

IDAHO GROUND WATER APPROPRIATORS, INC.

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GWD Members:

Aberdeen - American Falls GWD
Bingham - GWD
Bonneville - Jefferson GWD
Carey - GWD
Fremont - Madison - GWD
Jefferson Clark - GWD
Madison - GWD
Magic Valley - GWD
North Snake - GWD
Southwest ID

City Members:

City of American Falls
City of Blackfoot
City of Chubbuck
City of Paul
City of Heyburn
City of Jerome
City of Rupert

Business Members:

Anheuser-Busch Agricultural
United Water of Idaho
Glanbia Cheese

October 5, 2018

Ms. Paula Wilson, Administrative Rules Coordinator
Idaho Department of Environmental Quality
1410 N Hilton
Boise, ID 83706

Re: Docket No. 58-0102-1802 Revision of Recreational Use and Criteria - Comments on September Bulletin Published Rules

Dear Ms. Wilson:

Idaho Ground Water Appropriators Idaho Ground Water Appropriators, Inc. ("IGWA") is a statewide association of groundwater users comprised of nine groundwater districts, one irrigation district, and numerous municipal, commercial and industrial groundwater users. IGWA's members themselves represent thousands of groundwater users who irrigate in the aggregate over 1,000,000 acres of agricultural land in southern Idaho. IGWA's members also include several municipal water suppliers across Idaho, all of whom are dependent on groundwater for some or all of their water and municipal wastewater supplies. Today, IGWA is representing its municipal users who have expressed concern about DEQ's recreational uses and criteria.

The Idaho Department of Environmental Quality (DEQ) is proposing to revise recreational uses and criteria. Our cities recognize the value of valid information to protect our citizens and support the use of the proposed single "statistical threshold value" to trigger swimming beach closures - only. IGWA recognizes the value of information, and adequate, data when Idaho develops beneficial use impairment designations. IGWA at this present time is against the proposed rule as it is written without some substantial change of the 30 days geomean from the 90-day geomean.

With this in mind, IGWA urges the DEQ to:

- Work with the Idaho Health Districts to provide and maintain high-quality, rapid bacteria testing equipment so that technical staff can quickly respond to perceived or real public health risks within our communities;
- Use the recommended excursion rate of 10% based on 90th percentile “statistical threshold value” (STV) for freshwater swimming beach notifications, as recommended in EPA’s 2012 Recreational Water Quality Criteria (RWQC) update;
- Clarify that a 30-day geomean may apply to effluent limits, but that a 90-day geomean would apply to receive water beneficial use determinations, as the States of Oregon and Washington have;
- Apply a 25% exceedance of an STV over a 90-day geometric mean of 126 C/100 ml for e- Coli and a 25% exceedance of an STV over a 90-day geometric mean of 30 enterococci in determining beneficial use support determinations; and,
- Retain the rule language that provides for the opportunity to collect additional bacteria data in order to assure our Idaho communities that effluent limit violations and receiving water impaired beneficial use determinations are valid.

These comments mirror many of the Association of Idaho Cities comments which we believe are reasonable and should be accepted. The major concern of IGWA's municipal cities is with the IPDES permits could come into violation of recreation use designation in late June & July because of higher ambient temperatures and the nesting & breeding migratory waterfowl could cause spikes of e-Coli bacteria for short durations.

It is with this concern, IGWA must oppose the current rule on recreational use.

Sincerely yours,

Lynn Tominaga, Executive Director

LST:p