



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] AM0001-24 Bonner County Comprehensive Plan Component Update – Natural Resources

1 message

Dan McCracken <Dan.McCracken@deq.idaho.gov>
To: "planning@bonnercountyid.gov" <planning@bonnercountyid.gov>
Cc: Kristie May <Kristie.May@deq.idaho.gov>

Tue, Jan 23, 2024 at 4:52 PM

Please find the attached letter providing Idaho DEQ comments on the proposed updates to the Natural Resources section of the Bonner County Comprehensive Plan AM0001-24.

-Dan



Dan McCracken, P.E. | Regional Administrator

Idaho Department of Environmental Quality

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 **DEQ Comments AM0001-24 Bonner County 01-23-2024.pdf**
193K



January 23, 2024

Jake Gabell, Director
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83864
planning@bonnercountyid.gov

Subject: AM0001-24 Bonner County Comprehensive Plan Component Update – Natural Resources

Dear Mr. Gabell,

Thank you for the opportunity to comment on the proposed changes to the Natural Resources section of the Bonner County Comprehensive Plan. DEQ supports the County's effort to incorporate these updates. DEQ offers the following comments and suggestions for the County to consider:

1. Page 4, LAND USE STRATEGIES TO MITIGATE THREATS TO SURFACE WATER RESOURCES:
Education and Voluntary Action: Consider adding following bullet:
 - Provide Architects and Design Firms with a copy of the Lake Assist guidebook when designing building sites for prospective clients.
2. Setback distances for Septic and Drainfield systems to surface water bodies. On Page 5 of 54, consider adding a comment or discussion to have county officials encourage shoreline homeowners to update their non-conforming or grandfathered systems to best fit strategies to limit Nitrogen and Phosphorus impacts to the surface waters of Bonner County. The shoreline homes are typically older homes that have "best-fit non-conforming" individual septic and drainfield type scenarios. Simply following PHD guidelines regarding setbacks doesn't always lead to the homeowner making the most protective decision for the water bodies in question, typically due to cost or property acquisition constraints.
3. A small areal portion of the administrative boundary for the Spokane Valley Rathdrum Prairie Aquifer (SVRPA) (approximately 34 sq. miles) lies within Bonner County's southern boundary and may warrant consideration for additional measures to protect water quality from septic density. The SVRPA is designated a Sensitive Resource Aquifer, and warrants the strongest level of protection. Future land use in this area of overlap should be evaluated in further detail to appropriately address concerns of potential future impacts if growth continues as it is projected. As an example of additional protections that could be considered, Kootenai County has implemented a 5-acre individual septic and drainfield density limit on those residences not connected to community wastewater systems to protect the SVRPA. If Bonner County implemented a similar measure, the protectiveness for the aquifer would be consistent across county lines.

4. On page 7 – Section 1.3 – The county should consider recent court rulings (Sackett v EPA) regarding the definition of Waters of the United States and the presence of wetlands in Bonner County that may not be subject to the Clean Water Act. Idaho state law provides that DEQ’s water quality rules shall not impose conditions or requirements that are more stringent or broader in scope than the Clean Water Act. Therefore, if water quality protections are desired by the community for local wetlands that are not considered Waters of the United States, local ordinances would be the appropriate jurisdiction.
5. Consider adding the following to the Current and Potential Threats to Surface Water section on pages 3 and 4:
 - a. Aquatic invasive species. County land use decisions can affect the spread of AIS, which can have significant impacts on local water quality. Thoughtful consideration of the location and operation of community docks, commercial marinas, and boat launch areas can mitigate the spread and may even prevent the introduction of AIS in county waterways.
 - b. The addition of improper chemical and waste disposal from both upland and nearshore areas, such as from marinas and community docks.
 - c. Add to the ‘Non-Point Source Chemical Run-off’ to include risks beyond phosphorus-containing fertilizers, such as hazardous materials, grease, hydrocarbons, etc.
 - d. The ‘high water temperatures’ section could benefit from a discussion about how increased development pressure increases the need for additional water rights withdrawals. This leads to lower flows and increased in-stream temperatures.
6. The current “Land Use Strategies to Mitigate Threats to Surface Water Resources” seems to be somewhat limited to shoreline development. While this is an important component, development elsewhere in the watershed is equally important.
 - a. The education component of the county’s approach can include best management practices for other development projects (not just those on the shoreline) to minimize sediment runoff. It is good practice for all projects to identify where stormwater runoff from their project will go (what is the nearest tributary, and how does the water get there) and implement appropriate BMPs to protect that water body.
 - b. Development Regulations for non-shoreline projects are also appropriate. These would include things like appropriate stormwater BMPs, identifying appropriate places to preserve existing vegetation, setbacks for tributary streams, permanent stormwater management requirements, septic density, drainfield placement, etc.

Please let me know if you have any questions on these or would like to discuss any of these comments further.

Sincerely,



Dan McCracken, P.E.
Regional Administrator