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United States Environmental Protection Agency
Region 10
Delivered by email to:
collins.kathleen@epa.gov

November 22, 2011

RE: NPDES Permit Number: ID-0023981 and NPDES Permit Number: ID-0020443

Request for Hearing

Idaho Rivers United requests that the U.S. EPA conduct a public hearing on the reissuance of NPDES permits for the West Boise and Lander Street Wastewater Treatment Facilities owned by the City of Boise.

National Pollution Discharge Elimination System permits are a cornerstone of the Clean Water Act – they regulate the discharge of pollutants from point sources into the waters of the United States, in this case, the Boise River.

The Boise River flows through the largest metropolitan area in the state of Idaho, right through the middle of the capital city, Boise. The tremendous value of this natural resource can only be guessed. It's safe to say that the economic and cultural wellbeing of the Treasure Valley depend on the Boise River.

The value of the Boise River decreases as pollution levels increase. Polluted water doesn't support healthy aquatic ecosystems and the bird, plant and animal communities dependent on those ecosystems. Severely polluted water is unsuitable for agricultural or industrial use.

The bottom line is that pollution of the Boise River impacts residents, local governments, agriculture, industry, and Native Peoples as well as the ecosystem.

Regulation of pollution in the Boise River is a complicated issue that offers few opportunities for public involvement and fewer chances for public discourse. Reissuance of two NPDES permits for wastewater treatment is now under consideration. Those draft permits impose much stricter limits on discharge of phosphorus to the Boise River than the previous permits. There is serious discussion between the City of Boise and EPA Region 10 about an unprecedented offset trading project. Within a matter of years reissuance of other wastewater permits for discharge into the Boise River or its tributaries will be considered. Permits for stormwater discharge into the Boise River are also under consideration. In addition, a number of new TMDLs are currently being developed for Boise River tributaries. To cap it off, Idaho DEQ – after more than a decade delay - has initiated the process of writing a Nutrient TMDL for the Lower Boise River.

On March 16, 2011, EPA Acting Administrator Nancy K. Stoner released a “State Framework for Managing Nitrogen and Phosphorus Pollution.” In her memo, Ms. Stoner said that the amount of nitrogen and phosphorus pollution entering our waters has escalated dramatically and that this pollution has the “potential to become one of the costliest and most challenging environmental problems we face.” She went on to urge the EPA to work with states and stakeholders to “make greater progress in accelerating the reduction of nitrogen and phosphorus loadings to our nation’s water.”

The progress Ms. Stoner calls for will only come with more public involvement and better communication.

It is with all of above in mind that Idaho Rivers United requests a public hearing. EPA must take the initiative to involve a wider group of stakeholders in these incredibly important decisions.

The public hearing will allow the EPA to present basic information about the Clean Water Act and NPDES regulation, about the Boise River and the pollution problems it is challenged with, about wastewater and wastewater treatment and about the limitations and conditions in the draft permits. We suggest a time for questions be included. Oral comments would then be accepted from the public – this is an excellent way for the less experienced to learn. The public comment period should be extended for at least two weeks following the public hearing to allow everyone to digest the information, do more research if desired and submit comments.

Many issues are unfolding concerning the CWA and the Boise River. Idaho Rivers United is committed to encouraging and facilitating public participation. To be honest, the prospect of getting wide participation in the written comment period is dismal (especially given the fact that IRU did not receive notification of the issuance of the draft permit). People are much more likely to attend a public hearing. That being said, at least **one month notice is needed** to properly notify and prepare for a public hearing. To be helpful, this public hearing should be held in mid-to-late January, 2012.

Sincerely,

A handwritten signature in cursive script that reads "Liz Paul".

Liz Paul
Boise River Campaign Coordinator
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