

Missouri
Department of
Natural Resources

DRAFT HOWELL CREEK TMDL
PUBLIC COMMENTS

Public Notice
Dec. 8, 2000 – Jan. 7, 2001

**Howell Creek
WBID #2582**

Howell County, Mo.

Missouri Department of Natural Resources
Water Protection Program
PO Box 176
Jefferson City, MO 65102-0176
800-361-4827 / 573-751-1300



Ozark Chapter / Sierra Club

Ken Midkiff, Director
Ozark Chapter/Sierra Club
1007 N. College Ave., Ste. #1
Columbia, MO 65201-4794

Planning Section-WPCP-DEQ-MODNR
PO Box 176
Jefferson City, MO 65102

December 15, 2000

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WPCP

REF: TMDLs - comments

1. **Davis Creek** in Lafayette County. The solution to the problem appears to be appropriate: more stringent effluent limits on ammonia and dissolved oxygen. However, there is no indication as to timeline in Section 9 Implementation Plans, other than the "Once the permit is reopened, the OSLS will have three years to comply with the permit revisions." **There must be a date-certain when the permit will be re-opened and modified effluent limits applied.** It would be acceptable to state "the permit will be modified by the end of 2001", but there must be a deadline.

2. **Piney Creek** in Oregon County. Akin to Davis Creek, the solution is appropriate, but there is no indication of when implementation will occur. All that is stated is the "...permit will be modified..." with no date-certain. The timeline for implementation must be added.

3. **Howell Creek** in Howell County. We have no objections to this TMDL. It is clear that dechlorination of the wastewaters discharged by the West Plains WWTP will correct the impairment, and it is clear that this will be required at the revision of the permit, which will occur upon re-issuance in October of 2001.

Thank you for timely preparation of these TMDL analyses and for the opportunity to comment. We trust that the deficiencies noted in #1 and #2 above will be corrected.

Sincerely,


Ken Midkiff



Bob Holden

~~MISSOURI~~ Governor • Stephen M. Mahfood, Director

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY

P.O. Box 176 Jefferson City, MO 65102-0176

January 12, 2001

Mr. Ken Midkiff, Director
Ozark Chapter/Sierra Club
1007 North College Avenue, Suite #1
Columbia, MO 65201-4794

COPY

Dear Mr. Midkiff:

Thank you for reviewing these TMDLs and taking the time to comment.

Davis Creek TMDL:

Implementation will be accomplished through permit action. The permit expires in 2002. The permit may be reopened after the TMDL is final and modified to reflect the results of the TMDL. The timeline for finalizing the permit modification is unknown at this time pending public notice and other due process requirements.

Piney Creek TMDL:

Implementation will be accomplished through permit action. The permit expires in 2004. This TMDL was scheduled for completion in 2005, so this is completed ahead of schedule. The permit may be reopened after the TMDL is final and modified to reflect the results of the TMDL. The timeline for finalizing the permit modification is unknown at this time pending public notice and other due process requirements.

Howell Creek TMDL:

No comment is necessary.

Again, thank you for your comments. Sierra Club's interest in the TMDL process and concern for the health of Missouri's water resources is appreciated. If you have other questions or wish to discuss this further, please contact Gail Wilson of the Planning Section at (573) 526-1535.

Sincerely,

WATER POLLUTION CONTROL PROGRAM

John Madras, Chief
Planning Section

JM:gwm



MISSOURI DEPARTMENT OF CONSERVATION

Headquarters

2901 West Truman Boulevard, P.O. Box 180, Jefferson City, Missouri 65102-0180
Telephone: 573/751-4115 ♦ Missouri Relay Center: 1-800-735-2966 (TDD)

JERRY M. CONLEY, Director

December 28, 2000

REPLY TO: Columbia Research Center
1110 S. College Ave.
Columbia, MO 65201
Telephone: 573/882-9880
FAX: 573/882-4517

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WPCP

Sharon Clifford
Department of Environmental Quality
Water Pollution Control Program
Missouri Department of Natural Resources
PO Box 176
Jefferson City, MO 65102-0176

Ms. Clifford:

MDC staff have had the opportunity to review the draft TMDLs for Piney, Howell and Davis Creeks. Our comments follow below.

Piney Creek near Alton in Oregon County

We support the draft plan's reduction of Chlorine to support warm water aquatic life. It is our hope that this new standard will be implemented into the City of Alton's NPDES permit when it expires.

Howell Creek near West Plains in Howell County

We support the draft plan's reduction of Chlorine to support warm water aquatic life. It is our hope that this new standard will be included in the City of West Plain's NPDES permit.

Davis Creek in Lafayette County

OSLS Compliance

The primary concern with the establishment of criteria for Davis Creek is the history of non-compliance of OSLS. The TMDL can only be successful in support of warm water aquatic life if the system is brought into consistent compliance.

Changes in the Watershed

Land use changes are occurring in the Davis Creek watershed. The city of Odessa is growing and much of this urban development is in the Davis Creek watershed. Robin Tillett, Fisheries Management Biologist, has been contacted by three landowners along Davis Creek regarding concerns about excessive stream bank erosion. At one site, where the landowner had a healthy wooded riparian corridor there were huge trees lying in the channel along its entire length. In addition, the culverts under a county road downstream from a new housing development have

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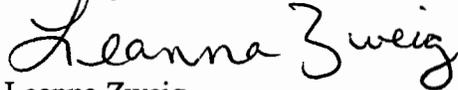
HOWARD L. WOOD
Bonne Terre

washed out and bridges over the creek on county roads are also being threatened. Alterations to the watershed have resulted in increased runoff, higher water velocity and increased volume in the stream channel. In addition, one of the landowners had photos of raw sewage being dumped into the stream from the wastewater treatment facility.

It is our concern that development will continue at a rate that exceeds the capacity of the existing wastewater treatment facility. We are concerned about the effect further development will have on stream base flows. Water will run off more rapidly as impervious surfaces increase resulting in higher stream flows during wet weather and lower base flows. The watershed's retention capacity to hold and slowly release it to maintain existing base flows is being altered. We are unsure that the monitoring outlined in this plan will adequately evaluate these impacts. Base flow monitoring should be included and as flows change, the discharge from point source should be adjusted. The limits now listed in the TMDL are based on a base flow that was measure several years ago. This measurement needs to be adjusted over time to reflect the current watershed conditions.

The Department appreciates the opportunity to comment on these draft TMDLs. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Leanna Zweig".

Leanna Zweig
Environmental Services Biologist



Bob Holden

~~Robert Holden~~ Governor • Stephen M. Mahfood, Director

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY

P.O. Box 176 Jefferson City, MO 65102-0176

January 11, 2001

Ms. Leanna Zweig
Environmental Services Biologist
Missouri Department of Conservation
2901 West Truman Blvd, P.O. Box 180
Jefferson City, MO 65102-0180

Dear Ms. Zweig:

Thank you for your comments regarding the Piney, Howell and Davis creeks TMDLs. The facilities at Piney and Howell creeks need to be brought into compliance with the Missouri Water Quality Standards. The standards state that when wastewater facilities discharge effluent into losing streams, disinfection needs to be accomplished, and if chlorine is used, dechlorination is required. If this is not practical, other methods of disinfection are available, such as ultraviolet radiation or the use of ozone.

In regard to Davis Creek, the city of Odessa has hired an engineer to look at all the options to improve its wastewater treatment system. The engineer is aware of growth in Odessa, and that the TMDL will require dechlorination, and perhaps nitrate and phosphorus removal in the future. They are considering options to the lagoon system and are looking at upgrading the facility. Since there is no hard and fast data on nonpoint source contributions to Davis Creek, this TMDL is phased, and more information will be collected to give a better picture of what is happening in that watershed, which will be used to facilitate implementation. The TMDL process is an evolving, ongoing one, and we expect that there will be more work to come in the Davis Creek area.

Like you, we have received comments regarding Davis Creek and the need to educate landowners regarding the importance of a healthy riparian corridor. Mr. Richard Litle's comments have been referred to your department concerning his questions about incentive payments for riparian protection. In a response to him, we offered to come down and speak about the TMDL and how landowners can improve water quality in their watershed. A public meeting with representatives from your department, NRCS, the Soil & Water Conservation District, this department, the city, the county and whomever else they wish to invite would give landowners good information on how they can improve their watershed.

Ms. Leanna Zweig
Page 2
January 11, 2001

Any input you or local people can give us is appreciated. That landowners have photographs of the plant dumping raw sewage into the stream is an important fact that should have been reported to the department's regional office at the time it happened. The purpose of a TMDL is not just to point out where water quality problems exist, but to encourage communication and public participation in improving water quality.

Again, thank you for your comments. We look forward to working with you as the TMDL process goes forward. If you have any questions or want to discuss further, please contact Gail Wilson at 751-7428.

Sincerely,

WATER POLLUTION CONTROL PROGRAM



John Madras, Chief
Planning Section

JM:gwd

City of
West Plains

1910 Holiday Lane, P. O. Box 710, West Plains, MO 65775
417-256-7176 Fax 417-256-4953

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JAN 09 2001

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January 5, 2001

Planning Section
Water Pollution Control Program
PO Box 176
Jefferson City MO 65102

RE: Public Notice of Draft Total Maximum
Daily Load Analysis Howell Creek
Near West Plains in Howell County,
Missouri December 8, 2000

Dear Planning Section,

The City of West Plains strongly objects to the draft TMDL referenced above which could result in a revision of our WWTP permit to include a chlorine limit of 0.01 mg/L. The City wishes to and is committed to comply with legal requirements and regulations to protect our environment, but we have serious concerns about this proposed change in requirements and in particular the way DNR handles such critical notices of proposed changes.

The City had no knowledge of this Public Notice Draft until only pages 1 and 2 of the full 8 page document were received at City Hall on December 27, 2000, addressed only to the City of West Plains. There have been other instances of public notices affecting the City that were not sent to either the chief elected official or the chief administrative officer. Items of such significant effect on the City we would think would warrant possibly even a certified letter to the Mayor, the City Administrator or at least the Waste-Water Superintendent. We have numerous other instances of DNR correspondence and notices not sent to the chief administrative personnel and many times when received being as much as 2 to 3 weeks after the date on the correspondence.

We have had instances in some departments in DNR when approvals have been held up because the approving person only signed letters once a week. It is also a shame when we have to go through our elected senators and/or representatives to get an answer in some situations. Governor-Elect Holden has indicated he wants State government to be more customer friendly. Your department is one that deserves his attention.

We have checked with our DNR regional southeast office and they can provide no information or documentation of who inspected or when any inspection was made in Howell Creek in 1993. The draft indicates that the water in Howell Creek is dominated

by effluent from The West Plains Wastewater Treatment Plant during low flow times, and aquatic life is impacted to the point that some fish and invertebrates may have disappeared.

In reality the only water in Howell Creek is effluent from the wastewater treatment plant and the southeast regional office will verify this. Burton Creek joins with Howell Creek in the area of 2nd Street and Minnesota Street which is approximately 2 miles up stream from the treatment plant. At that point Howell Creek is still dry as well as Burton Creek. One mile up stream from there Galloway Creek joins with Howell Creek. Both creeks are still dry. These three creeks serve as rain water drainage for most of the City and haven't flowed freely in over 40 years.

We feel that a slight chlorine residual is beneficial to Howell Creek since wastewater effluent is the only water in the creek. The chlorine will prohibit some algae growth and help disinfect the runoff from non-point sources your report does not acknowledge are present that flows down Howell Creek during rain periods.

We respectfully request that you reconsider the proposed revisions of our permit. The proposed limit of .01mg/L and the increased monitoring requirements will be an unnecessary burden and expense on our City for no net environmental gain. In reality you are imposing an unfunded mandate unnecessarily.

Sincerely,



Royce Fugate, P.E.
City Administrator/Engineer

cc: Governor Bob Holden
Senator Doyle Childers
Representative Chuck Purgason
Tom Herrman, Chair, Clean Water Commission
Steven Mahfood, Director DNR
Mayor Evans
Council
Gary Gains, Southeast Regional Director, DNR
Jim Woodworth

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STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Bob Holden, Governor • Stephen M. Mahfood, Director

OFFICE OF THE DIRECTOR
P.O. Box 176 Jefferson City, MO 65102-0176

FEB 9 2001

Mr. Royce Fugate
City Administrator/Engineer
1910 Holiday Lane, P. O. Box 710
West Plains, MO 62775

Dear Mr. Fugate:

I appreciate your letter of January 5, 2001, commenting on the Howell Creek Total Maximum Daily Load (TMDL) processes. We apologize for the delay in getting a copy of the TMDL document to you for review; and the way the beginning of this process has worked. Improvements are needed in coordinating the processing of TMDLs and we will be making them.

For the Howell Creek TMDL, the West Plains wastewater treatment plant was the only affected facility. We sent the notice of the TMDL to the operating authority of the National Pollutant Discharge Elimination System (NPDES) permit; which is the City of West Plains. Your suggestion for making the process more efficient by copying either the Mayor or the City Administrator will be done.

The significant water quality problem in Howell Creek is chlorine. Chlorine is an extremely toxic chemical that is harmful to aquatic life. While Howell Creek is small and dominated by wastewater effluent, it does contain invertebrates and other aquatic life that are valuable resources to the stream ecosystem.

While Howell Creek typically does not contain a high volume of flowing water, it does provide support for an important portion of aquatic life. The stream is listed in the Missouri water quality standards as a class C stream, which maintains at least permanent pools supporting aquatic life even in times of drought, beginning in section 22. The invertebrates and other aquatic life in this stream segment are part of the bottom of the food chain, and support higher organisms like fish that are more plentiful downstream. Small aquatic organisms are an essential part of the web of life within the watershed, which is very high quality. Elimination of the bottom of the food chain, along with fish spawning and nursery areas, risks damaging the whole structure, as well as the support for the local economic activity that is based on the high quality of the resource.

As the city continues to grow, the wastewater treatment plant discharge will become larger and the miles of Howell Creek affected by the discharge will also likely increase. The current wastewater treatment plant likely will be in operation for several years into the future. The design capacity is 2.5 mgd, which means the plant can accommodate several more years of growth. To alleviate more extensive impacts to Howell Creek from the plant's discharge, it is important that the chlorine be removed through dechlorination.

Mr. Royce Fugate
Page 2

The current NPDES permit for West Plains expires in October 2001. At that time to better protect the biological integrity of Howell Creek, we plan to require the addition of a dechlorination unit. Clean Water Commission regulations allow up to three years to attain compliance with this new requirement. My staff will work with you on the timing of this upgrade or on other aspects of the city's operations that may facilitate the city meeting this requirement.

In addition, we will improve the distribution of information for all future TMDLs. Based on your comments and the comments of others, we plan to share the information in TMDLs with holders of affected permits before the public notice phase. This will allow the permittee to raise concerns while the plan is still in draft form. Comments will be evaluated and communicated as they are incorporated into the TMDL document when possible. This will also ensure the implementation recommendation will be familiar to the permit holder when we send the final TMDL out for public notice.

I apologize for our communications foul up. West Plains' participation in the TMDL process is appreciated. If you have other questions or wish to discuss this further, please contact Ed Knight, Director of our Water Pollution Control Program at 573 751-6721 or me at 573 751-4732.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



Stephen Mahfood
Director

SM:sbtb

c: Senator Doyle Childers
Gary Gaines, Southeast Regional Office