



RILEY STEGNER AND ASSOCIATES

April 23, 2020

Troy Smith
IPDES Bureau Chief
DEQ State Office
Water Quality Division
1410 N. Hilton
Boise, ID 83706
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RE: DEQ Negotiated Rulemaking - Rules Regulating the IPDES Program, Docket No. 58-0125-2001

Dear Mr. Smith:

Thank you for the opportunity to comment on the Idaho Department of Environmental Quality's (DEQ) Negotiated Rulemaking - Rules Regulating the IPDES Program, Docket No. 58-0125-2001. In particular, we write regarding the adoption of new definitions in the proposed rule of "Pesticide Discharges" and "Pesticide Residue" and new permit application procedures for "Pesticide Applicators".

We have long supported the State of Idaho and DEQ's development and implementation of the Idaho Pollutant Discharge Elimination System (IPDES) Program and its compliance and conformance with the federal Clean Water Act's National Pollutant Discharge Elimination System (NPDES) Program. Maintaining programs that protect Idaho's water through policies developed by the state is paramount. As such, we recognize the need to update Idaho rulemakings to properly adjust to changing federal environmental programs to maintain Idaho's important role in the process.

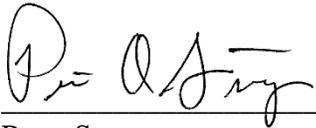
Regarding conforming language in the IPDES rulemaking on definitions of "Pesticide Discharges" and "Pesticide Residue" and permit application procedures for "Pesticide Applicators", we support DEQ's clarification that an IPDES permit is only required for point source discharges into waters of the United States. The U.S. Environmental Protection Agency's (EPA) silviculture rule recognizes that water quality impacts from forest management and forest roads are most effectively regulated by states as nonpoint sources (NPS) through Best Management Practices. State Best Management Practices have proven to reduce water quality impacts of silviculture activities and ensure the greatest flexibility for landowners to effectively manage their lands. Similar to language in the proposed rule excluding agricultural storm water discharges from acquiring an IPDES permit, we recommend DEQ include clarifying language that recognizes forest management as NPS and excludes all IPDES permit requirements for silvicultural discharges.

Private forests are an important part of Idaho's economy. Over 30,000 direct and indirect jobs rely on private forests in Idaho. This results in a payroll of nearly \$900 million and annual sales over \$2 billion.

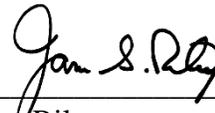
We write on behalf of Bennett Lumber Products Inc., Hancock Forest Management, Molpus Woodlands Group, PotlatchDeltic Corporation, and Stimson Lumber Company. These companies collectively manage over 1 million acres of commercial forestland in Idaho.

Thank you for allowing us to comment on the preliminary draft rule.

Sincerely,



Peter Stegner
Principal
Riley Stegner and Associates



Jim Riley
Principal
Riley Stegner and Associates