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Date: 6-23-08

Please Deliver The Following Pages To:

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Firm: _____

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From:

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Department: _____ Extension: JD

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Comments: TMDL COMMENTS

THX!

Eastern Regional Office
WA Department of Ecology
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Phone: 509-329-3514

6/23/08

Dear Mr. David Moore,
Thanks for the opportunity to comment on the Second 30-Day period for the draft Spokane River and Lake Spokane dissolved Oxygen Total Maximum Daily Load Water Quality Improvement Report.

As an Idaho resident and recreational kayaker on the Spokane River, I have concerns about bi-state loads, particularly point sources from the three Idaho sewer treatment plants. During the negotiations and process of forming "foundation concepts," I noted consideration for downstream Tribal Water Quality compliance has been made. Yet, Idaho's compliance with downstream Washington State compliance does not have the same compliance considerations. I believe draft documents suggest using an "aggressive managed approach."

The Idaho NPDES permit limits are not protective of Washington's surface waters in violation of federal law. The EPA considers pollution from my State as natural backgrounds. In Salmon restoration debates, feds have called man made Dams part of the natural landscape. It is important to challenge such misconceptions, especially while utilizing science based watershed based analysis. I did testify at the NPDES hearing in Coeur d'Alene to formally object before EPA and Idaho DEQ.

4/26/07

"EPA's draft permits allocate the entire available reduction to the three sources in Idaho, ignoring the impacts of sources in Washington to dissolved oxygen levels. This approach essentially provides no lawful level of loading to any source on the Washington side of the river." (by Jay Manning, Director, Washington Department of Ecology).

Idaho's Draft Lake Management Plan will open for public comment tomorrow, the same date as the comment deadline for this Draft TMDL document. As an involved citizen on the Citizens Coordinating Council with the Basin Environmental Improvement Project Commission (Basin Commission), I am seriously concerned about the nutrient loading from the "void in regulatory authority" on the upper Spokane River, to implement and enforce Institutional Controls. My informal review of the Draft LMP has left me with disappointment in the voluntary nature of the document, and loss of Superfund remedy from the headwaters of the Spokane River to State line, as the area from the Post Falls Dam up to the Lake Coeur d'Alene are exempt from the Draft LMP. TMDL planning would be enhanced if nutrients didn't activate "settled" sediments of concern, working against the goal of restoring impaired water bodies (303d list) to a healthy condition.

The new draft LMP is to be a "living" document with continual updates utilizing adaptive management approaches. At a 5/13/08 EPA/stakeholders meeting held at your Eastern Regional office, a representative from Idaho DEQ noted the LMP does not address watershed management issues directly, with much of the CDA River Basin, as being under the TMDL cleanup program. It seems like Idaho is shifting authority to responsibly manage sediments of concern from the legacy of mining, which even if Lake Coeur d'Alene has relatively low phosphorus, activation of sediment with poor oversight for increased activities such as: dredging (220,000 cubic yds proposed at Blackwell Island Marina-located at the headwaters of the Spokane River), building seawalls, and shoreline excavation. I appreciate the "reasonable assurances" section of this updated TMDL draft, but feel a closer technological evaluation of the "hot off the press" draft Lake Management Plan is essential to this segment of the document. *- update RA section*

As a layperson, I realize complexities exist that are beyond my experience and understanding in responding to why your agency seeks a delay in at least 10 years for actually meeting water quality standards established. With the current population growth, impacts will be greater then. Source discharge technologies exist for municipal dischargers to implement effectively now. Voluntary conservation measures have little measurable effect that I know of, especially here where we have no plans for "Lott-Style" efforts, emphasizing 10-20% reductions.

While paddling, I see the irrigation of new golf courses directly from this watershed resource, while the issuance of new water rights (for example, Blackrock development) gives legal authority to this "taking" of our public water resource, especially during summer months, when limited flows impact water temperature and further diminish dissolved oxygen in the River system. "Pump the Aquifer, Rob the River."

Local County plans allow for revised set backs and variances while building at Spokane Rivers' edge, causing loss to riparian zones that help ^{with set} with nutrient loading, and ^{with} increase erosion effects. Contributors to non-point discharge sources, were primarily to give "reasonable assurances that reduction in loads will be made." I remain skeptical about these reasonable assurances, especially if water quality is to be met during critical periods. I do believe the groundwater monitoring added to the Mauaged Implementation Plan will be a valuable modification

Thank-you for considering public comments and modifications to improve the plan.

Respectfully,

Julie Dalsaso
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