

## KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT NOTICE OF HEARINGS

KDHE announces a series of four public hearings on the 2010 Kansas 303(d) List of Impaired Waters. Section 303(d) of the Clean Water Act requires States to biennially prepare a list of waters failing to meet State Water Quality Standards. Such waters are required to have Total Maximum Daily Loads (TMDLs) prepared by the State to restore their water quality. A Total Maximum Daily Load is the maximum amount of the impairing pollutant that can enter the water without causing a violation of its water quality standards.

Kansas has developed TMDLs for impaired surface waters in each of the State's 12 river basins. KDHE develops and revises TMDLs for selected impairments identified in the current Section 303(d) list on a rotating basin approach. Over the course of the next two years, TMDLs will be developed for the Lower Arkansas, Upper Arkansas, and Cimarron Basins in 2011; and developed for the Missouri and Marais des Cygnes Basins in 2012. The draft 2010 Kansas 303(d) list will emphasize waters in those five basins, including an initial designation of TMDLs to be developed over the next two years. The list and its methodology are available for review on the Internet at: <http://www.kdheks.gov/tmdl/>.

Additionally, the Clean Water Act requires the States to assemble and evaluate "all existing and readily available water quality related data and information" in developing the 303(d) list. Such data includes information from local, state, and federal agencies, members of the public and academic institutions conducting research. This notice requests any data or information on the water quality condition of waters of the State over the period 2000-2009. Submitted data may include chemical, physical or biological measurements and should be accompanied by information to identify the waterbody with as much geographic specificity as possible. In order to be considered for evaluation, submissions should also ensure quality control and quality assurance of the data provided to KDHE.

The hearings will open with a brief summary of the list and its methodology as it pertains to the waters of the applicable river basin. Public testimony will then be taken after the presentation. Please provide a written copy of any testimony at the hearings. Written testimony and water quality data will be accepted by KDHE anytime prior to the close of business on Friday, March 19, 2010. KDHE will prepare a response to all public comments and revise the draft list as necessary and will submit the list, the methodology, the public comments and the KDHE response to Region VII of the U.S. Environmental Protection Agency on April 1, 2010.

The public hearings will take place in conjunction with specific Basin Advisory Committee Meetings and are scheduled as follows:

**February 23, 2010** – Mound City, KS: Courthouse Annex Building, 306 Main Street; Marais des Cygnes Basin Advisory Committee *meeting begins at 1:00pm.*

**March 2, 2010** – Great Bend, KS; Cheyenne Bottoms Visitor Center; Upper Arkansas Basin Advisory Committee *meeting begins at 1:00pm.*

**March 2, 2010** – Bern, KS; Missouri Basin Advisory Committee *TBA*

**March 3, 2010** – Hutchinson, KS; City of Hutchinson Water Treatment Plant; Lower Arkansas Basin Advisory Committee *meeting begins at 9:00 am.*

Please consult the website for the Kansas Water Office at [www.kwo.org](http://www.kwo.org) for updated locations and agendas.

If accommodations at the hearing locations are needed by persons with disabilities, notify KDHE at least five business days before the respective hearing in writing or by calling (785) 296-6170. Other inquiries regarding this notice should also be directed to Mr. Thomas Stiles at (785) 296-6170.

John Mitchell  
Director of Environment, KDHE