



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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Seattle, WA 98101-3140

JAN 26 2017

OFFICE OF  
WATER AND WATERSHEDS

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

Re: Approval of the Medicine Lodge Creek Subbasin TMDLs (HUC: 17040215)

Dear Mr. Burnell:

The Idaho Department of Environmental Quality (IDEQ) submitted the Medicine Lodge Creek Subbasin Total Maximum Daily Loads (TMDLs) to the U.S. Environmental Protection Agency (EPA) on March 16, 2016. Following our review, the EPA is pleased to approve 26 TMDLs for the waters and pollutants listed in the tables below. Two of these waters were included in Idaho's 303(d) list (List) of impaired waters, as identified in Table 1.

**Table 1: EPA-Approved TMDLs on Impaired Waters**

Name of Creek/Water Segment	Assessment Unit #	Pollutant
West Fork Indian Creek – source to mouth	ID17040215SK005_02	E. coli
Middle Creek – Dry Creek to mouth	ID17040215SK007_03	E. coli

EPA also approves TMDLs for two waters which were not meeting water quality standards for E. coli but had not previously been included on Idaho's List, as identified in Table 2. EPA understands that these waters would have been included on the List had the State been aware of the E. coli impairment at the time the List was completed.

**Table 2: EPA - Approved TMDLs on Unlisted but Impaired Waters.**

Name of Creek/Water Segment	Assessment Unit #	Pollutant
Medicine Lodge Creek – Edie Creek to Indian Creek	ID17040215SK006_04	E. coli
Warm Creek	ID17040215SK013_03	E. coli

The IDEQ also revised temperature TMDLs using a different methodology for the following 22 waterbodies (located in Category 4a of the 2012 Integrated Report), which were previously approved on May 6, 2003. The EPA approves these revisions to address temperature impairments for waters listed in Table 3.

**Table 3 EPA-Approved Revised Temperature TMDLs Using Different Methodology**

<b>Name of Creek/Water Segment</b>	<b>Assessment Unit #</b>
Medicine Lodge Creek – Indian Creek to playas	ID17040215SK002_04
Indian Creek – confluence of West and East Fork Indian Creek	ID17040215SK003_02
Indian Creek – confluence of West and East Fork Indian Creek	ID17040215SK003_03
Medicine Lodge Creek – Edie Creek to Indian Creek	ID17040215SK006_04
Middle Creek – Dry Creek to mouth	ID17040215SK007_02
Middle Creek – Dry Creek to mouth	ID17040215SK007_03
Middle Creek – Dry Creek to mouth	ID17040215SK008_02
Edie Creek – Source to mouth	ID17040215SK010_02
Medicine Lodge Creek – confluence of Divide and Fritz Creeks to confluence of Edie and Webber Creeks	ID17040215SK011_02
Medicine Lodge Creek – confluence of Warm and Fritz Creeks to Edie Creek	ID17040215SK011_03
Medicine Lodge Creek – confluence of Warm and Fritz Creeks to Edie Creek	ID17040215SK011_04
Irving Creek – source to mouth	ID17040215SK012_02
Irving Creek – source to mouth	ID17040215SK012_03
Warm Creek – source to mouth	ID17040215SK013_02
Warm Creek – source to mouth	ID17040215SK013_03
Horse Creek – source to mouth	ID17040215SK015_02
Fritz Creek – source to mouth	ID17040215SK016_02
Webber Creek – source to mouth	ID17040215SK017_02
Deep Creek – source to mouth	ID17040215SK018_02
Deep Creek – source to mouth	ID17040215SK018_03
Crooked Creek – source to mouth	ID17040215SK021_02
Crooked Creek – source to mouth	ID17040215SK021_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 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 17040215 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.

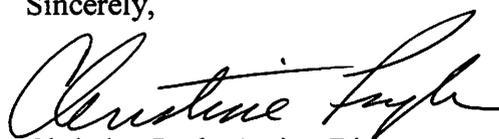
Your submittal also includes implementation strategies for the TMDLs. IDEQ developed and submitted these strategies pursuant to the TMDL Settlement Agreement of July 2002. As you know, the EPA has no duty to approve or disapprove implementation strategies under Section 303(d) of the Clean Water Act (CWA); 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.

During the process of conducting the five-year review, developing and revising TMDLs in the Medicine Lodge River subbasin, IDEQ found errors in EPA's May 6, 2003 approval of the Medicine Lodge TMDLs. The enclosure reflects the corrections to EPA's May 6, 2003 approval.

In closing, we would also like to recognize Troy Saffle and his staff for their efforts 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 at (206) 553-1855, or you may call Jayshika Ramrakha of my staff at (206) 553-1788.

Sincerely,



Christine Psyk, Acting Director  
Office of Water and Watersheds

cc: Mr. Doug Conde, Attorney General, Idaho  
Mr. Don Essig, Surface Water Program Manager, IDEQ  
Mr. Mark Shumar, TMDL Program Coordinator, IDEQ  
Mr. Troy Saffle, Idaho Falls Regional Water Quality Manager, IDEQ  
Mr. Laird Lucas, Advocates for the West  
Ms. Kristen Boyles, Earthjustice

Enclosure

**Corrections to the May 6, 2003 EPA Approval Letter for the Medicine Lodge River Subbasin TMDLs**

<b>Name of Creek/Water Segment</b>	<b>Assessment Unit #</b>	<b>Pollutant</b>	<b>Change</b>	<b>Comment/ Rationale</b>
Irving Creek – source to mouth	ID17040215SK010_03	Temperature	Change AU to ID17040215SK012_03	Incorrect AU number for Irving Creek.
Middle Creek – Dry Creek to mouth	ID17040215SK007_04	Temperature	Change AU to ID17040215SK007_03	Incorrect AU number for Middle Creek.
Medicine Lodge Creek – Indian Creek to playas	ID17040215SK002_04	Temperature	Add to EPA 2003 Approval	2003 TMDL addressed this AU but had been left out of the approval letter.
Medicine Lodge Creek – confluence of Divide and Fritz Creeks to confluence of Edie and Webber Creeks	ID17040215SK011_02	Temperature	Add to EPA 2003 Approval	2003 TMDL addressed this AU but had been left out of the approval letter.
Medicine Lodge Creek – confluence of Warm and Fritz Creeks to Edie Creek	ID17040215SK011_03	Temperature	Add to EPA 2003 Approval	2003 TMDL addressed this AU but had been left out of the approval letter.
Medicine Lodge Creek – confluence of Warm and Fritz Creeks to Edie Creek	ID17040215SK011_04	Temperature	Add to EPA 2003 Approval	2003 TMDL addressed this AU but had been left out of the approval letter.