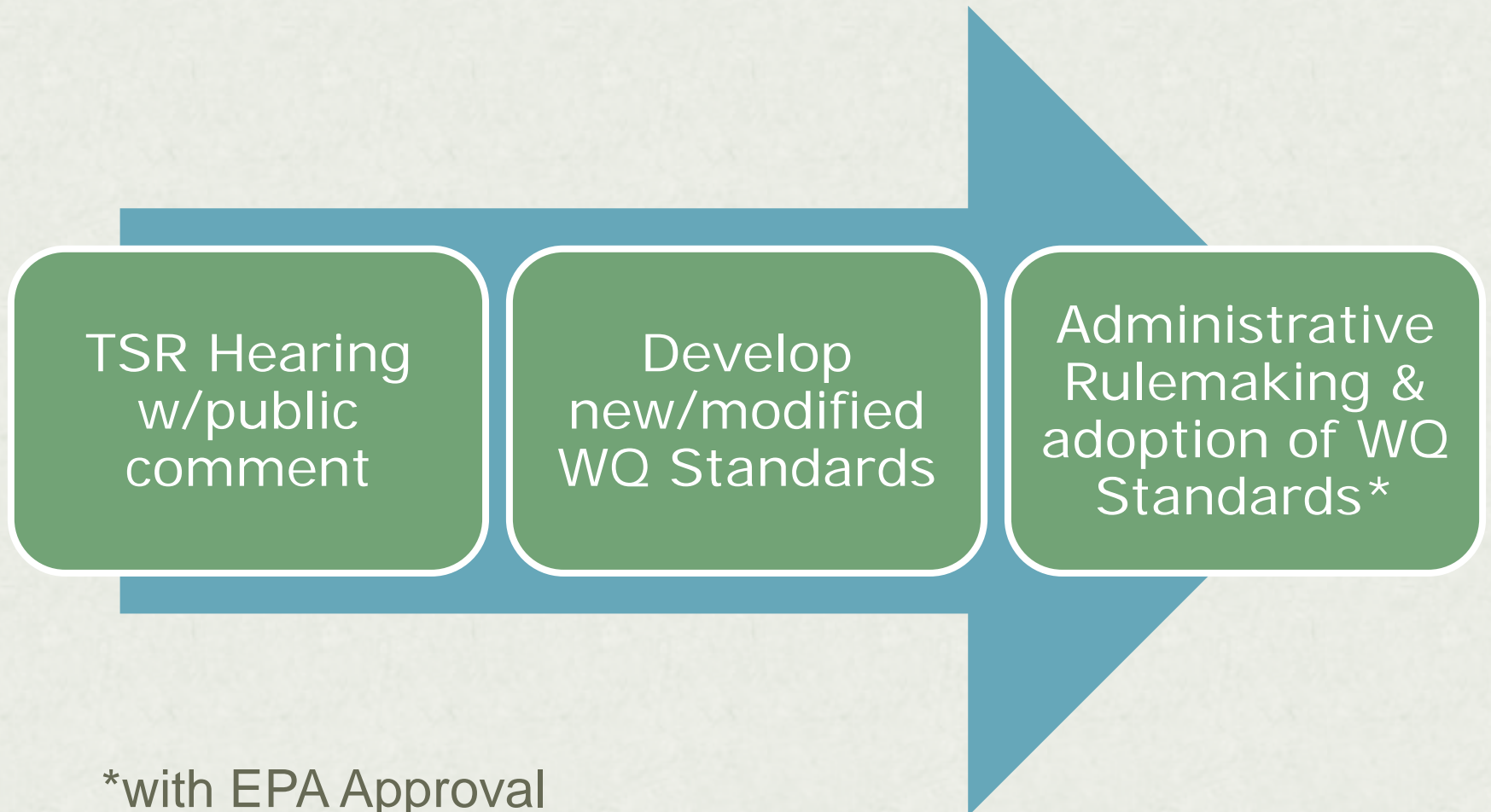
“..at least once each three year period...hold public hearings for the purpose of reviewing applicable water quality standards and, as appropriate, modifying and adopting the standards”

[CWA Section 303(c)(1)]

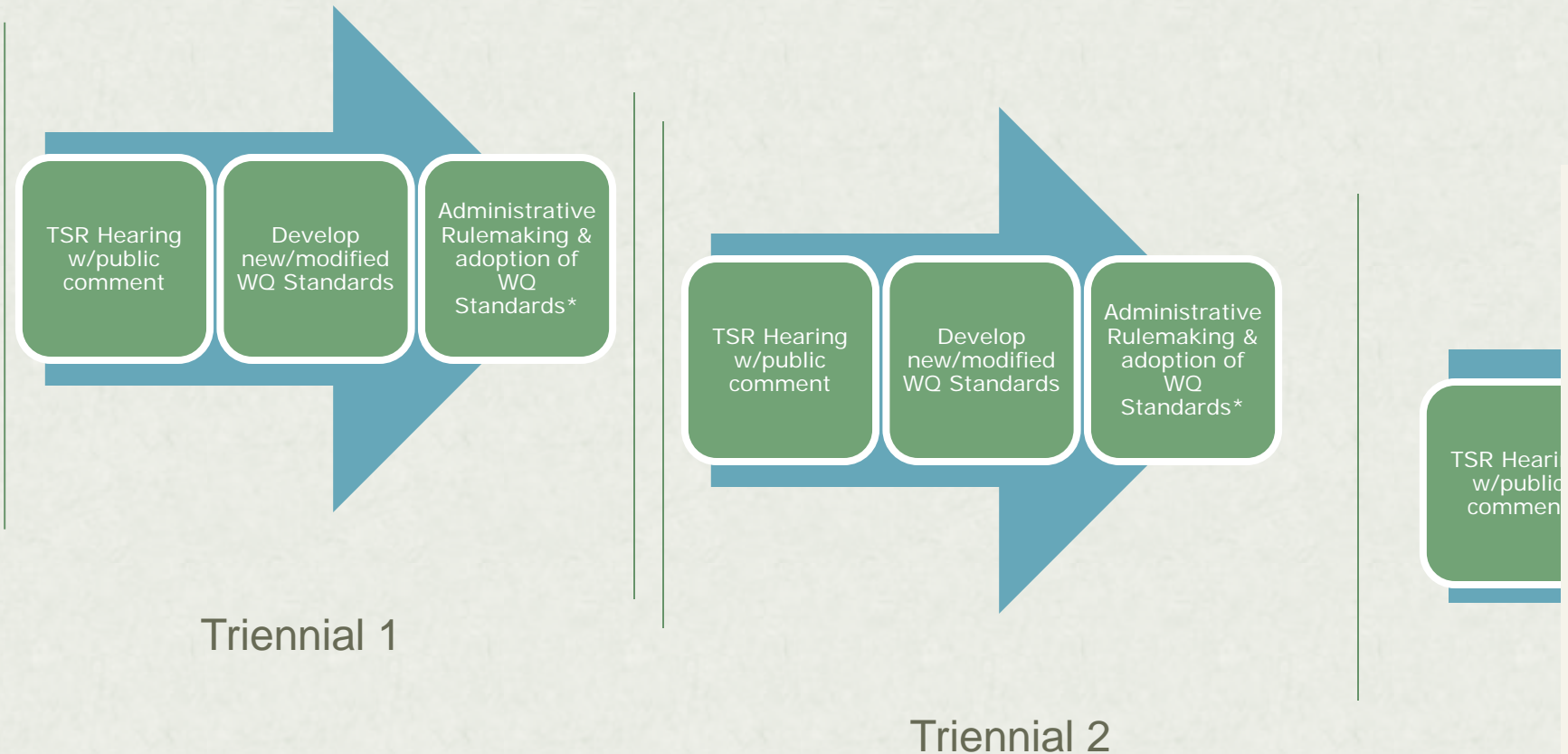
*The “Triennial Standards Review or TSR”*



# MPCA's TSR Process to date:



# An every three year, linear process



# ..except that it hasn't been

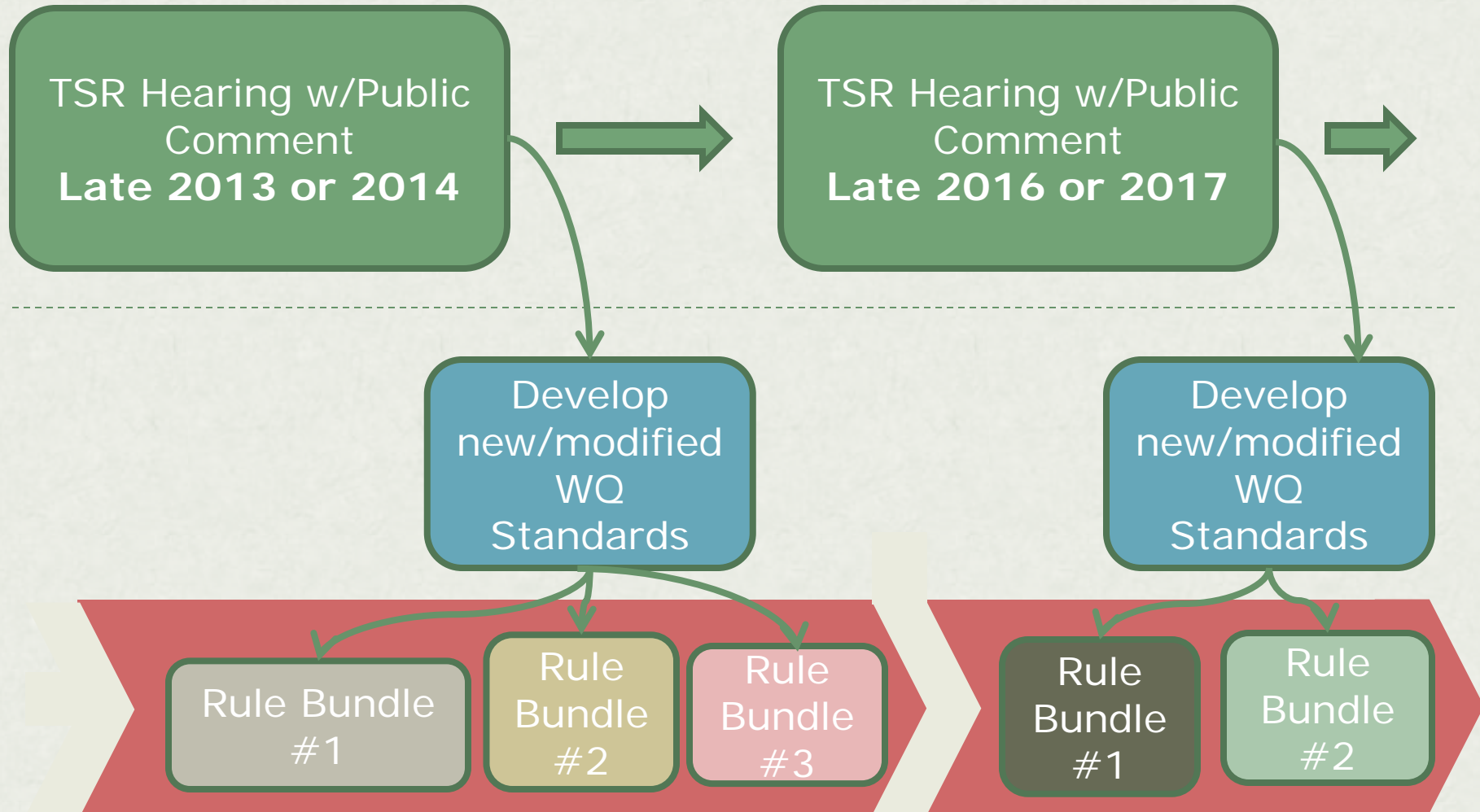
## Example: 2008 TSR Projects

- ✧ **New Water Quality Standards for River Eutrophication and Total Suspended Solids**
- ✧ Complex technical development
- ✧ Changing or updated science
- ✧ Heightened interest and challenges to the standards development process
- ✧ Complex rulemaking process





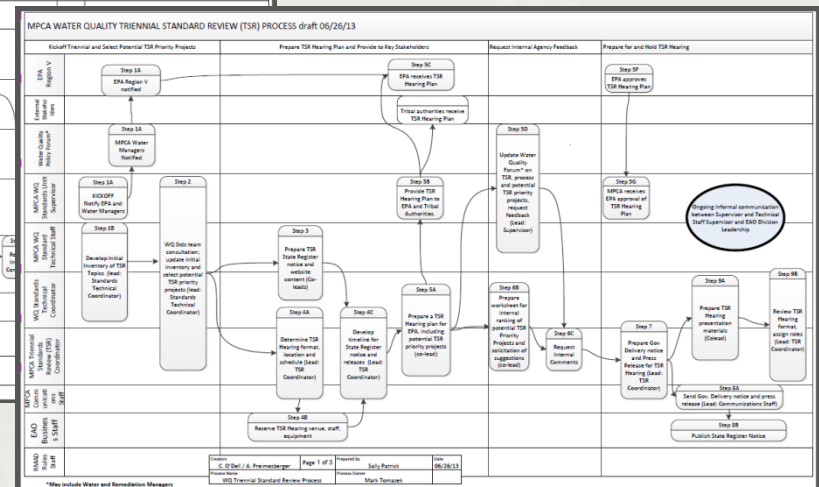
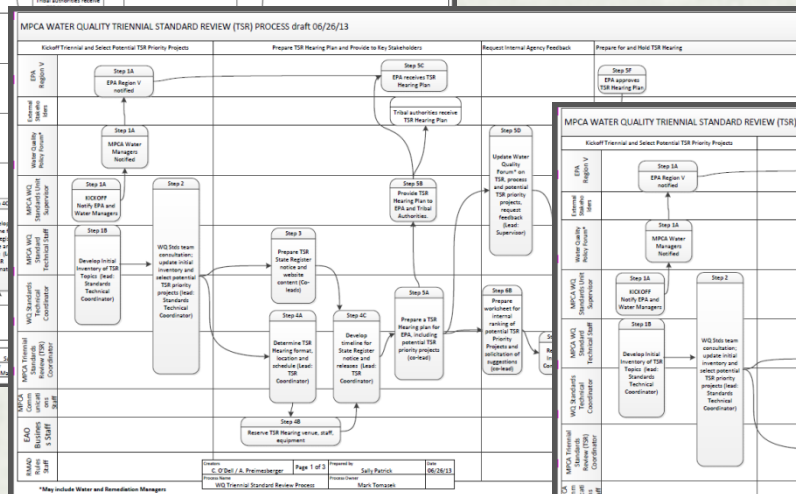
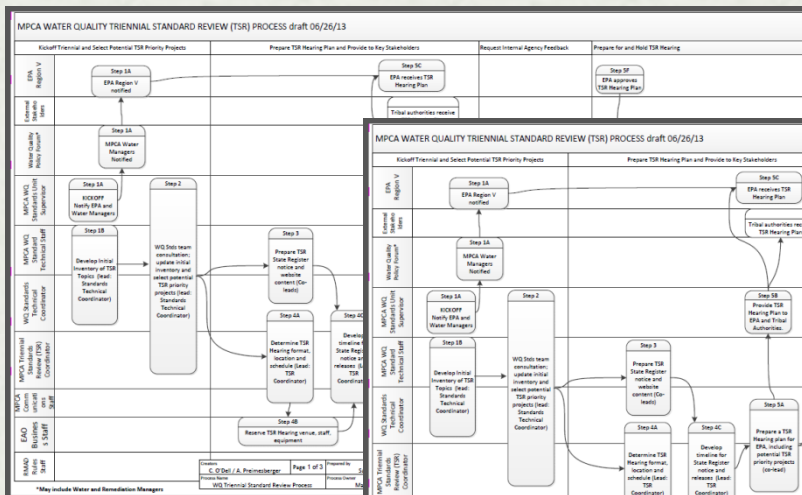
# MPCA's New TSR Process





Welcome to a new way of doing business for state government.

## Process Maps of New TSR



What water  
quality  
standards  
revisions,  
amendments  
or new  
pollutant  
standards is  
the MPCA  
working on?

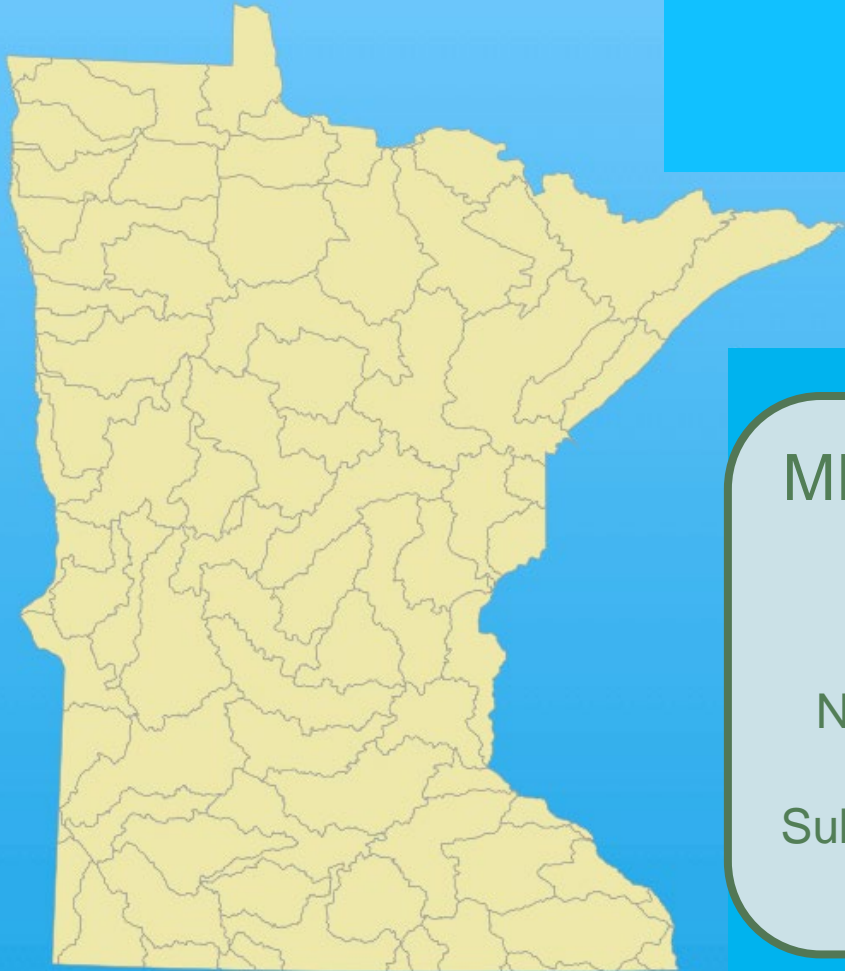




# Initial TSR Inventory

- ¢ Provide the public with information on:
  - ✧ WQS priority projects: **in process**
  - ✧ WQS priority projects: **committed to**
  - ✧ **Potential WQS priority projects/topics**
- ¢ Inventory will facilitate commenting on potential TSR focus areas while gathering broader public input per Clean Water Act requirements

# Internal MPCA Solicitation of WQS Needs

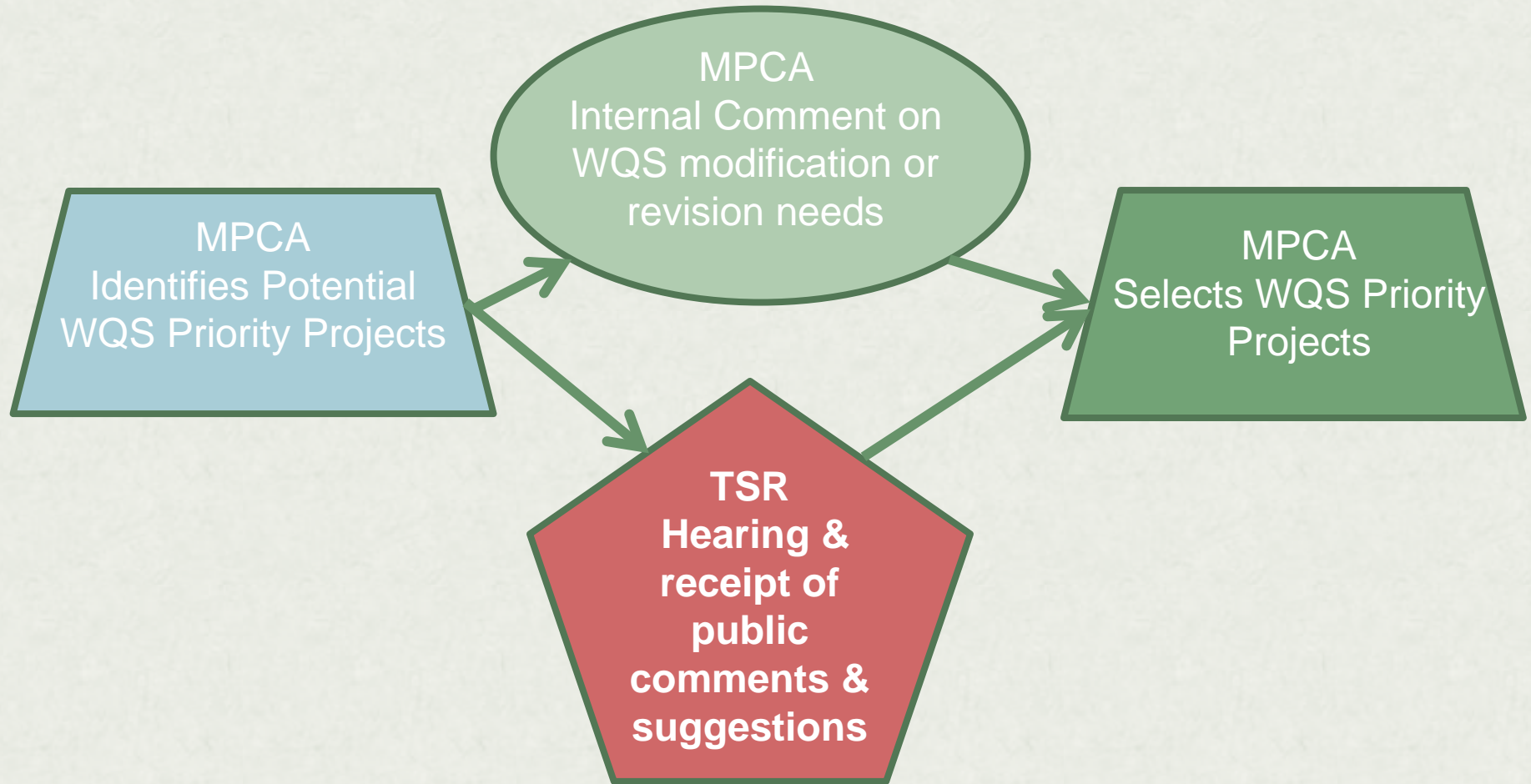


Requests, Suggestions,  
Feedback on Potential WQS  
priority projects/topics

## MPCA Programs Applying WQ Standards:

Effluent limits  
NPDES permits (WWTP, Stormwater)  
Impaired waters and TMDLs  
Subsurface Sewage Treatment Systems  
Land disposal permits

# PRIMARY STEPS IN MPCA'S NEW TRIENNIAL STANDARDS REVIEW PROCESS

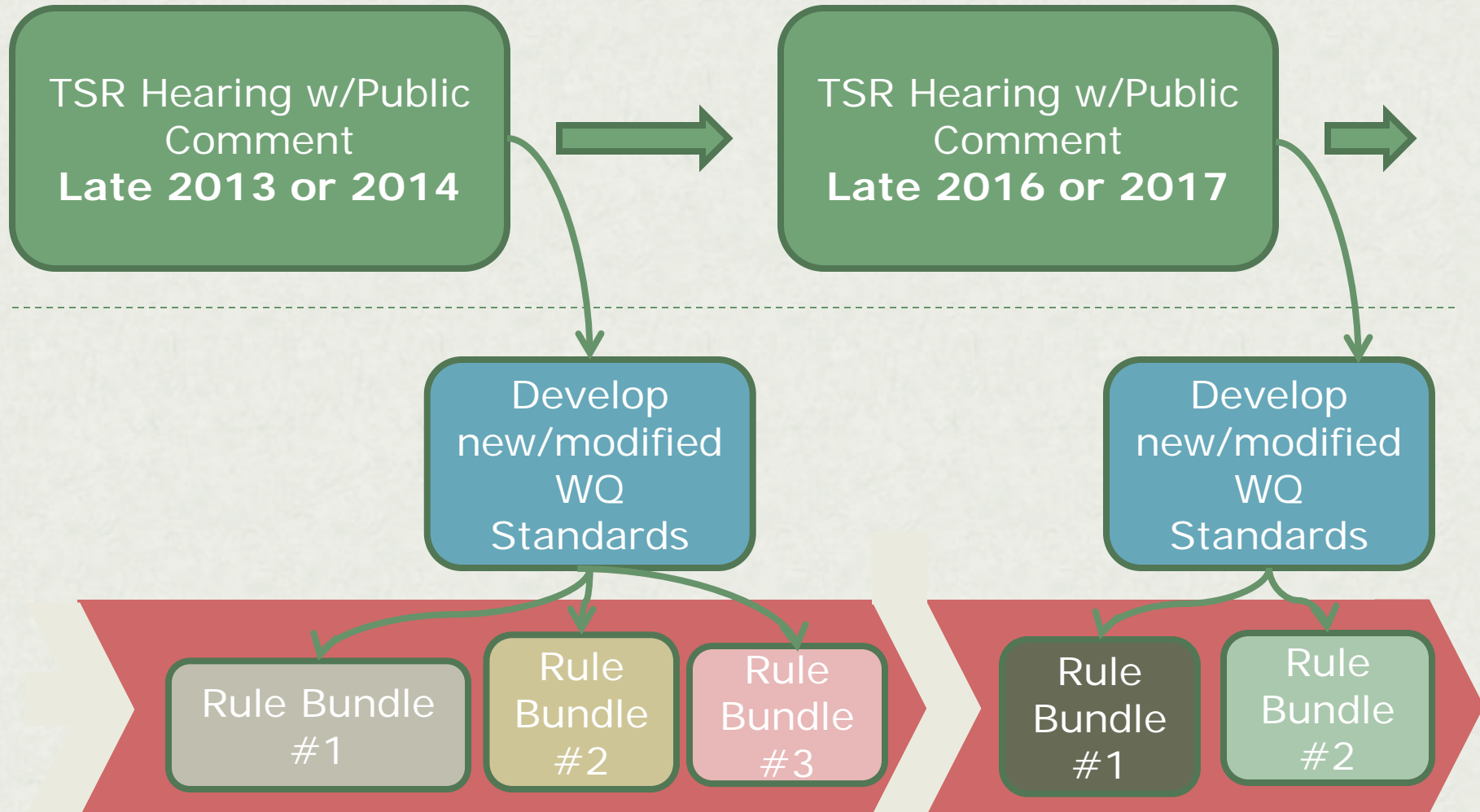




# Considerations for Prioritizing TSR Topics

- ⌘ **Program needs:** permitting, remediation, and regional TMDL/stressor ID
- ⌘ **EPA national criteria and State pollutant- specific information**, including:
  - ✧ MN Dept. of Health standard and guidance for human health
  - ✧ MPCA and EPA fish-tissue monitoring/new fish tissue WQS
  - ✧ MN Dept. of Ag pesticide monitoring/benchmarks
- ⌘ **Use Classification requests**
- ⌘ **Public feedback** on pollutants of concern and newer scientific/policy information to improve WQS

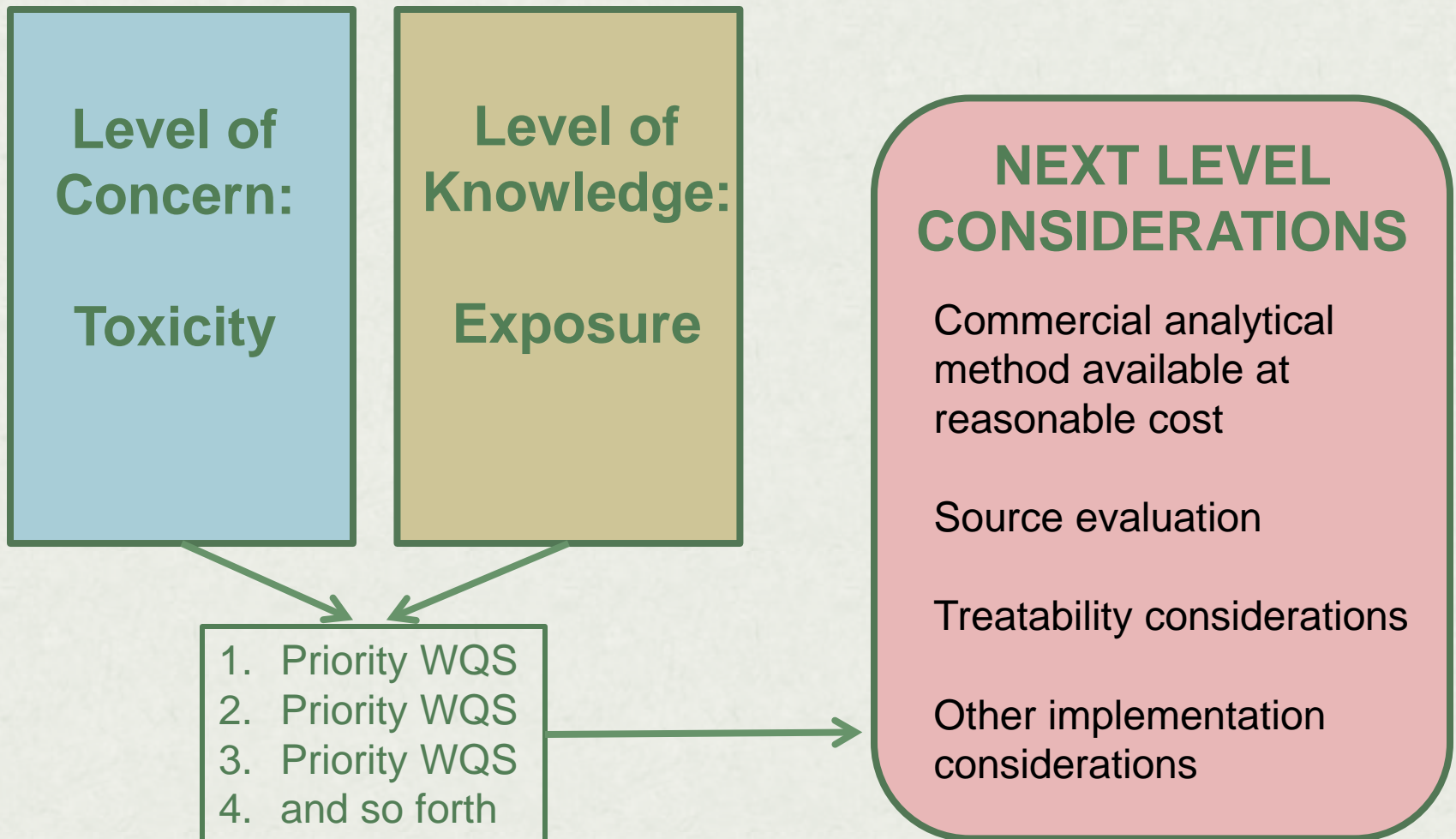
# MPCA's New TSR Process



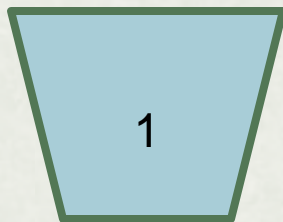
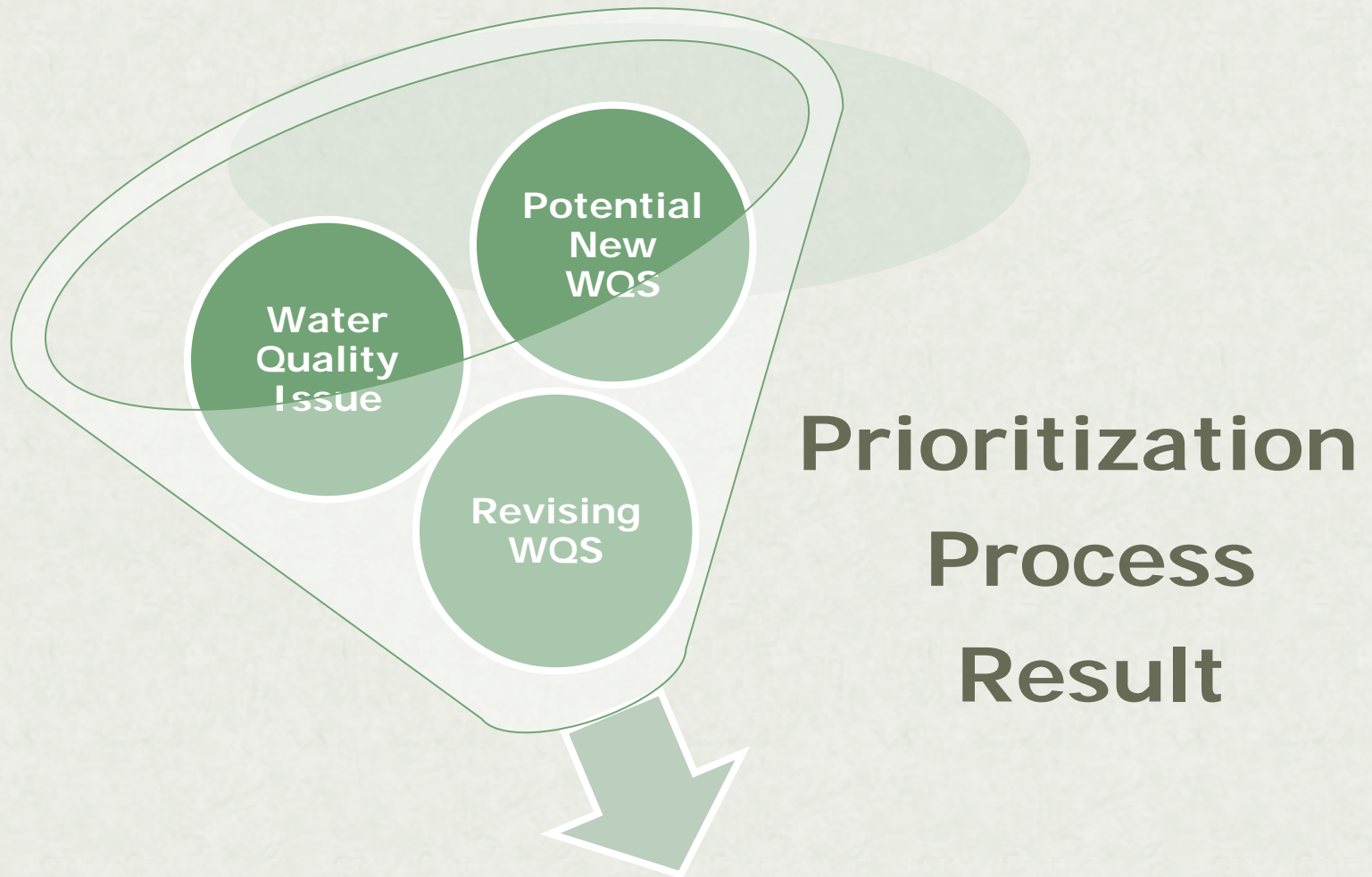
# Final 2013/2014 TSR Priorities and Inventory of WQS topics

- § WQS priority projects: **in process**
- § WQS priority projects: **committed to**
- § **WQS priority projects:** priorities selected as part of the **2013/2014 triennial standards review**
- § WQ standards/guidance that should be revised/developed but are not priorities for the upcoming cycle
- § WQ standards/guidance where barriers to development currently exist

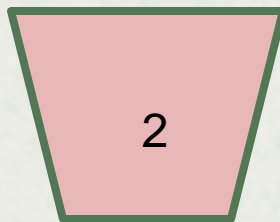
# Prioritizing development of new and revised water quality standards



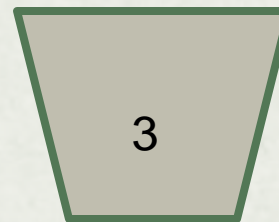




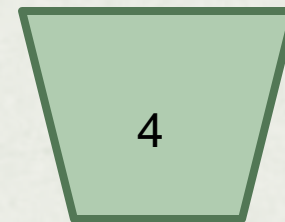
New WQS



Monitoring  
Planned

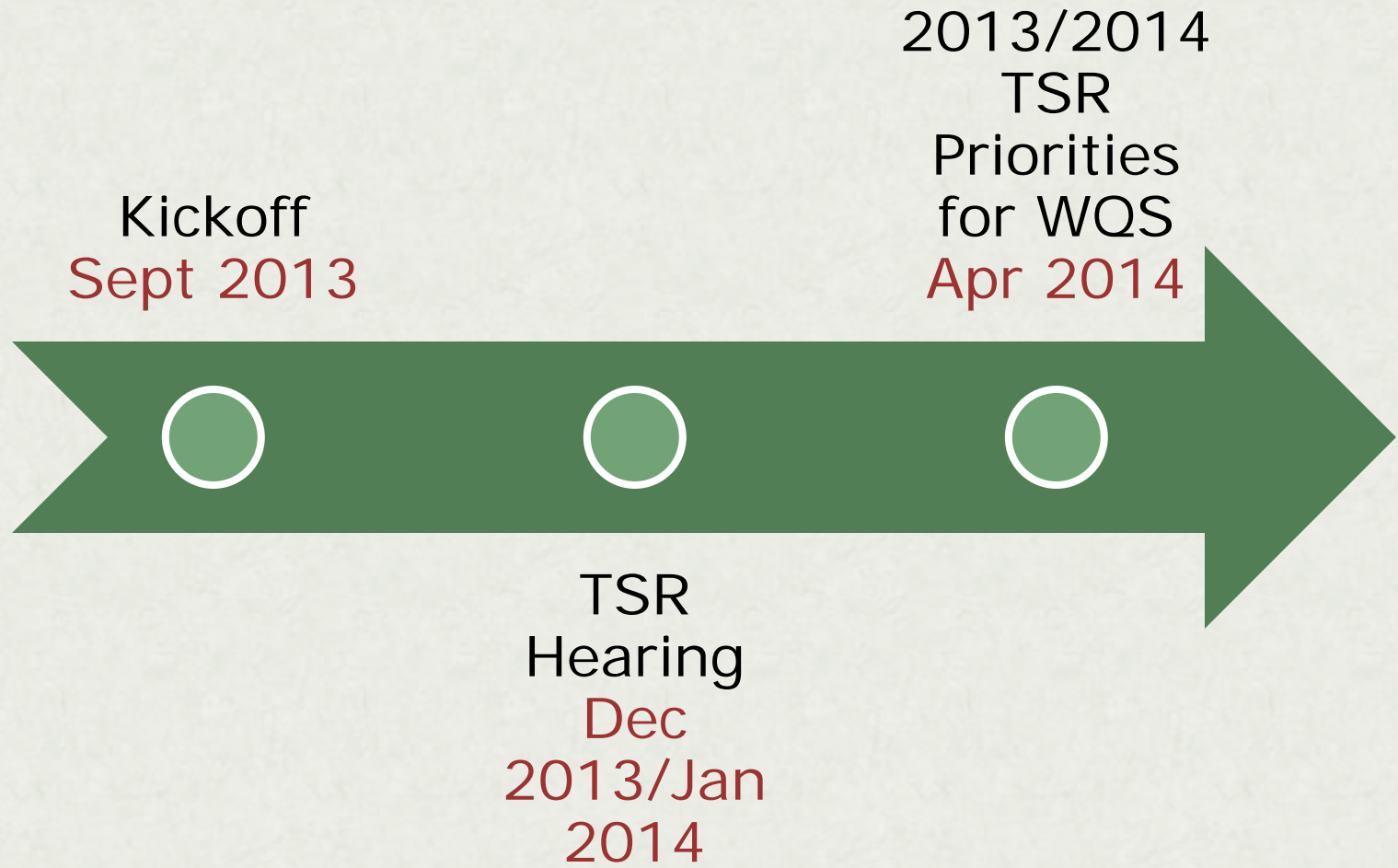


Referred to  
P2, other



Inventory for  
future TSR

# Timeline for the upcoming TSR



# Email Webinar Questions to:

**[minnrule7050.pca@state.mn.us](mailto:minnrule7050.pca@state.mn.us)**

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