

Panhandle Basin Advisory Group
 Department of Environmental Quality
 2110 Ironwood Parkway
 Coeur d'Alene, Idaho DEQ
 September 1, 2016
Draft Minutes

Members and Alternates Present	Guests Present
Kennon McClintock - Timber	Tom Herron – DEQ
John Beacham – Representative at Large	Kristin Larson – DEQ
Ward Cooper – Discharge Permittee	David Fortier – KSSWCD
Melissa Driskell- Mining	Kajsa Van de Riet – DEQ
Patty Perry – Kootenai Tribe	Bob Steed – DEQ
Scott Fields – Coeur d'Alene Tribe	June Bergquist – DEQ
Adrienne Cronebaugh - Environmental	Todd Higgins – DEQ
Dan Dinning – Local Government	Dan Redline – DEQ
Jack Filipowski – Agriculture	Craig Nelson – DEQ
	Faye Beller – DEQ
	Stephanie Jenkins – DEQ via telephone
	Dave Pisarski – DEQ via telephone
	Jason Pappani – DEQ via telephone

The Panhandle Basin Advisory Group (BAG) meeting was called to order at 9:05 a.m. by Dan Dinning at the Department of Environmental Quality in Coeur d'Alene, Idaho. The agenda was reviewed and introductions were made around the room. The minutes from the May 4th, 2016 meeting were reviewed. A motion to approve minutes was made by Jack Filipowski and seconded by John Beacham. Motion passed.

§319 Grant Application Updates – Dave Pisarski

Dave Pisarski covered a few general topics relating to the §319 Grants and funding. Last year state wide they received 33 applications last year versus the 31 for this year. The total funding requested last year was just over 6 million dollars. This year, the 31 projects requests were roughly 4.5 million dollars. There is about a 1.5 million dollar difference in the 2 years. There are 4 projects from the panhandle that will be reviewed internally next week depending on scheduling. Preliminary scanning shows all projects to be complete and they will go forward.

Last year DEQ funded 10 projects of the 33 presented and the grant from EPA is expected to be around slightly under 2 million dollars. The grant was approved in April but with delays in Congress, the funds were not expected to be released from congress to the EPA for distribution until the week of September 5th. In recent years, funding delays have been later and later. In previous years the state has received the money from EPA in late May. With these delays, DEQ is making concessions to the applicants to adjust their projects' start dates and timelines. While they will still have 3 years to implement their projects, they will have the ability to revise their work plans and tasks start times so there will not be any impact with the funding delays. Dave

has reviewed about half of the projects from the other regions and all of them look like solid projects, with tough competition and that leads to good projects that go unfunded. This year for the first time in 6 years the grant funding from EPA is higher than the previous year by \$61,000.

The large task on the horizon program wise is the automated application and automated invoice system upgrade. That will be done with a 3rd party contractor and completed, hopefully in time for the next round of §319 grants. When the process begins they will have ask a technical team of folks that are familiar with the process and application to work together to help to improve the system. Hopefully all the efforts will make the process easier to use and understand.

Another big change on the horizon is the recent interest at the state level for DEQ having a lot more control over the way the money is allocated and what is allowed to be reimbursed from the grant funding. The 10% cap [on administrative costs] is a requirement that was developed in house to keep certain expenses below 10% of the funding request. This would affect administrative tasks, monitoring, outreach and travel. The total cost of those project elements would need to remain below 10% of the grant total. The reason for this is because DEQ administration would like to see more of the grant funds go directly to the BMP's themselves, materials and implementation costs. There should be guidance coming out to address the cap with the next grant period and it will be rigidly enforced.

The other requirement that will be passed on to the sub grant recipients is coming directly from the EPA. They will now require all recipients of §319 funds to develop a Quality Assurance Project Plan (QAPP). Dave expects guidance on the QAPP to come out before the end of the calendar year. DEQ is also required to develop a QAPP for their portion of the program. Dave is hoping to make a template available to the §319 applicants.

The BAG recommends writing a letter to the DEQ Director Tippets to address BAG concerns about the 10% cap and the limits it imposes, and the loss of the Super Bag meeting. The BAG suggests the Super Bag meetings still occur, to address the residual funds after the 1st and 2nd ranked projects are funded. If the cost is the reason behind not having the meetings anymore the BAG suggests holding the meeting via teleconference at the DEQ regional offices.

Water Body Assessment Guidance 3rd Edition (WBAGIII) Update – Jason Pappani

A response to comments for the WBAG III was handed out to the BAG members for review. The last version was completed in 2002. They have been working on the current edition for 3 years now. The draft for BAG consultation went out in January 2016, that consolation period ended in February. They took those comments and made changes as indicated in the response to comments hand out and incorporated them into the public comment draft that went out at the end of March, the comment period ended at the end of May. As a result of the public comments they have been working to change the document, the new draft should be out at the end of September. 24 comments were addressed in the response to comments request. 3 Basin Advisory Groups submitted comments including the Panhandle BAG. The main changes to the document after the comments were received was the additional language to clarify sections of the draft. A lot of public comments focused on uses and again they just tried to clarify the language in the draft to address those comments as well. They received a lot of comments both from EPA and other

stakeholders regarding natural background those comments were often at opposite ends of the spectrum of what should be considered natural background, DEQ is working on revising that guidance. The WBAGIII is in internal review with DEQ management and they are hoping to have it completed and approved by the end of the month and to start using it in the next round of integrated reports.

FPA Shade Rule – Stephanie Jenkins

They have one more month of inventory left to do, there is a group of 3 people conducting the inventory. They work with a large collaboration with private foresters, companies, IDL and the U of I. It's a pretty large project. There are 56 total sites and includes some control sites. As of this week 29 of the 56 have been inventoried. 8 of those were unable to be inventoried so they will not be included.

2 years ago DEQ adopted a new riparian harvesting schedule for the entire state of Idaho. There are 2 options, both 75 feet from the stream on either side. Option One: you can have a relative stocking of 60 in the first 50 feet and you can do a relative stocking of 10 in the next 25 feet. Option 2: You can do a relative stocking in the first 25 and then in the next 50 you can have a relative stocking of 30. DEQ must determine if this rule is adequately providing shade for the stream. They are taking relative stocking information and then a solar pathfinder analysis on each one of the locations. They are focused on the central and northern parts of Idaho. Of the 29 locations that have been done so far 19 in North Idaho Grand Fir, 9 in Central Idaho Grand Fir and 1 location in Western Hemlock and Alpine Fir. North Idaho Grand Fir is the label for a forest type but it does include many other species of tree and all the trees will be tallied in the inventory. Due to type of forest we have in this state we have more North Idaho Grand Fir and Central Idaho Grand Fir than other forest types. They are doing all of the pre-harvest inventory this year. A lot of the harvest will be conducted this winter. They are still in the midst of the sampling season now.

June NPDES Certifications and Updates – June Bergquist

The city of Sandpoint holds an NPDES permit for the wastewater treatment plan to discharge into the Pend Oreille River. We have a draft permit and a draft certification, they went out for public comment, the comment period has closed and both June and the EPA are finalizing response to comments and doing some fact checking. They are making changes to the permit as a result of public comment and the fact checks. There have been some things that will change, but they don't rise to the level of having to go back to public comment. The changes involve different ammonia limits due to additional data that DEQ collected in the area of the outfall. They also examined the mercury and monitoring requirements that are in the draft right now and will be proposing to change those. They are looking into changing the certification language explaining DEQ's evaluation of the mixing zone for nutrients. That won't change any of the merits of the certification; it's more of a procedural thing. DEQ is still going through internal review. Once DEQ finalizes they will contact the city and there maybe changes to some compliance schedules.

The Kootenai Ponderay Sewer District is a discharger to Boyer Slough which is a tributary at the northern end of Pend Oreille Lake in Kootenai Bay. They have a draft permit and signed draft certification but have not yet gone out to public comment. Right at the last minute the sewer district wanted to explore the idea of extending their outfall out into Pend Oreille Lake and to take advantage of a larger mixing zone. They are looking to DEQ and the EPA to see if this is feasible and how much phosphorus they can discharge during the summer months as a result of this. It's really complicated because there is a near shore TMDL for phosphorus. DEQ has some monitoring for Kootenai Bay for phosphorus and it's not clear whether or not it is exceeding the limits. There needs to be a lot more investigation before that can be determined. Ellisport Bay sewer district is also curious about running their effluent into the lake.

The Union Pacific Railroad Meadow Creek project is a two mile long site up on the Moyie River to allow trains to pass and transfer or unload crew. The site there was large enough to allow for an addition track line. The site is very close to several river side homes in the area and the residents had a lot of questions. The permitting agencies visited the site last April and as a consequence of that visit and Union Pacific bringing up experts they were able address those questions and the project received its permits this summer. After the certification was issued it was appealed by one of the residents up there. DEQ developed a response to the appeal and as a result the appeal was withdrawn and the project will go ahead as currently permitted.

Coeur d'Alene Basin Fish Tissue Advisory Update – Kajsa Van de Riet

Kajsa had two items to update the BAG on the first was the North Fork Coeur d'Alene subbasin. In 2012 DEQ published some success stories from that subbasin for Teepee Creek, Yellowdog Creek and Steamboat that were all de-listings from the sediment TMDL. The streams were impaired by sediment, restoration was completed, and after monitoring DEQ determined they were no longer impaired and DEQ proposed the de-listings. The EPA approved the de-listings and it was a big success. In the most recent draft of the integrated report they are also proposing three more de-listings that are in the Jordan Creek watershed. Those were listed in the 90's based on sedimentation data. The forest service has done a lot of restoration in there and we've determined those should be delisted now. EPA's contractors at TETRA Tech contacted Kajsa recently wanting to write it up as another success story and that should be coming out within the month or so and posted on the website and as part of what EPA reports back to congress as performance measures to show how well the clean water acts are working.

Kajsa passed out a handout for the fish consumption advisories. The handout was put together by DEQ and the Dept. of Health and Welfare and describes the statewide fish consumption advisory for bass related to mercury concentrations in the fish tissue on one side and the other side is information about Coeur d'Alene Lake. It was put together in preparation for the North Idaho Fair. A project that's going on right now was initiated by the EPA for the Coeur d'Alene Basin and is part of their record of decision for the superfund cleanup, recognizing the need to do a more comprehensive, complete evaluation of fish tissue metals concentrations throughout the Coeur d'Alene basin and then review the existing health advisory to determine if any additional health advisories need to be made. EPA is funding this study and DEQ, Fish and Game and the Coeur d'Alene Tribe have all partnered in putting that together and implementing the field collection this summer and will participate in the analysis of the data. Kajsa handed out a map

indicating the areas of sample collection. The fish collected represented different feeding levels, different life spans, and diet. They were focus on the fish the anglers would be most likely to harvest. The metals studied were cadmium, lead and zinc. The samples collected were frozen and sent to EPA and the results should come back in early spring 2017 for evaluation. If needed the new advisories should come out in late 2017.

Harmful Algae Bloom Update – Kristin Larson

A harmful algae bloom is another term for the excessive growth of blue-green algae in lakes. There have been repeated excessive blooms in the northern part of Hayden Lake and Fernan Lake. This summer, just a few weeks ago Fernan had microcystin which is the toxin produced by several of the species of algae at concentrations of 95 micrograms per liter. The EPA's drinking water health advisory for children under school age is .3 micrograms per liter, for adults and older children it is 1.6, so 95 is extremely high. DEQ has continued to frequently update the press with the advisories. The toxins haven't been as high in Hayden Lake however it continues to bloom particularly in the northern section of the lake where the sportsmen's access is located. DEQ just issued an advisory for Avondale Lake. It's got a very different organism. DEQ is unable to measure the toxin that comes out of it but the concentration of those particular algae is extremely high so the advisory was issued. DEQ and Panhandle Health District (PHD) work together to decide if and when to issue an advisory. DEQ met with PHD this past spring to fine tune the advisory issuing methods and they have worked very well and the communication has been really efficient to get the health advisories out to the public. There is a webpage on the DEQ website dedicated to update the public on algae blooms throughout the state. The webpage has greatly reduced the number of calls from the concerned public. Every Friday DEQ samples each lake and updates PHD. In the past few years Fernan has had a bloom clear until ice. It's very bad right now. DEQ does not regularly test other lakes but maintains very good relationships with the home owners associations and responds to all calls of suspected blooms. As for fish safety, catching and eating fish from affected lakes should be OK as long as the skin and organs aren't being consumed. The BAG suggested adding to the notice on the webpage descriptions of the algae and not only listing the lakes with toxins but if there are non-toxic blooms as well.

BURP Wrap-up and Kootenai River 5-Year Review Progress/Blue Joe Creek Stream walk eDNA – Craig Nelson

Craig passed out maps to the BAG members that identified the sites that the BURP crew has collected data on so far in the different assessment units for 2016. There are about 30 sites so far that have been sampled. 35 that have been visited, there were a few could not be sampled do to no flow, one that was too deep to wade and another that was dry. He also showed the BAG a map with eDNA sampling completed in 2016. The eDNA is a filter kit the crew uses to run 5 liters of water through the filter with a pump. The filter is sent to the lab for analyses. The filter collects dead skin cells from fish and is used to match DNA markers on select fish like Bull Trout. They can get an estimate of fish presence or absence by matching the markers. From the reports of the sample sites and the information that was given to the local [Kootenai] WAG, there was a question if there was a discrepancy in how many sites were sampled for eDNA along with the scheduled BURP sites as told to the WAG and what additional time and costs needed to

assess the eDNA sites that were done for the Forest Service. It was expressed that the WAG had agreed to eDNA collection only on the BURP sites and not additional sites. The BAG suggested further follow-up with the DEQ WAG coordinator on the BAG concerns about the additional costs, time and the transparency with the WAG. Tom would like to look into the long term applications further to see if the data collected on the additional sites would facilitate or be a surrogate to future electrofishing studies. Blue Joe Creek was mentioned as a particular possibility relating to TMDLs, to see if eDNA results will help in identifying the fish community. There may be some uses to the additional data but Tom agrees that further discussion with the DEQ WAG Coordinator is needed to for clarification on the difference between what was represented to the WAG and what actually occurred.

Spokane River TMDL/WAG Update – Tom Herron

There were some scheduling conflicts earlier in the season that required rescheduling the WAG meetings. They have been pretty dormant this summer. Bob Steed has been busy with the algal blooms, field work, the Kootenai projects and other issues. The next meeting has been scheduled for September 6th.

Integrated Report Update - Tom Herron

The public comment period on the Draft 2014 Integrated Report is open until September 28th. Bob Steed gave a presentation to the BAG outlining the draft Integrated Report at the May 4th BAG meeting and the draft Integrated Report consultation documents were posted by the DEQ Water Quality Program Office on the DEQ website on May 26th. The Chairmen of each BAG was sent an email from the Program Office regarding the BAG consultation period that ended on June 27th. Tom reporting asking Don Essig if he could give another presentation to the BAG explaining the Integrated Report. There doesn't seem to have been a time between the last BAG meeting [5-4-16] and the public comment period for the BAG to get together and discuss the report. The BAG requested a teleconference consultation with the DEQ State office to be scheduled before the end of the public comment period with the tentative dates of Sept. 16th or 19th. [The teleconference consultation occurred on Sept. 16]

Next Meeting Agenda Items and Adjourn

The next BAG meeting is scheduled for October 26th, 2016. On the agenda will be §319 grant presentations for the four §319 grant applicants. Meeting was adjourned by Dan Dinning at 12:15 P.M.