Idaho Nonpoint Source Management Plan

2025–2029



State of Idaho
Department of Environmental Quality

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Acknowledgments

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- Idaho Health Districts
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Abbreviations, Acronyms, and Symbols

AU	assessment unit
BAG	basin advisory group
BLM	Bureau of Land Management
BMP	best management practice
BOR	Bureau of Reclamation
BURP	Beneficial Use Reconnaissance Program
CAFO	Concentrated animal feeding operation
CAP	Continuing Authority Program
DEQ	Idaho Department of Environmental Quality
DOI	US Department of Interior
EPA	US Environmental Protection Agency
HUC	hydrologic unit code
IASCD	Idaho Association of Soil Conservation Districts
IDAPA	refers to citations of Idaho administrative rules
IDFG	Idaho Department of Fish and Game
IDL	Idaho Department of Lands
IDWR	Idaho Department of Water Resources
ISDA	Idaho State Department of Agriculture
ISWCC	Idaho Soil and Water Conservation Commission
ITD	Idaho Transportation Department
IUP	Intended Use Plan
mg/L	milligram per liter
MOU	memorandum of understanding
NFWF	National Fish and Wildlife Foundation
NMFS	National Marine Fisheries Service
NO_3	nitrate
NPA	nitrate priority area
NPS	nonpoint source
NRCS	Natural Resources Conservation Service
PMP	pesticide management plan
SGCN	Species of Greatest Conservation Need
SRF	State Revolving Fund
SWA	source water assessment
SWAP	State Wildlife Action Plan
SWCDs	soil and water conservation districts

TAG	technical advisory group
TMDL	total maximum daily load
US	United States
USACE	US Army Corps of Engineers
USDA	US Department of Agriculture
USFS	US Forest Service
USFWS	US Fish and Wildlife Service
USGS	US Geological Survey
WAG	watershed advisory group
WBAG	Water Body Assessment Guidance
WBID	water body identification

1 Introduction

This document describes the State of Idaho's strategy for addressing nonpoint source (NPS) pollution. Unlike pollution that is discharged directly from a pipe into surface waters, NPS pollution comes from many diffuse sources and generally does not have a single point of origin. NPS pollution can be natural, such as sediment, or human-made, such as chemicals and toxics. It is generally created in or on the land and is carried off by storm water runoff when it rains or the snowpack melts. The runoff picks up and carries away the pollutants, depositing them into streams, rivers, and lakes. NPS pollutants may eventually leach into groundwater, particularly if an industry is concentrated in one area. Groundwater contamination is especially concerning because more than 95% of Idahoan's rely on groundwater for their drinking water.

Examples of nonpoint sources and the pollution they can create include the following:

- Agricultural fields and urban areas (e.g., parks and golf courses) and the sediment, fertilizer, and pesticides discharged due to improper irrigation practices or major storm water events
- Residential landscapes and cattle feedlots and the nutrient-laden waste generated by pets and livestock
- Septic systems and the nitrogen and phosphorus waste released if they are poorly maintained or failing
- Roads, parking lots, and sidewalks and the sediment, salt, and oil runoff released from these impervious surfaces

Purpose and Scope

The NPS plan describes the NPS Management Program and coordination of multiple agencies and Idaho Department of Environmental Quality (DEQ) programs to identify and mitigate pollutant sources using scientifically based efforts. The plan primarily serves two purposes:

1. The US Environmental Protection Agency (EPA) requires states to develop approved NPS management plans that address the key components defined in EPA's § 319 guidance (EPA 2024). An approved plan is required for states to be eligible for federal Clean Water Act § 319 funding. EPA expects all states to review and, as appropriate, revise their NPS management plan at least every 5 years.
2. The plan implements the *Idaho Department of Environmental Quality FY2025-2028 Strategic Plan* (DEQ 2024c) agency-wide goal to make recognizable and measurable environmental improvements and the Water Quality Division's objectives to reduce pollutants and protect and restore beneficial uses of Idaho waters.

Authority for controlling NPS pollution on a national level is provided in the federal Clean Water Act, administered under the authority of EPA. Idaho Code §§ 39-120 through 127 designates DEQ as the primary state agency to coordinate and administer groundwater quality protection programs. Rules have been approved under this statute to ensure DEQ maintains and protects

the existing high quality of the state's groundwater and the existing and projected future beneficial uses of groundwater and interconnected surface water. Idaho Administrative Code establishes Idaho's "Water Quality Standards," including the "Rules for Governing Nonpoint Source Activities" (IDAPA 58.01.02.350). DEQ's water quality protection and improvement efforts are conducted jointly with local, state, and federal partners.

2 Idaho Background

According to 2023 US Census Bureau data, Idaho is the 39th most populated state in the country but experienced the 2nd largest percent population growth between 2010 and 2020. Idaho is one of the nation's least densely populated states, ranking 44th (Statista 2023). Approximately 1.9 million people live within Idaho's 82,645 square miles (US Census Bureau 2024).

Idaho's landscape is rugged, with some of the largest natural areas in the country, abundant natural resources, and numerous scenic areas. The state has snow-capped mountain ranges, world-class rapids, alpine lakes, and steep canyons. Land use in Idaho can be broadly categorized into urban/suburban, agricultural, and undeveloped uses. Highly concentrated and expanding urban and industrial centers along with shrinking agricultural and undeveloped areas characterize Idaho's current land use trends. Because of the increasing population and variable land uses, the state's streams, lakes, and groundwater are affected to varying degrees by point and nonpoint sources of pollution (DEQ 2016).

Idaho's climate is diverse and influenced by Pacific weather patterns, which help moderate temperature extremes. Generally, the northern part of the state has greater precipitation than the south. The southern part of the state is drier and warmer. Idaho's growing season varies from approximately 200 days near the city of Lewiston to very brief at high altitudes. Winds may accompany cold fronts and thunderstorms, but hail damage is relatively rare.

Five Indian reservations exist in Idaho: the Coeur d'Alene Indian Reservation (Coeur d'Alene Tribe), Duck Valley Indian Reservation (Shoshone-Paiute Tribes), Fort Hall Indian Reservation (Shoshone-Bannock Tribes), Nez Perce Indian Reservation (Nez Perce Tribe), and the Kootenai Indian Reservation (Kootenai Tribe of Idaho). Other Native American tribes with ties to Idaho include the Northwestern Band, Shoshone in Utah; the Burns-Paiute General Council of Burns, Oregon; the Kalispel Tribe in Washington; and the Confederated Salish and Kootenai Tribe, based in Montana.

Major industries in Idaho include energy production; advanced manufacturing; aerospace, technology, and innovation; food production; outdoor recreation; back office/shared services; and tourism resources (Idaho Commerce 2024).

2.1 Water Resources

Groundwater is a key resource supporting many aspects of Idaho's way of life. It replenishes our streams and rivers and provides fresh water for irrigation, industry, and communities. In addition, groundwater supplies 95% of the state's drinking water. As Idaho's population grows, so does the need for clean, usable groundwater.

The Idaho Department of Water Resources (IDWR) has identified 70 major aquifer systems in Idaho. The state has three sole source aquifers: the Spokane/Rathdrum Prairie aquifer in northern Idaho; Lewiston Basin aquifer in north-central Idaho; and Eastern Snake River Plain aquifer in southeastern and south-central Idaho. Major rivers in Idaho include the Snake, Clark Fork/Pend Oreille, Clearwater, Salmon, Coeur d'Alene, Boise, Payette, and Bear Rivers.

With over 95,000 miles of streams and rivers and 460,000 acres of lakes and reservoirs, water is one of Idaho's most important resources. These streams and lakes, along with their associated wetlands, not only provide great natural beauty, but they also supply the water necessary for drinking, recreation, industry, agriculture, and aquatic life. A summary of the state's surface water resources is presented in Table 1 (DEQ 2018).

Table 1. Summary of Idaho water resources.

Resource	Value
Total number of river and stream miles	96,484[a]
• Number of perennial stream miles	50,842
• Number of intermittent stream miles	43,962
• Number of other stream miles	11,172
Acres of lakes and reservoirs	468,892
Acres of freshwater wetlands	712,270
Miles of river wholly or partially on tribal land	3,416
Acres of lake wholly or partially on tribal land	106,808

a. The number of perennial, intermittent, and other miles exceed the total miles because artificial paths and connectors that network or connect the hydrograph between rivers, lakes, swamps, and marshes create additional miles, as do portions of the artificial paths that were originally mapped as polygons in the National Hydrography Dataset.

2.2 Landownership

Table 2 provides a breakdown of landownership in Idaho. Approximately 63.6% of all lands in Idaho are federally owned and managed.

Table 2. Idaho landownership.

Ownership	Size (acres)	Percent of Total[a]
Federal	**33,599,748**	**63.6**
• Bureau of Land Management	11,692,707	22.1
• US Forest Service	20,294.108	38.4
• Other	1,612,933	3.1
State Land	**2,491,770**	**4.7**
• Endowments	2,486,260	4.7
• Other	5,510	0.0
•		
Private	**15,813,020**	**29.9**
Tribal Land	**933,691**	**1.8**
Total	**52,838,229**	**100.0**

Source: Idaho Department of Lands State Ownership Dataset, 2019.

3 Idaho's Nonpoint Source Management Program

DEQ developed Idaho's initial NPS Management Program in 1989 through the coordinated efforts of numerous organizations with an interest in how NPS water pollution could be effectively managed in the state. Since then, Idaho has dedicated personnel and funding to advance NPS water pollution control activities.

DEQ's NPS Management Program centers around the § 319 grant program and, more recently, a similar state-funded § 319 effort that focuses on the agricultural sector. The program provides funding assistance to entities for on-the-ground projects. DEQ's Surface Water and Groundwater Bureaus conduct data collection and analysis to determine impaired waters and primary NPS pollutants.

Partnering state and federal agencies play a large role in addressing NPS water pollution within their respective jurisdictions. Some agencies are more aggressive in implementing NPS reduction projects, due to funding availability and collaborative opportunities. Other agencies have limited budgets and staff and do very little.

3.1 § 319 Project Subgrants

The Clean Water Act § 319 established a grant program under which states, territories, and tribes may receive funds to support a wide variety of NPS pollution management activities. A successful grant must focus on improving the water quality of lakes, streams, rivers, and aquifers. Funds may be used to address a variety of NPS management and prevention activities in agriculture, urban storm water runoff, transportation, silviculture/forestry, mining, groundwater, and hydrologic and habitat modification.

The NPS Management Program solicits project proposals through an online application and uses an established process to evaluate and rank projects to fund. Recommended projects are

forwarded to EPA for review and approval. Once approved, DEQ staff develops agreements with project sponsors for disbursing grant funds. NPS Management Program staff oversees project implementations and evaluate accomplishments.

Each year DEQ passes a minimum of 50% of its § 319 funds to the local level for on-the-ground total maximum daily load (TMDL) implementation projects. The remaining funding is then used to support administration and implementation of the NPS Management Program in DEQ's state and regional offices.

3.2 Project Application and Review

A set of evaluation criteria and schedule of key dates apply to all new project proposals. These criteria are regularly reviewed and can be updated if priorities within the NPS Management Program and DEQ change. Early in the process, each party seeking funding receives the criteria and schedule to educate and inform applicants on the process and state water quality priorities.

Before submitting an application, the applicant is expected to contact all potentially responsible natural resource agencies, organizations, and others to give them the opportunity for review and comment on the proposal. This up-front approach can identify opportunities for partnerships and collaboration leading to greater environmental improvements.

Interested parties are encouraged to submit a project preapplication to DEQ for a preliminary project review. The preapplication provides DEQ with early notification of the type of project considered and allows DEQ to provide feedback on the proposal that may benefit the applicant when preparing to submit a final application. Submitting a project preapplication is not required but is strongly encouraged.

Several steps are involved in the application review process:

1. DEQ staff complete a technical evaluation of each project application. During this phase, DEQ ensures all state and federal programmatic criteria have been met.
2. Each application is reviewed to ensure the project is viable and the resources dedicated to completing the effort are sufficient and sound. The applicant has an ongoing responsibility to maintain the project following the expiration of the subgrant to demonstrate the project can yield long-lasting water quality improvement in the watershed.
3. Technically sound projects will be routed for initial review and ranking by the responsible regional basin advisory group (BAG). The BAGs make their recommendations based partly on how well the proposed project aligns with the overall DEQ water quality priorities established for the basin.
4. Once all projects have been reviewed and ranked by the BAGs, DEQ may convene a meeting of the respective BAG chairmen to discuss all the ranked projects to determine which projects have merit and are of the highest priority to recommend for funding in the coming year.

3.3 Water Quality and Best Management Practice Effectiveness Monitoring

DEQ is the state agency responsible for best management practice (BMP) modeling and the collection of instream water quality monitoring data related to § 319 NPS projects. DEQ is also responsible for ensuring proper testing and field studies are performed to document BMP effectiveness before and following project implementation. DEQ requires project managers of all funded projects to submit a plan that may include groundwater or surface water monitoring.

Project monitoring plans may be developed by the applicant. These plans are subject to review and approval by DEQ's § 319 staff and/or surface water staff. For groundwater sampling or implementation, a DEQ hydrogeologist should review the groundwater plan within the period included in the project subgrant. All § 319 projects must be monitored to establish the percent effectiveness at achieving the desired results. For example, a project manager may choose to use photographic monitoring to demonstrate improvements to a riparian habitat and vegetation growth over time or to show the amount of sediment removed from a sediment basin during scheduled maintenance. This type of monitoring is a reasonable and cost-efficient method for determining BMP effectiveness when compared to more costly monitoring alternatives.

In general, § 319 subgrants are not subject to mandatory water quality monitoring. It is a voluntary effort and difficult to determine actual water quality improvements to streams where § 319 funding has been provided.

Additional funding and staff resources are needed for the § 319 program to conduct monitoring efforts to determine if water quality improvements have resulted from grant projects. Additional funding should be sought out where possible. There are opportunities for DEQ to work collaboratively with organizations such as the Student Conservation Association, where college students conduct data collection. The Student Conservation Association is known for working with mostly federal agencies such as the US Forest Service and the National Park Service on water quality sampling and data collection.

3.4 Project Evaluations and Reporting

Project evaluation is an important component of the § 319 grant program and can ensure resources are used effectively. Projects may be subject to a task and financial review at any time over the life of the project. The NPS Management Program schedules a site visit to 50% of the active projects each year to ensure the work is completed according to the project work plan and the project is operating within its budget.

Each project must meet minimum reporting requirements. Project managers are required to submit progress reports with each invoice submitted. A final report summarizing the entire project and costs must be submitted to DEQ no later than 60 days after the subgrant has expired. Once the final report has been reviewed and approved by program staff, the project is closed out.

3.5 Program Reporting and Financial Management

As a condition of its § 319 grant and base funding requirement, DEQ must use the EPA's Grants Reporting and Tracking System to input required data elements. In addition, DEQ is required to provide an annual performance and progress report highlighting the program's accomplishments over the previous year.

DEQ has a process in place that ensures proper management and oversight of subgrantee disbursements. All subgrantees are required to submit online invoices, which track a project's § 319 expenses and the match expenses. All subgrantees must provide copies of receipts, timesheets, and any other documentation to verify costs identified in the invoice. The invoices are reviewed internally to ensure they correspond with the activities and associated costs identified in the subgrantee work plan. The program staff regularly track the agency's overall § 319 grant funds.

4 Nonpoint Source Pollution and Roles of the Public and Partner Agencies

Nonpoint source pollution originates from a multitude of sources that can only be addressed through the combined efforts of multiple Idaho agencies, federal agencies, and the Idaho public.

4.1 Sources of Best Management Practices

BMPs are commonly used to address all nonpoint sources of pollution generated in, for example, agriculture, silviculture, transportation, and other sectors. Depending on the sector, the agency designated with the primary responsibility for oversight may be called upon to develop and/or implement the specific BMPs.

BMPs used to mitigate nonpoint pollution are often selected from the *Natural Resources Conservation Service's (NRCS's) Practice Standards*. The sponsors of many DEQ-funded projects use one or several BMPs to complete their work.

Once Idaho funds a project, the sponsors draft a conservation plan that follows the directions in NRCS's Field Office Technical Guide (FOTG). A specific FOTG exists for every county in every state in the country and addresses the following:

- Section I—General Resource References (state maps, descriptions of major land resource areas, watershed information, and links to NRCS reference manuals and handbooks). This section contains links to researchers, universities, and agencies DEQ works with. It also contains conservation practice costs, agricultural laws and regulations, cultural resources, and information about protected plant and animal species.

- Section II—Natural and Cultural Resources Information. This section includes NRCS soil surveys, hydric soil interpretations, ecological site descriptions, forage suitability groups, cropland production tables, wildlife habitat evaluation guides, water quality guides, and other related information.
- Section III—Resource Concerns and Planning Criteria. This section includes information on NRCS quality criteria that establish standards for resource conditions to provide sustained use.
- Section IV—Practice Standards and Supporting Documents. This section provides the NRCS conservation practices and where they apply. Practice specifications are detailed requirements for installing the practice in the state.
- Section V—Conservation Effects. This section offers background information on how conservation practices affect each identified resource concerns in the state.

To ensure effectiveness, the BMPs are routinely assessed and modified as described in section 6.4.

4.2 Nonpoint Source Pollution and Native American Tribes

Native American tribes participate in Idaho's NPS Management Program in three ways:

1. EPA (2014b) "offers grants and technical assistance to support tribal environmental programs in assessing and managing their nonpoint source pollution problems and threats." Two grants are listed in Section 4.3.1, "Agricultural Practices." These grants are made directly to the tribe from EPA.
2. Tribes participate as members of watershed advisory groups (WAGs) and BAGs (section 5.8). As members of these groups, tribes influence the prioritization of Idaho's NPS projects.
3. Tribes participate in the public process to update the NPS management plan on a 5-year basis.

4.3 Categories of Nonpoint Source Pollution

This section identifies the categories of NPS pollution and agency roles and responsibilities in NPS management activities for each identified category. Since NPS pollutants are generally transported through overland flow, widespread land use practices have the greatest potential for contributing pollutants. In addition, a list of funding sources is available to address NPS pollution. Table 3 provides an overview of these agencies and categories involved in identifying and prioritizing nonpoint source projects described in section 5.8. Appendix A, Table A-1 details on-going efforts and goals identified for each category of pollution and for the program in general.

Table 3. NPS categories and involved agencies.

Agency/ Program	Agriculture	Grazing	Natural Resource Extraction	Timber/ Silviculture Management	Urban/ Suburban Development	Transportation
DEQ	X		X	X	X	X
ISDA	X				X	
ISWCC	X	X				
SWCDs	X					
ARS	X					
NRCS	X					
EPA	X			X	X	
Health Districts					X	
IDFG	X		X	X		X
IDWR	X		X	X	X	
USGS	X					
IDL		X	X	X		X
ITD					X	X
BOR	X					
USACE	X		X	X	X	X
USFS		X	X	X		X
BLM		X	X	X		X
Tribes	X	X		X		X

The following federal agencies have general NPS pollution prevention roles and responsibilities applicable for multiple categories of pollution:

- **US Bureau of Land Management (BLM)**—The BLM is responsible for the administration, management, and protection of nearly 12 million acres of public lands in Idaho. The BLM regulates, licenses, and enforces land use activities that may result in NPS pollution. The agency also maintains or improves surface and groundwater quality consistent with state and federal water quality standards, minimizes harmful consequences of activities that could result in NPS pollution, and inventories, monitors, and evaluates water quality data necessary for the proper management of public lands.
- **US Army Corps of Engineers (USACE)**—Although Clean Water Act § 404 deals with point source discharges, the agency attempts to include permit conditions with on-site and construction BMPs that will reduce NPS pollution (e.g., vehicle fueling outside jurisdiction areas, sediment and erosion measures, and concrete washout away from jurisdictional areas).
- **US Forest Service (USFS)**—The USFS is responsible for NPS pollution controls on all national forest system lands. The USFS manages approximately 20 million acres in Idaho, including many headwater areas. The agency is responsible for meeting Idaho's water quality standards and implementing NPS pollution controls for land use activities such as silviculture, grazing, mining, and road construction.

Agencies with roles and responsibilities specific to each of the resource areas are discussed below for each category of NPS pollution.

4.3.1 Agricultural Practices

NPS pollution from agricultural activities alters water quality in some of Idaho's waters. These activities can increase nutrient, sediment, pesticide, and pathogen loads in waterways as a result of crop and livestock production, including land application of livestock manure as crop fertilizer. Water infiltrating into the soil can carry nutrients, metals, and hydrocarbons that can contaminate groundwater resources. Public land grazing has been identified under agricultural practices.

Agriculture is a key economic contributor to the state's economy. In 2016, Idaho had 24,300 farms with an average size of 486 acres. Income from crops in 2011 was estimated at $2.8 billion, and livestock income was reported at $4.3 billion. In 2024, the Idaho Legislative Services Office reported that 4,195,000 acres were planted and 4,064,000 were harvested (Idaho Legislative Services Office 2024).

In addition to EPA and DEQ, the following agencies are responsible for addressing NPS impacts as they relate to agricultural sources: Idaho State Department of Agriculture (ISDA), Idaho Department of Lands (IDL), Idaho Soil and Water Conservation Commission (ISWCC), Idaho's 50 local soil and water conservation districts (SWCDs), US Department of Agriculture (USDA) Agricultural Research Service, USDA Natural Resources Conservation Service (NRCS), Idaho Department of Fish and Game (IDFG), Idaho Department of Water Resources (IDWR), US Geological Survey (USGS), US Army Corps of Engineers (USACE), Bureau of Land Management (BLM), US Forest Service (USFS), and US Bureau of Reclamation (BOR). The roles of these agencies are discussed below. Appendix A, Table A-2 identifies agricultural goals related to NPS management.

Idaho Department of Environmental Quality

DEQ's role in NPS management as it relates to agriculture includes the following:

- Conducts statistically designed groundwater quality monitoring and nutrient-pathogen evaluations.
- Participates in a multiagency concentrated animal feeding operation (CAFO) site advisory team.
- Approves groundwater quality monitoring programs for managed recharge by land application.
- Participates in the agricultural education committee.
- Implements a formal policy for addressing and prioritizing areas with degraded groundwater quality and coordinates management or improvement strategies for implementation in areas with degraded groundwater quality.
- Reviews monitoring results and evaluates impacts from agriculture and animal waste.
- Prepares guidance documents that provide for rule interpretation and chairs the Groundwater Monitoring Technical Committee.

- Focuses on monitoring and TMDL development.
- Provides funding to address agriculture NPS issues, including state funded agricultural BMP projects and CAFO manure management.
- Coordinates funding with sister agencies.

Idaho State Department of Agriculture

ISDA's role in NPS management as it relates to agriculture includes the following:

- Regulates pesticide application and fertilizer registration and establishes safe application requirements for both pesticides and fertilizers.
- Assists in developing agricultural BMPs in support of the *Idaho Agricultural Pollution Abatement Plan* (Ag Plan) (ISWCC 2015).
- Implements an Idaho pesticide management plan (PMP) for groundwater protection and the "Rules Governing Pesticide Management Plans for Ground Water Protection" (IDAPA 02.03.01).
- Implements groundwater monitoring for pesticides.
- Participates in the Groundwater Monitoring Technical Committee, which is charged with reviewing monitoring results to identify and address agricultural water quality impacts and making recommendations to agencies or WAGs for needed protections or remediation, as appropriate.
- Works with ISWCC to carry out project-specific implementation monitoring and BMP effectiveness monitoring.
- Implements the dairy and beef CAFO programs (in conjunction with DEQ and EPA); monitors groundwater associated with dairy operations; and ensures dairy waste systems and practices adhere to the provisions outlined in Idaho Code § 25-6.

Idaho Soil and Water Conservation Commission

ISWCC's role in NPS management include the following:

- Implements the Ag Plan (ISWCC 2015) for private and state agricultural lands.
- Coordinates periodic review and update of the Ag Plan (including all new BMPs) in consultation with the advisory committees and chairs the Ag Plan BMP Technical Committee.
- Provides technical assistance to owners and operators of private lands with planning, implementing, and evaluating BMPs.
- Administers incentive programs to encourage adoption of voluntary conservation practices such as the Resource Conservation and Rangeland Development Program, which provides low-interest conservation loans, and the Water Quality Program for Agriculture that, subject to legislative appropriations, provides private landowners with financial assistance for BMP implementation projects.
- Works in cooperation with local SWCDs and the NRCS to develop and implement agricultural portions of TMDL implementation plans.

- Assists and supports the 50 SWCDs in carrying out their powers and programs, including working toward achieving the TMDL-defined load reductions necessary to meet water quality standards.
- Promotes and supports water quality projects to maintain and enhance groundwater quality.
- Assists conservation districts in planning and implementation efforts in nitrate priority areas (NPAs) to reduce nitrate contamination.

Soil and Water Conservation Districts

Idaho's 50 SWCDs assist private landowners and land users in conserving, managing, and enhancing Idaho's natural resources. NPS planning and implementation efforts for agriculture are carried out at the local level through a partnership of the SWCDs, ISWCC, and NRCS and include the following:

- Assists landowners and land users with implementing the Ag Plan (ISWCC 2015) and BMPs.
- Coordinates education and outreach activities.
- Provides input to BAGs and WAGs and represent agricultural interests in drafting TMDLs and agricultural implementation plans that comply with state water quality standards.
- Assists WAGs by functioning as liaisons to private landowners—SWCDs have been instrumental in developing WAGs and also play a major role in the local administration of state and federal cost-sharing projects.
- Through the Idaho Association of Soil Conservation Districts (IASCD) and National Association of Conservation Districts, oversees and participates in state and national agricultural initiatives.
- Develops 5-year resource conservation plans to establish and recognize agricultural NPS water quality priorities.
- Reviews local needs, developing and/or modifying and adopting component practices to be used to develop BMPs to meet state water quality standards and to protect beneficial uses.
- Implements water quality projects across the state to maintain and enhance groundwater quality efforts in NPAs to reduce nitrate contamination.

USDA Agricultural Research Service

The Agricultural Research Service's role in NPS management as it relates to agriculture includes the following:

- Researches the cause-and-effect relationship between agricultural management practices and soil and water conservation to evaluate existing management practices and develop new practices for improving and protecting surface and groundwater quality.

USDA Natural Resources Conservation Service

NRCS's role in NPS management as it relates to agriculture includes the following:

- Works with DEQ, ISWCC, IASCD, and ISDA to create certified nutrient management plans in Idaho.
- Chairs the NRCS State Conservationist in each state. These committees serve in an advisory capacity to NRCS and other USDA agencies and are composed of representatives from federal and state natural resource agencies, Indian tribes, agricultural and environmental organizations, and agricultural producers.
- Administers, with the Farm Service Agency, agricultural programs to assist farmers, ranchers, forest landowners, tribes, and conservation partners with financial and technical assistance to voluntarily put conservation on the ground to address resource/environmental concerns, including reducing NPS pollution.

US Environmental Protection Agency

EPA's role in NPS management as it relates to agriculture includes the following:

- Works with USDA agencies and the ISDA on nutrient management plan issues relating to CAFOs.
- Provides funding to DEQ for NPS watershed projects.

Idaho Department of Fish and Game

IDFG's role in NPS management as it relates to agriculture includes the following:

- Provides BAGs with information regarding the presence or absence of species listed in the State Wildlife Action Plan (SWAP) (IDFG 2023) with focus on Species of Greatest Conservation Need (SGCN).
- Collaborates with agricultural producers, resource managers, and other stakeholders to plan and implement approaches to achieve joint SGCN and sustainable agriculture goals and objectives.
- Promotes and incentivizes collaborative programs, projects, and BMPs on public and private lands that benefit joint SGCN and agriculture goals and objectives, including implementing soil and water conservation projects and BMPs to benefit water supplies, water quality, and soil health.
- Collaborates with agricultural producers, private landowners, and resource managers to use existing agricultural programs and incentivize voluntary soil, water, and SGCN conservation projects such as BMPs, technology upgrades, and conservation of working agricultural lands.
- Partners with livestock producers, in collaboration with permitting authorities as appropriate, to implement livestock management strategies and upgrade rangeland infrastructure (e.g., watering and fencing) to aid livestock and SGCN goals and objectives.

Idaho Department of Water Resources

IDWR's role in NPS management as it relates to agriculture includes the following:

- Administers appropriation and allotment of surface and groundwater resources of the state, including geothermal resources, and protects these resources against waste and contamination.
- Conducts statewide river basin studies to help with long-term planning related to groundwater and surface water interactions and use.
- Maintains the Statewide Groundwater Quality Monitoring Program and Environmental Data Management System.

US Geological Survey

The USGS' role in NPS management as it relates to agriculture includes the following:

- Collects, analyzes, and reports general hydrologic and water quality data throughout the state.
- Conducts special studies upon request from various state and federal agencies on water supply and quality in areas of changing land and water use patterns.
- With DEQ and IDWR, monitors ambient ground and surface water and provides information used in the TMDL process.

US Bureau of Reclamation

BOR is responsible for planning, constructing, operating, and maintaining federal irrigation projects as defined in applicable sections of reclamation law and through delegations provided under the Clean Water Act. Activities relating to these responsibilities and NPS agricultural pollution include the following:

- Provides technical assistance during irrigation BMP evaluations.
- Performs water quality monitoring related to federal irrigation projects.
- Implements structural and nonstructural water management programs and projects.
- Scopes irrigation-related aspects of the NPS management plan.

BOR remains an important partner in many projects related to enhancing fish passage, habitat, water quality monitoring, agricultural drain relocations, and other studies; participates on the state technical committees; and is active in other coordinated watershed management and implementation activities.

Idaho Department of Lands

IDL's role in NPS management as it relates to agriculture includes the following:

- On state rangelands and cropland, coordinates with state grazing and cropland lessees to apply BMPs that will protect beneficial uses of water.

- Participates in WAGs to assist DEQ in developing and reviewing TMDL water quality improvement plans, which identify and address agricultural activities that impact water quality.
- Requires staff participation in Professional Applicator Licensing of pesticide applications and established safe application requirements on state endowment trust lands.
- Coordinates with state grazing and cropland lessees to implement Farm Service Agency agricultural programs outlined in the 2018 US Farm Bill to assist landowners with implementing conservation practices to address resource concerns.
- Works with local, state, federal, and private partners to ensure consistency in BMPs; implements riparian and fish habitat restoration and protection activities statewide.
- On state endowment trust lands, administers "Rules and Laws of the State" (IDAPA 20.03.14.115) and takes enforcement action when needed.

USDA Forest Service

As directed per multiple regulatory authorities, the US Forest Service permits and administers grazing on National Forest System lands for the purpose of contributing to economic sustainability of the communities surrounding the land it manages. The Forest Service's administrative roles related to NPS management include the following:

- Designing allotment management strategies to optimize forage availability while minimizing adverse soil, water, and riparian resource effects.
- Adaptively manage grazing activities via development rangeland, soil, water, and riparian resources ecosystems to address any adverse effects that may arise during rangeland permit administration.
- Monitoring resource conditions before, during, and after the grazing season to inform strategic range management planning.

4.3.2 Natural Resource Extraction

Natural resource extraction carried out during mining activities (i.e., mineral extraction, gas production, and nonmineral extraction) can be a source of sediment, heavy metals, sulfates, hydrocarbon, brine, and acid pollution. Water can carry these types of pollutants to both surface and groundwater resources.

As of December 2024, there are 164 active mineral leases on state lands. Of those, 70 minerals leases have approved reclamation plans and would be considered active mining operations.

In addition to DEQ, the following agencies are involved in addressing NPS management as it relates to natural resource extraction on public and/or private land: IDWR, IDL, IDFG, BLM, USACE, and USFS. Appendix A, Table A-3 lists goals related to natural resource extraction and NPS management.

Idaho Department of Environmental Quality

DEQ's role in NPS management as it relates to natural resource extraction includes the following:

- Assists mining operations to characterize hydrogeologic conditions and background groundwater quality before initiating mining activities.
- Works with IDL to ensure oil and gas development is conducted according to the Idaho "Ground Water Quality Rule" (IDAPA 58.01.11).
- Conducts monitoring and TMDL development.
- Conducts site investigations and inspections as necessary.
- Focuses on cleanup and remediation activities in areas where mining activities have contaminated soils and surface waters.
- Provides technical assistance to responsible state and federal agencies and private organizations/owners as requested.

Idaho Department of Water Resources

IDWR's role in NPS management as it relates to natural resource extraction includes the following:

- Regulates stream channel alterations under the Stream Channel Protection Act, in conjunction with the USACE under the Clean Water Act, and evaluates the safety of most impoundment structures, including irrigation and stock-pond facilities and mine tailings impoundments under the Dam Safety Program.

Idaho Department of Lands

IDL's role in NPS management as it relates to natural resource extraction includes the following:

- Regulates dredge and placer mining operations under the Idaho Dredge and Placer Mining Protection Act and surface mining under the Idaho Surface Mining Act (both regulatory programs are coordinated with other state and federal agencies).
- Reclaims abandoned mine lands under the Idaho Abandoned Mine Reclamation Act
- Regulates docks, rip-rap, and other encroachments on navigable lakes under the Idaho Lake Protection Act.

Idaho Department of Fish and Game

IDFG's role in NPS management as it relates to natural resource extraction includes the following:

- Collaborates with and assists industry, resource managers, regulatory authorities, and other stakeholders with planning and implementing approaches to achieve joint SGCN and Energy Production and Mining goals and objectives.
- Assists Energy Production and Mining project proponents, resource managers, regulatory authorities, and other stakeholders with addressing project-specific effects on SGCN.

- Provides technical assistance for Energy Production and Mining activities that implement riparian forest and floodplain BMPs to protect water supplies, water quality, and to benefit SGCN.

USDA Forest Service

The US Forest Service administers exploration, development, and production of mineral and energy resources on National Forest System lands. Per the 1872 Mining Law (as codified by 36 CFR 228), US citizens are guaranteed the right of access to prospect locatable minerals on National Forest System lands. As it relates to NPS management associated with these activities, the Forest Service:

- Analyzes proposed mineral and energy development activities to evaluate whether the activities would be in compliance with all relevant regulatory authorities, including the Clean Water Act.
- Identifies relevant BMPs and project design features to minimize the potential for adverse soil and water resource effects stemming from nonpoint source pollution.
- Coordinates permitting of these activities with relevant federal and state agency partners.
- Monitors activities during exploration or development to ensure regulatory compliance.

4.3.3 Timber/Silviculture Management

Erosion of land from timber harvesting techniques, access roads, and loss of vegetative cover can cause excess sediment. Idaho has 12 million acres of BLM land and over 20 million acres of USFS-managed land.

The number of impaired stream assessment units (AUs) that intersect USFS land is 1,154, and the number of impaired lakes is 13. These AUs are captured in the Integrated Report in either Category 4a (EPA-approved TMDL), Category 5 (needing a TMDL), or both (section 5.8 for information on impaired streams.)[1]

In addition to DEQ, the following agencies are responsible for addressing NPS impacts as they relate to timber/silviculture on public and/or private land: IDWR, IDL, IDFG, BLM, USACE, USFS, NRCS and EPA. Appendix A, Table A-4 lists goals related to timber/silviculture management and NPS pollution.

Idaho Department of Environmental Quality

DEQ's role in NPS management as it relates to timber/silviculture includes the following:

- Coordinates and implements a statewide forest practices/water quality audit every 4 years that includes IDL, private forestland owners, USFS, and BLM. The audit serves as

[1] Waters of the state are categorized using assessment units (AUs). An AU is a group of similar stream segments that have similar land-use practices, ownership, or land management.

formal monitoring of silviculture BMP compliance on forest practices implemented on state, private, and federal forestlands throughout Idaho.
- Based on findings from the quadrennial audit, DEQ submits recommendations to IDL for corresponding Forest Practices Act administrative rule changes.
- Focuses on monitoring and TMDL development.
- Coordinates water quality management and implementation efforts with IDL, USFS, and BLM on state, private, and federal forestlands.

Idaho Department of Lands

IDL's role in NPS management as it relates to timber/silviculture includes the following:

- Ensures compliance with Forest Practices Act administrative rules (silviculture NPS BMPs) on all state and private forestlands in the state.
- On state forestlands, applies BMPs that will protect beneficial uses of water.
- On state and private lands, administers the Idaho Forest Practices Act (IDAPA 20.02.01) and takes enforcement action when needed.
- Coordinates with DEQ in conducting the quadrennial forest practices/water quality audits, which help achieve state-federal consistency for NPS activities on forestlands.
- Works with the Idaho Forest Practices Act Advisory Committee to promulgate new and revised Forest Practices Act administrative rules (silviculture NPS BMPs). The committee has nine voting members across the state representing family forest owners, industrial forest owners, fisheries biologists, citizens at large, and logging operators.

Idaho Department of Water Resources

IDWR's role in NPS management as it relates to timber/silviculture includes the following:

- Regulates stream channel alterations under the Stream Channel Protection Act, in conjunction with the USACE under the Clean Water Act.

US Environmental Protection Agency

EPA's role in NPS management as it relates to timber/silviculture includes the following:

- Works with state and federal agencies and tribes to address NPS issues associated with silviculture operations on private, state, federal, and tribal lands.
- Reviews and comments on silviculture activities and practices within National Environmental Policy Act documents.
- Reviews, provides comments, and provides technical support to IDL and DEQ in forest practices rule development and monitoring of forest practice rule implementation.
- Provides technical support to DEQ in evaluating forestry impacts to impaired waters in TMDLs and in the water body assessment process.
- Provides financial and technical support to develop forestry analysis tools (e.g., USFS Geomorphologic Road Analysis and Inventory Package model).

USDA Forest Service

The Organic Act of 1897 directed the establishment of public forest reservations for the purpose of forest protection, "securing of favorable conditions of water flows," and "[furnishing] a continuous supply of timber for the use and necessities of citizens of the United States." In effort to meet this mandate while addressing NPS pollution management needs, the Forest Service:

- Applies BMPs to all facets of timber harvest activities to ensure that designated beneficial uses are maintained during and after harvest operations.
- Conducts BMP monitoring during and following forest harvest operations using its National Core BMP review program.
- Collaborates with DEQ during its quadrennial statewide forest practices BMP audits.
- Coordinates permitting of all timber harvest activities, including road improvement activities, with relevant state and federal agencies.

4.3.4 Urban and Suburban Development

Urban and suburban development contributes to NPS pollution, specifically through domestic, municipal, industrial, and commercial land development activities and uses. On-site sewage disposal, or septic systems, can be a source of nutrients, pathogens, salts, and pharmaceuticals and personal care product pollution in both surface water and groundwater. Urban runoff and drainage systems provide direct access for hydrocarbons, pesticides, nutrients, pathogens, salts, heavy metals, and thermal pollution to enter waterways and groundwater.

Population density and intensity of land use in urban and suburban areas influence the concentrations of pollutants in waters draining from these areas. Examples of these sources include residential septic tanks and (drainfields), solid waste disposed in landfills, hazardous chemicals and materials, and alteration of urban and suburban riparian and wetland areas.

Along with DEQ, the following agencies are responsible for NPS management activities related to urban and/or suburban development: Idaho public health districts, IDWR, ISDA, Idaho Transportation Department (ITD), USACE, and EPA. Appendix A, Table A-5 lists goals related to urban/suburban development and NPS pollution.

Idaho Department of Environmental Quality

DEQ's role in NPS management as it relates to urban/suburban development includes the following:

- Conducts statistically designed groundwater quality monitoring and nutrient-pathogen evaluations.
- Implements a formal policy for addressing and prioritizing areas with degraded groundwater quality and coordinates management or improvement strategies for implementation in areas with degraded groundwater quality.
- Reviews monitoring results and evaluates impacts from septic systems.

- Works to prevent contaminants from entering public water system supplies and provides assessments of all recognized public water sources.
- Ensures that solid waste generated in or entering Idaho are managed and disposed in a manner protective of human health and the environment.
- Investigates possible NPS pollution from abandoned and inactive industrial facilities (e.g., landfills, airfields). With voluntary agreement from the landowner, DEQ performs desktop research to identify possible contaminants of concern and a field site inspection to collect samples. The results and recommendations for follow-up actions are summarized in a final report.
- Focuses on the proper management and disposal of wastewater to protect public health and Idaho's surface and groundwater resources.
- Assesses the impact to groundwater from large soil absorption systems, which are drainfields that receive 2,500 gallons per day or more and assesses the potential impact to adjacent surface water bodies due to a large soil absorption system or a subdivision containing multiple single-family residences equipped with drainfields.
- Provides technical assistance and support for controlling storm water in Idaho. The *Idaho Catalog of Storm Water Best Management Practices* (DEQ 2020a) contains pertinent technical information, and DEQ provides review for facilities that control, treat, or dispose of storm water if requested by the developer or design engineer.
- Focuses on water quality protection by setting water quality standards and antidegradation policy/implementation for high-quality waters.
- Where water quality falls below water quality standards, develops a TMDL to bring those waters back to meeting standards.
- Provides technical assistance to private organizations/owners as requested.
- Conducts site investigations and inspections as necessary.

Public Health Districts

The public health districts' role in NPS management as it relates to urban/suburban development includes the following:

- Ensures that individual and subsurface sewage disposal systems are properly planned, permitted, installed, and operated.
- Works closely with DEQ to maintain the *Technical Guidance Manual: Individual and Subsurface Sewage Disposal Systems* (DEQ 2019) to support consistent standards for these systems statewide.

Idaho Department of Water Resources

IDWR's role in NPS management as it relates to urban/suburban development includes the following:

- Regulates stream channel alterations under the Stream Channel Protection Act, in conjunction with the USACE under the Clean Water Act, and the safety of most impoundment structures, including irrigation and stock-pond facilities and mine tailings impoundments under the Dam Safety Program.

- Maintains the Statewide Groundwater Quality Monitoring Program and Environmental Data Management System.
- Regulates wastewater disposal by injection wells through the Underground Injection Control Program.

Idaho State Department of Agriculture

ISDA's role in NPS management as it relates to urban/suburban development includes the following:

- Regulates pesticide application and fertilizer registration, establishes safe application requirements for both pesticides and fertilizers, and develops an Idaho PMP.

Idaho Transportation Department

ITD's role in NPS management as it relates to urban/suburban development includes the following:

- Maintains the *Best Management Practices Manual* (ITD 2019), which includes temporary and construction site BMPs and permanent and postconstruction BMPs.
- Maintains the *Environmental Process Manual* (ITD 2011) to provide guidance for complying with federal, state, and local environmental laws and regulations while planning, designing, constructing, and maintaining transportation facilities in Idaho.
- Completes roadway and right-of-way maintenance in compliance with state and federal regulations pertaining to water quality, air quality, the Idaho PMP, and the Idaho "Ground Water Quality Rule."

4.3.5 Transportation

Transportation routes (e.g., roads, highways, and railroads) can be significant sources of NPS pollution. Specifically, runoff from transportation facilities and infrastructure can carry pollutants including hydrocarbons, salts, and sediment. Water infiltrating into the soils can carry with it nutrients, metals, and hydrocarbons that can contaminate groundwater resources.

In addition to DEQ, the following agencies are responsible for NPS management activities as they relate to transportation: IDFG, IDL, ITD, BLM, USFS, and USACE. Appendix A, Table A-6 lists goals related to transportation and NPS pollution.

Idaho Department of Environmental Quality

DEQ's role in NPS management as it relates to transportation-related projects includes the following:

- Reviews proposed projects and issues Clean Water Act § 401 water quality certifications.
- Conducts site investigations and inspections as necessary.

Idaho Department of Fish and Game

IDFG is involved in most implementation efforts that deal with riparian or habitat restoration and protection and provides technical assistance and funding, as necessary. IDFG's role in NPS management as it relates to transportation-related projects includes the following:

- Collaborates with and assists industry, resource managers, regulatory authorities, and other stakeholders with planning and implementing approaches to achieve joint SGCN and Transportation and Service Corridors goals and objectives.
- Assists Transportation and Service Corridors project proponents, resource managers, regulatory authorities, and other stakeholders with addressing project-specific effects on SGCN.
- Supports responsible Transportation and Service Corridors by providing technical assistance on designing and implementing riparian forest and floodplain BMPs to protect water supplies, water quality, and to benefit SGCN.

Idaho Department of Lands

IDL's role in NPS management as it relates to transportation-related projects includes the following:

- Works closely with DEQ in conducting the quadrennial Forest Practices Act/water quality audits, which help achieve state-federal consistency for NPS activities on forestlands.

Idaho Transportation Department

ITD's role in NPS management as it relates to transportation-related projects includes the following:

- Maintains the *Best Management Practices Manual* (ITD 2019), which includes temporary and construction site BMPs and permanent and post construction BMPs.
- Maintains the *Environmental Process Manual* (ITD 2011) to provide guidance for complying with federal, state, and local environmental laws and regulations while planning, designing, constructing, and maintaining transportation facilities in Idaho.
- Completes roadway and right-of-way maintenance in compliance with state and federal regulations pertaining to water quality, air quality, the Idaho PMP, and the Idaho "Ground Water Quality Rule."

USDA Forest Service

The US Forest Service manages thousands of miles of roads in Idaho. The Forest Service's role in NPS management as it relates to transportation management includes the following:

- Ensure that National Forest System roads are maintained to standards outlined in agency manual and handbook direction as well as relevant law, regulation, and policy. This direction stipulates application of structural and nonstructural BMPs across the

road network designed to prevent adverse consequences to designated water resource beneficial uses.
- Proactively conduct transportation network planning to ensure that the road network is the minimum necessary to meet the public's needs and fulfill agency directives.

4.4 Agency Coordination to Reduce NPS Pollution

Idaho's ongoing NPS Management Program relies on the coordinated efforts of numerous agencies and organizations with an interest in managing NPS water pollution. Because numerous agencies are involved with NPS pollution management, coordination among agencies is vital to reducing NPS pollution. Coordination can occur in a number of different ways:

- Where some activities clearly fall under the jurisdiction of federal partners, state agencies and other entities can assist with the oversight of projects on federal lands to ensure they are properly managed to reduce soil erosion. In these cases, a number of interagency agreements are in place to ensure compliance with state requirements (section 4.4.1).
- Where some activities are state responsibilities, partners may assist with developing policies to protect water quality. Idaho has a comprehensive series of statutes, rules, information, and guidance to direct NPS pollution management.

General, long-term roles and responsibilities of the partner agencies are described in Appendix A. Specific, near-term tasks related to the Idaho's NPS Management Program are defined in the Water Quality Division Performance Partnership Agreement (PPA) between EPA and DEQ (Appendix B).

The list below identifies the state and federal agencies and private partners that DEQ works with to abate and prevent NPS pollution.

State Partners

- Idaho Department of Fish and Game
- Idaho Department of Lands
- Idaho Department of Water Resources
- Idaho State Department of Agriculture
- Idaho Soil and Water Conservation Commission
- Idaho Transportation Department
- Idaho soil conservation districts
- Idaho public health districts
- Office of Species Conservation

Federal Partners

- US Environmental Protection Agency
- USDA Agricultural Research Service
- US Bureau of Land Management
- US Bureau of Reclamation

- USDA Natural Resources Conservation Service
- US Forest Service
- US Geological Survey
- US Fish and Wildlife Service
- US Army Corps of Engineers

Public Partners

- Bonneville Power Administration
- Trout Unlimited
- Ducks Unlimited
- Rocky Mountain Elk Foundation

4.4.1 Agreements with Partner Agencies

DEQ's working relationship with other agencies operating within Idaho on issues related to water quality and NPS pollution is stated in a memorandum of understanding (MOU) and a cooperative agreement:

- The 2020 "Memorandum of Understanding between the Idaho Department of Environmental Quality, Idaho Department of Lands, US Department of Interior Bureau of Land Management, and the USDA Forest Service Northern and Intermountain Regions" defines the roles and responsibilities necessary for DEQ, IDL, USFS, and BLM to work cooperatively on silvicultural NPS issues within their respective jurisdictions (Appendix C).
- The *2020 Idaho Ground Water Protection Interagency Cooperative Agreement* defines roles and sets requirements for groundwater-related plans and programs that are fundamental to completing a comprehensive, statewide NPS Management Program.

Another MOU with the various agencies that is independent of DEQ's involvement should also be noted, "Memorandum of Understanding between the Idaho Department of Water Resources and the USDA, Forest Service Intermountain and Northern Regions" (Appendix C). This MOU documents cooperation between the parties to implement the Idaho Stream Channel Protection Act within Idaho on lands administered by the USFS.

4.4.2 Coordination with Federal Partners

With the vast holding of federal and tribal lands in Idaho, coordinating monitoring and remediation activities for NPS pollution control can be a formidable task. Through the Beneficial Use Reconnaissance Program (BURP), use of the water body assessment protocol, and by operating under Idaho's watershed approach to managing its resources, the state can ensure that federal and tribal land use and water quality issues will be taken into account under existing BAG and WAG processes. This practice provides the State the opportunity to review federal land management actions and identify those lands not being managed in a manner consistent with state programs.

Federal agencies are expected to notify DEQ regional offices of planned actions and provide environmental assessments, management plans, and environmental impact statements to solicit state input on a wide range of environmental effects, including water quality. Once a nonpoint source of pollution is identified, the appropriate state agencies will work with the corresponding federal agency to develop and implement a plan to mitigate the problem in a manner that will protect or restore beneficial uses.

4.4.3 EPA Liaison

To ensure consistency in practices, the state may request EPA assistance to conduct educational and liaison activities and to provide technical assistance for itself and other partners. If requested, EPA may also serve to facilitate state-federal negotiations and assist with mediation and conflict resolution. EPA and DEQ may partner to support pollution abatement and environmental protection efforts and to ensure all federal efforts are compatible with the state's water quality standards and NPS water quality program goals.

4.5 Funding Implementation Activities

The NPS Management Program seeks to achieve and document water quality improvement by funding projects that will implement BMPs or support BMP implementation on impaired waters, or protect high quality waters, and by continuing to evaluate all project proposals based on their ability to produce measurable improvements in water quality. As TMDLs are developed and implemented, on-the-groundwater quality implementation plans should be developed with the support of local WAGs and BAGs (section 5.8).

Funding for implementing BMPs somewhat depends on landownership. Projects implemented on federal lands are often funded by the agency with jurisdiction for managing those lands. Projects planned for private or state lands may be funded through other sources. Programs currently unfunded are listed in Appendix D. Table 4 lists possible NPS project funding sources.

Table 4. Possible NPS project funding sources.

Entity	Programs
Idaho Department of Lands	• Abandoned Mine Lands Program
National Fish and Wildlife Foundation (NFWF)	• Bring Back the Natives Grant Program • Environmental Solutions for Communities (Wells Fargo and the NFWF)
US Army Corps of Engineers	• Project Modification for Improvement of the Environment (Continuing Authority Program [CAP] Section 1135) • Beneficial Uses of Dredged Material (CAP Section 204) • Aquatic Ecosystem Restoration (CAP Section 206)
US Department of Agriculture	• Agricultural Conservation Easement Program (NRCS) • Conservation Reserve Program (NRCS-Farm Service Agency) • Agricultural Management Assistance (NRCS-Risk Management Agency) • Conservation Stewardship Program (NRCS) • Healthy Forest Reserve Program (NRCS) • Sustainable Agriculture Research and Education (National Institute of Food and Agriculture) • Watershed Rehabilitation Program (Resource Conservation and Development Program) • Forest Legacy Roads Program (USFS) • National Urban and Community Forestry Challenge Cost-Share Program (administered through IDL) • Environmental Quality Incentives Program (NRCS)
US Department of Interior (DOI)	• Not-for-Profit Acid Mine Drainage Reclamation (DOI-Reclamation Program) • Water Resources on Indian Lands (Bureau of Indian Affairs) • Partners for Fish and Wildlife Program (USFWS) • State Wildlife Grant Program (nontribal and noncompetitive, available only to state government agencies, USFWS) • Cooperative Endangered Species Conservation Fund (available only to state government agencies, USFWS) • North American Wetlands Conservation Act Grants Program (USFWS) • Challenge Cost Share Agreements for projects affecting lands managed by USFWS
US Environmental Protection Agency	• Clean Water State Revolving Fund CWSRF (administered through DEQ) • Wetlands Program Development Grants • Nonpoint Source Implementation Grants (administered through DEQ) • Source Water Protection Grants (administered through DEQ) • Urban Waters Small Grant • Preliminary Assessment Program (for private and state lands only, administered through DEQ)
US Geological Survey	• Water Resources Research National Competitive Grant Program
US Department of Energy	• Bonneville Power Administration
Private Funding Entities	• Ducks Unlimited • Rocky Mountain Elk Foundation • Trout Unlimited • The Nature Conservancy • Idaho Rivers United • Individual landowners

4.6 Protocol for Funding Nonpoint Source Projects with the State Revolving Fund

This protocol is aimed at § 319 grant applicants that may not score high enough on the § 319 grant ratings to have their projects funded with § 319 grant monies and for State Revolving Fund (SRF) borrowers that have a nonpoint source effort for which they have not pursued § 319 funding. For those entities, there is an alternative source of funding: they can work in partnership with a local (i.e. same basin, 3rd-level hydrologic unit code [HUC]) wastewater facility that is seeking a loan through the SRF program.

When SRF loan recipients take out a loan they are generally charged an interest rate that may be lowered to allow for funding an NPS project. If the SRF interest rate is lowered, the funds for the NPS project would then be made available through the SRF loan without the wastewater facility customers paying a higher user rate (i.e., the reduction in the interest rate allows the SRF loan recipient to repay a higher debt, while not impacting monthly user rates for wastewater facility customers).

While this effort is primarily aimed at lower scoring § 319 grant applicants and SRF borrowers that have not engaged in the § 319 process, there is no reason that high scoring § 319 grant applicants should not proactively opt for SRF funding assistance by entering into a sponsorship arrangement; in this way, the maximum amount of NPS projects could be funded.

The state is aware of the potential to collaborate with an SRF loan and is always seeking the opportunity to funding an NPS project through this method when the conditions are right.

Table 5 illustrates how this protocol might be applied.

Table 5. Example of funding using the SRF.

Project Type	Total Cost	Interest Rate and Term of Loan	Interest Cost on SRF Loan	Wastewater Facility Monthly User Rates (100 Billing Connections)
SRF project alone	$1,000,000	2.4% for 20 years	$265,002	$52.71
SRF project and NPS project	$1,250,000 (in this example the NPS project is assumed to cost $250,000)	0.1% for 20 years	$12,854	$52.62
Interest savings remaining to pay for NPS project			$252,148	Users see no noticeable impact to their monthly billings

4.6.1 NPS Project Sponsors

Each spring, the SRF loan program issues an Intended Use Plan (IUP) that lays out the funding plan for the upcoming state fiscal year (begins on July 1 and ends on June 30). Each IUP remains in effect for a single state fiscal year.

For an NPS project to receive SRF funding, the project must be included in the IUP. Input for each year's IUP is accepted by DEQ's SRF staff through mid-March of each year.

To be considered for SRF funding, an NPS project applicant must share the same basin with the point source (generally a wastewater facility) and do the following:

- Submit a technically complete grant application to DEQ's § 319 grant program. To be judged as technically complete, the application must be submitted in a timely manner, according to DEQ's § 319 grant application requirements, or prior to an SRF loan being signed.
- Establish contact with a potential SRF point source loan recipient either independently or through DEQ. To independently establish contact, the § 319 grant applicant can call their DEQ regional office and speak to the SRF engineer to see what potential point source projects are taking place in the basin. The SRF loan recipient must express willingness to sponsor the NPS project. If the SRF loan recipient will not be paying any interest on their loan, there is no excess capacity to amend loan terms to finance the § 319 project.
- Agree to comply with established § 319 grant project administrative procedures (e.g., same staff contacts, same oversight responsibilities). The main differences are that SRF-funded projects require more comprehensive documentation for reimbursements (e.g., copies of supplier invoices, payroll support for personnel charges), and sponsored projects must agree to be completed within 2 years.

NPS funding applicants are encouraged to explore funding coordination opportunities with neighboring communities at an early stage in their § 319 grant funding process. Table 6 illustrates the periods available for such exploration.

Table 6. When should a § 319 funding applicant pursue SRF sponsorship?

Time Frame	DEQ Process	§ 319/SRF Applicant Action Item
Mid-December	SRF staff begin to receive letters from potential SRF point source loan recipients interested in becoming sponsors and begin to match up volunteer sponsors to lower ranked § 319 applicants.	SRF applicants submit Letters of Interest for loans and indicate on the letters if they are willing to become sponsors. Early volunteer sponsors will receive additional points in the competitive funding priority process.
Mid-December	BAG chairs submit their recommendations to DEQ for § 319 projects in upcoming year's funding.	Check with the DEQ § 319 Program to get an early indication of whether or not your project will be funded in the upcoming year.
Early-January	SRF Letters of Interest for the upcoming year's funding are due. From early January to early February, the SRF regional and state office staff will rate and rank the various projects. The NPS projects seeking SRF funding assistance must be included in the DEQ annual funding plan, which is completed by early March. If the NPS project is not included in the annual funding plan, the project would face a 14-month delay until funding is available in the next SRF cycle.	In mid-December, if your § 319 project's funding through the § 319 grant program is questionable, contact the DEQ State Office to discuss funding through SRF—Bonnie Yoshizaki (208) 373-0439 or Julia Achabal (208) 373-0321. Contact the DEQ regional office and speak to the SRF engineer to see if any municipal sewer projects will be seeking SRF funding.
First week of March	Final stages of preparing the annual SRF IUP	Contact the Grants and Loans Bureau Chief, MaryAnna Peavey at (208) 373-0122, with your sponsorship proposal.

4.6.2 Point Source SRF Project Sponsors

The point source loan recipient must have the following:

- Debt capacity—Either obtained via a revenue bond or judicial confirmation to absorb the NPS project cost, or the debt capacity may be obtained via cost savings for the point source SRF project.
- Scope capacity—Obtained via a revenue bond or judicial confirmation to absorb the NPS project cost into the point source loan project (i.e., the entity's debt authority must be written broadly enough to encompass the work on the wastewater facility and the work on the NPS project).
- Legal review and approval—The addition of the NPS project onto the core wastewater facility effort should be reviewed and approved by the appropriate staff. The point source loan recipient should talk to the SRF loan manager at (208) 373-0439 to clarify any questions relating to timeliness of these efforts.

Point source loan recipients should also consider incorporating an NPS project into their sewer project when they submit their loan Letter of Interest (between mid-November and early-January). An NPS project addition allows for a higher score on the SRF Priority List, which may provide advantageous SRF funding terms.

4.6.3 DEQ Staff Coordination after NPS Project Funding

DEQ manages SRF-funded NPS projects in the same manner as § 319 grant projects, except for the following:

- Invoices reviewed by § 319 staff and approved for payment are routed to the SRF loan coordinator rather than to the Fiscal Office. The SRF loan coordinator enters the invoice and any relevant documents into Content Manager and provides the Fiscal Office with approval to make the payment. Reimbursement requests funded through the SRF have a more rigorous audit process and require more substantive documentation.
- The NPS aspect of the joint project must be completed within 2 years of project start-up.
- Project oversight (for the NPS aspect of these SRF-funded projects) is conducted by regional office staff that normally work with § 319 grant projects.
- Costs for DEQ staff assistance are charged to the SRF program. The § 319 program includes these efforts in its annual report and clearly indicates the funding source.
- Staff time spent working on the SRF-funded NPS projects is coded to the SRF program cost codes normally used by the individual offices.
- Loan closure occurs in two stages if the wastewater facility loan portion is completed before the NPS project:
- The Bond Counsel is informed that the legal closure will occur after completing the NPS effort. The repayment period starts after legal closure (with the Bond Counsel) as normal. Interest accrual ends when the wastewater facility portion is completed (i.e., when the final inspection is done, the rate ordinance is passed, and the operation and maintenance manual is completed).

5 Nonpoint Source Pollution Framework at DEQ

DEQ's water quality divisions are responsible for ensuring that the state's groundwater, source water, surface water, and drinking water resources meet state water quality standards:

- Adopting water quality standards to protect public health and welfare, maintain the quality of water, and meet the requirements of the federal Clean Water Act.
- Certifying projects that require federal permits or licenses, such as a license to operate a hydroelectric dam, will not cause a violation of state water quality standards.
- Monitoring and assessing the levels of pollutants in surface waters, such as rivers and streams, and report on surface water quality.
- Working with communities, industry, and citizen groups to develop and implement water quality improvement plans when water quality fails to meet state water quality standards and provide grants to support a variety of water quality improvement activities.
- Working with public health districts to protect the quality of public drinking water by helping public drinking water systems comply with state requirements, conducting sampling surveys and on-site visits, reviewing water system plans and specifications, and providing training and outreach to water systems. DEQ also assesses potential contaminant threats to Idaho's drinking water sources.
- Protecting groundwater from pollution, clean up degraded groundwater to support beneficial uses where feasible, and monitor and assess groundwater quality.
- Providing guidance for managing storm water discharges generated by runoff.
- Establishing standards for treating and disposing of wastewater managed by on-site wastewater systems (septic systems) that are not served by public sewer systems.
- Issuing wastewater reuse permits to protect surface and groundwater by establishing limits on the amount of wastewater that facilities and industries may use for irrigation or other purposes; providing technical assistance; conducting inspections; and enforcing permits when necessary.

All water quality management issues are tied together by DEQ’s continuing planning process, which involves all DEQ water programs, the public, and laws and rules.

5.1 Prioritization of Watershed Protection Actions

Priorities for watershed protection in Idaho are initially defined through the work of the various Water Quality Division programs:

- Groundwater quality is assessed to ensure that groundwater continues to be drinkable. Because 95% of Idaho obtains drinking water from groundwater, the Groundwater Bureau monitors groundwater for the primary NPS contaminant, nitrate. The result of this monitoring effort is the delineation of NPAs across the state (section 5.2).
- Source waters are assessed through routine source water assessments (section 5.3).

- Surface water quality is assessed through biennial assessment of water bodies to determine protection of beneficial uses. The results are summarized in the Integrated Report, which ranks Idaho waters into five categories (section 5.4).
- Drinking water quality is continually assessed through a process of engineering reviews of drinking water system design and routine monitoring of drinking water systems (section 5.5).
- DEQ administers a point source discharge elimination program and is responsible for issuing and enforcing all discharge permits in Idaho. The state's role is to certify point source permitted projects comply with state water quality standards.
- Idaho works closely with USACE (section 5.7) to ensure that discharges of dredged or fill material do not violate Idaho's water quality standards.
- Final priorities are established by the actions of advisory groups (section 5.8), ensuring public participation in watershed protection.
- The water quality protection process is continually assessed to ensure its continued viability (section 5.9).

The state's priority is to improve degraded waters; however, Idaho does recognize and consider project proposals that protect high quality waters. Such waters are typically wilderness waters, and it is not the best use of DEQ's limited resources to survey such waters at this time. Instead, priority is assigned to address those waters whose beneficial uses are threatened.

In addition, Idaho does not currently have a policy on climate change that informs NPS pollution protection. The state is aware that potential impacts of climate change—such as increased stream temperatures and increased potential for larger wildfires (Gillis et al. 2010)—may produce additional challenges for the NPS Management Program that must be addressed in future years.

The federal § 319 NPS and state Ag BMP grant funds can be used to provide direct project support or support of public or private nonprofit organizations structured to implement projects that reduce NPS pollution. DEQ's NPS Management Program recognizes the importance of environmental justice and is exploring how the program may expand grant opportunities and investments for pollution reduction projects that ensure fair and equitable access to improved water quality.

5.2 Groundwater Program

DEQ is the state's lead agency for protecting the quality of groundwater in Idaho and relies on a combination of programs to protect groundwater from pollution, clean up degraded groundwater, and monitor and assess groundwater quality. DEQ's groundwater policy is to maintain and protect the existing high quality of Idaho's groundwater and restore degraded groundwater where feasible to support groundwater beneficial uses. DEQ partners with the ISDA, IDWR, and other state, local, and private agencies, organizations, businesses, and individuals to achieve this goal.

5.2.1 Beneficial Uses

Idaho Code §§ 39-120–127 designates DEQ as the primary state agency to coordinate and administer groundwater quality protection programs. Rules have been promulgated under this statute to ensure DEQ maintains and protects the existing high quality of the state's groundwater and the existing and projected future beneficial uses of groundwater and interconnected surface water. Within Idaho, all groundwater is protected for meeting drinking water beneficial uses. Groundwater provides drinking water to 95% of Idahoans.

5.2.2 Groundwater Protection Process

Protecting Idaho's groundwater resource is a continual process. Nitrate is the primary NPS contaminant addressed by DEQ's Groundwater Bureau. The NPA process was developed in conjunction with the Idaho Groundwater Monitoring Technical Committee in 1999 and formalized in DEQ Policy Memorandum PM00-04 (DEQ 2000). The policy directs DEQ to delineate, prioritize, and develop improvement strategies with local input; evaluate effectiveness of the strategies; pursue aquifer recategorization if necessary; and remove degraded areas from the priority list, if appropriate. The policy was developed to apply to a variety of contaminants, but it has not been implemented for any constituent beyond nitrate.

Since the policy was developed, DEQ has worked with the Groundwater Monitoring Technical Committee to define the criteria for delineating and prioritizing degraded areas. The criterion for an NPA is 25% of the sites sampled are equal to or greater than one-half of Idaho's groundwater quality standards. In an NPA, 25% of the sampled sites have nitrate concentrations greater than or equal to 5 milligrams per liter (mg/L), which is one-half the standard of 10 mg/L. NPAs were delineated in 2002, 2008, 2014, and 2020 and continue to be updated as more monitoring data is collected and analyzed.

Step 1—Collect and Compile Data

Every 5 years, groundwater quality data collected by DEQ, USGS, IDWR, ISDA, and public water systems are compiled by DEQ. The compiled data are then combined with monitoring results dating back to 1990. The data are located spatially. If a site has been sampled multiple times, the most recent result is used in delineating the NPA.

Step 2—Assess Data

Once each sample site is spatially located and the most recent nitrate value is assigned, the NPAs are delineated using a combination of factors including land use, geology, aquifer boundaries, political boundaries, and professional judgment. The 2002 NPAs were delineated based on geology, aquifer boundaries, land use, and professional judgment. For the 2008 ranking, to decrease the reliance on the potential subjectivity of professional judgment, two geostatistical methods—indicator kriging and ordinary kriging—were incorporated in the process. Geostatistical software packages for indicator kriging and ordinary kriging, available for ESRI ArcMap, were applied to the 2008, 2014, and 2020 data.

Indicator and ordinary kriging are applied to the data to determine the probability of exceeding a specific concentration and interpolate values between locations. The result is then analyzed with professional judgment and local knowledge to define and delineate the NPAs. The 2020 NPAs are shown in Figure 1 (DEQ 2020b).

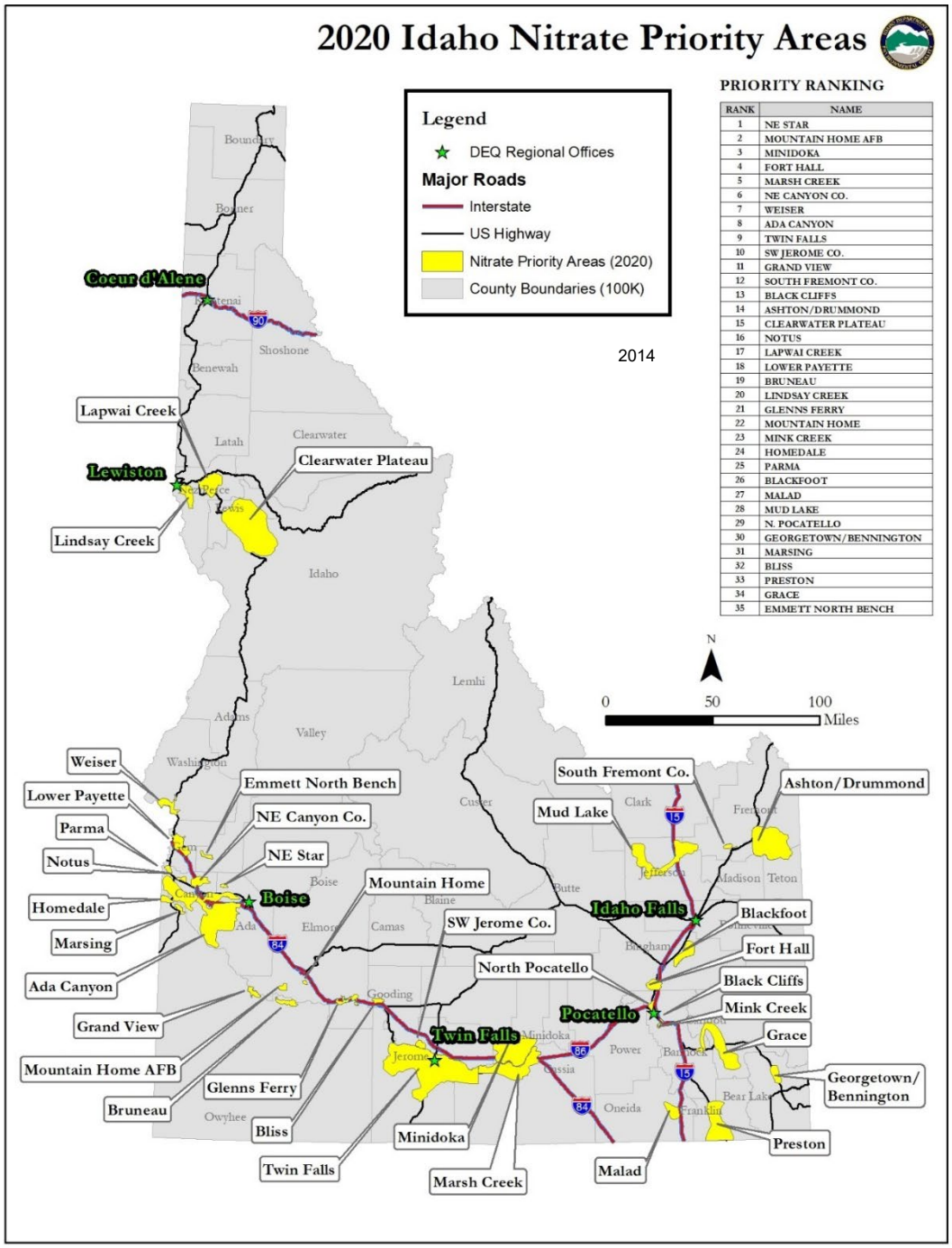


Figure 1. 2014 Idaho NPAs.

Following delineation, the areas are then prioritized or ranked in order of nitrate contamination severity. The ranking process considers three weighted principal criteria: population, existing

water quality, and water quality trends. A secondary criterion, impacts to beneficial uses other than potable water supply, is considered to a lesser extent. The nitrate groundwater quality trends were analyzed by the USGS in 2002, IDWR in 2008 and 2014, and DEQ in 2020. Reports documenting the trend analysis methods were created by each agency and are available at *Groundwater Quality—Nitrate*.

Step 3—Write and Submit Required Reports.

A report summarizing the NPA delineations and ranking is created for each update. Changes in NPA rankings have been observed and can be attributed to several different factors. In some areas, median nitrate values have increased, resulting in an increasing trend and a higher ranking. Conversely, the median nitrate concentration has decreased in other NPAs, resulting in a lower ranking. Through time, the number of NPAs with increasing trends has been reduced, while the number of NPAs with decreasing trends has risen (Table 7). Ideally, this represents an improvement in groundwater quality.

Table 7. NPA trends.

Year	NPAs with Increasing Trend	NPAs with Decreasing Trend
2002	9	1
2008	4	1
2014	3	4
2020	5	4

Some of the changes in trend may be attributed to changes in the size of the NPA due to changes in water quality in parts of the NPA. Originally, some DEQ regions felt that large areas with similar hydrogeology were appropriate for countywide planning. The kriging process together with additional monitoring has improved defining areas where degradation is more severe, which has reduced the size of some NPAs. The reduction in size may have removed a dilution factor that mixed areas with low nitrate concentrations. For example, in 2014 the Mud Lake NPA was 202 square miles, but it was reduced to 175 square miles in 2020. The area was calculated with an increasing trend in 2014 yet had no trend in 2020; five NPAs had increasing trends; and four had decreasing trends (Table 8). The ranking has also changed significantly in some areas, which could be reflected by a change in NPA size and/or changes in groundwater quality.

Table 8. 2002–2020 NPA trends.

Year	Nitrate Priority Area	Square Miles	Total Sites	Avg. NO_3	No. ≥ 10.00 mg/L	Trend	Rank
2002	NE Star	N/A	N/A	N/A	N/A	N/A	N/A
2008	NE Star	N/A	N/A	N/A	N/A	N/A	N/A
2014	NE Star	5	88	11.35	38	No trend	9
2020	NE Star	5	47	12.16	22	Increase	1
2002	Mt. Home AFB	N/A	N/A	N/A	N/A	N/A	N/A
2008	Mt. Home AFB	N/A	N/A	N/A	N/A	N/A	N/A
2014	Mt. Home AFB	14	37	7.2	8	No trend	12
2020	Mt. Home AFB	9	33	9.43	11	Increase	2
2002	Purple Sage/NE Canyon Co.	N/A	N/A	N/A	N/A	N/A	N/A
2008	Purple Sage	22	87	5.26	9	No trend	21
2014	NE Canyon Co.	26	120	5.28	11	Decrease	34
2020	NE Canyon Co.	29	176	5.85	17	Increase	6
2002	Rupert	182	236	5.60	18	No trend	9
2008	Minidoka	230	319	5.35	27	No trend	12
2014	Minidoka	230	337	5.45	30	Decrease	25
2020	Minidoka	227	347	5.1	27	Increase	3
2002	SW Jerome Co.	N/A	N/A	N/A	N/A	N/A	N/A
2008	SW Jerome Co.	N/A	N/A	N/A	N/A	N/A	N/A
2014	SW Jerome Co.	N/A	N/A	N/A	N/A	N/A	N/A
2020	SW Jerome Co.	12	30	7.37	5	Increase	10
2002	Homedale/Marsing	80	70	5.85	19	No trend	12
2008	Marsing	10	33	9.57	13	Increase	6
2014	Marsing	10	47	9.74	15	No trend	18
2020	Marsing	9	35	12.25	14	Decrease	31
2002	Preston/Cache Valley	202	61	3.2	3	No trend	22
2008	Preston	167	59	5.15	6	No trend	19
2014	Preston	194	72	4.74	9	No trend	13

Notes: Nitrate (NO3), milligrams per liter (mg/L). “N/A” means the area was not an NPA during that period.

Step 4—Develop an Implementation Plan

DEQ has worked with local stakeholders in a number of NPAs to develop and implement groundwater quality improvement plans. The plans are developed by local voluntary citizen advisory committees with DEQ assistance. Because the plans are voluntary, implementation depends on the cooperation of local organizations.

Step 5—Continue to Monitor and Analyze Groundwater

Typically, no formal monitoring is conducted to monitor effectiveness of site-specific groundwater quality improvement plan implementation activities. State agencies such as DEQ,

IDWR, and ISDA continue to conduct groundwater sampling in NPAs for future trend analysis studies to evaluate BMP effectiveness on a large scale.

5.3 Source Water Assessment and Protection Program

The Source Water Assessment and Protection Program is two-fold in that all recognized public water sources in Idaho are required to develop a source water assessment (SWA). DEQ State Office staff perform the SWA using data and information from the public water system, DEQ regional staff, and other known information regarding the source of the water, including hydrologic and or hydrogeologic conditions, and potential contaminant threats to the water source. A determination and/or ranking of the public water system's susceptibility to contamination by identified significant contaminant sources is performed. The resulting SWA provides the public water system and community with information about threats identified in the assessment and what they mean for the water system. If a source has previously received an SWA, it would only be assessed again by request (usually due to development).

The second component to the program, Source Water Protection, is a voluntary effort where public water systems and communities can develop and implement a source water protection plan to prevent contamination of the source water that supplies its public water system. DEQ uses funds from the SRF to provide subgrants to public water systems and other authorized entities for developing and implementing source water protection activities. DEQ also provides funds to the Idaho Rural Water Association to assist rural water systems in developing source water protection plans.

Eligible source water protection subgrant applicants include public water systems, state and local government agencies, tribes, special districts (such as soil conservation districts), associations, nonprofit organizations, and educational institutions in Idaho. Federal agencies and owners of privately owned for-profit public water systems where drinking water is not the main function of their business are not eligible for funding.

5.4 Surface Water Bureau

The Surface Water Bureau is responsible for ensuring Idaho’s streams, rivers, lakes, reservoirs, and wetlands meet Idaho’s water quality standards and support their beneficial uses.

Water quality standards are the benchmarks DEQ uses to gauge protection of Idaho's surface waters. DEQ is responsible for developing and enforcing water quality standards that protect beneficial uses such as drinking water, cold water aquatic life, industrial water supply, recreation, and agricultural water supply. EPA develops regulations, policies, and guidance to help Idaho implement the program and to ensure that Idaho's adopted standards are consistent with the requirements of the Clean Water Act. EPA has the authority to review and approve or disapprove state water quality standards and, where necessary, to promulgate federal water quality rules.

The federal Clean Water Act establishes a process for states in developing information on the quality of their surface waters. Section 305(b) of the statute requires biennial (every 2 years) comprehensive analysis of state waters to determine if water bodies meet state water quality standards and support beneficial uses.

To fulfill this requirement, DEQ conducted the Idaho Wadeable Stream Survey from 2013 to 2019. This survey was probability based and designed to provide statistically valid estimates of the condition of all wadeable, sampleable streams in Idaho and did not apply to larger flowing water bodies defined by DEQ as rivers. This survey was conducted in conjunction with the development of the Integrated Report (section 5.4.2, step 3). Data from surveys conducted between 2017 and 2019 were not available for analysis or discussion in the 2018/2020 Integrated Report; however, data are available for streams surveyed from 2013 through 2015 and are discussed in the 2016 Integrated Report (DEQ 2018).

5.4.1 Beneficial Uses

A water quality standard defines the water quality goals for a water body or portion thereof, in part by designating the use or uses to be protected. Both narrative and numeric standards can be established to protect beneficial uses.

The beneficial use of a water body must consider its actual use, the ability of the water to support in the future a use that is not currently supported, and the basic goal of the Clean Water Act that all waters support aquatic life and recreation where attainable. Idaho must designate its uses accordingly.

A *designated use* is a beneficial use assigned to a specific water body in Idaho water quality rules. The Clean Water Act requires Idaho to recognize *existing uses*, which are uses that are (or were) actually attained in a water body on or after November 28, 1975, whether or not they are designated or currently supporting that use. Idaho presumes undesignated waters in the state will support cold water aquatic life and contact recreation and therefore criteria associated with those uses are applied to undesignated waters.

In designating uses, Idaho considers the use and value of the water body for public water supply; protection of fish, shellfish, and wildlife; and recreational, agricultural, industrial, and navigational purposes. While competing beneficial uses may exist in a river or stream, federal law requires DEQ to protect the most sensitive of the beneficial uses.

Idaho evaluates the suitability of a water body for the uses based on the following:

- Physical, chemical, and biological characteristics
- Geographical setting and scenic qualities
- Economic and public values

Idaho's water quality standards describe several beneficial uses for which a given water body may be designated (IDAPA 58.01.02.100). Some are compatible (e.g., a water body can support both cold water aquatic life and salmonid spawning). Others are mutually exclusive (e.g., either cold water or warm water aquatic life). In general, most water bodies will support multiple uses

(e.g., a recreational use and an aquatic life use). When designated in the water quality standards (IDAPA 58.01.02.110–160), these are uses a water body is expected to support.

Aquatic Life—The criteria associated with this use are designed to protect animal and plant species that live in the water. Some pollutants or conditions that affect aquatic life are water temperature, dissolved oxygen levels, and concentrations of toxic substances such as ammonia, metals, and pesticides. Idaho's water quality standards set criteria for these pollutants or conditions to protect against adverse effects due to human activities.

Recreation—Recreational uses are divided into primary contact and secondary contact recreation. Both of these classifications have the same bacteria criterion (IDAPA 58.01.02.251), which protects people from gastrointestinal illness due to incidental ingestion of the water they are recreating in (primary contact) or on (secondary contact).

Water Supply—Standards associated with this use indicate whether water from a lake or river is suitable for use as a source for a water supply system. Public drinking water is treated before it is delivered to the tap; a separate set of standards governs treated drinking water. Indicators used to measure the safety or usability of surface water bodies as sources for drinking water include turbidity, which may interfere with treatment, and the presence or absence of toxic substances such as metals or pesticides.

Wildlife Habitats—The standards associated with this use are designed to protect water quality appropriate for wildlife habitat. This use applies to all surface waters of the state.

Aesthetics—This use applies to all surface waters of the state.

5.4.2 Surface Water Protection Process

Protecting Idaho's surface waters is a continual process. This process involves monitoring or assessing water quality and using the results to report on the status of Idaho's waters and to assist with writing implementation plans for impaired waters. Success under those plans will eventually be determined by conducting further monitoring and assessment. The primary steps in this process are described below.

Step 1—Collect Data

The *Surface Water Ambient Monitoring Plan* (DEQ 2012) outlines DEQ's approach to collecting and integrating ambient water quality monitoring data from a variety of monitoring programs, including BURP, National Aquatic Resource Surveys, Trend Monitoring Network, and special studies.

DEQ's BURP deploys crews into the field to collect water temperature data biological samples (e.g., fish, bacteria); chemical measures (e.g., specific conductivity); and habitat data from selected sites. The data are used to help DEQ determine whether beneficial uses are being supported in Idaho's streams and lakes.

In addition to its own data collection efforts, DEQ solicits and considers data submitted from other agencies, institutions, commercial interests, interest groups, or individuals during every integrated reporting cycle. These data may relate to the existence, support status, or associated criteria for the beneficial uses in a water body. These external data sources are ranked for quality according to three tiers (Table 9). DEQ pursues several avenues for notifying the public of its intent to seek water quality-related data and information from external partners, including disseminating a news release to media statewide, posting announcements to DEQ's website, and direct mailing notices to interested individuals and organizations such as the USFS, IDFG, and BLM. All data collected and analyzed must have a monitoring plan with quality assurance and controls reported.

Table 9. Data tier comparison.

Tier	Scientific Rigor	Relevance	Example	How Used
I	• Quantitative. • Parameters measured. • Established monitoring plan with QA and defined protocols. • >30 hours of supervised training. • Samples processed in EPA-certified lab following standard methods or by professional taxonomist. • Organisms identified by a professional taxonomist.	• Data relates to either water quality standard(s), especially numeric, or a beneficial use. • ≤5 years old. • Data relates to a named water body (GIS, latitude and longitude or map location provided).	• Ph.D. or masters thesis. • Published or printed studies or reports. • Published predictive models. • EPA EMAP. • BURP data. • Use attainability analyses. • Rapid Bioassessment Protocols (RBP).	• 303(d) listing or de-listing. • 305(b) reports • subbasin assessments. • TMDLs. • Planning for future monitoring.
II	• Qualitative or semi-quantitative in nature. • May have a monitoring plan. • No QA/QC provided for within plan. • Protocols may or may not be defined. • Parameters rated. • Field staff may not be trained: Lab may not be certified. • Taxonomist may not be a professional.	• Data may relate to a watershed. • Not water body specific. • Data >5 years old. • Data may relate to other agency guidelines or objectives.	• Environmental assessments. • Proper Functioning Condition. • Cumulative Watershed Effects. • Most citizen monitoring. • Models with documentation. • Agency planning documents.	• 305(b) reports. • Subbasin assessments or TMDLs when data adds to overall assessment quality. • Planning for future monitoring.
III	• May be qualitative in nature. • Parameters evaluated. • Field staff have little to no training. • No documented monitoring plan. • No QA/QC. • Anecdotal in nature.	• Not specific to water quality standards or beneficial uses. • Location not specific. • Data ≥10 years old.	• Non-specific reports or studies. • Newspaper articles. • Simple models without any documentation.	• Planning for future monitoring. • Hold for further investigations.

Step 2—Assess Data and Determine Beneficial Use Support

DEQ relies on several key technical and policy statements in making water quality determinations, which are documented in the *Water Body Assessment Guidance* (WBAG) (DEQ 2016). This document, which focuses on biology as a measure of aquatic life and water quality status, is the foundation of DEQ's ambient monitoring and assessment program. The WBAG describes the methods used to consistently evaluate data and determine beneficial use support of Idaho waters. The methodology addresses many reporting requirements and state and federal rules, regulations, and policies.

The technical document that supports the WBAG is the *Biological Assessment Frameworks and Index Development for Rivers and Streams in Idaho* (Jessup 2011). Using this document, DEQ has a consistent and relevant decision-making process for water-quality assessment.

Step 3—Submit Integrated Report

Every 2 years, DEQ is required by the federal Clean Water Act to conduct a comprehensive analysis of Idaho's water bodies to determine whether they meet state water quality standards and support beneficial uses or if additional pollution controls are needed. This analysis is summarized in an Integrated Report that serves several functions:

- It satisfies the reporting requirements of the Clean Water Act §§ 303(d), 305(b), and 314 and the § 305(b) reporting requirement for § 106 grant funds.
- It informs the public about the status of state waters, enabling interested parties to comment on the status of all Idaho waters and provide any relevant data.
- It provides a unique opportunity for the public to understand the overall status of Idaho's water quality and gain a better understanding of how DEQ is maintaining, improving, and protecting Idaho's waters.
- It compiles a wealth of data and information from all sections of DEQ's Surface Water Program and from other agencies, organizations, and individuals. These data give water quality managers the ability to take a comprehensive look at the relative quality of Idaho's water bodies and set priorities and allocate resources accordingly.

The 2024 Integrated Report has undergone public comment and will tentatively be submitted to EPA for approval in January 2025. Based on existing and readily available water quality data and information assessed for the 2024 Integrated Report, 32% of streams and 6% of lakes are fully supporting state water quality standards, 40% of streams and 53% of lakes are not fully supporting state water quality standards, and 29% of streams and 41% of lakes have not been assessed (DEQ 2024a). Water bodies are considered to be fully supporting their beneficial uses if in Categories 1 or 2. Unassessed water bodies are those in Category 3, and water bodies not supporting beneficial uses are in Categories 4 and 5 (Figure 2).

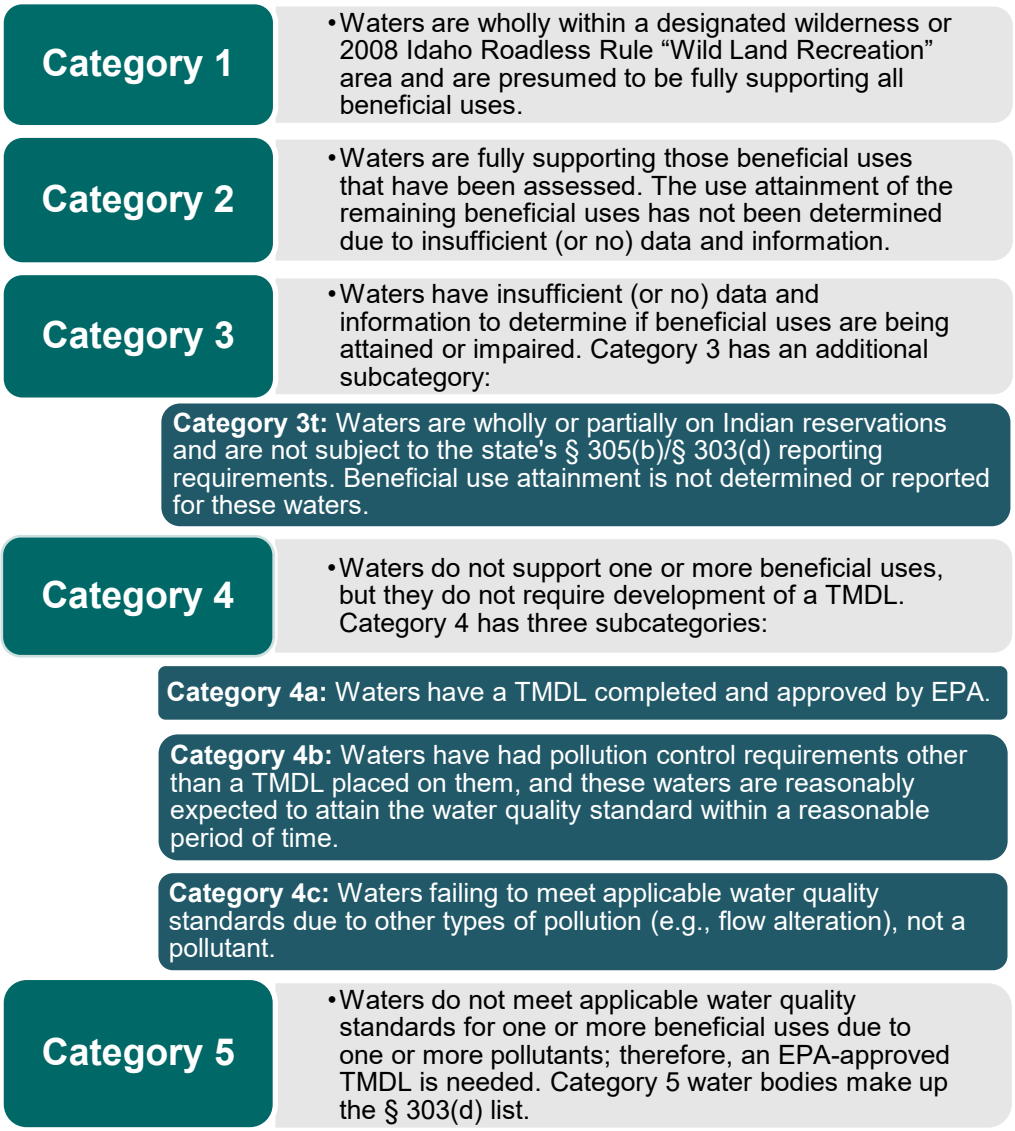


Figure 2. Five categories of the Integrated Report.

For the 2024 reporting cycle, Idaho reported a total of 4,109 AU-cause combinations as impaired (Figure 3). This total includes AU-cause combinations captured in Category 4 and/or Category 5. The leading causes of impairment in streams are temperature, sediment/siltation, and *Escherichia coli*. The leading causes of impairment in lakes are mercury, dissolved oxygen, nutrients, sediment, and lead.

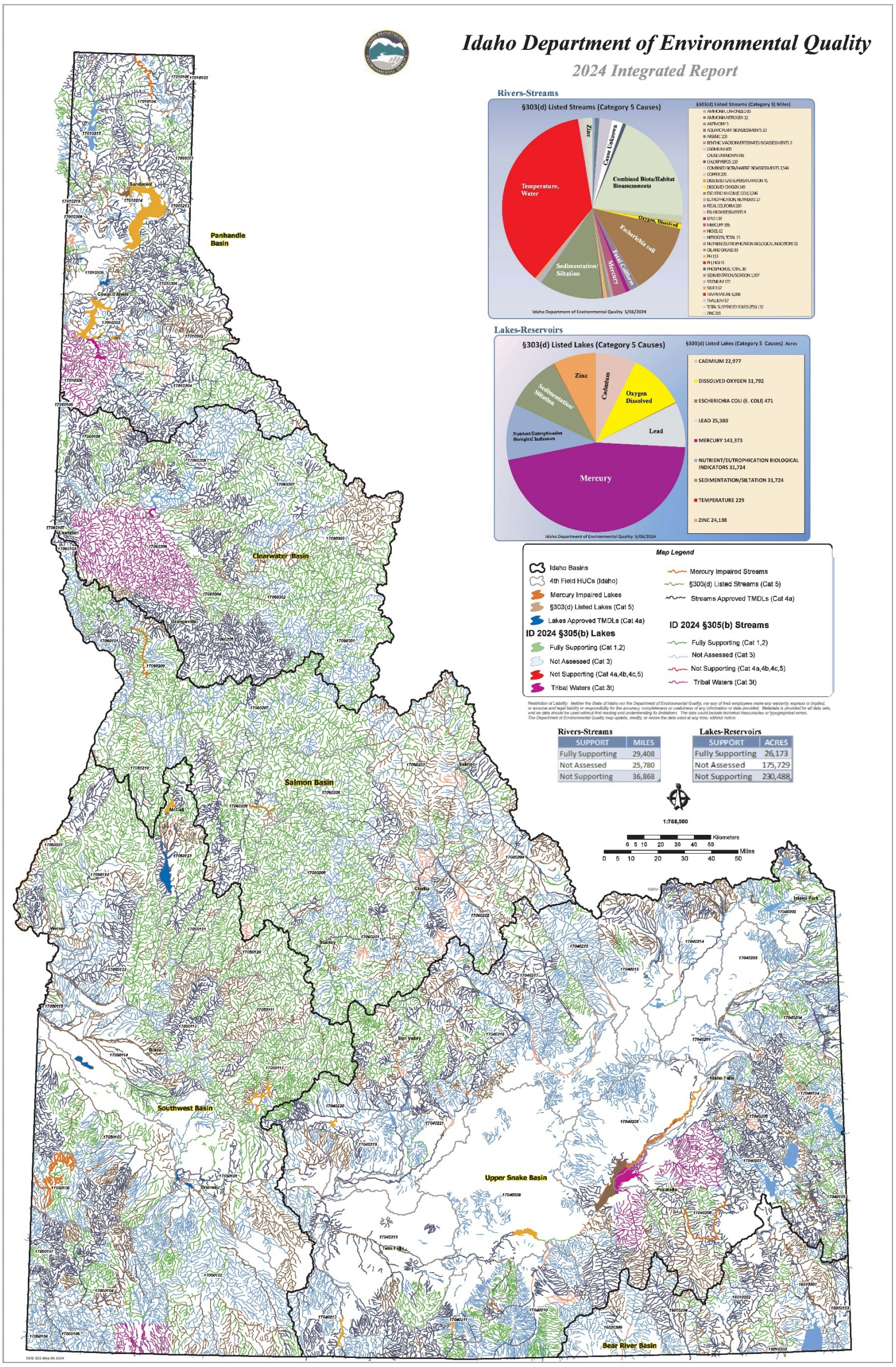


Figure 3. Map of 2024 Integrated Report impaired waters.

Disclaimer: This map only shows a snapshot of the impaired waters from the 2024 Integrated Report. DEQ's actions with respect to the Integrated Report and such waters do not constitute a determination, waiver, admission, or statement on the part of the State of Idaho with respect to jurisdiction over such waters or the boundaries of any tribal reservation.

Step 4—Evaluate Impaired Waters to Determine Causes and Source of Pollutants

Where monitoring results show that water quality fails to meet state water quality standards (as documented in the Integrated Report), DEQ further evaluates the water body to determine the causes and sources of pollutants. In Idaho, a subbasin assessment is provided in a TMDL document that develops the load analysis and pollutant caps and may be provided in a TMDL 5-year review when DEQ reviews existing TMDLs (step 5). Five-year reviews evaluate currently listed waters in anticipation of scheduling them for TMDLs. If the analysis determines the water is not impaired by the listed pollutant, it may be proposed for delisting in the next reporting cycle. The assessment is the first step in either developing a TMDL or recommending delisting the water body from the list of impaired waters (Category 4 and/or 5).

Step 5—Establish Total Maximum Daily Loads for Water Bodies

Using information found during the subbasin assessment, DEQ establishes a TMDL for each impaired water body. Impaired waters are waters that fail to meet water quality standards for pollutants and beneficial uses and are identified on the state's § 303(d) list (Category 5 of the Integrated Report). The TMDL establishes maximum allowable levels for pollutants causing water quality violations. A TMDL is the maximum amount (load) of a water quality parameter that can be carried by surface water on a daily basis without causing an exceedance of water quality standards.

TMDLs are assessed on a subbasin level, which means water bodies within a hydrologic subbasin are generally addressed in a single document. A subbasin is a cataloging unit established by the US Geological Survey (USGS). Subbasins are identified by USGS 4th-field hydrologic unit codes, or HUCs (Figure 4). Idaho has 86 HUCs, 2 of which do not contain any waters of the state and are not included in Idaho's water quality standards, and 4 of which do not require any TMDLs at this time.

DEQ establishes priorities of TMDL development based on a 2002 settlement agreement, Clean Water Act § 303(d) Priority Ranking listed in Appendix F in the Integrated Report, regional resources, and stakeholder involvement. DEQ reserves the right to reprioritize individual AUs or HUCs based on severity of pollution, funding, personnel availability, and executive or legislative direction. Schedule modifications are done on a case-by-case basis.

TMDL development supports many aspects of the NPS Management Program. Monitoring to identify source categories can be used to target key remediation projects, data collected can be used to identify critical conditions when exceedances tend to occur, and load allocations developed in the TMDL can help focus NPS reduction. These conditions must be considered when identifying strategies to reduce load and when performing effectiveness monitoring.

A TMDL is a plan to attain and maintain water quality standards for waters that are not meeting standards. The steps of the process include the following:

1. Develop an understanding of the water quality pollutant problem (e.g., sediment, temperature, arsenic).

2. Identify the pollutant sources.
3. Quantify the pollutant loads from each of the sources.
4. Allocate pollutant reductions to the sources.

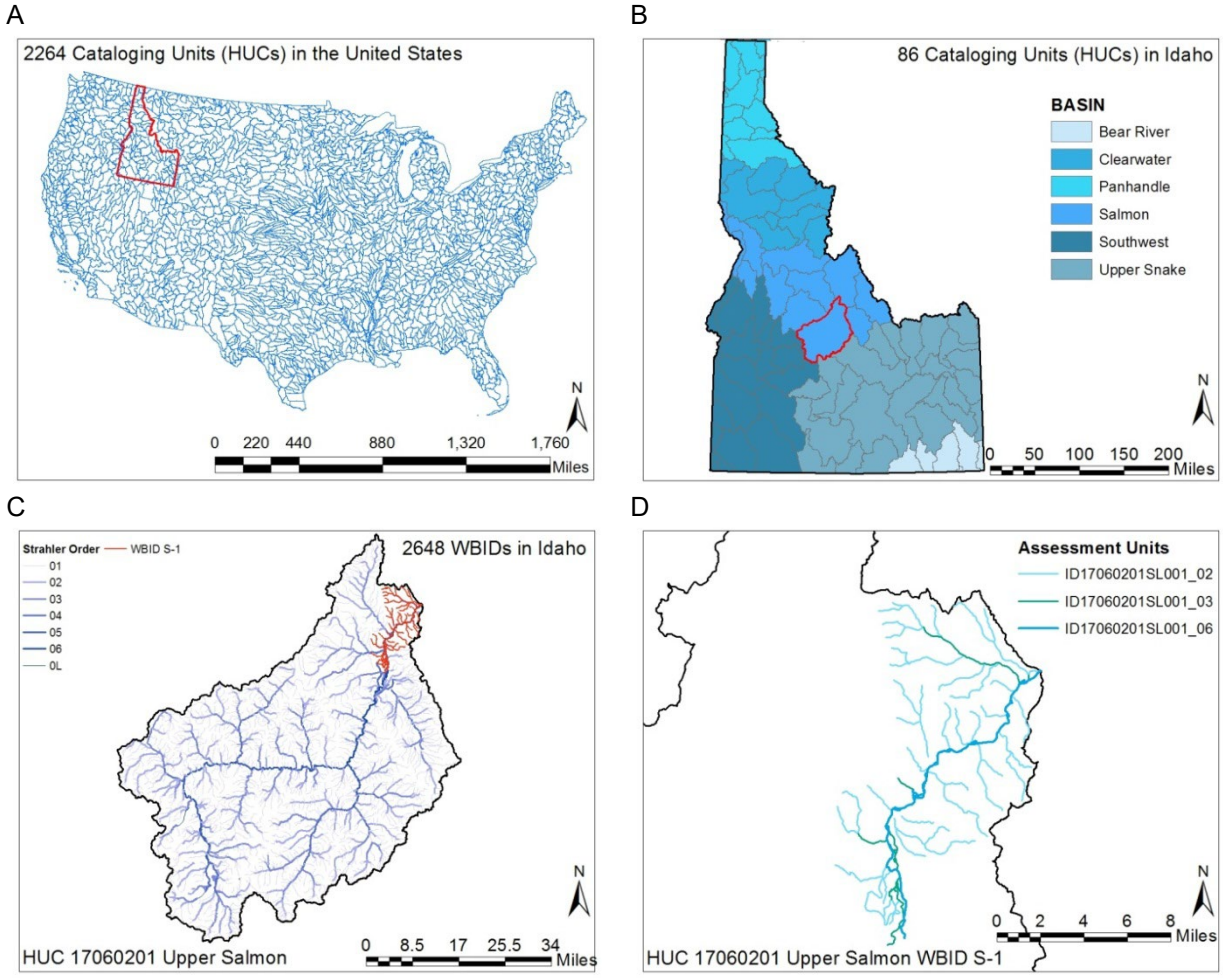


Figure 4. Relationship between 4th-field HUCs, water body identification (WBID), and AUs. (A) Level 4 cataloging units (HUCs) in the nation. (B) 86 HUCs in Idaho (the highlighted HUC is 17060201 Upper Salmon River in central Idaho). (C) HUC 17060201, Upper Salmon River, with WBID S-1 highlighted in red. (D) WBID S-1 subdivided into three different AUs.

Idaho Code § 39-3611(7) requires a 5-year cyclic review process for Idaho TMDLs. These reports document the review of approved Idaho TMDLs and implementation plans by answering the following questions:

1. Are the TMDL targets appropriate?
2. Are the pollutant allocations appropriate?
3. Are assumptions and analysis appropriate?
4. Do all available data confirm and support data used in the existing TMDLs?
5. Are water quality criteria identified in the subbasin assessment/TMDLs consistent with current water quality standards?

These reviews allow DEQ to reevaluate each TMDL, subbasin assessment, and implementation plan. If they are not attainable or appropriate based on supporting data, the process is initiated to determine whether to make recommended modifications.

Step 6—Develop an Implementation Plan

Implementation plans are developed by the land use management agencies associated with the particular activity, including ISDA, IDL, ITD, ISWCC, NRCS, BLM, and USFS. An implementation plan is written after a TMDL is developed. The plan provides details and a schedule of the actions needed to achieve specific pollutant load reductions. The plan also identifies the monitoring needed to document the progress toward meeting water quality standards.

All the TMDLs, implementation plans, and 5-year reviews developed are available at *Total Maximum Daily Loads*.

Step 7—Continue to Monitor and Analyze Water Bodies

The implementation plan will specify the monitoring methods needed to determine if the recommended changes are improving water quality and if water quality standards are being met. If a water body is found to be meeting water quality standards (i.e., no TMDL or implementation plan was written), it will be monitored again in the future to ensure it continues to meet standards. Funding is not always readily available for continued monitoring and analysis of water bodies.

5.5 Drinking Water Bureau

DEQ's Drinking Water Bureau protects public health by ensuring drinking water from public water systems in Idaho is safe. DEQ is authorized to administer Idaho's Drinking Water Program through the federal Safe Drinking Water Act and the “Idaho Rules for Public Drinking Water Systems” (IDAPA 58.01.08). Approximately 95% of Idahoans rely on groundwater for drinking water. Surface water, such as streams, rivers, and reservoirs, supplies the remaining 5%.

In Idaho, approximately 2,016 public drinking water systems serve Idaho's population. Public water systems, which may be publicly or privately owned, serve at least 25 people or 15 service connections for at least 60 days per year. Many other Idaho citizens get their drinking water from private wells. These wells are not regulated under the Safe Drinking Water Act; well owners are responsible for ensuring their water is safe.

In accordance with Idaho Code § 39-118, “all plans and specifications for the construction of new sewage systems, sewage treatment plants or systems, other waste treatment or disposal facilities, public water supply systems or public water treatment systems or for material modification or expansion to existing sewage treatment plants or systems, waste treatment or disposal facilities, public water supply systems or public water treatment systems, shall be submitted to and approved by the director before construction may begin, and all construction shall be in substantial compliance therewith.” Drinking water system plans must comply with

the requirements of IDAPA 58.01.08. Following construction, public drinking water systems must be operated in compliance with the requirements of the same rules; the *Idaho Public Water System Switchboard* provides information on system monitoring requirements, source water assessment reports, sample results, and other indicators of drinking water quality.

5.6 Idaho Pollutant Discharge Elimination System

The Idaho Pollutant Discharge Elimination System (IPDES) Bureau permits facilities discharging from a point source into waters of the United States. A point source is a conveyance such as a pipe or other point. An IPDES permit contains limits on what can be discharged and other provisions to ensure that the discharge does not harm water quality or the public's health.

There are two types of IPDES permits:

1. An individual permit is written specifically for an individual facility.
2. A general permit may cover multiple facilities within one industry, such as aquaculture, or may cover multiple facilities from different industries but that have a similar discharge, such as storm water. General permits are only issued to dischargers within a specific geographical area.

DEQ administers the IPDES Program and is responsible for issuing and enforcing all IPDES permits in Idaho outside of tribal land. The state's role is to certify that IPDES-permitted entities comply with state water quality standards.

5.7 § 404 Permitting

DEQ's role in the § 404 permitting process entails issuing § 401water quality certifications that ensure the actions authorized by the federal permits do not violate Idaho's water quality standards (DEQ 2021). DEQ coordinates closely with the USACE during the certification process of § 404 permits.

The certification process varies depending on the type of permit the USACE issues for a project. For example, DEQ issued a general § 401 certification to streamline the process for applicable nationwide permits. When the USACE receives an application for a project that can be authorized by one of these permits, there is no need for additional certification by DEQ. The activities covered under these permits must comply with the terms and conditions of the § 401 certification.

For proposed project activities that require an individual § 401 certification, the USACE and DEQ jointly agree that a § 401 certification decision will be provided within 60 days of receiving a request for certification (reasonable period of time). DEQ will request additional time (not to exceed 1 year) to complete the project review and certification process if necessary. Within the reasonable period of time, DEQ posts draft § 401 certifications to the website to provide the public with comment opportunities. Public comment periods typically last for 21 days, although DEQ may offer shorter or longer time frames if justified and agreed upon by the USACE. DEQ also posts its final certification decisions to the website.

5.8 Basin, Watershed, and Technical Advisory Groups

The BAGs and WAGs play a role in the § 319 grant award process and state water quality management process. These advisory groups do not evaluate projects that are up and running; they evaluate projects at the application stage, before work plans are implemented. As approved and funded projects are in development, the BAGs and WAGs may request updates from DEQ on the status of projects. DEQ provides an update at the next available meeting.

A BAG is a group of citizens that advise DEQ's director on water quality objectives within Idaho's six basins (Figure 5). Members are appointed by the director. According to Idaho Code § 39-3614, BAG membership must represent the industries and interests directly affected by implementing water quality programs within the basin. Interests represented by BAGs include agriculture, mining, nonmunicipal point source discharge permittees, forest products, livestock, local government, Indian tribes (for areas within reservation boundaries), water-based recreation, and other environmental interests. In addition, each BAG must include a person to represent the public at large who may reside outside the basin. Except for the public-at-large member, each remaining seat must be filled by members who reside within the basin or who represent persons with a real property interest within the basin.

Idaho has six BAGs representing the six basins: Southwest, Panhandle, Salmon, Clearwater, Bear River, and Upper Snake. Each BAG is charged with meeting as necessary to conduct business and to provide general coordination of the water quality programs of all public agencies pertinent to each basin. Duties include providing advice to DEQ’s director on the following:

- Priorities for monitoring within the basin
- Necessary revisions in the beneficial uses for water bodies within the basins
- Categories to which water bodies in the basin should be assigned
- Processes for developing and implementing TMDLs
- Members to be appointed to WAGs
- Priorities for water quality programs within the basin based on available economic resources

Similar to the BAGs, WAGs are made up of DEQ director-appointed local citizens from the agriculture, mining, forest products, livestock, and water-based recreation industries and from point source dischargers, local government, Indian tribes, environmental groups, and affected land management or regulatory agencies. WAGs provide input and guidance on specific watersheds to DEQ for use in developing a TMDL. The WAG provides an opportunity for concerned and involved citizens to participate in the TMDL process from start to finish. WAGs do not typically write the TMDL document but are an integral part of the process. Their input is given great deference in TMDL development and implementation.

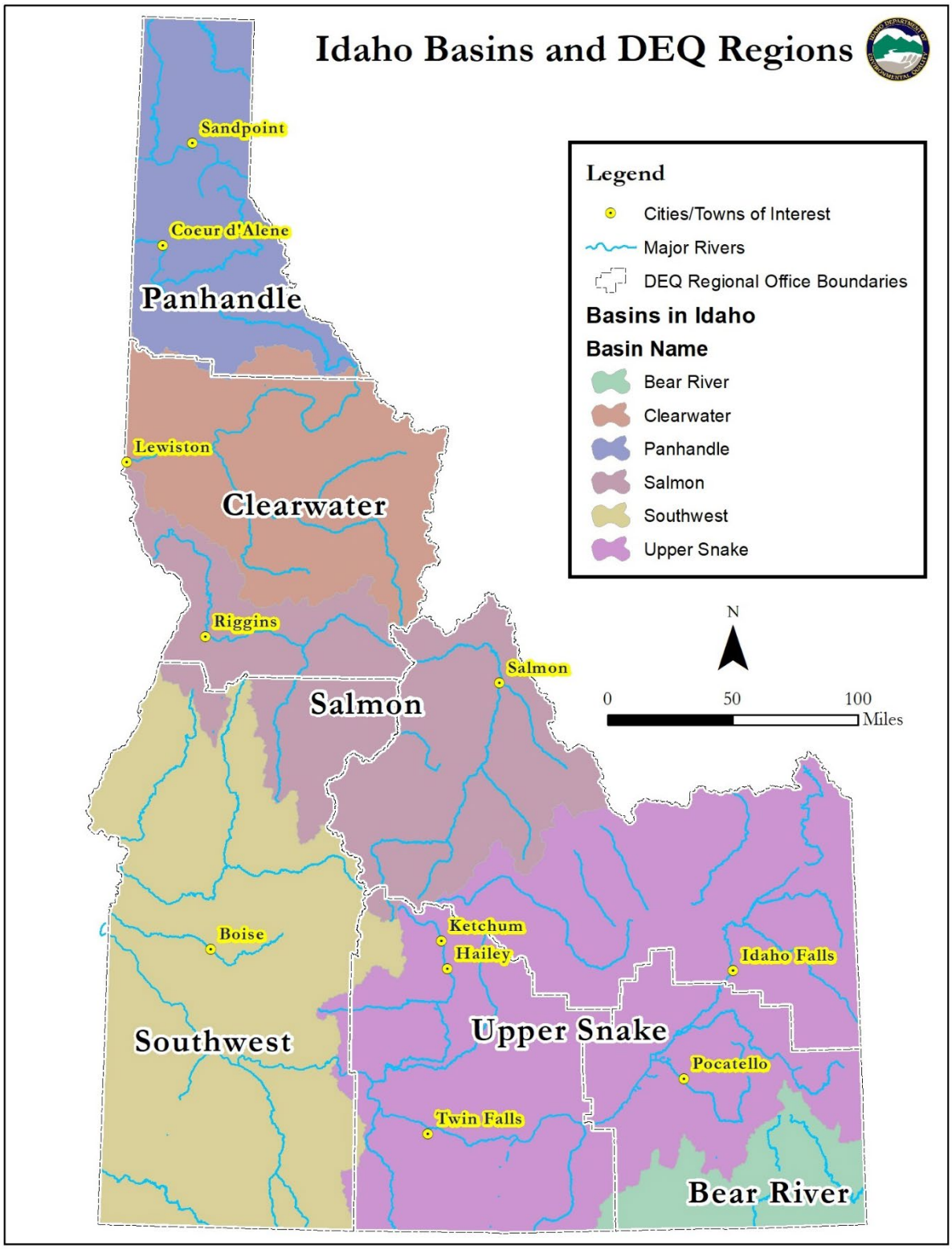


Figure 5. Idaho basins and DEQ regions.

Because efforts to reduce pollution often come with some level of economic, social, or cultural impact, it is important that WAG membership reflect the many interests in the watershed and represent a broad cross-section of the community.

The key responsibilities of WAGs include the following:

- Advise DEQ on matters of concern to the community.
- Contribute, with DEQ, to the education of watershed residents on water quality issues.
- Recommend to DEQ the specific actions needed to effectively control sources of pollution.
- Assist DEQ in identifying contributing pollution sources in the watershed.
- Assist DEQ in assigning pollution reduction allocations among contributors.
- Assist in developing an implementation plan and set in motion what is needed to meet the water quality targets identified in the TMDL.

Many of the issues involved in developing a TMDL are technical or legal in nature. Technical advisory groups (TAGs) can assist a WAG in evaluating these issues. TAGs are comprised of knowledgeable citizens and experts from groups like DEQ, IDFG, USDA, USFS, Indian tribes, EPA, and other groups, organizations, or agencies with a vested interest in water quality issues.

5.9 Continuing Planning Process

As the agency tasked with implementing the federal Clean Water Act in Idaho, DEQ is required by § 303(c) to develop a continuing planning process that describes the ongoing processes and planning requirements of the state's water quality program.

The continuing planning process describes how Idaho manages water quality and evolves as circumstances change. DEQ's water quality planning activities comprise a continual loop of interrelated laws and rules, water quality programs, water quality monitoring and assessment, implementation of water quality maintenance and restoration projects, and ongoing planning. Continual feedback, public involvement, improvement, and change are inherent in these programs.

Federal regulations require the following processes:

- Limit effluents discharged to water from point sources such as industrial sites and publicly owned treatment works.
- Conduct basinwide and statewide planning activities aimed at setting priorities.
- Develop water quality improvement plans for water bodies that do not meet Idaho's water quality standards.
- Update and maintain water quality management plans composed of various programs and guidance documents.
- Ensure intergovernmental cooperation in implementing the state water quality management program through state laws, regulations, and memoranda of understanding or agreement.

- Establish and ensure implementation of new or revised water quality standards for surface water to protect the public and restore the quality of Idaho's surface waters.
- Develop an inventory and ranking in priority order of needs for construction of waste treatment works.
- Ensure adequate control of residual waste from water treatment processing.
- Determine the priority of permit issuance.

6 Addressing Waters Impaired by Nonpoint Source Pollution

Data, derived from decades of studies, drive Idaho's NPS activities and projects. Before NPS activities are implemented, the public plays a key role through involvement in the BAGs, WAGs, and TAGs. Various agencies and other stakeholders are involved in project implementation. These projects must be tracked to assess the effectiveness of BMPs and NPS pollution reduction efforts.

6.1 Water Quality Reports

The quality of Idaho's water bodies has long been a topic of interest among scientists, as evidenced by hundreds of current and historical reports. These reports are available at *Surface Water*.

6.1.1 Water Quality Status Reports

Various government agencies have documented a lengthy history of pollution problems in water bodies in Idaho, dating back to 1952 when a biologist for the US Public Health Service reported on an analysis of bottom fauna in collections from the Clearwater and Snake Rivers. Water quality status reports have been prepared to address pollution problems in such water bodies as Bear Lake, Cascade Reservoir, Dry Creek, Indian Creek, and a number of other creeks, lakes, reservoirs, and rivers across Idaho. These reports offer recommendations on how to improve the water quality in these water bodies.

6.1.2 Water Body Studies and Plans

More recently, other water body studies and plans include the results of use attainability analyses and case studies on temperature criteria. Water quality reports can be searched by geographic area and are accessible via the *DEQ Regional Offices*.

6.2 Addressing NPS Pollutants through Project Implementation

DEQ develops TMDLs to improve water quality when water bodies are not meeting water quality standards. When a TMDL is completed, the next task is to implement its recommendations and meet its goals. An implementation plan, guided by the approved TMDL, provides details of the actions needed to achieve load reductions and a schedule of those

actions. Once the implementation plan has been reviewed and approved, a management agency implements the actions outlined in the plan.

DEQ § 319 subgrants are critical to Idaho's NPS Management Program because they provide some of the funding necessary to help DEQ achieve its water quality protection and restoration realities in watersheds throughout the state. Each year, DEQ's regional offices identify priority program and watershed targets for their respective regions. A successful subgrant recipient will implement a project that focuses on improving the water quality in a lake, stream, river, or aquifer. Funds may be used to address a variety of NPS management and prevention issues:

- Agriculture
- Urban storm water runoff
- Transportation
- Silviculture or forestry
- Mining
- Hydrologic and habitat modification and related activities (including wetlands reconstruction)

Most of the § 319 funds are passed to the local level for implementation projects.

6.3 Using Funds Efficiently

Idaho predominantly uses its § 319 funds for waters that are § 303(d) listed or have TMDLs. Waters with TMDLs are found in most of Idaho's 86 subbasins. Funding needs regularly exceed the available funding. With limited funds to achieve measurable water quality improvements or protection, DEQ developed and maintains technical and financial partnerships to leverage its funding to accomplish a large percentage of the § 319 workload. Some of these partners include the following:

- USDA-NRCS - includes work in conjunction with its Agricultural Conservation Easement Program, Regional Conservation Partnership Program, Environmental Quality Incentive Program, and the National Water Quality Initiative.
- US Department of Commerce-National Oceanic and Atmospheric Administration Fisheries and Idaho's Office of Species Conservation undertakes efforts pertaining to endangered species in the Clearwater and Salmon River watersheds. Many of these efforts are mandated by the Snake River Basin Adjudication and involve the Pacific Coast Salmon Recovery Fund.
- US Department of Defense-USACE provides work on § 319 projects that fall under their Continuing Authority Program, specifically sections 204, 206, and 1135.
- US Department of Interior-Fish and Wildlife Service has several programs that might be a source of funding in instances where § 319 projects also have a component that restores fish or wildlife habitat.
- US Department of Transportation contributes to improving various rights-of-way by implementing BMPs with Federal Highway Fund dollars.
- The Nature Conservancy

- Palouse-Clearwater Environmental Institute
- Wood River Land Trust
- Trout Unlimited
- North American Wild Grouse Association

A comprehensive list of the many partners DEQ has worked with to leverage § 319 funds to complete a variety of NPS projects can be reviewed in DEQ's database of funded projects. Interested parties can contact DEQ's NPS Management Program for further information.

6.4 Assessing the Effectiveness of BMPs

DEQ practices a feedback loop approach (Figure 6) to manage NPS pollution by implementing various BMPs. The appropriate BMPs to apply to a given situation are determined after undergoing a thorough planning process. The BMPs are applied by land managers or cooperators based on the site-specific conditions. The effectiveness of the BMPs implemented is assessed through on-site evaluations and by using other ambient monitoring processes. All monitoring data collected are evaluated against the appropriate criteria. Depending on results, BMPs can later be modified or a new approach can be considered for implementation until beneficial uses are restored and maintained.

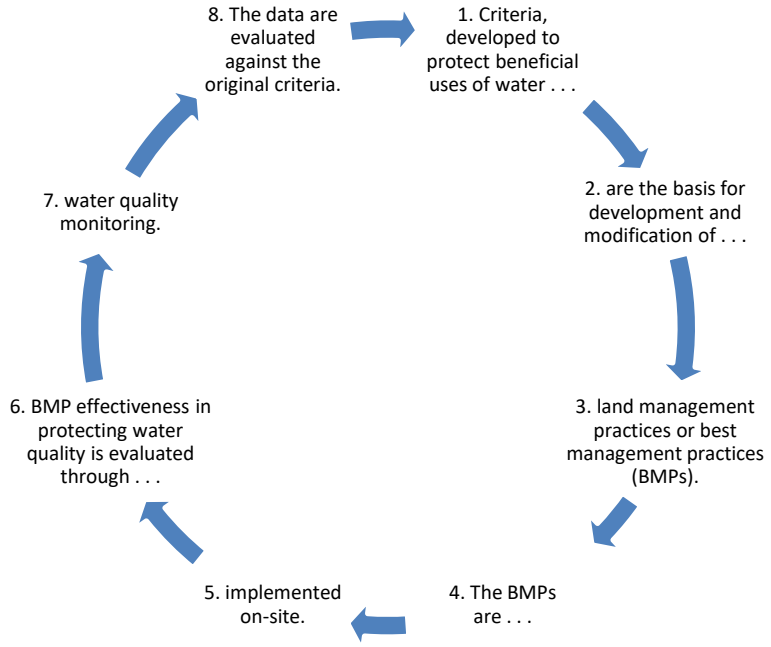


Figure 6. Idaho's BMP feedback loop.

6.5 Assessing Success in Reducing NPS Pollution

The overall achievements of the NPS Management Program are documented in the annual 2023 *Performance and Progress Report, State of Idaho Nonpoint Source Management Program*

(DEQ 2023). On a smaller, more specific scale, individual accomplishments are recorded in the field evaluation forms that are completed following on-site observations of each project:

- **Performance and Progress Report**. The Clean Water Act § 319(h) requires EPA to make an annual determination of the adequacy of each state's progress in meeting its goals within the schedule included in its approved state NPS management plan. This determination must be made before EPA awards any grant funds to the state. The performance and progress report describes the accomplishments of the NPS Management Program. Upon reviewing the report, EPA can determine whether the state program has made satisfactory progress toward meeting its annual performance partnership agreement milestones, as well as all other conditions of its annual program grant.
- **Field Evaluation Progress Reports**. A majority of DEQ's funding available for implementing NPS projects is passed to the local level for on-the-ground work on water bodies with an established TMDL. In any given year, DEQ oversees about 50 active projects underway across the state (DEQ 2024b). Field evaluations allow DEQ to evaluate the progress on site and in real time. All projects are subject to a field evaluation on a biennial basis.

It is important to evaluate projects after they are completed. Project evaluation determines whether implemented BMPs are functioning as intended and achieving water quality standards. Besides tracking watershed restoration and demonstrating program accountability, this information allows the program to make better management decisions by understanding which BMPs were most effective for the cost, which were not effective, and what situations led to successful restoration. Currently, funding limits our abilities to determine whether the goals and objectives of each project, and ultimately the program, are being met.

One way DEQ measures success after implementing water body plans and restoration projects is through the EPA National Measure WQ-10 (i.e., § 319 Program Measure). The WQ-10 measure reviews the number of water bodies identified by states (in 1998 or subsequent years) as primarily NPS-impaired that are partially or fully restored. For a water to be counted as "partially or fully restored," it must be featured on EPA's *Section 319 Nonpoint Source Success Stories* website. By *fully restored*, EPA means that all beneficial uses are now being met. By *partially restored*, EPA means either of the following two conditions are being met: (1) a water body that has a use that was impaired by more than one pollutant, but after restoration efforts meets the water quality criteria for one or more (but not all) of those pollutants or (2) a water body that initially had more than one use that was less than fully supported, but after restoration efforts one or more (but not all) of those uses are now fully supported. The measure is meant to include not only water bodies restored by § 319-funded projects but also *any* primarily NPS-impaired water bodies that a state or tribe fully or partially restores, regardless of funding source.

EPA has recently highlighted success stories from throughout Idaho:

- **Streambank Protection Improves Panther Creek**—IDEQ removed the combined biota/habitat bioassessment impairment from the state's 2022 Integrated Report for

one AU (ID17060203SL014_03) and the copper impairments for two downstream AUs (ID17060203SL010_05 and ID17060203SL011_04) in Panther Creek in following water quality improvements that resulted from BMP activities implemented by the U.S. Forest Service, Shoshone-Bannock Tribes, Lemhi County, and a private landowner. Panther Creek is one of seven major tributaries to the Salmon River in central Idaho and is an aboriginal fishing area for the Shoshone-Bannock Tribes. Panther Creek supports Chinook salmon, steelhead, bull trout, and westslope cutthroat trout spawning and rearing habitat. Most importantly, Idaho Department of Fish and Game monitoring found adult and juvenile Chinook of natural and hatchery origins at mainstem monitoring locations, noting that remediation work has significantly contributed to salmon recovery in the watershed.

- **Collaborative Efforts Reduce Sedimentation in Fish Creek**—IDEQ removed the sedimentation-siltation impairment for Fish Creek (ID17010214PN015_03) from the state's 2018/2020 Integrated Report following streambank and wetland restoration activities, along with road improvements, using CWA § 319 and local matching funds. Fish Creek is a tributary of Cocolalla Lake in northern Idaho within the larger Lake Pend Oreille watershed. These restoration activities were also implemented as a result of the Clark Fork/Pend Oreille Subbasin Assessment and Total Maximum Daily Load that was developed in 2001, along with the TMDL implementation plan. As a result of the wetland restoration, road/culvert/ditch improvements, streambank stabilization efforts, Beneficial Use Reconnaissance Program (BURP) data that was collected along Fish Creek in 2017 showed full support of the cold water aquatic life beneficial use, and fish monitoring showed that Fish Creek contains multiple year classes of salmonids. IDEQ completed a TMDL five-year review in 2017, noting that minimal road-related erosion is occurring and data shows that Fish Creek has increased channel stability.
- **Changing Road Management Improved Little Sand Creek**—IDEQ removed the sedimentation-siltation impairment from the state's 2018/2020 Integrated Report for Little Sand Creek (ID17010214PN053_02) following water quality improvements that resulted from BMP implementation. Little Sand Creek is a tributary to Sand Creek, which discharges into Lake Pend Oreille near Sandpoint in Bonner County; Little Sand Creek also serves as a secondary source of drinking water for 12,500 people. Restoration activities were also implemented as a result of the Pend Oreille Tributaries Sediment Total Maximum Daily Loads (TMDLs) that was developed in 2007. BMP implementation focused on reducing sediment contamination from roads, using practices such as culvert armoring, ditch stabilization, and improved drainage water management and runoff management methods. The 2014 and 2017 BURP assessments completed by IDEQ showed ongoing support of cold-water aquatic life, and both sampling years contained cutthroat trout in multiple age classes.
- **Controlling Erosion from Forest Roads Restores Caribou Creek**—IDEQ removed sediment as a cause of cold water aquatic life and salmonid spawning impairments for a segment of Caribou Creek (AU ID17010214PN045_02) following water quality improvements that resulted from BMP activities implemented by private landowners.

Manulife Investment Management and the private local forest land manager Manulife Forest Management (Manulife) acquired the land on behalf of their clients in 2013 and resurfaced existing roads, improved road crossings, installed and replaced culverts, and removed unused forest roads. BURP, IDFG, and road survey data showed improved water quality and aquatic habitat conditions, which prompted IDEQ to remove Caribou Creek from the state's list of impaired waters for sediment in the 2018/2020 Integrated Report.

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Appendix A. Nonpoint Source Goals

The following tables list general goals for Idaho's Nonpoint Source (NPS) Management Program and more specific goals for the Idaho Department of Environmental Quality (DEQ) and partner agencies.

Table A-1. General program goals.

Goal No.	Description	Milestones	Lead Agency	Key Entities	Status
G-0	Implement state and federal NPS grant programs to address nonpoint source-related water quality problems.	• In May initiate annual state NPS grant program cycle if funds are allocated from state. • Report annually to Idaho State Legislature and federal annual report. • By April 15 initiate annual federal NPS grant program. • Award federal subawards within 1 year of receiving grant funding. • Perform annual field audits on 50% of the active projects by October 31. • Report annually to EPA through annual NPS report. Draft submittal by February 15. • Develop guidance and procedure documents to support program efforts as needed. ▪ Annually submit information on all federally funded projects to the Grants Reporting and Tracking System (GRTS) database by February 28. ▪ Submit grant package to EPA by March 1 to ensure grant is issued by June 1.	DEQ		
G-1	Build and maintain partnerships. Partnerships use a collaborative approach to addressing issues associated with NPS water pollution.	• Update MOUs with key entities as needed to address NPS goals • Coordinate biennially with NPS plan agencies to discuss the format and usefulness of the current plan and prepare an update to EPA for the next 5-year cycle review. • Continue to encourage public, private, and government partners to prioritize watersheds and resource concerns through the following: ▪ Meet annually with USDA NRCS State Technical Advisory Committee to participate in prioritizing BMPs for cost share increases. ▪ Meet annually and as requested with the Soil Conservation Commission and Local Soil Conservation Districts to identify and promote potential NPS improvement projects. ▪ Meet annually and as needed with Basin Advisory Groups to prioritize water quality improvement projects regionally and statewide.	DEQ	DEQ, IDFG, IDL, IDWR, ISDA, ITD, BLM, BOR USACE, EPA, NRCS, ISWCC, SWCDs, USFS	

Goal No.	Description	Milestones	Lead Agency	Key Entities	Status
		▪ Meet annually and as needed with Watershed Advisory Groups to review TMDLs, implementation plans and promote NPS improvement projects ▪ Leverage the Clean Water State Revolving Loan Fund to implement at least one NPS project per year, when the SRF program has capacity to sponsor § 319 projects . ▪ Biannually attend the Idaho Groundwater Monitoring Technical Committee Meeting. ▪ Annually attend Forest Service Water Quality Protection Program Coordination Meetings ▪ Annually coordinate with Army Corps of Engineers, Idaho. Transportation Department, Idaho Department of Water Resources, Idaho Fish and Game regarding NPS BMPs and § 404 permitting.			
G-2	Provide technical assistance, outreach, and education. Providing these services and tools will help facilitate NPS assessment, planning, and implementation	• Continue to educate the public on the proper implementation of project BMPs and how they help to achieve specific goals. • Conduct site visits on 50% of open implementation projects and a predetermined number of closed projects to promote project oversite, provide technical assistance, ensure project is within budget and on track for completion. • Continue to make available the § 319 spreadsheet to access a project's technical and financial information. • Continue to maintain the § 303(d) list. • Support annual Idaho's Water Quality Monitoring and Management Conference through funding for keynote speaker travel and lodging, venue, audio-visual and catering ▪ Target 100 attendees; feature at least 20 presentations; address at least five NPS topics	DEQ	DEQ, IDL, IDWR, ISDA, ITD, BLM, BOR, USACE, EPA, NRCS, ISWCC, SWCDs, USFS	

Goal No.	Description	Milestones	Lead Agency	Key Entities	Status
G-3	Support ground and surface water monitoring efforts.	• Continue to monitor ground and surface water. Monitoring is performed on schedules developed by the respective agency providing the service. For FY 2025–2028, the Idaho DEQ Strategic Plan (Appendix B), includes the goal to increase assessed rivers and streams supporting beneficial uses. Continue to implement post project monitoring protocols needed to evaluate the long-term effect of BMP implementation on water quality in the watershed. • Continue to develop monitoring strategies and plans for use at various scales within a watershed (e.g., field level, tributary, lake). The current PPA (Appendix B) states the goal of populating DEQ's groundwater quality database with new and historical data and refining online mapping applications to increase public accessibility.	DEQ	DEQ, IDWR, ISDA, USGS, ISWCC, SWCDs, IASCD, ITD	
		• Conduct MS4 permit-related surface water quality monitoring.	ITD		
G-4	Integrate ground and surface water quality activities within basins and watersheds to improve program efficiencies and provide for better protection and restoration (where needed) of ground and surface water beneficial uses.	• Continue to use the 1996 *Idaho Ground Water Quality Plan* and *Idaho's Integrated Report* for planning purposes. • Continue to use TMDL implementation plans to identify resource concerns for both ground and surface water. Concerns are addressed through a comprehensive planning process including the *Idaho Agricultural Pollution Abatement Plan, Field Guide for Evaluating BMP Effectiveness,* and *Conservation Reserve Enhancement Program* (CREP). DEQ intends to continue to develop TMDLs according to the priorities established in the most recently approved Integrated Report.	ISWCC	DEQ, ISWCC, SWCDs, IASCD, ISDA	
G-5	Implement pollutant trading.	On-going implementation of the pollutant trading policy and requirements as addressed in the *Water Quality Trading Guidance*.	DEQ	DEQ, EPA	

Goal No.	Description	Milestones	Lead Agency	Key Entities	Status
G-6	Implement measures to protect drinking water from the effects of NPS pollution.	• Continue to coordinate source water protection activities as addressed in *source water protection plans* and county groundwater quality improvement plans. • Continue to protect surface water for drinking water beneficial use where applicable. • Conduct source water assessments for public water systems each year. • Promote source water protection through the development of drinking water system protection plans and county groundwater quality improvement plans. • Promote Source Water Protection Grants annually • Promote source water protection as a ranking endorsement through the § 319 grant selection process.	DEQ	DEQ, ISWCC, SWCDs, IASCD, ISDA	
G-7	Encourage the use of bioremediation techniques and biofiltration systems in project plans that seek to improve erosion control and stream channel stabilization.	Ongoing, as needed. • Annually, encourage BAGs to consider ranking endorsements for bioengineering, bioremediation, and biofiltration systems.	DEQ	DEQ, IDFG, IDWR, ISDA, IDL, ITD, ISWCC, SWCDs, BLM, BOR, USACE, NRCS, USFS	
G-8	Implement the Ground Water Quality Rule.	Ongoing, as needed: • Ensure appropriate monitoring is conducted. • Implement groundwater protection activities	DEQ	DEQ, IDL, IDWR, USFS, BLM	
G-9	WQ-10 success stories	Provide a minimum of two WQ-10 success stories annually.	DEQ		

Table A-2. Agricultural practices.

Goal No.	Description	Milestones	Lead Agency	Key Entities
AG-L1	Update, maintain, and implement the terms of the *Idaho Agricultural Pollution Abatement Plan* (AG Plan).	Update, as needed.	ISWCC	ISWCC, DEQ, IASCD, NRCS, EPA, ISDA
AG-L2	Update and maintain the *Idaho Environmental Nutrient Management Program,*	Update, as needed.	ISDA	NRCS, ISWCC, SWCDs, DEQ, IDWR, IDL, IDFG, EPA, University of Idaho
AG-L3	Update the *Field Guide for Evaluating BMP Effectiveness.*	Ongoing, as needed.	ISWCC	ISWCC, ISDA
AG-L4	Maintain and improve fish habitat within impacted streams on agricultural lands.	Ongoing, as needed.	IDFG	IASCD, ISDA, ISWCC, SWCDs, NRCS
		Ongoing, as needed	Landownership dependent	IDL
AG-L5	Complete *TMDL implementation plans* (watershed management plans) and conservation accomplishment components of 5-year reviews.	Ongoing, as needed.	ISWCC	ISDA, ISWCC, SWCDs, DEQ, NRCS
		• Develop *TMDLs*, outlined in the *TMDL settlement agreement and State's schedule* for TMDL development • Continue 5-year reviews feedback loop that guides NPS implementation efforts throughout the year.	DEQ	
AG-L6	Encourage farm planning and BMP implementation.	Generate project status reviews and progress report as needed.	ISWCC	ISWCC, NRCS
		Ongoing, as needed	Landownership dependent	IDL
AG-L7	Encourage and implement, when possible, the use of grazing control methods such as fencing, developing riparian buffer zones, implementing grazing systems, providing alternative water sources and supplemental feed, and providing alternative shade sources to limit livestock impacts to streams.	Ongoing, as needed.	Landownership dependent	IDL, ISWCC, BLM, USFS, ISDA, SWCDs, DEQ
AG-L8	Restore geomorphic and ecological riparian functions affected by past hydrological modification through BMPs.	Ongoing, as needed.	Landownership dependent	BLM, IDL, USFS, IDFG, DEQ
AG-L9	Develop and implement other initiatives to address channel modification, irrigation practices, and flow issues.	Ongoing, as needed.	Landownership dependent	BOR, IDWR, USACE, irrigation districts

Table A-3. Natural resource extraction goals.

Goal No.	Description	Status and Milestones	Lead Agency	Key Entities
NRE-L1	Evaluate and report on the success of the mining NPS Management Program; identify deficiencies and propose remedies.	Ongoing, as needed. The DEQ 2013 Preliminary Assessment Site Inspection Program Work Plan includes the following tasks for DEQ: • Obtain site access agreements with private property owners and land management agencies to assess potential waste sites. DEQ and EPA will coordinate prioritization of sites or watersheds to be assessed. • Continue to maintain the *Preliminary Assessment* web page. • Continue to develop and implement a public outreach strategy. • Complete assessments through desktop research and field site inspections with generation of final reports. • Provide both new and routine training for DEQ staff.	DEQ	DEQ, IDL, BLM, USFS
NRE-L2	Maintain the *Best Management Practices for Mining in Idaho*.	Ongoing, as needed.	IDL	IDL, DEQ, IDWR, USFS, BLM
NRE-L3	Operate a program that provides incentives for mine operators to control NPS pollution and restore beneficial uses at historic mine sites. Identification of NPS pollution from historic mine sites is accomplished through the *DEQ Preliminary Assessment Program.*	Ongoing, as needed.	Landownership dependent	IDL, DEQ, IDWR, USFS, BLM
NRE-L4	Restore geomorphic and ecological riparian functions affected by past hydrological modification through BMPs.	Ongoing, as needed.	Landownership dependent	DEQ, IDFG, USFS, BLM, IDL, BOR, USACE, National Marine Fisheries Service, USFWS, IDWR

Goal No.	Description	Status and Milestones	Lead Agency	Key Entities
NRE-L5	Participate in the permitting and licensing process for diversions and dams.	Ongoing, as needed.	Landownership dependent	IDL, BLM, USFS, BOR, USACE, DEQ, IDWR, NMFS, USFWS, Federal Energy Regulatory Commission, EPA, IDFG, irrigation districts

Table A-4. Timber/silviculture management goals.

Goal No.	Description	Status and Milestones	Lead Agency	Key Entities
TSM-L1	Maintain and restore beneficial uses impacted by erosion and runoff caused by silvicultural practices, including the construction and maintenance of forest roads.	• Conduct inspections of forest practices on a frequency determined by the respective lead agency. If any unsatisfactory conditions are observed, they are documented and an issuance is given to the operator with a deadline to perform needed remediation. • All inspection data are summarized and published by each respective agency as they become available.	Landownership dependent	IDL, USFS, BLM
TSM-L2	Review, develop, refine, and implement BMPs in support of Forest Practices Act administrative rules.	• Conduct *water quality audits of recently completed harvesting operations o*n federal, state, and private forestland every 4 years (2028).	DEQ	IDL, USFS, DEQ, BLM
		• Ongoing, as needed, review, develop, and refine BMP in concert with the Forest Practices Audit that DEQ conducts every 4 years	IDL	
TSM-L3	Manage watershed activities in mixed ownership drainages.	Ongoing, as needed. • Endowment land foresters work with neighboring forestland owners and coop-road co-owners to schedule and implement watershed improvement activities on state forestlands. • IDL offers annual educational, BMP update sessions, both in the classroom and in the field. IDL works with the *University of Idaho Extension* and *Associated Logging Contractors* to offer targeted BMP educational sessions at *Idaho's annual logger-education (Logger Education to Advance Professionalism)* sessions and at the annual Non-Industrial Private Forest landowner field day.	IDL	IDL

Table A-5. Urban/suburban development goals.

Goal No.	Description	Status and Milestones	Lead Agency	Key Entities
		Short-Term Goals		
U-SS1	Abate occurrences of failed or illegal subsurface sewage disposal systems resulting in sewage on the ground surface.	Ongoing, as needed.	Health districts	Health districts, DEQ
U-SS2	Maintain up-to-date lists of licensed septic tank installers and pumpers.	Ongoing, as needed.	Health districts	Health districts
U-SS3	Provide training to individual and subsurface sewage treatment system installers.	Annually.	Health districts	Health districts
U-SS4	Maintain and update the public health districts' *Subsurface Sewage Disposal System Standard Operating Procedures Manual*.	Ongoing, as needed. The manual is updated by the health districts, with input from DEQ.	Health districts	Health districts
U-SS5	Ensure proper operation of advanced aeration systems throughout the state to safeguard the groundwater and environmentally sensitive areas where these on-site systems are installed.	Ongoing, as needed.	DEQ	Health districts, DEQ
		Long-Term Goals		
U-SL1	Publish and maintain guidance documents for subsurface sewage disposal (i.e., *Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems [TGM]*)	Ongoing, as needed. The Technical Guidance Committee meets each quarter; meeting minutes and updates to the TGM are published online.	DEQ	DEQ, health districts
U-SL2	Monitor groundwater quality.	Ongoing, as needed: • Statewide groundwater monitoring is coordinated by IDWR. Over 2,100 wells have been monitored since 1990, and IDWR currently monitors 200–250 annually. Wells are sampled every 5 years.	IDWR	DEQ, IDWR, ISDA, health districts
		• ISDA implements regional and local groundwater monitoring for pesticides.	ISDA	
		• DEQ implements statewide monitoring, as needed, to address a variety of potential contaminants such as nutrients, arsenic, and volatile organic compounds. • Update the nitrate priority area plan on a 5-year cycle.	DEQ	

Goal No.	Description	Status and Milestones	Lead Agency	Key Entities
U-SL3	Provide technical assistance to public water systems or local units of government to develop wellhead and source water protection plans. New public water systems are required to complete a source water protection plan to demonstrate adequate technical, managerial, and financial capacity. Other systems and communities can voluntarily implement source water protection.	Ongoing, upon request.	DEQ	DEQ, health district, Idaho Rural Water Association
U-SL4	Manage the Storm Water Program.	Ongoing, as needed. • Periodically conduct erosion and sediment control workshops	EPA	EPA, DEQ, ITD, IDWR, health districts, cities, counties
		• DEQ provides technical assistance and support for controlling storm water through its *Idaho Catalog of Storm Water Best Management Practices*.	DEQ	
		• ITD maintains the storm drain system that lies within the state highway right-of-way and incorporates erosion and sediment controls into its construction projects to keep pollutants out of storm water. It also maintains best management practices manuals. • IDWR administers the Stream Channel Protection Program. Stream channel alteration permits are required in situations where construction activities may impact a stream below the mean high water mark, including construction of a storm water outfall along a river or stream .	ITD	
U-SL5	Incorporate storm water BMPs into comprehensive plans and local ordinances.	Ongoing. Storm water plans and ordinances are routinely updated as BMPs are updated.	EPA	EPA, cities, counties
U-SL6	Maintain and improve programs that address solid waste disposal, land-applied biosolids, and hazardous household wastes.	Ongoing, as needed.	DEQ	DEQ

Table A-6. Transportation goals.

Goal No.	Description	Status and Milestones	Lead Agency	Key Entities
		Short-Term Goals		
T-S1	Minimize NPS pollution that may result from the design, construction, and maintenance of roads within the agency's jurisdiction. Construction and maintenance is guided by respective agency BMPs.	Ongoing, as needed	Landownership dependent	ITD, USFS, BLM, IDL, cities, counties, highway districts
T-S2	Implement effective BMPs at facilities and storage areas where vehicle and equipment maintenance occurs and materials are stored. BMPs are found in respective agency maintenance manuals.	Ongoing, as needed.	Landownership dependent	ITD, USFS, BLM, IDL, cities, counties, highway districts
		Long-Term Goals		
T-L1	Increase collaborative efforts to manage NPS pollution from transportation sources.	Ongoing, as needed.	Landownership dependent	ITD, USFS, BLM, IDL, cities, counties, highway districts
T-L2	Increase NPS pollution awareness efforts for road maintenance personnel.	Ongoing, as needed.	Landownership dependent	ITD, USFS, BLM, IDL, cities, counties, highway districts

Appendix B. Idaho Department of Environmental Quality Planning Documents

Specific goals for the Idaho Department of Environmental Quality (DEQ), and the Nonpoint Source (NPS) Management Program, are defined in the following:

- DEQ's strategic plan, updated annually, describes overall agency goals for current and future years, including water quality.
- The Water Quality Division's Performance Partnership Agreement (PPA) between the US Environmental Protection Agency (EPA) and Idaho, updated annually, defines specific goals for water quality, including surface water assessment and protection, watershed protection, wastewater permitting, groundwater, National Pollutant Discharge Elimination System, drinking water and wastewater loan programs, and safe drinking water program.
- EPA Nonpoint Source Grant Agreement with Idaho, updated annually.

Appendix C. 2025 Memorandum of Understanding between the Idaho Department of Water Resources and the USDA, Forest Service Intermountain and Northern Regions

FS Agreement No. 25-MU-11015600-008

Cooperator Agreement No. _____

MEMORANDUM OF UNDERSTANDING
Among The
IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY, IDAHO DEPARTMENT OF LANDS, U.S. DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT
And The
USDA, FOREST SERVICE
NORTHERN AND INTERMOUNTAIN REGIONS

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and among Idaho Department of Environmental Quality, Idaho Department of Lands, U.S. Department of Interior, Bureau of Land Management, hereinafter referred to as "IDEQ, IDL, and BLM," respectively, and the United States Department of Agriculture (USDA), Forest Service, Northern and Intermountain Regions, hereinafter referred to as the "U.S. Forest Service."

Background: This Memorandum of Understanding is an update and reissuance of FS#: 20-MU-11046000-011 and BLM MOU ID-2020-06, which expired January 10, 2025.

Title: Memorandum of Understanding Implementing the Nonpoint Source Water Quality Program in the State of Idaho

I. PURPOSE: The purpose of this MOU is to document the cooperation between the parties to implement the nonpoint source water quality provisions of the federal Clean Water Act for the State of Idaho in accordance with the following provisions.

II. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:

Idaho Department of Environmental Quality (IDEQ)

IDEQ is delegated authority for control of water pollution under the Clean Water Act, the Idaho Environmental Protection and Health Act of 1972, Title 39, Chapter 1, Idaho Code, the Idaho Water Quality Act, Title 39, Chapter 36, Idaho Code; and the Water Quality Standards, IDAPA 58.01.02. As required by 40 CFR 131.12, the Idaho Water Quality Act and the Water Quality Standards include an antidegradation policy and implementation procedures that IDEQ is responsible for applying. Pursuant to these provisions, IDEQ is the lead state agency for ensuring existing beneficial uses and the level of water quality necessary to protect those uses are maintained and protected. In addition, IDEQ is the lead state agency for ensuring the quality of high quality waters is maintained and protected, unless lowering that quality is deemed necessary to accommodate important economic or social development as specified in the Water Quality Standards.

Implementation of antidegradation by IDEQ is accomplished, in part, by holding Basin Advisory Group and Watershed Advisory Group meetings, implementing a procedure for identifying impaired water bodies, high quality waters and designating Outstanding Resource Waters, and implementing a coordinated monitoring program (Title 39, Chapter 36, Idaho Code).

IDEQ is the lead designated management agency in Idaho for implementation of Section 319 of the Clean Water Act. The Nonpoint Source Management Program document (1989) contains the implementation actions prepared by an interagency work group. IDEQ administers (jointly with the Soil and Water Conservation Commission), the Water Quality Standards and Antidegradation Policy.

IDEQ addresses forest practices through implementation of the Forest Practices Water Quality Management Plan (1988), the Water Quality Standards and the monitoring of Best Management Practices (BMP).

Pursuant to the Ground Water Quality Protection Act, IDEQ is designated as the primary agency to coordinate and administer ground water quality protection programs for the State of Idaho (Title 39, Chapter 1, Idaho Code). IDEQ is responsible for collecting ground water quality monitoring data for management of regional and local ground water quality. IDEQ is the lead agency in implementing the Ground Water Quality Protection Plan (Title 39, Chapter 1, Idaho Code) and Ground Water Quality Rule (IDAPA 58.01.11, Ground Water Quality Rule). IDEQ addresses ground water quality protection through the Ground Water Quality Rule and through other regulatory programs, including the regulation of reuse facilities (IDAPA 58.01.17, Recycled Water Rules) and regulation of on-site sewage disposal systems (Title 39, Chapter 1, Idaho Code, and IDAPA 58.01.03, Individual/Subsurface Sewage Disposal Rules). IDEQ is the designated lead agency for the Public Drinking Water Program (Title 37, Chapter 21 and Title 39, Chapter 1 and 18, Idaho Code, and IDAPA 58.01.08, Idaho Rules for Public Drinking Water Systems), the Underground Storage Tank Program (Title 39, Chapter 88, Idaho Code) and the Wellhead Protection Program. Agricultural ground water issues are addressed through the state's Nonpoint Source Section 319 Program and the agricultural groundwater protection program for Idaho in the Ground Water Quality Plan.

Idaho Department of Lands (IDL)

IDL has the responsibility and authority to administer and enforce the Idaho Forest Practices Act (Title 38, Chapter 13, Idaho Code) and the Idaho Forest Practices Act Rules (IDAPA 20.02.01) on all state and private lands in the state of Idaho.

United States Department of Agriculture, Forest Service

The U.S. Forest Service, under the Organic Act of 1897, as amended (16 U.S.C. 551), the Multiple Use Sustained Yield Act of 1960 (16 U.S.C. 528), as amended, and the National Forest Management Act of 1976, as amended (16 U.S.C. 1600), is directed to regulate the occupancy and use of National Forest System lands.

The Clean Water Act, as amended, (U.S.C. 1323) directs the U.S. Forest Service to meet federal, state, interstate and local substantive as well as procedural requirements respecting control and abatement of pollution in the same manner, and to the same extent as any nongovernmental entity.

The U.S. Forest Service is responsible for the management of over 20.4 million acres of National Forest System lands in Idaho. These public lands form the headwaters of many of Idaho's river systems. The U.S. Forest Service has the statutory authority to regulate, permit and enforce land-use activities on National Forest System lands that affect water quality.

As the designated management agency the U.S. Forest Service is responsible for (1) implementing nonpoint source pollution controls, and (2) meeting Idaho Water Quality Standards, including designated beneficial uses. A primary tool for mitigating nonpoint source pollution is through implementation of BMPs.

The basis of the U.S. Forest Service's nonpoint source pollution control policy stems from the U.S. Forest Service's nonpoint source strategy (Forest Service Manual 2532 and FSH 2509.22 R l/R4 Amendment, including Manual and policy updates such as the National Core Best Management Practices Program). In implementing nonpoint source pollution controls the U.S. Forest Service will apply its nonpoint source strategy to all activities on National Forest System lands that may impair water quality. The U.S. Forest Service's nonpoint source strategy includes, among other things, integrated project planning that considers temporal and spatial distribution of impacts, identification of priority restoration needs, implementing restoration, implementing BMPs on all ground disturbing activities, monitoring, and adjusting BMPs or mitigating actions as needed to ensure that Idaho Water Quality Standards are met and designated beneficial uses of water are protected.

The U.S. Forest Service also coordinates water quality programs on National Forest System lands within its jurisdiction with the local, state and federal agencies, affected public land users, adjoining land owners, and other affected interests.

Bureau of Land Management (BLM)

The Federal Land Policy and Management Act of 1976, as amended, (43 U.S.C. 1701) requires that BLM public lands be managed in a manner that will protect the quality of water resources, and that in developing or revising land use plans the Secretary shall provide for compliance with applicable pollution control laws, including state and federal air, water, and noise implementation plans.

The BLM, under the Taylor Grazing Act of 1934, as amended, (43 U.S.C. 315) authorizes livestock grazing on public land and provides for protection of those lands from erosion and soil deterioration.

Congress established The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901) which requires that BLM public lands be managed to maintain and improve the condition of public rangelands so that they become as productive as feasible for all rangeland values in accordance with management objectives.

The Federal Water Pollution Control Act of 1972, as amended, requires the BLM and other federal agencies to meet federal, state, interstate, and local substantive as well as procedural requirements respecting control and abatement of pollution. Idaho BLM Standards and Guides for Rangeland Health (August, 1997) establish the management goal that surface and ground water on public lands comply with Idaho Water Quality Standards.

BLM is responsible for the administration, management and protection of approximately 12 million acres of public land in Idaho. It has statutory authority to regulate, authorize, and enforce land use activities that affect water quality. BLM is the designated nonpoint source management agency on the lands under its management. BLMs goals are to maintain or improve surface and ground water quality consistent with state and federal water quality standards, minimize harmful consequences of activities that result in nonpoint source pollution, and inventory, monitor, and evaluate water quality data necessary for the proper management of public lands. BLM also coordinates all water quality programs with the local, state and federal agencies, affected public land users, adjoining land owners, and other affected interests.

Definitions

Best Management Practice (BMP): Practices, techniques, or measures developed or identified by the designated agency and identified in the state water quality management plan, which are determined to be a cost-effective and practicable means of preventing or reducing pollutants generated from nonpoint sources to a level compatible with water quality goals (Idaho Code 39-3602(3)). This also includes methods, measures or practices selected by an agency to meet its nonpoint source control needs. BMPs include but are not limited to structural and nonstructural controls and operation and maintenance procedures. BMPs can be applied before, during and after pollution-producing activities to reduce or eliminate the introduction of pollutants into receiving waters. (40 CFR 130.2(m)).

Designated Management Agency: For this MOU only, IDL for timber harvest activities and IDEQ for all other activities.

Federal Lands: For this MOU only, lands administered by the U.S. Forest Service and BLM.

Federal Land Management Agencies: For this MOU only, the U.S. Forest Service and BLM.

Nonpoint Source Pollution: Ground and surface water pollution that comes from varied and diffused sources and can be categorized by the general land disturbing activity that causes the pollution.

In consideration of the above premises, the parties agree as follows:

III. IDEQ SHALL:

A. Coordinate water quality management planning and implementation efforts with other state and federal agencies and keep all agencies updated on any changes to state standards, rules or guidelines

B. Invite other Idaho state and federal agency representation on policy or technical advisory committees that relate to water quality issues.

C. Review the federal agency's listing of proposed projects and activities subject to the requirements of the National Environmental Policy Act (NEPA) process, participate in that affecting water quality and provide timely review comments necessary for finalizing the NEPA documents.

D. If a drainage has a significant acreage of mixed ownership, IDEQ shall take the lead in coordinating participation of various landowners, for purposes of developing the monitoring plan and implementing the field work.

IV. THE U.S. FOREST SERVICE and BLM SHALL:

A. Be subject to, and comply with, state requirements related to the abatement of surface water pollution in the same manner and to the same extent as any non-governmental entity.

B. Cooperate with IDEQ to develop appropriate strategies needed to meet water quality standards and support all beneficial uses of 303(d) listed water bodies on federal lands. Options include but are not limited to Total Maximum Daily Load (TMDL) and Category 4b implementation plans.

C. As requested by IDEQ, work with IDEQ in setting priorities for watershed restoration categories for 303(d) (33 U. S.C. 1313(d)) listed water bodies.

D. Prioritize watershed restoration activities to reduce; eliminate, or prevent nonpoint source pollution.

E. As requested by IDEQ, provide IDEQ water quality/Best Management Practice monitoring plans, results of BMP effectiveness determinations and any other information necessary to meet the intent of Idaho’s Water Quality Management Program and Antidegradation Policy.

F. Ensure that all new and renewed plans, leases, contracts, special use authorizations, easements, right-of-way documents and other agreements involving permitted or contracted activity on federal lands, contain provisions for compliance with all water pollution control statutes and regulations (federal and state) under the authority of the Clean Water Act.

G. As requested by IDEQ, provide IDEQ a schedule of proposed land-disturbing activities during the forthcoming year.

H. Include IDEQ at the appropriate time during NEPA scoping for projects with potential to impact water quality.

I. Incorporate a response to the ten Federal Consistency questions posed in Appendix B of this MOU, into NEPA documents. The response will be used to assist IDEQ in making a determination on whether the relevant operations of the federal agencies are being conducted in a manner consistent with the Idaho Nonpoint Source Management Program.

V. THE PARTIES MUTUALLY UNDERSTAND AND AGREE:

A. To implement the feedback loop concept as described in the Idaho Nonpoint Source Management Plan (2020) document. This concept is based on implementation of BMPs and use of a process to evaluate the effectiveness of BMPs in restoring and maintaining the beneficial uses of the waters of the state as designated in the Idaho Water Quality Standards.

B. To be consistent with the Idaho Nonpoint Source Management Plan (2020), as required by Section 319 of the Clean Water Act.

C. To jointly coordinate water quality monitoring plans and activities adjacent to and within federal lands boundaries using consistent scientific approaches, when applicable and appropriate.

D. To develop and encourage interagency participation in water quality training programs.

E. To develop and implement related documents to supplement this MOU on topics such as agriculture and forestry nonpoint source water quality control programs. The parties responsible for entering in to such documents will first be added as signatories through a written modification to this MOU, with joint or individual documents later negotiated and incorporated as appendices to this MOU.

F. To coordinate water pollution control activities on federal, state and private lands in Idaho to protect, maintain and restore the beneficial uses, as defined in the Idaho Water Quality Standards, of the waters of the State.

G. That in cases of conflict between agency missions, the parties to this MOU will provide an opportunity for informal conflict resolution prior to taking other actions provided by law.

H. That nothing in this MOU shall be construed as limiting or affecting in any way the legal authority of IDEQ, IDL, BLM or the U.S. Forest Service.

I. That nothing in this MOU shall be construed as obligating the parties to this MOU to expend funds in any contract or other obligation for future payment of funds or services in any contract in excess of those available or authorized for expenditure.

J. That the parties will periodically review this MOU and appendix and make revisions and updates, as needed, to meet the purpose of the MOU. Amendments shall become effective following written approval of all parties.

K. That this MOU shall become effective upon signature of all parties and shall continue in force for five years from the date of the last signatory, unless terminated by written consent of all the parties, or unless terminated by any party upon thirty days' notice in writing to the other parties of the intention to terminate upon a date indicated.

L. That each provision of this MOU is subject to the applicable laws and rules of the State of Idaho, and the laws and regulations of the United States.

M. That nothing in this MOU shall be construed as creating a right of action between any of the parties, or for any other entity.

N. That any information furnished to the federal agencies under this instrument is subject to the Freedom of Information act (5 U.S. C. 552). State agencies are subject to Idaho's Public Records Act (Idaho Code §74-101 et seq.)

O. That the parties will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

P. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective agencies for matters related to this agreement.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Secondary Contact
Bonnie Yoshizaki Idaho Department of Environmental Quality, NPS Program 1410 N. Hilton Boise, ID 83706-1255 Telephone: 208-373-0439 FAX: 208-373-0576 Email: bonnie.yoshizaki@deq.idaho.gov	Hawk Stone Idaho Department of Environmental Quality 1410 N. Hilton Boise, ID 83706-1255 Telephone: 208-373-0588 FAX: 208-373-0576 Email: hawk.stone@deq.idaho.gov

Cooperator Program Contact	Cooperator Secondary Contact
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Principal U.S. Bureau of Land Management Contacts:

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U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
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Q. NOTICES. Any communications affecting the operations covered by this agreement given by the U.S. Forest Service or IDEQ, IDL, and BLM is sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the U.S. Forest Service Program Manager, at the address specified in the MOU.

To IDEQ, IDL and BLM, at IDEQ, IDL, and BLM's address shown in the MOU or such other address designated within the MOU.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

R. PARTICIPATION IN SIMILAR ACTIVITIES. This MOU in no way restricts the U.S. Forest Service or IDEQ, IDL and BLM from participating in similar activities with other public or private agencies, organizations, and individuals.

S. ENDORSEMENT. Any of IDEQ, IDL and BLM's contributions made under this MOU do not by direct reference or implication convey U.S. Forest Service endorsement of IDEQ, IDL and BLM's products or activities.

T. NONBINDING AGREEMENT. This MOU creates no right, benefit, or trust responsibility, substantive or procedural, enforceable by law or equity. The parties shall manage their respective resources and activities in a separate, coordinated and mutually beneficial manner to meet the purpose(s) of this MOU. Nothing in this MOU authorizes any of the parties to obligate or transfer anything of value.

Specific, prospective projects or activities that involve the transfer of funds, services, property, and/or anything of value to a party requires the execution of separate agreements, and are contingent upon numerous factors, including, as applicable, but not limited to: agency availability of appropriated funds and other resources; cooperator availability of funds and other resources; agency and cooperator administrative and legal requirements (including agency authorization

by statute); etc. This MOU neither provides, nor meets these criteria. If the parties elect to enter into an obligation agreement that involves the transfer of funds, services, property, and/or anything of value to a party, then the applicable criteria must be met. Additionally, under a prospective agreement, each party operates under its own laws, regulations, and/or policies, and any Forest Service obligation is subject to the availability of appropriated funds and other resources. The negotiation, execution, and administration of these prospective agreements must comply with all applicable law.

Nothing in this MOU is intended to alter, limit, or expand the agencies' statutory and regulatory authority.

U. USE OF U.S. FOREST SERVICE INSIGNIA. In order for IDEQ, IDL and BLM to use the U.S. Forest Service insignia on any published media, such as a Web page, printed publication, or audiovisual production, permission must be granted from the U.S. Forest Service's Office of Communications. A written request must be submitted and approval granted in writing by the Office of Communications (Washington Office) prior to use of the insignia.

V. MEMBERS OF U.S. CONGRESS. Pursuant to 41 U.S.C. 22, no U.S. member of, or U.S. delegate to, Congress shall be admitted to any share or part of this agreement, or benefits that may arise therefrom, either directly or indirectly.

W. FREEDOM OF INFORMATION ACT (FOIA). Public access to MOU or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552) or, in the case of state agencies, the Idaho Public Records Act, Idaho Code §§ 74-101 *et seq.*.

X. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All cooperators, their employees, volunteers, and contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.

Y. PUBLIC NOTICES. It is the U.S. Forest Service's policy to inform the public as fully as possible of its programs and activities. IDEQ, IDL and BLM are encouraged to give public notice of the receipt of this agreement and, from time to time, to announce progress and accomplishments. Press releases or other public notices should include a statement substantially as follows:

"U.S. Forest Service, Department of Agriculture, Northern and Intermountain Regions."

IDEQ, IDL and BLM may call on the U.S. Forest Service's Office of Communication for advice regarding public notices. IDEQ, IDL and BLM are requested to provide copies of notices or announcements to the U.S. Forest Service Program Manager and to the U.S. Forest Service's Office of Communications as far in advance of release as possible.

Z. U.S. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS AND ELECTRONIC MEDIA. IDEQ, IDL and BLM shall acknowledge U.S. Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this MOU.

AA. NONDISCRIMINATION STATEMENT – PRINTED, ELECTRONIC, OR AUDIOVISUAL MATERIAL. IDEQ, IDL and BLM shall include the following statement, in full, in any printed, audiovisual material, or electronic media for public distribution developed or printed with any Federal funding.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

If the material is too small to permit the full statement to be included, the material must, at minimum, include the following statement, in print size no smaller than the text:

"This institution is an equal opportunity provider."

BB. TERMINATION. Any of the parties, in writing, may terminate this MOU in whole, or in part, at any time before the date of expiration.

CC. DEBARMENT AND SUSPENSION. IDEQ, IDL and BLM shall immediately inform the U.S. Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should IDEQ, IDL and BLM or any of their principals receive a transmittal letter or other official Federal notice of debarment or suspension, then they shall notify

the U.S. Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.

DD. MODIFICATIONS. Modifications within the scope of this MOU must be made by mutual consent of the parties, shown by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being effective or performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change.

EE. COMMENCEMENT/EXPIRATION DATE. This MOU is executed as of the date of the last signature and is effective through March 1, 2031 at which time it will expire.

FF. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this MOU.

In witness whereof, the parties hereto have executed this MOU as of the last date written below.

Dustin T. Miller 3/2/26

DUSTIN MILLER, Director Date
Idaho Department of Lands

Jess Byrne July 18, 2025

JESS BYRNE, Director Date
Idaho Department of Environmental Quality

JUNE SHOEMAKER Digitally signed by JUNE SHOEMAKER Date: 2026.01.16 15:36:55 -07'00'

JUNE SHOEMAKER, State Director Date
(Acting) Bureau of Land Management
Idaho

CHRISTOPHER CARLTON Digitally signed by CHRISTOPHER CARLTON Date: 2026.04.03 16:24:34 -06'00'

CHRIS CARLTON, Deputy Regional Forester Date
(Acting) U.S. Forest Service, Northern Region

BENJAMIN NEWBURN Digitally signed by BENJAMIN NEWBURN Date: 2026.04.01 20:09:18 -06'00'

MICHIKO MARTIN, Regional Forester (Acting) Date
U.S. Forest Service, Intermountain Region

The authority and format of this agreement have been reviewed and approved for signature.

MATTHEW GORDON Digitally signed by MATTHEW GORDON Date: 2025.07.02 09:05:59 -06'00'

MATTHEW GORDON Date
U.S. Forest Service, Grants Management Specialist

FORESTRY PRACTICES APPENDIX A TO THE MEMORANDUM OF UNDERSTANDING IMPLEMENTING THE NONPOINT SOURCE WATER QUALITY PROGRAM IN THE STATE OF IDAHO

I. PURPOSE

The purpose of this Appendix to the *Memorandum of Understanding Implementing the Nonpoint Source Water Quality Program in the State of Idaho* (MOU) is to facilitate coordination of water pollution control activities on federal, state, and private forest lands in Idaho to protect, maintain and restore the beneficial uses, as defined in the Idaho Water Quality Standards (IDAPA 58.01.02.010), of the waters of the state.

II. DEFINITION

Best Management Practice (BMP) refers to practices, techniques, or measures developed or identified by the designated agency and identified in the state water quality management plan, which are determined to be a cost-effective and practicable means of preventing or reducing pollutants generated from nonpoint sources to a level compatible with water quality goals (LC. 39-3602(3)). Authorized in the 1979 Idaho Forest Practices Water Quality Management Plan, through an agreement certified by then Idaho Governor Evans and approved by the Environmental Protection Agency, the silvicultural BMPs in Idaho are identified as the water quality protection provisions of the Rules Pertaining to the Idaho Forest Practices Act (IFPA), IDAPA 20.02.01 *et seq.* ("IFPA Rules") The IFPA is codified at Title 38, Chapter 13, Idaho Code.

III. OBJECTIVES

The parties to this MOU and this Appendix agree to implement the:

A. Water Quality protection provisions of the IFPA Rules as the minimum standard for protection,
B. Idaho Forest Practices Water Quality Management Plan, as revised and currently applicable (1988), and
C. Forestry sections of the Idaho Nonpoint Source Management Plan (2020), as currently applicable.

IV. AGREEMENTS

The parties agree as follows:

A. The Department of Environmental Quality (IDEQ) agrees:

1. To coordinate water quality management planning and implementation efforts with the:

a. Idaho Department of Lands (IDL), where state and private forest lands administered or regulated by IDL are involved,
b. U.S. Forest Service, where National Forest System lands are involved, and
c. Bureau of Land Management (BLM), where public lands administered by the BLM are involved.

2. To coordinate and chair the statewide interagency Forest Practices Audit every fourth year and involve IDL, private forest land owners, and the FS and BLM on the Forest Practices Audit Team.

3. To request in writing, as needed, that IDL conduct a timely evaluation and potential modification of the relevant forest practice rule(s) should monitoring and surveillance, or other evidence, indicate an IFPA rule is not providing adequate protection of water quality to ensure full protection of a beneficial use, as defined in the Idaho Water Quality Standards.

   IDEQ will, in any request for an IFPA rule modification, provide IDL:

   a. Reference to the rule modification request on a statewide, geographic or watershed basis,
   b. Reference to the evidence IDEQ has used to make its determination the rule is not fully protecting beneficial uses,
   c. A recommendation of how the IFPA rule should be modified to ensure adequate protection of water quality is achieved, and full protection of beneficial uses is provided.

4. In the event that beneficial uses are not protected, or other provisions of the IFPA as it applies to water quality are not being met, IDEQ may elect to pursue enforcement action in cooperation with the appropriate agencies.

B. IDL agrees:

1. To comply with the water quality protection provisions of the IFPA as they apply to state forest lands, and to enforce the water quality protection provisions of the IFPA as they apply to private forest lands.

2. To provide training to IDL staff, forest landowners and operators regarding potential impacts from forest practices to water quality,

applicable state and federal law and state-of-the-art techniques used to prevent water quality degradation.

3. To conduct annual internal reviews of BMPs by examining a representative sample of timber related projects and preparing written BMP evaluation reports.

4. To participate in the statewide Forest Practices Audit, in part, by providing necessary information for assisting the audit team in selecting timber sales to audit, and offering technical assistance in the audit planning process.

5. To notify the federal agencies of suspected non-compliance with the water quality protection provisions of the IFPA on federally administered lands.

6. To notify IDEQ of all suspected incidents of beneficial use impairment that occur on state and private forest lands, and to coordinate enforcement or other efforts to address the impairments with the appropriate agencies.

7. To conduct an evaluation of any written request by a party to this MOU for a modification of an IFPA rule and respond in writing within thirty days, indicating what action will be taken. IDL may deny the request by stating the reason(s) for the denial, refer the request to the Forest Practices Act Advisory Committee (FPAC) for a determination, or initiate rule making procedures in accordance with section 67-5203, Idaho Code.

8. To involve the FPAC in all requests for a modification of an IFPA rule by soliciting their technical advice and recommendations.

C. The U.S. Forest Service and BLM agree:

1. As the Designated Management Agencies for National Forest System and BLM lands in Idaho, to ensure all new and renewed authorizations for use of National Forest System and BLM lands contain water quality protection that, at a minimum, meets provisions of the IFPA rules and the forestry portions of the Idaho Nonpoint Source Management Plan, as currently applicable.

2. To conduct interim internal reviews of best management practices (BMPs) by annually examining a representative sample (target 10%) of timber related projects on lands they administer and prepare written BMP evaluation reports. Summaries of these reports will be provided to IDL and IDEQ, for inclusion in the annual Forest Practices Water Quality Management Plan Report.

3. To participate in the statewide Forest Practices Audit, in part, by providing necessary information for selecting timber sales to be audited, and to provide technical expertise in the planning of the audit.

4. To notify IDEQ of all suspected incidents of beneficial use impairment that occur on National Forest System lands and public lands administered by the BLM in Idaho.

5. To notify IDL and IDEQ of all suspected non-compliance with the water quality protection provisions of the IFPA rules on federally administered lands.

6. To provide technical support to IDL in the administration and implementation of the water quality protection provisions of the IFPA rules on federally administered lands.

D. It is mutually agreed:

1. The parties will provide copies of reports on water quality, BMP monitoring and other water quality protection activities to the other parties as these documents are developed, and as applicable.

2. The parties will make every attempt to coordinate training and provide technical support regarding interpretation and implementation of the water quality protection rules of the IFPA.

3. That; with respect to these parties only, the MOU and this Appendix supersedes, rescinds and replaces that Memorandum of Understanding and its related appendix entered into between these parties on, or about, August 2013.

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

Water Quality Checklist

Water Quality Federal Consistency Checklist for Planned Projects

Project Name:

Completed by: **Date completed:**

In determining whether a federal agency has conducted its operations consistent with the Idaho Nonpoint Source Management Program, the specific agency should address the following series of questions. These questions apply to any federal, local, or state agency conducting nonpoint source activities in compliance with Idaho Department of Environmental Quality's Idaho Nonpoint Source Management Plan (INSMP) (DEQ 2025).

1. Was the appropriate DEQ regional office informed of the activity and steps to be taken to minimize nonpoint source pollution? Yes ☐ No ☐

   If yes, how was DEQ informed for the activity:

   a. Was a determination made if water quality limited ssessment unit(s) exist within the project area (State of Idaho § 303(d) list)? Use the current Integrated Report Mapper or current Idaho Integrated Report at Monitoring and Assessment. Yes ☐ No ☐

   b. Is there a State of Idaho § 303(d) list Category 5-listed assessment unit(s) in the project area? Yes ☐ No ☐

   If yes, which stream(s) and coordinating assessement unit(s)?

2. Were the beneficial uses for the water bodies in the project area identified? Use the current Integrated Report Mapper or current Idaho Integrated Report at Monitoring and Assessment.
   Yes ☐ No ☐

   What are the appropriate beneficial uses for the water bodies in the project area? (IDAPA 58.01.02.100 – Surface Water Use Designations)

   a. Aquatic Life: Select

   b. Recreation: Select

   c. Water Supply: Select

   d. Wildlife Habitats: Select

   e. Aesthetics: Select

3. Were the water quality standards and criteria to protect the "appropriate beneficial uses" identified? Are they being fully supported? (See Idaho Water Quality Standards and Criteria, IDAPA 58.01.02.200) Yes ☐ No ☐

   If No, are they in Category 4a? Yes ☐ No ☐

4. If the watershed includes a Category 4a water body (indicating a total maximum daily load [TMDL] is in effect), has the TMDL been reviewed for load reduction implications? Refer to the DEQ's EPA-Approved TMDLs Interactive Mapper (Category 4a) - 2024 Cycle.

   Yes ☐ No ☐

5. Have the nonpoint source activities regulated by the Idaho Water Quality Standards been identified? Yes ☐ No ☐

   Which nonpoint source activities regulated by the Idaho Water Quality Standards are within the project area? (IDAPA 58.01.02.70 – Nonpoint Source Activities Definition)

   a. Irrigated and nonirrigated lands used for: Grazing ☐ Crop production ☐ Silviculture ☐
   b. Log storage or rafting ☐
   c. Construction sites ☐
   d. Recreation sites ☑
   e. Septic tank disposal fields ☐
   f. Mining ☐
   g. Runoff from storms or other weather-related events ☐
   h. Other activities not subject to regulation under the federal National Pollutant Discharge Elimination System ☐

6. Were there state-approved BMPs for each nonpoint source activity identified? Yes ☐ No ☐

   Identify the state-approved BMPs for each nonpoint source activity (IDAPA 58.01.02.350,03 – Approved Best Management Practices):

   a. "Rules Pertaining to the Idaho Forest Practices Act" (IDAPA 20.02.01) as adopted by the Board of Land Commissioners ☐
   b. "Solid Waste Management Rules" (IDAPA 58.01.06) Idaho Department of Environmental Quality Rules ☐
   c. "Individual/Subsurface Sewage Disposal Rules" (IDAPA 58.01.03) - Idaho Department of Environmental Quality Rules ☐
   d. "Stream Channel Alteration Rules " (IDAPA 37.03.07) as adopted by the Board of Water Resources ☐
   e. Spokane Valley Rathdrum Prairie Aquifer, "Rathdrum Prairie Sewage Disposal Regulation," as adopted by the Panhandle District Health Department Board of Health and approved by the Idaho Board of Environmental Quality ☐
   f. "Rules Governing Exploration and Surface Mining in Idaho" (IDAPA 20.03.02) as adopted by the Board of Land Commissioners ☐
   g. "Dredge and Placer Mining Operations in Idaho" (IDAPA 20.03.01) as adopted by the Board of Land Commissioners ☐
   h. "Rules Governing Dairy Waste" (IDAA 20.04.14) as adopted by the Department of Agriculture. ☐

7. For each nonpoint source activity that does not have approved BMPs, were management practices identified that demonstrate a knowledgeable and reasonable effort to minimize water quality impacts? Yes ☐ No ☐

   a. Are there management activities associated with this project that do not have approved BMPs? Yes ☐ No ☐

   b. What projects do not have approved BMPs?

   c. What management practice efforts were made to minimize water quality impacts?

8. Was a monitoring plan developed? Yes ☐ No ☐

   When implemented, did it provide adequate information to determine the effectiveness of approved or specialized BMPs in protecting beneficial uses? Yes ☐ No ☐

   Additional Information:

9. Was a process (including feedback from water quality monitoring) identified for modifying the approved or specialized BMPs to protect beneficial uses of water identified? Yes ☐ No ☐

   Additional Information:

10. Did preproject planning and design include an analysis of water quality resulting from the implementation of the proposed activity sufficient to predict exceedances of water quality criteria for the beneficial use(s), or in the absence of such criteria, sufficient to predict the potential for beneficial use impairment? Yes ☐ No ☐

    Additional Information:

Appendix D. Unfunded NPS Management Programs

The following are programs that are currently unfunded:

- The Idaho Department of Environmental Quality's on-going water quality monitoring of § 319 subgrant projects.