



**Association of Idaho Cities**  
3100 South Vista, Suite 210, Boise, Idaho 83705  
Telephone (208) 344-8594  
Fax (208) 344-8677  
[www.idahocities.org](http://www.idahocities.org)

---

September 12, 2017

Troy Smith, IPDES Rules Coordinator  
Idaho Department of Environmental Quality  
1410 N Hilton  
Boise, ID 83705

Re: IPDES Effluent Limit Development Guidance (ELDG ) August 30<sup>th</sup>, 2017 Stakeholder Rulemaking Meetings

Dear Mr. Smith/Troy,

The Association of Idaho Cities (AIC) serves to advance the interests of the cities of Idaho through legislative advocacy, technical assistance, training, and research. Idaho cities play an important role as the primary implementers of the Clean Water Act and have a significant interest in the development of rules and guidance related to IPDES rules and guidance. AIC is actively engaged in water quality issues through the work of our Environment Committee, chaired by Boise City Councilmember Elaine Clegg.

The Idaho Department of Environmental Quality (DEQ) is developing a program to address water pollution by regulating point sources that discharge pollutants to waters of the United States.

AIC appreciates the opportunity to comment on the development of the IPDES program and looks forward to working with our state and other partners in the development of these important resources for city officials. Should you have questions concerning our attached comments, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'S Grigg', is written over the word 'Sincerely,'.

Seth Grigg

Executive Director

Attachments

cc: Elaine Clegg, AIC Environment Committee Chair  
Johanna Bell, AIC Policy Analyst  
Tom Dupuis, AIC Environmental Consultant



**Association of Idaho Cities**  
3100 South Vista, Suite 310, Boise, Idaho 83705  
Telephone (208) 344-8594  
Fax (208) 344-8677  
[www.idahocities.org](http://www.idahocities.org)

---

## GENERAL COMMENTS

In 2014, the Idaho Legislature revised Idaho Code to direct DEQ to seek Environmental Protection Agency's (EPA) authorization for a state-operated pollutant discharge elimination system permitting program. The current program is operated by EPA and called the National Pollutant Discharge Elimination System (NPDES) program. The state program will be called the Idaho Pollutant Discharge Elimination System (IPDES) program.

It is AIC's hope that the IPDES program will protect the environment, incorporate affordable water quality improvements, and coordinate with the drinking water program to provide universal access to water, waste/reclaimed water, and drainage/stormwater services in support of economic development in Idaho. AIC has identified a number of opportunities for Idaho cities as the IPDES program is developed and implemented. These opportunities fall into three general categories:

1. Effluent limit considerations that provide regulatory flexibility for increased affordability and innovation;<sup>1 2 3</sup>
2. An Idaho Financial Capability Analysis or guidance to address the combined Idaho city responsibilities for the Clean Water Act, Safe Drinking Water Act, and drainage/stormwater programs;<sup>4 5 6</sup> and,
3. Memorandum of Agreement and Performance Partnership Agreement terms that help the State and Idaho cities comply with regulations within affordable time lines and avoid premature enforcement actions.<sup>7 8 9</sup>

In addition to these general comments, AIC respectfully provides the attached specific comments on the draft ELDG and Publicly Owned Treatment Works (POTW) guidance (see Excel spreadsheet).

---

<sup>1</sup> USEPA, 2017, [www.epa.gov/wqs-tech/water-quality-standards-variance-building-tool](http://www.epa.gov/wqs-tech/water-quality-standards-variance-building-tool)

<sup>2</sup> USEPA, 2013, <https://www.epa.gov/sites/production/files/2015-08/documents/flexibilities-for-states-applying-epa-s-ammonia-criteria-recommendations.pdf>

<sup>3</sup> USEPA, 2011, [https://www.epa.gov/sites/production/files/documents/memo\\_nitrogen\\_framework.pdf](https://www.epa.gov/sites/production/files/documents/memo_nitrogen_framework.pdf)

<sup>4</sup> WI-DNR, 2015, <http://dnr.wi.gov/topic/surfaceWater/documents/phosphorus/PreliminaryDetermination.pdf>

<sup>5</sup> MT-DEQ, 2012, <https://deq.mt.gov/Portals/112/Water/WQInfo/Documents/PrivateDemonstrationFinal.pdf>

<sup>6</sup> USEPA, 2015, [https://www.epa.gov/sites/production/files/2015-10/documents/municipal\\_fca\\_framework.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/municipal_fca_framework.pdf)

<sup>7</sup> USEPA 2016, [https://www.epa.gov/sites/production/files/2016-12/documents/final\\_fy16\\_non\\_tribal\\_backlog\\_summary\\_report.pdf](https://www.epa.gov/sites/production/files/2016-12/documents/final_fy16_non_tribal_backlog_summary_report.pdf)

<sup>8</sup> USEPA, 2010, [https://www.epa.gov/sites/production/files/2015-09/documents/pwm\\_2010.pdf](https://www.epa.gov/sites/production/files/2015-09/documents/pwm_2010.pdf)

<sup>9</sup> USEPA, 2017, Watershed-based permitting; <https://www.epa.gov/npdes/watershed-based-permitting>