STATEWIDE TMDL ADVISORY GROUP (STAG) MEETING SUMMARY
JANUARY 3, 2019

Room 111, DEQ Metcalf Building, Helena, MT
12:30 to 3:30 p.m.

Attendance:

STAG Members (name, affiliation, interest group represented)

John Youngberg, Montana Farm Bureau – Farming-Oriented Agriculture (STAG Chair)
Jordan Tollefson, NorthWestern Energy – Hydroelectric Industry
Dave Mumford, City of Billings – Point Source Dischargers
Doug Parker, Hydrometrics - Mining
Joe Gutkoski, Montana Rivers – Water-Based Recreationists
Ryan Leland, City of Helena - Municipalities
Brian Ohs, MT Stock Growers Association – Livestock-Oriented Agriculture (sub for Jay Bodner)
John DeArment, Clark Fork Coalition – Conservation or Environmental Interest
Brian Sugden, Weyerhaeuser Company - Forestry Industry
Gary Frank, MT Dept. of Natural Resources and Conservation – State Trust Land Management Agencies
Dean Sirucek, Flathead CD – Conservation District Supervisor-West

Other Participants & Affiliation

Dan McGowan, Montana Association of Conservation Districts
Liv Starick, Montana Farm Bureau
Tim Davis, DEQ/Water Quality Division Administrator
Jon Kenning, DEQ/Bureau Chief – Water Protection Bureau
Eric Urban, DEQ/Bureau Chief – Water Quality Planning Bureau
Myla Kelly, DEQ/Supervisor – Water Quality Standards
Darrin Kron, DEQ/Supervisor – Monitoring and Assessment
Dean Yashan, DEQ/Supervisor - Watershed Protection Section
Kristy Fortman, DEQ/Watershed Protection Section
Christina Staten, DEQ/Watershed Protection Section
Robert Ray, DEQ/Watershed Protection Section
Mark Ockey, DEQ/Watershed Protection Section
Eric Trum, DEQ/Watershed Protection Section
Hannah Riedl, DEQ/Watershed Protection Section
Lou Volpe, DEQ/Watershed Protection Section

John Youngberg, STAG Chair, called the meeting to order at 12:37 p.m. and there was a round of introductions of those in attendance in room 111.

STAG Member Replacements and New Replacement Process

John Youngberg, STAG Chair and Farming-Oriented Agriculture representative, discussed the new STAG nomination and appointment process proposed by DEQ. Moving forward, each representative will be appointed for a two-year term. At the end of each two-year term, DEQ will ask the interest group contacts if they would like to nominate a new STAG representative or again nominate the current representative. Dean Yashan, Supervisor of DEQ's TMDL program, went over the members added since the last meeting held in 2014: John DeArment for Conservation or Environmental Interests, Ryan Leland for Municipalities, Alden Shallcross for Federal Land Management Agencies, and Jordan Tollefson for the Hydroelectric Industry. One STAG position remains vacant: Fishing-Related Business. Dean noted that DEQ has made recent attempts to fill this position.

Overview of STAG Roles

Dean Yashan and John Youngberg reviewed the responsibilities of the STAG under state law (75-5-702, MCA). They discussed the advisory group's consultation role in developing a TMDL prioritization process and in providing recommendations for priority areas/watersheds where DEQ will work. The STAG will also be consulted for the water quality monitoring program related to TMDL development and implementation. DEQ has additionally used the STAG in the past to get input on monitoring and assessment methods, which can be linked to the monitoring program for evaluating TMDL implementation. Prior to 2014, the STAG and DEQ were responding to the TMDL-related lawsuit, and STAG meetings often focused on efforts to satisfy the court requirements. In addressing these requirements, DEQ initially focused TMDL development in areas with watershed groups. TMDL lawsuit resolution eventually shifted more to watershed that support bull trout. For these reasons, the majority of completed TMDLs are in the western portion of the state. A goal has always been to write TMDLs that do not sit on a shelf, but instead get implemented – this has been a balancing act between meeting court requirements and working on TMDL implementation.

DEQ's New Organizational Structure and Current Staffing

Jon Kenning, Bureau Chief of the Water Protection Bureau, which contains the TMDL and TMDL Implementation (Nonpoint Source) programs, discussed the new Water Quality Division and organizational structure. He gave a discussion on the historical structure and how DEQ wanted to bring water programs together under one Division. All water programs are now in the same Division, with some programs focusing on updated direction, which is the strategic planning effort discussed as the next agenda item (see below). Per request, the new organizational chart was displayed for the Division, including mention of the number of staff and vacancies in the Watershed Protection Section (containing the TMDL, Nonpoint Source, and Wetland programs) and the Monitoring and Assessment Section.

DEQ's Strategic Planning – 20-year Visions

Tim Davis, Administrator of the Water Quality Division, introduced three strategic planning documents for the Monitoring and Assessment, Watershed Management (TMDL), and Nonpoint Source programs. Tim handed out a one-page summary for each program and a one-page overview of all three strategic plans. Tim noted that DEQ has limited resources and capacity, and is looking at how it can use the resources it has to make the greatest impact on water quality for the state. The three strategic plans are in draft form and the goal is to engage agencies and public on how to best meet our goals. Consultation with the STAG regarding TMDL prioritization will help inform the TMDL strategic plan. Strategic plans are

out for internal and external review, and DEQ is looking for input on the content and direction of these plans. To review these documents and provide feedback, visit: http://mtwaterqualityprojects.pbworks.com

Dean Sirucek, Conservation District Supervisor representing the western portion of the state, asked if the number of vacancies were due to budget shortfalls. Tim Davis responded, saying that the three strategic plans will help guide which vacancies and positions need to be filled. Tim also said the plans will help focus where Clean Water Act 319 funding is allocated in Montana.

STAG CONSULTATION: TMDL AND MONITORING AND ASSESSMENT PRIORITIES

Kristy Fortman, Water Quality Specialist in the Watershed Protection Section, went over the handouts: "TMDL Priority Setting Methodology," "Montana TMDL Development Map," and "TMDL Priority Areas" (**Appendices A, B,** and **C**). Kristy talked about the process methodology for setting priority areas, created consistent with what is in state law and also previously developed with STAG consultation. Darrin Kron, Supervisor of the Monitoring and Assessment Section, spoke to the monitoring and assessment process that normally precedes TMDL development. Kristy reviewed DEQ's current TMDL priority project areas that have had previous STAG consultation, areas planned for removal from the current list, new priority areas, and potential future priorities. DEQ's reasoning for choosing the priority areas is outlined in the "TMDL Priority Areas" handout (**Appendix C**). Each project area and associated handout information was discussed, and the outcome of those discussions is outlined below.

Existing TMDL Priority Project Areas (Determined with Prior STAG Consultation) to Remain as Priority

Priority Area	Status
• Madison Watershed:	Nutrient, *E. coli*, and metals TMDLs submitted to EPA for approval in December 2018. Sediment and temperature TMDLs will be submitted in 2019.
• Tongue River:	Salinity TMDL development in progress
• Beaverhead Watershed:	Metals and nutrients assessments completed in 2017; TMDL work has started. (Sediment and temperature TMDLs previously completed)
• Musselshell Watershed:	Nutrient and pathogen TMDL work ongoing. Report on wetland monitoring activities and nutrients, metals, and pathogen monitoring and assessments will be released soon.
• Yellowstone River:	Updated nutrient and metals impairment assessments in progress; TMDL work has not started.
• Flathead Lake Phase II Nutrient TMDLs:	Nutrient water quality standards for Flathead Lake are under development; Phase II of TMDL completion on hold until standards are adopted
• Otter Creek:	Iron TMDL drafted in 2015, but is on hold due to coal mine development uncertainties

Discussion:

*There was general discussion about keeping the **Yellowstone River** nutrient project, given the point sources around the Billings area. Dean Yashan, Supervisor of DEQ's TMDL program, indicated that the project has a lot of momentum and given the potential one-pollutant focus on nutrients and the ongoing numeric nutrient criteria development for the river, it should be relatively straight forward even for a large river.*

*Doug Parker, Mining Representative, asked about progress on the **Flathead Lake Phase II** project and why TMDLs have not yet been written. Myla Kelly, Supervisor of the Water Quality Standards and Modeling Section, gave an update on nutrient standards development for Flathead Lake. She noted that the Standards section is working with the Flathead Lake Biological Station to run model scenarios of Flathead Lake, so they are progressing with their standards-development work. Dean Yashan said the standards work will need to be completed before Phase II for TMDLs can be finished.*

*Doug Parker asked why DEQ is not currently working on the **Otter Creek** TMDL. Dean Yashan responded that the remaining TMDLs are for iron and salinity, and that DEQ no longer has a stakeholder representing the potential future point source, since the coal mine is an uncertainty. Kristy Fortman mentioned that DEQ did also look at Otter Creek for sediment and determined that there was no impairment.*

John DeArment, Conservation or Environmental Interest Representative, asked what the deadline is for TMDL completion for new MPDES permit applications. Kristy Fortman explained that DEQ has 180 days to complete the document from the time the [new individual] MPDES application is submitted, unless another timeframe can be negotiated with the permittee. Thus far, DEQ has negotiated reasonable timelines with permittees.

Existing TMDL Priority Project Area (Determined with Prior STAG Consultation) with New STAG Concern

- Red Rock Watershed: Nutrients, *E. coli*, metals, sediment, and habitat assessments are in progress. TMDL source assessment work also in progress.

Some STAG members questioned whether the Red Rock watershed should remain as a TMDL priority area and whether DEQ should reconsider the amount of resources toward this project.

Discussion

Doug Parker expressed concern that DEQ would put Red Rock ahead of some of the drainages with point source discharges, and wanted feedback from the group. Dean Yashan said that it was prioritized by STAG a few years ago because of its high resource value and interested stakeholder groups. Kristy Fortman brought up the high stakeholder interest in Clark Canyon Reservoir. Dean Y. said it has high potential for implementation.

Existing TMDL Priority Project Areas where STAG Agreed with DEQ's Recommended Removal from the Priority List

Priority Area	Status
• Ruby Phase II Nutrients and Metals TMDLs:	Updated assessments and TMDL work have not started, and opportunities for implementation already exist due to previously completed sediment and temperature TMDLs
• Rosebud and Powder Watersheds:	No assessment or TMDL work has started; many of the initial reasons for making these a priority no longer apply, in comparison to existing and potential future TMDL priorities

Discussion:

Dean Sirucek, Conservation District Supervisor representing the western portion of the state, asked about Ruby Phase II. Dean Yashan and Kristy Fortman indicated that DEQ completed sediment and temperature TMDLs and a local watershed group completed a WRP to address sediment and temperature, which will generally address other pollutants, particularly nutrients.

Jordan Tollefson, Hydroelectric Industry Representative, asked if we take the Ruby Phase II and Rosebud areas off the current list, would they then fall back in to the possible future priorities. Kristy Fortman indicated that they could move to the potential future priority projects list, if the STAG determined them to be appropriate.

Dean Yashan asked if DEQ could get input on taking the Ruby Phase II project off the current priority list. ***The STAG agreed that because of the completed TMDLs and existing potential for implementation, Ruby Phase II should be removed from the current TMDL priority list.***

Dean Yashan noted that the Rosebud and Powder watersheds used to be grouped with the Tongue, mainly because of CBM development. DEQ has initiated some monitoring and modeling in the Rosebud and Powder watersheds, but there is no TMDL development underway or related commitments at this time. Stakeholder interest is relatively limited in comparison to other potential priority watersheds. ***The STAG agreed that the Rosebud-Powder areas should be removed from the current TMDL priority list.***

New TMDL Priority Area Recommended by DEQ and Endorsed by STAG

• Sheep Creek:	This became a priority as required by state law because of a new individual MPDES surface water permit application (for the proposed Sandfire Copper Mine). *E.coli* TMDL completed and approved in 2017. Draft aluminum TMDL document scheduled for completion concurrent with MPDES permit public review.

New TMDL Priority Area Recommended by DEQ and Not Endorsed by STAG

• Armells Creek Watershed:	Nutrients, metals, and salinity monitoring in progress. DEQ received comments on the 2016 Integrated Report based on stakeholder interest; additionally, this is a complex source area, and other DEQ programs working on the project can benefit from TMDL and other related monitoring and assessment activities.

Discussion:

John Youngberg asked what priority factors are driving Armells Creek as a priority area. Darrin Kron and Eric Urban, Bureau Chief of the Water Quality Planning Bureau, explained that the sources for this project area are complicated and a TMDL could help allocate pollutants to each source. John Youngberg said that he didn't see Armells fitting in to our prioritization, as Armells doesn't fit the priority factors of a high resource value, potential implementation, or magnitude of potential impact to beneficial uses. Dave Mumford agreed that Armells doesn't seem to fit the top priority factors, given DEQ's limited resources. Dean Yashan noted that there are DEQ programmatic aspects that link to the top priority factor of program coordination, including that the Monitoring and Assessment Section has completed an assessment and there are impairment listings.

John DeArment asked if the Armells TMDL is critical for navigating permitting issues in the watershed. Dean Yashan said that it is a very complicated project and permit implications are not fully defined. John D. wanted to make sure that we aren't complicating the permitting process if we pull away from Armells. Eric Urban said that they are proposing mine extensions in Colstrip, and that would be another reason the Department would want to do a TMDL. The STAG members suggested that if permit expansion timing is an unknown, then the TMDL can wait.

Brian Sugden, Forestry Industry Representative, asked about investment in monitoring, and if that data would still be useful. Darrin Kron said the data could be used for 10 years for impairment determination and the permitted entities there are also collecting their own data under their permit requirements.

The STAG suggested Armells not be considered an existing priority until more information is presented to justify as a priority. *Resources for TMDL development are limited and other watersheds seem to have higher priority areas.*

Potential Future TMDL Priorities Identified by DEQ and Endorsed as Priorities by STAG

Project Area	Status
• Smith River:	Recent (2018) nutrient monitoring and assessment work completed. There is also a volunteer group doing monitoring on the river. Stakeholder-reported algae issues, including reports of algae at odd times of the year, combined with the high economic/recreational resource value, support this area as being a priority.

Project Area	Status
• Missouri River System: (Nutrients and other Pollutants)	TMDL development and related source assessment information would be useful for DEQ Permitting Program purposes. TMDLs are also required under Montana law for a portion of the river near Great Falls because of a Montana Dept. of Transportation application for an individual MS4 surface water discharge permit (DEQ has negotiated a 2024 completion date with MDT). The river system is a DEQ priority for ongoing numeric nutrient standards development, which could ultimately affect the TMDL completion timeline of 2024.

Discussion:

John DeArment indicated that the four potential future priority areas that aren't the Smith are more of the standard suite of chronic management issues. ***The Smith River's high recreation and economic value seems to stand out as a priority and the STAG agreed that it should be considered as an existing TMDL priority.***

Jordan Tollefson asked how we would undertake the Missouri River System: all at once, or break in to pieces? Dean Yashan and Darrin Kron indicated that it would probably be broken into pieces (e.g., Upper Missouri River to Canyon Ferry, Reservoir System, and so on).

Eric Urban gave a Water Quality Standards Section update. DEQ has collected data from the upper section of the Missouri River down to Canyon Ferry, where there was not a lot of algae, but was high in nutrients. Canyon Ferry has become a priority for developing numeric nutrient standards for the reservoir. The river system through Great Falls has high interest from the fishing community because macrophyte growth is high, and anecdotes from the fishing community indicate that macroinvertebrate shifts are happening.

Dean Yashan said that the Missouri River brings in a lot of point source dischargers and DEQ has a negotiated completion date for 2024 linked to MDT's pursuit of an individual MS4 permit. From DEQ's perspective, the Missouri River System should be on the priority list, but not yet sure how to break out the river. ***The STAG agreed that Missouri River System should be moved to the existing priority list.***

Potential Future Priorities Identified by DEQ and Not Endorsed as Priorities by STAG

Project Area	Status
• Lake Mary Ronan:	DEQ is providing funding support for volunteer nutrient monitoring. DEQ started a septic systems model in 2018 to evaluate nutrient contributions, and has recently received requests to complete nutrient TMDLs. A nutrient model for the lake was developed by EPA in 2004.
• Clarks Fork Yellowstone River Watershed:	An NRCS contact would like to get projects going, and has requested DEQ begin monitoring. This is also a major nutrient source area for the Yellowstone River (a TMDL priority project area).

Project Area	Status
• Upper Yellowstone Tributaries (Paradise Valley):	No work has started in this area; however, this project would focus on main tributaries in the Paradise Valley area that may have significant impact on water quality of the Yellowstone River.

Discussion:

DEQ was asked about Lake Mary Ronan. Darrin Kron and Dean Yashan said we don't have a numeric nutrient standard for the lake; however, a narrative standard can still be applied, and there is a very interested stakeholder group. Kristy Fortman mentioned that for watershed groups to get projects funded by Clean Water Act 319 funds, an approved watershed restoration plan (WRP) needs to be in place, and a TMDL is currently part of the pathway toward WRP development. Dean Y. said the stakeholder group could tap in to the approved Flathead Lake WRP if they were interested in receiving CWA 319 funds.

Brian Sugden described Lake Mary Ronan, as Weyerhaeuser owns much of the property surrounding the lake, and the group discussed septic concerns and future growth. Ryan Leland, Municipalities Representative, pointed out that septic tanks are an issue and there are limited regulatory, or other, approaches. Dean Y. agreed that implementation would be voluntary and septic systems represent unique challenges. ***The STAG did not recommend Lake Mary Ronan as an existing TMDL development priority.***

Jordan Tollefson asked Darrin Kron if he has seen any trends in the Yellowstone River downstream of the Clarks Fork Yellowstone River, and Darrin said yes, it is a nutrient source. Dean Yashan indicated that some restoration work has been completed in the uppermost area of the Clarks Fork Yellowstone watershed, but primarily for metals versus nutrients.

Doug Parker asked how important the Clarks Fork Yellowstone River is for completing the Yellowstone River TMDL. Dean Yashan indicated that the Yellowstone River TMDL could be completed without the completion of the Clarks Fork TMDL. DEQ would do an area load allocation for the Clarks Fork watershed as part of a Yellowstone River nutrient TMDL. TMDL development in the Clarks Fork Yellowstone would then be a separate future project. Brian Sugden said the Clarks Fork Yellowstone River and a few other projects seem to be in the scoping phase. ***The STAG did not recommend that the Clarks Fork Yellowstone be considered as an existing TMDL development priority.***

John Youngberg asked if there is an interest in creating a watershed restoration plan for the Upper Yellowstone Tribs/Paradise Valley. Dean Y. said there is some interest in the health of the Yellowstone River in this area. ***The STAG did not think there were enough priority factors to consider the Upper Yellowstone Tributaries (Paradise) as an existing TMDL development priority.***

NOTE: Clarks Fork Yellowstone River watershed, Lake Mary Ronan, and Armells Creek watershed all fell into a category where the STAG recommends continued DEQ support within appropriate programmatic areas such as monitoring, but the STAG does not recommend them for inclusion as part of existing TMDL priority list.

SUMMARY OF STAG RECOMMENDATIONS

Keep as TMDL Priority or Add as Priority

- Madison Watershed
- Tongue River
- Beaverhead Watershed
- Musselshell Watershed
- Yellowstone River
- Flathead Lake
- Otter Creek
- Sheep Creek
- Smith River
- Missouri River System
- Red Rock Watershed (albeit with concern)

Not Recommended as TMDL Priority

- Armells Creek Watershed
- Lake Mary Ronan
- Clarks Fork Yellowstone River
- Upper Yellowstone Tributaries (Paradise Valley)

Agree to Remove from TMDL Priority List

- Ruby Phase II Nutrients and Metals
- Rosebud and Powder Watersheds

MEETING WRAP-UP AND ACTION ITEMS

There was not enough time to present the TMDL Implementation Evaluation (TIE) information included on the agenda. Kristy Fortman recommended having the TIE information presented in an online meeting. The STAG agreed to having a TIE meeting online in the near future and to have the next STAG meeting set for Fall.

John Youngberg, STAG Chair, asked for public comment. Joe Gutkoski wanted the group to be aware of dewatered streams and a bill proposed to address his concern during this legislative session. John Youngberg asked if there was any other public comment. No comments were made.

Meeting adjourned by John Youngberg at 3:34 p.m.

Summary of Action Items:

- Send out webinar time and information for TMDL Implementation Evaluation (TIE) presentation
- Set up next STAG meeting for Fall 2019
- Provide link to strategic planning documents: http://mtwaterqualityprojects.pbworks.com

ADDITIONAL DISCUSSION FROM THE MEETING

Dave Mumford, Point Source Dischargers Representative, asked if the Monitoring and Assessment Section was open to working with other groups for collecting data. Darrin Kron said that DEQ does work with groups to support their volunteer monitoring programs, or in some cases, work with groups/agencies to collect data for DEQ. Both types of data collection must follow specific QA (quality assurance) processes. Dean Yashan commented that the Monitoring and Assessment Section primarily collects the data for water quality assessment purposes.

John Youngberg asked about EPA's involvement in TMDL development. Dean Yashan answered that they are involved in input and review, but no longer involved in writing documents or funding activities with outside contractors for TMDL development in Montana (EPA had previously provided both forms of assistance to address lawsuit completion prior to 2015).

Dean Sirucek asked for a summary of the lawsuit/settlement agreement and Dean Yashan gave background information to bring new members up to speed. Dean Y. spoke about the DEQ's list-neutral approach which facilitated a wholistic watershed approach for TMDL development. Originally DEQ was supposed to complete all TMDLs by 2007, then got an extension to complete by 2011. In 2011, DEQ and the plaintiffs negotiated an approach to complete a certain list of streams by 2014 (mainly bull trout streams in Western Montana). The settlement agreement/lawsuit was completed in 2014.

Dean Sirucek asked where watershed restoration plans are in place. Kristy Fortman brought up a map of DEQ's Water Quality Division Dashboard that shows areas where TMDLs, Watershed Restoration Plans (WRPs), and TMDL Implementation Evaluations (TIEs) have been completed.

Doug Parker asked about TMDL areas that haven't been addressed, including Eastern Montana. He noted that the Musselshell and Tongue are priority areas, but asked about plans for finishing the rest of the state. Dean Yashan said that EPA is letting states create their own vision, and Montana has identified the highlighted areas on the map for its workload through 2022 (see TMDL Status Map handout). More TMDL priorities still exist for the western portions of the state because of stakeholder interest in implementing voluntary nonpoint source controls in those areas.

Dean Yashan asked the STAG where we might prioritize new areas. He added that the TMDL section has a sufficient work load for the next few years, but the Monitoring and Assessment Section needs to start planning for their next monitoring and assessment project. Dean Y. asked if there are any other areas that DEQ did not mention on the list that the group feels could be a priority area based on the prioritization criteria.

Ryan Leland asked what is the DEQ's capacity currently for adding additional workload and priority areas. Dean Yashan indicated that the project priority areas on the map are enough workload for the next 3-5 years for the TMDL program. Ryan L. asked how far in the future we need to plan, given limited resources. Darrin Kron and Dean Y. indicated that they need new priority areas to plan for pre-TMDL monitoring. Ryan L. asked how many areas we need to look at prioritizing, and Dean Y. said we are not sure yet.

*Christina Staten, Water Quality Specialist in the Watershed Protection Section, asked Dean Y. to review the TMDL status map (**Appendix B**) and detail the timeframes for projects. The goal is to complete red areas within the next 1-2 years. The blue areas looking at 2-5 year timeframe for TMDL completion.*

Darrin Kron said the Monitoring and Assessment Section has other programs they can devote resources to in the near-term, but need to plan for future TMDL priority areas.

Joe Gutkoski, Water-Based Recreationist Representative, expressed concern over the amount of funding for state agencies, and expressed the need to make the public aware of these funding needs.

APPENDIX A: MONTANA TMDL PRIORITY SETTING METHODOLOGY

For efficiency purposes, Montana DEQ favors a watershed scale approach for developing TMDLs, and therefore sets TMDL development priorities at a watershed scale, although there is allowance for setting priorities at the individual waterbody scale. In setting TMDL priorities, DEQ must incorporate the priority factors within the relevant sections of State Law TMDL Priority Language from State Law (75-5-702) and will consult with the statewide TMDL advisory group (STAG).

TMDL PRIORITY TIMING LEVELS

Level 1 - Highest level of priority with TMDL completion anticipated within 2 years.

Level 2 - TMDL completion anticipated within 2 to 6 years; water quality planning activities and other TMDL development support may be in progress.

Level 3 - TMDL development not started or TMDL completion anticipated beyond 6 years

TMDL PRIORITY SCALES

Step 1: Watershed Scale Prioritization

- Identify watersheds. TMDL watersheds generally correspond to TMDL Planning Areas.
- All watershed TMDL priorities are initially set at Level 3 priority.
- Watershed TMDL priority can be changed to Level 1 or Level 2 based on priority factors (see below) applicable to the watershed or a pollutant group (e.g. nutrients) within the watershed. Individual waterbody factors can influence the watershed priority.
- All waterbody TMDL development priorities are set equal to the corresponding watershed priority. If the prioritization is only applicable to a specific pollutant group, then only those specific waterbody – pollutant combinations within the watershed receive the higher priority level.

Step 2: Waterbody Scale Prioritization

- Only pursued where there is an apparent need to modify an individual waterbody (or waterbody – pollutant combination) priority from what was developed under Step 1.
- This can result in one or more waterbodies (or waterbody – pollutant combinations) receiving a TMDL priority level that is different from the watershed priority. This implies variable TMDL completion schedules within the watershed. Therefore, this type of priority adjustment should only be pursued where the priority factors or other unique circumstances justify the potential reduction in TMDL development efficiency.

- Example situations where this may occur:

- A higher priority may be assigned to an individual waterbody where the TMDL is required or could have significant impact on a new discharge permit.
- A lower priority may be assigned where significant standards development is desired and the potential outcome could negate the need for a TMDL on one or more waterbodies.

TMDL PRIORITY FACTORS

Priority Factors with Greatest Influence

New Individual Permit Application Factor

- This overrides all other priority factors, if 75-5-702 (9) applies, then it is a high priority unless there is an alternative schedule that is agreed upon between the applicant and DEQ as allowed under 75-5-702

Factors linked to Potential Implementation

- the degree of public interest and support;
- the availability of technology and resources to correct the problems;
- whether actions or voluntary programs that are likely to correct the impairment of a particular waterbody are currently in place;

Factors linked to Program Coordination

- state policies and priorities, including the protection and restoration of native fish when appropriate;
- immediate programmatic needs, such as waste load allocations for new permits or permit renewals and load allocations for new nonpoint sources;

Factors linked to Resource Value

- whether the waterbody is an important high-quality resource in an early stage of degradation;
- the recreational, economic, and aesthetic importance of a particular waterbody

Factors linked to Magnitude of Potential Impact to Use

- the impacts to human health and aquatic life

  NOTE: Unless there are unique circumstances, this factor will be considered inherently equivalent for all watershed projects and all waterbodies.

Priority Factors with Medium Influence

Factors linked to Impairment Characteristics

- The character of the pollutant and the severity and magnitude of water quality standard noncompliance

  NOTE: This factor will be considered inherently equivalent except that sediment, temperature and metals TMDLs in warm water streams may be of lower priority until further standards or assessment method development; unless this work is integrated within the TMDL development.

Factors linked to Court Determinations

- Court orders and decisions relating to water quality

  NOTE: This is still a priority influence because of the need to avoid future court orders

Priority Factors with Lowest Influence

Factors linked to General Waterbody Characteristics

- The beneficial uses established for a waterbody;

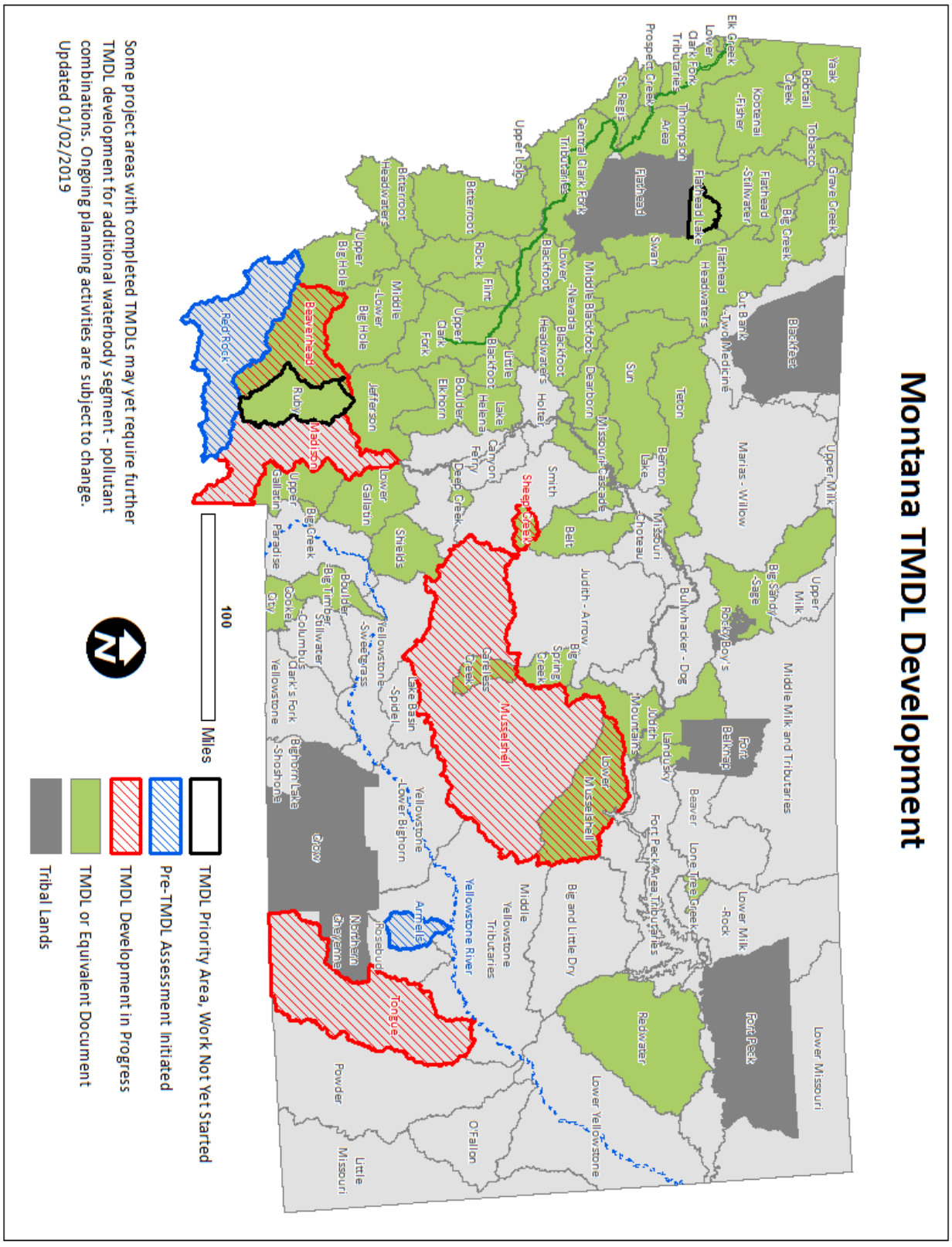
  NOTE: Unless there are unique circumstances, this factor will be considered inherently equivalent for all watershed projects and all waterbodies.
- The extent that natural factors over which humans have no control are contributing to any impairment

  NOTE: Unless there are unique circumstances, this factor will be considered inherently equivalent for all watershed projects. If an impairment is predominately due to these type of conditions, then it is possibly an assessment or standards issue that can be addressed outside of TMDL development.

- The size of the waterbody not achieving standards

  NOTE: Unless there are unique circumstances associated with size only, this factor will be considered inherently equivalent for all watershed projects.

APPENDIX B: TMDL STATUS MAP



APPENDIX C: TMDL PRIORITY AREAS – STAG MEETING – 1/3/19

TMDL Program Goals

1. Facilitate nonpoint source implementation via engaged stakeholders
2. Assist with MPDES permit discharge limit development
3. Continue to reduce overall size of the 303(d) List (approximately 900 TMDLs remaining after 2014)
4. Continue with the watershed approach, particularly for pollutant groupings, to ensure highest level of efficiency. Exceptions may be necessary, particularly for large rivers or lakes or MPDES permit support.

TMDL Schedule Considerations

1. First identified as a priority area
2. One to two years of pre-TMDL monitoring and assessment is desirable. Monitoring and Assessment Section (MAS) priorities are thus linked to TMDL priorities
3. Water quality standards development and/or assessment method development/refinement often linked to TMDL development.

EXISTING TMDL PRIORITY PROJECT AREAS (PREVIOUS STAG CONSULTATION)

Madison Watershed TMDLs

a. Stakeholder interest, active watershed group, important economic resource
b. Submitted Nutrients, Metals, E.coli to EPA in December
c. Finishing up Sediment and Temperature

Tongue

a. Coal and CBM development, stakeholder interest
b. Significant historical DEQ and EPA modelling and standards development activity
c. Currently limited to one watershed-scale salinity TMDL (includes Wyoming)

Beaverhead Metals and Nutrients

a. Stakeholder interest in implementation, active watershed group
b. Large number of remaining nutrient and metals TMDLs

Musselshell

a. Stakeholder interest, active watershed group
b. Ongoing activities linked to recent Musselshell River flooding

Red Rock

a. Assessment recently completed – pre-TMDL stage
b. Stakeholder interest
c. Possible link to Clark Canyon Reservoir issues

Yellowstone River (nutrients and metals)

a. Updated assessments
b. Recent nutrient standards development
c. New point source TMDL requirement (MDT – MS4)
d. Significant point source discharges

Flathead Lake Phase II Nutrients

a. Numeric nutrient standards development stage, Significant resources expended to date
b. High level of stakeholder interest, WWTP permit limit implications; area of growth

Otter Creek (Tongue River Watershed)

a. Draft completed
b. Project on hold due to coal-mine development uncertainties

NEW PRIORITY PROJECT AREAS

Sheep

a. State law – new permit application
b. E. Coli completed – no waste load allocations
c. Aluminum – draft completed – coordinating completion with EIS and MPDES

Armells

a. Stakeholder interest
b. Complex sources – links to multiple DEQ permitted facilities

PRIORITY PROJECT AREAS PROPOSED FOR REMOVAL FROM CURRENT LIST

Ruby Phase II

a. Watershed scale sediment TMDLs currently provide implementation opportunities
b. No work started
c. No longer a priority given limited staff

Rosebud – Powder

a. Some monitoring and modeling completed
b. No longer a priority given limited staff

POTENTIAL FUTURE PRIORITIES

NOTE: Potential projects are not listed in any specific order of priority.

Smith

a. Stakeholder concern, significant recreational resource, visible algae issue
b. Ongoing monitoring and assessment activities

Upper Yellowstone Tribs

a. Stakeholder interest
b. Area of high population growth
c. Resource value – fisheries, irrigation, aesthetics, tourism

Clark's Fork

a. Recent stakeholder interest
b. Significant Yellowstone River nutrient source area

Missouri River System – Nutrient Standards

a. Numeric nutrient standards development ongoing
b. Significant point source discharges
c. New point source TMDL requirement (MDT – MS4)

Lake Mary Ronan

a. Volunteer monitoring ongoing
b. Septic model started

c. Updated assessments needed, no existing numeric nutrient standard

Discussion: Process for picking priority areas