

National Pollutant Discharge Elimination System (NPDES) Permit for

**Idaho Transportation Department - District #1
Municipal Separate Storm Sewer System (MS4)**

NPDES Permit No. IDS-028223

Response to Comments on Proposed Permit

November 2008

U.S. Environmental Protection Agency, Region 10

Table of Contents

I. Introduction	2
II. State Certification under Clean Water Act §401.....	3
III. Response to Comments.....	3
VI. Endangered Species Act.....	8
Appendix A – Final CWA §401 Certification from Idaho Dept. of Environmental Quality.....	9
Appendix B – Determination of Not Likely to Adversely Affect Listed Species and Critical Habitat under ESA	11

1. Introduction

On February 29, 2008, the U.S. Environmental Protection Agency Region 10 (EPA) proposed a draft National Pollutant Discharge Elimination System (NPDES) permit for discharges from municipal separate storm sewer system (MS4) owned and operated by the Idaho Transportation Department - District 1 (ITD1). This NPDES permit, # IDS-028223, will be referred to in this document as the ITD1 Permit or Permit.

EPA published a public notice announcing the proposed ITD1 Permit in the *Coeur d'Alene Press* on February 29, 2008. EPA also concurrently proposed four similar NPDES permits for the following entities for discharges from their MS4s: City of Coeur d'Alene (NPDES Permit #IDS-028215), Lakes Highway District (NPDES Permit #IDS-028207), City of Post Falls (NPDES Permit #IDS-028231) and Post Falls Highway District (NPDES Permit #IDS-028193). EPA hosted a public hearing regarding all of these proposed permits on the evening of April 2, 2008, at the Lake City Senior Center in Coeur d'Alene. The public comment period closed on April 29, 2008.

This document provides a response to comments received on the proposed ITD1 Permit. In some cases, the exact phrasing of the comment is presented. In other cases, substantive portions of the comment were excerpted or summarized. The Administrative Record contains complete copies of each comment letter.

Unless otherwise noted, all comments pertaining to this permit were received from ITD1. Comments relevant to each of the five concurrently proposed municipal storm water permits are also included, and are attributed to their author as indicated. These comments are organized in the order the topic or issue is found in the proposed ITD1 Permit. Where indicated, EPA has made changes to the final ITD1 Permit.

II. State Certification under Clean Water Act §401

On February 6, 2008, Idaho Department of Environmental Quality (IDEQ) provided a draft Clean Water Act (CWA) §401 certification that found that the proposed ITD1 Permit provides reasonable assurance that Idaho water quality standards will be met. IDEQ accepted public comment on the draft certification concurrently during the EPA comment period through April 29, 2008.

IDEQ issued a final CWA §401 certification on October 22, 2008. A copy of the IDEQ's final certification is also included in Appendix A.

III. Response to Comments

1. **Regarding Part II.A.2.a** – The Permit needs to identify any applicable water quality standards and points of compliance so that ITD1 can ensure compliance.

Response: This comment is relevant to all of the concurrently proposed MS4 permits for the Coeur d'Alene Urbanized Area. Therefore, to provide additional clarity, EPA has revised Parts I.C.1.c.ii, I.C.2 and II.A.2.a of the Permit to specifically reference the Idaho water quality standards found at IDAPA 58.01.02.

2. **Regarding Part II.A.2.b:** When ITD1 submitted its MS4 permit application, ITD1 identified various measurable goals associated with the requisite minimum control measures. Do the measurable goals shown in the application match EPA's expectations? Is ITD at liberty to redefine the control measures and goals in the SWMP?

Response: The measurable goals identified in the ITD1 permit application dated July 24, 2003, are consistent with EPA's expectations. In some cases, EPA has included additional requirements in the minimum control measures as outlined in Part II.B. EPA expects that ITD1 will refine the measurable goals set forth in the original application to meet the specific conditions of the final Permit.

3. **Regarding Part II.A.4:** ITD1 has maintenance agreements with the City of Coeur d'Alene for US-95 and the I-90 Business Loop (Northwest Boulevard and Sherman Avenue) through the City of Coeur d'Alene, and with the City of Post Falls along the I-90 Business Loop (Spokane Street and Seltice Way.) These agreements stipulate maintenance of stormwater infrastructure by the respective cities for these routes.

Response: Comment noted. Part II.A.4 of the permit allows ITD1 to fulfill the MS4 permit obligations through existing written agreements with other parties, according to the conditions specified therein.

4. **Regarding Part II.B.1.a:** This condition requires ITD1 to educate audiences about the impacts of storm water, particularly of employees and businesses. ITD1 is not in a position to educate businesses at large. Other than ITD1 employees,

the Department's other audiences could be described as ITD1 contractors, customers, or other agents instead of businesses in general.

Response: EPA has revised Part II.B.1.a to remove the reference to educate businesses, and has replaced that reference with "contractors, or other agents."

- 5. Regarding Part II.B.1.c and 2.b:** This condition makes reference to a website sponsored by ITD1 on which educational materials and reports will be posted. ITD website maintenance and operation is a function of ITD's Headquarters Office and not within the direct control or authority of the ITD1. It would be beneficial for EPA to inform ITD at a statewide level of this MS4 permit requirement which we assume applies to other ITD district MS4 permits as well. This will help the ITD districts reinforce to ITD Headquarters the need for website maintenance in this regard.

Response: EPA has included a similar requirement in final permits for ITD District 5 and District 6, and anticipates including this requirement in final permits for Districts 2 and 3 as well. This requirement can be met through the use of ITD's department website, or through cooperation with another entity.

- 6. Regarding Part II.B.3.b and c:** ITD1 does not have regulatory or enforcement authorities with respect to handling illicit discharges within the highway right of ways. We therefore request that these references be removed. We anticipate addressing the issue of illicit discharges through ongoing surveillance, emergency response, and coordination with law enforcement authorities.

Response: EPA acknowledges the regulatory and enforcement limitations for ITD1, but has not removed this requirement. By formally identifying written procedures by which ITD1 staff will conduct surveillance, emergency response and coordination with law enforcement authorities, ITD1 will have documented its "regulatory mechanism" to control illicit discharges to the highway right of ways to the extent allowable under state law. EPA expects that the enforcement procedures developed for this program will include coordination with adjacent municipalities, as well as coordination with state and/or federal regulatory agencies to address situations where investigation shows the discharge originates outside the permittee's (physical or legal) jurisdiction. Procedures for notifying EPA and/or IDEQ for enforcement assistance are also appropriate, where the permittee lacks legal authority to establish enforceable rules, or if the discharger repeatedly fails to comply with procedures or policies established by the permittee.

- 7. Regarding Part II.B.3.e:** ITD1 requests that the reference to businesses and general public be removed from this condition.

Response: Consistent with response #4 above, EPA has replaced "businesses and general public" with "contractors, or other agents."

8. **Regarding Part II.B.3.g:** ITD1 requests this condition be deleted because there are no industrial facilities that discharge to the highway right of way in the Urbanized Area which result in a discharge to waters of the US. We note that ITD1's MS4 responsibilities within the Urbanized Area are limited to the highly controlled I-90 right of way.

Response: The purpose of this provision is to ensure that owners/operators of MS4s are aware of all industrial discharges into their MS4. As such, EPA believes that this provision should not be removed from the Permit. Upon completing the update of its comprehensive MS4 map in the Annual Report due in the second year after permit issuance, ITD1 may then report to EPA that there are indeed no industrial facilities discharging to its MS4 within the Urbanized Area in the corresponding Annual Report in the third year.

9. **Regarding Part II.B.4.c:** The reference to an ordinance or regulatory mechanism should be removed from this condition. ITD1 only has the ability to control its own actions with respect to erosion and sediment control or the actions of its contractors and agents through business contract mechanisms.

Response: This permit condition acknowledges that ITD1 only has the ability to adopt a regulatory mechanism as allowable under state or local law. ITD1 should document in writing what controls it does have over its contractors and agents through the Annual Report and implement or continue to implement such controls.

10. **Regarding Part II.B.4.e, f and g:** These requirements are out of context with ITD1's role and responsibilities as a state highway agency. ITD1 typically prepares, reviews, and implements erosion and sediment controls and related plans on applicable ITD1 projects as required by the Construction General Permit. These requirements do not apply to ITD1 and should be removed.

Response: The purpose of these requirements is to ensure that ITD1 documents in writing how ITD1 typically prepares, reviews and implements erosion and sediment controls and related plans on individual ITD1 projects. To comply with these requirements, ITD1 must also document how public input is gathered and considered for individual projects that ITD1 and its contractors and agents conduct within the Urbanized Area. These requirements have not been removed from the Permit.

11. **Regarding Part II.B.5.b:** This requirement is written in the context of a municipal jurisdictional authority. ITD1 does not regulate stormwater management beyond actions taken on its own projects or those projects requiring right of way access. As for post construction runoff considerations ITD1's policy is to comply with applicable local requirements such as those specified by the City or county authorities. Please restate this condition in terms that better reflect ITD1's responsibility for handling post construction runoff.

Response: The purpose of this requirement is to ensure that ITD1 documents in detail ITD1's policy that requires compliance with local requirements. Where such requirements do not exist, ITD1 should identify what standards apply to such new development, or how ITD1 selects appropriate design standards. This requirement has not been removed from the Permit.

12. **Regarding Part II.B.6.c and associated fact sheet discussion:** The term "yard" should be plural – ITD1 owns two maintenance facilities within the Urbanized Area. One is located at the District headquarters site and one is located on Ramsey Road.

Response: The permit text has been revised at Parts I.A and II.B.6.c as requested. EPA does not revise the fact sheet discussion. The Response to Comments explains any such revisions or corrections to the Permit.

13. **Regarding Parts II.C. and IV:** ITD1 has learned more about its systems within the Urbanized Area since the application was submitted. As previously noted, maintenance agreements between ITD1 and the Cities of Coeur d'Alene and Post Falls delegate the MS4 maintenance responsibilities for the I-90 and US-95 Business Loop routes to the respective cities. The only portion of ITD1's MS4 that discharges to waters of the US along the I-90 beltway is located between Northwest Boulevard and Sherman Avenue and a portion of Couer d'Alene Lake Drive near Fernan Creek. In Post Falls, runoff from I-90 does not substantially contribute runoff to the Post Falls MS4.

Response: Comment noted. This does not result in a change to the Permit. ITD1 is responsible for stormwater discharges from the portion of the MS4 that it owns and/or operates.

14. **Regarding Part IV.A.5.a and Table IV.A:** As mentioned above, ITD1's only outfall is located where French Gulch crosses Sherman Avenue as well as sheet flow discharge from a portion of Coeur d'Alene Lake Drive. The City of Coeur d'Alene is responsible for the MS4 downstream of these points and for any outfall location on the Spokane River. Delete reference to sampling Coeur d'Alene Lake and Spokane River. ITD1's monitoring plan can be developed to estimate pollutant loading from I-90 itself, as determined from samples taken at French Gulch near Sherman Avenue and background stations.

Response: In Part IV.A.5.a and Table IV.A, EPA has replaced the references to Lake Coeur d'Alene and Spokane River with references to French Gulch and Fernan Creek.

15. **Regarding Part IV:** The monitoring conditions imply that monitoring must be conducted annually at the specified frequency and throughout the permit term. This may be necessary to estimate stormwater pollutant loading from the municipal system(s) as a whole, however ITD1 believes it can gather adequate information (estimate percent contribution) during the first year of monitoring.

These data can be used to bracket the pollutant contribution from the ITD1 system (*i.e.*, above and below). ITD1 requests that the conditions be modified to better reflect ITD1's monitoring goal for determining ITD1 contribution to the overall municipal system.

Response: Stormwater discharges may vary from year to year. Thus, relying on only one year of data may not reflect an accurate estimate of pollutant contribution in stormwater discharges. To establish a baseline of information that reflects a wide range of conditions, EPA expects the permittee to sample at various times over the permit term to better characterize impacts from ITD1's portion of the MS4.

16. Comment (City of Coeur d'Alene) Regarding Part IV. C. 2 – Annual Report;

It appears that the annual report is due at the end of the reporting period, which does not allow any time to compile the most recent data and assimilate it into a report. We suggest that the annual report be due 3 months after the end of the reporting period. If the permit is issued in the fall this is a very busy time for staff and the 3 month period provide adequate time to compile all the information and data and produce the report.

Response: This comment is relevant to all of the concurrently proposed MS4 permits for the Coeur d'Alene Urbanized Area. EPA agrees to address this timing issue by revising Part IV.C.2 to identify a specific date (February 15) by which the Annual Report is due to be submitted; the report will reflect work done in the previous 12 month period reporting period.

17. Comment (Spokane Tribe of Indians): The Spokane Tribe expects the Washington Department of Ecology to develop a Total Maximum Daily Load (TMDL) for polychlorinated biphenyls (PCBs) in the near future to address PCBs in the Spokane River. This NPDES permit should have some literature reference pertaining to such a TMDL because restrictions and/or modifications may need to take place prior to the expiration date of the permit.

Response: When a TMDL for PCBs is completed by Washington Department of Ecology, and approved by EPA, EPA will at that time consider whether any conditions of the TMDL require additional actions for ITD1 relative to discharges from the MS4. EPA will then determine whether modification of the permit is necessary at that time pursuant to 40 CFR 122.62.

18. Comment (Spokane Tribe of Indians): The Spokane Tribe concurs with the monitoring program for storm discharge events. This information should be used to improve MS4 permits in the future. The permit should indicate that monitoring should target any flood event during the May-June and July-August timeframe.

Response: To provide maximum flexibility to the permittee to obtain necessary samples during storm events, the permit conditions will not be modified to add any additional provisions or restrictions to the monitoring requirements. The

current monitoring data will be used to determine if more targeted monitoring, such as sampling during flood events, is needed in the next permit issuance.

IV. Endangered Species Act

The Endangered Species Act requires federal agencies to consult with the National Oceanic and Atmospheric Administration – National Marine Fisheries Service (NOAA-Fisheries) and the U.S. Fish and Wildlife Service (USFWS) if their actions could beneficially or adversely affect any threatened or endangered species. EPA evaluated the potential effects of the discharges from the ITD1 MS4 on listed endangered and threatened species in the vicinity of the Coeur d'Alene Urbanized Area, and has determined that issuance of this permit is not likely to adversely affect any threatened or endangered species or critical habitat.

Appendix B of this document includes the information used by EPA to support this determination.

Appendix A – Final CWA §401 Certification from Idaho Department of Environmental Quality



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY



2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814 • (208) 769-1422

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

October 22, 2008

Mr. Michael Lidgard
U.S. Environmental Protection Agency
Region 10
1200 6th Avenue, OW-130
Seattle, WA 98101

RE: Final 401 Water Quality Certification for Idaho Transportation Department
Municipal Separate Storm Sewer System (MS4) NPDES Permit # IDS-028223.

Dear Mr. Lidgard,

The State of Idaho Department of Environmental Quality (Department) has reviewed the proposed MS4 permit for Idaho Transportation Department. This letter will serve as the Department's final Water Quality Certification.

WATER QUALITY CERTIFICATION

Based on the Department's review of the referenced permit, the Department certifies, pursuant to the provisions of Section 401 of the Federal Water Pollution Control Act (Clean Water Act) as amended, 33USC Section 1341, and Idaho Code Sections 39-101 et. seq., and 39-3601 et. seq., that if the permittee complies with the terms and conditions as written in Permit #IDS 028223, then there is a reasonable assurance that the authorized discharges of storm water will comply with applicable requirements of Sections 301, 302, 306 and 307 of the Clean Water Act.

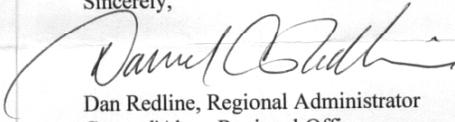
This §401 Certification decision may be appealed pursuant to the Idaho Environmental Protection and Health Act, Idaho Code § 39-107(5) and the Idaho Administrative Procedure Act. Such an appeal is a prerequisite to any district court action and must be initiated by filing a petition for a contested case in accordance with the Rules of Administrative Procedure before the Department of Environmental Quality Board

Mr. Michael Lidgard
October 22, 2008
Page 2

(IDAPA 58.01.23) within thirty-five (35) days of the date of the Department's decision regarding the 401 certification.

Questions regarding this certification can be directed to June Bergquist at 208/666-4605 or e-mail to: june.bergquist@deq.idaho.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Redline".

Dan Redline, Regional Administrator
Coeur d'Alene Regional Office

cc: Barry Burnell, DEQ
Doug Conde, DEQ

Appendix B – Endangered Species Act Determination of Not Likely to Adversely Affect Listed Species

The Endangered Species Act requires federal agencies to consult with the National Oceanic and Atmospheric Administration – National Marine Fisheries Service (NOAA-Fisheries) and the U.S. Fish and Wildlife Service (USFWS) if their actions could beneficially or adversely affect any threatened or endangered species. EPA evaluated the potential effects of the discharges from the Idaho Transportation Department-District 1 (ITD1) MS4 on listed endangered and threatened species in the vicinity of the Coeur d’Alene Urbanized Area, and has determined that issuance of this permit is not likely to adversely affect any threatened or endangered species or critical habitat.

EPA reviewed the current list of endangered and threatened species from the USFWS, dated June 1, 2008 (14420-2008-SL-0354). For Kootenai County, Idaho, the following species are listed: Canada lynx (*Lynx canadensis*), Water howellia, (*Howellia aquatilis*), Spalding’s catchfly (*Silene spaldingii*) and bull trout (*Salvelinus confluentus*). Species lists available from NOAA Fisheries do not identify any additional listed endangered or threatened species within this portion of the Spokane River basin.

Canada Lynx

Canada lynx generally occur in boreal and montane regions dominated by coniferous or mixed forest with thick undergrowth, but they may also enter open forest, rocky areas, and tundra to forage for abundant prey. (Koehler 1990). Resident populations currently exist only in Maine, Montana, Washington and possibly Minnesota. The lynx is considered extant but no longer sustaining self-support populations in Idaho. (USFWS 1998). Hunting and habitat destruction are the primary causes of the Canada lynx decline.

Issuance of an NPDES permit for ITD1 MS4 discharges within the Coeur d’Alene Urbanized Area will not result in habitat destruction, nor will it result in changes in population that could result from increased habitat destruction. Furthermore, issuance of this permit will not impact the food sources of the Canada lynx. Lynx are not an aquatic or aquatic dependent species; therefore any contact with water near a stormwater outfall within the urban area is unlikely and expected to be very infrequent. Therefore, EPA has determined that issuance of this permit will have no effect on the Canada lynx.

Water Howellia

Water Howellia grows in firm consolidated clay and organic sediments that occur in wetlands associated with ephemeral glacial pothole ponds and former river oxbows. The known Idaho population of Water Howellia is found within Latah County, near Harvard, Idaho. Water Howellia appears to be extirpated from Kootenai County in Idaho (USFWS, et al, 2007a). EPA has therefore determined that issuance of this permit will have no effect on Water Howellia.

Spalding's Catchfly

Spalding's Catchfly is an herbaceous perennial plant found in open, moist grassland communities, although it is occasionally also found within sagebrush-steppe communities as well as pine forests. The plant is typically found at elevations ranging from 420 to 1,555 meters (1,380 to 5,100 feet), usually in deep, productive loess soils (fine, windblown soils). Plants are generally found in swales or on north or east facing slopes where soil moisture is relatively higher. The final recovery plan for Spalding Catchfly (USFWS 2007b) includes a map of known populations of the species which suggest that the species are not known to occur near the Coeur d'Alene Urban Area within Kootenai County.

Issuance of an NPDES permit for the ITD1 MS4 discharges within the Coeur d'Alene Urbanized Area will not result in habitat destruction. Therefore, EPA has determined that issuance of this permit will have no effect on Spalding's Catchfly.

Bull Trout

Bull trout are native to the Pacific Northwest and western Canada and are widespread throughout the tributaries of the Columbia River Basin, including the headwaters of the Columbia in Montana and Canada (63 FR 31647, June 10, 1998). The USFWS listed the Columbia River segment of the bull trout population as threatened on June 10, 1998. That listing did not designate critical habitat (63 FR 31647). However, critical habitat was designated in 2005, and this designation included Lake Coeur d'Alene (70 FR 56212).

The Idaho Department of Fish and Game (IDFG) has stated that there is no reproducing population of bull trout in the Spokane River or any of its tributary streams and that the only bull trout that would be expected to be found in the Spokane River would be transients from Lake Coeur d'Alene. There is an adfluvial population that spawns in the headwaters of the St. Joe River, which is a tributary to Lake Coeur d'Alene. IDFG also stated that there is no fish passage at the Post Falls Dam (communication between Brian Nickel, EPA, and Ned Horner, IDFG, 2/1/07). EPA fact sheets for the 1999 reissuances of the NPDES permits for wastewater treatment plants discharging to the Spokane River state that bull trout cannot get past the Post Falls Dam and that bull trout in the Spokane River are probably transients from Lake Coeur d'Alene (EPA 1999a, 1999b, 1999c). There is no known population of bull trout in the Spokane River downstream of the Post Falls dam (FERC 2006).

ITD1 owns and operates drainage systems associated with I-90, US-95 and a portion of Coeur d'Alene Lake Drive east of Coeur d'Alene. As noted in this response to comments document, ITD1 discharges to Fernan Creek and French Gulch, but does not discharge directly to Lake Coeur d'Alene or Spokane River. This permit requires a comprehensive map and system assessment to be completed by ITD1.

Based on the location of outfalls as cited by ITD1, EPA determines that discharges from ITD1 outfalls will have no effect on critical habitat for bull trout.

EPA's permit requires ITD1 to develop, implement and enforce a Storm Water Management Program (SWMP) designed to reduce pollutants to the maximum extent

practicable and to protect water quality. EPA regulations require SWMPs to address six minimum control measures as defined in 40 CFR 122.32. Narrative effluent limits in the permit outline the specific actions which must be taken to implement following minimum measures:

- 1) Public education and outreach efforts educate the public on impacts of stormwater runoff so individuals can take actions to protect or improve the water quality.
- 2) Public involvement activities in development of the SWMP should encourage public participation in its implementation.
- 3) Illicit discharge detection and elimination to accurately map all storm sewer outfalls, prohibit discharges of non-storm water to the system, detect and address non-storm water discharges and inform the public of the hazards of illegal discharges and improper disposal of waste. EPA regulations allow MS4 operators to develop a comprehensive storm sewer system map as a result of the first five-year NPDES permit term. This program should significantly reduce any illicit discharges to the system that may contain contaminants that could potentially harm the snails.
- 4) Construction site runoff control ordinance to require the use of appropriate erosion, sediment and onsite waste control at construction sites, which will reduce pollutant discharges during the construction process.
- 5) Post-construction stormwater management requirements for new development and redevelopment ensure that appropriate stormwater pollution controls are included in the design of developments to reduce pollutant discharges in storm water runoff after construction is complete.
- 6) Pollution prevention/good housekeeping for municipal operations ensure that existing municipal operations and maintenance activities are performed to minimize contamination of stormwater discharges.

Since the stormwater discharges covered by this Permit have existed for many years, all of the activities required in the implementation of the ITD1 SWMP should have a beneficial effect on the bull trout population by reducing the levels of environmental contaminants in existing storm water discharges. Therefore, EPA determines that issuance of this permit for any discharges from the ITD1 storm water outfalls to Fernan Creek and French Gulch may affect, but are not likely to adversely affect, bull trout in the Spokane River or Lake Coeur d'Alene.

References

FERC. 2006. *Draft Environmental Impact Statement. Spokane River and Post Falls Hydroelectric Projects*. Federal Energy Regulatory Commission. Office of Energy Projects. December 2006.

Fraley, J.J., and B. B. Shepard. 1989. Life History, Ecology, and Population Status of Migratory Bull Trout (*Salvelinus confluentus*) in the Flathead Lake and River System, Montana. *Northwest Science*, 63(4): 133-143.

Idaho Department of Fish and Game. 2005. Idaho Comprehensive Wildlife Conservation Strategy. Idaho Conservation Data Center, Idaho Department of Fish and Game, Boise, ID. <http://fishandgame.idaho.gov/cms/tech/CDC/cwcs.cfm>

Koehler, G. M. 1990. Population and habitat characteristics of lynx and snowshoe hares in north central Washington. *Canadian Journal of Zoology* 68:845-851.

NPCC (Northwest Power and Conservation Council). 2004. Intermountain province subbasin plan. Spokane, Washington.

Rieman, B.E. and J.D. McIntyre. 1993. *Demographic and Habitat Requirements for Conservation of Bull Trout*. USDA Forest Service, Intermountain Research Station. Gen. Tech. Rep. INT-302.

U.S. Environmental Protection Agency (EPA) Region 10. 1999. *Fact Sheet for Draft NPDES Permit for the City of Coeur d'Alene (ID0022853)*. Office of Water. June 18, 1999.

U.S. Environmental Protection Agency (EPA) Region 10. 2006. *Fact Sheet for Draft NPDES Permit for the City of Coeur d'Alene (ID0022853)*. Office of Water and Watersheds.

U.S. Environmental Protection Agency (EPA) Region 10. 1999. *Fact Sheet for Draft NPDES Permit for the City of Post Falls (ID0025852)*. Office of Water. June 18, 1999.

U.S. Environmental Protection Agency (EPA) Region 10. 2006. *Fact Sheet for Draft NPDES Permit for the City of Post Falls (ID0025852)*. Office of Water and Watersheds.

U.S. Environmental Protection Agency (EPA) Region 10. 1999. *Fact Sheet for Draft NPDES Permit for the Hayden Area Regional Sewer Board (ID0026590)*. Office of Water. June 18, 1999.

U.S. Environmental Protection Agency (EPA) Region 10. 2006. *Fact Sheet for Draft NPDES Permit for the Hayden Area Regional Sewer Board (ID0026590)*. Office of Water and Watersheds.

USFWS (United States Fish and Wildlife Service). 1996. Water Howella (*Howella aquatilis*) recovery plan. Helena, Montana.

USFWS. 1998. Endangered and Threatened Wildlife and Plants; Proposal To List the Contiguous United States Distinct Population Segment of the Canada Lynx; Proposed Rule U.S. Fish and Wildlife Service. *Fed. Regist.*, July 8, 1998, 63: 36993

USFWS. 2002. *Howella aquatilis* (water howellia) - Threatened. Section 7 guidelines, Snake River Basin office, species guidance summary.

U.S. Fish and Wildlife Service. 2002. Chapter 15, Coeur d'Alene Lake Basin Recovery Unit, Oregon. 92 p. *In*: U.S. Fish and Wildlife Service. Bull Trout (*Salvelinus confluentus*) Draft Recovery Plan. Portland, Oregon.

USFWS, Bureau of Land Management, U.S. Forest Service, and

Coeur d'Alene Indian Tribe. 2007a. Coeur d'Alene Basin Final Interim Restoration Plan and Environmental Assessment.

U.S. Fish and Wildlife Service. 2007b. Recovery Plan for *Silene spaldingii* (Spalding's Catchfly). U.S. Fish and Wildlife Service, Portland, Oregon.