

Upper Snake Basin Advisory Group Meeting

MEETING MINUTES

Idaho Department of Environmental Quality
444 Hospital Way #300
Pocatello, ID 83201

Wednesday, April 3, 2013, 10:00 a.m.

Attendees

Chris Banks – IASCD
Roger Blew – BAG-Representative at large
Alan Giesbrecht – JUB Engineering
Gary Marquardt – BAG-Non-Municipal
Don Mays – BAG-Recreation
Katy McKinley – BAG-Mining
Ralph Myers – BAG-Hydropower
Frederick Partey – Agrium
Richard Savage – BAG - Livestock
Troy Saffle – DEQ-IFRO
Greg Shenton – BAG-Local Government
Katie Shewmaker – DEQ-TFRO
Steven Smith - ISWCC
Laurie Stone – BAG-Forestry
Aaron Swift – DEQ-IFRO
Lynn Van Every – DEQ-PRO
Matt Woodard – BAG-Environmental, Chairman

Welcome and introductions

The meeting was brought to order by Matt Woodard, BAG Chairman. Everyone in attendance was welcomed and each introduced themselves and whom they represented at the meeting.

Bag business

- A motion was made by Greg Shenton to approve the minutes of the October 3, 2012 meeting. It was seconded by Don Mays. The motion passed and the minutes were approved as written.
- The next meeting will be the 319 Ranking Meeting. It is scheduled for October 2, 2013, in Twin Falls.
- The BAG did not discuss new representation for Forestry. Laurie Stone is still the Forestry Representative.

- There will be a 319 application and invoice training in Jerome on April 30th. Please contact Katie if you are interested in attending.

Super bag meeting updates on 319 projects

Matt Woodard presented information from the last Super BAG meeting that occurred in December 2012. Ranking recommendations were made, however the Super BAG agreed not to announce the final decisions until the funding is actually received. There was a lot of competition and a lot of really good projects. The Super BAG voted to trim requested funding amounts for several of the projects in order to fund more projects.

Review of WAG's and their status

Troy reported that there are five WAGs in the Upper Snake that are hybrid WAGs of an informal nature because there are not enough participants to meet legislative requirements. The Clark County SCD acts as the Continental Divide WAG, however the TMDL discussions are open to different stakeholders if they would like to participate. There is a similar occurrence in the Upper Teton Valley. Part of the Henry's Fork Watershed Council is helping to review documents. It is not known if the South Fork Watershed Advisory group had been meeting. If they have, DEQ has not received notice. At the last meeting, they did give DEQ the ok to go to public comment with the Palisades Five-Year Review document. DEQ will be working to reenergize The Willow Creek WAG this summer for participation with upcoming documents. The Salmon Watershed currently has four WAGs and five documents they are reviewing. The Salmon Basin Advisory Group is currently seeking new members and persons of interest should contact Troy. There has not been a quorum at this BAG in four years.

Lynn reported that the Portneuf WAG has not met for several years since the last document was finalized. But there is an active non-WAG group that is participating in proposals for restoration projects in the area. The American Falls WAG and the Black Foot WAG will be discussed under review of TMDLs. The Pocatello office will start TMDL work in the Salt River Basin. They have put together a list of stakeholders they thought might want to participate, and contacted each individual to inquire about interest. An Excel list was shown to the BAG. A motion was made by Gary Marquardt to approve the list and it was seconded by Greg Shenton. The motion passed.

Katie reported that there are three WAGs from the Twin Falls regional office and they are all active and meet regularly. The Lake Walcott WAG usually meets in Burley. The Wood River WAG meets in Shoshone. The Mid Snake WAG meets in Twin Falls. Each WAG is currently meeting three to four times a year and is involved in discussions on current TMDL addendums. Gary Marquardt asked if the Mid Snake WAG was receiving information on the Snake River report from Tetra Tech and EPA. Katie replied that Tetra Tech had completed the report and it had been given to EPA to make comments. Sonny reported that DEQ had not seen the report yet and a meeting had been scheduled for Friday to discuss the report. After this meeting, a meeting would be scheduled with the WAG to discuss the findings and review the report.

Review of TMDLs and their status

Troy reported that the TMDLs have been completed for the Settlement Agreement within the region. They are now working on five-year reviews and addendums. The Palisades E. coli and

three sediment TMDLs are now at the tech editors and ready to go to EPA. Darcy Sharp from DEQ technical services is currently working on the Medicine Lodge Five-Year Review and three E. coli TMDLs. Darcy has been a great resource for the Idaho Falls office as they are able to complete the work on the ground and send her the data for the reviews. This document is slated to be completed at the end of the summer and then will be sent out for public comment. The biggest issue for the regional office will be the upgrade of the Teton Subbasin Assessment and TMDLs on suspected nutrient issues from stakeholder groups. A large and expensive monitoring program occurred this last year and data did show that there was not a nutrient problem. With this information a TMDL will be created. The City of Driggs wastewater treatment plant has recently been upgraded so they will receive an E. coli allocation. The City of Victor is utilizing the treatment plant from the City of Driggs so the flow of volume has increased. Temperature TMDLs will be upgraded utilizing the PNV approach. Several sediment TMDLs are needed on the upper end of the main stem. Stakeholders in this area are very interested to move forward with implementation projects. Friends of the Teton were able to access Green Project Reserve dollars, a companion program with the States Revolving Fund for Wastewater Structure Improvement projects. The municipality can get a lower percentage rate on their loans if they agree to couple it with a non-point source project activity. There will be a BURP season this year as there will be throughout the state. The rest of the time will be spent in the Salmon watershed.

Lynn reported that the American Falls TMDL was approved on 8-6-2012, 11 years later. There was a holdup the last several years as they worked to develop wasteload allocations for two conservation hatcheries in the Springfield/Aberdeen area. The Fish and Game Conservation Hatchery will raise Sockeye Salmon and are in construction right now and slated to go to production in 2014. The Tribes are also developing a conservation hatchery within several miles of the Fish and Game facility. They are going to raise Chinook Salmon and resident Cutthroat Trout. They will now be working toward implementation. The Blackfoot River TMDL went to public comment in December and there is 55 assessment units with mostly sediment TMDLs. Comments have been addressed and they are now going through internal DEQ reviews. One interesting piece of this TMDL on the Upper Blackfoot involved the temperature and DO analysis. They were able to show that DO is absolutely tied to vegetation which is used as a surrogate for shade and temperature. When analyzing temperature curves in relationship to the water years, it was determined that on some water years temperature goals could not be reached, even if PNV is reached. However, depending what happens with the water year, if an above average water years occurs, the temperature requirements and DO component can be met. The correlation is addressed in the document, which should be going to EPA in the next several months. All settlement TMDLs are now completed for the region. They are now working off the Integrated Report creating strategy papers and collecting data. The Salt River TMDLs has 35 assessment units; 12 of these are listed for sediment, 7 for E. coli and 16 for cause unknown or nonspecific listings. The selenium TMDLs are currently being left in Category 5 for now. The Idaho Mining Association has presented a 4B petition for an alternative strategy to work toward cleanup efforts. DEQ is currently working through this process.

Katie reported that the Twin Falls regional office is working to finalize several PNV TMDLs. The Big Wood River PNV is out for public comments and will close in a month. The Marsh Creek PNV and E. coli TMDL is currently in the process of finalization. It will then be presented to the Lake Walcott WAG and sent out for public comment. The Bureau PNV was presented to the Lower Boise WAG and they requested that temperature waste load allocation be completed for several fish farms. Hobo loggers have been deployed and data is being collected in order to verify stream temperatures and make the determination if a waste load allocation is needed. Sonny had been

working on The Upper Snake Rock Addendum for the City of Jerome and Jerome Cheese Company. The City of Jerome was told their wastewater discharge coming from the city to a North Side Company canal system has the potential to violate a USDA provision for edible crops. The City was told they would have to get permission from over 150 farmers to discharge. They contacted DEQ to inquire about changing their discharge to a pipe system that would eventually discharge to the river. At the same time, a dispute occurred between the City of Jerome and Jerome Cheese. Jerome Cheese wants to be deannexed from the City of Jerome and build their own wastewater treatment facility. This would create two new discharge points on the river. Three cheese facilities discharge to the city and they make up approximately 65 percent of the load. The upgrade would create a fairly substantial increase to private citizens. The community has voiced opposition to the proposed increase. DEQ is waiting to hear from the involved parties and their plans. This will then be presented to the WAG and BAG.

House Bill 271

Sonny passed out a draft handout on House Bill No. 271. This bill stemmed from an issue that grew out of the Lower Boise WAG and the perception of the definition of consultation. The first three pages are a summary of the changes. The actual bill is included in the back pages. It states that DEQ, upon request from the BAG/WAG will provide the group with all available information in their possession concerning the subject of the consultation. Then DEQ will consider the group's recommendations regarding the determination of the subject of consultation. There was also a change in the designated of instream designated uses. The director shall designate the uses that each waterbody can reasonably be expected to attain. The designated beneficial uses shall reflect existing uses. In designating beneficial uses, the director shall consider: the existing uses of the waterbody; the physical, geological, hydrological, atmospheric, chemical and biological measures that affect the water body; the beneficial use attainability measures identified in section 39-3607 Idaho Code; and the economic impact of the designation and economic costs to fully support the beneficial uses. When designating beneficial uses the BAGs and WAGs will be consulted with the responsibilities described in this chapter for the water body. Persons who either conduct nonpoint activities of who conduct operations on waters described in 39-3609 Idaho Code pursuant to a national pollution discharge elimination system permit shall not be required to meet water quality criteria other than those necessary for the full support of a waterbody's existing and beneficial uses. The director will consult with the BAG to identify reference streams or conditions to assist in determining where the designated beneficial uses are being fully supported. Monitoring and the use of reference streams will also follows these guidelines. The director shall also in consultation with the appropriate groups, conduct a beneficial use attainability assessment to determine if beneficial uses should be revised. In waterbodies where beneficial uses are not fully supported there shall be consultation with the appropriate public agencies after the BAG/WAG group has been consulted. Then the waterbodies will be placed in a high, medium, or low priority classifications for the development of TNDLs or equivalent process. Lynn stated that DEQ has been so driven by the TMDL process and getting through the list for the last couple of years things may need to be checked. DEQ wants the input and advice of the BAGs and WAGs on what those priorities may be and hopefully DEQ has been communicative along the way, if not, please let us know. Matt Woodard stated that DEQ has done a great job. This will now require another layer of formality that requires that DEQ administratively record every decision and to send a report to our state office, when that is determined so that things are formally recorded.

Integrated Report

Katie presented a power point slide on the projected Integrated Report timeline. Nicole Deinarowicz in the DEQ state office is currently working on finalizing the report and waiting for EPA input. Nicole would like to go out to public comment at the end of April. DEQ can send out an email to the WAGs and Bags to let them know that the Public Comment Period is open. Access to the Draft Integrated Report will be available on the DEQ website. After the public comment period closes Nicole will respond to comments from May until August, update ADB, revise policy and procedures, then maps will be updated for a possible final submission to EPA in September.

Implementation Database and Mapping

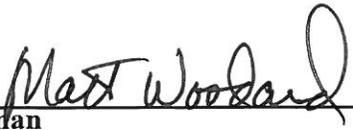
Katie provided a slide that gave the breakdown of NPS funding for 2007 to 2012 to the state of Idaho. This included the number of applications each year, the amount requested, the amount funded and the match amount for each of those years. Katie presented on an implementation database and mapping capability that was created by Darcy Sharp, DEQ state office. A geodatabase was created and from there different attributes can be attained from the 319 applications that have been funded. Reports can then be created and information can be accessed on these projects. Katie also presented a power point presentation on several historic 319 projects and their positive progress over the years.

TMDL Kaizen Process

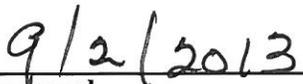
Troy reported on the Kaizen process. TMDL management along with DEQ staff met last year to document and streamline the TMDL process. Three things were implemented to help define the process: a TMDL will start with a strategy paper, there was a commitment to limit the do-loop, and workload issues were discussed.

Adjourn

Richard Savage made a motion to adjourn the meeting; it was seconded by Don Mays. The meeting was adjourned by Matt Woodard at 2:10 p.m.



Chairman



Date of Approval