



April 14, 2023

Ms. Nicole Twing, P.G.  
UIC Program Manager  
Wyoming Department of Environmental Quality, Water Quality Division  
200 W 17<sup>th</sup> St, 2<sup>nd</sup> Floor, Cheyenne, WY 82002  
RE: Grand Teton National Park-Gros Ventre Campground Proposed Underground Injection Control Class V 5E3 Permit (No. 10-012)

Dear Ms. Twing,

On behalf of Protect Our Water Jackson Hole (“POWJH”), I am pleased to submit this letter in response to the Wyoming Department of Environmental Quality’s (WDEQ) March 22, 2023 public notice inviting comments on the above-referenced proposed Underground Injection Control (UIC) permit.

POWJH is a nonprofit organization dedicated to serving Teton County, WY as a powerful advocate for restoring and protecting the surface waters and groundwater throughout the Snake River Headwaters.

The National Park Service’s Grand Teton National Park – Gros Ventre Campground septic system includes: (1) a septic system with flows greater than 10,000 gallons per day and (2) wastewater from an RV dump station that flows through a septic tank, a dosing pump station, and delivery to an infiltration leachfield. December 29, 2022 Permit Application.<sup>1</sup>

The groundwater in the Alluvial Aquifer along Snake River is classified as Class I according to Wyoming Water Quality Rules, Chapter 8. Specifically, DEQ notes in its comments to the Applicant that “WDEQ will consider the groundwater to be of Class I Domestic.” UIC Permit Application Comments at Attachment A, “Geohydrology.” Groundwater of Class I shall not be degraded to make it unusable as a source of water for its intended use. Additionally, this property is adjacent to the Gros Ventre River (a Wyoming Class 1 Outstanding Water), the significance of which is reflected in the Craig Thomas Snake Headwaters Legacy Act of 2008. *See Wyoming Surface Water Classification List* (noting that “[a]ll surface waters located within the boundaries of Yellowstone and Grand Teton National Parks and congressionally designated wilderness areas as of January 1, 1999 are Class 1 waters.”)

POWJH respectfully requests that DEQ extend the public comment period by one month to allow meaningful review of the draft permit and supporting appendices. Specifically, as of Tuesday, April 18, 2022, the DEQ web-based electronic notice contained only a link to the draft permit. Undersigned contacted a DEQ representative and explained that additional materials, including initial DEQ completeness review documents and Applicant responses, were not

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<sup>1</sup> Appendix A indicates that the permit application was dated December 29, 2023, but the record indicates that such permit application was signed in December 2022.



publicly accessible. It appears that DEQ has updated the electronic notice and has provided links to Appendices A-C, which include over 700 pages of documentation. An additional one-month comment period will allow POWJH and other members of the public sufficient time to conduct a meaningful review of the supporting materials for the permit application and to provide carefully considered comments. Although there are many aspects of the proposed project that appear to provide overall improvement of the discharges to the ecosystem and water quality, the proposed project and the construction period have the potential to have significant impacts on the environment.

Notwithstanding limited time to review Applicant's voluminous submissions, POWJH provides the following comments based on the information available to it and the time available for review:

- The proposed project involves significant construction activity and thus appears to constitute a major federal action triggering National Environmental Policy Act ("NEPA") review processes. 40 C.F.R. § 1508.1(q). The Applicant has not provided, and DEQ has not required, information about the Applicant's position regarding NEPA analysis (i.e. whether there has been an Environmental Assessment, Finding of No Significant Impact, etc.).
- DEQ's completeness review indicated that the permit application was incomplete and requested additional information. DEQ January 17, 2023 Completeness Review. In response, Applicant, through its consultant, Nelson Engineering, provided more than 600 pages of supplemental materials. However, it is unclear whether and how DEQ responded to Applicant's supplemental submission. POWJH requests that DEQ provide the analysis of whether and how Applicant's responses satisfied the comments provided in the Completeness Review that led to the draft permit (i.e. Appendix A).
- Applicant's supplemental submission shows significant construction activity. See Appendix B, Page 638 of 673 (Demolition Plan and Staging Area). However, it is unclear whether and how Applicant intends to employ Best Management Practices to minimize nonpoint source water pollution during the construction period.
- It is unclear whether and how DEQ will require additional groundwater monitoring, nor is it clear to what extent current groundwater monitoring is adequate in light of the significant effluent entering the existing and proposed systems, as well as the history of permit exceedances.

POWJH commends the work that has already been done to improve this facility. It is clear that the National Park Service has worked closely with WDEQ to update their operations to mitigate water quality impacts from effluent discharge. The proposed system, once installed properly and



with the correct amount of public input, will be a vast improvement from the current system, which has experienced water quality problems due to the use of the current system exceeding its designed capacity. Implementation of Best Management Practices and straightforward monitoring and presentation of data will go a long way towards ensuring that the protected ground- and surface waters near the facility are safeguarded from the harmful impacts of effluent discharge.

We appreciate the opportunity to provide comments on UIC Class V 5E3 Permit No. 10-012 and we look forward to WDEQ's response to our specific questions and comments.

Sincerely,

Kevin E. Regan  
Law and Policy Advisor