November 13, 2007

Mr. Dave Knight
Eastern Regional Office
Washington Department of Ecology
4601 N. Monroe Street
Spokane, WA 99205
Email: dkni461@ecy.wa.gov

RE: Comments to the Spokane River Dissolved Oxygen TMDL

Dear Mr. Knight:

As representatives of the taxpayers and utility ratepayers of Hayden and Post Falls, Idaho, we are continuously bombarded by requests from special interest groups. Often, emotion and sound bytes are used to sway public attitude toward a specific issue. We must be able to prioritize issues and balance appropriations of public resources to provide the most benefit. At hand is the blitz of negative and distorted news releases and information regarding the efforts, especially by the Idaho wastewater treatment plant dischargers, to protect water quality in the Spokane River and Lake Spokane (formerly Long Lake). A few facts seem to be lost on their way to the public, and the public will pay dearly for rapidly diminishing returns.

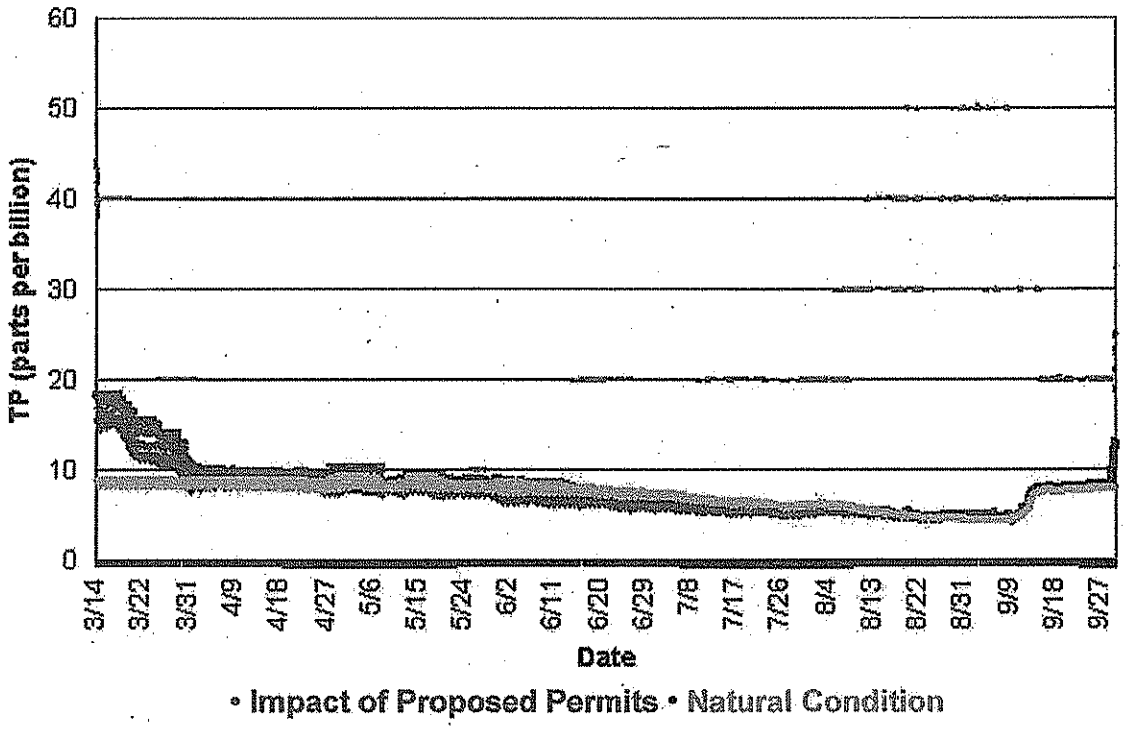
First, the draft discharge permits for Post Falls, Hayden and Coeur d' Alene to discharge treated effluent to the Spokane River requires over 99 percent phosphorus removal and will result in water quality very near natural conditions in the Spokane River. Second, it is impossible for Lake Spokane to achieve the "natural" conditions you define in your Total Maximum Daily Load (TMDL) because it is a manmade reservoir. Third, the construction cost for reducing phosphorus to 50 parts per billion (ppb) by all dischargers to the Spokane River under the currently proposed permits is going to exceed $200 million. Hundreds of thousands of dollars will also be required each year for additional operation, maintenance, chemical and sludge disposal costs. Dischargers on both sides of the border have accepted that challenge, but further spending is not wise use of precious public resources.

Fact. The draft discharge permits for Idaho ***will*** meet the Water Quality Standards for dissolved oxygen and phosphorus in the Spokane River. This fact is not easily extracted from the voluminous Washington Department of Ecology (WDOE) (TMDL) report and computer model. The TMDL only references the report titled "Assessment of the Water Quality Impact of Idaho Wastewater Treatment Plants on the Spokane River and Long Lake," by Ben Cope (EPA 2006). The following **Figure 1** from Cope's report shows that the proposed phosphorus loadings in the Idaho permits have the

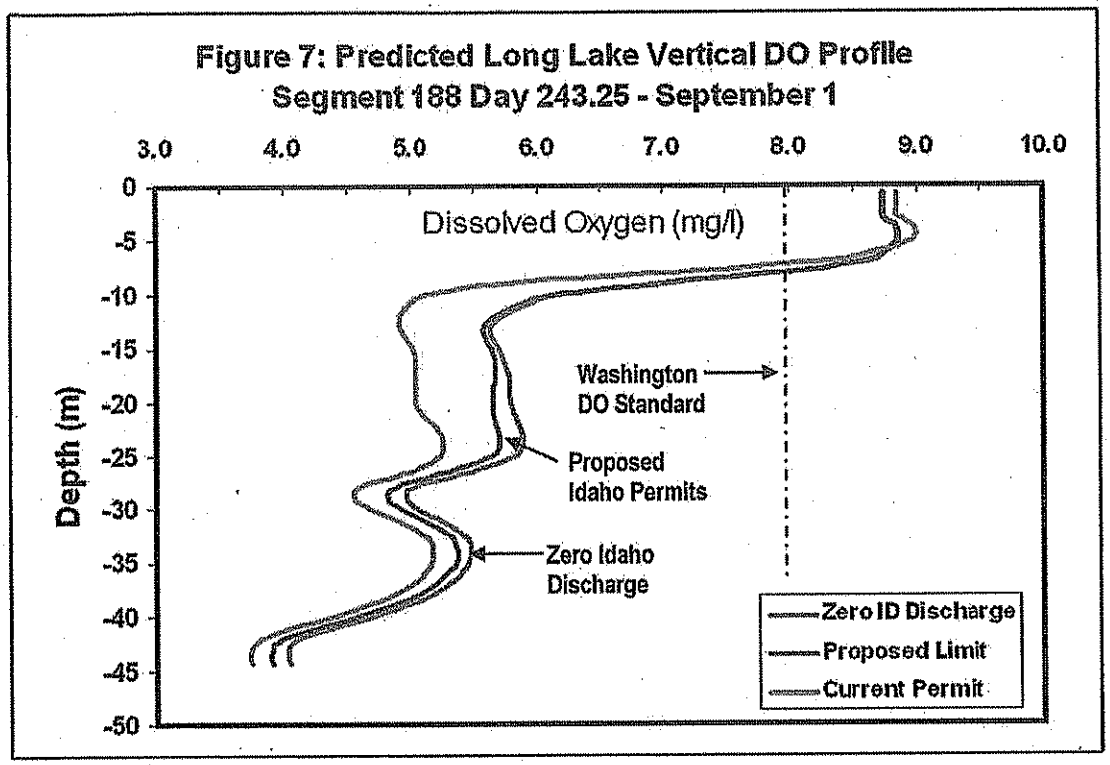
same impact as no discharge (also called natural conditions) during the critical period.

In fact, from **Figure 1**, the reduced phosphorus loadings in the proposed Idaho permits will result in the phosphorus in the Spokane River at the State Line between 5 and 9 ppb and is better than WDOE's 10 ppb goal in Lake Spokane. EPA's proposed permits for Idaho will provide some relief for Washington dischargers to add more to the river but the fact remains that Washington authority cannot go beyond the State Line, especially if the 10 µg goal for Long Lake is met at the State Line.

Figure 1 - Total Phosphorus at State Line



Fact. The proposed future phosphorus reduction to 10 ppb in the Washington TMDL for the point dischargers still ***will not*** meet the dissolved oxygen standard of 8 parts per million (ppm) in Lake Spokane and will likely not even provide a measurable improvement in the fishability and swimability of the lake. **Figure 7** below from the referenced 2006 EPA report shows that the dissolved oxygen will drop to 4 ppm even without the Idaho dischargers (green line). The same holds true for the Washington dischargers.



With all of the reductions in phosphorus, the dissolved oxygen in Lake Spokane near the dam will still remain less than 6 ppm below 35 feet deep. There will be a slight improvement in water quality but Lake Spokane will still not meet the recommended oxygen level to support the type of fisheries that the standards claim the lake can support. Because Lake Spokane is an artificial impoundment, the only way to meet Washington's Water Quality Standards and support the fisheries specified is to remove Avista's Lake Spokane Dam or provide supplemental aeration and mixing. We are not proposing this alternative, but this fact should be discussed in the Washington TMDL. The cost for additional phosphorus treatment to 10 ppb cannot be calculated at this time because it has never been achieved in full-scale wastewater plants. It will undoubtedly add hundreds of millions of dollars to the current projections for a standard that cannot be met and never existed in nature.

Fact. The water quality in the Spokane River may continue to deteriorate regardless of the proposed future reduction in phosphorus loading to 10 micrograms. The following figure shows the steady decline in the 7-day, 10-year low Spokane River flow below Upriver Dam. This declining flow may be due to climate change and/or changes in the water shed including extensive pumping near the aquifer discharge

areas. The proposed increase in minimum flow to 500 cubic feet per second (cfs) from the Post Falls dam will help to reduce the decreasing low flows. However, without additional efforts they may continue to decline. Recent studies have also indicated we need a substantial reduction in energy derived from fossil fuels to slow down or reverse the effects of climate change on precipitation patterns. At this time, prioritizing wastewater reuse, wise water use and energy conservation projects may have a more cost-effective impact on water quality than reducing phosphorus discharges to 10 ppb at a cost of several hundred million more dollars. It seems we should take a look at our priorities and pursue a more realistic approach to expectations for the Spokane River and Long Lake within our limited resources.

Another concern to Idaho dischargers was the draft TMDL (WDOE, 2004). Figure 10, "Spokane River proposed TMDL and Phosphorus Loading Reduction Strategy", showed that no discharge of phosphorus from the Hayden plant would be allowed. It also proposed to limit the loadings from Idaho to less than 5 percent of the total allowed by the point dischargers. This appeared to be an effort to substantially restrict Idaho growth so Washington sources could discharge more to the river. Fortunately, EPA mediated the situation and allowed equal rights to the river dischargers while still minimizing the effects on Lake Spokane. Unfortunately, the Spokane area has already developed beyond their ability to plan properly for wastewater reuse, which places more of a burden on the Idaho dischargers.

Post Falls and Hayden have cooperated to reduce loadings and provide a regional basin-wide approach to phosphorus reduction. However, we cannot agree to a special interest-influenced TMDL aimed at disproportionately stopping growth in Idaho.

Post Falls and Hayden have stepped up to the plate for protecting the Spokane River and the Rathdrum Prairie Aquifer. We are including extensive wastewater reuse projects far beyond what is contemplated in Washington. Over 1,000 acres have already been acquired for reuse, and many more are planned to protect the water shed and the aquifer in Idaho and Washington.

Under EPA's currently proposed permits, Washington gets a river water quality in its natural state. Idaho residents will be investing $50 - $100 million to produce that level of water quality. WDOE must look more carefully at the realistic options for Lake Spokane before demanding more.

Sincerely,

City of Post Falls

Mayor Clay Larkin

Clay Larkin, Mayor

City of Hayden

Ronald McIntire

Ronald McIntire, Mayor

Spokane R at Spokane
Summer/Fall Low Flow