

UTAH WETLANDS FOUNDATION  
136 South Main, Suite 418  
Salt Lake City, UT 84101

January 14, 2010

Chris Bittner  
Utah Division of Water Quality  
288 N. 1460 West  
Salt Lake City, UT 84114-4870

We are commenting on the proposed amendments to Utah Administrative Code R317-2 now open for public comment.

We have serious concerns with R317-2.14.2 in footnote 2a which states that numeric standards for DO and pH are not applicable to Great Salt Lake impounded wetlands. Instead these wetlands are now to be protected by narrative standards.

The footnote contains no wording to assure the timely development of alternative assessment of nutrient effects, no decision process for impairment and no implementation plans.

These impounded wetlands composed of Waterfowl Management Areas and duck clubs have become the most important wetland habitat for waterfowl in Farmington Bay as GSL level has fallen to 4194 feet above sea level. Indeed when 4193 level is reached, the GSL shoreline will be north of the Antelope Island Causeway. The Bay then becomes a large mud flat containing the extended channel of the Jordan River, POTW discharges and several creeks.

We oppose removing numeric standards without the addition of language to assure the public that strong protective action will replace this loss with a deadline for it's development.

Our suggestion for language to be included in the footnote is as follows:

The Executive Secretary will assure that the Jordan River TMDL being completed deliver at a minimum the existing flows of water that meets water quality standards with a 20 percent safety factor. To ensure protection of beneficial uses, the Executive Secretary shall develop assessment methods that quantify the physical, chemical, and biological integrity of these waters; determine impairment of beneficial uses;

determine constituents causing impairment; complete a TMDL for impaired constituents; evaluate whether impaired uses can be improved; determine appropriate mitigation for impairment that cannot be corrected within 10 years. Depending on the uses impaired, Federal and State agencies with responsibilities for managing or enforcing laws protecting uses, and private wetland owners for private lands, must concur that the evaluation methods are appropriate, impairment decisions are appropriate and mitigation if required is appropriate. Develop and initiate an implementation plan to correct identified use impairments. These protocols and guidelines will also include input from local governments, the regulated community, and the general public. The assessment and action to correct impairment should be COMPLETED within 5 years from date numeric standards for DO and pH are removed.

We appreciate the opportunity to comment on the rule changes, your hard work to develop an alternative assessment, and your willingness to continue dialog to protect these important wetlands.

Sincerely,

Maunsel B. Pearce  
Vice President