



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101-3188

WATER  
DIVISION

**JUL 25 2019**

Ms. Mary Anne Nelson, Administrator  
Department of Environmental Quality  
1410 North Hilton  
Boise, Idaho 83706 – 1255

Re: Approval of the Palisades Subbasin 2019 Total Maximum Daily Load (HUC 17040104)

Dear Ms. Nelson:

The Idaho Department of Environmental Quality (IDEQ) submitted the Palisades Subbasin 2019 Total Maximum Daily Load (TMDL) and Five-Year Review to the U.S. Environmental Protection Agency (EPA) on June 25, 2019. The document includes Rainey Creek (Assessment Unit ID17040104SK028\_04) TMDL to address temperature impairment. Rainey Creek is not on IDEQ's 2016 303(d) List of impaired waters for temperature. The EPA understands that Rainey Creek would have been included on the 303(d) list had the State been aware of the temperature impairment at the time the 303(d) list was completed. The EPA has completed its review and approves the temperature TMDL for Rainey Creek.

Our review indicates that the allocations in this TMDL have been established at a level that, when fully implemented, will lead to the attainment of the temperature water quality standards. Therefore, IDEQ does not need to include Rainey Creek on the next 303(d) list of impaired waters for temperature.

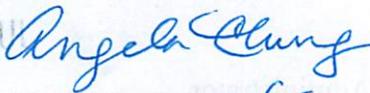
We commend you for completing the Five-Year Review of the TMDLs within the Palisades Subbasin. This approval only includes those waters for which a TMDL was completed and does not constitute approval of the waters included in the Five-Year Review or those proposed for de-listing within Hydrologic Unit Code 17040104 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.

By the EPA's approval, this TMDL is 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 have your staff contact Jayshika Ramrakha of my staff at (206) 553-1788.

Sincerely,

2018 JUL 25 11:52 AM  


Daniel D. Opalski *for*  
Director

- cc: Mr. Mark Cecchini-Beaver, Deputy Attorney General, Idaho (email)  
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Mr. Troy Saffle, Surface Water Quality Manager, Idaho Falls Regional Office, IDEQ (email)  
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