

Panhandle Basin Advisory Group
 Idaho Department of Fish and Game
 Coeur d'Alene, Idaho DEQ
 May 9, 2007
 Final Meeting Notes

Members and Alternates present	Guests present
Reid Ahlf-Forestry	Jenna Borovansky-DEQ
Dan Dinning-Local Government	Mr. and Mrs. Chaney—Cocolalla Lake Assoc
Scott Fields-Coeur d'Alene Tribe	Tyson Clyne-DEQ
Jack Filipowski-Agriculture	Donna Harvey-DEQ
Patty Perry-Kootenai Tribe	Glen Pettit-DEQ
Liz Sedler-Environmental Representative	Robert Steed-DEQ
Ruth Watkins-Representative at Large	Ed Tulloch-DEQ
Bernie Wilmarth-Non Municipal Permittee	

The meeting was called to order by Chairman Scott Fields at 9 am on May 9, 2007 at Idaho Department of Fish and Game, 2750 Kathleen Avenue in Coeur d'Alene, Idaho.

Introductions were made around the room. Bernie Wilmarth made the motion to approve both the September 2006 and the January 2007 meeting notes. Dan Dinning seconded the motion; the motion passed.

Scott Fields announced a change in the agenda. Ed Tulloch would begin with a staffing update followed by a presentation by Rose Chaney on the Cocolalla Lake Association's efforts to secure a 319 grant.

Ed Tulloch told the BAG that Robbin Simmons had passed away leaving the Coeur d'Alene surface water section with a vacancy. This event has impacted the water quality section in that they lost a friend and a co worker. Ed plans to begin interviewing for a replacement for Robbin by the end of this month.

Gwen Fransen (Coeur d'Alene DEQ Regional Administrator) and Curt Fransen (Attorney General's Coeur d'Alene Office) have accepted special assignments at DEQ State Office. Mark Dietrich, who was Deputy Director under DEQ Director, Toni Hardesty, has been re-deployed to Iraq for 9 months. Curt Fransen will temporarily become Deputy Director and Gwen will be in charge of Technical Services at State Office. Dan Redline, the Regional Air Quality Manager at the Coeur d'Alene Regional Office, will be the acting Regional Administrator until spring of 2008 when Mark Dietrich is expected to return to Idaho.

319 Grants: Ed said that the money available for Idaho 319 projects is a bit less this year than last year, and will be approximately \$2.3 million. The money for last year's

319 projects just arrived last week, so the wait time until the projects are funded can be lengthy.

Two groups in northern Idaho attempted to navigate the 319 process this year. The Benewah Soil and Water Conservation District and the Cocolalla Lake Association both wrote 319 proposals. Rose Chaney of the Cocolalla Lake Association gave a presentation to the BAG on their 319 experience.

Ms. Chaney said that the Cocolalla Lake Association identified two areas of concern in the Cocolalla watershed: roads and runoff into the lake. Three to five tributaries come into a wetland owned by Idaho Department of Fish and Game (IDFG). The Association proposed constructing settling ponds to try to catch sediment before it entered the lake. In talking to IDFG, they found that the wetland was currently under federally funded wetlands mitigation, and since no federal dollars can be used in concert with 319 monies, that project was abandoned.

Cocolalla Lake has a TMDL and an implementation plan, although the Soil and Water Conservation District does not consider the implementation plan to be valid because they did not sign off on it. Also, the contractor hired to write the implementation plan did not communicate well with the agencies, leaving some people feeling that they did not have adequate opportunities for input into the plan. The 319 guidelines state that if a waterbody has an EPA approved TMDL, the chances of securing a 319 grant increases when compared to proposals for waterbodies with no TMDL in place. Fish Creek falls under the Cocolalla TMDL. Fish Creek Road has several problems with roads including non-existent ditches and faulty culverts. The group approached the Bonner County Road Department. The Department told them that they had done a 319 project and the hours involved in writing the proposal, plus the wait time until the money actually arrived, precluded them from wanting to apply for another 319 grant.

The Cocolalla Implementation Plan did not outline specifics, such as identifying a certain culvert at a specific crossing that needed to be replaced. This was listed as a problem in the letter of rejection that the Association received after they submitted their 319 proposal. Another problem listed in the rejection letter was that the Association's project was not on a "regional priority" list. Jenna Borovansky of Coeur d'Alene DEQ did help the Association with their application. Jenna and the members of the Association found that the 319 computer application was very user-unfriendly. Sherry Klaus of Benewah Soil and Water Conservation District also encountered many problems with the computer form, including having her application erased, and having her information show up in another person's application. The Cocolalla group was also not able to view their application after they had entered their information, so correcting or adding anything to their application was not possible.

Other reasons for the rejection of the Fish Creek Road application included: not enough information on just how much sediment would be reduced, how that figure would be determined, plus the lack of a monitoring plan and a plan for public education, and no information included on staffing needed for the proposed project.

A discussion ensued about the various agencies which are outlined in DEQ's rules as needing to take part in implementation plans. However, Ed Tulloch said that the priorities of these agencies do not necessarily match DEQ's priorities for implementing TMDLs and this is an ongoing problem. 319 grants are needed to do work on waterbodies with approved TMDLs. The 1997 implementation law did not address funding, and that has always been an issue in TMDL implementation as well. Bernie Wilmarth said that without proper funding, these implementation plans are not going to work.

Bernie Wilmarth suggested that DEQ and groups writing 319 grants get together earlier for an education session on writing these grants. Patty Perry said that 319 training needs to be local, not in Moscow. Moscow is much too far to drive for a constituent in Boundary County. The BAG members agreed that 319 training should be local.

Other issues hampering 319 grant writers in Bonner and Boundary Counties are that their agriculture agency people are spread too thin. The SWCD doesn't have the personnel to help with 319 grants. Other agencies are not always forthcoming with engineering expertise, and that expertise is what is needed for a successful grant application.

Scott Fields identified several issues that he will bring up to DEQ State Office 319 personnel when he attends the 319 meeting in Boise:

1. The DEQ interface with groups writing applications for 319 grants needs to improve. The computer program needs to be user friendly. Local DEQ staff need to call the 319 staff at State Office when the tools for writing the applications are not working for their constituents.
2. There needs to be local training for 319 grant applicants in the Panhandle.
3. DEQ should be able to approve TMDL Implementation Plans without other agencies' approval.
4. Is there a possibility of web-based 319 training for those unable to attend the Panhandle training session, such as a Power Point presentation?

The Cocolalla project did not make it past the original State Office reviewers, and that is why the Panhandle BAG never got to consider it.

Some of the BAG members and Ed remembered that 319 training had been available to the BAG in years past. Scott suggested that the trainer spend 3-5 days locally that would not only include training, but would also include actual field visits to view the proposed project areas, which should help 319 grant applicants in writing their applications.

Clark Fork TMDL: This TMDL went out for public comment January-March of 2007. Monthly meetings ensured good participation by stakeholders and agencies. DEQ received comments from EPA, Avista Utilities, Washington Department of Ecology (DOE), Montana DEQ, Kootenai Environmental Alliance and the Rock Creek Alliance. Most were comments requesting clarification. Avista requested that the TMDL be delayed due to their not being able to meet the TDG (Total Dissolved Gas) requirements of their relicensing agreement. The TMDL was written in accordance with the relicensing agreement. Avista does not want the TMDL to be written to the TDG specifications in the agreement now that Avista does not think that they can meet the criteria. Avista anticipates that the re-licensing agreement will have to be re-negotiated some time in the future for TDG. As this process can take several years, DEQ doesn't anticipate delaying the TMDL. Another comment addressed some problem roads which were destroyed in the Lightning Creek Watershed in the November 2006 flood.

DEQ will soon finish the responses to these comments and will place the responses online for WAG and BAG members to review. The next WAG meeting is May 31, 2007. After the WAG comments on the TMDL and the responses all comments are complete, DEQ will ask the BAG to approve sending the TMDL to State Office to be reviewed, and then on to EPA for approval. This approval by the BAG can be done online and the BAG members will be able to vote to send the TMDL on to State Office via Email. The BAG members agreed to this proposal.

Pend Oreille River TMDL: Idaho has worked in concert with Washington DOE, the Kalispel Tribe, and Seattle Power and Light on this TMDL. Tri State Water Quality Council has facilitated the process. Temperature criteria differ in that the Kalispel Tribe lists their criteria as 18 C, Washington DOE at 20 C, and Idaho at 22 C. DEQ hired a contractor to create temperature models of the river from the Lake Pend Oreille to Albeni Falls. Washington DOE and Seattle Power and Light Company completed the model from Albeni Falls to the Canadian border. The work has been completed and it is now possible to run different models of sections of the river. **All information points to Albeni Falls Dam as the source of temperature exceedences in the river in Idaho. (The validity of this statement has been questioned by Mr. Lincoln Loehr on June 21, 2007, DEQ will discuss issues with Mr. Loehr and get back to the BAG if statement needs modification).**

An issue which has come to DEQ's attention is that the people working on the tributary group don't want someone from another state to come in at the 11th hour and negate the entire process. In order for this not to occur, perhaps the Tributary Group could vote to formalize their operating procedures. There are two ways that they could address this issue: The Tributary Group could become a formal WAG or the Pend Oreille WAG could formally delegate decisions on tributaries to the Pend Oreille Workgroup. Either scenario would be acceptable to the BAG. Patty Perry suggested that DEQ could ask that the Tributary Group how they would prefer to operate.

Upper Hangman TMDL: The first meeting was in August of 2006 and five meetings have ensued. Hangman is listed for temperature, sediment, and nutrients. The State's portion of Hangman Creek was found not to be impaired for nutrients. However, results from samples taken downstream could point to an upstream problem, which has not been

determined at this point. The WAG approved a public comment period of 30 days. The Coeur d'Alene Tribe and Kootenai Environmental Alliance asked for clarification on some points. DEQ has responded to comments. The Upper Hangman WAG has web space on the DEQ website, and BAG members can receive updates from this site. The next step is to ask the BAG to approve sending the TMDL to the State Office and then to EPA. Patty Perry made the motion to approve sending the TMDL to State Office. Reid Ahlf seconded the motion; the motion passed.

Fish Creek: Fish Creek near Twin Lakes in Kootenai County was listed for temperature, sediment, and an unknown pollutant. An information packet was sent to several people. Two people responded and attended the first meeting. Two agency people, who did not attend, wanted to be kept informed. Tyson will keep the BAG informed as participation grows for this WAG and when participation reaches a certain level, he will ask the BAG for approval of this WAG.

Kootenai-Moyie TMDL: This TMDL was approved by EPA and an implementation process is underway. The five year review will be in 2011.

North Fork Coeur d'Alene River: The first WAG meeting was February 28, 2007 and the next is scheduled in May. Two metals TMDLs are being written by DEQ Technical Services: Prichard and Bear Creeks. A Temperature TMDL is also being written. Watershed Professionals Network has done a sediment study and will present their findings on the North Fork sedimentation soon.

Black Lake: EPA, the Coeur d'Alene Tribe, and DEQ are working on completing a TMDL for Black Lake. There are two negative irrigation systems on the lake, i.e. systems that pump water out of pastures and into the lake. The landowner has not allowed DEQ or the Tribe access to his property, so sampling has not been done on these two systems. In 1981 a toxic algae bloom occurred, but has not been repeated. Dan Dinning suggested that DEQ and the Coeur d'Alene Tribe tell the landowner that they do not want to measure any pollutants from his systems, but merely want to work with him to mitigate any pollutants coming into the lake. Ed said that this suggestion has been considered. The TMDL process will proceed with the absence of recent monitoring data from the irrigation system.

Long Term TMDL Planning and Priority: Robert Steed showed a five year schedule showing what TMDLs need to be completed, which WAGs are existing, and which WAGs will need participation by a DEQ water quality staff member.

The Coeur d'Alene water quality staff has designed a TMDL implementation proposal of two parts:

- 1) The proposal states that all designated agencies will designate staff persons and money to the implementation process at the correct high level
- 2) A list of each watershed along with implementation projects needing to be completed to be agreed upon

Integrated Report: This will be a 2008 report. EPA and DEQ are discussing some issues and must reach an agreement before the list can be formalized. Also, this region has found some errors in the previous lists and staff people are working to correct those errors.

BURP 2007: BURP monitoring will be conducted in the following areas: Pend Oreille, 9 sites; North Fork Coeur d'Alene River, 20 sites; Coeur d'Alene Lake, 20 sites; South Fork Coeur d'Alene River, 20 sites. All of this is subject to accessibility. Five trend and 9 random sites will also be included in this year's BURP work. DEQ has decided that BURP equipment is to be de-contaminated after use in each stream so that no invasive species or noxious weed is carried from one waterbody to another. DEQ State Office will also sample lakes throughout the state.

Mark Shumar of State Office will be in the region to speak to the Pend Oreille Tributary Group and to the Fish Creek WAG on the potential natural vegetation model being used by DEQ. Peter Linebach of EPA will also attend a Pend Oreille WAG meeting to discuss his shade estimate model. The BAG members and members of the public are invited to both of these meetings.

Agenda Items for Next Meeting: An agenda item will include Glen Rothrock's report on the North Fork of the Coeur d'Alene River and the study that Watershed Professionals Network Group has completed. June Bergquist will speak about the issue of TMDLs and how this relates to nutrient pathogen evaluations in area lakes. June will also discuss development and how development will impact implementation plans. Robert Steed's long term planning chart will be on the agenda. Scott Fields' trip to the 319 meeting in Boise and how State Office 319 staff responded to the BAG's concerns will be an agenda item. Jenna Borovansky will discuss the Pend Oreille River WAG and the Pend Oreille Tributary Group and how they resolved the issue of operating procedures. There will be a DEQ staff update on ongoing TMDLs.

The next meeting will be Thursday, July 12, 2007 at Idaho Department of Fish and Game, 2750 Kathleen Avenue, in Coeur d'Alene, Idaho at 9 am until noon.

Reid Ahlf made a motion to adjourn the meeting. Ruth Watkins seconded the motion; the motion passed and Chairman Scott Fields adjourned the meeting at 12:45 pm.