

FOREWORD

In order to better achieve and maintain water quality conditions necessary to protect aquatic living resources of the Chesapeake Bay and its tidal tributaries, the U.S. Environmental Protection Agency (EPA) Region III has developed this guidance document titled ***Ambient Water Quality Criteria for Dissolved Oxygen, Water Clarity and Chlorophyll *a* for Chesapeake Bay and Its Tidal Tributaries (Criteria Guidance)***. This document presents the EPA's proposed regional-based nutrient and sediment enrichment criteria expressed as dissolved oxygen, water clarity and chlorophyll *a* criteria, applicable to Chesapeake Bay and its tidal tributaries.

These criteria provide the EPA's recommendations to states and authorized tribes for use in establishing their water quality standards consistent with Section 303(c) of the Clean Water Act. Under Section 303(c) of the Clean Water Act, states and authorized tribes have the primary responsibility for adopting water quality standards as state or tribal law or regulation. The standards must contain scientifically defensible water quality criteria that are protective of designated and existing uses. The term "water quality criteria" is used in two sections of the Clean Water Act, Section 304(a)(1) and Section 303(c)(2). The term has a different program impact in each section. In Section 304, the term represents a scientific assessment of ecological and human health effects that the EPA recommends to states and authorized tribes for establishing water quality standards that ultimately provide a basis for controlling discharges or releases of pollutants or related parameters. Ambient water quality criteria associated with specific stream uses when adopted as state or tribal water quality standards under Section 303 define the level of a pollutant (or in the case of these criteria, a condition) necessary to protect designated uses in ambient waters.

Quantified water quality criteria contained within state or tribal water quality standards are essential to a water quality-based approach to pollution control. Whether expressed as numeric criteria or quantified translations of narrative criteria within state or tribal water quality standards, quantified criteria serve as a critical basis for assessing the attainment of designated uses and measuring progress toward meeting the water quality goals of the Clean Water Act and the *Chesapeake 2000* agreement. While this *Criteria Guidance* is not Section 304(a) criteria, it is guidance for the states to use in developing appropriate and protective Section 303 criteria and standards for Chesapeake Bay. EPA's *Criteria Guidance* is not law or regulation; it is guidance that states and tribes in the Chesapeake Bay watershed may consider in the development and/or modification of appropriate criteria for their water quality standards.

Rebecca W. Hanmer, Director
Region III Chesapeake Bay Program Office

Jon Capacasa, Director
Region III Water Protection Division

Geoffrey H. Grubbs, Director
Office of Science and Technology