



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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

OFFICE OF
WATER AND
WATERSHEDS

JAN 23 2015

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

Re: Approval of the Lake Walcott TMDL 2013 Addendum (HUC ID 17040209):
Marsh Creek

Dear Mr. Burnell:

The Idaho Department of Environmental Quality submitted the Lake Walcott Subbasin Assessment and Total Maximum Daily Load 2013 Addendum to the U.S. Environmental Protection Agency on December 19, 2013. Following our review, the EPA is pleased to approve four TMDLs for the waters and pollutants listed in the tables below.

Two of these waters were included in Idaho's 2012 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
Marsh Creek	17040209SK003_03	Temperature
Marsh Creek	17040209SK003_04	Temperature

The IDEQ also completed TMDLs for waterbodies which were not meeting water quality standards for E. coli but had not previously been included on Idaho's List. These TMDLs and waterbodies are identified in Table 2 below. EPA understands that these waters would have been included on the List had Idaho been aware of the impairment at the time the List was completed.

Table 2: EPA-Approved TMDLs on Unlisted Waters

Name of Creek/Water Segment	Assessment Unit #	Pollutant
Marsh Creek	17040209SK003_03	E. coli
Marsh Creek	17040209SK003_04	E. coli

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 pollutants 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 17040209 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.

We would also like to recognize Katie Shewmaker and Richard Bupp 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 Leigh Woodruff of my staff at (208) 378-5774.

Sincerely,



Daniel D. Opalski, Director
Office of Water and Watersheds

cc: Mr. Doug Conde, Attorney General, Idaho
Mr. Mike McIntyre, Surface Water Program Manager, IDEQ
Ms. Marti Bridges, TMDL Program Manager, IDEQ
Mr. Sonny Buhidar, Water Quality Manager, Twin Falls Regional Office, IDEQ
Ms. Katie Shewmaker, Twin Falls Regional Office, IDEQ
Mr. Richard Bupp, Twin Falls Regional Office, IDEQ
Mr. Laird Lucas, Advocates for the West
Ms. Kristen Boyles, Earthjustice