



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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March 10, 2010

Gary G. Allen, Attorney  
Givens Pursley LLP  
601 W. Bannock St.  
PO Box 2720  
Boise, ID 83701

Subject: Response to Dispute Resolution Request from City of Post Fall

Dear Mr. Allen:

The Department of Ecology accepts your request for an oral presentation to present your disputed claims to a Dispute Resolution Panel (referred to herein as the Panel). I will be your point of contact during this dispute resolution process. My contact information is included at the end of this letter.

The oral presentations are a chance for you to clarify or reinforce your disputed claims and the items included with your dispute resolution request. The oral presentation meeting has been scheduled for:

Date & Time: **April 5, 2010 from 1:00pm to 5:00pm**  
Location: Spokane Fire Department Training Complex  
1618 N. Rebecca Street, Spokane WA 99217

The oral presentations will be facilitated by a member of Ecology's Rules Unit with experience as a facilitator and hearings officer. Each disputing party (the City of Coeur d'Alene, the City of Post Falls, and Inland Empire Paper Co.) will be given 30 minutes to speak to the panel. The representatives from Ecology's Eastern Regional Office who are responsible for the *Spokane River and Lake Spokane Dissolved Oxygen TMDL* will have 30 minutes to speak to the panel in response to the information from the disputing parties' request letters. During each presentation, the panel may ask questions for clarification, and the panel will have 15 minutes for a question and answer period at the end of each presentation.

It is important to note that this is not a public hearing or judicial procedure. This is an opportunity for this TMDL to be reviewed by a dispute resolution panel consisting of Ecology



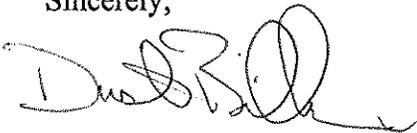
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officials and an external expert not involved in the development of the TMDL to ensure Ecology and EPA procedures were correctly followed.

A digital audio/visual projector will be available as will a laptop if you wish to present digital information. If you would like to use our laptop, I suggest the format of your materials be compatible with standard Microsoft Office applications and that you bring that information on a portable memory device (like a USB style "memory stick"). If you bring your own laptop, you will be able to connect it to the projector with a standard digital video connection. It would also be a good idea to bring five printed copies of material that is presented to give to the panel members.

If you have questions or concerns, please contact me.

Sincerely,



Dustin Bilhimer  
Spokane TMDL Dispute Resolution Coordinator  
Desk phone :(360) 407-6480  
Fax: (360) 407-6426  
Email: [dustin.bilhimer@ecy.wa.gov](mailto:dustin.bilhimer@ecy.wa.gov)

cc: Clay Larkin, Mayor  
Michael Neher  
Terry Werner  
Laurie Mann  
Jim Kimball  
Paul Klatt  
Ken Windram