



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

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Seattle, WA 98101-3140

SEP 13 2013

OFFICE OF
WATER AND WATERSHEDS

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

Re: Approval of the Addendum to the Bear River/Malad Subbasin Assessment and Total Maximum Daily Load Plan for HUCs 16010102, 16010201, 16010202, 16010204

Dear Mr. Burnell:

The Idaho Department of Environmental Quality submitted the Addendum to the Bear River/Malad Subbasin Assessment and Total Maximum Daily Load Plan for HUCs 16010102, 16010201, 16010202, 16010204 for total phosphorus and sediment to the U.S. Environmental Protection Agency on July 11, 2011. Subsequently, the IDEQ made corrections to the 2011 Addendum and re-submitted the Addendum on February 12, 2013. Following our review, the EPA is pleased to approve seventeen new and revised TMDLs for the waters and pollutants listed in the tables below. Nine of these waters were included in Idaho's 2010 303(d) list (List) of impaired waters, as identified in Table 1.

Table 1: EPA-Approved TMDLs on Impaired Waters

<i>Name of Creek/Water Segment</i>	<i>Assessment Unit #</i>	<i>Pollutant</i>
Dry Creek	ID16010102BR005_02	Total phosphorus
Dry Creek	ID16010102BR005_02 ID16010102BR005_02a	Sediment
Preuss Creek	ID16010102BR006_02 ID16010102BR006_02b	Sediment
Beaver Creek-headwaters to Preuss Creek	ID16010102BR006_02a	Sediment
Snowslide Creek	ID16010201BR020_02f ID16010201BR021_02	Sediment
Strawberry Creek	ID16010202BR007_02a	Sediment

The IDEQ also completed TMDLs for waterbodies which were not meeting water quality standards for total phosphorus and sediment but had not previously been included on Idaho's List. These TMDLs and waterbodies are identified in Table 2 below. The EPA understands that

these waters would have been included on the List had the State been aware of the impairment at the time the List was completed.

Table 2: EPA-Approved TMDLs on Unlisted Waters

<i>Name of Creek/Water Segment</i>	<i>Assessment Unit #</i>	<i>Pollutant</i>
Dry Creek (includes Dip Creek)	ID16010102BR005_02a	Total phosphorus
Strawberry Creek	ID16010202BR007_02a	Total phosphorus
Dairy Creek	ID16010204BR011_03	Total phosphorus

Finally, listed in Table 3 are waterbodies and pollutants for which IDEQ revised existing TMDLs (currently listed in Category 4a of the 2010 Idaho Integrated Report). The EPA had previously approved TMDLs for these waterbodies on June 29, 2006.

Table 3: EPA-Approved Revised TMDLs

<i>Name of Creek/Water Segment</i>	<i>Assessment Unit #</i>	<i>Pollutant</i>
Bear River-Ovid Creek Confluence to Alexander Reservoir	ID16010201BR002_06	Total phosphorus, Total Suspended Solids (TSS)
Cub River – Maple Creek to Border	ID16010202BR002_04	Total phosphorus
Worm Creek (lower) – Glendale Reservoir to Border	ID16010202BR005_02b	Total phosphorus
Bear River – Alexander Reservoir Dam to Densmore Creek	ID16010202BR009_06	Total phosphorus

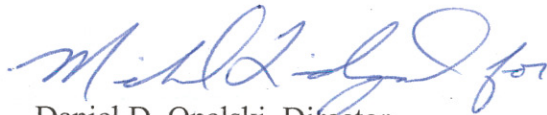
Our review indicates that allocations in these TMDLs have been established at a level that, when fully implemented, will lead to the attainment of the water quality standards addressed by these TMDLs. Therefore, the IDEQ does not need to include these waters on the next 303(d) list of impaired waters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

This approval only includes those waters for which a TMDL was completed and does not constitute approval for the proposed de-listing of waters within Hydrologic Unit Code 16010102, 16010201, 16010202, and 16010204 from the Idaho §303(d) list. Any proposed de-listing of waters will be considered at the time of submission of the next §303(d) list of impaired waters.

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

We would like to recognize Greg Mladenka for his diligence and thoroughness in bringing these TMDLs to completion. By the EPA's approval, these TMDLs are now incorporated into the State's Water Quality Management Plan under §303(e) of the CWA. If you have any comments or questions, please feel free to call me, or have your staff contact Leigh Woodruff at (208) 378-5774.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. D. Opalski", with a stylized flourish at the end.

Daniel D. Opalski, Director
Office of Water and Watersheds

cc: Mr. Doug Conde, Attorney General, Idaho (via email)
Mr. Michael McIntyre, Surface Water Program Manager, IDEQ (via email)
Ms. Marti Bridges, TMDL Program Manager, IDEQ (via email)
Mr. Bruce Olenick, Regional Administrator, Pocatello Regional Office, IDEQ (via email)
Mr. Lynn VanEvery, Watershed Manager, Pocatello Regional Office, IDEQ (via email)
Mr. Greg Mladenka, Watershed Coordinator, Boise Regional Office, IDEQ (via email)
Mr. Laird Lucas, Advocates for the West (via email)
Ms. Kristen Boyles, Earthjustice (via email)