

Please accept the following as Public Comment towards the proposed "Road Rules 2013" package currently being considered by the Board:

My comments are follow-up to the comments that I submitted on October 4, 2013 during the 45-Day Public Comment Period for the proposed Road Rules 2013 Package regarding the definition for **Significant Sediment Discharge** (895.1).

Very briefly I would like to urge the Board to review the last sentence of the definition which reads ... **"One indicator of a Significant Sediment Discharge is a visible increase in turbidity to receiving Class I, II, III, or IV waters."**

As I previously submitted, I support the concept and the basic definition of the term Significant Sediment Discharge, but to use only one "indicator" in this definition is going to lead to a wide range of interpretation in the field. In the case of this indicator, the concern is it will tend to lead to costly protection measures or operational delays to the plan proponent with the attempt to regulate and avoid "a (any) increase in turbidity ...". Beyond the standard mitigations or those developed to address site specific concerns, the additional mitigation will be based on potential turbidity speculated upon during the plan review process. Given that there is now time to reflect on this issue, it seems that either a more complete set of "indicators" could be developed to provide better clarity to this pivotal definition or drop the indicator portion of this definition and vet out the intent of the definition within the supporting discussions associated with the approved rule package.

A suggested modification to the "indicator" portion of the definition is as follows: "... One indicator of a Significant Sediment Discharge is a visible ~~increase in turbidity~~ sediment delivery to receiving Class I, II, III, or IV waters as a result of, but not limited too; active operations not associated with emergency watercourse repair work, an improperly functioning drainage structure or facility, or a legacy sediment source (such as perched road fill, an existing crossing site, landslide).

Thank You for the opportunity to provide comment on this very important aspect of this package.

Sincerely,

Mitch Hunt
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