UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

JAN 19 2007

Reply To
Attn Of: OWW-134

Barry Burnell, Administrator
State Water Quality Program
Department of Environmental Quality
1410 North Hilton
Boise, ID 83706-1255

RE: Approval of Weiser River Subbasin Assessment and TMDL (Hydrologic Unit Code 17050124)

Dear Mr. Burnell:

The U.S. Environmental Protection Agency (EPA) Region 10 is pleased to approve the bacteria, sediment, and temperature Total Maximum Daily Loads (TMDLs), as listed in the attached table, for the Weiser River Subbasin, as submitted on August 18, 2006. This approval does not constitute approval for de-listing of waters within Hydrologic Unit Code 17050124 from the Idaho 2002 §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.

In addition to the TMDLs noted above, Idaho included allocations for phosphorus in the Subbasin Assessment in order to implement the Snake River – Hells Canyon phosphorus TMDL. We support Idaho's efforts to address phosphorus loading in the Weiser River Subbasin; however, these allocations do not contain all the required elements of a TMDL so this approval does not extend to the phosphorus allocations. We understand that Idaho will be submitting an addendum to address these elements, including wasteload allocations for point sources.

EPA appreciates the cooperation and work of Michael Ingham in developing the bacteria and sediment TMDLs, especially the coordination prior to the public comment period and the sharing of a pre-public comment draft with EPA staff. We support this early involvement and believe it results in a better understanding of the approaches used to develop the TMDL and enables meaningful discussions to occur between Idaho and EPA staff that can later expedite EPA's review of the final document.

EPA would also like to acknowledge the cooperation and work of Mark Shumar on the development of the Potential Natural Vegetation (PNV) TMDL. In general, we are very supportive of this type of temperature TMDL as we believe the shade approach results in a measurable indicator that landowners can use to assess the current condition of their land, and evaluate progress over time as a result of restoration. We look forward to working with DEQ in the future to further improve this PNV approach.

The August 18, 2006, submittal also includes the Implementation Strategies for the TMDLs. The strategies were developed and submitted pursuant to the TMDL Settlement Agreement of July 2002 . EPA currently has no duty to approve or disapprove Implementation Strategies under Section 303(d) of the Clean Water Act (CWA) and therefore, EPA is not taking action on them. However, we believe implementation is the critical next step for realizing improvements in water quality called for in the TMDL and encourage IDEQ to continue their work with Responsible Parties on implementation.

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 Mark Filippini at (206) 553-6327 or Leigh Woodruff at (208) 378-5774 of my staff.

Sincerely,

Michael F. Gearheard
Director
Office of Water and Watersheds

Enclosure

cc: Toni Hardesty, IDEQ Director
Doug Conde, IDEQ Attorney General
Mike McIntyre, IDEQ Surface Water Program Manager
Marti Bridges, IDEQ TMDL Program Manager
Craig Shepard, IDEQ, Regional Water Quality Manager
Michael Ingham, IDEQ, Boise Regional Office
Mark Shumar, IDEQ, Technical Services

Weiser Subbasin Approved TMDLs
1/11/07

Waterbody Segment [WQLS]	Assessment Unit(s) of ID 17050124	Pollutant
Weiser River (Galloway Dam to Snake River)	SW001_05	Sediment Bacteria Temperature
Weiser River (Little Weiser River to Galloway Dam)	SW001_05 SW007_05	Sediment Temperature
Weiser River (West Fork Weiser River to Little Weiser River)	SW007_05	Temperature
Mann Creek (Mann Creek Reservoir to Weiser River)	SW030_03	Temperature
Crane Creek (Crane Creek Reservoir to Weiser River)	SW003_05	Sediment Bacteria Temperature
Little Weiser River (Indian Valley to Weiser River)	SW008_03 SW008_04	Bacteria Sediment Temperature
West Fork Weiser River (Headwaters to Weiser River)	SW017_02 SW017_03	Temperature
North Crane Creek (Headwaters to Crane Creek Reservoir)	SW006_02 SW006_03 SW006_04	Temperature
Crane Creek Reservoir	SW004_04 SW004L_04L	Sediment