

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF JULY 13-14, 2017

Prepared on April 7, 2017

Revised on June 2, 2017

ITEM NUMBER: 19

SUBJECT: *Amending the Water Quality Control Plan for the Central Coastal Basin to Update the Turbidity Water Quality Objective Units of Measurement from Jackson Turbidity Units (JTU) to Nephelometric Turbidity Units (NTU), Resolution No. R3-2017-0014*

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THIS ACTION: Adopt Resolution No. R3-2017-0014

SUMMARY

Staff is proposing to amend the *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan) to update the turbidity water quality objective units of measurement from Jackson Turbidity Units (JTU) to Nephelometric Turbidity Units (NTU) as a non-substantive Basin Plan amendment. JTU is an outdated unit of measurement and its use is inconsistent with existing regulations and monitoring methods, which use NTU. Only the unit of measurement nomenclature is revised in the Basin Plan text; the turbidity objective itself is not changing. The regulated community made this shift decades ago when the USEPA established NTUs as the appropriate unit of measurement. Therefore, the regulated community will experience no change as a result of this Basin Plan amendment. For example, permits issued by the Water Boards have used the NTU nomenclature for many years. Also, the Central Coast Water Board's Basin Plan is the only basin plan in the state that still uses the outdated JTU.

Staff recommends adoption of Resolution No R3-2017-0014 and the associated non-substantive Basin Plan amendment.

DISCUSSION

Methods for measuring turbidity were developed in 1900 by Jackson using a Jackson candle turbidity meter and reported as JTUs. In the early 1970s, improved turbidity measurement methods using a nephelometric turbidity meter were developed, and USEPA adopted the new units as a standardized method in 1971. The 1971 USEPA standardized methods prescribe the use of a nephelometric turbidity meter; however, USEPA continued reporting the measurement obtained from this meter as JTUs. In 1983, USEPA updated their standardized methods. The 1983 USEPA methods continued to prescribe the use of a nephelometric turbidity meter but changed the name of the reporting units from JTU to the more appropriate NTU. Both the 1971 and 1983 USEPA monitoring methods prescribe the use of identical nephelometric meters and

nearly identical procedures but have different names for the outputs and reporting. This amendment updates the Basin Plan to be consistent with the 1983 USEPA standard turbidity method that reports units as NTU.

The Basin Plan is the foundation for regulatory actions taken by the Central Coast Regional Water Quality Control Board (Central Coast Water Board). Staff reviews the Basin Plan triennially and updates the Basin Plan on a regular basis to assure clarity and usefulness. Since 1995, updating the turbidity water quality objective has been a triennial review priority of the Central Coast Water Board. During the 2014 triennial review, stakeholders commented that the turbidity water quality objective units should be updated from JTU to NTU. No other basin plan in the state still contains the outdated JTU; therefore updating the turbidity water quality objective would make our Basin Plan consistent with the other Regional Boards and will make our turbidity water quality objective equivalent to most other regions in the state.

All monitoring programs in our region currently monitor and report turbidity as NTU. Since the proposed update merely changes the reporting units and does not affect existing regulations, the amendment is considered to be “non-substantive” or “without regulatory effect.” The amendment also does not result in any physical change in the environment and therefore is not subject to the Water Board’s California Environmental Quality Act requirements. The scientific basis of the turbidity water quality objectives remains unchanged and the amendment is not subject to scientific peer review. Finally, since the update does not have any regulatory effect, it is not subject to notice and hearing procedures set forth in the Administrative Procedures Act. However, some conditions of the Administrative Procedures Act still apply, such as submissions of Basin Plan amendments for review by the Office of Administrative Law.

COMMENTS

Staff notified the public and posted this resolution and Basin Plan amendment for public comment from April 19, 2017 through May 19, 2017. Staff received one comment letter and provided responses to these comments in Attachment 3. The one comment from Sara Lopez, Technical Program Manager, Central Coast Water Quality Preservation Inc., raises the question of whether JTUs and NTUs are truly equivalent. The USEPA considered the units of measurement to be essentially equivalent when they adopted NTUs as the appropriate unit of measurement in the early 1980’s. Moreover, regulatory agencies and the regulated community have been using the USEPA approach since that time. Current Water Board adopted permits use the NTU nomenclature. The regulated community will experience no change as a result of correcting the Basin Plan nomenclature. However, these comments prompted staff to clarify and improve this staff report and the Basin Plan Amendment Technical Memo (Attachment 2). Staff revised this staff report and the Basin Plan Amendment Technical Memo sections 1, 6, and 8.

CONCLUSION

Central Coast Water Board staff recommends adoption of Resolution No R3-2017-0014 and the associated Basin Plan amendment. The amendment removes outdated language from the Basin Plan and improves the understanding of the turbidity water quality objective without substantively changing any existing regulations.

ATTACHMENTS

1. Resolution and Basin Plan Amendment
2. Basin Plan Amendment Technical Memo Updating Basin Plan Turbidity Water Quality Objective Units of Measurement
3. Public Comments and Staff Responses

RECOMMENDATION

Adopt Resolution No. R3-2017-0014 as proposed.