

Umpqua River Basin

Temperature TMDL Replacement informational webinar

April 23, 2024, 1:30 p.m. PT

Presented by EPA Region 10 and Oregon DEQ

<https://www.oregon.gov/deq/wq/tmdls/Pages/tmdlRumpqua.aspx>



Meeting logistics and ground rules



Raise hand to be recognized for questions or comments; please speak for yourself when recognized, let others speak without interruptions



Use chat to:

Ask questions

Provide informational resources

Second ideas/issues



Mute when not speaking



If using phone: press *9 to raise hand, *6 to mute/unmute



Agenda

Time	Topic
1:30 pm	Welcome, introductions, meeting agenda (Oregon DEQ)
1:40 pm	Project Overview (Oregon DEQ)
1:50 pm	Total Maximum Daily Load, Introduction and Overview, EPA TMDL development, schedule and public process (EPA)
2:15 pm	Water Quality Management Plan (Oregon DEQ)
2:25 pm	Questions, comments
2:55 pm	Wrap up, next steps
3:00 pm	Adjourn



Temperature TMDL Replacement project litigation

2012: NWEA vs. USEPA, NMFS, USFWS

- Lawsuit was seeking judicial review of the EPA's decision to approve Oregon's revised water quality standards (including the Natural Conditions Criteria) and the Services' "no jeopardy" BiOp.
- Judge found “the EPA was unable to articulate a rationale [sic] basis for its approval of the NCC”.
- Court’s judgment resulted in EPA’s disapproval of the Natural Conditions Criteria.

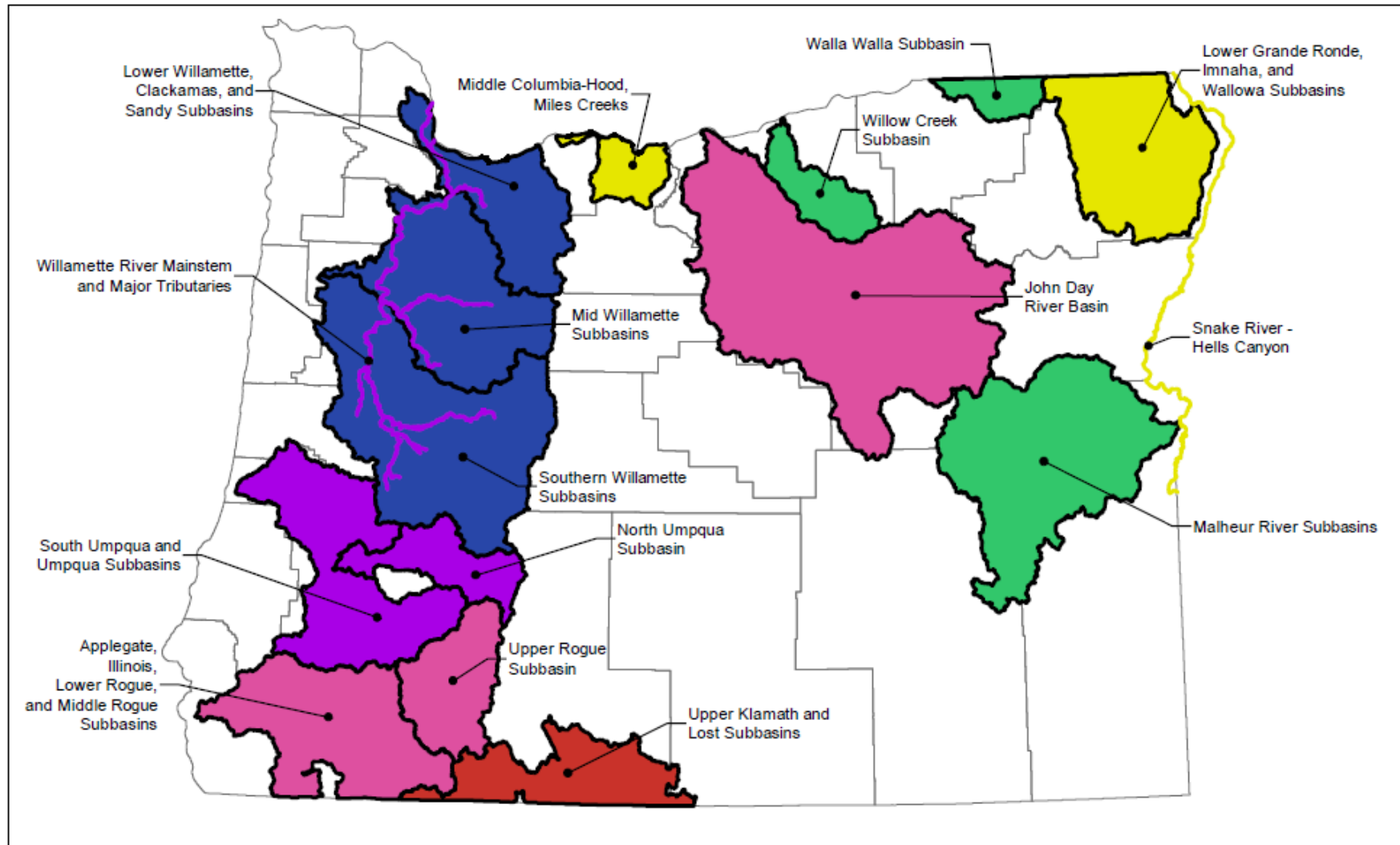
2019: NWEA vs. USEPA

- Lawsuit asserted the EPA unlawfully approved TMDLs that were based on the now disapproved Natural Conditions Criteria.
- The court issued a judgment on Oct. 4, 2019, requiring DEQ and EPA to replace 15 Oregon temperature TMDLs that were based on the Natural Conditions Criterion and to reissue the temperature TMDLs based on the remaining elements of the temperature criteria.

Website: <https://www.oregon.gov/deq/wq/tmdls/Pages/tmdlreplacement.aspx>



Temperature TMDL Replacement project areas



Key dates for EPA action of temperature TMDLs

September 15, 2024

- Willamette Subbasins*
- Lower Columbia-Sandy Subbasin

February 28, 2025

- Willamette River Mainstem and Major Tributaries
- Umpqua River Basin

April 17, 2026

- Rogue River Basin
- John Day River Basin

June 4, 2027

- Snake River - Hell's Canyon
- Lower Grande Ronde, Imnaha, and Wallowa Subbasins
- Middle Columbia-Hood, Miles Creeks

May 29, 2028

- Walla Walla Subbasin
- Willow Creek Subbasin
- Malheur River Subbasins

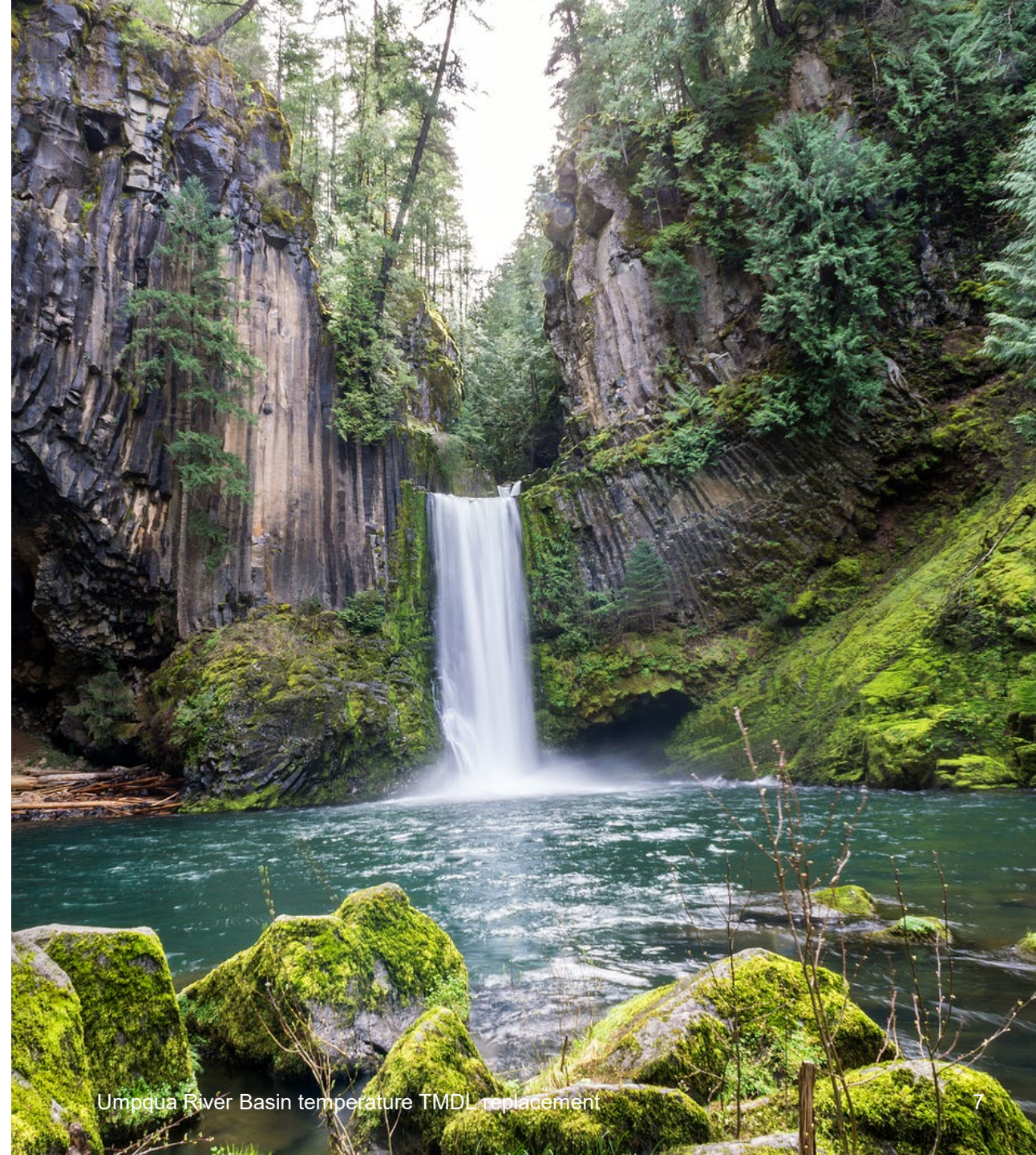


Total Maximum Daily Loads

A TMDL is a science-based plan that directs cleaning up polluted waters to restore beneficial uses

A TMDL is also a calculation of the maximum amount of a pollutant allowed to enter a waterbody and have the waterbody still meet WQS for that pollutant

A TMDL determines pollutant reduction targets and allocates necessary load reductions



Total Maximum Daily Load

- The Clean Water Act (CWA) requires states to make a list of waters not attaining Water Quality Standards
 - 303(d) list or impaired waters list
- TMDLs are developed for waters on this list
- A TMDL must account for all sources of the pollutant
- A TMDL must be established at the level necessary to achieve the Water Quality Standards
- Typically states develop TMDLs & EPA approves/disapproves





Calculate waterbody loading capacity



Estimate pollutant loading from all sources



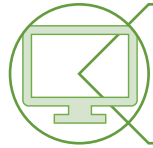
Determine pollutant reductions needed



Allocate pollutant load reductions to meet Water Quality Standards



Relies upon watershed specific data



Modeling & other analytical approaches



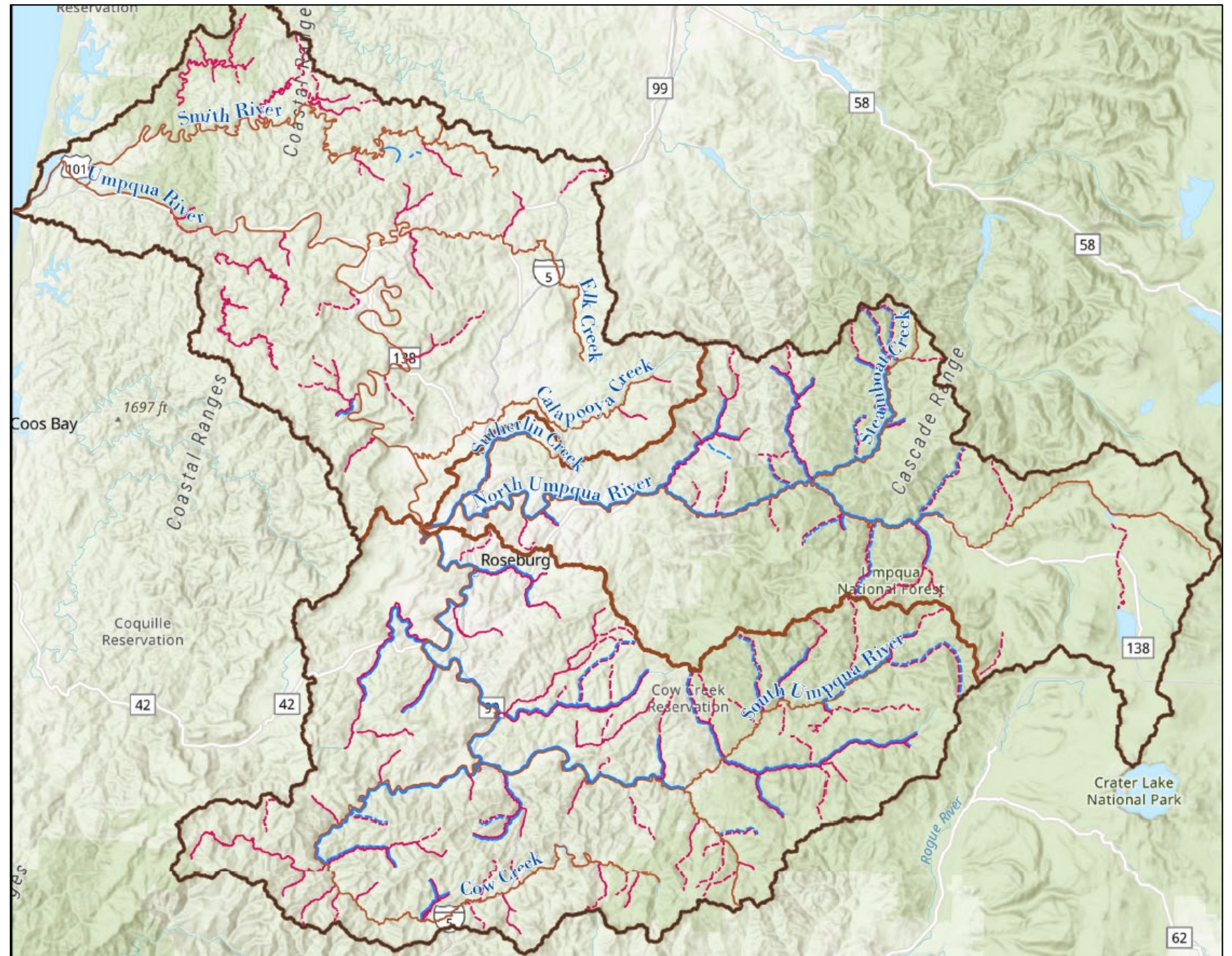
Public participation

TMDL development



Umpqua River Basin impaired waters

Based on the 2022 Integrated Report



Umpqua River Basin TMDL development process

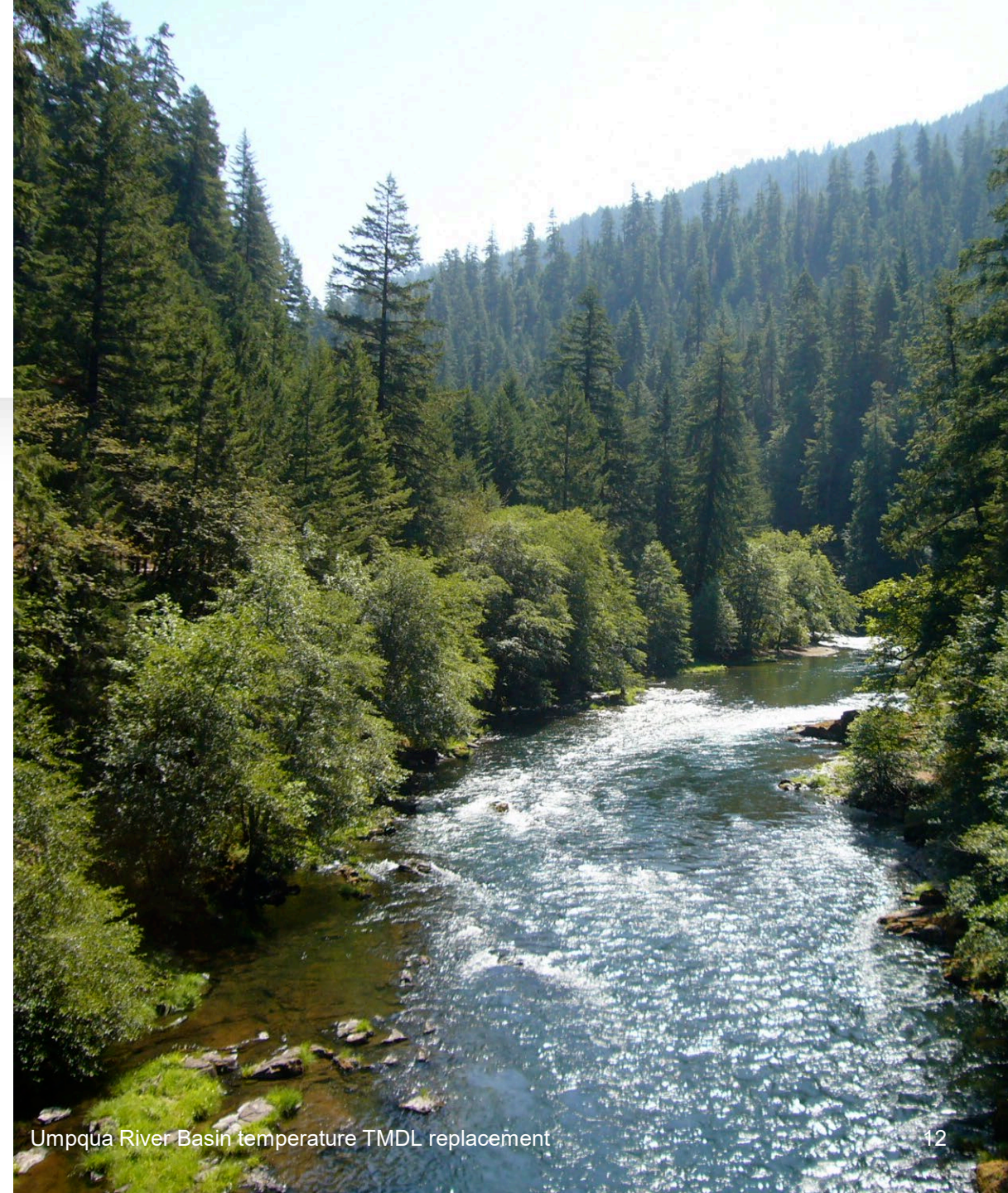
- Working in partnership with DEQ
- Rely on data and information shared from DEQ
- Determine loading capacity and loads from sources
- Heat Source water quality model
 - summer season and spawning season
- Determine load reduction need & assign allocations
- Public participation
- Draft TMDL
- Final TMDL



2025 Umpqua TMDL & 2006 Umpqua TMDL

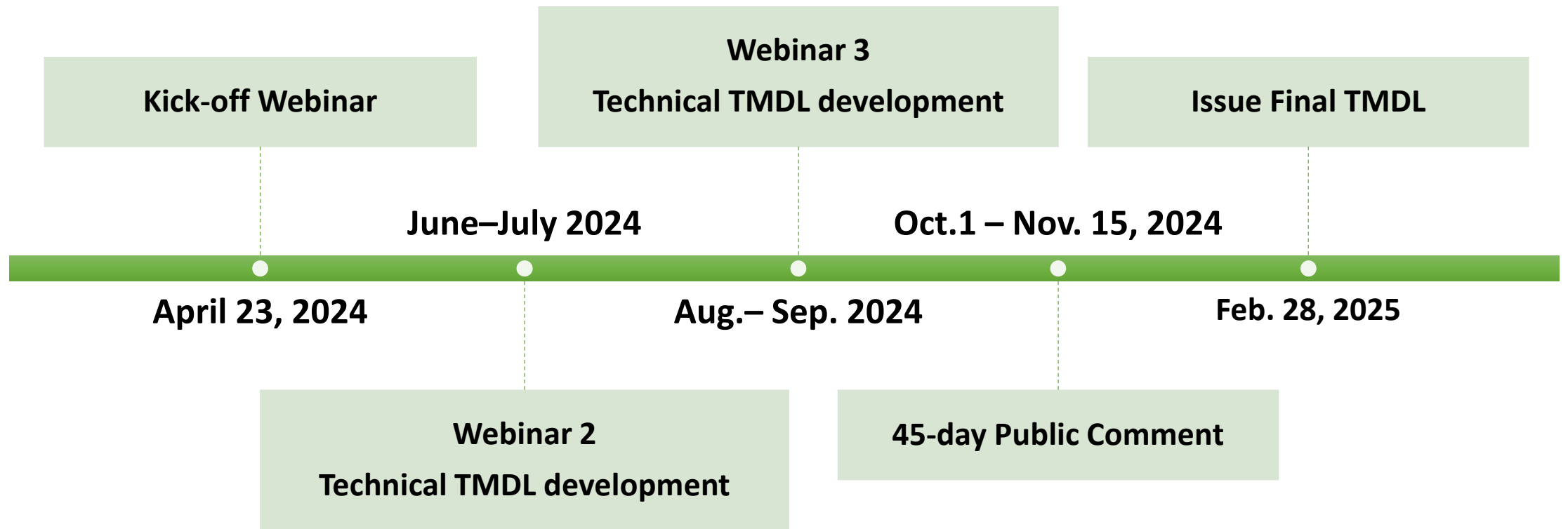
- Same geographic scope
- 2025 TMDL temperature is only parameter
- 2025 TMDL addresses both year-round and spawning impairments
- WLA changes possible due to spawning impairments
- Load allocation shade targets expected to be similar

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Umpqua River Basin temperature TMDL replacement

Public participation and timeline



DEQ maintains responsibility for TMDL implementation

- Regulating point sources through the NPDES permit program.
- Assisting permit holders to meet waste load allocations through permit revisions.
- Collaborating with Designated Management Agencies to plan and implement management strategies



Water Quality Management Plan components

- **Name Responsible Persons**, including Designated Management Agencies (DMAs)
- **Management strategies** to meet the waste load allocations and load allocations
- **Timelines** for implementing management strategies and attaining water quality standards
- **Performance monitoring** and a **plan for periodic review and revision** of implementation plans

Reference: Oregon Administrative Rule 340-042-0040(4)(I)



2006 Umpqua Basin WQMP DMAs

- Oregon DEQ
- Oregon Department of Agriculture
- Oregon Department of Forestry
- Oregon Department of Transportation
- Federal Land Management Agencies (USFS and BLM)
- Douglas County
- Incorporated Cities



2006 Umpqua Basin WQMP Temperature Management Strategies

- Education and outreach
- Increased stream shade
- Identify and protect thermal refugia
- Increased riparian wetlands
- Increased hyporheic flow
- Increased streamflow



Future temperature TMDL implementation

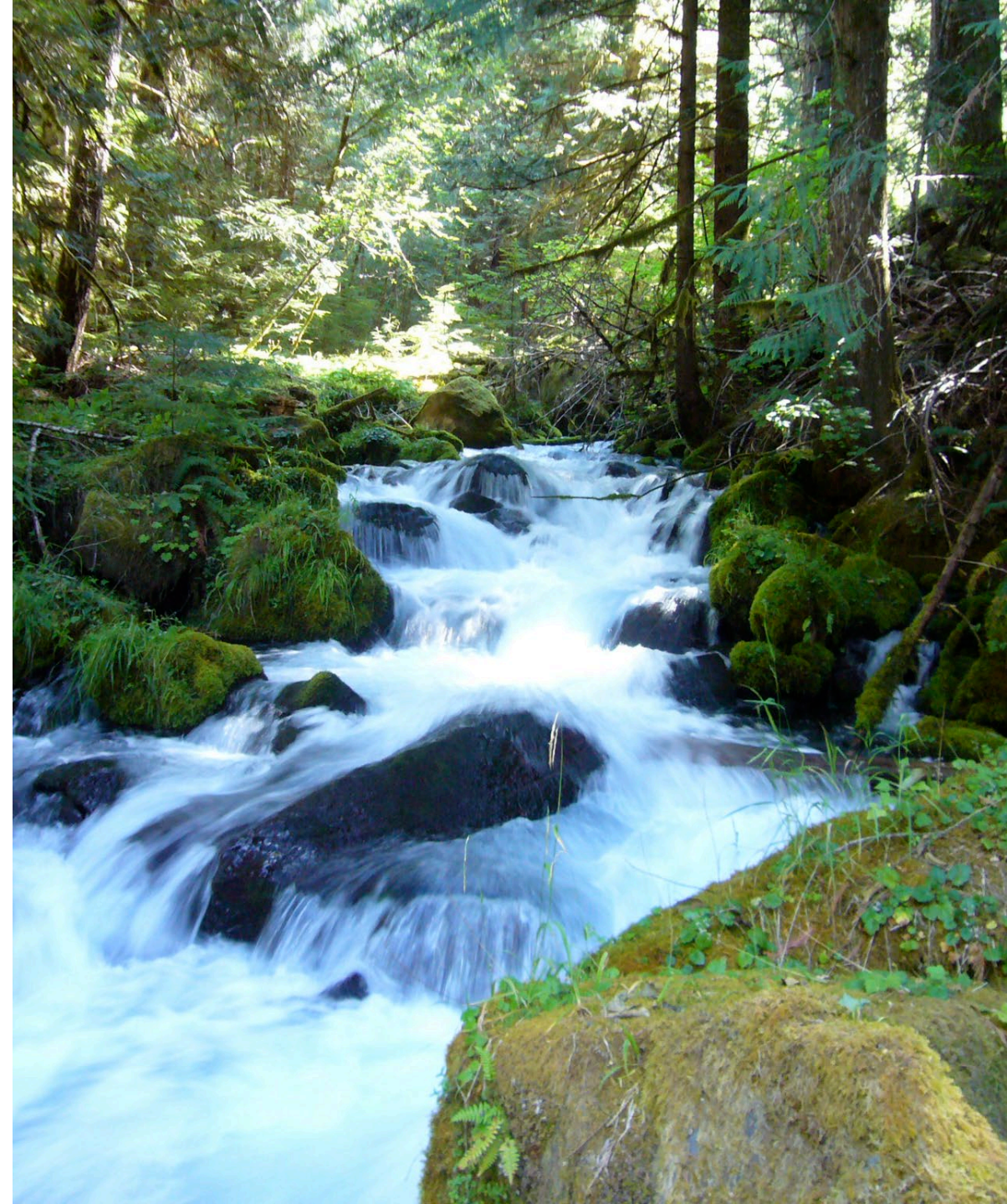
- DEQ will address revised waste load allocations during permit renewal process.
- Progress and successes achieved implementing the 2006 TMDL will carry forward.
- DEQ will facilitate a public input process if we determine the existing WQMPs need to be revised.



Next steps

- Summer webinar (June/July 2024)
 - Technical TMDL development
- Public comment period
 - Oct. 1 – Nov. 15, 2024 (estimated)

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Project page:
<https://www.oregon.gov/deq/wq/tmdls/Pages/tmdlRumpqua.aspx>

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