

Panhandle Basin Advisory Group
 Idaho Department of Fish and Game
 Coeur d'Alene, Idaho DEQ
 January 17, 2007
 Final Meeting Notes

Dan Dinning-Local Government	Jenna Borovansky-DEQ
Scott Fields-Coeur d'Alene Tribe	Tyson Clyne-DEQ
Jack Filipowski-Agriculture	Bob Flagor-KSSWCD
Patty Perry-Kootenai Tribe	Donna Harvey-DEQ
Robert Rider-Livestock	Robert Steed-DEQ
W.C. Rust-Mining	Ed Tulloch-DEQ
Bernie Wilmarth-Non Municipal Permittee	

In the absence of Chair, Liz Sedler, Ed Tulloch called the meeting to order at 9:05 am. Liz Sedler, Ruth Watkins and Reid Ahlf had notified the BAG secretary that they would be unable to attend the meeting.

Ed Tulloch asked those who wanted the 2006 BURP data, if they wanted it as it comes available, or if they would prefer to wait until all of the data were available. Patty Perry and Scott Fields said that they would prefer to receive all the data at once.

BAG Chair Selection: The BAG rules state that someone can volunteer to be the BAG chairman, but in the absence of a volunteer, the next person on the list is asked to chair the BAG for a term of two years. As there was no volunteer, Scott Fields accepted the BAG chairmanship. Jack Filipowski made a motion to approve Scott Fields as chairman. Bernie Wilmarth seconded the motion; the motion passed.

Quorum: Robert Rider made a motion to accept a quorum as 6 BAG members including the chair. Jack Filipowski seconded the motion; the motion passed.

BAG Terms Ending: Dan Dinning offered to serve three more years as the Local Government representative and Bernie Wilmarth offered to serve three more years as the Non Municipal Permittee representative. Glenda Empsall, who was Bernie Wilmarth's alternate, has moved on. Dan Dinning named Joe Messenbrink as his alternate.

Ed Tulloch urged any member who does not have an alternate, to name one in the interest area they represent. Patty Perry said that a letter should be sent to DEQ naming alternates.

Panhandle BAG Webpage: Jenna Borovansky showed the BAG members a new Panhandle BAG webpage which is on the DEQ website. The web address is http://www.deq.idaho.gov/about/regions/panhandle_bag/index.cfm or one can go to the DEQ main website, look to the right and see "find it fast" and at the bottom is "Watershed Advisory Group" and the Panhandle BAG is the only BAG at this time to have a website. There is also a place for members and the public to sign up to receive

updates. For instance, if a new meeting date or a new document is posted to the BAG website, the member would receive a notification on their Email to check the site. The BAG discussed several issues concerning the website and agreed that the names of the members would be listed, but not telephone numbers or Email addresses. There would be a notation at the bottom to call either Ed or Donna and they would then call the BAG member and give them the name and phone number of the person wishing to speak with them. That way, spammers would not have access to Email addresses. Also, the group decided that they would like to have links to WAG pages, presentations and minutes from meetings, and future issues concerning the BAG.

Lower Clark Fork TMDL: The Lower Clark Fork River TMDL is complete and will be out for public comment at the end of this week. The mainstem of the Clark Fork has TMDLs for metals and Total Dissolved Gas. Temperature for the Main Stem has been deferred to the next cycle.

Sediment TMDLs are now complete on all listed tributaries. Temperature TMDLs are also complete for the tributaries. For those streams not listed as temperature impaired, advisory TMDLs have been completed.

Temperature TMDLs are based on the *Potential Natural Vegetation Method*. The goal is to return streams to a condition of full potential natural vegetation shading. Another goal is to return streams to natural stream width, so temperature and sediment TMDL actions are often linked. Reductions for this watershed range from 30-79%.

Sediment TMDLs set targets for reducing human-caused sediment inputs into streams. Excess sediment can alter the structure of a stream and contribute to excess temperature in the stream. Excess bed load was shown to be a critical concern in the Lightning Creek watershed. BURP data showed moderate to impaired stream conditions, which limit support for cold water aquatic life and salmonid spawning.

The public comment period for the Lower Clark Fork TMDL opens Friday, January 19 and runs until March 5, 2007, a 45 day period. Newspaper ads will appear and letters will be sent to interested parties. An open house in Sandpoint at the Federal Building on Highway 2 will be held on January 30 from 5 to 7 pm.

Pend Oreille WAGs: The Kootenai Tribe has requested a seat on this WAG. NRCS also has a new member on the WAG, replacing another member. After some discussion, the BAG members agreed that if there is no objection from the WAG members as to the acceptance of new people on the WAG, then the BAG would not need to vote. Only if there is disagreement among WAG members, would the BAG step in. The BAG should be made aware of changes of WAG membership. These changes can either be brought up at meetings, which would put the changes into the minutes, or a letter could be sent to the BAG chairman.

The first meeting was for the Pend Oreille Tributary Group and more than 20 people attended. Some had overlapping interests and stayed for the afternoon session as well,

and some people attended only one meeting. DEQ presented its stressor identification reports on several unknown pollutants in the Pack River Watershed and DEQ also explained their original sediment model and asked for input from WAG members.

On January 25, the main river group will meet in the afternoon. As the contractor is still working on the tributaries, that group will not meet that day. The meeting will address temperature models in conjunction with Washington Department of Ecology, the Kalispel Tribe and EPA. DEQ is taking the December 2007 deadline seriously and may have to proceed with their TMDL. Washington DOE is not on a court ordered tight schedule and may take more time with their part of the TMDL. DEQ will need the BAG's help and support to keep up with the December deadline.

DEQ Staffing: Robbin Simmons was hired to facilitate the North Fork Coeur d'Alene River implementation and WAG. Unfortunately, she has been ill since September and has not returned to work at DEQ. DEQ staff hopes that she will be able to resume her duties soon.

Kootenai-Moyie TMDL: The Kootenai-Moyie TMDL has been sent to Boise and from there on to EPA. Leigh Woodruff, who is the EPA person assigned to this TMDL, has received an additional assignment and so was taken away from work on this TMDL. However, he promises to work on it soon and the TMDL should be approved soon.

North Fork Coeur d'Alene River TMDLs: A WAG has been established, although it is inactive at this time. Beaver and Prichard Creeks will have metals TMDLs written by DEQ Technical Services. Also Technical Services is writing temperature TMDLs for these two creeks. When there is a draft TMDL, DEQ will begin to work with the North Fork WAG. Patty Perry suggested that the WAG may need to be involved in this watershed as the TMDL is developed.

Upper Spokane TMDLs: This watershed includes several waterbodies: Hauser, Hayden, Twin, and Spirit Lake as well as several streams and the Spokane River. A TMDL will be written for the Spokane River for nutrients and temperature. A great deal of data exist for the Spokane River and there will probably be lots of participation by the public in this TMDL. Idaho may have to meet Washington State's standards at the border. The river is now cooler due to Avista's raising the water level by ten feet. If the river is now cooler than natural conditions, the Spokane River will be delisted for temperature.

Fish Creek also will have a TMDL for sediment and as the two waterbodies are so different, DEQ recommends forming another WAG for Fish Creek..

South Fork Coeur d'Alene River TMDL: The 5 year review is due in 2010 for this river. No activity on the South Fork is planned by DEQ for 2007. BURP monitoring is planned for this watershed.

Coeur d'Alene Lake Subbasin: Integrated report corrections are needed for this Subbasin. DEQ Technical Services is preparing draft TMDLs. The Watershed Advisory Group is on hold until these drafts are completed.

This watershed also includes Black Lake. The Coeur d'Alene Tribe and DEQ have had trouble getting access for sampling. Without that access, sampling is impossible. However, DEQ and the Tribe continue in their efforts to gain access to all of Black Lake.

EPA's contractor, Parsons, wrote a draft TMDL before HB154 took effect, and DEQ and the Tribe will ask for more money for Parsons to continue to work on this TMDL until it is complete.

Upper Hangman TMDL: The BAG asked that the Upper Hangman group try to find a livestock representative which they have done. The portion of the Hangman Watershed that falls under State of Idaho's jurisdiction is small, only 10,000 acres. The rest of the watershed owned by the USFS, private landowners, the Coeur d'Alene Tribe and the State of Washington.

The TMDL lists the sediment reduction for Upper Hangman at 54%. Bacteria reduction needed in the state's portion of Hangman is 0-85% with the South Fork Hangman needing 15-40% reduction in bacteria. The possible sources for bacteria include wild and domestic animals and septic systems. The South Fork Hangman Creek also needs a 15-40% reduction in temperature.

A nutrient TMDL was not written for the Upper Hangman at this time, but a caveat was inserted that stated DEQ would revisit this issue if the Tribe's TMDL points to problems in the upper watershed.

At a January 10th meeting, the Upper Hangman WAG approved Idaho's portion of the Upper Hangman TMDL to go out for a 30 day public comment. After the public comment period, DEQ will incorporate the comments and submit the TMDL to DEQ State Office and on to EPA.

General TMDLs: Ed Tulloch said that as the Lower Clark Fork, Hangman, and Pend Oreille TMDLs are approved, then DEQ staff can be moved to work on the remaining TMDLs that need to be written.

American Falls Reservoir: At the time TMDLs are finalized, a list of these TMDLs appears in an administrative bulletin. A WAG member in American Falls contested the American Falls Reservoir TMDL to the Board of Environmental Quality. Each side has attorneys working on this issue. The WAG member protesting the TMDL felt that DEQ did not take into consideration all the requirements of HB145.

319 Grants: The cycle which began in November of 2006 has resulted in at least two 319 proposals for our region and possibly more will appear before the February 7 deadline when they are to be submitted to DEQ for review. At the next BAG meeting,

the BAG members will listen to 319 presentations and then will be asked to evaluate and prioritize these proposals. The BAG Chair usually travels to Boise in May to participate in the final prioritizing of 319 projects statewide.

Spokane River Relicensing: The draft Environmental Impact Statement (EIS) is now out for a 60 day comment period. The BAG was given a *Spokane River Relicensing Update* dated January 2007. A public meeting will be held on February 8.

A decision from Judge Lodge has also been handed down on the Bureau of Indian Affairs and Department of Interior challenges to the relicensing project. Now Department of Interior and the Bureau of Indian Affairs will have to rewrite 40 conditions for the relicensing. The court case will change some conditions on the draft EIS.

DEQ will still respond with a water quality certification due in July of 2007. Idaho has mandatory conditions that apply to the certification and Idaho will look at other conditions that would protect their river resources.

After DEQ finds out what Department of Interior's conditions are, DEQ can present a draft, but this draft must go through DEQ's attorneys, the Idaho Attorney General's office and the Governor's office.

The key issue is how much water will go downstream from the Post Falls Dam. Idaho has determined that 600 cfs in a normal year and 500 cfs in dry years would protect fish in the river. At this time, less than 300 cfs often goes down the river from Post Falls. With that low flow, fish can not exist at Barker Road in Washington. Washington Department of Ecology (DOE) is opting for more water to go over the dam, but this may not protect the fish downstream. Washington may decide to halt the relicensing clock for one year, which they can do if they deny the certification. Idaho is making real progress on their part of the certification and should be able to help the downstream facilities (wastewater) with their discharge problems.

Coeur d'Alene Lake Management Plan: The Coeur d'Alene Lake Management Plan was on hold at the end of 2004. DEQ has hired a contractor to help with negotiations between Idaho DEQ and the Coeur d'Alene Tribe. At this time, the parties are reviewing proposals. Meetings with the contractor are continuing.

Next Meeting: Thursday, March 29 will be the next BAG meeting which will be held at the Idaho Fish and Game meeting room in Coeur d'Alene. 319 grant proposals are on the agenda as well as TMDL and WAG updates.

