

SUBMITTED VIA DEQ PUBLIC COMMENT PORTAL

March 8, 2024

Mr. Justin Scott, P.G.
UIC Program Manager
Wyoming Department of Environmental Quality
Water Quality Division
200 West 17th Street, 2nd Floor
Cheyenne, Wyoming 82002

RE: Snake River Sporting Club's ISD Wastewater System; Proposed Underground Injection Control Class V 5E3 Permit (No. 2023-077)

Dear Mr. Scott,

On behalf of Protect Our Water Jackson Hole (POWJH), we are pleased to submit this letter in response to the Wyoming Department of Environmental Quality's (WDEQ) February 7, 2024 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 and groundwater in the Snake River Headwaters.

Snake River Sporting Club (SRSC) is a growing real estate and golf development located adjacent to the Snake River south of Hoback Junction. The SRSC Improvement Service District (ISD) Wastewater System (Facility ID No. WYS-039-092) is a Class V 5E3 Domestic Subsurface Fluid Distribution System. Wastewater is produced from 9 two-bedroom units, 8 three-bedroom units, 75 four-bedroom units, 6 five-bedroom units, a spa serving 110 people/day, and a golf course clubhouse. This injection facility consists of two leach fields and is authorized to inject 44,250 gallons per day (gpd) maximum and 26,450 gpd average, primary treated domestic wastewater into the surgical alluvial sand and silt deposits derived from the Snake River Alluvium formation. Leachfields are located in the SE1/4 SE1/4 of Section 8, and the NE 1/4 NE1/4 of Section 17, Township 38 North, Range 116 West, of the 6th Principal Meridian, Teton County, Wyoming. Draft Permit No. 2023-077 was issued by the Wyoming Department of Environmental Quality (WDEQ) in response to an application by SRCS (received on April 17, 2023 and supplemented on September 1, 2023).

The groundwater in the Quaternary Alluvium along Snake River is classified as Class I according to Wyoming Water Quality Rules, Chapter 8. Groundwater of Class I shall not be degraded to make it unusable as a source of water for its intended use. The adjacent surface water (the 19-mile segment of the Snake River from the mouth of the Hoback River to the point 1 mile upstream from the Hwy 89 bridge at Alpine Junction) was designated by the Craig Thomas

Snake Headwaters Legacy Act of 2008 as a recreational river. This, and other segments of the headwaters of the Snake River System in northwest Wyoming, were recognized as some of the cleanest sources of freshwater, healthiest native trout fisheries, and most intact rivers and streams in the lower 48 states. These rivers and streams provide unparalleled fishing, hunting, boating and other recreational activities for residents and millions of visitors, are national treasures, and generate millions of dollars for the Teton and Lincoln County economies. The designation under the Wild and Scenic Rivers Act (WSRA) signifies to all United States citizens the importance of maintaining the outstanding and remarkable qualities of the Snake River System.

The new Teton County Water Quality Management Plan has demonstrated the interconnected nature of groundwater and surface water in our community. Accordingly, in light of the volume of effluent leaving this facility (which is located adjacent to the Snake River on the floodplain itself), WDEQ should give the application close scrutiny.

POWJH has the following questions and concerns regarding the draft permit:

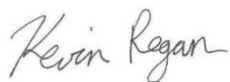
- WDEQ provided an April 24, 2023 letter assessing the completeness of the application, which raised a number of issues. Appendix at pages 70-71 of 632. In response, Jorgensen Engineering provided a letter dated September 1, 2023 and supplemental materials. In large part, that letter does not provide specific answers but instead requires DEQ and the public to cull through over 500 pages of materials, including 2002 hydrogeologic study. It is unclear whether that 2002 study is included twice in the Appendix materials.
 - WDEQ required further information about monitoring wells. Appendix at page 71 of 632, item 4. In response, Jorgensen notes “please refer to the updated table attached.” Page 105 of 632 at item 3. It is unclear which table Jorgensen is referring to. In any event, WDEQ should ensure that the monitoring wells are sufficient and NPS should provide support for the locations for these wells (i.e. the monitoring wells should be down gradient and placed in a good area to detect potential issues).
 - WDEQ required a hydrogeologic study. Appendix at page 71 of 632, item 3. In response, Jorgensen provides a two-page letter that mainly appears to rely on a 2002 study conducted by Lidstone and Associates. Page 115 and 116 of 632. That letter states in conclusory fashion, in terms of geohydrology, “All items have remained the same since the [Lidstone 2002] report was submitted.” However, the letter also states “[t]his letter has been prepared based on a limited amount of data. Actual site conditions may vary.” WDEQ should conduct due diligence to ensure that the materials submitted adequately characterize the hydrogeologic conditions, and whether the over 20-year-old Lidstone and Associates report satisfies WDEQ’s regulatory requirements.
 - WDEQ required a written sampling and analysis program. Appendix at page 71 of 632, item 6. In response, Jorgensen notes “Please refer to the attached written sampling and analysis program.” It is unclear to the public which plan Jorgensen is referring to; is it in the Lidstone and Associates report? In any event, WDEQ

should make sure that the sampling and analysis program is sufficient to detect water quality issues.

POWJH also has the following additional concerns:

- It appears that there is only primary treatment for wastewater. It is unclear whether WDEQ considered additional technological requirements, such as additional aeration, pretreatment, or insulation to help mitigate the effects of the cold climate.
- Wastewater from showers, toilets, human wash basins, food prep, clothes washing, and dishwashers is being sent to these facilities, so it is very likely that this primary treated effluent has very high BOD, nutrient concentrations, microplastics, soaps, antiseptics, antibiotics, PFAS, and other undesirable contaminants. WDEQ should consider adding contaminant limits from household processes like dishwashing and clothes washing (PFAS, microplastics plastics, antibiotics).
- WDEQ should consider adding a BOD requirement.
- WDEQ should consider adding a phosphorus requirement.
- WDEQ should require some level of pathogen removal requirement.
- Sludge depth in the tank is only required to be visually measured once every year; WDEQ should consider additional periodic monitoring to ensure the system is working correctly. The permit limit is “2 feet.” DEQ should clarify from what point that “2 feet is defined.”
- The draft permit is for a term of no more than 10 years. (Page 12 of draft permit; “Duration of Permit”) The draft permit also requires “[t]his permit shall be reviewed at least once every five (5) years for continued validity of all permit conditions and contents.” *Id.* We respectfully request that the permit should be evaluated every three (3) years to help ensure that the wastewater facility is not negatively affecting the Snake River or the aquifer.

Sincerely,



Kevin Regan
Law and Policy Advisor



Matthew Bambach
Water Resources Program Manager