

Sutton, Kaitlyn

From: Hearn, Janet <JHearn@appliedtm.com>
Sent: Friday, November 22, 2019 11:06 AM
To: Sutton, Kaitlyn
Cc: Fred Noble; Peene, Steve
Subject: Triennial Review of Water Quality Criteria

Ms. Sutton,

The following comment on the proposed revised turbidity criterion is being forwarded on behalf of the Florida Department of Transportation. Please feel free to contact me if you have any questions.

DEP is considering revision of the turbidity criterion to better protect corals and hard bottom communities. The current criterion (29 NTU above natural background) was not designed to protect coral, but there are not enough data to set a coral-specific numeric criterion. As part of this revision, DEP is considering the addition of a narrative criterion element for both marine and fresh waters. Proposed language, as outlined at the public hearing, would apply to all waters as follows:

“...nor shall turbidity levels be increased to levels that negatively affect designated uses or result in increased sedimentation or reduced light transmission to the point that the normal growth, function, reproduction, or recruitment of aquatic life is impaired.”

In addition, DEP proposes to add language that would not allow turbidity to increase above background conditions in areas with corals or hard bottom communities. DEP states that the definition of “background condition” would account for natural variability of turbidity levels.

The change to a narrative marine turbidity criterion is likely justified based on observations that the current numeric criterion is not protective of coral and hard bottom communities. The change to the fresh water criterion, however, is not justified. No evidence has been presented that the current criterion of 29 NTU above background is not protective in fresh waters. The proposed change to an ambiguous narrative standard is not necessary and will potentially lead to an increase in third-party lawsuits against municipalities and the regulated community. In the absence of a compelling biological reason to change the turbidity criterion for fresh waters, the current numeric criterion should be retained without a narrative element.

Janet K. Hearn, PE

Associate Principal, Water Resources



Applied Technology & Management

2201 NW 40th Terrace, Gainesville, FL, 32605

Direct: 386-256-1018

O: 386-256-1477, Ext. 1054

M: 352-213-7256

www.appliedtm.com