



# BEAR LAKE WATCH INC.

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10/9/10

RE: Bear Lake Watch comments on Docket No, 58.0102.1001 – Proposed Rule regarding Antidegradation

Dear Mrs. Wilson;

We appreciate the work that has gone into formulating the Anti-degradation rule making to date and the ability to participate via phone in our region. We have followed it diligently, trying to anticipate how it will affect Bear Lake and the region. Many of our concerns were addressed during the process.

We apologize for the tardiness of these comments, but in contemplation of your meeting this week some questions have come to focus regarding the effects of the AntiDeg rule on Bear Lake. We are hopeful that these issues can be included in the discussions.

- Under the definitions, Bear Lake qualifies as an ORW but is designated a Special Resource Water by the state legislature. We are unsure how will SRW bodies be addressed in this rule.
- If Bear Lake falls under Tier II we wonder how DEQ would define and determine socio-economical significance?
- How would the " area " be defined. If the economic benefit is to the State of Idaho, will the Bear Lake waters be sacrificed? What about the economic impact for Southeast Idaho, or the greater Bear River drainage?
- A large body of water such as Bear Lake would technically have a large assimilative capacity, however any mixing zone would have to take a localized "hit" to accept a discharge. Would this be acceptable under antideg?
- The subject also begs the greater question that may not be for this rule making decision I.e. The Bear River diversion of impaired water into Bear Lake's unimpaired water would be unacceptable if proposed under today's rules. How will this antideg policy help ensure that no further degradation occurs?
- How will the State coordinate this policy for interstate waters?

We will continue to follow this process and look forward to your comments.

Sincerely,

Claudia Cottle  
David Cottle