

**Pend Oreille River TMDL Watershed Advisory Group**  
**Meeting Notes**  
**August 16, 2007**  
**10:00 – Noon**  
**University of Idaho/Bonner Extension Service Office, Sandpoint, Idaho**

**Participants:** Bruce Vogelsinger, Southside Sewer District; Kevin Kinsella, Pend Oreille Mine; Ted Runberg, Priest River Parks; Dean Cummings, Pend Oreille County; Kaysa Stromberg and Bob Steed, Idaho DEQ; Jon Jones, Washington Dept of Ecology; Patty Perry, Kootenai Tribe; Scott Jungblom, Pend Oreille PUD; Brett Converse, JUB; Don Martin, EPA Region 10; Kate Wilson, Pend Oreille Basin Commission; Greg Becker, NRCS; Ruth Watkins, Tri-State Water Quality Council. On the phone: Kent Easthouse, Corps of Engineers; Ken Clark, Idaho Dept. Agriculture; Jessica Koenig and Todd Kennedy, Tetra Tech; Christine Pratt, Seattle City Light.

**Meeting Purpose:** To provide a project status report to the WAG on potentially significant issues that have recently come up regarding the Pend Oreille River temperature model.

**Introductions and Welcome:** After introductions, Ruth explained that the topic originally planned for the day—to review the draft TMDL document—was being postponed in light of issues that have just recently surfaced related to the temperature model. She turned the meeting over to Bob Steed to explain the situation.

**Model Issues:** Bob noted that the draft TMDL had been emailed out to the WAG on Monday 8/13 and at that time was considered ready for WAG review. However, after the document was sent out, an error in the modeling was discovered. The Corps of Engineers had been reviewing the model, looking at inputs and outputs, and found a potential error in the water budget portion of the existing condition scenario (scenario no. 1). At present, the model makes it look as if the dam's spill gate was left open. It is possible that this error in flow could impact the Idaho portion of the TMDL. Because the Idaho segment is the first of three segments in the river system, the model error may or may not have an impact on the 2 downstream segments in Washington (Box and Boundary).

It is unknown at this time if the error will result in significant changes to the TMDL targets and allocations. Bob did note that the allocations for wastewater treatment facilities in Idaho would likely remain unchanged.

The first step will be to re-convene the modelers group so they can diagnose the error and the extent of the problem. The group currently consists of representatives from the two states, the Kalispel Tribe, the modeling contractors and EPA Region 10 (Helen Rueda and Ben Cope). Helen facilitates the group. Seattle City Light (Christine Pratt), SCL's modeling consultant (Tarang Khangaonkar, Battelle PNL) and the Corps of Engineers (Kent Easthouse) will be added to the group. Any other WAG members who would like to listen in on the modelers group need to notify Bob at IDEQ.

The modelers group will meet within a couple of weeks (via conference call) to begin discussions regarding the modeling error. Bob hopes to get some idea of what it will take to fix the modeling error by mid-September. Since the group is re-convening, they will (at future meetings) also re-evaluate additional comments made by the Corps of Engineers, look at some questions that have come up regarding the Boundary modeling, and consider questions raised by Ponderay Newsprint

and Seattle City light regarding lag time (i.e., following heat particles in impounded and un-impounded conditions).

Bob noted that if the modeling issue is very significant, the TMDL project might extend well beyond the December 2007 deadline. Revision of the model could take from 2 to 6 months. We will know more about the schedule once the problem and solution are better defined. For now, Bob asked WAG members to disregard the allocation numbers in the draft document and to disregard the current temperature TMDL schedule. At some future point in time, the WAG will receive a NEW draft TMDL, and at that point we will start the WAG review process again, followed by the public review process.

### **Group Discussion:**

Lori asked several questions related to the need for the TMDL. If there are only two points out of compliance and everything else is an improvement over natural conditions, and the reason for the out-of-compliance areas and improved areas is the dam, then why are there any allocations at all? She also asked why we need an allocation if wind effects have resulted in an improvement over natural conditions. Bob responded that it is the way the TMDL process is set up: If a waterbody is on the state's impaired list and standards are exceeded, then a TMDL must be done. So, even though the dam has overall helped with temperature in the river in Idaho, because the river is listed for temperature and there are two points out of compliance, then a TMDL is required. [Bob also explained that there is actually only one point, since the second compliance point doesn't have an allocation.]

Scott asked why the hottest portion of the river is being used for compliance, if the fish are likely avoiding the hottest areas? Why not look at the coolest areas instead? Jon Jones responded that the Clean Water Act requires that the focus must be on problem areas; Jon also noted that Washington has many constraints on how they look at fisheries (though Idaho has simpler rules in this regard).

Bob talked about the allocations for the wastewater treatment facilities. Brett Converse said that the allocation set for Sandpoint (twice the existing capacity, or 3 million gallons/day) is not realistic. Brett asked about using an increased load into the river and setting an allocation based on that. Bob asked the dischargers to send him their ideas for allocations that the modeling group could consider. Recommendations from the dischargers needs to be sent to Bob within a month.

Jon and Bob discussed further why a TMDL is needed and reminded the group that the TMDL also protects the river for the future. Don added that we are too far down the road now, given the agreement between the states, tribe and EPA, to talk about de-listing the river for temperature. The river has been listed in Idaho since 1994. Brett added that having an allocation helps should river temperatures increase in the future; the entities with allocations are protected as long as they have been meeting their allocations.

Bob pointed out that Idaho is considering listing the river for nutrients. DEQ is currently working on the 2008 Integrated Report and the river will likely be listed for phosphorus. The draft list will be out in December. Once listed for nutrients, a TMDL for phosphorus will need to be developed.

Bob complimented Jessica and Todd at Tetra Tech on an excellent job with the draft TMDL document.

Bob announced that the 30-day public comment period for the Idaho Pend Oreille Tributary TMDLs will start August 28 the document will be posted on the DEQ website.

Jon announced the public comment period for the Washington Pend Oreille River Dissolved Oxygen TMDL has started. The TMDL document is posted on Ecology's website and copies are available at the Pend Oreille Conservation District office in Newport.

Christine Pratt noted that the Boundary model section should be correct because they used real data, although other scenarios from upstream sections could be a problem.

Kent Easthouse confirmed that the Corps of Engineers will be part of the modeling group, and will also want to discuss other issues that the Corps has with the model. He also has some ideas about how to deal with the lag time question. He hopes that Portland State University contractors can attend the modeling meetings to describe some of the aspects of the model. Regarding the need for the TMDL, he said we need to make sure the model is correct.

Bruce Vogelsinger said that the Southside Sewer District is working to resolve its wastewater treatment capacity issues and is planning to take a seasonal discharge (into the Pend Oreille River) approach, while continuing with land application during the summer.

Dean Cummings announced that Pend Oreille County has received a grant to develop a new shoreline plan. The county will be organizing a community-wide committee to work on this and will add the Tri-State Water Quality Council to the contact list.

Ted Runberg said that it would be important to know what will be expected for Priest River in the TMDL. While any requirements need to be good for the river, they also need to be cost effective.

Scott questioned why the lines in the model flow graphs with/without Box Canyon don't cross. This question needs to be re-visited when the Box Canyon section is reviewed during modeling discussions.

Bob explained that John Gross had a conflict and couldn't make today's meeting. He said John is questioning how one allocation for one day/year in the Idaho portion of the river is going to protect the river for the rest of the year; Bob said this is an issue we will certainly need to discuss and resolve.

**Next meeting:**

The WAG agreed to meet again on Friday, September 28<sup>th</sup> from 1:00 – 4:00 pm. This will either be a conference call, or a face-to-face meeting, depending on how the modeling situation is going. Ruth will let everyone know by September 21<sup>st</sup> whether it will be a conference call or meeting.

The meeting adjourned at noon.