



Nutrient Core Team Meeting Summary

Monday, April 3, 9:00 am to 12:00 pm

Core Team Members present:

Stakeholder Group	Representative
Chair	Walt Baker, Director, Utah Division of Water Quality
Agriculture	Jay Olsen, Utah Department of Agriculture and Food
Agriculture Producers	Jim Webb, Circle 4 Farms (<i>on phone</i>)
Utah Division of Wildlife Resources	Craig Walker, DWR Aquatic Habitat Coordinator
Drinking Water Utilities	Jesse Stewart, Salt Lake City
Environmental Protection Agency	Tina Laidlaw, EPA Montana Office (<i>on phone</i>)
GSL Artemia	Don Leonard, Great Salt Lake Brine Shrimp Cooperative, Inc
Wastewater	Leland Myers, Wasatch Front Water Quality Council
US Forest Service	Dave Whittekiend, Forest Supervisor, Uinta Wasatch-Cache Forest
Academic	Darwin Sorensen, Utah State University (<i>on phone</i>)
Environmental Interests	Rob Dubuc, Western Resource Advocates (<i>on phone</i>)

Core Team Members absent:

Stakeholder Group	Representative
NRCS	Niels Hansen, NRCS State Conservation Agronomist
Municipalities	Cameron Diehl, Utah League of Cities and Towns
Stormwater	Christine Pomeroy, University of Utah

Others present:

Thomas Bosteels, GSL Brine Shrimp Cooperative
Tim Hawkes, GSL Brine Shrimp Cooperative
Marian Rice, Salt Lake City Government
Erica Gaddis, Utah Division of Water Quality
Jeff Ostermiller, Utah Division of Water Quality
Jodi Gardberg, Utah Division of Water Quality
Carl Adams, Utah Division of Water Quality

Purpose

1. Review the draft Nutrient Core Team Charter
2. Revisit Utah's Nutrient Strategy
3. Discuss plans forward for Headwater Nutrient Criteria

Agenda

I. WELCOME AND INTRODUCTIONS - WALT BAKER, DWQ

Please listen to recording at 01:00

II. LEGISLATIVE AND NATIONAL UPDATE – WALT BAKER, DWQ

Please listen to recording at 03:49

Utah Legislative Initiatives

- HCR15: Encourages DWQ to work collaboratively with others and base water quality standards on the best available science
 - A draft MOU between DWQ and the Wasatch Front Water Quality Council (WFWQC) is in preparation
- HCR26: Encourages the restoration of Utah Lake
 - DWQ was already working on collaborative research to address the water quality component of this effort
- DWQ Budget Request: HAB funding of \$123K; it made it out of committee, but did not make it into the final budget. DWQ does not have a budget for these responses and will need to regroup to determine how much the Division can do moving forward.

National Initiatives

- EPA has proposed microcystin criteria for drinking water; similar criteria for recreational uses are expected this spring

III. NUTRIENT CORE TEAM CHARTER REVIEW – JODI GARDBERG, DWQ

Please listen to recording at 14:00

The dialogue and feedback for this and the next agenda topic were merged, the notes from this discussion are provided below.

IV. REVISIT NUTRIENT STRATEGY – ERICA GADDIS, DWQ

Objectives

- Review previous work and discuss the appropriate role of the Core Team moving forward
- Identify specific expectations of workgroup members
- Determine if representation from key stakeholders is currently missing from the workgroup

Discussion Questions

1. *Should the strategy contemplate a state-wide nitrogen reduction element (e.g. TBNEL) or rely on site-specific standards for nitrogen reduction on an as needed basis?*
2. *Are there other categorical/regional groups of waters that should be considered for criteria development (e.g. high elevation reservoirs, lakes, wadeable streams outside of headwaters, etc.)?*
3. *We would like to revisit Page 1 in the Prioritization Process handout. DWQ has some suggested changes and welcomes others from the Core Team.*
 - *Separate Habitat-Limited Waters from Existing TMDL waters*
 - *Core team still supportive of state wide indicators in Intermediate Waters?*
 - *Reflect desire to develop site-specific standards for Habitat Limited Waters on a priority basis*
4. *Which criteria should DWQ use to prioritize site-specific standards development outside of Headwater streams (Page 3 in Prioritization Process handout)?*

Core Team Feedback

- Minimum expectations of group from DWQ's perspective: 1) Phosphorus TBPEL rule, 2) Headwater Criteria, and 3) Site-specific standard prioritization.
- Especially in the context of prioritization, it will be important to understand the hydrologic and ecological connectivity of aquatic ecosystems.
- The need for stakeholder involvement is ongoing so this group will need to continue in some capacity.
- Headwater Criteria: Specific implementation approaches are needed.
- Implementation strategies for existing TMDLs may need to be revisited.
- When considering adaptive approaches, we will need to revisit details about several topics:
 - Surrounding agricultural and MS4 sources
 - Recovery potential and development of interim water quality objectives that distinguish between what we'd like to achieve (final goal) and what can be achieved
 - Technical Team Role
 - Ecological endpoints/thresholds that can be used to evaluate progress of management objectives
 - Monitoring that can be used to make the evaluations
- The group generally agreed that the Core Team needed to morph from a central objective of the development of a strategy toward the ongoing and interim implementation of the strategy

Path Forward

- Develop specific objectives and an associated implementation goals/milestones
 - DWQ agreed to develop several ideas about how the following WQ objectives could be addressed as we move forward with formalizing the next phase of Utah's nutrient reduction program:
 - A Proposed process for establishing site-specific criteria that includes plans for stakeholder engagement
 - How will individual program elements address potential effects to downstream waters
 - The relative importance of nitrogen and phosphorus
 - A defined and iterative process for implementation of program elements

- Others who need to be engaged moving forward: Division of Drinking Water, MS4/Stormwater, developers, conservancy districts, etc. and a process for membership in the group to be dynamic
- DWQ will develop a revised water quality strategy based on these inputs
 - Specifically DWQ will examine the issues that others have addressed and will integrate it into the charter (objectives) and a nutrient water quality strategy that identifies the long-term approach (revisit the previous implementation processes)

V. WATERBODY PRIORITIZATION CRITERIA FOR FUTURE INVESTIGATIONS

Please listen to recording at 01:31

Discussion Objectives

- An adaptive approach necessitates interim and ongoing approaches for all waters, with different implementation approaches for waters of different priorities
- Vote on categories of criteria that could be used to prioritize waters for subsequent nutrient work
- Discuss areas of agreement/disagreement among stakeholders

Prioritization Discussion

- DWQ needs to come up with a strategy for the group to consider
- Background sources need to be an integral part of a final prioritization process
- Other types of water management strategies that are already in place need to be considered
- Negative and positive downstream impacts are important

Prioritization Rating Criteria Results (recording at 02:00)

- *Evidence of Nutrient-Related Problems: 3*
- *Recovery Potential: 9*
- *Affected Use: 11*
- *Specific Source of Nutrients: 7*
- *Data Availability: 2*
- *Degree of Scientific Certainty: 6*

Post Voting Discussion

- Recovery potential and affected uses won the day
 - What is the potential to see a real water quality improvement
- Funding sources and the resources to actually conduct the work needs to be important
 - Economic ramifications of impairment need to be considered
- Scientific availability was under-represented in votes because everyone universally agrees that these criteria trump everything else
- The final approach does not have to be all or nothing, a balance of uses is important
- An important part of prioritization should be consideration of the likelihood of recovery

VI. HEADWATER NUTRIENT CRITERIA UPDATE - JEFF OSTERMILLER, DWQ

Please listen to recording at 02:25

- Recent meeting with technical team to review confirmation data.
- A collaborative process—between DWQ, USDAFS, and DWQ—is needed to establish implementation procedures.
- Several members expressed a reluctance to waiting for implicit approval from EPA before moving forward with rulemaking
 - A discussion was had about the appropriate level of involvement through EPA’s peer review process
 - Utah will move forward when we think it is appropriate, but we also should be an integral participant of EPA’s peer review process

VII. STAKEHOLDER UPDATES – ROUNDTABLE

Please listen to recording at 02:40

- EPA is conducting a survey of POTWs with respect to nutrient reduction capacity
- Variance requests to the TBPEL are being reviewed by DWQ
- Several stakeholders are waiting to see the consequences of an anticipated large spring runoff
- Federal funding uncertainty is already causing delays to planned DNR restoration work
- DNR is working on some spatial modeling efforts that may be useful for recovery potential considerations
- Salt Lake City is working on integrated permitting approaches that better consider how management actions, permits, etc. will alter all natural resources

VIII. MEETING SUMMARY AND ACTION ITEMS - ERICA GADDIS, DWQ

Please listen to recording at 02:47

DWQ Deliverables

- An updated charter document that includes specific objectives for the Core Team and ongoing membership criteria
- A nutrient reduction strategy that outlines a process moving forward and a general and adaptive approach for implementation of nutrient reduction program elements
- A spatially-explicit analysis of the water body prioritization elements

Future Topics

- DWQ requested feedback on future discussion topics, options include:
 - Utah Lake water quality research
 - Cyanobacteria and cyanotoxin processes
 - Progress of TBPEL implementation
 - Great Salt Lake water quality research results

Next Meeting

- DWQ will schedule another meeting once a draft planning documentation is complete