



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

File

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814 • (208) 769-1422

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

October 22, 2008

Mr. Michael Lidgard
U.S. Environmental Protection Agency
Region 10
1200 6th Avenue, OW-130
Seattle, WA 98101

RE: Final 401 Water Quality Certification for Idaho Transportation Department
Municipal Separate Storm Sewer System (MS4) NPDES Permit # IDS-028223.

Dear Mr. Lidgard,

The State of Idaho Department of Environmental Quality (Department) has reviewed the proposed MS4 permit for Idaho Transportation Department. This letter will serve as the Department's final Water Quality Certification.

WATER QUALITY CERTIFICATION

Based on the Department's review of the referenced permit, the Department certifies, pursuant to the provisions of Section 401 of the Federal Water Pollution Control Act (Clean Water Act) as amended, 33USC Section 1341, and Idaho Code Sections 39-101 et. seq., and 39-3601 et. seq., that if the permittee complies with the terms and conditions as written in Permit #IDS 028223, then there is a reasonable assurance that the authorized discharges of storm water will comply with applicable requirements of Sections 301, 302, 306 and 307 of the Clean Water Act.

This §401 Certification decision may be appealed pursuant to the Idaho Environmental Protection and Health Act, Idaho Code § 39-107(5) and the Idaho Administrative Procedure Act. Such an appeal is a prerequisite to any district court action and must be initiated by filing a petition for a contested case in accordance with the Rules of Administrative Procedure before the Department of Environmental Quality Board

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(IDAPA 58.01.23) within thirty-five (35) days of the date of the Department's decision regarding the 401 certification.

Questions regarding this certification can be directed to June Bergquist at 208/666-4605 or e-mail to: june.bergquist@deq.idaho.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Redline". The signature is fluid and cursive, with a large initial "D" and "R".

Dan Redline, Regional Administrator
Coeur d'Alene Regional Office

cc: Barry Burnell, DEQ
Doug Conde, DEQ