



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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

WATER
DIVISION

October 22, 2021

Dr. Mary Anne Nelson, Administrator
Surface and Wastewater Division
Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706-1255

Re: Approval of the Payette River Subbasin *E. coli* TMDLs (HUC: 17050122)

Dear Dr. Nelson:

The Idaho Department of Environmental Quality (IDEQ) submitted the Payette River Subbasin Total Maximum Daily Loads (TMDLs) to the U.S. Environmental Protection Agency (EPA) on October 7, 2021. Following our review, the EPA is pleased to approve three *E. coli* TMDLs for the waters listed in the table below.

All three of these waters were included in Idaho's 2018/2020 303(d) list (List) of impaired waters, as identified in Table 1.

Table 1: EPA-Approved TMDLs for *E. coli* on Impaired Waters

Name of Creek/Water Segment	Assessment Unit #
Tributaries to Black Canyon Reservoir (Anderson Creek)	ID17050122SW002_02
Dry Buck, Peterson & Fleming Creeks - 1st & 2nd order	ID17050122SW003_02a
Sand Hollow - 3rd order	ID17050122SW016_03

Our review indicates that these allocations have been established at a level that, when fully implemented, will lead to the attainment of the water quality standards in the waters addressed by these TMDLs. Therefore, the IDEQ does not need to include these waters on the next 303(d) list of impaired waters for the pollutant covered by these TMDLs.

Your submittal also includes implementation strategies for the TMDLs. IDEQ developed and submitted these strategies pursuant to the TMDL Settlement Agreement of July 2002. As you know, the EPA has no duty to approve or disapprove implementation strategies under Section 303(d) of the Clean Water Act (CWA); therefore, the EPA is not taking action on these strategies. Implementation is the critical next step to realize improvements in water quality, and we encourage IDEQ to continue their work with responsible parties on implementation of these strategies.

By the EPA's approval, these TMDLs are now incorporated into the State's Water Quality Management Plan under §303(e) of the CWA.

Thank you for your continued progress in establishing TMDLs. If you have any comments or questions, please feel free to call me at (206) 553-1855, or your staff may call Lisa Kusnierz of my staff at (208) 378-5626.

Sincerely,

Daniel D. Opalski
Director

cc: Mark Cecchini-Beaver, Deputy Attorney General, Idaho (via email)
Jason Pappani, Surface Water Program Manager, IDEQ (via email)
Graham Freeman, TMDL Program Manager, IDEQ (via email)
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