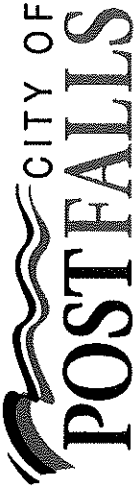


MAR 14 2011

WATER QUALITY PROGRAM



March 11, 2011

Mr. Kelly Susewind
Washington State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Re: Spokane TMDL – Alternate Limits

Dear Mr. Susewind:

This letter is submitted jointly by the City of Post Falls ("Post Falls") and the Hayden Area Regional Sewer Board ("HARSB"). The City of Coeur d'Alene also supports these comments. We write to emphasize the comments made by Mike Neher and others at the February 24, 2011 meeting of the Spokane River Dissolved Oxygen Total Maximum Daily Load ("TMDL") Implementation Advisory Committee. Post Falls and HARSB are heartened that the Washington Department of Ecology ("Ecology") will perform new model runs adding January/February treatment and raising assumed phosphorus discharge assumptions for municipal dischargers, including those in Idaho, to at least 50 µg/L on a seasonal average. Our understanding is these model runs may lead to amendment of the TMDL. We think this is a big step in the right direction.

However, Post Falls and HARSB are distressed at your statements that Ecology will not include the discharge levels that the Idaho dischargers proposed in the dispute resolution (the "Requested Discharge Levels") into the new model runs. A chart showing the Requested Discharge Levels is attached for your convenience. Our understanding is the model assumptions will differ from the Requested Discharge Levels in several respects, the most significant of which are the flow assumptions used to calculate Post Falls' discharge levels.

Since January 2010, Post Falls has consistently informed Ecology that the flow assumption of 5 million gallons per day ("mgd"), which forms the basis of Post Falls' discharge levels in the model, is inaccurate and inconsistent with the methodology used for other dischargers. As Post Falls has informed Ecology on numerous occasions, Post Falls based the original 5 mgd flow assumption on its currently approved expansion. It became clear after the public comment period in 2009 that Ecology was accepting projections from other dischargers based on different assumptions, including 20-year or longer growth projections. To provide an apples-to-apples number, Post Falls recalculated its flow needs, using population projections comparable to those used by

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other municipal dischargers to arrive at a projected flow of 7.65 mgd. Post Falls first submitted this information to Ecology in January of 2010. Post Falls also argued strongly for this revision in the dispute resolution in the Spring of 2010.

On both occasions, Ecology refused to change the assumptions on grounds that boil down to these: (1) it was too late and (2) there was insufficient loading capacity to support any additional load for Post Falls. As you know, Post Falls disagrees that Ecology has offered valid reasons to deny the change. Given that it takes about a week to complete a model run, it would not have been difficult to accommodate Post Falls' request in 2010. Further, Post Falls pointed out numerous ways to find additional capacity to support the small change requested.

Now, Ecology is planning to amend the TMDL and run new modeling scenarios. Whatever may have been the case before, it is not too late now to incorporate the correct flow assumptions for Post Falls. Nor is there any reason to decide, prior to the model run, that there is insufficient capacity in the river system to support Post Falls' request. Modeling performed by Portland State University as well as by LimnoTech shows that adding January and/or February treatment creates a substantial amount of capacity the rest of the year. At the end of the day, the only way to find out is to do the modeling. Post Falls and HARSB are independently exploring the outcome of incorporating the Requested Discharge Levels into the proposed models runs.

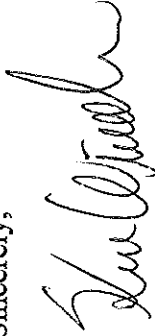
Therefore, we request that Ecology include the Requested Discharge Levels in its new modeling runs. Please be advised that any amendment of the TMDL that does not permit the Idaho dischargers to discharge at the Requested Discharge Levels is unlikely to resolve the ongoing dispute regarding the TMDL.

Please let either of us know if you have any questions.

Sincerely,



Eric Keck
City Administrator
City of Post Falls



Ken Windram
Facilities System Manager
Hayden Area Regional Sewer Board

cc: Mr. Sid Fredrickson, Public Works Director, City of Coeur d'Alene
Mr. Clay Larkin, Mayor, City of Post Falls
Mr. Ken Sewell, Chairman, Hayden Area Regional Sewer Board

Requested Discharge Levels

	Total Phosphorus (lbs/day)	Ammonia (lbs/day)	CBOD (lbs/day)
Post Falls	3.19	255 ¹	255 ¹
	(seasonal average)	(Jan/Feb – Oct)	(Jan/Feb – Oct)
HARSB	1.33	107 (max/monthly) ¹	107 (max/monthly) ¹
	(seasonal average)	160 (max/weekly)	160 (max/weekly)
		(Jan/Feb – Oct)	(Jan/Feb – Oct)

¹ These limits represent 4 mg/L multiplied by expected flows (3.2 MGD for HARSB and 7.65 MGD for Post Falls).