

# NEOSHO BASIN TOTAL MAXIMUM DAILY LOAD

## Waterbody: French Creek Water Quality Impairment: Dissolved Oxygen

### 1. INTRODUCTION AND PROBLEM IDENTIFICATION

**Subbasin:** Upper Cottonwood

**County:** Marion

**HUC 8:** 11070202

**HUC 11 (HUC 14s):** 010 (040)

**Drainage Area:** 35.7 square miles

**Main Stem Segment:** WQLS: 16 (French Creek) starting at Marion Lake and traveling upstream to headwaters in western Marion County (**Figure 1**).

**Designated Uses:** Expected Aquatic Life Support, Secondary Contact Recreation, Domestic Water Supply and Food Procurement for Main Stem Segment 16.

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

**Impaired Use:** Expected Aquatic Life Support

**Water Quality Standard:** Dissolved Oxygen (DO): 5 mg/L (KAR 28-16-28e(c)(2)(A))

### 2. CURRENT WATER QUALITY CONDITION AND DESIRED ENDPOINT

**Level of Support for Designated Use under 1998 303(d):** Not Supporting Aquatic Life

**Monitoring Sites:** Station 676 near Hillsboro

**Period of Record Used:** 1993, 1997, 1999-2001 for Station 676 (Kansas Biological Survey Data 1999-2000) (**Figure 2**).

**Flow Record:** Cedar Creek near Cedar Point (USGS Station 07180500) matched to area runoff for South Cottonwood River watershed and rescaled to watershed area for Sites 676.

**Long Term Flow Conditions:** 10% Exceedance Flows = 25 cfs, 95% = 0.35 cfs

# French Creek Watershed Dissolved Oxygen TMDL HUC and Stream Segment Map

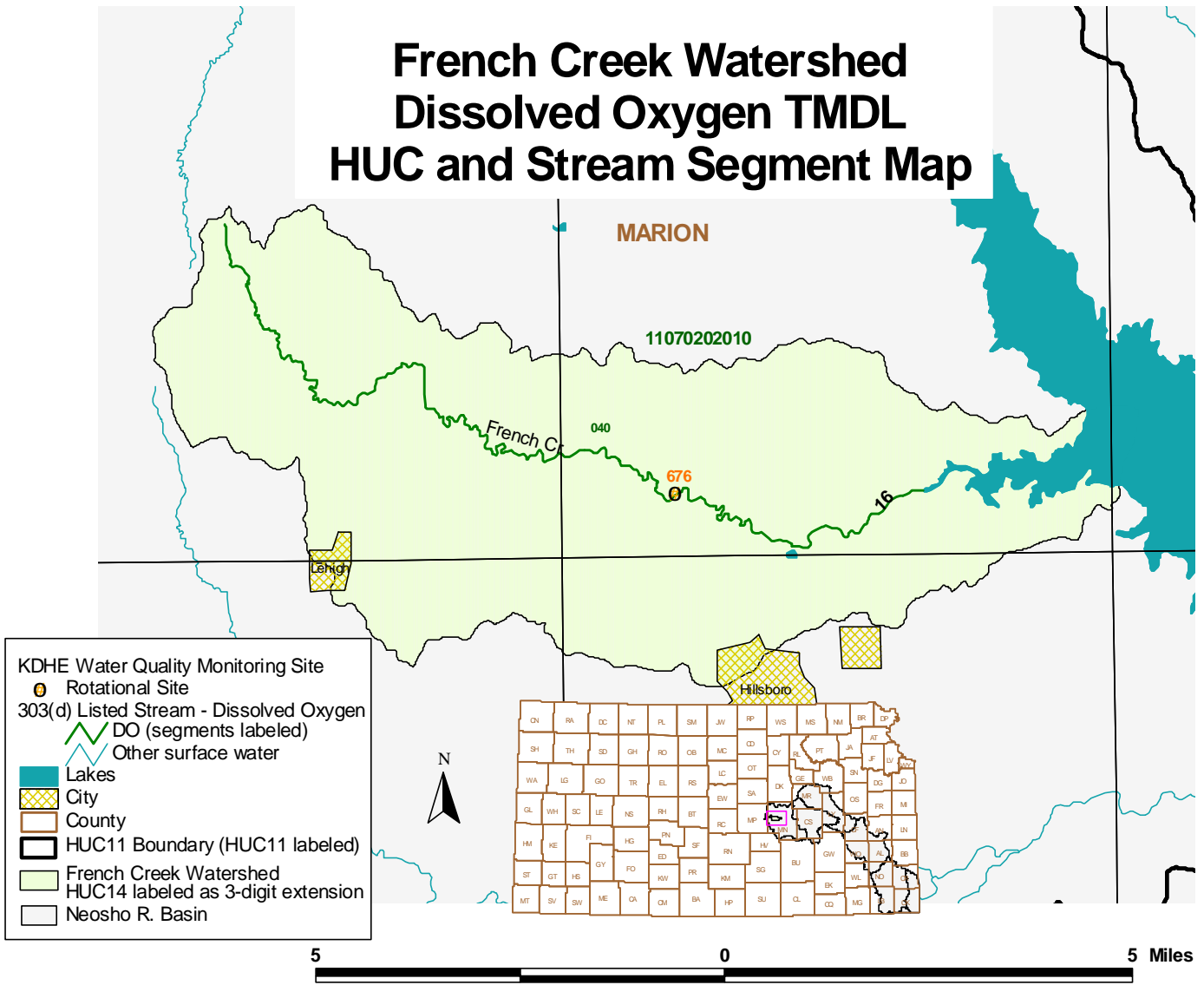


Figure 1

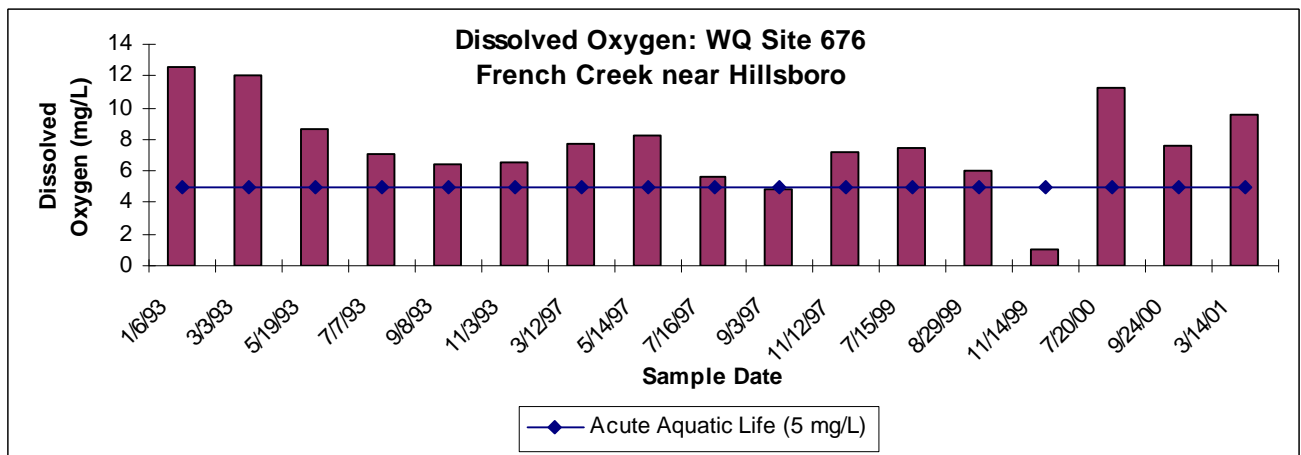
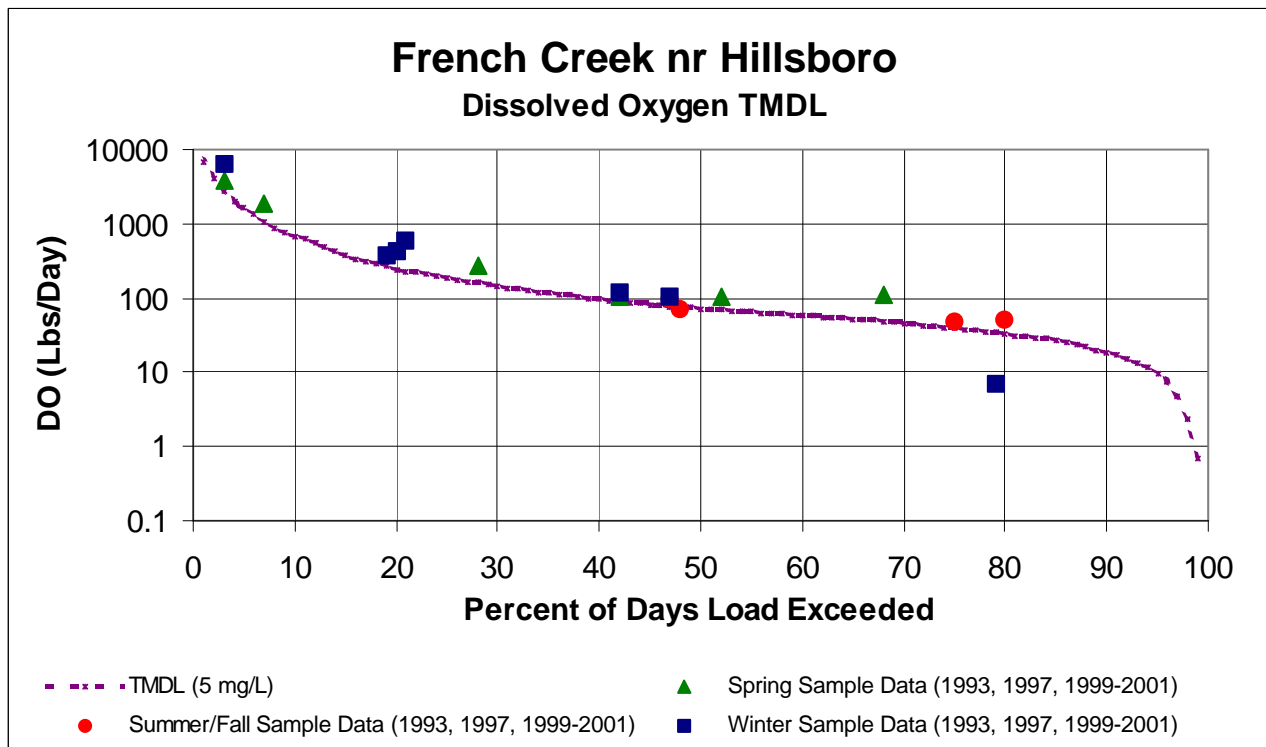


Figure 2

**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. Sample data for the sampling site were categorized for each of the three defined seasons: Spring (Apr-Jul), Summer-Fall (Aug-Oct) and Winter (Nov-Mar). High flows and runoff equate to lower flow durations; baseflow and point source influences generally occur in the 75-99% range. Load curves were established for the Aquatic Life criterion by multiplying the calculated flow values for French Creek near Hillsboro along the curve by the applicable water quality criterion and converting the units to derive a load duration curve of pounds of DO per day. This load curve graphically displays the TMDL since any point along the curve represents water quality at the standard at that flow. Historic excursions from water quality standards (WQS) are seen as plotted points *below* the load curves. Water quality standards are met for those points plotting *above* the applicable load duration curves (**Figure 3**).

Excursions were seen in two of the three defined seasons and are outlined in **Table 1**. Twenty five percent of the Summer-Fall samples and 14% of the Winter samples were below the aquatic life criterion. None of the Spring samples were under the aquatic life criterion. Overall, 12% of the samples were under the criterion. This would represent a baseline condition of partial support of the impaired designated use.

The DO violations were encountered at flows less than 2.8 cfs on French Creek near Hillsboro, therefore a critical low flow can be identified on French Creek as those flows of 2.8 cfs or less.



**Figure 3**

**Table 1**  
**NUMBER OF SAMPLES UNDER DISSOLVED OXYGEN STANDARD OF 5 mg/L BY FLOW**

Station	Season	0 to 10%	10 to 25%	25 to 50%	50 to 75%	75 to 90%	90 to 100%	Cum Freq.
French Creek near Hillsboro (676)	Spring	0	0	0	0	0	0	0/6 = 0%
	Summer	0	0	1	0	0	0	1/4 = 25%
	Winter	0	0	0	0	1	0	1/7 = 14%

A watershed comparison approach was taken in developing this TMDL. The South Cottonwood River watershed (Water Quality Sampling Site 635 in the watershed was not impaired by low DO) has similar land use characteristics (see **Table 2 in Appendix**) to the Walnut Creek watershed and is located south of the French Creek watershed in the Neosho River Basin. The relationship of DO to ammonia, biochemical oxygen demand (BOD), fecal coliform bacteria (FCB), water temperature, turbidity, nitrate, phosphorus, pH and total suspended solids (TSS) were used in the comparison.

**Table 3 in the Appendix** outlines those water quality data for the samples taken on the same day for the two sites of interest. A comparison can be made for a single date (9/3/97) in which there was a DO violation at Site 676 (see **Bold** row in Table 3). From the noted excursion on Table 3 at site 676 all parameters except TSS were actually lower than the reference site (635).

Based on this comparison, it is likely that low flow is the primary factor influencing the DO violations in the French Creek watershed.

**Desired Endpoints of Water Quality at Site 676 over 2007 - 2011**

The desired endpoint will be a biochemical oxygen demand from artificial sources such that the current average BOD concentrations remain below 2.0 mg/l in the stream under the critical flow conditions which results in no excursions below 5 mg/l of DO detected between 2007 - 2011 attributed to these sources.

This desired endpoint should maintain DO concentrations in the creek at the critical lower flows (0 - 2.8 cfs). Seasonal variation is accounted for by this TMDL, since the TMDL endpoint is sensitive to the low flow usually occurring in the Aug - November months.

This endpoint will be reached as a result of expected, though unspecified, reductions in organic loading from the various sources in the watershed resulting from implementation of corrective actions and Best Management Practices, as directed by this TMDL (see Implementation - Section 5). Sediment control practices such as buffer strips and grassed waterways should help reduce the non-point source BOD load under higher flows which, in turn, should help reduce the oxygen demand exerted by the sediment transported to the stream that may occur during the critical flow period. Achievement of this endpoint will provide full support of the aquatic life function of the creek and attain the dissolved oxygen water quality standard.

### 3. SOURCE INVENTORY AND ASSESSMENT

**NPDES:** There is one NPDES permitted wastewater discharger within the watershed (**Figure 4**). This system is outlined below in **Table 3**.

**Table 3**

DISCHARGING FACILITY	STREAM REACH	SEGMENT	DESIGN FLOW	TYPE
Lehigh WTF	French Cr. (via unnamed trib.)	16	0.03 mgd	Lagoon

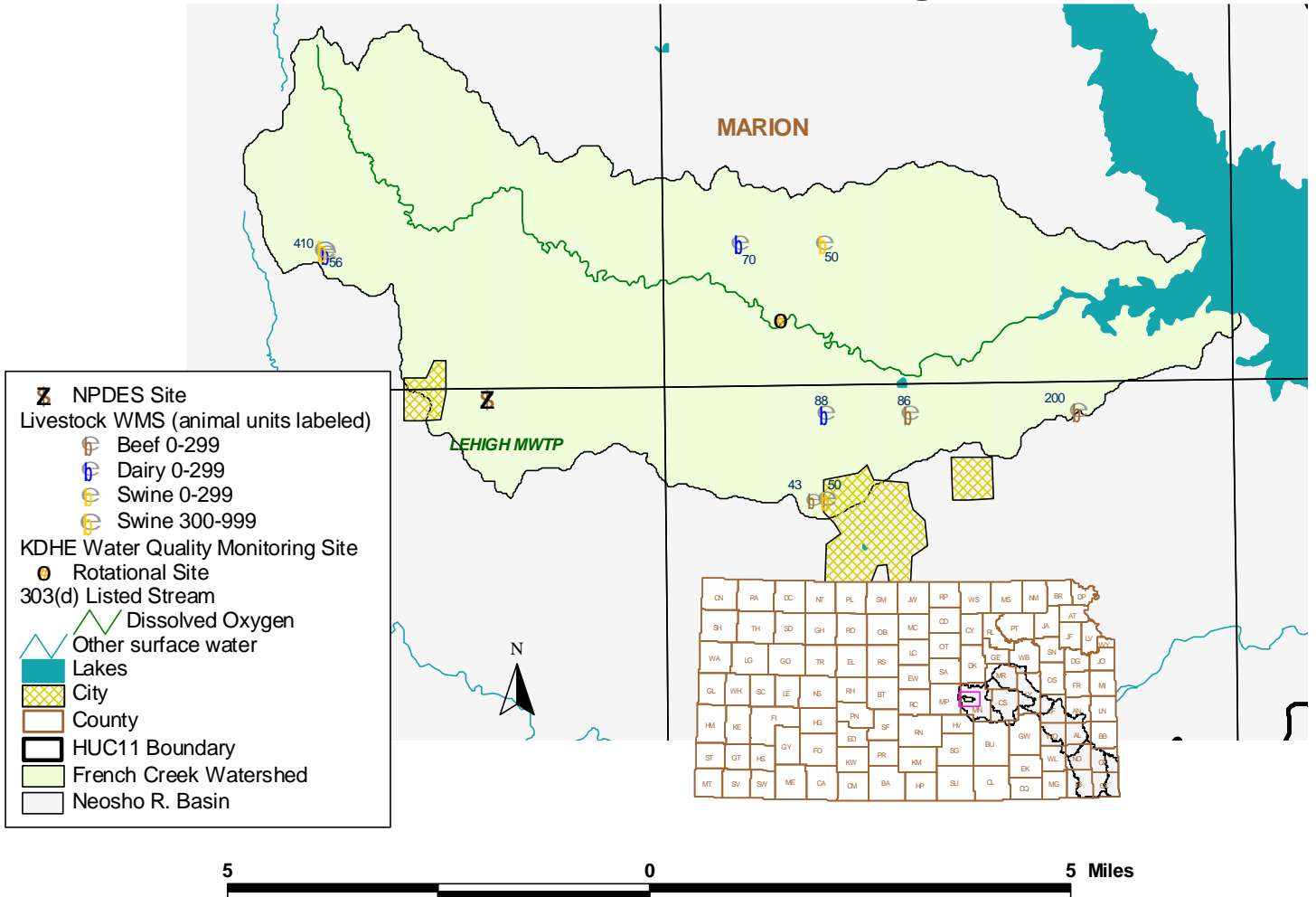
The population projection for Lehigh to the year 2020 indicate modest increases. Projections of future water use and resulting wastewater appear to be within the design flows for of the current system's treatment capacity. Examination of 1997, 1998, 1999, 2000 and 2001 effluent monitoring of the city of Lehigh indicates the city has rarely exceeded its BOD permit limit (violation dates: 12/27/00, 9/7/00, 3/24/00) and is usually well below that limit. In fact, an effluent sample was taken 12 days after the 9/3/97 DO violation on French Creek which shows effluent BOD well within permit limits (21 mg/L). Based on the low frequency of DO violations in the watershed, it is concluded that observance of current BOD permit limits for the city of Lehigh is sufficient to maintain DO levels above the current criterion.

**Livestock Waste Management Systems:** Nine operations are registered, certified or permitted within the watershed. These facilities (dairy, swine or beef facilities) tend to be located toward the lower half of watershed (**Figure 4**). 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 typically coincide with stream flows exceeded less than 1 - 5 % of the time. NPDES permits, also non-discharging, are issued for facilities with more than 1,000 animal units. None of the facilities in the watershed are of this size. Total potential animal units for all these facilities is 1,053. The actual number of animal units on site is variable, but typically less than potential numbers.

**Land Use:** Most of the watershed is cropland (67% of the area), grassland (28%), or woodland (2%). The cropland is evenly distributed across the watershed. The grazing density estimate for the watershed is low when compared to densities elsewhere in the Neosho Basin (21 animal units/mi<sup>2</sup>) (**Figure 5 or Table 2 in Appendix**).

**On-Site Waste Systems:** The watershed's population density is average when compared to densities across the Neosho Basin (21 person/mi<sup>2</sup>) (**Figure 5**). The rural population projection for Marion county through 2020 indicates little change. While failing on-site waste systems can contribute oxygen demanding substance loadings, their impact on the impaired segments is generally limited, given the small size of the rural population and magnitude of other sources in the watershed.

# French Creek Watershed NPDES Site and Livestock Waste Management Facilities



**Figure 4**

**Contributing Runoff:** The French Creek watershed’s average soil permeability is 0.5 inches/hour according to NRCS STATSGO data base. Practically all of the watershed produces runoff even under relatively low (1.71"/hr) potential runoff conditions. Under very low (1.14"/hr) potential conditions, this potential contributing area is reduced to about 72.1%. Runoff is chiefly generated as infiltration excess with rainfall intensities greater than soil permeabilities. As the watersheds’ soil profiles become saturated, excess overland flow is produced. Generally, storms producing less than 0.57"/hr of rain will still generate runoff from 66% of this watershed.

# French Creek Watershed Land Use, Population and Grazing Density

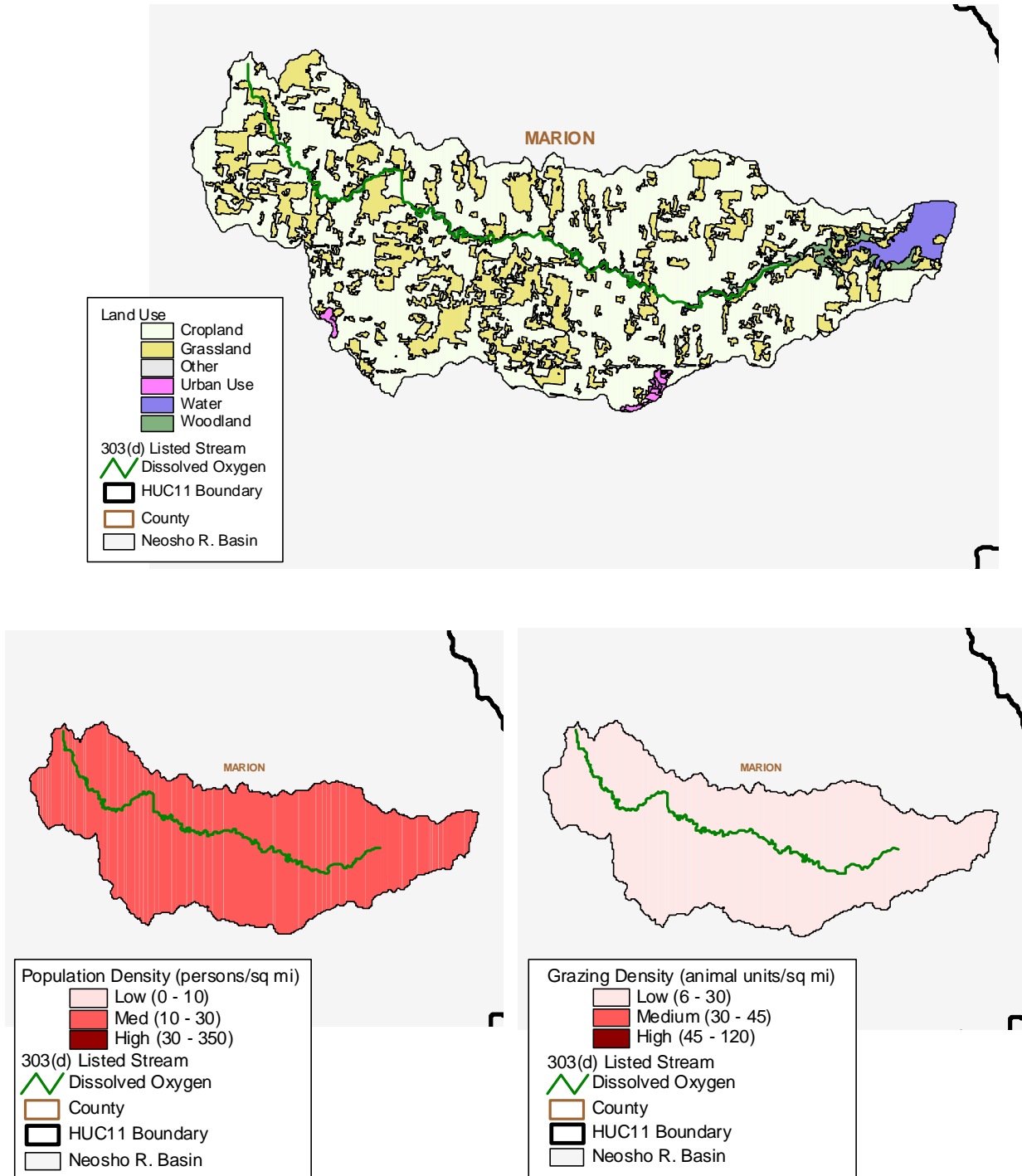


Figure 5

**Background Levels:** Some organic enrichment may be associated with environmental background levels, including contributions from wildlife and stream side vegetation, but it is likely that the density of animals such as deer is fairly dispersed across the watershed and that the loading of oxygen demanding material is constant along the stream. In the case of wildlife, this loading should result in minimal loading to the streams below the levels necessary to violate the water quality standards. In the case of stream side vegetation, the loading should be greater in the lower half of the watershed with its larger proportion of woodland near the stream.

#### **4. ALLOCATION OF POLLUTION REDUCTION RESPONSIBILITY**

BOD is a measure of the amount of oxygen required to stabilize organic matter in a stream. As such, BOD is used as a benchmark measure to anticipate DO levels while it measures the total concentration of DO that will be demanded as organic matter degrades in a stream. It is presumed that maintaining BOD loads will maintain the low frequency of DO excursions under certain critical flow conditions. Therefore, any allocation of wasteloads and loads will be made in terms of BOD reductions. Since the data at this time indicate low flow is the primary source of the DO excursion, allocations relate to the BOD levels seen in the French Creek system at site 676 relative to the historic data at the site for the critical lower flow conditions (0 - 2.8 cfs). Based on this relationship, BOD loads at site 676 need to be maintained at the historic level so that in stream average BOD is 2.0 mg/L or less. Additional monitoring over time may be needed to further ascertain the relationship between BOD contributions of non-point sources, flow conditions, and DO levels along the stream.

For this phase of the TMDL the average condition is considered across the seasons to establish goals of the endpoint and desired reductions. Therefore, the target average BOD level was multiplied by the average daily flow for French Creek across all hydrologic conditions. This is represented graphically by the integrated area under the BOD load duration curve established by this TMDL. The area is segregated into allocated areas assigned to point sources (WLA) and nonpoint sources (LA). Future growth in wasteloads should be offset by reductions in the loads contributed by nonpoint sources. This offset, along with appropriate limitations, is expected to maintain this watershed's current level of full support of aquatic life. This TMDL represents the "Best Professional Judgment" as to the expected relationship between physical factors, organic matter and DO.

**Point Sources:** Point sources are responsible for maintaining their systems in proper working condition and appropriate capacity to handle anticipated wasteloads of their respective populations. The State and NPDES permits will continue to be issued on 5 year intervals, with inspection and monitoring requirements and conditional limits on the quality of effluent released from these facilities. Ongoing inspections and monitoring of the systems will be made to ensure that minimal contributions have been made by this source.

Based upon the preceding assessment, the one point source (Lehigh) contributing a BOD load in the French Creek watershed upstream of site 676 will be considered in this Wasteload Allocation.

Streeter-Phelps analyses for the point source indicates the present BOD permit limit (30 mg/L)



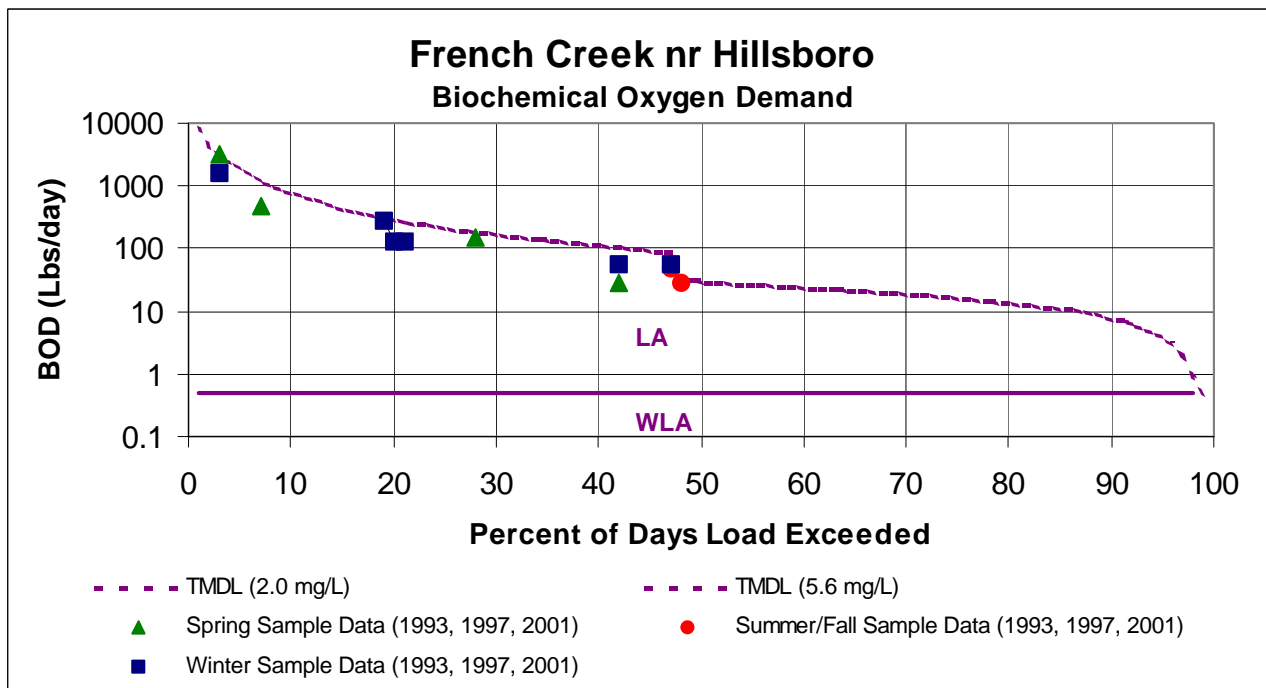
for it maintains DO levels above 5 mg/L in the stream when there is no flow upstream of the discharge point (see attached Streeter-Phelps analysis).

The design flow of the point source (0.046 cfs) redefines the lowest flow seen at site 676 (98-99% exceedance), and the WLA equals the TMDL curve across this flow condition (**Figure 6**).

From this, the WLA for the city of Lehigh is 7.45 lbs/day BOD which translates to an instream WLA of 0.5 lbs/day BOD at Site 676 (**Figure 6**).

**Non-Point Sources:** Based on the prior assessment of sources, the distribution of excursions from water quality standards at site 575 and the relationship of those excursions to runoff conditions and seasons, non-point sources may also be seen as a contributing factor to the occasional DO excursions in the watershed.

The samples from the French Creek watershed show there were no DO violations at flows in excess of 2.8 cfs. The Load Allocation assigns responsibility for maintaining the in stream BOD historic levels at site 676 to 2.0 mg/L across the 0.046 - 2.8 cfs range of the critical flow condition (48 -98% exceedance) and maintaining the in stream BOD levels at site 676 to the historical levels of 5.6 mg/L for flows in excess of 2.8 cfs (which is 90<sup>th</sup> percentile of BOD samples for flows in the French Creek above 2.8 cfs near Hillsboro). The LA equals zero for flows from 0 - 0.046 cfs (98 - 99% exceedance), since the flow at this condition is entirely effluent created, and then increases to the TMDL curve with increasing flow beyond 0.046 cfs (**Figure 6**). Sediment control practices such as buffer strips and grassed waterways should be preserved to help maintain the non-point source BOD load under higher flows as well as the oxygen demand exerted by the sediment transported to the stream that may occur during the critical flow period.



**Figure 6**

**Defined Margin of Safety:** The Margin of Safety will be implied based on conservative assumptions used in the permitting of the point source discharges including coincidence of low flow with maximum discharge from the treatment plant, associated CBOD content, temperature of the effluent, higher than expected stream velocity and the better than permitted performance of the treatment plant in producing effluent with BOD well below permit limits under critical seasonal conditions. Additionally, the target BOD concentration has been set at a conservative value since sampling data indicates exceeding this value has seldom led to a dissolved oxygen violation.

**State Water Plan Implementation Priority:** Because this watershed's incidence of exceedance from the dissolved oxygen standard is relatively low when compared to other watersheds impaired by low dissolved oxygen within the Neosho basin, this TMDL will be a Medium Priority for implementation.

**Unified Watershed Assessment Priority Ranking:** This watershed lies within the Upper Cottonwood Basin (HUC 8: 11070202) with a priority ranking of 36 (Medium Priority for restoration work).

**Priority HUC 11s and Stream Segments:** Priority should be directed toward baseflow gaining stream segments along the main stem of French Creek (9).

## 5. IMPLEMENTATION

### Desired Implementation Activities

1. None, unless impairment is confirmed by additional monitoring between 2003- 2007.

### Implementation Programs Guidance

Unless impairment is confirmed by additional monitoring between 2003- 2007, no direction is needed on implementation programs.

**Time frame for Implementation:** Conditions will be evaluated based additional on monitoring between 2003- 2007.

**Targeted Participants:** None, until 2007 evaluation.

**Milestone for 2007:** The year 2007 marks the midpoint of the ten-year implementation window for the watershed. At that point in time, additional monitoring data from Station 676 will be reexamined to confirm the impaired status of the streams within this watershed. Should the case of impairment develop, source assessment, allocation and implementation activities will ensue.

**Delivery Agents:** None at this time. Status will be re-evaluated in 2007.

## **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 Verdigris 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 TMDL is a Medium Priority consideration.

**Effectiveness:** Improvements in reducing oxygen demanding substance loading to streams can be accomplished through appropriate management and control systems, including buffer strips and riparian restoration projects.

## 6. MONITORING

KDHE will continue to collect bimonthly samples at rotational Station 676 in 2005, over each of the three defined seasons. Based on that sampling, the priority status of 303(d) listing will be evaluated in 2006. Should impaired status remain, the desired endpoints under this TMDL will be refined and implementation activities within the watershed will occur. Direct more intensive sampling may need to be conducted under specified low flow conditions over the period 2007-2011 to assess progress and success in implementing this TMDL.

## 7. FEEDBACK

**Public Meetings:** Public meetings to discuss TMDLs in the Neosho Basin were held January 9, 2002 in Burlington and March 4, 2002 in Council Grove. 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 Neosho Basin.

**Public Hearing:** Public Hearings on the TMDLs of the Neosho Basin were held in Burlington and Parsons on June 3, 2002.

**Basin Advisory Committee:** The Neosho Basin Advisory Committee met to discuss the TMDLs in the basin on October 2, 2001, January 9 and March 4, 2002.

**Milestone Evaluation:** In 2007, evaluation will be made as to the degree of implementation which has occurred within the watershed and current condition of French Creek watershed. Subsequent decisions will be made regarding the implementation approach and follow up of additional implementation in the watershed.

**Consideration for 303(d) Delisting:** The creek will be evaluated for delisting under Section 303(d), based on the monitoring data over the period 2007-2011. Therefore, the decision for delisting will come about in the preparation of the 2012 303(d) 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 2003 which will emphasize implementation of TMDLs. 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 2003-2007.

### Appendix (French Creek DO TMDL)

<b>Table 2</b>					
<b>French Cr Watershed (676)</b>			<b>S. Cottonwood River Wtrshd (635)</b>		
Land Use	Acres	% of Total	Land Use	Acres	% of Total
Cropland	15393	67.3	Cropland	58599	77.5
Grassland	6290	27.5	Grassland	15011	19.9
Urban Use	159	0.7	Urban Use	627	0.8
Water	510	2.2	Water	68	0.1
Woodland	516	2.3	Woodland	1263	1.7
<b>Total</b>	<b>22868</b>	<b>100</b>	<b>Total</b>	<b>75568</b>	<b>100</b>

<b>Table 3</b>																					
COL_DATE	DISOXY		AMMONIA		BOD		FECCOLI		NITRATE		PHFIELD		TEMP_CENT		PHOSPHU		TSS		TURBIDITY		FLOW
	676	635	676	635	676	635	676	635	676	635	676	635	676	635	676	635	676	635			
1/6/93	12.5	13.1	0.06	0.11	2.8	2.4	20	130	0.78	2.14	7.9	8.1	0	0	0.07	0.15	4	13	3.7	6	8.50
3/3/93	12.1	11.3	0.26	0.3	2.9	5.2	170	1600	1.74	2.09	7.7	7.7	1	1	0.38	0.84	164	587	111	250	99.96
5/19/93	8.6	8.4	0.05	0.05	2.2	2.2	2200	360	1.37	2.27	7.9	8	12	13	0.16	0.22	62	48	26	20	39.27
7/7/93	7.1	6.4	0.05	0.05	6	6.9	9600	77000	0.79	2	7.6	7.5	19	20	0.32	0.91	152	410	81	260	99.96
9/8/93	6.4	9.4	0.07	0.05	3.2	1.5	600	1000	1.5	2.37	7.7	8.1	15	16	0.18	0.19	112	25	33	3	2.88
11/3/93	6.5	11.4	0.05	0.07	3.7	3.4	300	20	0.54	1.9	7.6	7.8	6	5	0.05	0.13	8	9	4.3	4.5	2.88
3/12/97	7.7	15.7	0.396	0.02	5.58	7.55	40	25	0.69	0.93	7.6	8	16	13	0.79	0.15	37	24	20	8.3	8.93
5/14/97	8.3	9	0.071	0.08	4.77	4.83	1000	1100	0.49	1.93	7.8	7.9	16	18	0.10	0.27	48	72	22	31	5.93
7/16/97	5.6	9.8	0.045	0.02	1.5	1.14	200	100	0.8	1.77	7.6	8	24	26	0.15	0.22	29	13	14	4.3	3.36
<b>9/3/97</b>	<b>4.8</b>	<b>7.5</b>	<b>0.02</b>	<b>0.02</b>	<b>1.83</b>	<b>1.98</b>	<b>700</b>	<b>2400</b>	<b>0.71</b>	<b>1.77</b>	<b>7.7</b>	<b>8</b>	<b>22</b>	<b>24</b>	<b>0.21</b>	<b>0.26</b>	<b>68</b>	<b>26</b>	<b>19</b>	<b>13</b>	<b>2.80</b>
11/12/97	7.2	12.4	0.02	0.02	3.48	2.64	10	10	0.29	1.66	7.9	8.1	4	5	0.06	0.21	4	5	1.8	1.4	3.03
3/14/01	9.6	11.4	0.09	0.03	2.73	2.43			3.37	2.96	7.7	8	11	12	0.34	0.21	46	38	59	16	8.50
Avg	8.0	10.5	0.099	0.068	3.39	3.51	1349	7613	1.09	1.98	7.7	7.9	12	13	0.23	0.31	61	106	32.90	51.46	23.8

## Streeter-Phelps DO Sag Model - Stream - FrenchCrDO\_Lehigh Single Reach - Single Load

1 cfs = .0283 m<sup>3</sup>/s  
0.25 mph = 0.11176 m/s

0.0013018 Design Flow (Lehigh)

Elev (ft)	Dist to 634	Min DO	Crit Dist DO
1470	10.00	6.52	2.85

### Elevation Correction (DO)

Elevation	<b>1465 ft</b>
Correctn Factor (DO <sub>sat</sub> )	<b>0.95312 mg/L</b>

Distance (km)

Flow (m<sup>3</sup>/s)

Concentration (mg/L)

Temp ( C )

Vel (m/s)

Unless modified by upstream pt. source, upstream BOD set as target for basin

Upstream DO (where appropriate) elevation corrected and set at 90% sat.

Velocity	0.11176	Theta	1.056
BOD coef	0.23	Theta	1.024
O2 coef	4.2200		

	Flow	BOD	DO	T	Dist	Slope (ft.mi)	Calc K <sub>r</sub>
1 <b>Lehigh</b>	0.0013018	30	6.67	21.6	10	15.6	4.22
Upstream	0	0	0	0	-----		
Result at Dist (site 634)	0.0013018	22.66	6.74	21.6			

Elev = 1373 ft

**Kr Values (Foree 1977) using** 0.42 (0.63 + 0.4S<sup>1.15</sup>)  
for q < 0.05 where q = cfs/mi<sup>2</sup> and S (ft/mile)

