

Public Hearing
November 30, 2007
Elkader, Iowa

Chris Spoelstra: Public Hearing, November 30.2007, Elkader, Iowa.

Nathan Lein: I'm Nathan Lein, I'm here on behalf of the Iowa Environmental Council and also as a citizen of Clay specifically Oelwein and avid recreationist on many of these streams in the northeast corner. I'm gonna start with the Clayton county designation, specifically with the South Cedar Creek, this specific creek runs through the town of Garnavillo, children do play in this creek during the summer. Whether the stream is pooled or flowing, and I know this is more of a pooled perennial type stream. Also, occasionally during times of high water flow the creek can be paddled. The Maquoketa River segment, and I guess this would be the South Fork on the segment listed for A2 runs through Backbone State Park. I personally have canoed and tubed on this river, and I also use Backbone State Park quite regularly as it is in close proximity to Oelwein. This summer I saw children playing in the river as it flowed through the park, there's a public beach at Backbone on the lake created by the impoundment of the river. The Maquoketa is a known canoeing, fishing and tubing river, many children play in it as well. Additionally, Project Aware, that was the first Project Aware site. And I know that there was quite a bit of full body immersion as there always is on Project Aware trips. Delaware County, the Maquoketa River, I would just re-echo my comments at both, Buffalo Creek, sounds like we have several Buffalo Creek people here, it's not something I've personally been on as a river, so I will reserve those comments. The Durban Creek, North Fork of the Maquoketa, the Iowa Environmental Council is pleased to see the A3 designation on the segment flowing through the two parks and near Vienna and Dyersville, however below those two towns the A2 designation is used. I know this is another river that gets heavy use, both from tubers and paddlers, additionally there is a good amount of fishing in the North and South Fork of the Maquoketas. I have personally seen all of those uses. In Dubuque County, North Fork of the Maquoketa, I would just re-echo those comments, Catfish Creek, again the A3 designation ends right at the county park boundaries from the best I can tell. Catfish Creek does flow into at least the outskirts of Dubuque, children do play in that creek, especially once it gets to the borders or Dubuque. Whitewater Creek, this creek flows through Filmore Recreation Area, additionally to the Whitewater Canyon Recreational Area, many paddlers and swimmers utilize this creek on a yearly basis. I would encourage the DNR to reconsider the designation. Fayette County, the Council and I personally on the Turkey and Volga are pleased to see the A1 designation on both those streams, and I would note for the record that I have seen many children in these rivers during all sorts of flow in Fayette County. The Little Turkey River though, I'm very concerned about this designation, children play in this river when it goes through Waukoma, I have personally seen jet skis out above the Waukoma impoundment, I have personally tubed and paddled the Little Turkey River all the way from Waukoma down to it's confluence with the Turkey there in El Dorado just above West Union. In fact, the DNR own employee Nate Hoopdeen's written a book about paddling Iowa and he states that the Little Turkey is actually a little bit better than the Turkey and I would agree with Nate. I can't even begin to enumerate the amount of times I have personally been submerged in the Little Turkey. Children play in the river in the unincorporated town of El Dorado, just north of West Union and just below the joining of these two rivers. Bruce Creek, I believe that this is the Joy Springs Trout Stream, this is close to Camp Uwelu, I know during the summer having been a camper there, that creek stomping is a favorite pastime and that camp caters from fourth graders to high school, so I would urge the DNR to look at an A3 protection especially for the amount of activity that creek gets in the summertime with the camping. Also there is obviously some good trout fishing there as well and I would obviously be for the Aquatic Life designation, we want a WW1 on that. Winneshiek County, the Ten-Mile Creek, this Creek is a small creek but children do play in it. It flows through Ridgeway and they play in it during the summertime. And then the unnamed creek that flows through Calmer, over the bridge and through the impoundment, well it's not really an impoundment, it's a culvert, I have seen children play in that a few times during the

summertime so I would encourage a reinvestigation and a possibly an A3 designation for those. Those are my comments and I will additionally email them to you.

Bill Hemmes: My name is Bill Hemmes, I'm a Sierra Club Member, I know that's a scary organization. Sierra Club Member from Iowa, but without them I wouldn't have found out about these public hearings at all. I think that the measurement that they use for designating streams of one meter in pools and runs of averaging a half a meter is a flawed measurement. Because use varies depending on the time of the summer and the time of the recreational period and there's at times low flow where we all know that children splash and play in low flow water, whether it's the Wapsipinicon or Buffalo Creek or wherever and is the DNR or the legislature ready for lawsuits from parents whose children play in these bacteria laden streams who may lose a kidney or have some other health problem caused by bacteria and E-coli in the water? At times of higher flow of course you have people swimming and canoeing in almost every stream. I can kayak in six inches of water pretty easily. The depth of flow is actually not very revelent and depth is not a determinative factor in Iowa's Water Quality Standards Definition of A1. Nor is it specified in the soon to be adopted Recreational Assessment Protocol. You are downgrading two hundred and seventy-nine streams or recommending that they be downgraded and I agree with the person from Jones county that everything should start out at A1 and then have cities or the stockholders of the DNR, the wastewater folks and the cities and industries, have them petition to be able to pipe more bad things out of their pipes into our rivers. And I don't agree that everything disappears after a certain distance down the stream. I mean Beeds Lake over where my mother lives in Hampton, every summer, they close the beaches because of E-coli. Well where does that come from? It comes from the streams that come into Beeds Lake. Same thing with Clear Lake. Clear Lake Beaches are closed usually on the Fourth of July because of E-Coli and Clear Lake has a poor drainage system, the streams that come in there are carrying the E-coli. So what are we gonna, I'm an educator, and what are we gonna tell our kids in Environmental Education and in Biology classes years down the road? That the legislature and the DNR allowed more pollution to go into streams rather than trying to clean them up? I think that's a sad message for our young people. Thank you.

Michael Klimesh: My name is Michael Klimesh, I'm the mayor of the City of Spillville and we submitted this letter in writing to your office. The City of Spillville requests that you reconsider the classification of the unnamed creek the lagoon discharges to. Classification assigned as A2 and presumes incidental or actual human contact with the location. This is not the observed case according to our staff. Further, there is no continuous flow in this ditch. Better than ninety percent of the year there is no flow, water may pond to a depth of a fraction of an inch when it is not raining and at times it is dry. We believe that these conditions were observed when the Iowa DNR field crews visited the site and a review of the site summary will support our request. We ask that you complete a reassessment and suggest that a BWW3 classification defines the actual situation.

Michelle Phillips: My name is Michelle Phillips, I'm the editor of the Anamosa Journal in Eureka and we recently had a story in our newspaper about this issue. And when I talked to Adam on the phone and when he spoke to you today, he had commented that press releases had been sent out, that the press had been informed of this and I get press releases from the DNR nearly everyday and I cannot recall once seeing this. And so I would implore any of you to petition that this be extended so that this can be sent back to session. If this closed before the session starts again for the legislature then it's a done deal. So I encourage you all to petition that that not happen. I just wanted for the record let you know that I would have certainly reported on this sooner if I had known.