

Upper Mississippi River Basin Association
Water Quality Task Force Meeting
January 24-25, 2007
Rock Island, Illinois

Meeting Summary

Participants

Gregg Good	Illinois EPA
Matt Short	Illinois EPA
John Olson	Iowa DNR
Adam Schnieders	Iowa DNR
Marvin Hora	Minnesota PCA
Mohsen Dkhili	Missouri DNR
Jim Baumann	Wisconsin DNR
Holly Arrigoni	US EPA, Region 5
Bill Franz	US EPA, Region 5
Mari Nord	US EPA, Region 5
Larry Shepard	US EPA, Region 7
Dave Hokanson	UMRBA
Holly Stoerker	UMRBA

Call to Order and Introductions

The meeting of the Water Quality Task Force (WQTF) was called to order at 1:00 by Marvin Hora. Introductions of all in attendance followed.

Approval of Previous Meeting Summaries

Dave Hokanson asked if there were any changes or corrections to be made to the summaries of the September 19-20, 2006 WQTF meeting or January 4, 2007 conference call (held with the Water Quality Executive Committee). Hokanson indicated that the meeting summaries are currently not posted to the web. The Task Force indicated an interest in posting meeting summaries on the UMRBA web site, subject to a preliminary review, via email.

Selection of New Chair of Water Quality Task Force

Hokanson noted that the group had, at its previous meeting, agreed that a new Chair would be selected at this meeting. Hokanson thanked Hora for his service in this position over the last several years. Jim Baumann indicated willingness to serve as chair for the next year. Good agreed to serve as Vice Chair. Good and Hora indicated that a two year term may actually be preferred in the long run, but all agreed that Baumann's commitment would be for one year (with extension for another year a possibility if Baumann had interest).

Water Quality Task Force Operational Items

Hokanson provided an overview of the meeting agenda, and then led a discussion of several "operational" items for the Task Force's consideration.

Organizational Options Report

Hokanson provided a brief review of the recently completed organizational options report, and indicated that it had been approved by the UMRBA Board via conference call on December 14, 2006.

Holly Stoerker next provided an update on the activities of the UMRBA Water Quality Executive Committee (WQEC) in support of the recommendations of the report. Baumann reported that Wisconsin DNR had been discussing how to fund the Task Force's activities and that there may be an opportunity to work through Representative Kind's office to establish dedicated funding. Larry Shepard commented that the Organizational Options report should be circulated widely and that he would like to share copies with the Missouri River Association of States and Tribes (MORAST). Stoerker added that the WQEC is still working on its approach for funding and implementation.

Stoerker also commented on the status of the National Research Council's panel on the "The Mississippi River and the Clean Water Act", indicating that the panel's specific recommendations were not known at this time and that the panel was scheduled to meet later in January. Mohsen Dkhili indicated that he had reviewed draft materials circulated by a panel member and corrected some of the information in these materials.

Relationship Between the Water Quality Task Force and the Water Quality Executive Committee

Hokanson noted that the UMRBA Board had approved the WQEC Charter in November 2006. He added that, beyond simply establishing the WQEC, the charter includes a description of the relationship between the WQEC and the Task Force. Specifically, the charter indicates that the WQEC will appoint Task Force members, guide the Task Force in setting direction/priorities, and take recommendations from the Task Force forward, implementing them as determined to be appropriate.

Baumann commented that creating the WQEC is a good idea. He further noted that, for the idea to work well, the WQEC will need to work together with the Task Force to set priorities.

Baumann also raised the further question of how the Task Force is related to the UMRCC-Water Quality Technical Section. Matt Short observed that he has had to allocate time between the two groups and as a result his participation in the UMRCC has been reduced. Hokanson asked what the functional difference between the two groups was. John Olson responded that the primary distinction is that the Task Force deals with Clean Water Act issues, which is not a subject addressed by the Tech Section. Bill Franz concurred with this distinction, adding that the Tech Section is more of a science-focused group and in that sense is less constrained by regulatory considerations. Baumann asked whether the WQTF would envision requesting the assistance of the Tech Section on specific areas of investigation. Stoerker indicated that it would be important for each individual State agency to consider how it would see the relationship defined. Baumann and Good encouraged further cooperation between the groups, while each agency considered the relationship.

Water Quality Task Force Work Plan

Hokanson reviewed the current status of the Water Quality Task Force work plan, noting the addition of the "designated use" work element and the adjustment of some tasks related to the sediment project. He suggested delaying further adjustments in the work plan until the completion of this meeting, as its discussions – particularly surrounding fish consumption advisories and designated uses – may substantially impact the work plan. Franz noted that Dale Robertson's work on nutrient contributions from UMR sub-basins was progressing and the maps should be ready by the end of April. He also mentioned an upcoming conference call on the topic, inviting Hokanson's participation. Baumann asked when the work plan for FY08 should be formulated, suggesting that this be a topic of conversation for the next Task Force meeting (in May 2007). Hokanson concurred that the May meeting would be an appropriate forum to discuss FY08 work plan.

Water Quality Task Force Membership and Representation

Hokanson asked the group to consider the membership of the Task Force, as reflected in the membership roster distributed with the meeting materials. He also noted that it may be necessary to think about participation in the Task Force as varying according to the topics being addressed. Good

indicated that Bruce Yurdin should be moved to the “other contact” column, that the chair (and vice chair) designations would need to be updated, and that Dean Maraldo’s phone number appeared to be incorrect. Shepard noted that Dave Bolgrien would like it to be clear that he is an “other” contact for EPA (rather than as a Task Force member). Hora indicated that Wayne Anderson could be deleted from the list.

Preparation for Fish Consumption Advisory Conference Call

Hokanson noted that the purpose of the upcoming conference call is to determine how the recommendations of the 2005 Fish Consumption Advisory report might be implemented and, specifically to explore the potential for forming an interstate work group to establish a minimum set of sampling and analysis procedures for all five States. Hora indicated that the Task Force should try to determine what the fish consumption advisory experts would like to see as an outcome, and that it is important to make progress on the sampling and analysis issues. Baumann emphasized that a primary purpose of the call is to share the idea of establishing a work group and to move forward in establishing such a work group. Stoerker reminded the Task Force that the fish consumption advisory experts were part of the group that established the recommendations in the first place. Baumann noted that, for Wisconsin DNR, the participants in the call have different roles in the fish consumption advisory process and therefore may have different opinions and reactions to the prospect of an interstate work group.

Fish Consumption Advisory Conference Call

Hokanson initiated the conference call regarding Fish Consumption Advisory project. The following fish consumption advisory experts joined the meeting at this time via conference call:

Ken Runkle	Illinois Department of Public Health
Tom Hornshaw	Illinois Environmental Protection Agency
Stu Schmitz	Iowa Department of Public Health
Pat McCann	Minnesota Department of Health
Mark Briggs	Minnesota Department of Natural Resources
Todd Blanc	Missouri Department of Health and Senior Services
Rich Burdge	Missouri Department of Natural Resources
Mike McKee	Missouri Department of Conservation
Candy Schrank	Wisconsin Department of Natural Resources
Lorenzo Sena	U.S. EPA Region 7

Hokanson began with a review of the recommendations of the 2005 Fish Consumption Advisory report produced by the Task Force, in cooperation with the fish consumption advisory experts. He noted that some brief updates would be presented before returning to discussion of the implementation of the report’s recommendations.

Iowa DNR Update (John Olson)

John Olson noted that Iowa DNR has now moved to a risk-based approach for fish consumption advisories and that the work of the Task Force helped encourage this change. He indicated that the new approach had been adopted in January 2006. Olson also observed that the net result of this change would be an increased number of advisories. He further noted that the category of “1 meal per week” had been added to the types of advisories being used. Pat McCann asked if there was a “1 meal per month” category in Iowa’s approach. Olson replied that this category did not exist for Iowa. Baumann asked if the changes made apply statewide. Olson replied that they are statewide changes, not just specific to the UMR.

Regional Update (Holly Arrigoni)

ORSANCO's Approach to Fish Consumption Advisories: Holly Arrigoni provided an update on the approach being used by the Ohio River Valley Water Sanitation Commission (ORSANCO) regarding fish consumption advisories. She explained that, currently, ORSANCO carries out sampling and fish tissue analysis and determines if the fish consumption designated use is being met. The data is then sent to the States and each State decides whether to issue a fish consumption advisory. Arrigoni added that ORSANCO is seeking to adjust the approach so that they not only do sampling, analysis, and 305(b) assessment, but also determine whether a fish consumption advisory is to be issued. McCann asked for a clarification that just a single entity (ORSANCO) was both collecting and analyzing fish tissue on the Ohio River. Arrigoni replied that this was correct. Good provided additional background on ORSANCO's structure and function at this point. Arrigoni indicated that further discussion on this topic would take place at the upcoming SWiMS conference at U.S. EPA Region 5 offices in Chicago.

Methylmercury Guidance: Arrigoni commented on EPA's guidance regarding methylmercury criteria, indicating that it utilizes a fish tissue value for methylmercury (as opposed to a water column value).

2007 Fish Contaminant Forum: Arrigoni reported that the 2007 U.S. EPA Fish Contaminant Forum would likely be held in late July /early August in the northeast. McCann concurred with this schedule/location.

Implementing Report Recommendations/Possibility of an Interstate Work Group

Hokanson initiated the discussion, asking whether the report's recommendations were still appropriate and if the group wanted to proceed in implementing them.

Tom Hornshaw observed that the overall goal of getting a common approach is valuable, but the challenge is getting the right people together and overcoming basic differences, such as skin-on vs. skin-off analysis of samples. He noted that a similar process for Lake Michigan took 11 years to complete, with some initial difficulties.

Mark Briggs questioned the importance of establishing uniformity UMR-wide. Specifically, he asked if it was really important that Minnesota and Missouri have similar approaches. Hora replied that recommendations involve establishing a minimum set of sampling and analysis procedures, while still allowing States to add to this minimum to meet their needs.

Hokanson observed that part of the motivation for develop a common approach, from the point of view of the Task Force, was that it may lead to more consistent 303(d) listings under the Clean Water Act, as the States incorporate fish consumption advisories into their assessment and listing methodologies. Hokanson stated that, since this group created the recommendations, the assumption is that they are still valid and valuable, unless a different indication is given.

Todd Blanc commented that it made sense to begin with the sampling and analytical methods. Good explained that the thought behind establishing a work group would be to get people together to resume discussions. Hokanson asked the fish consumption advisory experts whether they would participate in a work group meeting organized by UMRBA.

Mike McKee stated that, if a guidance document could be developed, Missouri would be interested in using it. Hora described the likely approach as updating the information in the 2005 report, then developing recommendations for sampling and analysis.

Hora further suggested that the Great Lakes Protocol could be used as a starting point for further discussion. Matt Short suggested looking at ORSANCO's protocols and Olson added that Region 7's

approach could also be informative. Olson additionally noted that monitoring frequency would also need to be considered.

Baumann recalled that there had been consensus in the 2005 discussions that progress could be made on sampling and analysis (in that order).

Hokanson asked whether it would be important to include others in the discussion, either to participate or to help facilitate changes at multiple agencies/levels in agencies.

Candy Schrank noted that spring is not a good time of the year for meetings and travel. She noted the importance of taking simple measures such as the sharing of data and the sharing of advisories. Schrank further indicated that she and McCann are already doing this for Minnesota and Wisconsin, so that coordination is taking place across the river, although not necessarily up and down the river.

McCann added that Wisconsin and Minnesota share data, follow Great Lakes Protocol and use the same analytical techniques. Therefore, she noted, consistency is already in existence between Minnesota and Wisconsin. Good asked whether there was coordination in sampling between the two States. McCann replied that she and Schrank confer, and then she contacts Briggs regarding sampling. Briggs asked again what the importance was of having consistency between upper and lower UMR States.

Good asked whether financial support would be needed to facilitate fish consumption advisory experts' attendance at meetings. Fish consumption experts again emphasized that spring was not a desirable meeting time. McCann stated that considerable work had gone into the Great Lake Protocol and she did anticipate that Minnesota or Wisconsin would deviate from it.

Hokanson asked what level of discussion seemed most appropriate: 1) standing work group, 2) meeting at the Fish Contaminant Forum, or 3) no further discussions at this time.

Good asked whether Minnesota and Wisconsin issued the same fish consumption advisories. McCann replied that the formats were different, but the process contributing to the advisories was similar. Hora commented that this distinction could impair communication to the public on advisories.

Hokanson suggested that the Task Force would need time to reflect on next steps and perhaps mock up a meeting agenda, then worry about timing of a meeting.

McCann suggested comparing Great Lake Protocol and ORSANCO's approach.

Good noted that progress had been made in Iowa's approach to fish consumption advisories subsequent to previous discussions. McKee commented that data exchange between Illinois and Missouri had followed 2005 conversations.

(The conference call with the fish consumption advisory experts ended at this time.)

Task Force Discussion of Fish Consumption Advisory Conference Call

Baumann observed that there is still value in getting people together. He noted that several of the items identified by "voting" in the fish consumption project were still relevant and should be reviewed. Baumann further observed that progress may be slow, but it is still important to pursue progress.

Arrigoni indicated that she would send the Great Lakes Protocol to Hokanson, who would in turn distribute to the Task Force.

Hora asked whether there was any possibility that Region 7 would consider changing its protocol to more closely align with the Great Lakes Protocol. Shepard indicated that Region 7 would be willing to look at its protocol, and there may be potential for the downriver States in pursuing compatibility in approaches. Olson observed that there is considerable consistency between Iowa and Missouri because of the Region 7 protocol.

Baumann suggested drawing up checklist that would identify similarities and differences, where there is consistency and inconsistency between protocols. He also noted that there is indeed difference between Wisconsin and Minnesota in their advisories in the sense that Wisconsin has a statewide advisory while Minnesota uses waterbody-specific advisories.

Good asked what the role of the WQEC can/should be in this discussion. Baumann indicated that individual staff may be limited in what they can do/commit to. Stoerker indicated that agency buy-in is important for staff to move forward on this type of issue.

Hokanson suggested the following action items as a result of the conference call:

- 1) Communicate with the WQEC on the issue.
- 2) Encourage communication between EPA regions
- 3) Compile information on existing protocols/extract from 2005 report
- 4) Draft preliminary agenda for a meeting of fish consumption advisory experts

Arrigoni commented that Region 5 is going to a “maintenance level” regarding fish consumption advisories, unless there is a new direction from the division director.

Stoerker suggested that a one-page “briefing paper” be developed for the WQEC on this topic. Baumann agreed, stating that this should define the expectations for the work ahead, which he described as “to provide a forum for the exchange of information.” Good, Baumann, and Hora all expressed an interest in continuing forward with the fish consumption advisory work at this time.

Sediment-Related Water Quality Criteria Project-Status and Next Steps

Issue Paper

Hokanson indicated that the Task Force would need to make decisions regarding both the content of the issue paper and the process by which it is distributed. He stated his assumption that there is value in simply completing the issue paper at this point and moving on to subsequent portions of the project. Baumann concurred with this assessment about the value of completing the project.

Hokanson provided an overview of the changes that had been made to the paper since the previous Task Force meeting, including: additional information on effects of sediment on aquatic life, change in presentation style for Chapters 5 and 6, and the addition of the draft research needs list as Appendix 5.

Baumann suggested discussing the comments that had been provided by US EPA Region 5. Mari Nord provided a brief overview of the process by which the comments were drafted. Baumann asked whether the general observation from Region 5 that not enough data was available to develop criteria applied to the SAV-protection proposal, since Wisconsin is currently considering a listing based in part on this proposal. More generally, he asked how the gap in knowledge was to be bridged so that criteria could be developed. Nord replied that the SAV protection piece was actually the most developed portion of the paper and could likely apply for parts of the UMR.

Shepard observed that Region 5’s comments appeared to reflect their experience on the Great Lakes. He added that Region 7 would make similar observations about the issue paper, though perhaps would be less directive about applicability and next steps (though a review by Region 7 standards and TMDL

staff would be needed for Region 7 to formulate a more thorough response). Shepard also commented that the issue paper was a good initial effort, and that it made clear that more was known about the upper portions of the UMR than the lower portions.

Hokanson next provided a brief summary of the workshop held by US EPA November 1-2, 2006 regarding the Suspended and Bedded Sediments (SABS) Framework. He distributed a one page summary of the workshop. Nord commented that the group within EPA that sponsored the workshop was previously involved in producing criteria, but the current approach is to develop “framework” documents for the states to use, and that it was unlikely that EPA would be drafting up the criteria itself. Baumann commented that he is not comfortable when states are asked to do the research, but also instructed by EPA not to expend funds toward research. He added that although EMAP and LTRMP programs are collecting data, this information has not been fully integrated into Clean Water Act activities.

Olson noted that the Region 5 comments call for more research, and that the paper should clearly state that the research does not currently exist to develop criteria. Olson and Baumann both noted the potential need for a UMR IBI approach.

Baumann stated that the paper should be considered final at this point. The Task Force concurred. Hokanson indicated that it would be finalized and sent out for printing shortly, and that the WQEC would not review before finalization. Nord suggested that the paper should be given to ORD with the suggestion that research is needed.

The meeting adjourned for the day at 5:25 pm, resuming at 8 am on the 25th.

Designated Uses for the UMR: Scoping Discussion

Baumann introduced the topic of designated uses. He noted that this had been identified by the WQEC as a priority for the Task Force to investigate and that the current expectation was that the Task Force would report to the WQEC about this topic at the May meeting (where both groups would be present). Marvin Hora observed that this may be, at least in part, a communication issue – as the uses as they exist are not that far apart in the intent for protection.

Hokanson gave a brief overview of the proposal that had been put together regarding designated uses, which asks the question: “Should there be a unique set of designated uses for the Upper Mississippi River?” He reiterated Baumann’s statement that the planned approach was for the Task Force to report to the WQEC in May, and that the Task Force should identify in advance any outside resources (such as an outside speaker) that might be needed for the followup discussion. Hokanson observed that consistency was one goal of the effort, but there may actually be opportunities to add value in the process, as it was possible that uses could be identified which were perhaps more appropriate for a large, modified river such as the UMR.

Hora cautioned that standards need to be viewed as a whole (uses and criteria together), and that the Task Force would need to be careful when using the terminology of “unique” uses.

State-by-State Review of Designated Uses

Illinois

Matt Short provided an overview of Illinois designated uses for the UMR as follows:

- Illinois’ standards are structured so that there is a general use designation which applies to all waters (unless otherwise specified) and combines aquatic life, aesthetics and recreational use. These uses are then broken out and evaluated as part of the assessment process.
- Public water supply use is applied separately.

- There is no fish consumption designated use.
- The most sensitive use is the driver for the assessment.
- There are temperature-specific criteria for the UMR.
- Process for standards development is that they are adopted by the Pollution Control Board and then made part of administrative rules.
- Illinois rules have separate standards for Lake Michigan.

Iowa

John Olson reported on Iowa's designated uses for the UMR:

- Iowa has a general use category similar to Illinois' which includes livestock watering, irrigation, and other uses. This is a basic level of categorization for protection, rather than a designated use per se.
- Aquatic life, primary contact, and drinking water are additional, separate uses.
- The drinking water use is applied only at intake points.
- To modify or add uses, a proposal must be made to the legislative rules commission, then added to rules (subject to EPA approval).

Minnesota

Marvin Hora reported on Minnesota's designated uses for the UMR as follows:

- Minnesota uses a default classification that is similar to Illinois' general use approach.
- There is no specific fish consumption use set out by Minnesota. Instead, the aquatic recreation use designation is intended to capture fishing/fish consumption uses.
- Designated uses are in administrative rules, covered under Administrative Procedures Act.
- The current triennial standards review is over 700 pages in length.
- The Governor approves at the end of the process, following public hearings, review board, etc. Typically this is a 3-4 year process.
- In the current review, the most changes are to the "limited resource waters" (the lowest classification).

Missouri

Mohsen Dkhili reviewed Missouri's designated uses for the UMR as follows:

- There are seven total designated uses which apply to the UMR:
 - Irrigation
 - Livestock and wildlife watering
 - Warm water aquatic life uses (including fish consumption/human health)
 - Contact recreation (does not apply to the segment from the Meramec River to Lock & Dam 27)
 - Secondary contact recreation
 - Drinking water
 - Industrial use
- Changing uses requires a change in Administrative Rules, including approval by the Secretary of State. Typically, the process involves stakeholder groups, a request to open the rules, public meetings, commission review, Secretary of State approval, then approval by US EPA. An additional requirement is a study of the effects on citizens, including social and economic impacts.

Wisconsin

Jim Baumann summarized Wisconsin's designated uses for the UMR as follows:

- He indicated that the chart developed by UMRBA staff is accurate. These uses include:
 - Fish and aquatic life use
 - Recreational use
 - Public health
 - Wildlife (which includes most criteria for toxics)

- The following use types do not exist in Wisconsin: irrigation, agriculture (livestock), and industrial.
- Various classifications for fisheries exist – including warm and cold water. However, Wisconsin is considering changes to its classification system that would move away from “sport fishery” and focus more on the fish community. A number of variances, aside from cold water and warm water, are provided in rule.
- If a waterbody is not otherwise identified, it is considered a warm water sport fishery. However, the UMR is specifically listed as a warm water sport fishery.
- The tie to fish consumption advisories is not specifically spelled out in standards.

Short asked whether Minnesota and Wisconsin treat Lake Pepin differently than the rest of the UMR. Hora replied that it is treated similarly to the rest of the UMR. However, he noted that there is a discharge restriction for lakes that applies to Lake Pepin. Hora also indicated that, in terms of 303(d) listing, it is listed as a lake, using narrative criteria. Baumann noted that lakes in Wisconsin have generally been considered warm water fisheries, though it is possible for some lakes to actually support a cold water fishery.

Baumann returned to the overall description of the uses for the UMR, indicating that there is no drinking water use designation for the UMR in Wisconsin. He added that, while Wisconsin has 22 surface water intakes for drinking water, none are on the Mississippi (or in the Mississippi Basin).

Baumann next commented on the process of establishing designated uses, noting that uses are part of administrative rules and that the process involves the Natural Resources Board, is a public process, and allows the state legislature an opportunity to comment, but not approve, the uses. He added that the legislature does have the option to direct the rules back for change and that all State decisions are still subject to approval by U.S. EPA. Hora concurred that U.S. EPA must also approve changes for Minnesota.

Olson added that Iowa does have a separate category for fish consumption, the “human health” use. However, he noted that the use has not yet been utilized with regard to fish consumption advisories.

Region 7 Perspective

Larry Shepard offered comments from the perspective of Region 7 as follows:

- States have the freedom to set designated uses, except for the presumptive fishable/swimmable uses set out in the Clean Water Act. This system does allow for some inconsistencies to arise between states.
- U.S. EPA would like to steer states away from the “sport fishery” descriptions present in some current designated uses and begin to focus more on the ecosystem. This direction is also related to tiered aquatic life uses.
- U.S. EPA’s preference would be to see explicit protection for fish consumption, though this could be captured within the aquatic life use. Some states have been reluctant to provide comprehensive protection for fish consumption.
- U.S. EPA would prefer to see consistent protection for whole body contact recreation. Providing for less than full body contact (e.g. partial contact) requires a UAA to be undertaken.
- U.S. EPA would like to see a drinking water use for the entire stretch of the UMR. EPA has never favored the “point of withdrawal” designations, though it has not asked states to change so far.
- Anti-degradation can be applied pollutant-by-pollutant or for the entire water body. An option could be to place the entire UMR in the category of outstanding resource water, which would preclude degradation. U.S. EPA does not have a preference here, but at least wants States to be aware of the option.

Baumann noted that Wisconsin does have the categories of “state outstanding waters” and “exceptional waters” available as classifications, adding that the Mississippi River does not currently have either classification. He added that the way these classifications were originally used was as overlays related to point sources, but is now applied in a nonpoint source context. Olson commented that Iowa has similar categories. Hora noted that a similar designation applies to the UMR above the Twin Cities.

Baumann asked the Task Force to consider how they would ideally like to address designated uses, if they were able to start from scratch. He noted that Shepard’s points may already illustrate some of the desired components. Baumann added that he and John Sullivan have also discussed a subcategory of the aquatic life use that would be geared to the support of submerged aquatic vegetation (SAV) in certain areas of the UMR.

Hora suggested that other groups may have standards/designated uses to consider, noting that in Minnesota, the Prairie Island Tribe may have set water quality standards for the UMR. Hora further asked what the term “unique” was intended to mean, if this meant stand-alone standards for the UMR. Baumann commented that ORSANCO sets unique standards for the Ohio River. Hokanson noted that ORSANCO’s approach to designated uses is clearly different than what is being done for Chesapeake Bay (where specific subcategories have been established).

Baumann noted that Wisconsin has specific standards for the Great Lakes in its rules. Good added that Illinois has specific standards for Chicago Area Waterways and for Lake Michigan.

Holly Arrigoni asked whether any unique designated uses would apply for the basin or just the mainstem. Short observed that it may be necessary to apply different standards even within the main stem. Baumann concurred, indicating that backwaters and lakes could even be considered separate categories. Nord observed that if a certain set of criteria was a driving force, it would be more likely to apply to the mainstem. She noted that this had been the case for the Chesapeake Bay.

Hora observed that the WQEC is seeking all the designated uses to be the same, though they are already very similar. Adam Schnieders indicated that it was not necessary to have a unique set of designated uses in order to apply specific criteria for the UMR (such as has been done for temperature).

Baumann asked whether, for example, the UMR should have a drinking water designated use throughout, since it is used in the downstream states as a water supply. Schnieders suggested that an effort should be made to identify what is common among the five States in terms of designated uses.

Baumann went back to Shepard’s first three points: 1) ecological base for aquatic life use, 2) explicit protection for fish consumption, and 3) whole body contact recreation. He indicated that the States were very close on these, but that establishing a UMR-wide drinking water use may be more difficult. Baumann added that if States were to adopt the methylmercury criteria, this would indicate a move toward more explicit protection of fish consumption. He also noted, however, that having the explicit protection for fish consumption would not change the current work approach considerably. Finally, Baumann observed that differences in outcomes may arise from criteria, rather than designated uses.

Hokanson asked whether having specific designated uses would allow more easily for the application of unique criteria for the UMR. Hora replied that it might make the use of unique criteria easier. Baumann gave an example where it might be desirable to apply different dissolved oxygen (DO) criteria for different areas of the river, and to create subcategories of designated uses to facilitate the application of unique criteria.

Short commented that Illinois has attempted to address the DO issue for large rivers, in particular the fact that certain areas along the shore cannot meet the DO criteria. He noted, however, that it would take

a long time to implement an approach on the UMR similar to what had been done for the Chesapeake Bay. Short added that narrative criteria therefore should be adequate to support a natural biological community.

Schneiders observed that it is difficult for the States to stay in step with each other. However, he noted that a placeholder or “empty bin” could be created in each state’s rules that would allow for the designated uses to be established. Existing criteria would still apply until something more specific was established. Baumann saw value in this approach and structure, noting that the “bin” could be created and guidance could be used to help fill it. Hora concurred, indicating that criteria could then be created over time.

Stoerker asked the group whether they felt the overall goal of unifying designated uses was worthwhile. Hora responded that he did not see a great environmental benefit overall, with the possible exception of SAV protection. Baumann noted again that he felt having the structure would be beneficial and would allow for subcategories and specific protections. Shepard characterized the value as an improvement in approach, not necessarily an improvement in the outcome. The group suggested the following areas in which having specific use categories and criteria may be beneficial: DO, biocriteria, SAV protection, and fish consumption advisories.

Hora noted that the process of developing UMR designated uses could be time and resource intensive. He also added that it is not predetermined whether the eventual use designations would imply that associated criteria would be higher or lower.

Baumann asked the group to consider what their message(s) to the WQEC would be regarding the designated use issue. He went on to suggest that an example might be that unique UMR designated uses help provide the basis for establishing biocriteria. Short suggested that the establishment of UMR uses may help address both navigation as a use, and more importantly, allow for distinctions to be made in setting benchmarks for a system with “irretrievable modifications.”

Hora reiterated that this effort could consume a lot of staff time and would require commitment from the participating States. Baumann suggested that a preferred approach for now may be a short paper summarizing the issue, including some comparison of uses, and giving preliminary recommendations and perspectives from the Task Force. Hokanson asked if this would include a description of the “bin” idea for establishing a location in States’ rules regarding the UMR. Baumann replied that a brief description of this concept should be included. Schneiders commented that one, inclusive “bin” for use description may be the place to start on this approach.

Hokanson asked whether there were any questions the Task Force wanted to pose to the WQEC. The Task Force responded with the following questions for the WQEC:

- What level of effort should be invested in this task?
- Is there the “political” will to move this effort forward?
- Can this effort help deal with/address hypoxia?

Interstate Consultation on Assessment and Impairment Listing (2006 & 2008)

Minnesota

Hora reported that Minnesota’s 2006 listing is complete. He also noted that there is a potential for adding up to 400 more waters to the 303(d) impairment list in 2008, and that a draft 2008 list may be ready by the end of April. Hora added that Minnesota will likely be moving to E. coli as the indicator of bacterial pollution.

Wisconsin

Baumann reported that Wisconsin's 2006 list had been approved by U.S. EPA. For the UMR in 2008, he anticipated that all current listings would remain in place, and that there may be an additional listing related to SAV on the UMR (suspended solids), as well as a potential nutrient listing, related to elevated pH values in eutrophic backwaters. Baumann further anticipated that Wisconsin should have a draft 2008 listing available by late this summer. He further noted that there may be a change in Wisconsin's assessment methodology completed by mid summer.

Shepard asked whether changes in Wisconsin and Minnesota methodologies would affect the UMR. Hora responded that Minnesota's changes would not. Baumann replied that the impact on the UMR was not certain, though a possibility if a large river IBI was part of the changes. He indicated that Wisconsin may be trying to test out an IBI developed by John Lyons, and that it may be appropriate for Lyons to speak to a future meeting of the Task Force.

Iowa

Olson noted that Iowa is also pursuing an IBI for non-wadeable streams, then proceeded in providing an update on Iowa's assessment and listing. He noted that Iowa is still working on its 2006 listing, and that it was planning to add impairments of the primary contact use, based on bacterial indicators (fecal coliform) to match Illinois' listing. Olson also added that data for aluminum indicates that the aquatic life criteria for this metal may be exceeded. He noted that Iowa has a numeric criterion for aluminum, but Illinois does not have a criterion. Baumann indicated that he would review Wisconsin's data for aluminum and provide to Iowa.

Illinois

Good reported that Illinois' 2006 list has been finalized and approved. He did not anticipate any major changes in methodology for the development of the 2008 list.

Missouri

Mohsen Dkhili indicated that the public comment period had closed on Missouri's combined 2004/2006 list, and that no comments were received regarding listings for the UMR. He added that Missouri considered Illinois' data for PCBs, chlordane, and metals in developing their 303(d) list. Dkhili noted that TMDLs for chlordane and PCBs had been completed for the UMR, but that these contaminants were no longer reflected on the proposed 303(d) list for two reasons: 1) new data became available, and 2) as a result of changes in Missouri's assessment methodology. Shepard added that a driving force behind the completion of the Missouri TMDL were requirements in the consent decree regarding Missouri's assessment and listing.

Region 7 Comment

Shepard raised five questions regarding the States' assessment and listing as follows:

- 1) Does your state meet the requirements of Clean Water Act, section 303d by submitting to EPA an Integrated Report as recommended by EPA guidance? If not, what is your format?
- 2) Does your state produce a formal "CWA section 305b report"? If not, how does your state meet the requirements of CWA section 305b and when was your last formal 305b Report issued? Do you plan on producing a formal 305b Report in the future?
- 3) Does your state assess the water quality of the Mississippi River and report under CWA section 305b and/or section 303d using the "common assessment reaches" identified within the UMRBA/WQTF September 2003 MOU? If not, do you plan to do so in the future and what are the impediments to doing so currently?

4) What are the impediments to states listing reaches of the UMR as "impaired" under CWA section 303d based solely on such a listing by an upstream or cross-stream state? What changes to current state approaches to CWA section 303d are required to secure such listings? Would you consider such a change? If no, why not?

5) Would you consider modifying your CWA section 303d listing methodology to include a section specific to the UMR that would be consistent for all five states?

Hokanson suggested that these questions could be incorporated into the next meetings' consultation. Baumann observed that some questions could be answered simply, while others may require further discussion.

Other/Related Discussion

Hora informed the Task Force that Minnesota was planning to hold its "professional judgment" meeting in the near future, likely in March. He noted that this meeting would include a discussion of likely listings for the UMR and would include members of WI DNR. He also invited Hokanson to attend the discussion.

Baumann asked whether Iowa had a reaction at this time to Wisconsin DNR's proposal to potentially list portions of the UMR for suspended sediment and nutrient impairment. He further suggested that this be discussed in more detail at the May Task Force meeting.

Good informed the group that Illinois was considering changes to its monitoring on the UMR, and was interested in determining the potential impact on other States (Iowa and Missouri). He noted that there are currently 11 Illinois monitoring sites on the UMR out of 214 statewide. Good said he wanted to determine how critical this monitoring was to Iowa and Missouri. Dkhili replied that he would consult with John Ford at Missouri DNR on this issue.

Water Quality Task Force Work Plan/Next Task Force Meeting

Hokanson gave a brief update on the Task Force work plan, indicating that he would be making adjustments to accommodate work on designated uses, and that further effort specific to the sediment project would probably be delayed until after the next meeting.

The dates of the next Task Force meeting were identified as May 2-3, 2007. Since the Task Force will be meeting jointly with The WQEC for part of the meeting, it was anticipated that two full days would be needed to accommodate the Task Force meeting, the combined meeting, and a WQEC meeting. Therefore, it was anticipated that the Task Force meeting would start on the morning of May 2, and that Task Force members should anticipate staying over night on the 1st and 2nd.

Agency Updates and Additional Discussion Topics

Clean Water Act-Ecosystem Restoration Workshop

Hokanson informed that group that UMRBA was still planning to hold workshops that would investigate the potentially beneficial connections between the Clean Water Act and ecosystem restoration efforts on the UMR. He noted that final plans and timeline were contingent on funding becoming available, but that UMRBA was still committed to the effort.

Long Term Resource Monitoring Program (LTRMP) Additional Program Elements

Hokanson provided a brief overview of the additional program elements (APEs) that are conducted under the LTRMP program, as funds allow. He explained that, while the FY 07 APEs had not yet been funded, consideration of the FY 08 APEs was in process and that several of the "focal questions"

identified to potentially guide APEs are related to water quality and of possible interest to the Task Force. He added that an RFP for FY 08 APEs is likely to be released in March, and that Task Force members should consult with their States' member of the LTRMP Analysis Team for more information.

November 2006 Nutrient Symposium

Baumann noted that the Gulf Hypoxia Task Force sponsored a nutrient symposium in Minneapolis November 7-9, 2006. He added that the presentations from this symposium were available at: http://www.tetrattech-ffx.com/nutrient_fate_symposium/agenda.htm. Franz added that nutrient information has been supplied to EPA's Science Advisory Board (SAB) on this issue and that this group will complete a report by the end of August, followed by a new action plan in December 2007. He further highlighted that point sources appear to be an even smaller portion of the total nutrient load than earlier estimated (previously considered to be 15-20%, now appears to be closer to 10%).

Survey of the Nation's Rivers Planning Meeting

Good provided a report, with summary handout, regarding the meeting held in San Antonio January 10-12, 2007 to discuss EPA's nationwide effort to monitor (non-wadeable) rivers. He noted that the process may be similar to the EPA's National Lakes Survey and will likely be a two-year survey of "flowable waters", with non-wadeable streams surveyed in 2008 and wadeable streams surveyed in 2009. Good also noted that not all questions were resolved about the parameters to be measured, but it did appear likely that some UMR sites would be included. He further noted that States should be able to build information from this survey into their own assessments.

Shepard added further details about the meeting, noting that the non-wadeable survey will likely include fish monitoring (which was not done for wadeable streams). He also indicated that the survey would use a probabilistic design, as has been done for the EMAP program, which will lead to results that are more appropriately interpreted at the region or eco-region level, rather than on a state-by-state basis.

EMAP-GRE Workshop: Indicators for the Assessment of Great River Ecosystems

Shepard reported on the EMAP indicators workshop held October 24-26, 2006 in Duluth, and distributed a handout with a workshop summary and links to workshop presentations. He noted that EMAP data is still undergoing verification, so has not been released yet. Shepard reviewed the sequence of data collection for the UMR, where monitoring in 2004 and 2005 was conducted on a probabilistic basis, and reference sites were monitored in 2006. He also distributed a draft outline for the GRE assessment to be completed based on EMAP data.

Upcoming Meetings

Arrigoni announced that U.S. EPA Region 5 will be holding the annual Surface Water Monitoring and Standards (SWiMS) meeting January 30th through February 1st in Chicago.

Olson announced that the Upper Mississippi River Conservation Committee (UMRCC) – Water Quality Technical Section will be holding its next meeting in Red Wing, Minnesota on March 20th as part of the UMRCC annual meeting.

Early Warning Monitoring Network

Hokanson reported on the status of the pilot monitor at Lock and Dam 15 in Rock Island. He also noted that there needs to be further consideration of an institutional "home" for this effort, and that perhaps it may match up with UMRBA's water quality work. Hokanson also noted that there is an addition pilot project to be implemented on the UMR, using a biomonitoring system. This system monitors gape response in bivalves (mussel) as an indicator of the presences of pollutants and the Minneapolis Water Works is planning to install the system in cooperation with U.S. EPA (Region 5 and ORD).

The meeting adjourned at 12:15 pm.