



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10  
1200 Sixth Avenue  
Seattle, WA 98101

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OCT 04 2007

Department of Environmental Quality  
State Water Quality Programs

Reply To  
Attn Of: OWW-134

OCT - 1 2007

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

RE: Approval of the Wildhorse River Subbasin TMDLs

Dear Mr. Burnell:

The U.S. Environmental Protection Agency (EPA) is pleased to approve the temperature Total Maximum Daily Loads (TMDLs), as listed in the table below for the Wildhorse Subbasin, as submitted on May 8, 2007. Wildhorse River was included on Idaho's 2002 303(d) list for temperature. During the course of this TMDL it was discovered that the major tributaries to Wildhorse River including Crooked River, Bear Creek and Lick Creek are also water quality limited for temperature. This TMDL approval addresses Wildhorse River and these three major tributaries. Because the three major tributaries are covered by this TMDL, they do not need to be included on the next 303(d) list. EPA does expect; however, that these waters will be identified in category 4a of the integrated report, which is where impaired waters with approved TMDLs are tracked.

This approval only includes those waters for which a TMDL was completed and does not constitute approval for de-listing of waters within Hydrologic Unit Code 17050201 from the Idaho 2002 §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.

Table of Approved TMDLs

<i>Name of Creek/Water Segment</i>	<i>Assessment Unit #</i>	<i>Pollutant</i>
WildHorse River	17050201SW015-04	Temperature
Lick Creek	17050201SW016-02,-03,-04	Temperature
Bear Creek	17050201SW016-02,-04	Temperature
Crooked River	17050201SW015-02	Temperature

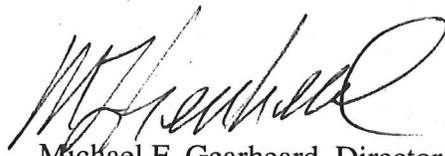
This submittal also includes implementation strategies for the TMDLs. Idaho Department of Environmental Quality (IDEQ) developed and submitted these strategies pursuant to the TMDL Settlement Agreement of July 2002. EPA currently has no duty to approve or disapprove implementation strategies under Section 303(d) of the Clean Water Act (CWA); therefore, 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.

EPA believes the Potential Natural Vegetation methodology used to develop these TMDLs provides an excellent foundation for the temperature work being done in the watershed. We also look forward to the refinement of this methodology in order to establish targets which are more specific to the watershed at the 5 year review stage. EPA would be glad to assist IDEQ in the development of site specific shade curves.

EPA appreciates the cooperation and hard work of Leslie Freeman, especially the coordination prior to the public comment period and the sharing of a pre-public comment draft with EPA staff. We support this early involvement and believe it results in a better understanding of the approaches used to develop the TMDL and enables meaningful discussion to occur between IDEQ and EPA staff that can later expedite EPA's review of the final TMDL document. We also want to especially recognize the initiative shown by landowners in the subbasin who have already been moving forward with restoration efforts. I am sure this has not been easy given the aftermath of the Bear Creek tornado, and their efforts are to be commended.

By EPA's approval, these TMDLs are now incorporated into the State's Water Quality Management Plan under §303(e) of the CWA. Please feel free to call me at (206) 553-7151, or you may call Donna Walsh of my staff at (206) 334-8412 if you have any comments or questions.

Sincerely,



Michael F. Gearheard, Director  
Office of Water and Watersheds

cc: Mike McIntyre, IDEQ Surface Water Program Manager  
✓ Marti Bridges, IDEQ TMDL Program Manager  
Doug Conde, IDEQ Attorney General  
Craig Shepard, IDEQ, Manager, Boise Regional Office  
Leslie Freeman, IDEQ, Boise Regional Office  
Laird Lucas, Advocates for the West  
Kristen Boyles, Earthjustice