



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101-3188

WATER  
DIVISION

January 14, 2021

Dr. Mary Anne Nelson, Administrator  
Surface and Wastewater Division  
Idaho Department of Environmental Quality  
1410 N. Hilton Street  
Boise, Idaho 83706

RE: Final EPA Action on the South Fork Clearwater River Escherichia coli (*E. coli*) Total Maximum Daily Loads (HUC 17060305)

Dear Dr. Nelson:

The U.S. Environmental Protection Agency has completed its Clean Water Act (CWA) review of the South Fork Clearwater River Escherichia coli (*E. coli*) Total Maximum Daily Loads (TMDL) that the Idaho Department of Environmental Quality (DEQ) submitted on December 14, 2020. The TMDL addresses bacteria impairments in the South Fork Clearwater River Basin and several of its tributaries. Following our review, EPA is pleased to approve five *E. coli* TMDLs for the waters listed in the table below.

Four of these waters are identified as impaired on DEQ's 2018/2020 303(d) list (List). DEQ also completed one TMDL for Sally Ann Creek – Wall Creek to mouth, which is not meeting water quality standards for *E. coli* but is not currently included on Idaho's List. EPA understands that this portion of Sally Ann Creek (AU ID17060305CL081\_03) would have been included on the List had the State been aware of the impairment at the time the List was completed.

Assessment Unit Name	Assessment Unit Number	Recommended changes to 2022 Integrated Report
Cottonwood Creek – source to Cottonwood Creek waterfall	ID17060305CL003_04	Place primary contact recreation use in IR Category 4a
Stockney Creek – source to mouth	ID17060305CL006_03	Place secondary contact recreation use in Category 4a
Shebang Creek – source to mouth	ID17060305CL007_03	Place secondary contact recreation use in Category 4a
Sally Ann Creek – Wall Creek to and including Wall Creek	ID17060305CL081_02	Place secondary recreation use in Category 4a
Sally Ann Creek – Wall Creek to mouth	ID17060305CL081_03	Currently unlisted but impaired; Place secondary recreation use in Category 4a

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 in the waters addressed by these

TMDLs. Therefore, the DEQ does not need to include these waters on the next 303(d) list of impaired waters for the pollutant covered by these TMDLs. We commend you for completing the Five-Year TMDL Review for Threemile Creek. This approval only includes those waters for which a TMDL was completed and does not constitute approval of the waters included in the Five-Year Review.

Your submittal also includes implementation strategies for the TMDLs. DEQ developed and submitted these strategies pursuant to the TMDL Settlement Agreement of July 2002. As you know, EPA has no duty to approve or disapprove implementation strategies under Section 303(d) of the 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 DEQ to continue their work with responsible parties on implementation of these strategies.

EPA values our working relationship with DEQ, and appreciates the work done by Jason Williams in developing and completing this TMDL. We also appreciate the continued cooperation offered by the State as we work towards the common goal of addressing impaired waters in the State of Idaho. By EPA's final action, the approved TMDLs are now incorporated into the State's Water Quality Management Plan under section 303(e) of the CWA.

If you have any comments or questions on this Agency action, please feel free to call me at (206) 553-1855, or you may have your staff call Claire Schary at (206) 553-8514 or Lisa Kusnierz at (208) 378-5626.

Sincerely,

Daniel D. Opalski  
Director

cc: Ms. Jess Byrne, Director (via email)  
Mr. Mark Cecchini-Beaver, Deputy Attorney General (via email)  
Mr. Jason Pappani, Surface Water Bureau Chief (via email)  
Ms. Sujata Connell, Water Quality Manager, DEQ Lewiston Regional Office (via email)  
Mr. Jason Williams, Water Quality Analyst, DEQ Lewiston Regional Office (via email)  
Mr. Graham Freeman, Water Quality Coordinator, DEQ State Office (via email)  
Mr. Robert Esquivel, Federal Reporting Lead, DEQ State Office (via email)