



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
WATER AND
WATERSHEDS

OCT 25 2013

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

Re: Approval of the Blackfoot River Subbasin Assessment and Total Maximum Daily Loads (TMDLs)

Dear Mr. Burnell:

The Idaho Department of Environmental Quality (IDEQ) submitted the Blackfoot River Subbasin TMDLs to the U.S. Environmental Protection Agency on May 3, 2013. Following our review, the EPA is pleased to approve 35 TMDLs for the waters and pollutants listed in the tables below. Eighty two 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 of Impaired Waters

Name of Creek/Water Segment	Assessment Unit #	Pollutant
Deadman Creek	ID17040207SK002_02b	Sediment
Grave Creek	ID17040207SK005_02 ID17040207SK005_02a ID17040207SK005_03	Sediment
Warbonnet Creek	ID17040207SK005_02b	E. coli, sediment
Wood Creek	ID17040207SK005_02c	Sediment
Coyote Creek	ID17040207SK005_02d	Sediment
Sunday Creek	ID17040207SK005_02e	Sediment
Corral Creek	ID17040207SK006_04	E. coli
Chicken Creek	ID17040207SK006_02a	Sediment
Bear Creek	ID17040207SK006_02b	Sediment
Sawmill Creek	ID17040207SK007_02a	E. coli
Thompson Creek	ID17040207SK008_02	E. coli, sediment
Collett Creek	ID17040207SK009_02a	E. coli, sediment
Poison Creek	ID17040207SK009_02b	E. coli, sediment
Little Blackfoot River	ID17040207SK009_03	Sediment
State Land Creek	ID17040207SK010_02a	Sediment
Blackfoot River	ID17040207SK010_04 ID17040207SK010_05	Temperature
Lower Johnson Creek	ID17040207SK012_03a	Sediment
Goodheart Creek	ID17040207SK012_02b	Sediment
Diamond Creek	ID17040207SK016_03 ID17040207SK016_03a	E. coli
Angus Creek	ID17040207SK023_02b	E. coli
Lower Chippy Creek	ID17040207SK021_03	Sediment
Crooked Creek	ID17040207SK025_03b	Sediment
Rawlins Creek	ID17040207SK027_02	Sediment
Rawlins Creek	ID17040207SK027_03	E.coli
Cedar Creek	ID17040207SK029_02	E. coli
Cedar Creek	ID17040207SK029_03	Sediment
Jones Creek	ID17040207SK031_02	Sediment

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 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 ID17040207 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 includes a discussion of selenium listings that will be addressed under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) program. The CERCLA process would be expected to identify federal and state water quality standards as ARARs (Applicable, Relevant and Appropriate Requirements) in the final Record of Decision scheduled for 2015. We recommend close coordination between Region 10's cleanup and water programs and Idaho's TMDL program to ensure that CERCLA response actions adequately address the Clean Water Act requirements and/or identify issues that may still need to be addressed in a subsequent TMDL.

This submittal also includes implementation strategies for the TMDLs. 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 also would like to recognize the cooperation and thoroughness of David Goings in bringing these TMDLs to completion.

By the EPA's approval, these TMDLs are now incorporated into Idaho's Water Quality Management Plan under §303(e) of the CWA. If you have any comments or questions, please feel free to call me at (206) 553-1855, or you may call Martha Turvey, of my staff, at (206) 553-1354.

Sincerely,



Daniel D. Opalski, Director
Office of Water and Watersheds

cc: Mr. Doug Conde, Deputy Attorney General, Idaho
Mr. Mike McIntyre, Surface Water Program Manager, Idaho Department of Environmental Quality
Ms. Marti Bridges, TMDL Program Manager, Idaho Department of Environmental Quality
Mr. Lynn Van Every, Water Quality Manager, Pocatello Regional Office, Idaho Department of Environmental Quality
Mr. David Gorings, Pocatello Regional Office, Idaho Department of Environmental Quality
Mr. Laird Lucas, Advocates for the West
Ms. Kristen Boyles, Earthjustice
Mr. Greg Mladenka, IDEQ