

KANSAS-LOWER REPUBLICAN BASIN TOTAL MAXIMUM DAILY LOAD

Waterbody: Mill Creek Water Quality Impairment: Fecal Coliform Bacteria

1. INTRODUCTION AND PROBLEM IDENTIFICATION

Subbasin: Middle Kansas

Counties: Wabaunsee, Morris, and Riley

HUC 8: 10270102

HUC 11s: 100 (Main Stem), 090 (South Branch), 080 (West Branch)

Drainage Area: 316 miles² at Paxico

Main Stem Segments: 27 and West Branch: 28, & 29, starting at confluence of Kansas River, headwaters in Morris County near Alta Vista

Tributary Segments: Illinois Creek (30)
East Branch (31,33) - Unimpaired
South Branch (32) - Unimpaired
Nehring Creek (81) - Unimpaired
Loire Creek (80) - Unimpaired
Hendricks Creek (73)
Pretty Creek (74)
Paw Paw Creek (75)
Spring Creek (76)
Mulberry Creek (77)
Dog Creek (78)
Dry Creek (79)
Kuenzli Creek (82)
Snokomo Creek (85)

Designated Uses: Primary and Secondary Contact Recreation on Mill Creek and its branches (27, 28, & 29 and 31, 32 & 33) and Illinois Creek along with all other designated uses, including Special Aquatic Life Support on 27,30-33
Secondary Contact Recreation on Hendricks, Pretty, Paw Paw, Spring, Mulberry, Dog, Dry, Kuenzli, and Snokomo Creek.
Segments 27-31 and 33 are Exceptional State Waters

1998 303d Listing: Table 1 - Predominant Point and Non-point Source Impacts

Impaired Use: Secondary Contact Recreation on all listed segments; Primary Contact Recreation on Segments 27, 28, 29, & 30.

Water Quality Standard: Fecal Coliform Bacteria: 2000 colonies per 100 ml for Secondary (KAR 28-16-28e(7)(C)); 900 colonies per 100 ml for Primary (KAR 28-16-28e(7)(B))
Classified streams may be excluded from applying these criteria when streamflow exceeds flow that is surpassed 10% of the time ((KAR 28-16-28c(c)(2))

2. CURRENT WATER QUALITY CONDITION AND DESIRED ENDPOINT

Level of Support for Designated Use under 1998 303d: Not Supporting Secondary Contact Recreation

Monitoring Sites: Station 521 near Maple Hill, also 506 on West Branch Mill Creek and 519 on South Branch Mill Creek

Period of Record Used: 1990 to 1998

Flow Record: USGS Station on Mill Creek near Paxico (06888500), Recorded daily data 1968 - 1997

Long Term Flow Conditions: 10% Duration High Flow Exclusion = 400 cfs; 7Q10 = 2 cfs

Current Conditions: Since loading capacity varies as a function of the flow present in the stream, this TMDL represents a continuum of desired loads over all flow conditions, rather than fixed at a single value. Flow duration data were determined from the Paxico Gaging Station for each of the three defined seasons: Spring (Apr-Jun), Summer-Fall (Jul-Oct) and Winter (Nov-Mar). High flows and runoff equate to lower flow durations, baseflow and point source influences generally occur in the 85-99% range. Load curves were established for both Primary Contact Recreation and Secondary Contact Recreation criterion by multiplying the flow values along the curve by the applicable water quality criterion and converting the units to derive a load duration curve of colonies of bacteria per day. These load curves represent the TMDL since any point along the curve represents water quality at the standard at that flow. Historic excursions from WQS are seen as plotted points above the load curves. Water quality standards are met for those points plotting below the applicable load duration curves.

Excursions were seen in Spring and Summer-Fall. Ten percent of Spring samples and 27% of Summer-Fall samples were over the primary criterion. No Winter samples were over the secondary criterion. Overall 13% of the samples were over the criteria. This would represent a baseline condition of partial support of the impaired designated use.

PERCENT OF SAMPLES OVER WATER QUALITY STANDARDS BY FLOW AND SEASON

STREAM NAME	I M P A I R M E N T	S E A S O N	MAGNITUDE	0 TO 10%	10 TO 30%	30 TO 60%	60 TO 90%	90 TO 100 %	F R E Q U E N C Y	Current Condition of Water Quality at Site 521 Over 1990-1998
MILL CREEK	F C B	S	900-2000	0	0	10	0	0	1/10 =10 %	4/30=13%
			> 2000	0	0	0	0	0		
			> 2 X 2000	0	0	0	0	0		
	S F	S	900-2000	0	9	0	9	0	3/11 =27 %	
			> 2000	0	0	0	0	0		
			> 2 X 2000	9	0	0	0	0		
	W	W	> 2000	0	0	0	0	0	0/9= 0%	
			> 2 X 2000	0	0	0	0	0		

Data collected in 1990, 1994 and 1998 from the West Branch of Mill Creek indicated occasional excursions over the primary criterion over the spring and summer-fall seasons in each of three years. In all cases, the excursions were associated with recent runoff events. Data from 1994 and 1998 on the South Branch of Mill Creek found no violations of the water quality standards (WQS).

Desired Endpoint Condition of Water Quality at Station 521 over 2004 -2008

Overall, the endpoint of this TMDL will be to reduce the percent of samples over the applicable criteria from 13% to less than 10% for samples taken at flows below the high flow exclusion over the monitoring period of 2004-2008. This TMDL endpoint meets water quality standards as measured and determined by Kansas Water Quality Assessment protocols. These assessment protocols are similar to those used to cite the stream segments in this watershed as impaired on the Kansas 1998 Section 303d list.

Seasonal variation in endpoints is accounted for by TMDL curves established for each season and will be evaluated based on monitoring data from 2004-2008. Monitoring data plotting below the applicable seasonal TMDL curves will indicate attainment of the water quality standards. As with the overall endpoint, the manner of evaluation of the seasonal endpoints is consistent with the assessment protocols used to establish the case for impairment in these streams.

1. Less than 10 % of samples taken in Spring exceed primary criterion at flows under 400 cfs with no samples exceeding the criterion at flows under 125 cfs.
2. Less than 10% of samples taken in Summer or Fall exceed the primary criterion at flows under 400 cfs with no samples exceeding the criterion at flows under 25 cfs.
3. Less than 10% of samples taken in Winter exceed secondary criterion at flows under 400 cfs.

These endpoints will be reached as a result of expected, though unspecified, reductions in loading from the various sources in the watershed resulting from implementation of corrective actions and Best Management Practices, as directed by this TMDL. Achievement of the endpoints indicate loads are within the loading capacity of the stream, water quality standards are attained and full support of the designated uses of the stream has been restored.

3. SOURCE INVENTORY AND ASSESSMENT

NPDES: There are eight NPDES permitted wastewater dischargers located within the watershed, seven municipal and one commercial. All use waste stabilization ponds for treatment of wastewater. All existing permits should expire by end of 2000.

MUNICIPALITY	STREAM REACH	SEGMENT	DESIGN FLOW	EXPIRATION DATE
Alta Vista MWWTP	West Branch Mill Creek	29	0.126 MGD	2000
Lake Wabaunsee I.D.	East Branch Mill Creek	30	0.030 MGD	2000
Alma MWWTP	Mill Creek	27	0.165 MGD	2000
McFarland MWWTP	Paw Paw Creek	75	0.036 MGD	2000
Paxico MWWTP	Mill Creek	27	0.026 MGD	2000
Stuckey's Dairy Queen	Mill Creek	27	0.004 MGD	2000
Maple Hill MWWTP	Mill Creek	27	0.050 MGD	2000
KDOT I-70 Rest Area	Mill Creek	93	0.008 MGD	2000

Population projections for the towns indicate some modest growth for Alma and Alta Vista (7-9%) and large growth for Maple Hill (28%), McFarland (38%) and Paxico (66%) According to projections of future water use and resulting wastewater, all systems look to have sufficient treatment capacity available. At design flows, the contributions from these systems make up 12% of the flow which was exceeded during the Summer-Fall season 90% of the time. Summer-Fall is the only season where a water quality excursion occurred at relatively low flow conditions. Nonetheless, given the magnitude of the design flows of each of these lagoons, these point source impacts appear to be minimal to the watershed.

Livestock Waste Management Systems: Thirteen operations are registered or permitted within the watershed, accounting for a potential of up to 8,800 animal units. Half of those operations are associated with beef cattle and the remaining operations are either swine(3) or dairy (3). A truck wash is also noted on the lower end of the watershed. All permitted livestock facilities have waste management systems designed to minimize runoff entering their operations or detaining runoff emanating from their areas. Such systems are designed for the 25 year, 24 hour rainfall/runoff event, which would be indicative of flow durations well under 10 percent of the time. The actual number of animal units on site is variable, but typically less than permitted numbers. Tracking the excursions from the water quality standards to flow conditions at the tributary stations indicates that most excursions are related to ongoing runoff or the aftermath of a runoff event placing waste in the stream. Many of the facilities are located adjacent to the stream segments with a higher susceptibility to runoff. No operations are registered in the South Branch subwatershed.

Land Use: Most of the watershed is grassland (84%). Grazing density of livestock is uniform and moderate (38 animal units per square mile) throughout the subwatersheds. In 1997, inventories of cattle and swine in Wabaunsee County were 46,600 cattle and 12,500 hogs. The county is also ranked eighth in the state for the number of sheep (3000 head).

About seventy five percent of Wabaunsee County lies within the watershed. Assuming an even distribution, up to 35,000 cattle should be in the watershed as well as 9,400 swine. The six registered beef cattle operations account for 7120 head. The three dairies account for 150 head. The remaining cattle (estimated 27,700 head) are likely dispersed throughout the watershed in small family operations (un-permitted) and on open range/grassland.

The 3 permitted swine facilities have approximately 1466 animal units allowed under permit. At the definition of 0.4 animal units for each hog over 55 pounds (0.1 animal units for pigs under 55 pounds), the permitted facilities account for about half of the swine expected to be present in the watershed. The remainder are probably associated with small operations.

On-Site Systems: A number of residents within Wabaunsee County are in rural settings without sewer service, relying instead on on-site waste systems. Failing septic systems contribute bacteria loadings. The infrequent excursions from the water quality standards seem to indicate a lack of persistent loadings from such systems on any grand scale. It is likely that the contribution of high bacteria loads from septic systems is restricted to local areas. Additionally, population projections for Wabaunsee County indicate a modest decline in rural population to the year 2020, suggesting that proliferation of on-site systems will not be occurring in the watershed. Inspections and investigations of on-site waste systems only numbered 25 for Wabaunsee County in 1998. Numbers for 1999 are 3 in Wabaunsee County.

Contributing Runoff: The watershed has an average soil permeability of 0.5 inches/hour according to NRCS STATSGO data base. Runoff would be produced under storms ranging in duration from one to six hours, having a recurrence interval of five, ten or twenty five years. Runoff is chiefly generated as infiltration excess with rainfall intensities greater than soil

permeabilities. Generally, 94 percent of the watershed would generate runoff under dryer conditions. Moderate or wet conditions (larger storms) would see runoff contributed from 95 and 99 percent of the watershed respectively.

Background Levels: Some fecal bacteria counts may be associated with environmental background levels, including contributions from wildlife, but it is likely that the density of animals such as deer is fairly dispersed across the watershed resulting in minimal loading to the streams below the levels necessary to violate the water quality standards.

4. ALLOCATION OF POLLUTION REDUCTION RESPONSIBILITY

The nature of bacteria loading is too dynamic to assign fixed allocations for wasteloads and non-point loads. Instead, allocation decisions will be made which reflect the expected reduction of bacteria loading under defined flow conditions. These flow conditions will be defined by the presumed ability of point or non-point sources to be the dominant influence on stream water quality. Therefore, the allocation of wasteloads and loads will be made by demarcating the seasonal TMDL curves at a particular flow duration level. Flows lower than that designated flow will represent conditions which are the responsibility of point sources to maintain water quality standards, those flows greater than the designated flow are the responsibility of non-point sources up to the high flow exclusion value.

Point Sources: The municipal facilities rely on lagoon systems for wastewater detention and long holding times to minimize the release of fecal bacteria to receiving streams. All wastewater systems are currently designed to accommodate growth. The point sources are responsible to maintain their lagoons in proper working condition and appropriate detention volume to handle anticipated wasteloads of their respective populations. Ongoing inspections and monitoring of the lagoons will be made to ensure that minimal contributions have been made by these sources.

The Wasteload Allocation is defined at the flow condition where the sum of the design flows represent more than 10% of the flow or the 7Q10, whichever is greater, thereby exerting influence on the water quality of the stream. For Mill Creek at this location, that flow condition would be flows of 0-7 cfs. Such flows have been exceeded 88-97% of the time during the three seasons. Future NPDES and state permits will be conditioned such that discharges from permitted facilities will not cause violations of the applicable bacteria criteria at this low flow. The critical period will be the Summer-Fall, when flows of 7 cfs were exceeded 88% of the time.

Non-Point Sources: Based on the assessment of sources, the distribution of excursions from water quality standards and the relationship of those excursions to runoff conditions, non-point sources are seen as the primary cause of water quality violations. Background levels might be represented by the low loads plotting below each of the seasonal curves. The permitted livestock facilities rely on lagoon systems for wastewater detention and long holding times to minimize the release of fecal bacteria to receiving streams. The previous assessment suggests that livestock in small family operations and on pastureland may contribute to the occasional excursions from the

water quality standards seen during runoff conditions. Given the runoff characteristics of the watershed, overland runoff can easily carry waste material into streams.

Activities to reduce fecal pollution should be directed toward the smaller, unpermitted livestock operations in the watershed. The Load Allocation assigns responsibility for maintaining water quality below the TMDL curve over flow conditions bracketed by the low flow of 7 cfs demarcating point source influence and the high flow exclusion of 400 cfs. These flows are exceeded 20-97% of the time during the Spring, 6-88% of the time over the Summer and Fall and 8-95% of the time during the Winter. Best Management Practices will be directed toward those activities such that there will be minimal violation of the applicable bacteria criteria at higher flows.

Defined Margin of Safety: Because there will not be a traditional load allocation made for fecal bacteria, the margin of safety will be framed around the desired endpoints of the applicable water quality standards. Therefore, evaluation of achieving the endpoints should use values set 100 counts less than the applicable criteria (800 colonies for primary contact recreation; 1900 colonies for secondary contact recreation) to mark full support of the recreation designated use of the streams in this watershed. By this definition, the margin of safety is 100 colonies per 100 ml and would be represented by a parallel line lying below each seasonal TMDL curve by a distance corresponding to loads associated with 100 colonies per 100 ml.

State Water Plan Implementation Priority: This TMDL will be a High Priority for implementation because of the designation of Mill Creek as an Exceptional State Water and because Mill Creek is a tributary watershed influencing the quality of the main stem of Kansas River above Topeka.

Unified Watershed Assessment Priority Ranking: This watershed lies within the Middle Kansas Subbasin (HUC 8: 10270102) with a priority ranking of 4 (Highest Priority for restoration work).

Priority HUC 11s and Stream Segments: Because Mill Creek Segment 27 possesses the greater number of animal units on permit, its status as an Exceptional Water and its proximity to the Kansas River, the Main Stem subwatershed (HUC11 = 100) should be the priority focus of implementation while the West Branch (080) subwatershed is considered during follow-up efforts.

5. IMPLEMENTATION

Desired Implementation Activities

1. Renew necessary state and federal permits and monitor permitted facilities for permit compliance
2. Install necessary proper manure and livestock waste storage

3. Install necessary grass buffer strips along streams.
4. Install necessary pasture management practices, including proper stock density on grasslands
5. Remove feeding sites in proximity to streams
6. Reduce livestock use of riparian areas
7. Insure proper on-site waste system operations in proximity to main streams.

Implementation Programs Guidance

NPDES and State Permits - KDHE

- a. Municipal permits for facilities in the watershed will be renewed after 2000 maintaining existing operations of the lagoon systems.
- b. Livestock permitted facilities will be inspected for integrity of applied pollution prevention technologies.
- c. Registered livestock facilities with less than 300 animal units will apply pollution prevention technologies.
- d. Manure management plans will be implemented.

Non-Point Source Pollution Technical Assistance - KDHE

- a. Support Section 319 demonstration projects for pollution reduction from livestock operations in watershed.
- b. Provide technical assistance on practices geared to small livestock operations which minimize impact to stream resources.

Water Resource Cost Share & Non-Point Source Pollution Control Programs - SCC

- a. Provide alternative water supplies to small livestock operations
- b. Develop improved grazing management plans
- c. Reduce grazing density on pasturelands
- d. Install livestock waste management systems for manure storage
- e. Implement manure management plans
- f. Install replacement on-site waste systems
- g. Coordinate with USDA/NRCS Environmental Quality Improvement Program in providing educational, technical and financial assistance to agricultural producers.

Riparian Protection Program - SCC

- a. Design feeding areas away from streams
- b. Develop riparian restoration projects

Buffer Initiative Program - SCC

- a. Install grass buffer strips near streams.
- b. Leverage Conservation Reserve Enhancement Program to hold riparian land out of production.

Extension Outreach and Technical Assistance - Kansas State University

- a. Educate livestock producers on riparian and waste management techniques.
- b. Provide technical assistance on livestock waste management design.
- c. Continue Section 319 demonstration projects on livestock management.

Kansas Center for Agriculture Resources and the Environment - Kansas State University

- a. Complete research on identifying sources of fecal coliform bacteria and evaluating effectiveness of Best Management Practices on reducing bacteria contamination.

Agricultural Outreach - KDA

- a. Provide information on livestock management to commodity advocacy groups.
- b. Support Kansas State outreach efforts.

Local Environmental Protection Program - KDHE

- a. Inspect on-site waste systems within one mile of main tributary streams.

Timeframe for Implementation: Pollution reduction practices should be installed within the priority subwatershed over the years 2000-2004, with minor follow up implementation, including other subwatersheds over 2004-2008.

Targeted Participants: Primary participants for implementation will be small livestock producers operating without need of permits within the priority subwatershed. Implemented activities should be targeted at those areas with greatest potential to impact the stream.

Nominally, this would be activities located within one mile of the streams including:

1. Facilities without water quality controls
2. Unpermitted permanent feeding/holding areas
3. Sites where drainage runs through or adjacent livestock areas
4. Sites where livestock have full access to stream and stream is primary water supply
5. Grazed acreage, overstocked acreage and acreage with poor range condition
6. Poor riparian sites
7. Near stream feeding sites
8. Failing on-site waste systems

Some inventory of local needs should be conducted in 2000 to identify such activities. Such an inventory would be done by local program managers with appropriate assistance by commodity representatives and state program staff in order to direct state assistance programs to the principal activities influencing the quality of the streams in the watershed during the implementation period of this TMDL.

Milestone for 2004: The year 2004 marks the mid-point of the ten year implementation window for the watershed. At that point in time, milestones should be reached which will have at least two-thirds of the landowners responsible for the activities identified locally for assistance participating in the implementation programs provided by the state. Additionally, sampled data from Stations 521 and 506 should indicate evidence of reduced bacteria levels at moderate to low flow conditions relative to the conditions seen over 1990-1998.

Delivery Agents: The primary delivery agents for program participation will be the conservation districts for programs of the State Conservation Commission and the Natural Resources Conservation Service. Producer outreach and awareness will be delivered by Kansas State Extension and agricultural interest groups such as Kansas Farm Bureau, Kansas Livestock Association, the Kansas Pork Producers Council and the Kansas Dairy Association. On-site waste system inspections will be performed by Local Environmental Protection Program personnel for Wabaunsee County.

Reasonable Assurances:

Authorities: The following authorities may be used to direct activities in the watershed to reduce pollution.

1. K.S.A. 65-164 and 165 empowers the Secretary of KDHE to regulate the discharge of sewage into the waters of the state.
2. K.S.A. 65-171d empowers the Secretary of KDHE to prevent water pollution and to protect the beneficial uses of the waters of the state through required treatment of sewage and established water quality standards and to require permits by persons having a potential to discharge pollutants into the waters of the state.
3. K.A.R. 28-16-69 to -71 implements water quality protection by KDHE through the establishment and administration of critical water quality management areas on a watershed basis.
4. K.S.A. 2-1915 empowers the State Conservation Commission to develop programs to assist the protection, conservation and management of soil and water resources in the state, including riparian areas.
5. K.S.A. 75-5657 empowers the State Conservation Commission to provide financial assistance for local project work plans developed to control non-point source pollution.
6. K.S.A. 82a-901, et seq. empowers the Kansas Water Office to develop a state water plan directing the protection and maintenance of surface water quality for the waters of the state.
7. K.S.A. 82a-951 creates the State Water Plan Fund to finance the implementation of the *Kansas Water Plan*.

8. The *Kansas Water Plan* and the Kansas-Lower Republican Basin Plan provide the guidance to state agencies to coordinate programs intent on protecting water quality and to target those programs to geographic areas of the state for high priority in implementation.

Funding: The State Water Plan Fund, annually generates \$16-18 million and is the primary funding mechanism for implementing water quality protection and pollution reduction activities in the state through the *Kansas Water Plan*. The state water planning process, overseen by the Kansas Water Office, coordinates and directs programs and funding toward watersheds and water resources of highest priority. Typically, the state allocates at least 50% of the fund to programs supporting water quality protection. This watershed and its TMDL is a **High Priority** consideration.

In State Fiscal Year 1999, the state provided to Wabaunsee County, \$94,284 of State Water Plan Funds for non-point source pollution reduction. The Commission will decide State Fiscal Year 2000 allocations in May 1999 and is expected to direct similar amounts of funding to the county for the next fiscal year

Effectiveness: Non-point source controls for livestock waste have been shown to be effective in reducing pollution in locales such as the Herrington Lake watershed.. The key to effectiveness is participation within a finite subwatershed to direct resources to the activities influencing water quality. The milestones established under this TMDL are intended to gauge the level of participation in those programs implementing this TMDL.

Should participation significantly lag below expectations over the next five years or monitoring indicates lack of progress in improving water quality conditions from those seen over 1990-1998, the state may employ more stringent conditions on agricultural producers in the watershed in order to meet the desired endpoints expressed in this TMDL. The state has the authority to impose conditions on activities with a significant potential to pollute the waters of the state under K.S.A. 65-171. If overall water quality conditions in the watershed deteriorate, a Critical Water Quality Management Area may be proposed for the watershed, in response.

6. MONITORING

KDHE will continue to collect bimonthly samples at Station 521, including fecal coliform samples over each of the three defined seasons. During the evaluation period determining achievement of the desired endpoints of this TMDL over the period 2004-2008, more intensive sampling will need to be conducted under specified seasonal flow conditions. In Spring, at least 10 samples should be taken at flow conditions below 400 cfs, with half taken below 125 cfs. In Summer and Fall, 20 samples need to be taken below flows of 400 cfs, a majority of which will be collected at flows less than 25 cfs. In Winter 10 samples need to be taken at flows below 400 cfs. Use of the real time flow data available at the Paxico stream gaging station can direct sampling efforts.

Monitoring of bacteria levels in effluent will be a condition of NPDES and state permits for facilities using lagoons as the method of wastewater treatment. This monitoring will continually assess the functionality of the lagoon systems in reducing bacteria levels in the effluent released to the streams.

USGS should complete analysis of SSURGO soil data and 30-m resolution DEM topographic data to evaluate the relative runoff contributing areas within the watershed and provide greater resolution on where implementation activities would be most effective. This analysis should be complete in 2000.

Local program management needs to identify its targeted participants of state assistance programs for implementing this TMDL. This information should be collected in 2000 in order to support appropriate implementation projects.

7. FEEDBACK

Public Meetings: Public meetings to discuss TMDLs in the KLR Basin were held March 10, 1999 in Topeka, April 27 in Lawrence and April 29 in Manhattan. An active Internet Web site was established at <http://www.kdhe.state.ks.us/tmdl/> to convey information to the public on the general establishment of TMDLs and specific TMDLs for the Kansas-Lower Republican Basin.

Public Hearing: A Public Hearing on the TMDLs of the Kansas-Lower Republican Basin was held in Topeka on June 3, 1999.

Basin Advisory Committee: The Kansas-Lower Republican Basin Advisory Committee met to discuss the TMDLs in the basin on December 3, 1998; January 14, 1999; February 18, 1999; March 10, 1999; May 20, 1999 and June 3, 1999.

Discussion with Interest Groups: Meetings to discuss TMDLs with interest groups include:
Agriculture: November 10, 1998; December 18, 1998; February 10, 1999; April 10, 1999, May 4, 1999, June 8, 1999 and June 18, 1999.
Municipal: November 12, 1998, January 25, 1999; March 1, 1999; May 10, 1999 and June 16, 1999.
Environmental: November 3, 1998; December 16, 1998; February 13, 1999; March 15, 1999, April 7, 1999 and May 3, 1999.
Conservation Districts: March 16-18, 24-25, 1999

Milestone Evaluation: In 2004, evaluation will be made as to the degree of implementation which has occurred within the watershed and current condition of Mill Creek. Subsequent decisions will be made regarding implementation approach, follow up of additional implementation and implementation in the non-priority subwatersheds.

Consideration for 303d Delisting: The streams in this watershed will be evaluated for delisting under Section 303d, based on the monitoring data over the period 2004-2008. Therefore, the decision for delisting will come about in the preparation of the 2008 303d list. Should modifications be made to the applicable water quality criteria during the ten year implementation period, consideration for delisting, desired endpoints of this TMDL and implementation activities may be adjusted accordingly.

Incorporation into Continuing Planning Process, Water Quality Management Plan and the Kansas Water Planning Process: Under the current version of the Continuing Planning Process, the next anticipated revision will come in 2002 which will emphasize revision of the Water Quality Management Plan. At that time, incorporation of this TMDL will be made into both documents. Recommendations of this TMDL will be considered in *Kansas Water Plan* implementation decisions under the State Water Planning Process for Fiscal Years 2000-2004.

Approved January 26, 2000.