

Missouri Clean Water Commission
Department of Natural Resources
East Elm Street Conference Center
Bennett Springs/Roaring River Conference Rooms
1730 East Elm Street
Jefferson City, MO 65102

November 3, 2010

Status of Total Maximum Daily Load Development Under the Consent Decree and Memorandum of Understanding

Issue: The Department is presenting information on Total Maximum Daily Load (TMDL) development in regard to the schedule outlined in the TMDL Consent Decree.

Background: The Water Protection Program's Watershed Protection Section conducts water quality monitoring, assessment, and development of TMDLs for impaired waters. The majority of TMDL development activities to date have been directed toward assisting the U.S. Environmental Protection Agency (EPA) in fulfillment of requirements relating to the Consent Decree¹ and toward fulfilling the Memorandum of Understanding² between EPA and the Department. The close of the Consent Decree is December 31, 2010 and the Department is presenting information on progress towards finalizing TMDLs in accordance with the lawsuit settlement.

¹ – Consent Decree refers to the 2001 Consent Decree entered in the case of American Canoe Association, et al. v. Carol M. Browner, et al., No. 98-1195-CV-W in consolidation with No. 98-4282-CV-W, February 27, 2001.

² – Memorandum of Understanding (MOU) refers to the August 2000 MOU between EPA and the Department to “memorialize all commitments relative to the determination of impaired waters and the development of total maximum daily loads.”

Recommended Action: Information Only

Suggested Motion Language: None.

List of Attachments: None

