

June 23, 2017



*A Division of Hancock Timber Resource Group,
A Manulife Asset Management Company*

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

RE: Idaho DEQ WQS Triennial Review-
Salmonid Spawning Temperature and Map Rule

Dear Ms. Wilson:

Hancock Forest Management (Hancock) appreciates the opportunity to comment on the Idaho Water Quality Standards Triennial Review. Hancock has concerns with the Salmonid Spawning Use Designation proposal. While we do support the simplified temperature standard, we do not support adding a map to the rules. If these two changes need to happen together, we strongly encourage DEQ to maintain the existing temperature standard.

Hancock Timber Resource Group (HTRG) was founded in 1985 by foresters and investment professionals who believed that timberland provided investors with an attractive asset class to further diversify their portfolios. We believe strongly that good stewardship is good business and that sustainable forest management is important both from both an environmental and a client standpoint. Hancock Forest Management is the on-the-ground management organization for HTRG in North America. In Idaho, we manage approximately 130,000 acres of forestland; and salmonid spawning occurs across our ownership. Our primary business is sustainably growing trees, harvesting them, and selling logs to sawmill customers within the State of Idaho. Logging operations on our lands are conducted to meet the Idaho Forest Practices Act and Rules as administered by the Idaho Department of Lands (IDL). In addition, we participate in the voluntary **Sustainable Forestry Initiative®** (SFI) Forest Certification Program. Under the SFI® Certification Program, both internal and third-party audits are conducted on an annual basis to assure conformance to the Forest Management Standard. As you are also aware, compliance with forest practices rules in Idaho is extremely high, generally above 95%. This compliance rate is documented and verified by DEQ every four years, annually by IDL inspections, and periodically by third-party auditors for SFI. Clearly, we are committed to maintaining and enhancing non-timber values during the course of growing and harvesting our timber.

While we support the proposal to simplify the temperature standard for Salmonid Spawning in Idaho, we do not support the incorporation of a Salmonid Spawning stream map into the Idaho water quality rules. We have the following concerns with incorporating a map into the water quality rules:

1. We are unaware of any other beneficial uses that require a map be placed in the rules. This appears to be a new and unfounded requirement on the part of the Environmental Protection Agency (EPA). As an analogy in the current Idaho water quality program, we point to the Water Body Assessment Guidance. This extremely important document in the program is only referenced in the rules. With the current uncertainty surrounding the Waters of the U.S. (WOTUS) rules, incorporating a map into rules presuming EPA authority is not appropriate.
2. Maps depict a snapshot, and are therefore inherently inaccurate over time. We have reviewed several areas on the map where we know the distribution of fish from actual field observations. There are numerous errors, sometimes involving thousands of feet of streams. While we use similar maps for screening and large scale planning, for site-specific work we very often check for fish in the field. Putting a map in the rules puts us, as well as other land managers, in the unacceptable situation of managing to the rules (map) or the on-the-ground reality. This creates an unacceptable potential for conflict and litigation, and it also does nothing to

protect Salmonid Spawning beneficial use.

3. The process, and associated lengthy timeframes, required to change a map in the rules would likely result in conflicts between actual on-the-ground information and the map in the rules. As stated on DEQ's website, "In Idaho, rulemaking is, at a minimum, a several-month process that requires public comment and response, Board of Environmental Quality approval, and legislative approval."¹ We collect information on the extent of fish use on our property on an ongoing basis, as do many other large landowners and land managers in the state. Incorporating a map into rules that would need to go through rule-making (changes) each legislative session into the foreseeable future does not seem like the most efficient use of anyone's time. As an analogy in the current Idaho water quality program, we point to the Water Body Assessment Guidance. This extremely important document in the program is only referenced in the rules. We believe that DEQ has correctly recognized that data and data analyses change over time and this document should truly be a living document; while document changes must be disciplined, the inflexible, time-binding requirements of rule-making are excessive. Similarly, we believe a map referenced in the rules is a good idea to help citizens get a general understanding of what fish might be present in their vicinity; but a map as part of a rule is not appropriate.
4. Based on our understanding of current rules and processes, any future change that removes or reduces the extent of Salmonid Spawning on the map would require a Use Attainability Analysis. Our understanding is that these assessments are both expensive and time consuming. As stated on DEQ's website regarding the Use Attainability Analysis process, "The entire process- developing the UAA and undergoing rulemaking- could take at least two years and possibly more to craft a structures scientific assessment to change a designated use."¹ We would expect there to be ten to a hundred of these assessments triggered every year. The demand on public and private resources to complete these assessments would be overwhelming.
5. Stream maps in support of Idaho programs should be coordinated across agencies. DEQ's sister agency IDL is currently working on a map layer for fish use. We suspect that Idaho Department of Fish and Game, Idaho Department of Water Resources, and the Idaho Office of Species Conservation would have use for, or at least interest in, a map of fish use. Mapping efforts coordinated across these agencies would help ensure the map product meets all the needs and does not set up potential conflicts. Finally, as stated above, since any map is inherently incorrect beyond its snapshot in time, the agencies should have an agreed-upon and well-defined process for updating the map with new data. That process should not include rule-making.

In summary, we support the proposed temperature rule change for Salmonid Spawning. We do not support the inclusion of a map in the water quality rules. If the map must accompany the change in temperature standard, then we would support maintaining the current rule. Finally, we would support an alternative rule package that includes the temperature change as proposed and includes reference to the Salmonid Spawning map; in this case, the rule should be perfectly clear that the map is for guidance only, is subject to change as new information becomes available, and clearly state that actual field data has precedence over any discrepancy with the map information.

We appreciate the opportunity to submit these comments and trust you will find them useful.

Sincerely,



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¹ [Idaho DEQ Website, Use Attainability Page](#). Accessed 06/09/2017.