



Wyoming Association of Conservation Districts
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February 20, 2020

via: <http://wg.wyomingdeq.commentinput.com/?id=98x2P>

Ronald Steg
Wyoming Department of Environmental Quality
510 Meadowview Drive
Lander, WY 82520

RE: Comments on Wyoming's 2020 Integrated 305(b) and 303(d) Report

Dear Ron,

Thank you for the opportunity to provide comment and feedback on the above referenced draft report. We appreciate our partnership with DEQ and the work the agency has put into the IR as well as the communication DEQ provided on potential changes.

WACD appreciates the updated, interactive format and look of the 2020 Integrated report. It is obvious that extensive time and effort has gone into updating this report. WACD will continue to work with DEQ and the Conservation Districts at providing the most accurate and pertinent information possible for future reports.

General Comment:

The hyperlinked fact sheets provide information in an organized format, however they can be difficult to access with poor internet connections, if a server is down at DEQ, or if the link is broken, which was noted in several places throughout the report. WACD requests that the fact sheets be available via an Appendix or hard copy method.

Page 3, 4th paragraph – 2.1.2 Credible Data

WACD looks forward to DEQ's release of Strategy 8, which will define Specialized Training and Field Experience Requirements when collecting Credible Data. This definition will help ensure that Wyoming has appropriate requirements to ensure adequate training for collecting and submitting Credible Data to DEQ.

Page 4 – 2.2 Assessing Attainment of Wyoming’s Water Quality Standards

A link referencing the report that describes *Wyoming’s assessment approach*, in detail, would be beneficial.

Page 4 – 2.2.1 Designated Uses and Classifications, Recreation

A link to Chapter 1 of Wyoming Surface Water Quality Standards and / or Wyoming’s Methods for Determining Surface Water Quality Condition Methods for TMDL Prioritization would be beneficial.

Page 13 and Page 30 – Monitoring by Conservation Districts, and insert at bottom of page

WACD would like to thank DEQ for including reference to the 2018 Watershed Progress Report throughout the report which highlights implementation, monitoring and planning efforts by Conservation Districts and partners. With recent updates to the WACD website, the hyperlink for the 2018 Watershed Progress Report has changed to:

<https://www.arcgis.com/apps/MapSeries/index.html?appid=4b73eae39fe04f939d8d1b15be53e07a>

Page 14 – TMDL Prioritization

In the 2016/2018 Integrated Report several pages were dedicated to the “Long-term Vision for Assessment, Restoration and Protection under the Clean Water Action 319 Program.” The only mention of it in this report is a sentence stating “An updated long-term vision and prioritization schedule will be presented in the future.” WACD would like clarification on the status of the long term vision.

Page 14 – TMDL Alternatives

If water quality standards are not met in a “reasonable period of time” after completion of a TMDL alternative, it may be necessary to revisit the impairment and prepare a TMDL or pursue other actions to achieve water quality standards. WACD request a definition or discussion of what constitutes a “reasonable period of time”.

Page 15 – Table 2. Priority TMDLs for 2022

1. The title of this table is “Priority TMDLs for 2022” however there are other impaired waterbody fact sheets that indicate a TMDL date of 2020 or 2022 that aren’t on this list. For example, various fact sheets for impaired waterbodies within the Powder River watershed are listed with a TMDL date of >2020. WACD requests clarification on impairments that have a TMDL priority date between 2020 – 2022.
2. A status tab to indicate the status within the planning process is suggested (i.e. not yet started, ongoing, complete).

Page 16 – Emerging Surface Water Quality Issues

1. WACD will continue to work with WDEQ on providing outreach and support on HCBs. WACD and the districts are trying to gain a better understanding of monitoring for HCBs and nutrients, and plan to continue conversations with DEQ on methods and procedures.

Page 23 – Table 3. Waters Moved from the 303(d) List to Category 2 (De-Listings)

WACD supports these de-listings based on data results provided by the Campbell County Conservation District, Laramie Rivers Conservation District and the Popo Agie Conservation District. These de-listings are a significant testament to the local work being done by the Conservation districts, landowners and partners. WACD is also pleased to see that Willow Creek is fully supporting *the aquatic life other than fish* designated use.

1. The Middle Prong Wild Horse Creek “Assessment Record” link has an error message of “404 File or directory not found.”
2. The Middle Fork Popo Agie River “Assessment Record” link has an error message of “404 File or directory not found.”

Page 25 – 6.2.5 Waters moved from the 303(d) List to Category 4A (Approved TMDLs)

The Blacks Fork / Smiths Fork TMDL isn’t on the list of Completed TMDLs from the link provided. On DEQ’s TMDL webpage, it does however appear under the Current Projects tab.

Page 29 – Figure 7. Wyoming basins and assessed lakes and streams.

1. It would be helpful to see County boundary lines, HUC 8 watersheds outlined on this map, as well as within the basin maps to distinguish what specific areas the impairment lies within.
2. With Willow Creek’s change to Category 3, WACD questions if it should it be depicted as grey on the map instead of red.
3. With the completion of the TMDL on Blacks Fork, and with it not having any other impairments, WACD questions if it should be depicted as green on the map for Category 4A instead of red.
4. With the completion of the TMDL on Killpecker Creek, and with it not having any other impairments, WACD questions if it should be depicted as green on the map for Category 4A instead of red.

Page 33 – Table 9. Assessed Lakes and Streams in the Bear River Basin

The Bridger Creek fact sheet indicates a Sediment TMDL priority date of 2012. With that date passed, WACD requests the correct TMDL priority date for Bridger Creek.

Page 39 – 6.3.3 Big Horn Basin, last paragraph

As noted in WACD’s 2012 Integrated Report comments; while Marston, Anderson and Wohl have been quoted in this document in relation to theories on the nature of the basin and historic events that might have led to erosion and down cutting, little data is in fact available to quantify the effects of historic grazing and to compare them to pre-historic wildlife grazing and other possible influences. WACD believes that available data suggests that good management and stewardship within the basins agricultural community has in fact increased the amount of water, forage, and other resources available in the basin for both domestic and wildlife, and that the positive nature of these actions on the resources, economy, and culture of the area should be noted.

“Wohl et. Al (2007) reported that many streams within the Bighorn National Forest have been substantially impacted by cattle grazing, irrigated crop production, flow regulation and diversion, and timber harvest.”

WACD has not had the opportunity to thoroughly review the Wohl et. al report, however the above comment leads one to believe that there is irrigated crop production within the Bighorn National Forest. WACD would question what type of irrigated crop production is occurring on the Bighorn National Forest.

Page 40. Figure 12, Big Horn River Basin – Location of Assessed Waterbodies

1. Polecat Creek is missing a label.
2. Foster Gulch is missing a label.
3. Dry Creek that confluences with the Big Horn River near Greybull is missing a label.
4. Beaver Creek east of Shell Creek is missing a label.
5. Ocean Lake is missing a label.
6. In 2008 Dry Gulch in the Shoshone Watershed was listed as impaired for *E.coli* with the following narrative in the 2008 Integrated Report: “*Dry Gulch confluences with the Shoshone River just upstream of a public boat ramp on the Shoshone River. Although Dry Gulch is naturally ephemeral, it receives irrigation return flows, so it flows during most of the recreation season. Sampling conducted by the Cody CD indicates that Dry Gulch exceeds the E. coli criterion, as does the Shoshone River at the boat ramp, before thorough mixing takes place in the river. Therefore Dry Gulch has been added to the 303(d) List.* In this same report, the depiction of the impairment on the map places it on Dry Creek, northeast of what is known as Dry Gulch. The *E.coli* TMDL for the Shoshone River Watershed report, Figure 1-1 map of impaired waterbodies depicts Dry Gulch in the location as the description above, as well as the results of the 2004 and 2005 samples collected by the Cody CD. Future monitoring and planning efforts can’t move forward without knowing it’s correct location. WACD recommends that DEQ clarify in this report and future reports the correct location of the impairment within the Shoshone Watershed.

Pages 43-45. Table 11. Assessed Lakes and Streams in the Big Horn Basin

1. Middle Fork Popo Agie River (WYBH100800030207_01) – Fact sheet indicates a TMDL priority of 2016. With the TMDL Alternative underway and listed as a Priority TMDL for 2022 in Table 2, WACD requests clarification on the correct TMDL priority date for this fact sheet.
2. Middle Fork Popo Agie River (WYBH100800030207_05) – The table indicates this segment is a Category 2, however the fact sheet lists it as a Category 5. WACD request clarification on the correct Category classification.
3. Poison Creek and Muddy Creek – Both fact sheets indicate an *E. coli* TMDL priority date of 2015. With that date passed, WACD requests clarification on the correct TMDL priority date for Poison Creek and Muddy Creek.
4. Dry Gulch – See previous comment; Item 6.

Page 52. Figure 16, Green River Basin – Location of Assessed Waters.

See Previous Page 29 – Figure 7. Comments 2-4.

Page 54. Table 13. Assessed Lakes and Streams in the Green River Basin

1. There is no mention of the Little Sandy Watershed Based planning effort in the fact sheet or elsewhere within the report. WACD understands the concept of condensing the previous waterbody narratives into a fact sheet format, however some pertinent background information

regarding planning, monitoring, etc. has been completely removed. This is confusing when looking for past information and a bit misleading especially for Category 5 waters. The Little Sandy Watershed planning effort completed in 2018, was a multi-year effort with a highly involved steering committee providing input.

2. WACD incorporates by reference the comments submitted by the Sublette County Conservation District.

Page 55. Table 13. Assessed Lakes and Streams in the Green River Basin

Blacks Fork (WYGR14041070403_01) – The Fact sheet is missing a link to the TMDL.

Page 57. Figure 19. Little Snake River Basin – Assessed Lakes and Streams

Roaring Fork is missing a label. The placement of the Haggarty Creek, Lost Creek and Battle Creek West Fork labels is confusing as to what waterbody they go with.

Page 69. Table 16. Assessed Lakes and Stream in the North Platte River Basin

There is no mention of TMDL development for the Selenium impairments in the Middle North Platte River Sub-basin in *Table 2. Priority TMDLs for 2022*, however the fact sheets from Poison Spring Creek to Thirty-three Mile Reservoir, indicate a TMDL Priority date of 2022. There is also no mention of past planning efforts or a status of TMDL development. In the 2016/2018 Integrated Report the following was mentioned: *In 2009, WDEQ initiated the development of selenium TMDLs for the North Platte River and the ten impairments within the Kendrick Irrigation Project area. In 2011, draft TMDLs were completed but were not finalized due to uncertainty about the ability of the impairments in the Kendrick Irrigation Project area to achieve water quality standards due to natural sources of selenium in the watershed. WDEQ is evaluating potential options for the Kendrick Irrigation Project area impairments, including potentially developing site specific selenium criteria.*" If this is still the case or if the priority has changed, an update statement similar to what was mentioned in the last Integrated report would be beneficial.

Page 71. Table 16. Assessed Lakes and Streams in the North Platte River Basin

WACD incorporates by reference the comments submitted by the Laramie Rivers Conservation District.

Page 72. Table 16. Assessed Lakes and Streams in the North Platte River Basin

The TMDL priority date for Rock Creek is listed as 2015 in the fact sheet, however it is listed on Table 2. Priority TMDLs for 2022. WACD requests clarification on the correct TMDL date for Rock Creek.

Page 74. Figure 25. Powder River Basin – Location of Assessed Lakes and Streams

1. On other maps throughout the report, green represents Category 4A, on this map they represent Category 5. WACD recommends changing the color of the impairments to red for Category 5 to stay consistent with other maps throughout the report.
2. The labels for various Category 5 waterbodies (i.e. South Fork Powder River, Willow Creek, Posey Creek, Murphy Creek and Salt Creek) are not depicted on the map. WACD recommends adding the labels of these waterbodies to the map to help determine where these impairments are located.

3. The Middle Prong Wild Horse Creek label is missing and with its change to Category 2, WACD questions if it should be depicted in purple rather than green as shown on the map.

Page 77. Table 17. Assessed Lakes and Streams in the Powder River Basin

Middle Prong Wild Horse Creek – WACD is pleased with the decision to move Middle Prong Wild Horse Creek to Category 2 based on its secondary contact recreation designation. WACD incorporates by reference the comments submitted by the Campbell County Conservation District.

Page 82. Figure 27. Snake River Basin – Assessed Lakes and Streams

Clark’s Draw is not depicted on the map but is listed in on Page 84, Table 18. Assessed Lakes and Streams in the Snake River Basin as a Category 2 waterbody. WACD requests clarification on the status of Clark’s Draw.

Page 84. Table 18. Assessed Lakes and Streams in the Snake River Basin

1. WACD incorporates by reference the comments submitted by the Teton Conservation District.
2. The fact sheet for Crow Creek lists 2017 as a TMDL Priority date. With that date passed, WACD requests clarification on the TMDL priority date for Crow Creek.

Page 93. Table 20. Assessed Lakes and Stream in the Tongue River Basin

1. Prairie Dog Creek (WYTR100901010400_01) – The fact sheet lists a Fecal Coliform TMDL Priority date of 2022, but also includes a TMDL Completed date of 1/18/2018. WACD requests clarification on the TMDL status of Prairie Dog Creek.
2. WACD incorporates by reference the comments submitted by the Sheridan County Conservation District.

Appendix A: A-1 Bighorn-Yellowstone Survey

WACD requests further discussions on the results of the Departments data results pertaining to E.coli. The report indicates 70% of stream miles in the survey had concentrations in the least disturbed condition exceeding the 126 colony forming units. This data may be important as additional work is done to attempt to restore water quality that is exceeding the criteria.

Appendix B. List of Completed TMDLs

1. WACD requests a footnote of what “Cycle First Listed” means. For example, the Belle Fourche was listed in 1996. WACD questions if the listed 2007 date was when it was prioritized for a TMDL or some other date.
2. WACD requests adding a table and brief narrative for completed TMDL Alternatives and Watershed Based Plans to this Appendix or where DEQ sees applicable in this report.

Appendix D. 303(d) List

1. Brooks Lake and Lander Creek aren’t on the list, but are listed as Category 5 waters in their corresponding Big Horn Basin and North Platte Basin tables.
2. WACD incorporates PACD’s comments in regards to the Little Popo Agie River listing.
3. For specific sources listed such as “Livestock – Grazing or Feeding Operations”, “Grazing in Riparian or Shoreline Zones”, “Rangeland Grazing” and “Wildlife other than Waterfowl”, WACD recommends including references to reports of where these statements came from.

4. In previous reports the 303(d) list was listed alphabetically by Basin. That format was helpful in navigating which waters were impaired within each Basin.

Again, thank you for the opportunity to provide input and the hard work that was put into this report. WACD looks forward to continuing work with DEQ on Wyoming's Watershed health.

Sincerely,

A handwritten signature in black ink that reads "Bobbie K. Frank". The signature is written in a cursive style with a large initial "B".

Bobbie K. Frank
Executive Director

Cc: Wyoming's Conservation Districts
WACD Board of Directors