

Jim,

In the response to comments you provided a month or so ago, I could not understand the logic provided.

Looking at the SF Sixmile as the example, let's go through the facts step by step:

- 1) 5 samples were collected during the 30 day period with more than the minimum separation
- 2) Data was not qualified or rejected
- 3) The result being a valid 30 day geomean of 292.6 CFU
- 4) Currently SF Sixmile is a 2B waterbody
- 5) The standard for 30 day geomean for 2B is 206 CFU

So for recreation use support, the stream is clearly not supporting. A Fully Supporting determination is incorrect and not supported by the facts.

Whether or not a certain number of DO, temp or pH samples were collected is irrelevant to whether the e. coli standard has been met or not.

Even if there was some connection between pH and bacterial contamination, all 5 sampling events collected water temp, pH and DO, so the statement in the response to comments is factually incorrect "For all three parameters, sample counts were insufficient (e.g., <4 samples)"

The response to comments goes on to state that "Where assessments among uses and across parameters differ or contradict one another, a Not Supporting outweighs the other assessments. When a Not Supporting is not present, a 3A, insufficient data category outweighs a No Evidence of Impairment or Fully Supporting assessment category."

So in the case of the SF Sixmile, e. coli is clearly not supporting, yet the DEQ has placed the stream in the "insufficient data" category. This is incorrect.

I hope this clarifies why I can't see the logic in the response to comments.

Regarding the issue of primary/secondary, it is not a water quality standards change that is needed, it's a UAA (and on a broader front a look at how the state designated primary/secondary). In the other states I deal with, they all, prior to listing review the classification to determine if a UAA is warranted and do that UAA prior to listing, so the proper standard is being applied. Here, Otter Creek is a major public use area where primary contact regularly takes place, yet the standard being applied is for secondary.

Regarding turbidity, lets look just at the SF Sixmile as an example. The highest was 121 NTU (Aug 28) the lowest was 28 NTU (Aug 17), without getting into the fact that undisturbed streams at this elevation are generally <5 NTU, there was a far greater than 10 NTU increase as the cattle degraded the stream after being turned out in that pasture.

It would seem that a failure to list would render the turbidity standard meaningless i.e. no turbidity standard. No?

Jonathan B Ratner  
WWP – Wyoming Office  
PO Box 1160  
Pinedale, WY 82941  
Tel: [877-746-3628](tel:877-746-3628)  
Fax: [208-475-4702](tel:208-475-4702)