



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3188

WATER DIVISION

JUN 28 2019

Ms. Mary Anne Nelson, Administrator
Water Quality Division
Department of Environmental Quality
1410 North Hilton
Boise, ID 83706-1255

Re: Approval of the Kootenai River and Moyie River Subbasins Temperature TMDL (HUC: 17010104)

Dear Ms. Nelson,

The Idaho Department of Environmental Quality (IDEQ) submitted the Kootenai River and Moyie River Subbasins Temperature Total Maximum Daily Load (TMDL) to the U.S. Environmental Protection Agency (EPA) on May 28, 2019. Following our review, the EPA is pleased to approve seven TMDLs for the waters and pollutants listed in Table 1 below.

The IDEQ revised temperature TMDLs using an updated methodology for the following seven waterbodies (located in Category 4a of Idaho's Integrated Report) to address the temperature impairments. The EPA had previously approved temperature TMDLs for these waterbodies in 2006.

Table 1. EPA-Approved Revised Temperature TMDLs Using Different Methodology

Waterbody	Assessment Unit Number	Pollutant
Boundary Creek – Headwaters	17010104PN002 02	Temperature
Boundary Creek – 3 rd Order	17010104PN002 03	Temperature
Deep Creek – Headwaters	17010104PN025 02	Temperature
Deep Creek – 3 rd Order	17010104PN022 03	Temperature
Deep Creek – 4 th Order	17010104PN019 04	Temperature
Deep Creek – 4 th Order	17010104PN018 04	Temperature
Deep Creek – 4 th Order	17010104PN015 04	Temperature

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 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 17010104 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.

Your submittal also includes implementation strategies for the TMDLs. IDEQ developed and submitted these strategies pursuant to the TMDL Settlement Agreement of July 2002. As you know, the EPA has no duty to approve or disapprove implementation strategies under Section 303(d) of the Clean Water Act (CWA); therefore, the 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, including meeting the shade targets specified in the TMDL.

By the 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) 553-1855, or you may call Claire Schary of my staff at 206-553-8514.

Sincerely,

A handwritten signature in blue ink that reads "Daniel D. Opalski for".

Daniel D. Opalski, Director
Water Division

cc: Mr. John H. Tippets, DEQ Director
Mr. Mark Cecchini-Beaver, Deputy Attorney General, Idaho
Mr. Jason Pappani, Surface Water Program Manager, IDEQ
Mr. Thomas Herron, Surface Water Quality Manager, DEQ Coeur D'Alene Regional Office
Mr. Robert Steed, Water Quality Coordinator, Coeur d'Alene Regional Office, IDEQ
Mr. Graham Freeman, TMDL Program Manager, IDEQ
Mr. Robert Esquivel, Federal Reporting Lead, DEQ State Office
Mr. Laird Lucas, Advocates for the West
Ms. Kristen Boyles, Earthjustice