

# **SOUTHWEST BASIN ADVISORY GROUP**

Meeting Minutes

May 31, 2012

**BAG Members Present:** Jim Moyer, Tom Pence, Sandra Mitchell, Robbin Finch, Dennis Smith

**Attendees:** Pete Wagner, Lance Holloway, Julia Achabal, Jerry West, Lauri Monnot, Marti Bridges, Melanie Miller, Troy Smith, Dave Pisarski, Michael McCurdy, Todd Crutcher, Hawk Stone

Meeting was called to order by Chairman, Jim Moyer at 8:35a.m.

Welcome new BAG member Robbin Finch, Local Government Representative.

Chairman Moyer began a discussion regarding BAG member attendance and whether to consider alternates or recommitments from current members.

Considerations:

- Establish standing meeting times and dates.
- With no other considerations Chairman Moyer asked each BAG member to consider and bring their thoughts to the next gathering.

Meeting Minutes were reviewed and accepted.

**319-** Tours will happen again this summer and Julia will do her best to secure dates early and invite BAG members to come along.

Chairman Moyer opened a discussion about lowering the cap on 319 grants to possibly distribute the money further.

Tom Pence asked to consider whether big projects need a higher cap if they have progressive work and/or large projects.

Dave Pisarski offered that with phased projects, there is a trend to asking for large or maximum amounts. These applicants are asked to give technical and valid plans that align with the states strategic goals. Other than the 1<sup>st</sup> year, there is a track record to fall back on when deciding to further fund the project.

Dave discussed lowering the cap with Barry Burnell. He agreed that it is possible if other BAG chairmen agreed to the cap reduction.

## **Bruneau River Temperature TMDL – Mark Shumar**

Mark provided an overview on how PNV Temperature TMDLs are developed and based on shade.

Lack of shade in this study is largely caused by farming and grazing. Water here has a higher natural temperature than the state standard, but maximum potential shade will keep it at its most natural temp. Mark does his best to judge the plant communities, but the interpretation of “natural vegetation” is open for change based on local land owner information.

Thermograph data was collected. It was the cause for the temperature listing of the Bruneau River. Collecting additional in stream data would only reveal that the natural temperature is higher than the state temperature standard.

Marti Bridges offered that there are three point source dischargers on Jacks Creek. Two are aquiculture facilities, which use geothermal water, and the other is a feed lot. The feed lot has only an emergency 24 hour stormwater discharge and therefore has no issues relating to temperature. The aquiculture facilities are considered to be lowering the temperature of their source water through use and discharging cooler water. As such no waste load allocation was needed.

**Motion:** DEQ seeks BAG concurrence to move the Bruneau TMDL to public comment. Motion granted.

Since the BAG has the statutory authority to appoint WAGS, Lance asked the BAG to consider whether a Bruneau WAG might be necessary for future decision making. Also there is an option to consider the Bruneau Soil Conservation District as the local WAG, as they represent the local community.

Marti Bridges added that the Boise Regional Office can also decide if have a WAG in that watershed is important for the region and program goals.

#### **Water Reuse – Todd Crutcher, Engineering Manager - A high level overview**

In Idaho, land application has been done for nearly 30 years (twenty years under permit, which is renewed every five years). Each permit is very unique depending on a variety of factors. The objective is to utilize the water while preventing any of it from getting into surface water or flushing into the ground water. As such, limits are set. Annual reports are sent to DEQ to outline how they are meeting their permit limits.

- Classifications of waste water are from A to E. Class A is high quality/high level treatment; Class E is raw sewage with solids screened out.
- Industrial waste is not classified with this class system.

There are 45 permits in the Boise Region DEQ. 2/3 Industrial; 1/3 municipal.

#### **Fracking – Michael McCurdy, Ground Water, Remediation Manager**

Around the country there is a lot of horizontal shale exploration and fracking. Fracking is the process of drilling and injecting fluid into the ground at a high pressure in order to fracture shale rocks to release natural gas. The water contains sand, and a proponent to open pore spaces. The process of fracking increases gas productivity. In Idaho, there are not shale deposits but sand lenses. Most proposals are strait vertical drilling 2500'-5000'. In Payette County, the talk of hydrofracking propelled emergency rules with Idaho Department of Lands. There are new rules which became effective at the end of the last legislative session.

The new rules ask for a fresh water protection plan for Ground Water (GW) or Surface Water (SW). This plan will be reviewed by IDL and DEQ. The rules require identification of potential impacts to GW/SW; identification of drinking water wells and public water system (PWS) source water delineations. If the gas well is within a ¼ mile of a PWS, the operator of the water system is to perform pre and post treatment monitoring on those drinking water wells.

EPA has a study underway through 2014 to answer:

- Water acquisition/rites
- Chemical mixing
- Water injection
- Well production water
- Waste water treatment and disposal

At the state level, no monitoring has specifically focused on gas drilling.

### **BURP – Hawk Stone**

Last year the Boise Office monitored 50 sites around the region. The program has moved to an electronic field form. Funds are available again this summer to Monitor 50 sites.

### **Owyhee TMDL – Hawk Stone**

The document is back from public comment and ready to submit to EPA. The temperature TMDL was re-done using PNV and three individual TMDLs in the region were pulled together into one watershed document.

### **319 - Dave Pisarski – A summary of 1½ years of national level scuttle of 319 and what the future holds**

Lots of discussion has happened over the last year and a half, and there is good possibility that the §319 grant program, as we know it, will not be here in the future. Office of Management and Budget (OMB) and Government Accountability Office (GAO) started looking at the use of 319 money. EPA asked the states to report back to the GAO. Last fall, a report was released summarizing the information from each state and offered a broad perspective of where to make changes at the EPA's level. OMB made a preliminary determination. They want states to accelerate implementation with more state and sub grantee accountability and reporting. They want to see a better targeting of funds.

Dave will go to DC in June 2012 where all state and federal players will meet to discuss in more detail:

- Satisfactory progress for each State
- Updating NPS management plans (Idaho, 1991)
- Regional competition for reallocation of unspent funds
- Ensure states are spending 50% of fed grant on the ground
- Leveraging 319 with other funding sources
- Increased monitoring
- Increased partnering

This should all play out by spring 2013.

### **Lower Boise Watershed Council – Melanie Miller**

Now on target for a phosphorus TMDL by 2014.

319 grant has been successful and they are looking for other sources of funding as well. USGS monitoring expected for 2013.

**Pete Wagner – Update**

- New director, Curt Fransen
- New Deputy Administrator, Jess Byrne
- DEQ provides for additional funding to the Lower Boise River for USGS monitoring.
- Level of effort on 401 Certification has increased due to Antidegradation review.
- Lower Boise River PO4 TMDL is important because EPA will not allow pollution trading without an approved TMDL

Meeting was adjourned at 12:45pm.