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RECEIVED
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DEPARTMENT OF
WATER RESOURCES

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Attention: Tom Neace, Program Manager

Re: City of Meridian Petition West Ada Area of Drilling Concern (WAADC)

Gentlemen:

I am submitting the following comments on behalf of Kenny Vollmer, President, and the board of directors for the Idaho Ground Water Association (IGWA). IGWA is a statewide association established in 1948 to assist, promote, encourage and support the interests and welfare of the ground water industry within the state. Over 95% of the drinking water in Idaho comes from ground water sources. Our association currently represents over 200 drilling entities; our industry is committed to preserving and protecting this important and essential natural resource for current and future generations.

IGWA appreciates this opportunity to submit the following written comments with respect to the proposed West Ada Area of Drilling Concern (WAADC). IGWA respects the City of Meridian's interest in the protecting its current and future drinking water source. The technical information that Meridian developed over the past 20 years raises concerns about public health issues.

IGWA also appreciates IDWR's efforts to inform our association about the proposed ADC. IGWA shares IDWR's concerns about the impact to public health from contamination that includes nitrates, arsenic and uranium. Any public health risk must be addressed.

However, IGWA's board of directors met on May 25, 2016 and voted to oppose the creation of a WAADC. A number of IGWA members also attended the June 1, 2016 public hearing at Mountain View High School to oppose the WAADC.

In opposing the creation of the ADC, IGWA cites a number of concerns.

1) The area of impact for the proposed WAADC covers 110 square miles. The City of Meridian is trying to address contamination from nitrates, arsenic, uranium and other sources, both naturally occurring and human caused. The WAADC also proposes to address the co-mingling of water from different aquifers with different water chemistry, temperature, and pressure. The other two ADCs in Idaho are much smaller, confined to a specific area, and address a specific problem. In an area as broad and geologically diverse as the proposed WAADC, flexibility is required to address the individual issues occurring throughout the area on a case-by-case scenario.
2) The City of Meridian attributes contamination in its proposed ADC to land use practices and well drilling practices. Nowhere in its petition does the City attempt to address land use practices that are actually causing contamination. Many of those practices are most likely outside the City's and IDWR's jurisdiction. The City does not indicate any efforts that may have been made to work with other jurisdictions to address those practices.
3) While the City of Meridian asserts that it has the support of local cities and stakeholders, there is no written support in the record posted on IDWR's website nor did any representatives from the cities of Boise, Caldwell, Kuna, and Nampa testify at the public hearing either for or against the petition.
4) The City asserts that it has worked with interested parties. IGWA, along with the rural domestic well owners, are the two stakeholders most affected by the City's petition. At no time did Meridian approach IGWA to discuss changes in well drilling practices or its petition to create an ADC. All people need access to safe, affordable drinking water. A primary concern for IGWA is that the cost to a domestic well owner could increase by as much as two (2) to two and one/half (2 ½) or even three (3) times the current cost. A well that now could be drilled for an estimated $9,000 could cost $19,000 to $27,000.
5) The few domestic well owners who attended IDWR's public hearing voiced concern about the lack of notice. Concerns were expressed that, based on the cost, limit to one and only one drilling method, and the absence of an alternative service provider, the City of Meridian will be the only water purveyor available to many of the rural domestic well owners.
6) Meridian's petition makes numerous references to IDWR's 2008-2009 negotiated rulemaking to revise and improve the administrative rules for well drilling. While noting "the consensus of the *entire* rulemaking committee was that it was not possible to develop a "one-size-fits-all" set of rules that covered the full spectrum of hydrogeologic environments statewide. Instead, it was the unanimous conclusion of *all* stakeholders

that "area-specific protections" and special drilling techniques, and any needs for enhanced regulatory enforcement of drilling rules, would be addressed on a case-by-case basis (basin-by-basin) basis."

7) IGWA maintains that it is equally impossible to develop a "one-size-fits–all" set of rules to address the full spectrum of hydro-geologic environments in the 110 square miles of the proposed ADC. The drilling method is often dictated by the geology of the site. At the public hearing, drillers working in the area questioned the City of Meridian's recommendation to only allow mud rotary drilling. Under appropriate conditions, mud rotary drilling can be very beneficial; in different conditions, cable tool or air rotary drilling may be an alternative.
8) The City of Meridian does not appear to be satisfied with the existing rules for well construction standards or IDWR's ability to enforce the rules. IGWA questions whether the City is attempting to circumvent the negotiated rulemaking process by moving immediately to the creation of an ADC and implementing its own standards, standards that are more stringent than Idaho Code.
9) IGWA appreciates the technical research that the City and Hydro Logic, Inc. have developed. However, IGWA questions whether there has been sufficient corroboration by IDWR, IDEQ, or an independent third-party to verify or substantiate the accuracy of the technical information.

IGWA recognizes that the creation of an ADC is within IDWR's regulatory authority as are other options. Instead of creating an ADC, IGWA suggests IDWR has the flexibility to impose many of the requirements and recommendations proposed by the City of Meridian in the existing rules without implementing the much more stringent and restrictive ADC. IGWA suggests that IDWR consider establishing an Area of Contamination (AOC) similar to one in place in Island Park and other areas of the state. Either option would address the City of Meridian's primary concern – the protection of its current and future drinking water source.

- IDWR could regulate preventative measures in sensitive areas through the long form.
- IDWR could address the co-mingling of waters from different aquifers and the resulting contamination.
- IDWR could specify drilling methods and issue well drilling permits on a case-by-case basis to address when and where to require full-depth casing seals and retain oversight of drilling methods. In the past, IDWR has focused more on the construction results, not the method of how to achieve them.

In 2016 the Idaho Legislature appropriated $500,000.00 for a ground water model in the Treasure Valley. IGWA would like recommend that, in developing a ground water model, that water quality modeling be included. By using some of these funds to address water quality

modeling, IDWR should be able to further substantiate some of the technical research provided by the City of Meridian.

Idaho is fortunate to have a ground water industry made up of highly-trained professionals with the skills and knowledge to drill and develop domestic and municipal wells to provide households and businesses with clean safe drinking water. If the City of Meridian is dissatisfied with the present well drilling standards, they should engage in a collaborative process to address their concerns. IGWA stands ready to work with the City of Meridian, IDWR and other stakeholders to address the issues that many cities across Idaho are facing: the need to preserve and protect their source of drinking water for current and future users.

IGWA appreciates this opportunity to submit these written comments. We respectfully request that IDWR not grant the City of Meridian's petition, at least at this time. Let's slow it down and do it right with the appropriate stakeholders at the table, an opportunity to review and implement best practices based on proven, peer-reviewed science, and the consensus that the City of Meridian appears to be avoiding.

Respectfully submitted,

Lynn S. Tominaga
Executive Director