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ENVIRONMENTAL PROTECTION

WATER RESOURCES MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Request for Comments on Section 4.3 of the Revised Draft 2016 Integrated Water Quality Assessment Methods Pursuant to Section 303(d) of the Federal Clean Water Act at 33 U.S.C. 1313(d) and the New Jersey Water Quality Management Planning Rules at N.J.A.C. 7:15

Public Notice

Take notice that the New Jersey Department of Environmental Protection (Department) is seeking public comment on Section 4.3 of the revised draft *2016 Integrated Water Quality Assessment Methods* (Methods Document), which has been posted on the Department's Web site at <http://www.state.nj.us/dep/wms/bears/assessment.htm>. The Methods Document provides a description of the methodology used to develop a statewide List of Water Quality Limited Waters (303(d) List) pursuant to Section 303(d) of the Federal Clean Water Act at 33 U.S.C. 1313(d), the New Jersey Water Quality Planning Act at N.J.S.A. 58:11A-7, and the Water Quality Management Planning rules, N.J.A.C. 7:15. Section 4.3 was revised to include two new biological indices for assessing the General Aquatic Life Use in certain waters of the State.

The Methods Document includes a description of the data quality requirements and scientific methods used by the Department to evaluate surface water quality data and assess compliance with surface water quality standards and support of designated uses, as well as the rationale for placement of pollutants and assessment units on the 303(d) List. The Methods Document also includes information regarding the placement of assessment units and designated use assessment results on the Integrated List of Waters (Integrated List). The Department is required to seek public comment on the Methods Document pursuant to the Water Quality Management Planning rules, N.J.A.C. 7:15.

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Section 4.3 of the draft 2016 Methods Document was originally published for public review and comment on February 16, 2016 (see 48 N.J.R. 337(c)). That version of the Methods Document stated the Department's intent to apply new biological indices, which were still under development at that time, should they become available for the 2016 assessment:

... the Department is carrying out research on developing benthic macroinvertebrate indices for estuary and ocean waters. As part of this research, estuary benthic macroinvertebrate indices from other states are being reviewed to determine if they can be applied to Barnegat Bay and other estuaries in the state. If an existing benthic index is selected, modified, or a new index is developed to evaluate biological conditions in saline waters before the next Integrated Report, the Department will include all information on the benthic index and how it is being utilized in the Integrated Report. (p. 17)

Since two new indices have become available, the Department has decided to publish a revised draft 2016 Methods Document to afford the public an opportunity to review and comment on those new indices. As explained in Section 4.3 of the revised draft 2016 Methods Document, a new benthic macroinvertebrate index for marine waters (Multivariable AZTI Marine Biotic Index or "M-AMBI") will be used to assess biological conditions in saline waters of the Barnegat Bay. In addition, a new index of biotic integrity (Headwaters Index of Biotic Integrity or "HIBI") will be used to assess biological conditions in small headwater streams in Northern New Jersey, which will monitor the assemblage of fish as well as crayfish, salamanders and frogs, to assess aquatic life use in small headwater streams. The Department is seeking public comment only on these revisions to Section 4.3 of the revised draft 2016 Methods Document. Responses to public comments on the previous draft 2016 Methods Document will be published along with the revised draft 2016 Methods Document.

Interested persons may submit comments on the revised draft 2016 Methods Document by email to kimberly.cenno@dep.nj.gov or by regular mail to Kimberly Cenno, Bureau Chief, New Jersey Department of Environmental Protection, Division of Water Monitoring and Standards, Bureau of Environmental Analysis, Restoration and Standards, P.O. Box 420 (Mail Code 401-

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041), 401 East State Street, Trenton, New Jersey, 08625-0420. **All comments must be submitted by April 19, 2017**, which is 30 days after the date of publication in the New Jersey Register. A hard copy of the revised draft 2016 Methods Document may be requested by contacting the Bureau of Environmental Analysis, Restoration and Standards at 609-633-1441. The Department will consider all comments on Section 4.3 submitted prior to the close of the public comment period before finalizing the 2016 Methods Document. The final 2016 Methods Document will be published on the Department's website at <http://www.state.nj.us/dep/wms/bears/assessment.htm> prior to or concurrent with publication of the draft 2016 303(d) List for public review and comment.

2/15/17

Date

7/18/17

Bruce Friedman, Director

Division of Water Monitoring and Standards

Department of Environmental Protection