

Temperature Total Maximum Daily Loads Replacement project: Middle Columbia-Hood (Miles Creeks) Subbasin

Advisory Committee Meeting 1 Summary

Location virtual meeting (Zoom)

May 27, 2026, 10 a.m. PT

The video recording of this meeting is available from DEQ upon request. Email MiddleColumbia.TemperatureTMDL@DEQ.oregon.gov with your request for the video.

List of attendees

Rule advisory committee members

Name	Affiliation	Present
Todd Reinwald	U.S. Forest Service	Present
Wes Noone	Bureau of Land Management	Present (Anna Smith as alternate)
Janna Guzman	Oregon Department of Fish and Wildlife	Present
Nina Caldwell	Oregon Department of Agriculture	Present
Rebecca McCoun	Oregon Department of Forestry	Present
Ivan Hartert	Oregon Parks and Recreation Department	Present
Joshua Chandler	City of The Dalles	Present
Jeremy Eiesland	City of Dufur	Present
Andrea Rogers	City of Mosier	Absent
Daniel Dougherty	Wasco County	Present
Scott Baker	Northern Wasco County Parks and Recreation District	Present
Andrea Klaas	Port of The Dalles	Present
Shilah Olson	Wasco SWCD	Present
Amy Kaser	Kaser Diamond K, Inc.	Present
Drake Gilbert	Wasco County Watershed Councils	Present

DEQ staff

Mia Pan, Becky Talbot, Smity Mehta, Karissa Willits, Sarah Norpchen, Sara Slater, Ryan Michie

EPA staff

Rebecca Veiga Nascimento

Agenda

10 a.m.	Welcome, introductions, meeting agenda
10:10 a.m.	Rule Advisory Committee Charter Review
10:20 a.m.	Draft Total Maximum Daily Load
10:50 a.m.	Draft Water Quality Management Plan
11:20 a.m.	Draft Administrative Rule Language
11:30 a.m.	Draft Fiscal and Economic Impact Statement
11:50 a.m.	Wrap up, next steps
Noon	Adjourn meeting

Meeting summary

Mia Pan, DEQ: Mia started the meeting with staff introductions, followed by the agenda covering meeting materials that DEQ posted on May 21, 2026, in advance of the meeting. She then reviewed logistics and ground rules, and the rule advisory committee charter. Next, she performed a roll call of rule advisory committee members. Mia continued with the project history, scope, and schedule.

Becky Talbot, DEQ: Becky summarized technical elements of the TMDL. She explained a TMDL, steps in the TMDL development process, and required elements. She described the TMDL area and impaired waterbodies and the applicable temperature criteria. The TMDL identifies one general NPDES permit and nonpoint sources and background. Nonpoint sources include background sources, solar radiation from the disturbance or removal of near-stream vegetation, elevated temperatures from inflowing tributaries, dam and reservoir operations, and activities that modify flow rate or volume. Becky then paused for questions. No responses.

Becky Talbot, DEQ: Becky reviewed model scenarios used to understand source categories and inform allocations. She described how DEQ calculated the loading capacity, excess loading/load reductions, and human use allowance.

Todd Reinwald, USFS Mt Hood NF (in chat): The definition of fully restored vegetation is of interest, particularly for fire-adapted forest ecotypes where natural disturbance can create a range of effective shade characteristics through time...where vegetative shade is not a static condition in the natural state.

Becky Talbot, DEQ: Becky described the methods for calculating load allocations for nonpoint sources. Next, she reviewed the wasteload allocation equation and resulting load allocations for point sources. She provided a model scenario comparison of the Human Use Allowance (HUA) attainment compared to background loading. Becky then showed a summary table of assigned HUA for each source. Becky noted that the City of Dufur's NPDES permit has been terminated, effective April 30, 2026, and the City of Dufur is no longer authorized to discharge to Fifteenmile Creek.

Anna Smith, BLM: Can you explain why a target HUA of .2 was used in the HUA attainment vs background scenario comparison on slide 33?

Becky Talbot, DEQ: For the Human Use Allowance (HUA) attainment vs background scenario comparison, we are only taking into consideration modeled water withdrawals and warming from tributaries. We did not include modeled warming from existing infrastructure in this comparison. We allocated .1C of the HUA to water withdrawals, .1C of the HUA to warming from tributaries, .05C of the HUA to existing infrastructure, and .05C of the HUA to reserve capacity. Since we only considered warming from water withdrawals and tributaries in this comparison, we targeted the .2C of the HUA that was assigned to those two sources.

Anna Smith, BLM: Was vegetation removal from tributaries accounted for in the model scenarios?

Ryan Michie, DEQ: The TMDL applies to the whole watershed area and there are shade targets for all the waterbodies in the TMDL area. But, we only modeled current shade conditions on Fifteenmile, Eightmile, and Ramsey Creeks. We did not do an assessment to determine if the current conditions on non-modelled waterbodies meet the shade targets or not.

Anna Smith, BLM: Will the TMDL have shade curves that designated management agencies can use to determine shade targets on non-modeled waterbodies?

Becky Talbot, DEQ: Yes. The TMDL will have site specific shade data along the modelled stream reaches and shade curves for all other waterbodies in the TMDL area.

Smita Mehta, DEQ: Smita summarized components of the Water Quality Management Plan (WQMP). The WQMP names responsible persons, including Designated Management Agencies (DMAs), as responsible for TMDL implementation. She reviewed the rationale for naming responsible persons and criteria for which persons are required to prepare implementation plans. Smita then asked for input on whether there are other entities that meet the rationale for being a named responsible person and the criteria for being required to prepare implementation plans.

Anna Smith, BLM: Does DEQ expect applicants for BLM permits, such as right of way, grazing, or mining operation permits, to follow the TMDL rule or does DEQ expect BLM to include TMDL-related best management practices (BMPs) on the permits that we issue?

Smita Mehta, DEQ: We would work with BLM to make sure that BLM has appropriate BMPs in their permits that would meet the needs of the TMDL.

Ivan Hartert, OPRD: Is there a specific cutoff to be named a DMA, based on loading or amount of land owned or managed by an agency?

Smita Mehta, DEQ: There are no thresholds for acres owned by a specific agency to be named as a DMA.

Anna Smith, BLM: Is the water resources department included as a DMA?

Smita Mehta, DEQ: It is not. Oregon Water Resource Department manages allocations of water. They do not have jurisdiction over land or riparian management activities, so they are not named as a DMA. However, DEQ and OWRD are working together to develop an MOU or MOA to address the impacts of water withdrawals on stream temperature.

Mia Pan, DEQ: DEQ also participates in Division 33 reviews and coordination between our two agencies which we hope to capture a bit better in the Memorandum of Agreement that Smita mentioned.

Smita Mehta, DEQ: Smita reviewed priority management strategies to address TMDL pollutants and load allocations including those for streamside vegetation, flow, and channel, monitoring, information sharing, and outreach and education. She asked if there are additional strategies that should be added to the Water Quality Management Plan. No responses.

Smita Mehta, DEQ: Smita described the categories of designated management agencies, based on their potential impact on water quality. She reviewed required submittals for each category of DMA. High potential impact DMAs, i.e. ODA, ODF, and Mt. Hood National Forest, are required to complete shade gap analyses. Medium and high potential impact DMAs are required to complete streamside evaluations. All non-exempt DMAs are required to write implementation plans and associated submittals such as annual reports, year five reviews, and revised implementation plans. Smita paused for questions on implementation plan requirements.

Rebecca McCoun, ODF: Will implementation plans be expected to use the same matrix format as previous TMDLs?

Smita Mehta, DEQ: I expect it will be the same matrix.

Smita Mehta, DEQ: Smita described the timeline for each required submittal. She then described the requirements for designated management agencies to show progress by completing actions in their implementation plans and revising implementation plans every five years to adapt to changing circumstances. She noted that DMAs will not be required to monitor water quality to show achievement of water quality standards. DMAs will not be held responsible for stream temperature impacts from climate change and natural disturbances. DMAs will not be held in violation of the TMDL rule for not achieving water quality standards within five years. DMAs are not responsible for mitigating excess stream temperatures entering their jurisdiction from a neighboring jurisdiction. Smita paused for questions on the water quality management plan.

Anna Smith, BLM (in chat): Are implementation plans made available to the public?

Smita Mehta, DEQ: DEQ can make them available upon request.

Mia Pan, DEQ (in chat): The WQMP says that “TMDL implementation plans and annual reports must be posted to each DMA’s website for public transparency. If a DMA does not have a website, these documents must be made available to the public in another manner.”

Nina Caldwell, ODA: You said that DMAs won’t be held accountable for climate change-based temperature increases. How does DEQ decide which portions of the increases over time are based on climate change and how does that work?

Becky Talbot, DEQ: We don’t explicitly model for climate change, but it is included as part of our background allocations. We have noticed there’s been a pattern of stream temperature warming over the past 60-100 years or so. This means that temperature reductions have been getting steeper. We address climate change by building these temperature warming patterns directly into the background allocation.

Nina Caldwell, ODA: What to prevent DMAs or landowners from claiming all the increases are based on climate change over the next five years and not due to increases from land use?

Smita Mehta, DEQ: The water quality target will still be our water quality standards, so DMAs will still be asked to implement strategies to reduce stream temperatures.

Ryan Michie, DEQ: Typically, DEQ does not try to understand the exact influence of climate change. What we are interested in is if a DMA is meeting their implementation requirements, implementing BMPs, and doing that at a steady pace. That is what defines compliance. The assumption is that if everyone’s doing their implementation work, then we are working towards meeting the water quality standard.

Anna Smith, BLM: How are DMAs expected to meet shade targets for streams that were once perennial or intermittent but are now dry? They may become dry due to groundwater withdrawals or some sort of shift in the climate. It’s hard to grow trees without water.

Smita Mehta, DEQ: DMAs are responsible for developing and implementing their implementation plans. They are not responsible for having shade in a particular location. As long as they continue to revise and implement their plans, they will be in compliance.

Mia Pan, DEQ: Reviewed draft rule language and provided background on the fiscal, economic, and racial equity impacts review. She asked the RAC members for feedback on the following questions:

- Will the draft rule have a significant adverse impact on small businesses? – no response
- If a significant impact is identified, how could DEQ reduce the fiscal impact on small business? – no response
- Will the proposed rule impact racial equity? – no response
- What are additional considerations for environmental justice for this draft rule?
- What types of entities will be impacted by the proposed rule? – no response
- How and to what extent will the proposed rule have a positive, negative, or no impact on these entities?

Todd Reinwald, USFS Mt Hood NF: Is there any further direction on what significance is and how that's defined under the ORS? How might environmental justice be measured in this consideration? Similarly, for the fiscal impact analysis, is there a methodology that's recommended to help DMAs or others conduct that assessment? There are a number of entities that will be going through this exercise. It would be helpful to have a methodology that they should all refer to, to do the exercise consistently.

Smita Mehta, DEQ: As part of the feedback DEQ is requesting from this RAC, we are looking for what additional information you may have that you could provide to us that would help inform the fiscal impact statement. We do not have a set methodology.

Nina Caldwell, ODA: DEQ does not have a method for analyzing the fiscal impact statement other than what's already been presented to us? If we have additional concerns should we dig deeper?

Smita Mehta, DEQ: DEQ analyzed resources that are listed in the fiscal impact statement. But, if you have additional resources beyond those, we would welcome that information.

Rebecca McCoun, ODF: Thinking about costs for the entities that are required to do water quality monitoring, will DEQ be providing the equipment and leading the effort? Or, are we all doing that on our own?

Smita Mehta, DEQ: That has not been decided yet. DEQ will collaborate with those three agencies, and we'll have an initial meeting to discuss all the details of how that might work.

Mia Pan, DEQ: The draft FIS has a statement on impacts for DMAs. Please review the draft FIS and provide us with information about language that should be included.

RAC members have until Friday, June 12, 2026, to provide feedback on drafts and content provided today. They should send comments to DEQ at MiddleColumbia.TemperatureTMDL@DEQ.oregon.gov. Comments will be published, along with a summary of this RAC meeting. Mia concluded with next steps, upcoming dates for public participation, a list of DEQ project websites, and staff names and contact information.

Anna Smith, BLM: Does the cold water refugia criteria apply to this TMDL?

Becky Talbot, DEQ: No, it does not apply in the Miles Creeks TMDL area.

Mia closed the meeting. Meeting adjourned at approximately 11:45 a.m.

Non-discrimination statement

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