

## 2017 Public Engagement Meeting Notes

### WQ Assessment Integrated Reporting Public Meeting

Monday, August 28, 2017, 8:30 a.m. – 2:00 p.m.

#### Meeting Location:

Conference Room 1A  
PSOB/OHA Building  
800 NE Oregon St., Suite 290  
Portland, OR 97232

#### List of Oregon DEQ Attendees

Jennifer Wigal (Deputy Administrator & Manager, WQ Standards & Assessments)  
Becky Anthony (Basin Specialist, Water Quality [DEQ Western Region])  
William Hickey (Project Manager, WQ Standards & Assessments )  
James McConaghie (Water Quality Specialist, WQ Standards & Assessments)  
Joshua Emerson (Water Quality Specialist, WQ Standards & Assessments)  
Lesley Merrick (Natural Resource Specialist, WQ Standards & Assessments)  
Lori Pillsbury (Whole Effluent Toxicity Coordinator, WQ Monitoring [DEQ LAB])  
Debra Sturdevant (Water Quality Standards Program Lead, WQ Standards & Assessments)  
Dory Robinson (Program Support Specialist, WQ Community & Program Development)  
Zach Loboy (Manager, Water Quality [DEQ Western Region] Teleconference Participant)  
Bonnie Lamb (TMDL Basin Coordinator [DEQ Bend] Teleconference Participant)

#### General Public Attendees (In-Person)

Julia Crown (City of Gresham)  
Todd Miller (City of Springfield)  
Brian Laurent (Bureau of Environmental Services, City of Portland)  
Julia Bond (Bureau of Environmental Services, City of Portland)  
Raj Kapurr (Clean Water Services)  
Larry Marxer (Deschutes River Alliance, \*Retired DEQ Employee)  
Dianne Barton (Columbia River Inter-Tribal Fish Commission)  
Danae Burck (Columbia River Inter-Tribal Fish Commission)  
Torrey Lindbo (City of Gresham)  
Melissa Mueller (Private Citizen)  
Mary Anne Nash (Oregon Farm Bureau)  
Michael Campbell (Stoel Rives Law Firm)

#### General Public Attendees (Teleconference/Webinar Participants)

Doug McLaughlin (National Council for Air and Stream Improvement)  
Lauren Goldberg (Columbia Riverkeeper)  
Melinda Borgens (AECOM)  
Nina Bell (Northwest Environmental Advocates)  
Jenny Morgan (Rogue Valley Sewer Services)  
Wendy Edde (City of Bend)  
Heather Dimke (City of Salem)  
Vanessa Lanas (Intel Corporation)  
Anita Panko (City of Salem)  
Justin Boyington (City of Salem)  
Mellony Hoskinson (Oregon Water Resources Department)



State of Oregon  
Department of  
Environmental  
Quality

#### Water Quality Assessment Program

700 NE Multnomah St.,  
Suite 600  
Portland, OR 97232  
Phone: 503-229-5696  
800-452-4011  
Fax: 503-229-6762  
Contact: Jennifer Wigal  
[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

*DEQ is a leader in  
restoring, maintaining  
and enhancing the  
quality of Oregon's air,  
land and water.*

## General Public Attendees (Teleconference/Webinar Participants) *Continued*

Brenda Sanchez (Oregon Department of Agriculture)  
Annie O'Connor (Private Citizen)  
Jay Udelhoven (East Multnomah Water Conservation District)  
Andrew Swanson (Clackamas County Water Environment Services)  
Ashley Russell (Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians)  
Mary Anne Nash (Oregon Farm Bureau)  
Elaine Payne (City of Junction City)  
Ingria Jones (GSI Water Solutions)  
Chip Bloomer (Portland General Electric)  
Kerri Cope (Oregon Water Resources Department)  
Chris Kowitz (Oregon Water Resources Department)  
Jo Morgan (Oregon Department of Agriculture)

## List of Handouts and Presentation Notes

- Agenda for 2017 Public Engagement Meeting

## Public Input and DEQ Responses

*Raj Kapur (CWS): Is Category 4C a good way to deal with water rights issues?*

Response: It is not just the over allocation of flows that is causing water quality problems. In many cases, we see water quality impairment and flow is one contributing cause. As a result, the situation is likely more complex than just overallocated flows, and even though unlikely to know what the all the contributing factors are and how much they contribute to the water quality impairment until we develop the TMDL.

*Larry Marxer: How is DEQ currently prioritizing TMDLs in Category 5 waters?*

Response: Right now, priorities are being driven by lawsuits and settlements. DEQ is focusing on coastal TMDLs and working to resolve issues related to Coastal Zone Act Reauthorization Amendments (CZARA). In addition, DEQ currently has 2 TMDLs in flight: Hood River TMDL (updated standards) and Klamath TMDL (DO and pH – focus on nutrient solutions). We are preparing for the potential that current litigation may drive prioritization of a number of other TMDLs in the near term. It is the most significant driver at this point.

*Brian Laurent (BES) – Is there a name (year) for Integrated Report?*

Response: DEQ will be referring to it as the 2018 Integrated Report. It will NOT be in April of 2018. DEQ will try to add lay person language that will make it more meaningful to the public as opposed to just the Integrated Report.

*Brian Laurent (BES) – Does EPA's work happen at federal level or in regions?*

Response: It happens primarily in regions but final approval is through HQ. Example of ocean acidification is one where HQ has a strong input on results.

*Larry Marxer– Is DEQ confident that AWQMS will be able to handle data accurately?*

Response (Lesley Merrick): DEQ is fairly confident this system can handle the data. Grab data should be in the system by the end of 2017. Continuous data will be uploaded to AWQMS in 2018. Lori Pillsbury –DEQ has an open position to work with our Volunteer Monitoring Coordinator, Steve Hanson, to assist volunteer monitoring groups in uploading data directly to AWQMS. The AWQMS system exchanges data directly to EPA's WQ Portal. Examples of other states that use AWQMS are: Alaska, Maryland, and Colorado. The WQ Portal does not allow for upload of continuous data. Continuous data will not be directly exchanged with EPA's WQ

portal because the STORET database only accepts summary data from continuous data loggers. EPA is currently working on a data base to house continuous data (52 North).

*Dianne Barton (CRITFC) – Back to Larry’s question, is there a benefits analysis that goes into TMDL prioritization?*

Response: Typically, prioritization incorporates information and input through basin coordinators (work with local watershed councils, landowners, communities, etc.) and are knowledgeable of local water quality issues and DEQ’s regional managers. The TMDL needs are correlated with DEQ capacity. DEQ also looks at data availability – where we have enough data to do TMDLs. All of this goes into annual prioritization.

*Does the EQC weigh in on this?*

Typically, not in the past. TMDL issuance is delegated to the DEQ Administrator.

*Debra Sturdevant (DEQ) – If multiple impairments of beneficial uses exist, would they be on the same page display?*

Response: DEQ has not decided on our visual display, but it is likely that multiple impairments of a use would be displayed on the same page.

*Julia Crown (City of Gresham) – What about narrative standards as they relate to beneficial uses?*

*For each segment, multiple beneficial uses apply, will they be evaluate based on beneficial use?*

Response: There may be different criteria by fish use. DEQ will take this into account when data is pooled together. Assessment decisions are made at the scale of the assessment unit which has high level beneficial uses. For beneficial uses there can be multiple parameters that are the cause of attainment/non-attainment. The parameters may also relate to specific criteria, like spawning and non-spawning criteria.

*Larry Marxer – Will each segment be assessed for all uses or will we prioritize most sensitive use?*

Response: DEQ assessments will evaluate all uses, not just the most sensitive use and criteria. Through the information published, it will be evident what the most sensitive use is, however, conducting the assessment for all of the uses and associated criteria will enable the Integrate Report to not just reflect which uses are impaired, but also which uses and criteria are being attained--This will result in more comprehensive information about water quality status. There will be a conclusion for each use.

*Dianne Barton (CRITFC) – Will fixed segmentation apply retroactively?*

Response: The short answer is no, but the challenge is if no new data exists, we need to maintain previous listings in the new units. We are looking for solutions to translate old segmentation into new segmentation to make it a more cohesive system. DEQ is working with EPA and hope they will be able to help us out with some tools.

*Brian Laurent (BES) – Will new data segments have bread crumb trail of assessments like historic listings may?*

Response: New decisions based on new data will replace the old listings. The more challenging issue is where no new data exists. DEQ needs to make data available from new assessments. We can’t recreate past data availability. Looking forward, DEQ can only draw new conclusions. DEQ will be looking at 10 years of data to minimize disruption of new segmentation.

**Question: Is DEQ missing anything critical?**

*Larry Marxer – Will DEQ’s presentation be put online?*

Response: Yes – we will be posting the presentation online.

*Raj Kapur – What critical look is DEQ taking to include TMDLs, permitting, etc. to take on these improvements?*

Response: On the data side, DEQ needs to be responsive around data issues. There is no perfect alignment of processes within our related DEQ programs, including permitting, TMDL, and water quality standards. Those programs are dynamic and things are continually being worked on in each of those areas. However, DEQ can try to be as transparent and as easily accessible as possible to ensure assessment information and related data are readily available for permit decisions and TMDL writing. Method revisions are trying to be thoughtful and robust (quality and spatial extent of data), which will also benefit those processes. We are working and communicating across programs to ensure we are aware of where changes in one area may affect another so that when we identify a potential issues, DEQ can bridge those gaps as appropriate and identify what needs to be done while one program is dealing with the lag in time from another program’s actions.

*Brenda Sanchez (ODA) - Will we be able to search multiple sub-basins rather than just one at a time?*

Response: Depending on how we format our GIS – yes. ATTAINS may roll up to a higher reporting unit.

*Larry Marxer – Is EPA open to input from state agencies about how to make this effort less burdensome? How do they respond to suggestions?*

Response: The statute is fairly clear about state requirements to conduct the assessment. Revisions to the process are a huge effort, but DEQ still working towards a better way. DEQ has a responsibility to talk about the WQ in Oregon. We want to be able to answer questions about WQ at multiple audience levels (private landowner to Governor’s office), and we need to do this efficiently and accurately. EPA has been very supportive and has given some money and resources to assist DEQ in some of our efforts. They have been very patient with the improvement work we have been doing. EPA is trying to make data systems as easy as possible for reporting to make it easier for states to report. DEQ thinks it will be helpful for reporting. EPA is open to listening, but we can’t change the requirements. The EPA ATTAINS database is an attempt to streamline the process.

*Brian Laurent (BES) – Does DEQ get feedback from permittees that this process is proceeding faster than when permits get renewed because permits and IR don’t sync up? It seems like the goal posts are always moving.*

Response: Yes – we do hear that. The longer a permit is administratively extended, the more requirements build up. There is a lot of effort going on in DEQ for permits. There is inherent tension in the CWA for the frequency of doing things. From DEQ’s perspective, it is more of a benefit than a detriment to get on a 2-year Integrated Report production cycle. Example of an issue that needs to be addressed with regard to permits is the aquatic life criteria and total versus dissolved data. Permittees will benefit on the whole with better and more up-to-date information in the Integrated Report.

*Brian Laurent (BES) – Can permittees make changes within a permit if it is administratively extended?*

Response: It is a federal requirement that changes can’t be made to an administratively extended permit. DEQ recognizes that this can create issues for permittees and another reason that is motivating DEQ to get its permit program on track.

*Larry Marxer – Will there be instructions on how to submit data?*

Response: Yes – there will be a template and tutorial walking people through the process. We have also set up an email and will provide assistance to walk people through the data submittal process.

*Mary Anne Nash (OFB) – What is DEQ asking for regarding data quality? How does that play out in the report?*

Response: At a minimum, DEQ needs specific location information (lat, long, date, time); quality of data, DEQ will look at the dataset as a whole and determine whether it is within an expected range. DEQ will be requiring a QAPP. If there are questions, DEQ will reach out to the entity that submitted the data to get to the bottom of questions. DEQ will be providing pretty stringent guidelines which will be made available for entities who want to submit data to see. It will also be in the methodology document.

**Question: How can DEQ keep people informed?**

DEQ is using multiple tools to keep the public informed:

1. GovDelivery announcements
2. Integrated Report website
3. IR inbox / dedicated email

*Mary Anne Nash (OFB) – Provide quick online updates, timely updates and dissemination of materials – help public stay on top of process*

*Raj Kapur (CWS) – What is DEQ's plan for broader public outreach? Will we be providing some kind of summary of work being done and summary of efforts?*

Response: No current broad outreach is planned – We would welcome suggestions that could help ensure relevant information gets out to people interested or affected by the work that is being done.