

IN THE SENATE

SENATE BILL NO. 1237

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO ENVIRONMENTAL QUALITY; AMENDING SECTION 39-3609, IDAHO CODE, TO
REVISE PRIORITY CLASSIFICATIONS FOR CERTAIN WATER BODIES IN REGARD TO
THE DEVELOPMENT OF TOTAL MAXIMUM DAILY LOAD OR EQUIVALENT PROCESSES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-3609, Idaho Code, be, and the same is hereby
amended to read as follows:

39-3609. IDENTIFICATION OF WATER BODIES WHERE BENEFICIAL USES ARE NOT
FULLY SUPPORTED. In accordance with the provisions set forth in the federal
clean water act and after consultation with the appropriate basin advisory
group and watershed advisory group, the director shall notify the appropri-
ate public agencies of any water bodies in which the designated beneficial
uses are not fully supported. For water bodies so identified, the director
shall place such water bodies into one (1) of the following priority classi-
fications for the development of total maximum daily load or equivalent pro-
cesses:

(1) "~~High_T.~~" ~~wherein definitive and generally accepted water quality~~
~~data indicate that unless remedial actions are taken in the near term there~~
~~will be significant risk to designated or existing beneficial uses of a par-~~
~~ticular water body~~ The director shall place water bodies in this category
taking into account the availability and quality of data, department re-
sources, and whether the severity of pollution poses a significant risk to
designated or existing beneficial uses. The director, in establishing this
category, shall consider public involvement as set forth in this chapter.

(2) "~~Medium_T.~~" ~~wherein water quality data indicate that unless reme-~~
~~dial actions are taken there will be~~ The director shall place water bodies in
this category taking into account the availability and quality of data, de-
partment resources, and whether the severity of the pollution poses a risks
to designated or existing beneficial uses.

(3) "~~Low_T.~~" ~~wherein limited or subjective water quality data indicate~~
~~designated uses are not fully supported, but that risks to human health,~~
~~aquatic life, or the recreational, economic or aesthetic importance of a~~
~~particular water body are minimal~~ The director shall place water bodies in
this category taking into account the availability and quality of data, de-
partment resources, and whether the severity of pollution poses a minimal
risk to designated or existing beneficial uses.