

**Pend Oreille River TMDL Watershed Advisory Group  
Meeting Summary  
Thursday, October 20, 2005  
1:00- 4:00  
Newport, Washington**

**Attendees:**

Kody VanDyk, City of Sandpoint  
Maggie Becker, City of Dover  
Mike Lithgow, Pend Oreille County Planning Dept.  
Jamie Davis, Bonner Soil & Water Conservation District/Idaho Soil Conservation Commission  
Lori Burchett, Bonner County Planning Dept.  
Glenda Empsall, Riley Creek Lumber  
Todd Johnson, EZLivinAcres Water Association  
Pat Buckley, Pend Oreille Public Utility District  
Gary Wescott, Southside Water & Sewer District  
Christine Pratt and Kim Pate, Seattle City Light  
Brock Morgan, Teck Cominco American Inc.  
Bill Love, Idaho Dept. of Lands  
Paul VanMiddlesworth, Golder Associates, Inc.  
Don Comins, Pend Oreille Conservation District, WRIA 62 Watershed Coordinator  
Jaime Short and Jon Jones, Washington Dept. of Ecology  
John Gross, Kalispel Tribe  
Ed Tulloch, Idaho Dept. of Ecology  
Don Martin, EPA Region 10  
Ruth Watkins, Tri-State Water Quality Council

**Welcome:**

After introductions, Ruth Watkins provided a brief overview of the Tri-State Water Quality Council and the organization's role in facilitating the advisory group. She explained the context of the upcoming Pend Oreille River TMDL within the larger Clark Fork-Pend Oreille basin, noting that the river drains an area of 24,200 square miles and is part of one of the largest sub-basins in the Columbia River system.

**Overview of the Pend Oreille River watershed:**

Ruth gave a brief description of the river basin's geography and noted that the river flows 27 miles from the outlet of Lake Pend Oreille to the Washington border and that it flows another 72.3 miles in Washington to the Canadian border. Because the river flows through two states and the Kalispel reservation, these three entities have been working together to address temperature issues, and have recently signed an agreement along with EPA to develop a single TMDL that covers the entire Pend Oreille River. It is great to see this watershed-wide approach being taken, and the advisory committee has been created to include representatives from the

various stakeholder groups across the watershed to assist the states, tribe and EPA in this coordinated effort.

Ed Tulloch of Idaho DEQ described the impaired waterbody list for Idaho's portion of the river and handed out a color-coded map depicting all the streams in the Pend Oreille basin that are impaired by sediment, temperature, nutrients and TDG on the current 303(d) list. He also handed out a list of the streams in the Pend Oreille basin that will require TMDLs, noting their status and that TMDLs for the Pend Oreille River are due to be completed by the end of 2007. He hoped that Idaho members of this advisory group would be willing to serve as advisors to DEQ on several of the tributary TMDLs in the Pend Oreille basin, as part of their role on this committee.

Jon Jones of Washington Dept of Ecology handed out a map of the 303(d)-listed streams in the Pend Oreille basin (WRIA 62) in Washington, and discussed how Ecology is currently focusing on the mainstem of the river, but will be working in the near future on TMDLs for tributaries as well. The U S Forest Service has also been addressing impaired tributaries on public lands in the watershed.

John Gross's presentation included the following table illustrating how temperature criteria to protect beneficial uses are interpreted differently by the two states and tribe:

	Tribe	Washington	Idaho
Temperature	18° C	20°C	22°C
Dissolved oxygen	8.0 mg/L	8.0 mg/L	6.0 mg/L

While the table does not capture the details of the criteria (for example, Idaho's criteria is 22° *daily maximum* and 19° *daily average*) it definitely underscores the potential challenge of developing a water quality restoration plan, or TMDL, that adequately addresses criteria across the three jurisdictions.

### **Introduction to the Pend Oreille River TMDL:**

Don Martin gave a PowerPoint presentation about TMDLs, which are, in short, a science-based plan for reducing a known pollutant in a given body of water. Don described the process for TMDL development in general—based on requirements in the federal Clean Water Act—and Jon and Ed described the specifics of how the TMDL process takes place in each of their respective states. Don talked about the Memorandum of Agreement signed by the two states, the Kalispel Tribe and EPA, and how the entities have agreed to work together to develop one TMDL for temperature, which affects the entire stretch of river. He noted that the workshop held by Ecology in January 2005 stimulated comments by a number of groups who encouraged the two states, the tribe and EPA to work together toward a joint solution to temperature issues in the river; these comments helped to result in the state/tribal/EPA agreement.

Kody VanDyk asked if a TMDL would be developed for nutrients. Ed responded that Idaho DEQ is not expecting to develop a nutrient TMDL at this time because the river is not currently listed for nutrients. He explained that during the next round of developing the impaired stream

list, if the river is listed for nutrients because of data indicating the need, then a TMDL would be developed. Kody indicated it would be good to know now, since the various wastewater dischargers in the river basin in Idaho are considering a regional facility and would want to know about any potential limits that might be placed on discharges into the river by a TMDL. (After the meeting, Gary Wescott also expressed similar concern that a nutrient TMDL should be considered at this time. Because of these concerns, we should put this on the agenda for the next meeting.)

During the break, copies of the Memorandum of Agreement and Work Plan were handed out.

### **Roles and Responsibilities:**

Ed described the role of Portland State University in developing a temperature model for the TMDL; the model will utilize water quality data from the Tri-State Water Quality Council, the Corps of Engineers and the two states. Both Idaho and Washington are contracting with Portland State to do this modeling, which will be the primary tool to develop the TMDL. Ed also noted that Seattle City Light will be doing modeling for their portion of the river in association with re-licensing of Boundary Dam, and that information from their modeling will also be used.

Ed distributed a hand-out and described the TMDL process in Idaho, of which a large component is community involvement. This involvement takes place through the Basin Advisory Group (a regional group that reviews all TMDLs) and local Watershed Advisory Groups (WAGs) that are established at the local watershed level for a specific TMDL. He explained that recent legislation in Idaho has led to a larger role by the WAGs and that there are several key steps during the TMDL process that require consultation by the WAG. He said that the diverse make-up of the Pend Oreille River advisory committee meets the membership requirements for an Idaho WAG. Ed explained that once a TMDL in Idaho is finalized and approved by EPA, then the state moves forward with an implementation plan to carry out the TMDL; often the WAG takes a very active role in development of the implementation plan.

Jon explained that there are several differences between how Idaho and Washington undertake the TMDL process. First, Washington is not bound by law to have a WAG, but the agency understands the importance and need for having an advisory group to make the TMDL process work most effectively. He noted that Ecology will want to have the Pend Oreille River WRIA 62 group review the TMDL in addition to this advisory committee. Lastly he noted that to meet the Washington requirements, the TMDL must be followed by a Detailed Implementation Plan, which is developed internally by Ecology but would be reviewed and approved by the advisory committee.

John Gross indicated that the tribe does not have a TMDL process and will be working with EPA during the Pend Oreille TMDL. The Tribe has been involved in the Basin Advisory Group process in Idaho and in the WRIA 62 process in Washington. He also noted that the tribe hopes that the final TMDL will include specific implementation measures.

Don Martin explained that the role of EA will be to oversee and help facilitate this TMDL process, and also to coordinate with the tribe.

Ruth explained that while there are differences in the TMDL processes between the two states, it's clear that involvement by a stakeholder group such as this advisory committee is critical to the long term success of the TMDL and future river restoration efforts. The role of this committee will be to review draft information from the agencies, provide feedback, and make recommendations for the final TMDL. Through the committee's participation and buy-in, it is hoped that the TMDL will become a practical, useable guide for water quality restoration and provide key stakeholders and decision makers with information for making sound water quality-related decisions.

In addition to the participation of the key stakeholders through this committee, public meetings will be held later in the process to create awareness and buy-in for the TMDL and set the stage for subsequent on-the-ground water quality restoration efforts.

It is envisioned that the committee will meet at key milestones during the TMDL process, which is planned for completion in late 2007. The next meeting of the group will likely take place during February or March 2006 when there is some initial information for the committee to review and provide feedback on. Meanwhile, Ruth will prepare and distribute a contact list of all committee members and will let everyone know about plans for the next group meeting.

The meeting adjourned at 3:30.

*Respectfully submitted by Ruth Watkins, November, 2005*