

Biocriteria components of the CNMI Water Quality Standards



CNMI Division of Environmental Quality

An aerial photograph of a body of water, showing a ship's wake and a small boat in the lower right corner. The water is a deep blue color, and the wake is a white, foamy trail left by a larger vessel. A small, yellowish boat is visible in the lower right corner, moving towards the bottom right. The text is overlaid on the upper left portion of the image.

*“DEQ is to establish water
quality standards not manage and
conserve fish and wildlife”*

- Public comment received during 2004 triennial review

Designated uses

- Class AA Marine waters include the following uses:

“the support and propagation of shellfish and other marine life, conservation of coral reefs and wilderness areas”

Definitions

- No definition of “coral reefs”



Criteria

- All biocriteria in CNMI standards are narrative
- Based on reference condition

Criteria

- Most useful:

“The health and life history characteristics of aquatic organisms in waters affected by controllable water quality factors shall not differ significantly from those for the same waters in areas unaffected by controllable water quality factors. Also, controllable water quality factors shall not cause a detrimental increase in concentrations of toxic pollutants found in bottom sediments or aquatic life.”

Dredging

- Adopted mixing zone requirements
 - Coral monitoring before & during project
 - Work stoppage during coral spawning
- Language clearly ties requirements to protection of corals and seagrass



Biocriteria Needs:

- Standard methods for coral surveys
- Action levels, triggers
 - When do you stop a project?
- Biocriteria for nutrients
 - To complement / modify numeric criteria
- Flexibility needs to be retained in the system

Biocriteria Needs:

- Education:
 - Public
 - Consultants
 - Other agencies

Comments received by DEQ:

- Biocriteria components of the standards in general:

Comment:

“Nowhere does the Water Quality Standards Regulations authorize the DEQ to implement specific management measures directed at marine life.”

“DEQ should not invade the province of other regulatory agencies that have more expertise in the management and protection of our marine life.”

Comments received by DEQ:

- Regarding the prohibition of dredging during the coral spawn:

Comment:

“DEQ is plainly exceeding its regulatory authority and is now attempting to delve into the management of marine life”

Comments received by DEQ:

- Regarding requirement to stop dredging during the coral spawn:

Comment:

“if there are acceptable levels of fecal chloroform [sic] at our beaches for human recreation, are there not acceptable levels of turbidity for natural materials for coral reproduction?”

Comments received by DEQ:

- Regarding turbidity criteria:

Comment:

“The turbidity standard for Class AA marine waters (0.5 NTU above ambient) is more strict than our drinking water standard! This is a problem that needs to be addressed.”

Comments received by DEQ:

- Regarding all aspects of standards concerning wetlands:

Comment:

“leave wetland regulations to existing programs under [coastal zone program] and USCOE... DEQ is suppose to regulate only water quality issues”

Comments received by DEQ:

- On the use of the 404(b)(1) guidelines for determining consistency with the antidegradation policy for discharges of fill:

Comment:

...the CWA 404(b)(1) Regulations have absolutely nothing to do with water quality issues...