



Jeremiah W. (Jay) Nixon, Governor • Mark N. Templeton, Director

## DEPARTMENT OF NATURAL RESOURCES

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Mr. William S. Spratlin, Director  
Water, Wetlands and Pesticides Division  
U.S. Environmental Protection Agency  
Region 7  
901 North 5<sup>th</sup> Street  
Kansas City, KS 66101

Dear Mr. Spratlin:

Thank you for the opportunity to comment on the Environmental Protection Agency's (EPA's) proposed Section 303(d) list of impaired waters for the State of Missouri. My comments are specific to an issue involving the methods used to identify the impaired portion or segment of a water body. Additional comments are being sent directly from the Department of Natural Resources' Water Protection Program addressing other aspects of the proposed list. We would appreciate EPA accepting both letters as comments on the proposed 303(d) list for Missouri.

EPA maintains that the entire classified length of a water body should be listed, as opposed to identifying just the impaired portion. EPA justifies including the entire classified reach by explaining the need to create a historical record that efficiently tracks water quality trends on specific water bodies. EPA also explains that listing the waters in accordance with their classification lengths eases the work of comparing the listed waters to the state's water quality standards.

These concerns are understood and Missouri is working towards a remedy to this problem. Our databases are being examined and modified in an attempt to better match EPA's database formats. Also, the segmentation of waters within the water quality standards is being reviewed for options that will bring the segmentations more in line with the water quality assessment methods. For example, we may adopt a segmentation method that apportions the classified segments in accordance with stream ecology and morphology such that any data on the water segment is generally representative of the entire classified segment. The Department's intent is to make these changes within the next several years, possibly in time for the 2012 303(d) listing.

Mr. William S. Spratlin  
Page Two

In the meantime, we request EPA's assistance in ensuring against misperceptions that may result from EPA's approach to identifying impaired waters. We are concerned that an overall report of water conditions based on the 303(d) list may show an inflated number (or length) of impaired waters. The accuracy of the 303(d) list is important as such reports may be viewed as a reflection of the state's success or failure in water quality management and may influence decisions relative to this effort. We are particularly concerned with the effect that erroneous 303(d) listings may have on permitting processes and Total Maximum Daily Load (TMDL) development.

Therefore, we are requesting that EPA reconsider their decision to list the entire classified segment length without providing additional clarifying information as to the actual impaired length of the segment that the data supports.

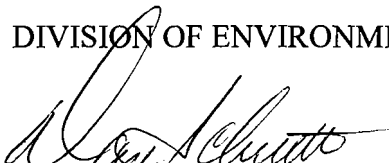
We request that EPA include information explaining the actual portion of the water body for which the water quality data and assessments applies in the final consolidated list for Missouri. This information may be crucial to avoid lengthy discussions as deadlines loom for completion of permit reviews or TMDL development.

To improve the clarity of the list, we ask that EPA expand the discussion in Section 4.D. of the decision document to explain that the partial segment identified by the Department is the portion represented by the assessed data. EPA should specifically state that the only impaired waters are those segments identified by the Department, and that the remainder of the classified portions added by EPA are shown only to enhance the year-to-year tracking of segments and help in comparing the listed waters to the state's water quality standards.

We appreciate EPA's continued support with monitoring and assessing water quality in Missouri. Please contact Mr. Rob Morrison of the Department's Water Protection Program at (573) 751-6825 if you have any questions concerning this letter.

Sincerely,

DIVISION OF ENVIRONMENTAL QUALITY



Daniel R. Schuette  
Director

DRS:psl

c: Missouri Clean Water Commission