

May 1, 2006

RECEIVED
MAY 02 2006
IDWR/North

State Of Idaho Department of Water Resources

1910 Northwest Boulevard
Coeur d'Alene, Idaho 83814

RE: Black Rock Utilities: Application for Amendment Of A Permit 72669

Greetings;

Based on **Idaho Code Section 42-211**, we the undersigned desire to protest the Water Permit Application for Amendment submitted by Black Rock Development and Black Rock Utilities based on, but not limited to, the following reasons:

1. The proposed use is in conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use have and the effects of such use on the public water resource.

2. The proposed amendment may potentially injure other water rights and has not been proven or evidenced otherwise. The cumulative consumption of this development, current developments and water districts as well as proposed developments along with current and proposed golf courses currently or scheduled to pump irrigation and/or domestic water use from Coeur d'Alene Lake has not been addressed nor has any potential injury to existing water users.

3. The application will enlarge the use area over the original permit by a possible additional 1,000 acres which will unequivocally lead to additional water quantity usage to irrigate the proposed second golf course, a new par-3 course, an 'open space' consisting of 169 acres, the second Clubhouse site of 7 acres, along with the yards, gardens and landscaping of an additional 325 proposed dwellings on the Black Rock North Expansion project. Although the developer states he is requesting no additional water quantity, it is absurd to believe that any entity can have a quantitative amount of consumption and subsequently increase the irrigation area by approximately 1,000 acres and allow one to logically conclude that this will not require supplementary gallons – it would be ludicrous and irrational to believe otherwise!

This expanded area potentially demonstrates noncompliance of the original Water Permit 95-9045 for Black Rock Utilities, which notes **domestic water use** as 1.000 CFS of the 3.5000 CFS total Diversion rate (2.500 CFS listed for irrigation) and under the CONDITIONS OF APPROVAL states:

Domestic use is for the equivalent of 350 residences and does NOT include water for lawn, garden, landscape or other types of irrigation. If the right holder develops the domestic use from groundwater, the domestic use authorized by this approval is rescinded and will be of no further force or effect.

Black Rock currently uses well water for potable water use, as evidenced in part by the attached Memorandum from June Bergquist for the Idaho Department of Water Quality from December 15, 2005 which mentions the three existing wells utilized for drinking water. (See attached.)

Furthermore, the original Water Permit 95-9045, dated 4/12/2000, designates a total acreage of 668; the amendment designates 545 acres for a grand total of 1,213 acres. This appears to enlarge the use area considerably. Again, since the water consumption is not monitored or regulated, in reality there is an undefined amount of acreage being irrigated with an undefined amount of water.

4. We are opposed to the fact that this private community permit is not regulated, not metered and there is NO fee for this water – it is UNCONTROLLED, VIRTUALLY UNLIMITED AND FREE! Moreover, in speaking with the IDWR, if Black Rock were to be required to have a water meter it would go unchecked because the department lacks the personnel to monitor a meter. This type of consumption is in conflict with the local public interest and detrimental to our community at large.

This undetermined consumption rate potentially demonstrates noncompliance of the original Water Permit 95-9045 for Black Rock Utilities which notes under the CONDITIONS OF APPROVAL:

After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

5. This project is restricted from public access, is a private "**MEMBERS ONLY**", gated, restricted development and does not "build community" nor enhances the local community while squandering our local resources on two golf course clubs made for the exclusive use of its affluent members. This exclusive consumption is in conflict with the local public interest and detrimental to our community at large.

6. We believe that our water resources are finite and need to be protected by the State Of Idaho Department of Water Resources from any and all inclusive usage, and from activities that are detrimental to our community at large.

7. We request that a consumption analysis be compiled to analyze this amendment request taking into consideration the initial project use and on going use, as well as the additional usage requirements by the project expansion in order to understand the potential quantity use required by the entire development. Fully realizing that an affluent water user can utilize quantities *greater than 10 times* that of an average Kootenai County homeowner.

Accordingly, in the attached DEQ memo, information regarding Black Rocks Bid Packet and Construction Specifications for the original Black Rock PUD, March 2001, notes the residential irrigation peak demand as estimated to be 720 gallons per day, per home. This quantity of consumption significantly contrasts the water usage of other affluent developments with large parcels that are also in Kootenai County.

For example, the Syringa development, although not the caliber of Black Rock, does have larger parcels with high-end residences. The average home in the summer utilizes 1,500-1,800 gallons a day while other homeowners in Syringa use over 250,000 gallons a month during peak season. It would appear that Black Rock is severely underestimating the irrigation consumption for affluent, large parcel homeowners.

A Club Black Rock Consumption Analysis Components should include initial filling use and ongoing usage, as well as specifically addressing water consumption in the months of July & August. An analysis example:

<u>Water Use Area:</u>	<u>Initial use:</u> (Gal/Mo)	<u>Ongoing use:</u> (Gal/mo.) (Typical of July/August use)
Lagoon 17,000,000 gallons (Initially test filled with lake water and currently effluent is being supplemented to maintain land application site irrigation requirements)	17,000,000 gallons	
Golf course 1		
Golf course 2		
Par-3 course		
North expansion: Open space: 169 acres (excludes golf course)		
Existing Black Rock: Open space area:		
Home sites: 381 dwellings: yards and landscape irrigation (note parcel size)		
Home sites: Phase 2: 325 dwellings: yards and landscape irrigation (note parcel size)		
Clubhouse 1 and surrounding landscape (note parcel size)		
Clubhouse 2 and 7 landscaped acres		
Detention ponds		
Lake-size Fishing Pond		
Water features		
Water fall		
Storage reservoirs		
Equestrian-type usage		
All other consumption; initial and ongoing (list and categorize)		
Total diversion quantity:		

8. As a Municipal Water supplier "Black Rock Utilities", noted as a Limited Liability Company with Marshall Chesrown listed as the Corporate Officer on Water Permit 95-9045, dated 4/12/2000, will undoubtedly bill and profit, if not already doing so, from the water usage by the members of Club Black Rock. Thereby, knowingly and reprehensibly profiting from a public water resource. This type of consumption and private revenue is in conflict with the local public interest and detrimental to our community at large. On April 10, 2006 the Public Utilities Commission in Boise noted that they were "stunned" that this type of extravagant type of water usage may be allowed to occur.

This resource abuse and potential profit is incongruent with the goals of the Kootenai County Comprehensive Plan and in violation of the use of water resources. The Comprehensive Plan notes: The responsibility for water resources management has not always been properly assumed by affected individuals, developers, or regulatory agencies. Our water resources need to be protected from any and all inclusive usage, and from activities that are detrimental to our community at large.

The applicant has been disingenuous as Black Rock Development is insensitive to the community in which it lies, surface and ground water resources, storm water runoff control, water quality, and is abusive of water usage. This is evidenced in part by the attached Memorandum from June Bergquist for the Idaho Department of Water Quality from December 15, 2005. (See attached.)

Moreover, in shedding further light on the integrity of the developer, Gary Gaffney from the Department of Environmental Quality noted that Black Rock has had several violations involving their sewage and lagoon system. The first violation happening in about 2001, and another incident last summer that he noted was "pretty serious". Additionally, as per the attached DEQ memo, fecal coliform contaminates were found in well water down gradient from Club Black Rock last spring. Currently, the use of a sump pump at the lagoon site is in question. Although Mr. Gaffney noted that multiple violations are usually pursued with an enforcement case he noted that he did not want to pursue enforcement proceedings because "you wouldn't believe how long it takes" and it would place a "stigma" on the project.

These violations potentially demonstrate noncompliance of the CONDITIONS OF APPROVAL of the original Water Permit 95-9045 for Black Rock Utilities, which states:

The right holder shall design and construct the water use facilities to assure that the facilities are capable of complying with the water quality requirements of the Division of Environmental Quality.

9. As this project is located on a Tribal reservation and consequently impacts the entire Coeur d' Alene Lake Basin and the Coeur d' Alene Tribe, we are requesting you contact the Coeur d' Alene Tribe and compile an impact study of the potential consequences of this water amendment on the rights of the Tribe along any long-term impact upon their community.

10. We request that you analyze other developments in the area and subsequent water consumption, as well as, other current and pending developments and golf course projects that are pumping from Coeur d' Alene Lake or propose to be pumping from Coeur d' Alene Lake. Accordingly, using this analysis to compile data as to the *cumulative* usage and short and long-term effects of this *cumulative* usage on local water and power supply resources.

11. The Water Permit 95-9045, dated 4/12/2000 is approved for irrigation use during the months from 3/15 to 11/15 of 2,500 CFS. The Amendment Permit is requesting a monthly supply from 1/01 to 12/31. If the use is strictly for "irrigation water" as noted on the application then the water consumption should be restricted and limited to the seasonal months noted on the original permit.

12. This Application for Amendment of a Permit does not comply with Idaho Statute Title 42, Chapter 2, APPROPRIATION OF WATER and requires compliance.

13. Should the opposition to this amendment proceed to a conference and/or hearing we reserve the right to be represented by legal council in any and all matters relating to the water permit application protest process.

We thank you for addressing our concerns pertaining to such a valuable resource.

Signed,

(See attached petition)

Coalition for Positive Rural Impact at Rockford Bay & Loff's Bay & Residents of Kootenai County.

Exhibits submitted, but not limited to:

Attached: Department of Environmental Resources, Memorandum to File, December 15, 2005.

Attached: Petition to oppose Water Rights Amendment

Attached: Houston Chronicle.com Cities losing water to sprawl. 2002.

Attached: Kootenai Environmental Alliance, *Perspectives*, Conserving Water: Makes Sense, Saves Dollars, Volume 33, Spring 2006.

April 21, 2006

To: IDAHO DEPARTMENT OF WATER RESOURCES

RE: Black Rock Development and Black Rock Utilities Application 72669, dated 3/10/06

Based upon Section 42-211, Idaho Code, **WE the undersigned** protest the **Application for Amendment** based on, but not limited to, the following reasons. 1. The proposed use is in conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use have and the effects of such use on the public water resource. 2. The proposed amendment may potentially injure other water rights and has not been proven otherwise. 3. It will enlarge the use area over that originally permitted. 4. We are opposed to the fact that their permit is NOT on a meter and there is NO charge for this water – it is UNCONTROLLED, VIRTUALLY UNLIMITED AND FREE and this is an inequitable use of a public water resource. 5. This project is restricted from public access, is a private "members only", gated, exclusive, discriminatory development and does not "build community" nor enhances the local community while squandering our resources on two golf course clubs made for the exclusive use of its affluent members. 6. We believe that our water resources are finite and need to be protected from any and all inclusive usage, and from activities that are detrimental to our community at large.

JAL	NAME	ADDRESS	PHONE & E-MAIL	SIGNATURE
1	Jai Nelson	15192 Gate 7 Ridge Rd Coeur d'Alene ID	208 667-5004	Jai Nelson
2	Mary Nelson-Brown	3632 Lightning Tree Lane CDA 83814	208-664-4249	Mary Nelson-Brown
3	ARTHUR L. HUNTER	W 7142 COUNTRY DR CDA 83814	208-766-2206	Arthur L. Hunter
4	JULIA L. O'NEILL	16662 S. GRAYSONS WAY CDA 83814	208-664-9024	Julia L O'Neill
5	Ann V. Paillet	16662 S. Graysons Way Cda 83814	208-664-9024	Ann V Paillet
6	DENNY STEWART	15267 S. BELLGROVE RD CDA ID 83814	208-765-0748	Denny Stewart
7	JENA PITTMON	1702 E. CDA AVE Cda, ID 83814	208 667-7720	Jena Pittmon
8	GERTRUDE H OAKS	1702 E Coeur d'Alene Ave CDA ID 83814	208 665 2080	Gertrude H Oaks

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	NAME	ADDRESS	PHONE & E-MAIL	SIGNATURE
9	Alison Diamond	16665 W. Wapiti Trail Coeur d'Alene, ID 83814	208-667-8317	Alison Diamond
10	Mark Rogers	5219 W. Reality Wp. CDA, ID, 83814	667-2153	Mark Rogers
11	Michael Gneckow	13649 S. BELLEVILLE Rd CDA, ID 83814	mgnckow@hotmail.com 667-8407	Michael Gneckow
12	GAIL GNECKOW	"	"	Gail Gneckow
13	Jim & Laura Morris	20453 S. LOT 5 Bay Rd. CDA, ID. 83814	Beliefworks@earthlink.com 667-9839	Laura Morris
15	Dave and Pamela Ross	16400 S. Ravenhill Rd.	208-691-0517	Dave & Pamela Ross
17	Eugene & Jan Eichner	16160 S. Potter Rd. CDA, ID 83814	208 676-8704	Eugene P. Eichner Jan L. Eichner

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	NAME	ADDRESS	PHONE & E-MAIL	SIGNATURE
14	ALBERT EINSTEIN LASSITER	E 23014 MAXWELL LIBERTY LAKE, WA 99019	509-893-0161	Albert Einstein Lassiter
20	JULIAN HUGHES	6883 W. 304TH WELL CDA, ID 83814	209-765-9484	Julian Hughes
21		CDA		
22	JOSADIA JASSON	9413 W ADELIN WAY	665-7543	Josadia Jasson
23	John Uriguen	7955 Silo Ridge Rd	664-4546	John Uriguen
24	LaNette Uriguen	CDA ID 83814	JohnUriguen@software.com	LaNette Uriguen
25	Elaine G. Ward	15430 S. Potter Rd. CDA 83814	765 2125	Elaine G. Ward
26	Donna Messenger	16222 Potter Rd.	667-7743	Donna L. Messenger
27	Cindy Lassiter	23014 E. Maxwell Liberty Lake WA 99019	509 893-0161	Cindy Lassiter

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	NAME	ADDRESS	PHONE & E-MAIL	SIGNATURE
28	Bill Messenger	16222 Pottery Rd CDA	669-7743 messenger@idaho.net	Bill Messenger
29	Corinne Lyte	8048 W. Rockford Bay Rd CDA 83814	765-2790	Corinne Lyte
30	Joseph & Dawn Brown	16226 S. Potter Rd. Coeur d'Alene ID 83814	(208) 769-9309	Joseph Brown
31	LEE D. PITMAN	172 E. CDA AVE COEUR D'ALENE, ID 83814	208-667-7720	Lee D. Pitman
32	Robert C. Baker	7707 Silo Ridge Rd Coeur d'Alene, ID 83814	208-765-2623	Robert Baker
33	Kathy McNelis	7155 W. Coventry Drive Coeur d'Alene, ID 83814	208-667-3349	Kathy McNelis
34	George Mitchell	7842 Mill Hollow CDA, ID 83814	661-9572	George Mitchell
35				

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	NAME	ADDRESS	PHONE & E-MAIL	SIGNATURE
36	Conda Mitchell	7842 W. Mill Hollow Coeur d'Alene ID 83814	765-3779	Conda Mitchell
37	Harry Cravotto	24018 N. McCoy Rd. ATHOL ID 83801	659-2662	Harry Cravotto
38	John Lynn	11881 E. Bunco Athol, ID, 83801	683-0506 lynnshtmtl@mbis.com	John Lynn
39	Karen Lynn	11881 E Bunco Athol ID 83801	683-0506	Karen Lynn
40	SID BURCHALL	1150 YELLOWPINE AVE ATHOL ID 83801	623-2500 JUST MONEY @ NET ZERO, NET	Sid Burchall
41	MARY L. PRATT	N. 27111 Good Hope Rd. Athol, ID 83801	208-683-2991	Mary L. Pratt
42	Mike Pratt	N 27111 Good Hope Rd. Athol	208-683-2991	Michael Pratt

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	NAME	ADDRESS	PHONE & E-MAIL	SIGNATURE
43	Carolyn L. McCrite	14102 E. Bunco Rd Athol ID 83801	208-683-0428	Carolyn L. McCrite
44	Deborah Rose	27145 Dove Haven Ln Athol ID 83801	208-683-2882	Deborah Rose
45	Marcia Cochran	27939 N Ramsey Rd Athol, ID 83801	208-623-6529	Marcia Cochran
46	Bruce Cochran	27939 N Ramsey Rd Athol, ID 83801	208-623-6524	Bruce Cochran
47	Wayne K. Duncan	9178 E. Howard Rd Athol, ID 83801	208/683-3431	Wayne K. Duncan
48	DALE B. FITZGERALD	29448 Silver Meadows Loop Athol ID 83801	208 683 2662	Dale B. Fitzgerald
49	Pam L Fitzgerald	29448 Silver Meadows Loop Athol, ID 83801	same	Pam L Fitzgerald

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	NAME	ADDRESS	PHONE & E-MAIL	SIGNATURE
50	Sandra Forstrom	4303 E. Lupin Athol ID 83801	208-683-2693 SF n Vegas @ AOL.com	Sandra Forstrom
51	MARGI DOMME	28125 N. Freemont St. Athol ID 83801	640-5098 dommema0626@aol.com	Margi Domme
52	Pamela A. Henkoski	25189 N. Infinity Rd. Athol, ID 83801		Pamela A. Henkoski
53	Michael L. Henkoski	25189 N. Infinity Rd. Athol, ID 83801		Michael L. Henkoski
54	Joan D. Hayes	11700 E Nunn Rd Athol, ID 83801		Joan D. Hayes
55	JOANNE STRONG	13233 NUNN RD ATHOL, ID 83801	683-2606 jes-11@juno.com	Joanne Strong
56	CLAUDIA E. SQUIBB	1493 E. VESTDALE DR HAYDEN, ID 83835	172-3267	Claudia E. Squibb

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	NAME	ADDRESS	PHONE & E-MAIL	SIGNATURE
57	Charles Richmond	2952 Shoshone ^{Athol}	683 0631	Charles Richmond
58	Robert Kidd	2700 Bohn Athol	661-3812	Robert Kidd
59	Jude Peterson	29784 N Brass Athol	683 3220	Jude Peterson
60	Don Peterson	" " " "	" "	Don Peterson
61	Abelie Aulla	29720 N Brass Athol	683 0355	Abelie Aulla
62	DAVID B. MONGAR	24354 N ULABY LN ATHOL, ID, 83801	208 683 2366 DBMONGAR@AOL	David B. Mongar
63	CARLA Kimball	13226 E. Bunco Rd Athol, ID 83801	UKCK2002.Aol.	Carla Kimball

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	NAME	ADDRESS	PHONE & E-MAIL	SIGNATURE
64	VIRGIL KIMBALL	13220 E. BUNCO RD. ATHOL		V. Kimball
65	ROBERT L. HAYES	11700 E. NUNE RD.		RS Hayes
66	Philip A. Clements	1493 E Westdale Dr Hayden 83835	272-3267 p.clements@adelphia.net	Plummet
67	R. Paul Caldwell	24327 N McCoy Athol Id	big wood pond at imbais.net	Rm Caldwell
68	Theresa Cravotto	24018 N. McCoy Rd Athol, ID 83801	cravi-county@ hotmail.com	Theresa Cravotto



Memorandum to File

Date: December 15, 2005

From: June Bergquist

RE: Background and Summary of Black Rock Meeting to Review Their Storm Water Study

Black Rock is a new 650 acre subdivision/golf course with large water features situated on a bluff overlooking Coeur d'Alene Lake in the vicinity of Rockford Bay.

In August 2003 DEQ received a complaint from the Decker family. The Deckers have a lakefront home down gradient from Black Rock. They noted that the seasonal stream next to their home used to flow for a few months out of the year and it now flows year around. They also noted that the increased flows coincided with the development of Black Rock. Decker's were concerned that fertilizers and other pollutants in the stream water could cause algae blooms in vicinity of their dock. They were also concerned that the stream water was sewage from Black Rock. As a result of the complaint, DEQ tested the stream on the Decker property with the following results:

Total coliform= >2,400/100ml and 2,400 E.coli/100ml

DEQ notified Black Rock of the situation on September 8, 2003 by contacting their engineer Joe Hassell of Inland Northwest Consultants. In response to this complaint, Black Rock investigated their water systems, including storm water treatment and storage, pressure sewer mains and water feature plumbing. Some leaks were detected and repaired. They also tested water in various locations for E. coli.

Late in 2003, based on Black Rock's and DEQ's investigation, the Decker problem was narrowed down to the possibility that their own drain field was polluting the stream with bacteria. To cause this problem, DEQ surmised that the drain field may have been recently damaged or it has been flooded with subsurface flows causing sewage to flow into the stream. The later situation would be consistent with Decker's observation of the recent increased stream flow. DEQ related this information to the Deckers along with the Inland Northwest Consultants letter (dated 2-18-04) and did not hear from them again after March 2004.

Also during 2004, DEQ received concerns from other people in the same general area as the Deckers that streams emanating from Black Rock were flowing all summer long in drainages that previous to Black Rock have been seasonal. Due to a large workload and

low staffing levels in the regional office water quality section, DEQ did not further investigate this situation. Black Rock was going to do their own formal study of the situation that included sampling of drainages and development of a water budget. DEQ was going to wait for those results. Deckers were going to do more sampling on their own.

On September 29, 2004 DEQ was contacted by Mr. Chris Edison a consultant for Black Rock who was working on the water study. He asked what parameters DEQ would like to see in regard to the study. After consulting with Gary Gaffney, I provided him with the information.

In September 2005, Krugers called DEQ complaining that their well vault had been flooded in 2004. Krugers lakefront home is located near the Decker residence and is also down gradient from Black Rock. Krugers indicated that flooding in the vault had never been a problem since it was constructed in 1974. The only water in the vault previous to 2004 was from melting snow or a hard rain (the cover to the vault is just a piece of plywood that is not a tight fit and is easily dislodged).

Krugers also developed bacteria problems in their well in 2004 for the first time. The well had been tested regularly for bacteria. This well is shared by three homes. Two homes are used seasonally, the third is used year around.

To address the problem, Ed Tupper, one of the well users, dug down along the outside of the vault and created a drain hole in the sidewall near the bottom of the vault. He attached a drain pipe. The drain daylighted further down slope of the vault and runs year around. They also had the pump and related plumbing inside the vault replaced by a professional plumber in attempt to stop water from flooding the vault and to clear up the bacteria problem.

DEQ sampled the Kruger well twice. The water in the well vault was also tested during the second sampling event. The results are as follows:

Well

10/4/05 total coliform 310/100ml E. coli 6/100 ml

10/6/05 total coliform 2,000/100ml E. coli 26/100 ml

Well Vault

10/06/05 total coliform >2,400/100ml E. coli 19/100 ml

Since this investigation was to determine water quality as it relates to the Ground Water Quality Rule (IDAPA 58.01.11) the samples were taken from the frost free spigot which was next to the well. In this way, the samples were not influenced by home plumbing issues (see field report dated 10/06/05).

DEQ's initial thoughts regarding this situation are 1) the well may have a defect that is allowing bacteria contaminated subsurface water to flow down into the well; and 2) that subsurface water up-gradient of the well has increased.

On October 4, 2005 in response to the Kruger issue, DEQ requested to examine any results from the Black Rock water study. This request was made during a meeting at DEQ discussing plans for Black Rock North, an expansion of the original development. After some confusion about what study DEQ was referring to, Black Rock responded on October 7, 2005 by requesting a meeting to discuss the study. Below is a summary of that meeting.

Date/Time of Meeting: November 21, 2005 2:00-4:15pm

Location: Coeur d'Alene DEQ Office

Attending:

George Schillinger - Black Rock

Kyle Kapps - Black Rock

Joe Hassell - Inland Northwest Consultants

Chris Edison - TechCon Inc.

unknown person

Steve West - Centra Consulting Inc.

DEQ STAFF:

Steve Tanner

Tony Davis

Gary Gaffney

Gary Stevens

June Bergquist

Sandy Meehan - Kootenai County Assistant Planner

An overview of the design of the wastewater system was presented by Black Rock. The design and direction of flow of the storm water system was also discussed. Black Rock representatives stated that the occupancy of Black Rock currently consists of three year around residents and 35 part-time residents, many of which only live there for two to three weeks out of the summer. The final build-out will be 380 homes. Black Rock representatives also stated that the volume of treated septic effluent is so low that Black Rock has had to add lake water to it in order to keep their treed land application site alive.

Storm water on this site consists of springs and seeps, in addition to precipitation, that are largely diverted down slope towards Rockford Bay Road for storage and gradual release from detention ponds. This release of water occurs as surface flow to the road ditch, infiltration and evaporation. Other detention basins also receive storm water and release it at a controlled rate to existing drainages.

Prior to Kootenai County approval, Black Rock had to show no net increase in runoff for a certain level of storm event. To do this, pre-development flows were calculated in the streams around the development. Post-development calculations included golf course

irrigation along with roads and other impervious surfaces. This was a modeling effort, no actual measurements were done.

There seemed to be some confusion about the presence of underground storage vaults for storm water in conjunction with the detention ponds along Rockford Bay Road. Black Rock indicated that there were no vaults, just the detention ponds. Black Rock summarized that due to the development, water has appeared in some areas and disappeared from other areas.

Black Rock announced they will not be sharing the results of the storm water study they are conducting at the development. They considered the information part of their due diligence work and do not want to share it with DEQ. DEQ offered to protect the information as business confidential. They were not comfortable with our ability to protect business confidential information.

After several questions regarding the study results DEQ learned that: 1) increase nitrates could be detected in very small amounts in the surface water drainages below Black Rock following golf course fertilization; 2) run-on water had higher levels of pollutants than that running off of Black Rock; 3) Black Rock has the ability to track all water use and develop a water budget that would detect any loss of water due to leaks; and, 4) fertilizers are applied based on a computer model developed for golf course management. Sampling for the study occurs at cross culverts.

Black Rock has three drinking water wells at the base of their subdivision located above the Rockford Bay lakefront homes. These wells are in the area that residents have noted a rise in shallow ground water and an increase quantity of surface water. To insure that these public water system wells were not contaminated like the Kruger well, Black Rock sampled them for coliform bacteria. Results were no coliform bacteria present.

Black Rock also indicated that during development of the subdivision, they conducted 24 hour aquifer tests and monitored lakefront wells to address concerns that pumping Black Rock wells might influence water levels in lakefront home wells. They didn't detect a problem. DEQ inquired as to the source of recharge to the Black Rock water wells and Mr. Edison stated that there was recharge from the lake and potentially from up-gradient areas.

Black Rock indicated they will begin monitoring water depth in their wells and record any changes that might be due to development activities. DEQ replied that monitoring the deeper aquifer [that the Black Rock wells are completed in] may not assist in detecting water level changes in the shallow aquifer that area residents are noting changes.

Mr. Edison indicated that his study showed that no sewage was coming from Black Rock and that the bacteria in the Kruger well may be from their own drainfield due to excess watering of vegetation. He said Panhandle Health District records of the 24 lots below

Black Rock, show only 8 had permits for their drainfields. Much of this lakefront consists of older homes that may have been developed prior to permit requirements.

Mr. West indicated that we do not have any background information to determine if Black Rock has caused a change to water quality or quantity. He also noted that Black Rock is in compliance with all their permits.

Mr. Kapps indicated that only 76 acres of the 232 acre golf course is irrigated at this time. The golf course is operated at a lower number of players than potentially could play. This is necessary due to Black Rock's desire to keep natural areas intact, requiring longer play times to retrieve stray balls.

Black Rock would like to construct 36 more units this fall. They also did not want Black Rock North to be held up due to this issue. They indicated that the bottom line is that the development has influenced surface water but based on their monitoring, water leaving the site has no pollutants that would be problematic for the lake. Black Rock will continue the study next season also and include Black Rock North area also.

I indicated that DEQ may conduct our own study to determine current and/or changing water conditions. Mr. Tanner (DEQ) suggested that shallow ground water monitoring well(s) be constructed to track water levels over time to give us an idea where this extra water originates. We can also look for simple "water signatures" to indicate the origin of shallow ground water and unusual surface flows during dry months of the year.

DEQ's concerns related to this subdivision and similar upcoming developments are: 1) to insure that Black Rock's or any other public drinking water supply are protected; 2) to insure that the general resource aquifer is protected; 3) if golf course/subdivisions alter shallow ground water and surface runoff, we must evaluate their potential to affect public utilities during the plan and specification review process; and 4) to protect beneficial uses of state waters and meet water quality standards.

Subsequent Information

Construction specifications for this development estimates that the golf course will require 2 inches per week during peak season. Residential irrigation peak demand was estimated to be 720 gallons per day per home (Bid Packet and Construction Specifications for Black Rock PUD, March 2001).

Discussions of DEQ's approach to this issue continue and we invite the Coeur d'Alene Tribe, Panhandle Health District, Kootenai County, Black Rock and any other interested party to share their thoughts with us. If we move forward with a study, the monitoring plan may include at least one other location where similar concerns might arise. This study would be contracted out and probably last two or more years. As we receive input, more details will be provided to interested parties.

The Quarterly Newsletter of the



Kootenai
Environmental
Alliance

Perspectives

Conserving, protecting, and restoring the environment for thirty four years
because of quality of life depends on the quality of our environment.

Volume 33, Spring 2006

Conserving Water: Makes Sense, Saves Dollars

The City of Coeur d'Alene Water Department in partnership with the Kootenai Environmental Alliance (KEA) has initiated a Residential Landscape Credit Rebate Program to promote water conservation. The conservation program offers a rebate credit on the utility bill of all owner occupied single family residences who are customers of the CdA Water Department.

The landscape credit rebate being offered by the CdA Water Dept. will cover 75% of the cost customers pay (up to \$75) for devices that will save water while they are watering their lawns. The devices are: a rain sensor, soil moisture sensor or hose bib timer.

The aim of the landscape rebate credit is to educate residents how to minimize water waste, and heighten the awareness of the need to conserve our water so that we can all continue to enjoy the exceptional water we get from the Rathdrum Aquifer at a minimal cost to the consumer.

As the Kootenai County undergoes change and rapid growth, cities must find innovative ways to manage this precious resource and still be able to deliver a high level of service.

The City of Coeur d'Alene Water Department recognizes the benefits of educating residents about water saving techniques and is committed to introducing innovative water wise programs aimed at providing the best quality of water with a high level of service. KEA is committed to protecting our water resource, the Rathdrum Aquifer.

Customers of the CdA Water Dept. used five times as much water in August 2005 as they did in February 2005. Almost all of this increase can be attributed to landscape irrigation. By reducing water use by only 10% in August the City could save roughly 67 million gallons of water, which would postpone the need for

a new well at the cost of about \$750,000.00.

All three of these tools prevent over watering, which is a real problem in the inland Northwest. We tend to think the more water we apply the greener our lawn will be, which is not necessarily true. Over watering and constant shallow watering can lead to plant disease, leach nutrients from the soil and waste water. Too much water creates shallow roots that make a lawn susceptible to pest and heat stress.

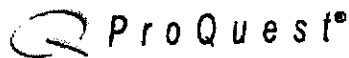
One way to determine the appropriate amount to water is by checking soil moisture an hour after watering. Insert a long-bladed screwdriver or similar tool into the soil; the depth of water penetration will correspond to the depth the blade can easily reach.

Ideally, you should irrigate deeply, and as infrequently as possible. A soil moisture depth of 9 inches for blue grass and 12 inches for ryegrass is recommended. The root zone will generally be replenished by the application of 1/2 to 1 inch of water. Too shallow watering will only wet the top layer of soil and grass roots will not grow deep enough to withstand summer heat and sun. Sandy soils require around half the water required by clay or silty soils to achieve the same moisture depth.

The best time to set your sprinkler system to water is between the hours of 3 am and 6 am, as evaporation loss is low and the grass will not remain wet too long. To take advantage of the rebate credit look for hardware and garden stores with the rebate poster in the window.

Irrigating efficiently is an easy and practical way to conserve our area's water resource—it makes sense and saves dollars!

(Go to page 7 to find the stores that are participating in the Rebate Credit Program.)

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Databases selected: ProQuest Newspapers

HOUSTON'S LEADING INFORMATION SOURCE
HoustonChronicle.com**Cities losing water to sprawl / But local expert says study didn't factor Houston's soil; [3 STAR Edition]**

MIKE SNYDER. Houston Chronicle. Houston, Tex.: Aug 29, 2002. pg. 27

Subjects: Urbanization, Studies, Cities, Groundwater, Urban development, Water supply, Environmental impact

Locations: Houston Texas

Author(s): MIKE SNYDER

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Abstract (Document Summary)

Authors of the study, titled "Paving Our Way to Water Shortages: How Sprawl Aggravates Drought," said it was the first serious examination of the impact of sprawl on water supplies.

The study examined the 20 metropolitan areas in which growth consumed the greatest amount of land from 1982 to 1997, based on data from the U.S. Department of Agriculture. After making assumptions about the amount of hard surfaces included in the new development, the authors calculated the amount of rainwater that runs off the land instead of filtering through the soil and recharging groundwater sources.

Betsy Otto, the senior director of watershed shortages for American Rivers, said the study's findings in Houston considered the region's relatively low rate of water absorption, based on such factors as heat and humidity. But soil conditions were not specifically factored into the findings, she said.

Full Text (672 words)*(Copyright 2002 Houston Chronicle)*

Houston and other fast-growing cities are losing billions of gallons of water because streets, parking lots and other hard surfaces are replacing water-absorbing fields and forests, according to a study released Wednesday.

The study by American Rivers, the Natural Resources Defense Council and Smart Growth America said cities could preserve their water supplies by reducing suburban sprawl and embracing more compact forms of development.

But a local expert said the impact of development on Houston's water supply probably is minimal, because the area's predominantly clay soil absorbs little water.

"The type of aquifer we have does not get a lot of recharge," said Ron Neighbors, the general manager of the

Harris-Galveston Coastal Subsidence District.

Authors of the study, titled "Paving Our Way to Water Shortages: How Sprawl Aggravates Drought," said it was the first serious examination of the impact of sprawl on water supplies.

"We have quantified for the first time this hidden cost of sprawl," said Deron Lovaas, a deputy director at the Natural Resources Defense Council.

The study examined the 20 metropolitan areas in which growth consumed the greatest amount of land from 1982 to 1997, based on data from the U.S. Department of Agriculture. After making assumptions about the amount of hard surfaces included in the new development, the authors calculated the amount of rainwater that runs off the land instead of filtering through the soil and recharging groundwater sources.

With 291,400 acres developed during those 15 years, the Houston metropolitan area lost between 12.8 billion and 29.8 billion gallons of water, according to the study. The first figure assumes that 15 percent of the new development consists of hard surfaces; the second assumes 35 percent.

Atlanta, often described as the nation's sprawl capital, lost between 56.9 billion and 132.8 billion gallons of water based on 609,500 acres of new development, the study found.

Eleven of the areas with the greatest land consumption were in the South, with three each in the Northeast, Midwest and West.

Although sprawl is not causing the water shortages affecting many areas of the country this summer, it aggravates the drought's effects, the study's authors said.

Local planners and community leaders can ease the problem by directing growth into existing communities rather than permitting development to spread farther into the countryside, the study says.

The groups urge state and local officials to identify and protect open spaces and critical aquatic areas, integrate water supply into planning efforts, and to invest in existing communities by repairing infrastructure before building anew.

If even 10 percent of new development were based on the more compact "smart growth" model, 1.6 million acres could be preserved, said John Bailey, the assistant director of Smart Growth America.

Betsy Otto, the senior director of watershed shortages for American Rivers, said the study's findings in Houston considered the region's relatively low rate of water absorption, based on such factors as heat and humidity. But soil conditions were not specifically factored into the findings, she said.

Neighbors, the subsidence district manager, said the region's clay soil is "massive and thick and it really doesn't let much water through anyway. It soaks up what it can, and the rest it sheds just like it was asphalt or concrete."

Kevin Shanley, a Houston architect and land planner, said urban development has the potential to affect shallow aquifers in the area. While these aquifers do not feed drinking water sources, Shanley said, they are important to the health of trees and other vegetation.

...

Losing the runoff

Estimated groundwater lost due to urban development between 1982 and 1997:

CHICAGO

Acres developed: 250,000

Estimated groundwater lost: 10.2 to 23.7 billion gallons

PHILADELPHIA

Acres developed: 238,800

Estimated groundwater lost: 25.3 to 59.0 billion gallons

ATLANTA

Acres developed: 609,500

Estimated groundwater lost: 56.9 to 132.8 billion gallons

DALLAS

Acres developed: 302,400

Estimated groundwater lost: 6.2 to 14.4 billion gallons

HOUSTON

Acres developed: 291,400

Estimated groundwater lost: 12.8 to 29.8 billion gallons

[Illustration]

Map: 1. Locations of cities with estimated groundwater lost (color): Graph: 2. Losing the runoff (color, TEXT)

Credit: Staff

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