



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502
www.deq.idaho.gov

C.L. "Butch" Otter, Governor
John H. Tippetts, Director

April 11, 2018

Mr. Daniel Opalski, Director
USEPA Region 10
Office of Water and Watersheds
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

Subject: FINAL §401 Water Quality Certification for the Small Suction Dredge Miners General Permit for Idaho; NPDES IDG-37-0000

Dear Mr. Opalski:

The Idaho Department of Environmental Quality (DEQ) has reviewed the US Environmental Protection Agency's final NPDES Permit for the above referenced General Permit, which was received March 15, 2018. During EPA's public comment period which ran from December 13, 2017 to January 29, 2018, DEQ received comments from the Idaho Conservation League and 70 citizens; however, these comments did not result in significant modifications to the draft certification. In the final 401 Certification, DEQ has included conditions necessary to comply with Idaho Water Quality Standards and other laws intended to protect water quality.

If you have any questions or concerns, please feel free to contact Loren Moore at (208) 373-0158 or via email at loren.moore@deq.idaho.gov.

Sincerely,

A handwritten signature in blue ink that reads "Barry N. Burnell".

Barry N. Burnell
Water Quality Division Administrator

BNB:LM:tg

Enclosed: Final 401 Certification for the Small Suction Dredge Miners General Permit for Idaho

c: Don Essig, DEQ Surface Water Program Manager
Jerri Henry, DEQ Drinking Water Program Manager
Michael Lidgard – USEPA, Region 10
Cindi Godsey – USEPA, Region 10
DEQ Regional Administrators



Idaho Department of Environmental Quality Final §401 Water Quality Certification

April 11, 2018

NPDES Permit: Small Suction Dredge Miners General Permit for Idaho (IDG370000)

Pursuant to the provisions of Section 401(a)(1) of the Federal Water Pollution Control Act (Clean Water Act), as amended, 33 USC Section 1341 (a)(1), and Idaho Code §§ 39-101 et.seq., and 39-3601 et.seq., the Idaho Department of Environmental Quality (DEQ) has authority to review National Pollutant Discharge Elimination System (NDPES) permits and issue water quality certification decisions.

Based upon its review of the above-referenced permit, associated fact sheet and compiled research pertaining to the effects of suction dredging, DEQ certifies that if the permittee complies with the terms and conditions imposed by the permit along with the conditions set forth in this water quality certification, then there is reasonable assurance the discharge will comply with the applicable requirements of Sections 301, 302, 303, 306, and 307 of the Clean Water Act, including the Idaho Water Quality Standards (WQS) (IDAPA 58.01.02) and other appropriate water quality requirements of State law.

This certification does not constitute authorization of the permitted activities by any other state or federal agency or private person or entity. This certification does not excuse the permit holder from the obligation to obtain any other necessary approvals, authorizations or permits.

The Small Suction Dredge Miners General Permit (GP) provides coverage throughout the State of Idaho *except* for the following areas (Refer to Part I.D and Appendix D of the Permit):

- National Protected Areas including National Parks and Preserves, National Monuments, National Sanctuaries, National Wildlife Refuges, National Conservation Areas, and National Wilderness Areas unless an approval from the land management agency is submitted with the Notice of Intent;
- Nez Perce Reservation, Coeur d'Alene Reservation, Kootenai Reservation; Shoshone Bannock Reservation, and the Duck Valley Reservation;
- National Wild and Scenic Rivers;
- Critical Habitat designated under the Endangered Species Act;
- Specific river segments withdrawn by the State Board of Land Commissioners including sections of the Boise, Payette, Priest, St. Joe, Clearwater, Lochsa, Selway, Salmon, and Snake Rivers;
- State Protected Rivers;
- Waters of the State which are §303(d)-listed ("impaired") for sediment or mercury; and

- Specified locations where any of the following four species of snails, that are listed as either threatened or endangered under the ESA, are found: Snake River Physa, Banbury Springs Lanx, Bliss Rapids Snail, and Bruneau Hot Springsnail.

Antidegradation Review

The WQS contain an antidegradation policy providing three levels of protection to water bodies in Idaho (IDAPA 58.01.02.051).

- Tier I Protection. The first level of protection applies to all water bodies subject to Clean Water Act jurisdiction and ensures that existing uses of a water body and the level of water quality necessary to protect those existing uses will be maintained and protected (IDAPA 58.01.02.051.01; 58.01.02.052.01). Additionally, a Tier I review is performed for all new or reissued permits or licenses (IDAPA 58.01.02.052.07).
- Tier II Protection. The second level of protection applies to those water bodies considered high quality and ensures that no lowering of water quality will be allowed unless deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).
- Tier III Protection. The third level of protection applies to water bodies that have been designated outstanding resource waters and requires that activities not cause a lowering of water quality (IDAPA 58.01.02.051.03; 58.01.02.052.09).

DEQ is employing a water body by water body approach to implementing Idaho's antidegradation policy. This approach means that any water body fully supporting its beneficial uses will be considered high quality (IDAPA 58.01.02.052.05.a). Any water body not fully supporting its beneficial uses will be provided Tier I protection for that use, unless specific circumstances warranting Tier II protection are met (IDAPA 58.01.02.052.05.c). The most recent federally approved Integrated Report and supporting data are used to determine support status and the tier of protection (IDAPA 58.01.02.052.05).

Pollutants of Concern

Sediment and mercury are the only two pollutants of concern associated with recreational dredging discharges authorized under the Small Suction Dredge Miners GP. Sediment is relevant to the aquatic life uses and not relevant to contact recreational uses. Whereas mercury is relevant to both aquatic life and contact recreation beneficial uses. Therefore, DEQ must evaluate the permit with respect to maintaining and protecting these uses in Idaho streams.

Receiving Water Body Level of Protection

All waters in Idaho that receive discharges authorized under the Small Suction Dredge Miners GP will receive, at minimum, Tier I antidegradation protection because Idaho's antidegradation policy applies to all state waters. Water bodies that fully support their aquatic life or recreational uses are considered *high quality waters* and will receive Tier II

antidegradation protection, in addition to Tier I protection. In addition to these uses, all waters of the state are protected for agricultural and industrial water supply, wildlife habitat, and aesthetics (IDAPA 01.02.100).

Although Idaho does not currently have any Tier III designated outstanding resource waters (ORWs), it is possible for a water body to be designated as an ORW during the life of this permit. Because of this potential, this antidegradation review will also assess whether the permit complies with the ORW requirements of Idaho's antidegradation policy.

To determine the support status of the receiving water body, the most recent EPA-approved Integrated Report, available on Idaho DEQ's website, is to be used: <http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report/>.

High quality waters are identified in Categories 1 and 2 of the Integrated Report. If a water body is in either Category 1 or 2, it is a Tier II water body.

Unassessed waters are identified in Category 3 of DEQ's Integrated Report. These waters require a case-by-case determination to be made by DEQ based on available information at the time of the application for permit coverage.

Impaired waters are identified in Categories 4 and 5 of the Integrated Report. Category 4(a) contains impaired waters for which a [TMDL](#) has been approved by EPA. Category 4(b) contains impaired waters for which controls other than a TMDL have been approved by EPA. Category 5 contains waters which have been identified as "impaired", for which a TMDL is needed. These waters are Tier I waters, for the use which is impaired. However, an impaired water body will receive Tier II protection for its aquatic life uses if the following conditions are met: (1) the aquatic life impairment is due to dissolved oxygen, pH, or temperature and (2) the biological or aquatic habitat parameters show a healthy, balanced biological community (IDAPA 58.01.02.052.05.c.i).

DEQ's webpage also has a link to the state's map-based Integrated Report which presents information from the Integrated Report in a searchable, map-based format: <http://www.deq.idaho.gov/assistance-resources/maps-data/>. This map-based tool contains a layer specific to mercury listings.

Water bodies can be in multiple categories for different causes. If assistance is needed in using these tools, or if additional information/clarification regarding the support status of the receiving water body is desired, please feel free to contact your nearest DEQ regional office or the State Office (Table 1).

Table 1. Idaho DEQ Regional and State Office Contacts

<i>Regional and State Office</i>	<i>Address</i>	<i>Phone Number</i>	<i>Email</i>
Boise	1445 N. Orchard Rd., Boise 83706	208-373-0550	kati.carberry@deq.idaho.gov
Coeur d'Alene	2110 Ironwood Parkway, Coeur d'Alene 83814	208-769-1422	june.bergquist@deq.idaho.gov

Idaho Falls	900 N. Skyline, Suite B., Idaho Falls 83402	208-528-2650	troy.saffle@deq.idaho.gov
Lewiston	1118 "F" St., Lewiston 83501	208-799-4370	sujata.connell@deq.idaho.gov
Pocatello	444 Hospital Way, #300 Pocatello 83201	208-236-6160	lynn.vanevery@deq.idaho.gov
Twin Falls	650 Addison Ave. W., Suite 110, Twin Falls 83301	208-736-2190	kiley.mulholland@deq.idaho.gov
State Office	1410 N. Hilton Rd., Boise 83706	208-373-0502	loren.moore@deq.idaho.gov

Protection and Maintenance of Existing Uses (Tier I Protection)

A Tier I review is performed for all new or reissued permits, applies to all waters subject to the jurisdiction of the Clean Water Act, and requires a demonstration that existing uses and the level of water quality necessary to protect existing uses shall be maintained and protected. In order to protect and maintain designated and existing beneficial uses, a permitted discharge must comply with narrative and numeric criteria of the Idaho WQS, as well as other provisions of the WQS such as Section 055, which addresses water quality limited waters. The numeric and narrative criteria in the WQS are set at levels that ensure protection of existing and designated beneficial uses.

Water bodies not supporting existing or designated beneficial uses must be identified as water quality limited, and a total maximum daily load (TMDL) must be prepared for those pollutants causing impairment. A central purpose of TMDLs is to establish wasteload allocations (WLA) for point source discharges, which are set at levels designed to help restore the water body to a condition that supports existing and designated beneficial uses. Discharge permits must contain limitations that are consistent with wasteload allocations in the approved TMDL. A permit with effluent limitations consistent with TMDL wasteload allocations will provide the level of water quality necessary to support existing and designated uses and therefore satisfies Tier I antidegradation requirements.

The water quality-based effluent limitations and requirements contained in the Small Suction Dredge Miners GP, conditions in Idaho Department of Water Resource's recreational mining permits, coupled with the conditions set forth in this certification, are designed to ensure compliance with the narrative and numeric criteria in the Idaho WQS. Specifically, the permit and the certification prohibit any visible increase in turbidity (cloudiness or muddiness) above background beyond the mixing zone. DEQ is authorizing a 500-foot mixing zone for turbidity, which is consistent with state WQS (IDAPA 58.01.02.060). DEQ conducted a study on the South Fork of the Clearwater in 2001 to evaluate the potential impacts to water quality by recreational suction dredge mining operations (DEQ 2003¹). Although the study revealed no turbidity exceedances within visible sediment plums (ranging from 229 feet – 492 feet) created by active

¹ DEQ (Idaho Department of Environmental Quality). 2003. *Water Quality Summary Report 34: A recreational Suction Dredge Mining Water Quality Study on South Fork Clearwater River*. Grangeville and Boise, ID: DEQ. www.deq.idaho.gov/media/837524-wq-summary-34-suction-dredge-mining.pdf

recreational suction dredges, DEQ believes that a 500 foot mixing zone is adequate in addressing turbidity increases caused by dredging activities.

Additionally, the permit prohibits suction dredging in waters that have been identified by DEQ as impaired due to sedimentation/siltation, except for where an existing TMDL has an established wasteload allocation for discharges associated with suction dredging. The permit references two specific TMDLs—Boise-Mores Creek Subbasin Assessment and TMDL (DEQ 2009²) and South Fork Clearwater River Subbasin Assessment and TMDLs (DEQ 2003³)—which contain wasteload allocations for small suction dredging, and it is the responsibility of the permittee to operate in compliance with those allocations through monitoring and reporting. EPA has set restrictions on the amount of material that can be processed during the hours allocated to the operators in order to comply with the established WLAs. Achieving these wasteload allocations established in the TMDLs will ensure compliance with the numeric turbidity criteria and the narrative sediment standard. Further, to be protective of chinook, cutthroat, and steelhead spawning periods and incubation of embryos, EPA has limited dredging activities in the South Fork Clearwater Subbasin from July 15 through August 15 each year only. For the aforementioned reasons, the permit ensures compliance with WLAs in the applicable TMDLs, as well as the provisions of Section 055 of Idaho's WQS with respect to sediment.

The Small Suction Dredge Miners GP *does not authorize* discharges of mercury, but operators of dredging equipment may encounter and recover mercury during dredging operations. This is especially true in areas where historic mining has taken place and mercury may be present in higher than normal concentrations. The permit contains requirements pertaining to the handling and collection of mercury encountered as a result of dredging activities. The permittee is advised to adhere to DEQ's *Best Management Practices for Mercury Collection from Suction Dredging Activities* (<http://www.deq.idaho.gov/media/60181379/suction-dredge-mining-activities-mercury-collection-bmps.pdf>) and to contact DEQ for information on hazardous waste regulations.

While suction dredging removes some mercury from the streambed substrate, it may also mobilize and releases mercury into the water column. Not all of the mercury that is released during dredging activities is removed from the water column. Dredging breaks up liquid mercury into smaller particles, increasing the surface area. Where waters of the State are already not supporting beneficial uses due to elevated levels of mercury, and there is no mercury TMDL in place with an allocation for suction dredging, further loading of this pollutant will violate WQS (IDAPA 58.01.02.055; IDAPA 58.02.080). Under these circumstances, DEQ does not have reasonable assurance of compliance with WQS where waters are already impaired by mercury. Therefore, DEQ denies certification of this general permit for the following water bodies, which are currently identified as "impaired" by mercury:

² DEQ (Idaho Department of Environmental Quality). 2009. *Boise-Mores Creek Subbasin Assessment and TMDL*. Boise, ID: DEQ. www.deq.idaho.gov/media/450496-water_data_reports_surface_water_tmdls_boise_mores_creek_boise_mores_creek_entire.pdf

³ DEQ and EPA (Idaho Department of Environmental Quality and US Environmental Protection Agency). 2003. *South Fork Clearwater River Subbasin Assessment and Total Maximum Daily Loads*. Lewiston and Boise, ID: DEQ and EPA. www.deq.idaho.gov/media/453550-water_data_reports_surface_water_tmdls_clearwater_river_sf_clearwater_river_sf_entire.pdf

Table 2. Waters of the State impaired by mercury

<i>Assessment Unit(s) (AUs)</i>	<i>Segment Name</i>	<i>Waterbody name(s) within the impaired AU(s)</i>
17040208SK016_05	Portneuf River – 5 th order (Twentyfour Mile Creek to Pebble Creek)	Portneuf River
17050108SW004_02 17050108SW004_03 17050108SW004_04 17050108SW004_05	Jordan Creek – source to Williams Creek	Buck Creek, Bull Frame Creek, China Creek, Cunningham Creek, Duck Creek, East Fork Goose Creek, Goose Creek, Iron Mine Creek, Jordan Creek (2 nd , 3 rd , 4 th and 5 th order), Pole Creek, Presby Creek, Rail Creek, West Fork Goose Creek
17060101SL003_08	Snake River – Hells Canyon Dam to Sheep Creek	Snake River and Deep Creek
17040206SK022_04	Snake River – river mile 791 (T01N, R37E, Sec. 10) to American Falls Reservoir	Snake River
17060208SL029_03	Sugar Creek – 3 rd order (Crane Creek to mouth)	Sugar Creek
17060209SL008_07	Salmon River – Slate Creek to Rice Creek	Salmon River

Mercury impaired water bodies are listed in Table 2 (2014 Integrated Report) above; this list is subject to change during the life of the permit, as the Integrated Report is updated every two (2) years and the permit will be valid for a term of five (5) years. Therefore, it is the permittee's responsibility to know whether or not additional waters have been added to this list.

Protection of High-Quality Waters (Tier II Protection)

Water bodies that fully support their beneficial uses are recognized as high quality waters and are provided Tier II protection in addition to Tier I protection. Water quality parameters applicable to existing or designated beneficial uses must be maintained and protected under Tier II, unless a lowering of water quality is deemed necessary to accommodate important economic or social development. For general permits, the Department conducts an antidegradation review, including any Tier II analysis, at the time at which general permits are certified (IDAPA 58.01.02.052.03).

The Small Suction Dredge Miners GP sets restrictions on when and where recreational dredging will be allowed to occur. Many of the waters on which operations are prohibited are high quality waters. The permit also sets limits on how much material can be processed in a certain amount of time. The permit includes a number of provisions aimed at preventing increases in turbidity and sediment loading. Of the two turbidity criteria in the WQS, the permit includes the more stringent criterion (IDAPA 58.01.02.252.01.b.ii) as the effluent limit for turbidity for all waters. In addition, dredgers are limited to processing no greater than 2 cubic yards of material per hour during the hours they are

operating. The permit also requires the use of best management practices (BMPs) that will limit erosion and increases in turbidity. These BMPs include but are not limited to:

- Use reasonable care to avoid the dredging of silt and clay materials;
- Prohibition of altering the stream channel in a way that would redirect the flow of water into the stream bank;
- Prohibition of undercutting, littoral channeling, stream bank or beach erosion, and the removal or disturbance of boulders or any type of vegetation on the stream bank.

The permit also includes provisions to ensure adequate fish passage and protection of spawning fish and spawning habitat. This certification also includes provisions to mitigate erosion, including a prohibition on stream bank dredging and restrictions on the use of mechanized equipment. Based upon the limits in the permit, and the terms of this certification, DEQ believes that dredging activities are unlikely to cause adverse changes in water quality, when appropriate mixing is taken into account. Moreover, if there is a change in sediment levels, any such change is expected to be temporary.

DEQ has denied certification with respect to dredging in waters where there are known high levels of mercury. However, DEQ has no information to suggest that mercury increases will be an issue in waters that do not contain high levels of mercury. Therefore, DEQ believes it is unlikely there will be an increase in mercury levels in high quality waters that would violate the Tier II antidegradation policy. For these reasons, DEQ believes that the permit is protective of water quality and that suction dredging is not likely to cause adverse changes in water quality. Furthermore, EPA may decide that an individual permit is needed and will require the applicant to obtain an individual water quality certification from the state.

In sum, DEQ has determined that as long as permittees operate consistent with the terms of the NPDES permit, conditions in Idaho Department of Water Resource's recreational mining permits as well as the requirements set forth in this certification, there is reasonable assurance that existing and designated beneficial uses will be protected and maintained and there will be no lowering of water quality in any high quality waters (IDAPA 58.01.02.051.02 and IDAPA 58.01.02.052.08).

Protection of Outstanding Resource Waters (Tier III Protection)

Idaho's antidegradation policy requires that the quality of outstanding resource waters (ORWs) be maintained and protected from the impacts of point and nonpoint source activities (IDAPA 58.01.02.051.03). As mentioned previously, no water bodies in Idaho have been designated as ORWs.

As a condition of this certification, DEQ is requiring any applicant proposing to discharge to an ORW, should one become designated during the term of this permit, to obtain an individual NPDES permit from EPA and an individual water quality certification from the state. This condition will ensure compliance with Idaho's antidegradation provisions concerning ORWs.

Denial of Certification With Respect to Water Bodies Impaired due to Siltation/Sedimentation and/or Mercury

As explained above in the antidegradation review, DEQ does not have reasonable assurance of compliance with WQS with respect to suction dredging activities on water bodies impaired by sediment or mercury, except where an approved TMDL has an established wasteload allocation for discharges associated with suction dredging. Therefore, DEQ denies certification for operations in waters impaired by sediment or mercury absent a TMDL with a wasteload allocation for dredging.

Conditions Necessary to Ensure Compliance with Water Quality Standards or Other Applicable Water Quality Requirements of State Law

Mixing Zone

Pursuant to IDAPA 58.01.02.060, DEQ authorizes the use of a mixing zone for sediment discharges authorized under the GP. The authorized mixing zone extends 500 lineal feet downstream of the dredge discharge point. There shall be no observable turbidity plume (cloudiness or muddiness) extending beyond the mixing zone.

Public Water Supply Intakes

DEQ will notify active public drinking water systems if recreational dredging operations are proposed to occur within 500-feet of their surface water intake.

Outstanding Resource Waters

In the event a water body currently open to dredging is designated as an ORW during the term of the Small Suction Dredge Miners GP, applicants proposing to discharge to the ORW shall obtain an individual NPDES permit from EPA and an individual water quality certification from the state.

Stream Channel Alteration Permit Requirements

Pursuant to Idaho Code 42-3801 *et seq.* and IDAPA 37.03.07, operators must also obtain a stream alteration permit for recreational dredging from the Idaho Department of Water Resources. A permit application may be obtained from the following web page: <https://www.idwr.idaho.gov/streams/stream-channel-alteration-permits.html>.

Mechanized Equipment

There shall be no use of mechanized equipment below the mean high water mark except for the dredge itself and any life support system necessary to operate the dredge (IDAPA 37.03.07.064.03).

Stream Banks

Dredging of stream banks is not authorized. Removal or disturbance of boulders (cobbles or large rock) or any type of vegetation (alive or dead) on the stream bank, leading to erosion or undercutting of the banks is prohibited (IDAPA 58.01.02.050.02; IDAPA 37.03.07.064.04).

Invasive Species

Pursuant to IDAPA 02.06.09 (adminrules.idaho.gov/rules/current/02/0609.pdf), operators must ensure their dredging equipment does not house invasive species. Equipment must be decontaminated prior to its placement in waters of the state. Decontamination procedures may be found at: http://www.deq.idaho.gov/media/457155-decontamination_procedures.pdf.

Fish Passage

The permittee shall ensure there is adequate passage for fish around and through the mining area at all times (IDAPA 58.01.02.050.02; IDAPA 58.01.02.080.01).

Hazardous and Deleterious Material Storage

Hazardous and deleterious materials must not be stored, disposed of, or accumulated adjacent to or in the immediate vicinity of state waters unless adequate measures and controls are provided to ensure that those materials will not enter state waters as a result of high water, precipitation runoff, wind, storage facility failure, accidents in operation, or unauthorized third party activities (IDAPA 58.01.02.800).

Reporting of Discharges Containing Hazardous Materials or Petroleum Products

Discharges of oil, grease, fuel, or other hazardous materials associated with the dredging activity must be reported in accordance with this condition. Equipment used for suction dredging must be in proper working condition and shall not leak petroleum products. The permittee must check the equipment for fuel and oil leaks daily prior to operation.

If mercury is found during dredging (i.e. collected in the sluice box), the operator must:

- a.) Keep the mercury collected and stop dredging immediately if this is the only way to prevent remobilization of mercury; and
- b.) Work with the appropriate entity to dispose of mercury properly.

Companies that offer hazardous waste disposal services are included in DEQ's BMP fact sheet—<http://www.deq.idaho.gov/media/60181379/suction-dredge-mining-activities-mercury-collection-bmps.pdf>.

All spills of hazardous material, deleterious material or petroleum products which may impact the ground water or surface water of the state shall be immediately reported. Call 911 if immediate assistance is required to control, contain or clean up the spill. If no assistance is needed in cleaning up the spill, contact the appropriate DEQ regional office in Table 3 during normal working hours or Idaho State Communications Center after normal working hours. If the spilled volume is above federal reportable quantities, contact the National Response Center.

For immediate assistance: Call 911

National Response Center: (800) 424-8802

Idaho State Communications Center: (800) 632-8000

Table 3. Idaho DEQ Regional Contacts

<i>Regional Office</i>	<i>Toll Free Phone Number</i>	<i>Phone Number</i>
Boise	888-800-3480	208-373-0550
Coeur d'Alene	877-370-0017	208-769-1422
Idaho Falls	800-232-4635	208-528-2650
Lewiston	877-541-3304	208-799-4370
Pocatello	888-655-6160	208-236-6160
Twin Falls	800-270-1663	208-736-2190

Other Conditions

This certification is conditioned upon the requirement that any material modification of the permit or the permitted activities—including without limitation, significant changes to the draft GP, any modifications of the permit to reflect new or modified TMDLs, wasteload allocations, site-specific criteria, variances or other new information—shall first be provided to DEQ for review to determine compliance with WQS and to provide additional or individual certification pursuant to Section 401.

Right to Appeal Final Certification

The final Section 401 Water Quality Certification may be appealed by submitting a petition to initiate a contested case, pursuant to Idaho Code § 39-107(5), and the “Rules of Administrative Procedure before the Board of Environmental Quality” (IDAPA 58.01.23), within 35 days of the date of the final certification.

Questions or comments regarding the actions taken in this certification should be directed to Loren Moore, DEQ State Office, at (208) 373-0158 or via email at loren.moore@deq.idaho.gov.

Barry N. Burnell
Water Quality Division Administrator
DEQ State Office