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6/26/2017

Paula Wilson
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1410 N. Hilton
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Jason Pappani
IDEQ State Office
Water Quality Division
1410 N. Hilton
Boise, ID 83706

Submitted via email: paula.wilson@deq.idaho.gov and jason.pappani@deq.idaho.gov

RE: Comments on DEQ's Triennial Review of Water Quality Standards

Dear Ms. Wilson and Mr. Pappani:

Thank you for the opportunity to comment on the Department of Environmental Quality's (DEQ) Triennial Review of Idaho's Water Quality Standards.

Since 1973, the Idaho Conservation League has been Idaho's leading voice for clean water, clean air and wilderness—values that are the foundation for Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through public education, outreach, advocacy and policy development. As Idaho's largest state-based conservation organization, we represent over 25,000 supporters, many of whom have a deep personal interest in protecting water quality and public health throughout Idaho.

Our comments are attached to the end of this letter. Please do not hesitate to contact me at 208-345-6933 ext. 23 or ahopkins@idahoconservation.org if you have any questions regarding our comments or if we can provide you with any additional information on this matter.

Sincerely,

A handwritten signature in black ink that reads "Austin Hopkins".

Austin Hopkins
Conservation Associate

RE: Idaho Conservation League Comments on DEQ's Triennial Review of Water Quality Standards

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Man-Made Waters

In an effort to resolve contention over whether man-made waters support aquatic life, DEQ is considering designating certain jurisdictional man-made waterways for modified aquatic life use on a case-by-case basis and developing site-specific criteria to protect existing and incidental aquatic life uses.

At present, it's difficult to provide substantive comments on this proposal as little information was included on which waterways DEQ is considering designating, the criteria that will be used assess said designations, or what sort of site-specific criteria may be implemented to protect existing and incidental aquatic life uses. Prior to formally adopting this change, DEQ should provide these details and solicit comments from the public on the adequacy of this approach. Further, please note that unless a physical barrier (e.g. fish screen) is present at the inlet and outlet of a man-made water then DEQ cannot assume that the water body is incapable of hosting aquatic life. We hope this fact is taken into account when DEQ contemplates use designations.

Recreational Use Criteria

The EPA's 2012 Recreational Water Quality Criteria provided two criteria recommendations for bacteria, one that generated an illness rate of 36/1,000 users and another with an illness rate of 32/1,000 users. Idaho's criteria opted for the less stringent recommendation with an illness rate of 36/1,000 us. We ask that DEQ provide their justification for the use of EPA's criteria with a 3.6% illness rate when a criterion with a 3.2% illness rate is also recommended. We further ask DEQ to consider adopting EPA's recommended criteria with the more protective 3.2% illness rate in an effort to provide the maximum protection for all Idahoans.

Cold Water Aquatic Life Criteria for Turbidity

We disagree with DEQ's proposal to allow temporary increases in turbidity levels due to construction activities designed to stabilize streambanks and or improve aquatic habitat. Turbidity levels from these sorts of construction projects can be readily controlled by the timing of construction activities (e.g. – low flow periods), the installation of control structures to isolate the work area (e.g. – coffer dams), and the diversion of water within the work area to settling basins to remove sediment prior to being discharged back into the water body. Given all these control measures available to construction crews it seems inappropriate to change the water quality standard rather than have them utilize available best management practices.