



September 4, 2015

Ms. Paula Wilson
Idaho Department of Environmental Quality
1410 North Hilton
Boise, ID 83706

Re: Docket No. 58-0102-1501

Dear Ms. Wilson:

The Department of Environmental Quality (Department) has proposed rule language pertaining to revising or designating uses assigned to water bodies, including Use Attainability Analysis (UAA). The Idaho Association of Commerce & Industry (IACI) is the leading voice for Idaho business and has been an active participant in a number of recent water quality rulemakings.

IACI has a comment on one part of the proposed rule that was also a part of the rulemaking on changes to the water quality criteria to protect human health: attainment and maintenance of downstream waters. As IACI commented during the rulemaking on human health criteria, the language on “downstream waters” (see IDAPA 58.01.02.102.01.v) should be deleted. This proposed language adds new terms (“attainment” and “maintenance”) that are not defined in the Idaho rules. It is not clear how “attainment and maintenance” of downstream waters, especially those of downstream states, would be considered in the UAA process. Furthermore, the downstream water provision is not a specific requirement for conducting a UAA pursuant to 40 CFR 131.10(g). Therefore, IACI recommends you delete the language in proposed IDAPA 58.01.02.102.01.v.

We appreciate the opportunity to comment on this rulemaking.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alex LaBeau", is written over a horizontal line.

Alex LaBeau
President

cc: Alan Prouty, Chair
IACI Environment Committee