

**MINUTES  
of the  
WATER QUALITY COMMITTEE  
Radisson Hotel  
Bismarck, North Dakota  
July 14, 2016**

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**MEMBERS AND ALTERNATES PRESENT**

<b>ALASKA</b>	David Schade
<b>ARIZONA</b>	Einav Henenson
<b>CALIFORNIA</b>	Betty Olson
<b>COLORADO</b>	Patrick Pfaltzgraff John Stulp
<b>IDAHO</b>	--
<b>KANSAS</b>	Tracy Streeter
<b>MONTANA</b>	--
<b>NEBRASKA</b>	Jeff Fassett Jim Macy
<b>NEVADA</b>	--
<b>NEW MEXICO</b>	Greg Ridgley John Longworth
<b>NORTH DAKOTA</b>	Jennifer Verleger David Glatt
<b>OKLAHOMA</b>	--
<b>OREGON</b>	--
<b>SOUTH DAKOTA</b>	Kent Woodmansey
<b>TEXAS</b>	Jon Niermann Jim Rizk Robert Mace

**UTAH**

Norm Johnson  
Walt Baker

**WASHINGTON**

Mike Gallagher

**WYOMING**

Pat Tyrrell  
Chris Brown  
Rick Dewell  
Kevin Frederick  
Steve Wolff

**GUESTS**

Mary Lou Soscia, EPA Region X, Portland, OR  
Betsy Bell, EPA Office of Water, Washington, DC  
Diana Eignor, EPA Office of Water, Washington, DC  
Jonathan Kennen, U.S. Geological Survey, Lawrenceville, NJ  
Cherilyn Plaxco, U.S. Army Corps of Engineers, Little Rock, AR  
Joel Galloway, U.S. Geological Survey – NDWSC, Bismarck, ND  
Darin Schepp, North Dakota State Water Commission, Bismarck, ND  
Robert White, North Dakota State Water Commission, Bismarck, ND  
Jennifer Weier, North Dakota State Water Commission, Bismarck, ND  
Jeff Frithsen, EPA Office of Research & Development, Washington, DC  
Chaunsey Chau-Duong, Southern Nevada Water Authority, Las Vegas, NV

**WESTFAST**

Patrick Lambert, WestFAST Liaison, Murray, UT  
Becky Fulkerson, U.S. Bureau of Reclamation, Washington, DC  
Sonya Jones, U.S. Geological Survey, Norcross, GA (via phone)  
John D'Antonio, U.S. Army Corps of Engineers, Albuquerque, NM  
Kevin Werner, National Oceanic and Atmospheric Administration, Washington, DC

**STAFF**

Tony Willardson  
Michelle Bushman  
Sara Larsen  
Cheryl Redding

## **WELCOME AND INTRODUCTIONS**

Kevin Frederick, Vice-Chair of the Water Quality Committee, called the meeting to order.

## **APPROVAL OF MINUTES**

The minutes of the meeting held in Washington, DC on March 22, 2015 were moved for approval by Jennifer Verleger. Betty Olson seconded and the minutes were approved.

## **WATER QUALITY IN NORTH DAKOTA**

Dave Glatt, Chief, Environmental Health Section, North Dakota Department of Health gave a powerpoint presentation on North Dakota's water quality background and challenges with specific projects.

We're missing out on opportunities for cooperation with federal agencies, such as the Corps and EPA. Instead of getting mired in questioning authorities, lack of consultation, and financial concerns, we end up in court too often. North Dakota is primarily an agriculture state, but with recent Bakken development it has become increasingly an energy, oil and gas state. With agricultural changes, water quality varies across the state, with 28% of the rivers, lakes and streams meeting their 303(b) and 305(d) standards for all beneficial uses, and many of those not meeting the standards are due to agricultural uses. We've had a groundwater monitoring program in place for many years, generally keeping an eye on the shallow aquifers we would expect to be impacted by agriculture. We've seen some pesticides, primarily herbicides, but there is nothing of real concern. With the oil boom, they are trying to determine the impact on water quality. North Dakota was 6<sup>th</sup> in terms of energy, and now they are #2. They are a rural-turned-industrial society. Trying to get a handle on the water quality changes and trends, though they haven't seen anything of concern yet.

With private wells, the only control we have is through construction, but people are becoming more engaged on what is happening with their wells and with the water. We are starting to see limits in water quantity. The water can be highly mineralized, and we have arsenic and uranium throughout the state.

One of our challenges has been flooding at the Devils Lake outlet. People on my staff have been working on Devils Lake for 30 years. Devils Lake is a very shallow, closed basin lake, and we tend to either have not enough water or too much. When there's too much water, the new developments are flooded, and people tend to get upset when their farms disappear. Questions have arisen as to how to get rid of the water. We've put in two outlets. Good water quality is on the West end, and bad water quality is on the other end. We have a problem with sulfates that impair the quality of the water, and when the water level drops, the sulfates are concentrated. Prior to the outlets going in, they were battling with people to get the water out. At

the level of 1453', people wanted to start pumping the water out of Devils Lake to prevent flooding. Right now the level is at 1450'. Now things have flipped, and there's talk of water transfers to the lake. We don't have a problem meeting the water quality standards (WQS) for Canada and the Red River as long as the baseflows are high. We continue to operate the outlets and keep a close eye on the water quality. Sulfate concentrations in the lake are declining. There are a few blips now and then. A compounding issue is sulfates and selenium. It's difficult to set a nationwide standard on ammonia and selenium, since they are naturally-occurring and amounts can be impacted by precipitation events. They need to look at more site-specific conditions and understand how each site works. With selenium levels able to rise in a natural habitat, we would be in violation 50% of the time.

Regarding the WOTUS rule, *SWANCC* and *Rapanos* set up some confusion. EPA's outreach was not as effective as they wanted it to be, considering half the states are suing over the WOTUS rule. The prairie pothole region in North Dakota is quite extensive, covering most of the state during certain times of the year, and raises serious concerns about how to actually implement the new rule. North Dakota is very much opposed to the WOTUS rule as it is now.

We've been working on a nutrient reduction strategy. The industries are all pointing fingers at each other. We began a process to determine what a nutrient strategy should look like, sitting down with everyone and encouraging them to come up with solutions to the problems in their back yard, particularly blue-green algae from excess nutrients, without having to be heavy handed. They've started to come up with some strategies they're willing to participate in, and we're prioritizing watersheds and setting load reduction goals. We're working to ensure the effectiveness of source reduction strategies with point source permits, stormwater and septic systems, looking at agricultural areas, and ensuring accountability with a reporting program. We're hoping for a written document we can publish within a month or so.

Another of North Dakota's challenges has been the recent oilfield development. Remote areas that once had no cars or people are struggling with traffic jams, and there's been a big change in the culture and in the water quality. We did not expect the challenges that came. The existing rules that were good for the rural setting are not as effective in the new industrial setting. Wastewater was hammered, and lagoons for the wastewater treatment plants were full. People were picking up wastewater and just dumping it. One guy was making \$1M per week on disposal out in the middle of nowhere...but it's our middle of nowhere. That was a no-no, and the situation was settled with a lot of money. Salt water spills are very difficult to deal with. If the brine gets dumped, it kills all the vegetation, and the landowners get angry. Treating the water sounds like a good solution, but no one wants the salt, so it still has to be dealt with.

We are looking at dealing with produced waters as well, searching for innovative ways to clean it up and trying to limit future legacy issues, while dealing with problems from 30 years ago showing up on the landscape. We have a legacy fund that picks the five worst sites per year and cleans them up, and we're hopeful for better cooperation with the federal government.

There are good things happening in North Dakota. We have a good relationship with USGS and appreciate their science-based information.

**Questions:**

Walt Baker: What are some of the environmental problems that have resulted from the energy boom? With the end of development, what are the things you are dealing with now?

Dave: We had man camps, trailer courts, people living in “prairie ghettos,” and now there are ghost towns with trash in the countryside. Companies are going bankrupt, with assets being sold and equipment being disposed. The areas are not well maintained, and with societal changes have come drug sales, etc. We need more boots on the ground to deal with those challenges.

Jim Macy: How are you funded?

Dave: We are general funded for the vast majority. We are looking at funding with fees to offset some of that since general fund money is getting tight. There are some significant radioactive materials that can’t be disposed of in landfills, and we’ve imposed fees for dealing with the radiation.

**EPA UPDATE**

**A. EPA Fracking Study – Jeff Frithsen, EPA Office of Research & Development**

Congress urged EPA to look at potential impacts of fracking on the water quality and quantity of waters in the US. EPA published its study in 2011, with a progress report in 2012. The products of the study are available on the EPA website: [www.epa.gov/HFStudy](http://www.epa.gov/HFStudy). We will be adding more materials, but the main product is the hydraulic fracking drinking water study, based on 1000 sources of peer-reviewed literature. The draft was released in June 2015, and is currently under review with the Science Advisory Board. They will provide a final peer review report at the beginning of August, and plan to finish by the end of the year.

Jeff thanked states for participating in the hydraulic fracturing and drinking water study.

**B. Tribal Treatment as States Rules/Guidance – Mary Lou Soscia, EPA Region X**

The final TAS rule came out on May 16, 2016, and for tribes, the TAS application process is now streamlined. Most of the 16 tribes that were already in the application process will continue forward under the new interpretation of the rule, and states will continue to be able to comment on the tribes’ applications. We received 6 comments from western states, and know the western states have concerns. EPA will provide notice to the states as the tribes go through the application process. The first of the notices can be sent out in the next month or two.

**C. Advanced Notice for Proposed Rulemaking – Mary Lou Soscia**

Only 43 tribes have EPA-approved WQS, which leaves a gap in protection for another 300 tribes. EPA will be issuing an advanced notice for proposed rulemaking to establish

baseline WQS in an effort to close these gaps. It will take comments from States, Tribes, and others. We want to look at designated uses, look at numeric water quality criteria, fish consumption rates – and determine where EPA can take a specific action. We’re working on government to government consultation with tribes, outreach with state associations to let them know about the rulemaking. We’ve scheduled a webinar on Aug 8<sup>th</sup> and another on September 1<sup>st</sup>.

### **Questions:**

Trisha Oeth: Is this the first step towards promulgating the WQS for the 300 tribes? Would EPA adopt the same standards for all of the tribes?

Mary Lou: Yes. This is a first step. There will still be 90 days for review once we publish the ANPR. If people come back and ask for an extension, we would likely grant that. These are baseline WQS for all the tribes without their own WQS. This only applies to reservation lands and trust lands, not to allotments or lands that are not in trust. So, it’s only a narrow scope that these apply to. We hope to have it ready in the Fall, but definitely by the end of the year.

Roger Gorke: I want to overstate the obvious. This is an attempt to get very early feedback from the WSWC member states. We are listening and making an effort to change the status quo, making sure that you have an opportunity to give input.

Kent Woodmansey: South Dakota was one of the states that commented on TAS. We would want some discussion in there on the boundaries of where this applies. There are some checkerboard areas in South Dakota that would need to be reviewed on a case-by-case basis. Just saying you’re promulgating will not provide the level of certainty we will need.

Mary Lou: We have heard that there might be some boundary issues. We want to work with the states on these kinds of things. We see those as important Tribal-EPA-State conversations, and we want the tribes, states and EPA to be able to work together on the implementation of the standards after the rule is promulgated. Thank you for that comment.

Kevin: The WSWC will hold a meeting in September in St. George, Utah. We may wish to hear more at that time.

### **D. WOTUS Rule – Roger Gorke**

During the stay, EPA and the Corps are using the status quo 2008 guidance and previous definition of WOTUS in our decisions and are fully complying with the courts’ stay. He could not say much since they are in litigation.

### **E. Decision on Forest Roads and 402(p)(6)**

In November 2015, EPA was sued by environmental groups regarding whether EPA should require permitting for water quality on forest roads under CWA 402(p)(6). EPA put out a

*Federal Register* notice to get a lay of the land, and we received a lot of comments from the states. Many states are actively participating in programs to implement water quality goals, and some of them have been recently updated. Based on that information, in June EPA decided that no additional permitting would be required.

**F. NPDES Application and Program Updates – Proposed Rule – Erin Flannery-Keith and Sharmin Syed**

Erin Flannery Keith - This rule has been in development for several years, with ideas from the regional NPDES program managers. We addressed areas that needed to be updated and shared the ideas with the states through ACWA, with information published on their website. We stopped short of sending the rule to OMB, then later identified this rule as one that should move forward. On June 27, public comment period was extended, so it now ends on August 2<sup>nd</sup> (EPA-HQOW20160145). There are aspects of the regulations under revision. They are looking forward to finalizing the rule by the end of 2016.

Sharmin Syed – The proposed rule proposes 15 revisions. Some are purely administrative, some restate existing policies, and some are ideas. Draft application forms are in the docket for the rule. There is a second docket specifically for the application form (EPAHQOW20160146). We've received additional comments on the application form, and tried to make them more consistent with updated application instructions. We're very excited about this and look forward to the feedback.

**EPA-USGS REPORT ON PROTECTING AQUATIC LIFE & HYDROLOGIC FLOW ALTERATION**

Diana Eignor, EPA Office of Water, Office of Science and Technology gave a powerpoint presentation. EPA and USGS jointly developed this draft report to serve as a source of scientific and technical info for states, tribes, and territories about the natural flow regimes and examples of CWA programs. Our purpose was only to summarize and give examples of what has been done in the past, if a state wishes to try the approach. The report is NOT a law or regulation; a set of binding legal requirements; a substitute for applicable state statutes or regulations, which have primacy; an expansion of fed authority over water rights; a substitute for, or constraint on, state and tribal water rights. We developed this report to serve as a technical and informational resource for state water resource managers.

The document has three main sections:

1. Environmental flow support in the literature
2. Overview of applicable CWA programs
3. Technical non-prescriptive framework

The CWA Program Descriptions are on pages 39-64 in the document. It discusses CWA programs that states have already been used to address the effect of flow regime change on aquatic life. The third main section (pages 65-91) discusses a non-prescriptive framework for quantifying flow targets to protect aquatic life and includes 3 primary phases: (1) Problem



formulation phase; (2) Analysis Phase; and (3) Risk Characterization Phase. We want to develop the qualitative or quantitative flow-ecology model and a specific type of stressor-response model to describe the relation between a flow indicator and a biological indicator. Two hypothetical response curves are shown, linear and non-linear, developed using statistical methods. It will also be used to predict the value of a biological indicator under a variety of flow regimes

The report concludes that flow regime plays a central role in supporting healthy aquatic ecosystems. Alterations to the natural flow regime can contribute to the degradation of biological communities. Flow alteration can prevent water bodies from supporting aquatic life designated uses as defined by state WQS and existing CWA statutes. This technical report serves as a source of technical info for states, tribes, and territories that may want to proactively address those concerns.

The presentation included a slide with WSWC concerns.

1. Wanted consultation with appropriate state agencies before the report went out.
2. Concerned the report supersedes state water law or expands fed authority.
3. Wanted report to recognize that some forms of flow alteration provide benefits.
4. Concerned that the report omits significant distinctions in the CWA Case Law appendix.

There was a total of 105 days given for comments on the report, including the extensions requested. Additionally, they are in the middle of reviewing the public comments and determining their response, and plan to make adjustments to the report. Some sections of the report will be clarified to improve readability.

### **Questions:**

John Longworth: Thank you for your presentation. It helped clarify some of the issues I've been on the periphery of this issue, so I apologize if my questions have already been answered. Were any western states included in the report?

Diana: Most have been eastern states. Oregon has flow criteria.

John L: In the document, is there a specific methodology to separate different hydrology regimes? For example, comparing the regime of Delaware River with a small creek in the West can be problematic. Is there something in the report to help us understand the hydrology of the sites chosen, in order to better inform those making decisions about whether to apply this to a separate regime?

Jonathan Kennen: With the non-prescriptive framework, there is a broad section on stream classification. We know that a small stream and the Delaware River are not equivalent and do not respond the same. We want this process to be as flexible as possible, so that states can use it for any site. We don't want to broadly group streams that are dis-similar. There is not one specific way to do that. We hope the document provides you with enough tools to evaluate it.

John L.: How do you establish a baseline for the natural flow regime?

Jonathan: That's a really good question. Does it represent an unimpacted baseline? Does it include a baseline that is most recent than a pre-Columbian baseline? That can only be addressed by the scientists and the water managers in concert. The establishment of the baseline differs and may be impacted by existing data.

John L: Is there a section in this report that says this is a product for states to consider, or is it intended for NGOs to use, particularly relative to flow alterations?

Diana: It is for states, tribes and territories. We don't mention NGOs at all in the document. We hope that the information provided in the document will be used by anyone interested in protecting aquatic life. Anyone can read it, but not everyone can create a streamflow criterion.

Jonathan: The tools are there for anyone to use.

Diana: Anyone can look at it and use the processes, but not just anyone can decide to develop a narrative criteria.

Pat Tyrrell: I want to clarify WSWC's #1 concern. You've indicated that consultation over 105 days took place during the public comment period. However, as we've stated before, as states, we want consultation prior to the public comment period. What was the threshold action that drove this action to be taken in the first place?

Becky in HQ: The genesis for the report was requests from regional offices and states that asked for more guidance on this topic, for assistance to the states and regions. Again, it's not a rule, not a guideline. We did reach out to ACWA with representatives from all 50 states and made presentations before the document was released. It's not something we always do, but that was the case this time. We also did a public webinar to try to answer questions, and an extensive comment period.

### **STATES' WATER QUALITY PROTECTION AUTHORIZIES (outside CWA)**

Walt Baker reviewed a powerpoint presentation on state water quality authorities and the nexus between quality and quantity. WQS are state, not federal, standards. In Utah, they apply to all "waters of the state" not just "waters of the U.S." Antidegradation is a key element of states' WQS, as well as beneficial use classifications, and numeric and narrative criteria.

3 tiers of protection exist:

- Category 3 waters: the basic level of protection for all waterbodies, which is that existing uses will be maintained (Nov 28, 1975) – which means these waters can receive pollution up to their assimilative capacity.

- Category 2 waters: applies to protecting waters that are of high quality such that degradation may not occur beyond the current quality of the water.
- Category 1 waters: applies to waterbodies that constitute an outstanding national resources and no pollution or water quality degradation may occur.

Antidegradation applies to NPDES permits, including storm water and industrial discharges, 404 permits, 401 certifications, state permitted activities, local permits, and any nonpoint source pollution controls. When determining whether to issue a stream alteration permit, the Utah State Engineer considers several factors, including vested water rights, whether aquatic wildlife will be endangered due to anticipated changes in temperatures, flows, and water quality, and whether the channel's ability to conduct high flows, recreation, or the natural stream environment will be affected.

Prior to 1994, jurisdictions differed in their interpretations of the Clean Water Act's WQS mandate. This changed with *Public Utility District No. 1 of Jefferson Co. v. Washington Department of Ecology*. The City of Tacoma applied for a Section 401 for a hydro project on the Dosewallips River that supports steelhead trout. The project would divert water 1.2 miles downstream thereby reducing flows in that stretch by 75%. This required a FERC permit, which implicated Washington's WQS and CWA 401, which in turn protected the beneficial uses of the river. A condition of the permit was the maintenance of seasonal base flow of 100-200 cfs, and this condition was appealed. The City of Tacoma argued that Section 401 pertains only to discharges and a discharge only pertains to a discharge of a pollutant. They also argued that (1) the state exceeded its authority as Section 401 only pertains to WQSs and the state cannot enforce its antidegradation/designated use policies independent of its WQS; (2) Water quantity cannot be regulated under the CWA due to Section 101(g); and (3) The Federal Power Act prevents a state from imposing in-stream flow conditions in a 401 cert. for the purpose of preserving fish & wildlife habitat.

The U.S. Supreme Court held that: (1) 401(d) allows a state to impose conditions other than discharge requirements; (2) "designated use" and "water quality criteria" are independently enforceable, including antidegradation; (3) reduction of stream flow falls within the definition of "pollution", i.e., a "manmade or man-induced alteration of the chemical, physical, biological and radiological integrity of the water" and (4) "Water quantity and water quality are inextricably linked." 101(g) preserves state authority over water allocations as per the Wallop Amendment (which states that incidental effects on individual water rights may occur as a consequence of legitimate water quality measures being taken)

CWA 101(g) states: "It is the policy of Congress that the authority of each State to allocate quantities of water within its jurisdiction shall not be superseded, abrogated or otherwise impaired by this Act." Sometimes forgotten is the remainder of this paragraph: "Federal agencies shall cooperate with State and local agencies to develop comprehensive solutions to prevent, reduce and eliminate pollution in concert with programs for managing water resources"

**Questions:**

Pat Tyrrell: The state engineer's office is going to have to sign off of a dam with a specific purpose. Depends on the usage. If they don't cross our desk, we're not out hunting for these things. Can you provide an example or two from Utah?

Walt: I don't have good examples on hand.

Tony: Prior to the case PUD, there was a Rock Creek case in California where we submitted amicus briefs arguing that under the Federal Power Act, the states have the power to allocate water. We lost 9 – 0 in the Supreme Court, with a determination that the FPA had preemptive field. We got back that same authority in the PUD case, but as delegated authority under the CWA. One of the questions that prompted this presentation is states with closed intrastate basins where waters of the U.S. do not apply. For water permits that are issued in those areas, what is the status of the permits? Do the states have authority under their own constitution or statutes? We've heard a little today about the tribes having inherent authority to regulate water quality. Do states have separate authority to regulate water in a similar fashion?

Walt: Due to the Gold King Mine issue, we identified two stretches along on the San Juan River as impaired, but only one stuck. One was on Indian land, and we cannot put that on the impaired water list. This will take years to get sorted out. We have the Sevier basin that is not waters of the U.S., and our attorneys have stated that we're covered because the permits are issued by the state, and we don't need to create a separate permitting system for waters that are intrastate.

Roger Gorke: What was the context of the federal agencies working in concert with the states under 101(g)?

Walt: I'll give you my two cents. The concept of One Water resonates with me. The water right gets given by one agency, and water quality addressed by another, so we're silo-ing water quantity and water quality, but the water is held by the public. What do we do to protect it? We need to bridge those boundaries. California did this by combining the water quantity and quality folks under one umbrella. I think we can continue to talk about it and have a meaningful dialogue.

**GOOD SAMARITAN/HARD ROCK MINE REMEDIATION**

**A. WGA Resolution** – Tony highlighted the Governors' policy statement, "Cleaning Up Abandoned Mines in the West," found under Tab H. The primary concern is that a new person willing to clean up the problem will inherit the old liability of the abandoned mine. This has been an issue of concern for a decade. Gold King Mine recently brought this issue to the forefront, and we are wondering if there will be enough momentum to address this chronic issue that affects many of our states.

**B. Gold King Mine Monitoring Plans – Pat Pfaltzgraff, Colorado Director of Water Quality**

Since last year's Gold King Mine spill, water quality issues have been very interesting for Colorado. For background purposes, on August 5, 2015, 3 million gallons of heavy metal contaminated, yellow mine drainage water was discharged, which turned the river orange. We are looking at water quality data to determine what parameters are being exceeded, if any. Recreation and aquatic life are the two major uses on the river. We've collaborated with New Mexico and Utah to develop a long-term monitoring plan for clean-up. We've been looking at this all through the water year, particularly snowpack run-off, and have a spring runoff response plan if there's additional material from the mine or if the sediment imposes such high levels of contamination that it would impair recreation on the stream. We've had some notices, but so far nothing that has led to impaired or closed conditions.

Each of the states came up with long-term management plans. We're looking at materials on the streambank as well as sediments deposited downstream. Mountain Studies Institute installed real time monitors at or near USGS sites. There are 23,000 sites in Colorado, and mine land water quality sampling is ongoing. We hope to figure out how best to treat them and what to do. If Good Sam legislation gets through, we might have the ability to do more.

**Questions:**

Pat Lambert: In that environment, is it typical to try to understand the post-spill equilibrium and to know when you've reached it? Are you able to compare pre-spill monitoring data with post spill data?

Pat Pfaltzgraff: There is nothing typical about this. You're right that you have to have both pre- and post- in order to put the data and magnitude of the spill together. Colorado does have some pre-spill data and is using that to look at where the river is now. So far we're not seeing anything unusual

**C. EPA Efforts, Proposed CERCLA Rule re: Financial Assurance Requirements for Mine Site Cleanup.**

Kevin Frederick – It appears that EPA is developing a formula to require mining companies to provide financial assurance of their ability to cover the costs of natural resource damages, in addition to any requirements already in place in the various states.

At our meeting with Region 8 EPA folks on Tuesday, they said Congress had a rider on the legislation. Roger Gorke noted that he was unable to get anyone to be on the phone today, but would be happy to take any questions and transmit them to those who can respond. Aside from that, we may want to have someone from EPA brief us on this at the meeting in St. George.

**SUNSETTING POSTIONS**

Sunsetting Position No. 359 will be reviewed at the St. George meeting.

**2016-2017 WORK PLAN**

The committee discussed continuing the Hydraulic Fracturing task, as well as the Water Quality/Water Quantity Nexus workgroup and each of the CWA Issues. Walt Baker moved adoption of the modifications to the work plan. Second. Approved

**OTHER MATTERS**

There being no other matters, the meeting was adjourned.