

OFFICIAL RECORD OF PROCEEDINGS

Missoula City-County Water Quality District Board
June 18, 2009

Board Members Present: Dr. Garon Smith (Chair), Dr. Sandy Kuntz (Vice Chair), Jean Curtiss, Dr. Alan Gabster, Ross Miller, Renee Mitchell, and Eileen Sansom

Board Members Absent: Water Quality Conservation District appointee

Health Department Staff Present: Health Administration: Ellen Leahy and Julie Mohr; and Environmental Health: Shannon Therriault

Legal Counsel Present: Marnie McClain (Chief Civil Deputy County Attorney)

Others Present: Matt Arno, John Garberson, Ron Scholl, and Daniel Westberg

MEETING CALLED TO ORDER

Dr. Smith called the meeting to order at 2:12 p.m.

ITEM 1 APPROVE MAY 21, 2009

The minutes were approved as submitted.

ITEM 2 WATER QUALITY ADVISORY COUNCIL UPDATE

Shannon Therriault said Jon Harvala, a Water Quality staff member at the health department, gave the council a presentation on the impact of septic and sewer installations over time on the level of nitrates in groundwater and in the Bitterroot River. The nitrate level has declined in the river as more places connect to sewer systems.

The council also heard a presentation by staff members on proposed changes to wastewater regulations, which have not yet been introduced to the board. One proposal is to create a permitting system for well locations to address various issues that lead to, or are associated with, violations of an existing rule that prohibits drilling a well within 100 feet of a septic system. As next steps, the department will draft additional changes and obtain comments from well drillers.

In response to board questions, Ms. Therriault clarified the department currently does not issue permits for wells, reported anecdotally that the number of wells drilled in the past two years has declined, and confirmed issuance of septic permits has declined 30%. There is a board that oversees and regulates well drillers, but there are gaps in those rules; oversight of well placement is limited. No enforcement action was taken when the department referred issues to that board.

The Department of Environmental Quality and the health department have authority as to where wells should be located. They are responsible for enforcement but there is no oversight program to ensure compliance. The regulations do not provide for effective enforcement. A permitting system will enable a more dynamic process to address issues before wells are drilled in the wrong locations.

Board members commented that the actual location of water is a factor that complicates proper placement of wells in relation to septic systems. In addition to exempt wells, dense subdivisions set up with individual wells on small lots also create cascading ill effects. This is done to avoid the expenses associated with creating public water supply systems and obtaining water rights permits. The answer is to place them on public water supply systems.

Follow-up: *Director Leahy will add Jon Harvala's presentation as a future agenda item.*

ITEM 3 PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

John Garberson announced the cleanup event on the Blackfoot River is scheduled July 25, 2009.

ITEM 4 BOARD AND STAFF COMMENTS ON ITEMS NOT ON THE AGENDA

Jean Curtiss reported on the successful culmination of several years of work by the Board of County Commissioners to form an RSID and secure grant and stimulus money to repair a community water supply in Clinton that was inherited by the County and had major leaks. Next week the commissioners will hold a public meeting on the Target Range Sewer District pertaining to fees they would like to assess within the district in order to do things such as identify and replace cesspools with good septic systems.

Director Leahy clarified for board members that there were now two postcards sent out by Axmen regarding proposed changes to Air Pollution Control Program regulations. The group discussed guidelines for the public to follow at the evening hearing.

Follow-up: *Ms. Mohr will give board members copies at the evening hearing of the two Axmen postcards, the department's brochure, and a handout created by an unidentified party.*

ADJOURNMENT: Dr. Smith adjourned the meeting at 2:33 p.m.

Respectfully submitted,

Ellen Leahy
Health Officer

Garon Smith
Chair