

# NEWS RELEASE

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## Office of Performance Evaluations Idaho Legislature

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FOR IMMEDIATE RELEASE

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## Challenges and Approaches to Meeting Water Quality Standards

Full report and one-page highlights are available on the OPE website:

<http://www.legislature.idaho.gov/ope/>

(BOISE) Yesterday, the nonpartisan Office of Performance Evaluations released a report to the Joint Legislative Oversight Committee that outlined challenges that Idaho faces in meeting water quality standards under the Clean Water Act. As a result of a recommendation in the report, the Idaho Department of Environmental Quality (DEQ) has committed to prepare rule changes to revise Idaho's water quality standards by the 2016 legislative session. These changes will assist citizens in preparing supporting evidence to document future changes to water quality standards.

Two of the most significant challenges that Idaho faces are determining appropriate water quality standards and finding cost-effective methods to meet standards. The report outlines Idaho's approach for overcoming these challenges through use attainability analysis (UAA) and by implementing water quality trading programs.

The evaluation was lauded by both the Governor and the DEQ in their responses to the report. In his response, Governor Otter said, "OPE did a thorough examination of the UAA process and provided a detailed and valuable opinion." DEQ Director Curt Fransen stated, "we found the report to be a thorough and balanced report dealing with difficult and complex water quality issues."

### Use attainability analysis

Use attainability analysis (UAA) is the principal tool that states have for determining and revising the level of protection necessary for a water body to support its intended use. Idaho has had more UAAs approved by the EPA than all UAAs submitted by other states (Alaska, Oregon, Washington) in EPA Region 10 combined. Five of the six UAAs that Idaho has submitted have resulted in changes to water quality standards.

Despite Idaho's relative success with UAAs, stakeholders conducting UAAs can be overwhelmed by the process, the high standard of evidence, and the cost of collecting supporting water quality data. Formal guidance from the DEQ would assist stakeholders as they approach and conduct UAAs. Evaluators have recommended that DEQ complete its UAA guidance document to help stakeholders navigate the process.

### Water quality trading

As municipalities are faced with implementing costly upgrades to wastewater treatment facilities, Idaho is exploring alternatives to meeting water quality standards in a less costly manner. Water quality trading is a market-based alternative to traditional pollutant-reduction programs. Evaluators found that despite the state's early involvement in developing water quality trading frameworks, trading programs have struggled to take hold both nationally and in Idaho. Several key stakeholders in Idaho have said that they are still wary of trading as a long-term solution to meeting water quality goals. The report identifies regulatory conditions that must be satisfied before an active trading program can be established.

The Office of Performance Evaluations (OPE) is a nonpartisan, independent office that evaluates whether state government programs and agencies are operating efficiently and cost-effectively and are achieving intended results. OPE conducts all reviews in response to direction from an equally bipartisan committee of the Legislature, the Joint Legislative Oversight Committee (JLOC). OPE's reviews are used by the Legislature to make policy and budget decisions and by agencies to improve performance.