



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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Department of Environmental Quality
State Water Quality Programs

OFFICE OF
WATER AND WATERSHEDS

February 18, 2010

Mr. Barry Burnell, Administrator
Water Quality Division
Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706-1255

Re: Approval of the Boise-Mores TMDLs (HUC: 17050112)

Dear Mr. Burnell:

The Idaho Department of Environmental Quality (IDEQ) submitted the Boise-Mores Creek Watershed Subbasin Assessment and Total Maximum Daily Loads (TMDLs) to the U.S. Environmental Protection Agency on June 19, 2009. Subsequently, the TMDLs were amended and a revised final TMDL was submitted on December 22, 2009. Following our review, EPA is pleased to approve 17 TMDLs for the waters and pollutants listed in the tables below. EPA approves 10 TMDLs on seven waters included in Idaho's 2008 303(d) list (List) of impaired waters, as identified in Table 1 and seven TMDLs on seven waters not included on the List, as identified in Table 2.

Table 1: EPA-Approved TMDLs on Impaired Waters

| Name of Creek/Water Segment | Assessment Unit # | Pollutant |
|-----------------------------|-------------------|-----------------------|
| Mores Creek | 17050112SW009_02 | Temperature, Sediment |
| Mores Creek | 17050112SW009_03 | Temperature |
| Mores Creek | 17050112SW009_04 | Temperature, Sediment |
| Mores Creek | 17050112SW009_06 | Temperature |
| Grimes Creek | 17050112SW013_02 | Temperature |
| Grimes Creek | 17050112SW013_04 | Temperature |
| Grimes Creek | 17050112SW013_05 | Temperature, Sediment |

IDEQ also completed TMDLs for waterbodies which were not meeting water quality standards for sediment, temperature, and E. coli bacteria but had not previously been included on Idaho's 303(d) list. These TMDLs and waterbodies are identified in Table 2 below. EPA understands that these waters would have been included on the List had the State been aware of the impairment at the time the List was completed.

Table 2: EPA-Approved TMDLs on Unlisted Waters

| Name of Creek/Water Segment | Assessment Unit # | TMDL Pollutant |
|-----------------------------|--------------------|----------------|
| Mores Creek | 17050112SW009_03 | Sediment |
| Mores Creek | 17050112SW009_06 | Sediment |
| Grimes Creek | 17050112SW013_03 | Temperature |
| Grimes Creek | 17050112SW013_04 | Sediment |
| Thorn Creek | 17050112SW011_03 | Temperature |
| Macks Creek | 17050112SW015_02 | Temperature |
| Lucky Peak Reservoir | 17050112SW001L_01L | E. coli |

Our review indicates that these allocations have been established at a level that, when fully implemented, will lead to the attainment of the water quality standards addressed by these TMDLs. Therefore, the IDEQ does not need to include these waters on the next 303(d) list of impaired waters for the pollutant(s) covered by these TMDLs.

This approval only includes those waters for which a TMDL was completed and does not constitute approval for the proposed de-listing of waters within Hydrologic Unit Code 17050112 from the Idaho §303(d) list. Any proposed de-listing of waters will be considered at the time of submission of the next §303(d) list of impaired waters.

This submittal also includes implementation strategies for the TMDLs. IDEQ developed and submitted these strategies pursuant to the TMDL Settlement Agreement of July 2002. EPA has no duty to approve or disapprove implementation strategies under Section 303(d) of the Clean Water Act (CWA); therefore, EPA is not taking action on these strategies. Implementation is the critical next step to realize improvements in water quality, and we encourage IDEQ to continue their work with responsible parties on implementation of these strategies.

In closing, I would like to recognize the outstanding work of Lauri Monnot in developing these TMDLs which address very challenging issues in a watershed with a long legacy of severe degradation. By EPA's approval, these TMDLs are now incorporated into the State's Water Quality Management Plan under §303(e) of the CWA. If you have any comments or questions, please feel free to call me at (206) 553-4198, or you may call Leigh Woodruff of my staff at 208-378-5774.

Sincerely,



Michael A. Bussell, Director
Office of Water and Watersheds

cc: Mr. Doug Conde, Attorney General, Idaho
Mr. Mike McIntyre, Surface Water Program Manager, IDEQ
Ms. Marti Bridges, TMDL Program Manager, IDEQ
Mr. Craig Shepard, Water Quality Manager, Boise Regional Office, IDEQ
Ms. Lauri Monnot, Boise Regional Office, IDEQ
Mr. Laird Lucas, Advocates for the West
Ms. Kristen Boyles, Earthjustice