



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**  
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Department of Environmental Quality  
State Water Quality Programs

Reply To: OWW-134

JUN - 5 2008

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

Subject: Approval of the Fish Creek Temperature, Sediment, Bacteria Watershed Assessment and TMDLs

Dear Mr. Burnell:

Following our review and evaluation of the Fish Creek Temperature, Sediment and Bacteria Watershed Assessment and TMDLs by Idaho Department of Environmental Quality (IDEQ), the U.S. Environmental Protection Agency (EPA) is pleased to approve the five TMDLs for the waters listed in the table below. These TMDLs were submitted to EPA by IDEQ in April 2008.

**Table of Approved TMDLs**

Name of Creek/Water Segment	Assessment Unit #	Pollutant
Fish Creek tributaries	ID17010305PN014_02	Temperature
Fish Creek tributaries	ID17010305PN014_02	Sediment
Fish Creek mainstem	ID17010305PN014_03	Temperature
Fish Creek mainstem	ID17010305PN014_03	Sediment
Fish Creek mainstem	ID17010305PN014_03	Bacteria

This approval includes all (wasteload and) load allocations established in the TMDL, since all of these allocations are required to attain applicable water quality criteria throughout the watershed. 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 criteria addressed by these TMDLs. Therefore, the IDEQ does not need to include these waterbodies on the next 303(d) list of impaired waters for the pollutants covered by this TMDL.

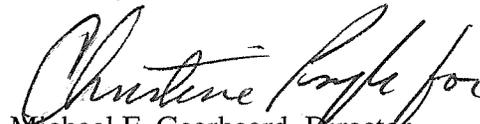
TMDLs were also completed for waterbodies which were not meeting water quality standards for bacteria, but had not previously been included on Idaho's 303(d) List (List) for bacteria. EPA understands that these waters would have been included on the List had the State been aware of the exceedances at the time the List was completed.

This submittal also includes implementation strategies for the TMDLs. IDEQ developed and submitted these strategies pursuant to the TMDL Settlement Agreement of July 2002. EPA 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.

By 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) 553-7151, or you may call Martha Turvey of my staff at (206) 553-1354.

Sincerely,



Michael F. Gearheard, Director  
Office of Water and Watersheds

cc: Doug Conde, Attorney General, Idaho  
Mike McIntyre, Surface Water Program Manager, IDEQ  
Marti Bridges, TMDL Program Manager, IDEQ  
Ed Tulloch, Water Quality Manager, Coeur d'Alene Regional Office, IDEQ  
Tyson Clyne, Coeur d'Alene Regional Office, IDEQ  
Laird Lucas, Advocates for the West  
Kristen Boyles, Earthjustice