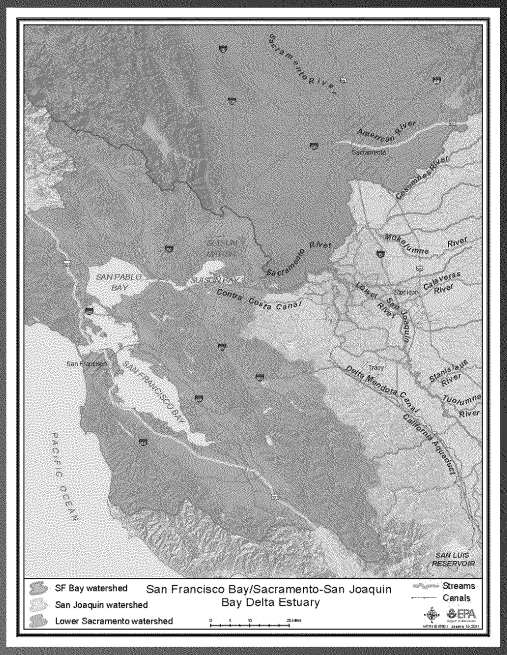
Advanced Notice of Proposed Rule-Making:

Water quality challenges in the Bay Delta Estuary

Background

- Poor water quality
- Interim Federal Action Plan
- EPA water quality role



Purpose

Assess the effectiveness of water quality programs designed to protect the Estuary's aquatic species

Water Quality Program Evaluation

I. ANPR
   A. Identify issues
   B. Summarize science
   C. Identify regulatory status
   D. Seek public input

II. Evaluate Water Quality Programs
   E. Synthesize public comment
   F. Issue Final Assessment Report

Content of ANPR

1. Summary of Clean Water Act Programs
2. Status of Bay Delta estuarine resources
3. Critical water quality issues impacting aquatic resources
   a. Scientific knowledge
   b. Regulatory framework
   c. Request public input

Critical Water Quality Challenges

Contaminants

- ammonia
- selenium
- pesticides
- contaminants of emerging concern

Habitat

- estuarine conditions
- migratory corridors
- wetlands

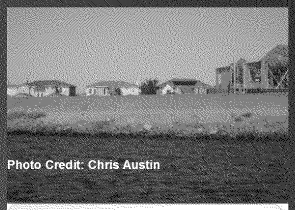


Photo Credit: Chris Austin

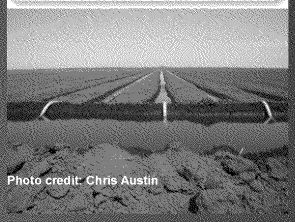
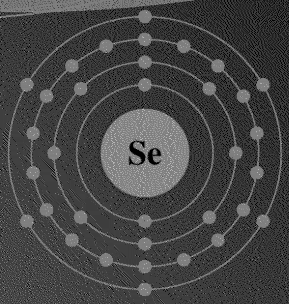


Photo credit: Chris Austin

Selenium



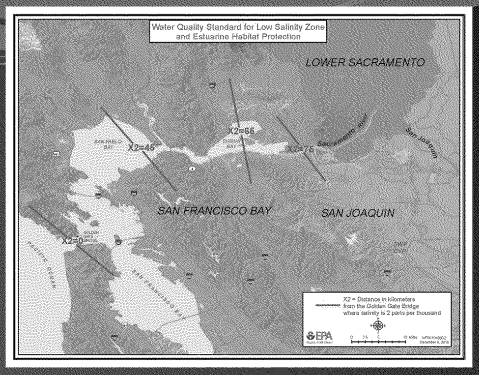
- Impact on aquatic organisms
  - Toxic to aquatic organisms and water dependent wildlife.
- Regulatory framework
  - Impaired waters
  - Water quality criteria
  - Total Maximum Daily Load
- Follow-up Actions
  - Revise and expand selenium criteria guidance

Photo Mike Peters

Pesticides

- Impact on aquatic organisms
  - Toxic to fish, invertebrates, and algae
- Regulatory framework
  - Impaired waters
  - Water quality criteria
  - TMDL
  - Irrigated Lands Program
- Follow-up actions

Estuarine Habitat



- Impact on aquatic resources
  - Recent sharp drop in open water estuarine species populations
- Regulatory framework
  - Estuarine habitat and endangered and threatened species habitat are designated uses
  - Recent focus on low salinity zone in fall
- Follow-up actions

Next steps

- Collect public comment
- Evaluate water quality programs
- Issue final assessment

Closing Remarks

- Water quality impairments persist in the Bay Delta Estuary.
- Are CWA programs sufficiently protecting water quality?
- What other actions should be taken?
- We are interested in your comments.