

Public comments submitted on the 2008 Draft Coeur d'Alene Lake Management Plan

To: Rebecca Stevens, The Coeur d'Alene Tribe and Glen Rothrock, DEQ

From: Julie Dalsaso

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The Lake Monitoring Plan does not provide the elements of a Lake Management Plan in keeping pace with the pressures threatening watershed protection, covering 2.4 million acres within the Coeur d'Alene Basin, as the scope intended. Overall, two components are missing:

1. Contaminant Management with applied institutional controls

Reference: Contaminant Management for Coeur d'Alene Lake and the Spokane River upstream of the Post Falls Dam, 7/07. See 9 approaches suggested by the PFT and executive director from the BEIPC to consider incorporating into the LMP.

The best way to protect human health from contaminants left in place is to require institutional controls prevent exposures. A large data gap exists in sediment and pore water sampling at Lake Coeur d'Alenes' most visited beaches, including Sanders Beach, City Beach, and NIC Beach, where children frequently dig down up to three feet, bringing sediment to their hands and mouths.

2. Implementation of metals TMDL, as the mechanism to follow the proposed nutrient monitoring, for guided management when degradation occurs.

"The scope is intended to follow natural boundaries, promote integrated solutions, and maximize the use of available resources to benefit water quality."

(Reference: Executive Summary of LMP,ii).

The complexities in coordinating local governments, EPA, Idaho and Washington States, Tribal, and public entities to bring this Draft LMP forward is acknowledged and greatly appreciated. Coordination needs identified staff

positions who will conduct audits for compliance. The fact sheets presented at public meetings, plus the "State of the Lake-2007" document have been very useful. Thank-you to patient staff who have helped answer questions toward my understanding in realizing the challenges we must face as a community forever, in preventing toxic substances from entering waterways, further exposing people, and the entire food chain to tons of toxins from the legacy of mining wastes.

The National Academies of Science also supported an adaptive management approach. However, phasing portions of long-term management plan should have initial short term two year goals, not five year. As noted, the natural system transcends jurisdictional boundaries. Politics and Superfund phobia have held up the "alternate" remedy for the Lake long enough. We need immediate feedback to verify under what specific conditions, an amended ROD, as an alternate to the LMP should be implemented up front, if necessary at all.

Section 4.5.1, pg 37 of the Draft

"The Tribe and DEQ believe the BEIPC can provide beneficial resources and forums to facilitate the 2008 LMP implementation."

I too agree there are talented scientists and experienced individuals serving on the BEIPC committees to help implement the Plan . We can look to elements of other Superfund sites across America too. Yet, as a volunteer on the CCC, I still await a response from Basin Commissioners, as to technical recommendations offered by these talented advisors on the issue analysis recommendations on Contaminant Management, offered over a year ago. Yet, I remain hopeful the new LMP will spark action oriented solutions to mitigate the response to current shoreline excavation and dredging projects on the Lake. The days of leaving "sleeping dogs lie," referring to the 83 million tons of toxic metals on the Lake bottom are over. Market forces have brought big development and growth. We know where the most toxic shorelines and lake beds exist from over 30 years of sampling. While elevated Zinc levels help keep Northern Lake water clear, fish consumption signs are needed at popular Lake Beaches, as found along sections of the Spokane River in Washington, rather than posted on the Health and Welfare web site. Regulatory guidelines with teeth are needed to protect the greater good.

Reference: I, II, III. - addendums

Public records- I. Proposed Dredging of 300,000 cubic yards at Kidd Island Bay.

II. Proposed dredging at the headwaters of the Spokane River, 220,000 cubic yards at Blackwell Island.

III. 10 acre debris and industrial dock pen- 10 acres at Donovan Point in Cougar Bay, (site of 1997 USGS limnetic monitoring site #7)

Objective 4: education center.

I feel precious dollars could be better spent on securing compliance with mandates, rather than providing an education center. I agree with many strategies in the Draft to improve scientific understanding, though feel the lack of funding from Idaho limits applications. Education on an out-reach basis, use of the internet and media, field trips, and on-going slide shows remain essential to attain community commitment. The need for enforcement of local ordinances, especially site disturbance and set-back guidelines could be improved if planners themselves had more of an understanding. Volumes of public information on understanding sediment management (EPA-823-F-99-006) and neurotoxin effects of lead are available through the EPA. "When the student is ready, the teacher is there."

See MAT Table C4: (page 116, action 3) - "Hire sufficient staff to inspect and enforce site disturbance and stormwater ordinances."

The value of the voluntary SEEP program are a positive step, but when contractors in the Upper Basin have registered prior to site activity, improved BMP's have resulted. A simple 1-800 phone line, (in the areas outside the ROD), for tracking activity and verifying whether additional sampling is necessary could be realistically implemented. BMP's do not take into account accumulation of degradation over the Basin scope.

Reference: The National Academies, 7/07, p.3

Superfund and Mining Megasites: Lessons Learned from the Coeur d'Alene Basin(referring to the Upper Basin area)

"EPA's site characterization provided a useful depiction of the metal concentrations in soils, sediments, and surface water over the large basin. However, the characterization did not adequately address groundwater- the primary source of dissolved metals in surface water- or identify specific locations and materials contributing metals to groundwater."

Can the LMP address issues of groundwater? The DEQ does not appear to

have regulatory authority over groundwater- the primary source of dissolved metals in surface water? Some mechanism to quantify impacts from seepage at dredging sites is needed, especially in regards to aquifer protection from metals. This area may already have technical provisions than I've not found in the draft LMP. I've reviewed relevant areas in MAT, table C4, and appreciate the clear identification of the stormwater education emphasis.

Possible MAT addition needed, if not already referenced- Hundreds of new docks have been permitted in the last two years along the Spokane River and Lake, with old ones set adrift, maybe unintentionally during flood periods. A mechanism for removing old docks once in place during the mill days when log landings were part of the landscape is no longer viable. Pollution and debris is accumulating on the Lake (see attached photo of docks set adrift from Blackwell Island area- eventually impact nutrient loads).

lead group: Department of Lands, navigation division. Representatives no longer engaged with TLG.

Relates to MAT C7- bank stabilization, uncertain how to mitigate/manage within LMP?

IDAPA 20.03.04.060.04- excavated and dredged channels. DOL has authority for permitting substantial changes along the Lake shoreline. DEQ and DOL need tighter cooperation on Lake and Spokane River projects.

Idaho can incur liability for discharges released during dock and/or marina construction. The action tables need to closely monitor these types of permits considered on Lake Coeur d'Alene. Other activities permitted under navigational division: alteration of float homes, building seawalls, removing and realigning shoreline, pounding pilings agitating sediment, etc.

I strongly believe fees from docks and marina expansions could be earmarked for LMP long-term. According to the BLM environmental assessment of Blue Creek Bay rec area (8/08), Lake Coeur d'Alene is 95% private. DOL should be listed as a participant under MAT table C7, action 12 (though not necessarily in the Southern Shallows section).

Motorized watercraft/MAT action item 3: DOL should also be a lead group. New marinas without public access to pump out stations should not continue to be permitted, reconfigured, and expanded. With limited access to pump stations, waste from boats will continue to impact nutrient loads. Also, a common marina practice observed for small fuel spills on the Lake at pump stations is to squirt detergent over the film to disperse the fuel. This is an example of a WMP's, (worst management practices) that continues, even if small.

See objective 3- nutrient reduction plan

See 5.3- a metals TMDL is integral to the success of the LMP start up if adaptive management is to be successful in achieving compliance. We have waited too long for the Lake Management Plan, while understanding Lake monitoring will drive planning.

My sincere appreciation extends to individuals who have pulled through the other end of the mediations and kept moving forward to bring the Draft to another juncture. Thank-you for the opportunity to submit suggestions and comments- please see supportive attachments.

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