

To the Ames City Council

I'd like to provide some information which I hope will persuade you that Ames should be disinfecting its wastewater. I am not a professional in water quality or wastewater issues, but I have become familiar with some of the requirements of the Clean Water Act through my involvement with the IOWATER volunteer water monitoring program and the Squaw Creek Watershed Coalition. And as an active member of the local paddling community I am very familiar with the types of recreational uses which exist on the South Skunk.

In 1972 the Clean Water Act (CWA) established that all waters of the United States should be protected for aquatic life and recreational uses. All streams were to be initially afforded this highest level of protection with the presumption that these uses existed or were attainable. The law also requires that a Use Attainability Analysis (UAA) be performed before any lesser level of protection can be assigned to a stream segment. The UAA, a collection of data, observations and other evidence, must demonstrate that protection for recreational and/or aquatic life uses cannot reasonably be attained.

Though Iowa has never conducted a UAA, only 17% of its 71,665 total stream miles have been protected for aquatic life and only 3% have been protected ("designated") for water contact recreation. The South Skunk River between Story City and Ames is included in that protected 3%, yet the DNR has allowed Story City to shut down its disinfection equipment.

Treatment plants which are required to disinfect (those which discharge to a stream designated for primary contact recreation) are required in their permits to test for *Escherichia coli* (*E. coli*). The presence of *E. coli* suggests that other pathogens (*Cryptosporidium*, *Legionella*, *Giardia* and *Mycobacteria*, for example) may also be present.

Shouldn't we be concerned that Story City may be discharging these pathogens into a river that is used by at least hundreds, and likely into the thousands, of local citizens each year? Does Story City test for *E. coli*?

Another provision of the CWA is that water quality must be protected and maintained for existing uses, regardless of designation (or lack thereof). We know that the South Skunk is used for canoeing and kayaking, tubing, wading, swimming and fishing, that fish are caught and consumed, and that these activities occur not only from Story City through Ames, but at a public access just below the Ames discharge and on downstream into Southeast Iowa. Does Ames test for *E. coli*?

The Ames discharge may be well under current requirements, but one has to wonder how commendable this is in light of the fact that the plant has been operating with an expired NPDES permit since 1999. And it's true that there are other inputs of pollutants, both point-source and non-point sources, but Ames has no "right to pollute", and it is the "right to pollute" attitude that has worked to keep Iowa out of compliance with the Clean Water Act for 34 years.

Ames must hold itself to a higher standard. By federal law a UAA can not be used to remove protection for uses that already exist, even if the water quality does not fully support those uses. By federal law a NPDES permit must protect for existing uses.

Ames must waive the UAA currently being conducted and immediately seek a new NPDES permit that will protect the South Skunk River as a fishable/swimmable stream, as the federal Clean Water Act intended in 1972 and as is necessary to protect the health and safety of Ames' citizens and its neighbors downstream.

I hope you will agree.

Respectfully,

Rick Dietz
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Ames