

STATEWIDE TOTAL MAXIMUM DAILY LOAD

ADVISORY GROUP MEETING

FEBRUARY 18, 2000 1:00 PM - 3:30 PM

ROOM 35 METCALF BUILDING

ATTENDEES:

Committee Members:

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| John Youngberg | Montana Farm Bureau |
| John Bloomquist | Montana Stockgrower's Association |
| Doug Parker | ASARCO |
| Jeff Hagner | Dept of Natural Resources & Conservation |
| Patrick Heffernan | Montana Logging Association |

Other Attendees:

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| Mike Jostram | Plum Creek |
| Greg Schildwachter | Inland Forestry Assn |
| Cary Hegreberg | Montana Wood Products Assn |
| Mike Murphy | Montana Water Resources Assn |
| Brian Sugden | Plum Creek |
| Stuart Lehman | Dept of Environmental Quality (DEQ) |
| Bob Bukantis | DEQ |
| Bob Raisch | DEQ |
| Bob Barry | DEQ |
| Mike Kelly | DEQ |
| Carole Mackin | DEQ |
| Ken McDonald | Dept. of Fish, Wildlife & Parks |

Discuss Minutes, Amend Agenda, Announcements

It was determined there was not a quorum, but the group decided to continue the meeting informally.

Monitoring Section - Update on Review

Bob Bukantis discussed the first handout: 303(d) List Review-Statewide Summary Sheet. The List reviews are now complete and we are in the process of transferring the information into the assessment data base so we can produce the actual List document.

The group reviewed the DEQ Schedule for 303(d) Report Finalization.

The third handout for discussion was Prioritizing Waterbodies for TMDL development. The Water Quality Monitoring Section (WQMS) is assembling a draft list of waters to be reassessed during the first two field seasons. At this point, we are anticipating reassessing 25 to 40 per region per year. The WQMS intends to solicit feedback from the public on reassessment priorities during the public meetings. John Bloomquist and other members counseled DEQ to emphasize support of TMDL development, rather than the reassessment of delisting waterbodies. John Bloomquist suggested that DEQ put together several different scenarios for public review where we emphasize varying degrees of TMDL assessment.

Patrick Heffernan suggested that, as soon as possible, DEQ put together a proactive communications packet for public outreach, and in that packet DEQ should clearly explain the standard of data used for the List review, and also include a section on the petition process.

Public Meeting Section

Bob Bukantis briefed the group on the ENVIRONET. The data is about 90% entered and needs to be proofed before ENVIRONET is available to the public. Eventually, ENVIRONET will include summary assessment information, and report and information references.

The public comment and review period of the List is scheduled to begin on April 7th.

The pace of development of TMDL's is a problem, and it was felt they should be given a number one priority over reassessments. TMDL's were put on a 10 year schedule in May 1997. Only four nonpoint source -related TMDL's have been developed, but many more are under development. DEQ has about 140 such projects in various stages of development - assessment, planning, implementation, and monitoring. It will be necessary for the DEQ staff to keep track of more waterbodies as TMDL's are developed and implemented. There are still 7 years left of the 10 years scheduled.

Brian Sudgen asked whether data that comes in late can be used by DEQ to change the listing status of a waterbody. Brian expressed concern that information that comes in late in the process can be used for listing decisions and not receive scrutiny by interested parties. Considerable discussion followed and Bob Bukantis indicated that he thought the DEQ had to apply all information that was received during the public comment period to the 303(d) List. Bob promised to follow up and check on this issue with Bruce Zander and DEQ counsel.

For public review process, DEQ has developed three different comment sheets to solicit comments from the public on 1) any data or information that we should know concerning the quality of any waterbody, 2) feedback on our reassessment priorities, and 3) comments on priorities for TMDL development. A comment sheet will probably be developed to solicit feedback on people's interest in being involved in TMDL development.

Planning Section

Stuart Lehman discussed the last handout relating to Scoring, Ranking, Prioritizing and Scheduling. He said that people in some parts of the state may feel ignored by the TMDL program if waterbodies were ranked on a statewide basis. He felt this concern could be solved by ranking waterbodies on a regional basis, with highs and mediums developed for each region of the state. This way funds would also be targeted more evenly across the state. For example, high priority watersheds would be established for the Upper Clark Fork sub-basin area, as well as the Milk River area. The second page of the handout explains prioritization and scheduling. The top ten water bodies in the Upper Clark Fork sub-basin were are rated high, and scheduled to be developed in the next two years. There may be a smaller number of "highs" in the Upper Yellowstone. The top 15 % scored waterbodies in each sub-basin will be designated as high. The next 15 % will be designated as moderate priorities. Moderate and low priority TMDL waters may be combined with highs, for the two year scheduling purposes, if they are adjacent to a tributary of a high priority water.

It was questioned how discharge from Missoula, for example, would fit into a discharge priority. Would permits be reopened or renewed on schedule, or would all permits on the same TMDL be considered at the same time? This has not been worked out.

Bob Barry inquired about segmented listings. Should they be grouped together as a single priority, or listed and prioritized individually? The reasons for the listed stream segmentation were discussed, and it was felt if different causes were the reasons for the segments, they should be considered separately. Stuart Lehman felt grouping should occur in the two year scheduling and each case needed to be decided individually. This would give some flexibility and some decision making authority to the local and regional watershed groups. There are many factors that may be involved in the decision: geographics, politics, common sense, restoration timing, and similar topics.

Adjourn

The meeting was adjourned at 3:30 p.m. The next meeting was tentatively set for March 14th.

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