



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
WATER AND WATERSHEDS

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

FEB 27 2013

Re: Approval of the Lemhi River Subbasin TMDLs (HUC: 17060204)

Dear Mr. Burnell:

The Idaho Department of Environmental Quality (IDEQ) submitted the Lemhi River Subbasin Total Maximum Daily Loads (TMDLs) for temperature and bacteria to the U.S. Environmental Protection Agency on November 14, 2012. Following our review, the EPA is pleased to approve 14 TMDLs for the waters and pollutants listed in the tables below. Thirteen of these waters were included in Idaho's 2010 303(d) list (List) of impaired waters, as identified in Table 1.

Table 1: EPA-Approved TMDLs on Impaired Waters

Name of Creek/Water Segment	Assessment Unit #	Pollutant
Eighteenmile Creek, Hawley Cr to Mouth	ID17060204SL041_04	Temperature
Eighteenmile Creek, Clear Cr to Hawley Cr	ID17060204SL042_03	Temperature
Eighteenmile Creek, Divide Cr to Hawley Cr	ID17060204SL043_03	Temperature
Eighteenmile Creek Source to Divide Creek	ID17060204SL045_02	Temperature*
Bohannon Creek, Source to diversion	ID17060204SL064b_02	Temperature
Bohannon Creek, Diversion to Mouth	ID17060204SL064a_02	Temperature
Little Eightmile Creek, Source to diversion	ID17060204SL052a_02	Temperature
Little Eightmile Creek, Diversion to Mouth	ID17060204SL052b_02	Temperature
Lemhi River, Kenny Creek to Mouth	ID17060204SL001_06	Temperature
Lemhi River, Confluence of Eighteenmile Creek and Texas Creek	ID17060204SL030_04	Temperature
Lemhi River, Confluence of Eighteenmile Creek and Texas Creek	ID17060204SL030_05	Temperature
Sandy Creek, source to diversion	ID17060204SL062b_02	Temperature
Canyon Creek, source to diversion	ID17060204SL051b_02	E. coli

*This waterbody is currently listed as impaired for Combined Biota/Habitat Bioassessments. Biological impairment in this waterbody has been linked to sediment and temperature impairment and flow alteration. Sediment impairment was addressed by the 2000 TMDL. This TMDL addresses temperature impairment. The waterbody will be listed in category 4C for flow alteration.

The IDEQ also completed a TMDL for the waterbody identified in Table 2 below. This waterbody was not meeting water quality standards for temperature, but had erroneously been removed to category 4a (TMDL in place) on Idaho's 2008 List. The EPA understands that this waterbody 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
Kirtley Creek, Diversion to mouth	ID17060204SL066a_03	Temperature

Our review indicates that the allocations in the TMDL 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 17060204 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. The IDEQ developed and submitted these strategies pursuant to the TMDL Settlement Agreement of July 2002. 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.

We would like to recognize the hard work, cooperation and thoroughness of Darcy Sharp and Troy Saffle in bringing these TMDLs to completion.

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 your staff may call Helen Rueda at (503) 326-3280.

Sincerely,



Daniel D. Opalski, Director
Office of Water and Watersheds

cc: Mr. Doug Conde, Attorney General, Idaho (electronic)
Mr. Mike McIntyre, Surface Water Program Manager, IDEQ (electronic)
Ms. Marti Bridges, TMDL Program Manager, IDEQ (electronic)
Mr. Troy Saffle, Water Quality Manager, Idaho Falls Regional Office, IDEQ (electronic)
Mr. Aaron Swift, Idaho Falls Regional Office, IDEQ (electronic)
Ms. Darcy Sharp, Idaho Falls Regional Office, IDEQ (electronic)
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Ms. Kristen Boyles, Earthjustice (electronic)