



Valley Advocates for Responsible Development

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VIA E-MAIL

Nicole Deinarowicz

Idaho DEQ

Water Quality Division

1410 N. Hilton

Boise, ID 83706

Email: Nicole.deinarowicz@deq.idaho.gov

RE: VARD comments on Draft DEQ 2010 Statewide Water Quality Status Report

Valley Advocates for Responsible Development (VARD) is a 501(c)(3) advocacy organization working with citizens, developers, local government, and other nonprofits to promote responsible development and sustainable use of the natural resources in Teton Valley, Idaho. One of our valley's most valued primary resources is the Teton River and its surrounding wetlands. The Teton Regional Land Trust ranked the Teton River Basin as the number one private lands conservation priority area within the entire Greater Yellowstone Ecosystem based on its ecological irreplaceability and vulnerability. The Idaho Department of Fish and game lists this area as containing habitat for over 42 Species of Greatest Conservation need. That said, this treasured river has been, and will continue to be, negatively impacted by the recent boom in subdivision developments around the Teton River and adjacent wetlands.

Fellow Teton Valley nonprofit Friends of the Teton River (FTR) recently submitted comments to DEQ on the current draft of the 2010 Water Quality Status Report. In their comments, FTR outlined 10 years of data they have collected from their water quality program for the upper Teton River watershed. The data consistently shows dissolved Nitrogen concentrations in excess of the 0.3mg/L TMDL standard established by DEQ.

Just as FTR tracked 10 years of water quality statistics for this basin, VARD has tracked 10 years of development statistics for Teton County. Since 2000, over 6,089 subdivision lots on 19,206 acres have been recorded in the unincorporated areas of Teton County. Many of these lots were prematurely platted in close proximity to the Teton River and its tributaries.¹ Almost all of these 6,089 lots were

¹ See Attachments A (Map of the past 40 years of subdivisions recorded in Teton County, ID) and B (Map of current and pending subdivision application in Teton County, ID). Both maps were created by the Teton County GIS Department. Attachment A illustrates the recent boom in subdivisions throughout Teton County, and Attachment B illustrates how many more residential lots are still pending approval. As of August 1, 2010, there are 844





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approved by prior administrations before Teton County adopted its newly revised Nutrient Pathogen Ordinance.² Thus, most of these lots were platted under looser groundwater regulations than what is currently in place today.

On average, only 1 in 4 (25%) of these 6,089 lots are currently “developed” with a house on it. However, the county’s statistical term “developed” does not necessarily mean home construction is complete or that the home is even occupied.³ Because there is currently such a huge oversupply of vacant lots and incomplete homes, the impacts of this recent subdivision boom on ground and surface waters have not yet been fully realized. Over time, these lots will gradually be built upon, homes will finally be completed, and greater numbers of people will take up residence in these areas along the Teton River and its tributaries. Thus, residential impacts to the river and its surrounding environment will slowly increase over time.

Historically, Teton County has struggled to protect ground and surface waters from development impacts. The primary approach has been to take cues from the state and mostly defer to state regulation. In light of FTR’s data consistently showing elevated dissolved Nitrogen levels, and the unprecedented boom of vacant lots poised to slowly impact this water body, the time has come for DEQ to recognize the Teton River as threatened. For all of these reasons, VARD echoes FTR’s comments that the *Draft 2010 Integrated Water Quality Report* must be revised to incorporate the Teton River into the Category 5 list as a water body that does not meet applicable water quality standards and for which a TMDL must be established.

Thank you for the opportunity to submit these comments.

Sincerely,

Anna Trentadue
Program Director / Staff Attorney

residential subdivision lots still pending approval in the unincorporated areas of Teton County.

² Teton County adopted a revised Nutrient Pathogen Ordinance and Technical Guide for On-Site Wastewater Treatment Systems on September 16, 2009.

³ Of the total number of lots (9,334) recorded in the unincorporated areas of Teton County, only 2,248 (25%) are “developed” with some form of a house at least partially constructed on the property. All platting statistics taken from the October 2010 Teton County Planning Department Subdivision Report.

