



Mayor Tammy de Weerd

**City Council Members:**

Keith Bird

Luke Cavener

Charlie Rountree

Joe Borton

Genesis Milam

David Zarembo

March 26, 2015

Lance Holloway  
Watershed Manager  
Idaho Department of Environmental Quality  
1410 N. Hilton  
Boise, ID 83706

SUBJECT: Review Comments and Requested Revisions – Draft Lower Boise River Subbasin Assessment & Total Maximum Daily Load, March 2015

Dear Mr. Holloway,

Below, please find review comments & requested revisions from the City of Meridian for the March 2015 draft version of the Lower Boise River Subbasin Assessment and TMDL.

Comments and responses are organized in numerical order with the general comment followed by the specific request. Text from the draft TMDL report is “*quoted in italics*”. Suggested added text is in **yellow highlight**. Existing draft text that is requested to be deleted or replaced is shown as *crossed-out*.

1. Table Classification

Comment:

Page 1, Table 17 – The title of Table 17 speaks to “*Non-Permitted Jurisdictions*”. These are non-permitted areas as illustrated within the table and the body of the TMDL.

Request:

Page 1, Table 17 - Revise title to “...*Non-Permitted Jurisdictions* **Areas**...”.

Page 1, Table 17, Page 73 Table 40, Page 100 Table 54, Page 159 Table A – table upper left entity change *Permit Holder/Agency* **Jurisdiction**.

Thank you for your comment. “Jurisdiction” in Table 17 was replaced with “areas” and “agency” as requested.

2. Characterization of MS4 Discharges

Comment:

Page 63, “Permittees and Non-Permittees” - Language that discharges within some cities in Ada County are not regulated is not fully accurate and is also duplicative between bullet points. Further, the language only specifies a small portion of the TMDL area of work rather than the watershed. Discharges in portions of cities such as Meridian and Eagle are permitted by the Ada County Highway District (ACHD) Phase II MS4 permit (EPA NPDES Permit #IDS-028185) because they are part of the Boise Urbanized Area.

Comparing the Boise Urbanized Area of 2010 to the cities jurisdictional areas of 2014 does not take into account the time difference or the fact that revised Urbanized Areas will capture current city boundaries during MS4 permit renewals. Further, it is not appropriate to dictate jurisdictional arrangements or negotiate technical requirements of MS4 permits in the TMDL document. The draft language implies that these areas and jurisdictions have existing regulatory authority, and are required to implement the specific stormwater mitigation practices identified.

### Request:

Page 63. Revise text of as follows.

*“Permittees and Non-Permittees”*

- ⊖ *“In situations where a stormwater (wet weather) or non-stormwater (dry weather) source is not currently regulated by a permit but may become part of a permitted area in the future, the allocation is currently expressed as a load allocation. The load allocation could later be deemed a wasteload allocation if the stormwater (wet weather) or non-stormwater (dry weather) discharge for the source were required to obtain NPDES permit coverage or become annexed into an existing MS4. Therefore, MS4 discharges occurring in areas within jurisdictions within Ada County which do not meet the federal MS4 definition and therefore are not regulated by NPDES permits (e.g. portions of Meridian, Eagle, unincorporated urbanized Ada County, and Southwest Boise) are authorized under existing MS4 permits and managed by the existing MS4 permittees. in those areas and therefore are not assigned specific wasteload allocations. These specific Ada County jurisdictional areas are included as load allocations in the TMDL because best management practices including education activities, construction site runoff control, on site detention of runoff, and others are in place for urban and suburban stormwater management. these jurisdictions must use their existing regulatory authority over private and municipal properties to require, onsite retention and other low impact development or area-wide green infrastructure practices to mitigate potential sources of stormwater runoff.”*
- ⊖ Bullet not needed (Combined 2<sup>nd</sup> bullet information above).

Thank you for your comment. The text was revised to the following:

- In situations where a stormwater (wet weather) or non-stormwater (dry weather) source is not currently regulated by a permit but may become part of a permitted area in the future, the allocation is currently expressed as a load allocation. The load allocation could later be deemed a wasteload allocation if the stormwater (wet weather) or non-stormwater (dry weather) discharge for the source were required to obtain NPDES permit coverage or become annexed into an existing MS4.

Therefore, discharges occurring in areas within Ada County which do not meet the federal MS4 definition (e.g. portions of Meridian, Eagle, unincorporated urbanized Ada County, and Southwest Boise) are authorized under existing NPDES permits managed by existing MS4 permittees. These areas are included as load allocations in the TMDL because best management practices including education activities, construction site runoff control, on site detention of runoff, and others are in place for urban and suburban stormwater management. Municipalities have existing regulatory authority over private and municipal properties to require, onsite retention and other low impact development or area-wide green infrastructure practices to mitigate potential sources of stormwater runoff.

Page 147. Delete the following from Table 4 paragraph.

~~“Appendix A provides more details on the areas for individual permittees or jurisdictions. Non-permittees in regulated areas (e.g. Meridian, Eagle, unincorporated urbanized Ada County, e.g., Southwest Boise) and unregulated areas need to be identified in the TMDL to ensure they are given allocations and understand their responsibilities. Many of these jurisdictions have regulatory authority over private and municipal properties that are potential sources of wet weather stormwater and dry weather runoff.”~~

No changes were made to Pg. 147. This text is within Appendix E, which was provided to DEQ by the stormwater workgroup.

Page 152. Delete the following from the first paragraph.

~~“These jurisdictions have regulatory authority over private and municipal properties that are potential sources of stormwater/dry weather runoff.”~~

No changes were made to Pg. 152. This text is within Appendix E, which was provided to DEQ by the stormwater workgroup.

We look forward to continuing work with you during the review process.

Sincerely,

Clint Dolsby, P.E.  
Assistant City Engineer  
Public Works Department  
City of Meridian

cc: Tom Barry, City of Meridian Director of Public Works  
Mollie Mangerich, City of Meridian Public Works Environmental Division Manager  
David Miles, City of Meridian Public Works Surface Water Administrator

Pete Wagner, Boise Regional Administrator, Idaho DEQ