

03/29/99 08:49 ☎208 799 3451  
03/24/99 WED 13:28 FAX 208 843 7371  
MAR-24-89 WED 11:19 AM

DEQ-NCIRO LEWIST →→→ CNTR OFF-2nd FL ☑002/005  
NPT WATER RES  
FAX NO. 912155663114  
P. 02/00



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue  
Seattle, WA 98101

MAR 22 1999

Reply To  
Attn Of: OW-134

Samuel Penney, Chairman  
Nez Perce Tribe  
P.O. Box 365  
Lapwai, Idaho 83540

Dear Mr. Penney:

The Environmental Protection Agency, Region 10 would like to extend our sincere thanks to you and your staff for your patience and dedication in working through many difficult issues on the Winchester Lake and Upper Lapwai Creek Total Maximum Daily Load (TMDL). Your efforts made issuance of this TMDL possible. Your willingness to work jointly to complete the TMDL is precedent setting, and has set us on a positive course as we begin to address the many remaining impaired waterbodies.

Enclosed is a copy of the TMDL and issuance memo. We look forward to continuing our joint efforts as we move into development of the TMDL implementation plan. If you have any questions, please do not hesitate to call me at (206) 553-1261, or you may contact Leigh Woodruff at our Idaho Operations Office at (208) 378-5774.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall Smith".

Randall Smith  
Director  
Office of Water

Enclosure

cc: Jack Bell, Natural Resources Director  
Gwen Carter, Water Resources Division

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DEQ-NCIRO LEWIST →→→ CNTR OFF-2nd FL ☑ 003/005  
NPT WATER RES  
FAX NO. 912155863114  
P. U.S./U.S.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue  
Seattle, WA 98101

MAR 22 1999

Larry Koenig, Assistant Administrator  
Water Quality and Remediation Division  
Idaho Division of Environmental Quality  
1410 N. Hilton  
Boise, Idaho 83706

Dear Mr. Koenig:

The Environmental Protection Agency, Region 10 would like to extend our sincere thanks to you and your staff for your patience and dedication in working through many difficult issues on the Winchester Lake and Upper Lapwai Creek Total Maximum Daily Load (TMDL). Your efforts made issuance of this TMDL possible. Your willingness to work jointly to complete the TMDL is precedent setting, and has set us on a positive course as we begin to address the many remaining impaired waterbodies.

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Sincerely,

Randall Smith  
Director  
Office of Water

Enclosure

cc: Jim Bellatty, Lewiston Regional Office

03/29/99 08:49 ☎ 208 799 3451  
03/24/99 WED 13:29 FAX 208 843 7371  
MAR-24-99 WED 11:20 AM

DEQ-NCIRO LEWIST ↔ CNTR OFF-2nd FL ☑ 004/005  
NPT WATER RES  
FAX NO. 812155663114 P. 04/05 004



*Nez Perce*

RECEIVED

FEB 18 1999

DIV. OF ENVIRONMENTAL QUALITY  
COMMUNITY PROGRAMS

**WATER RESOURCES DIVISION**

P.O. BOX 365 • LAPWAI, ID 83540 • (208) 843-5501 • FAX (208) 843-5815

Michael McIntyre, Bureau Chief  
Water Quality Assessment and Standards  
Idaho Division of Environmental Quality  
1410 North Hilton  
Boise, Idaho 83706-1255

17060308  
Winchester Lake  
WQLS 7143  
Upper Lapwai <sup>CK</sup> is on  
the Nez Perce Res, I think,  
not on our 303(d) list?

**RE: Issuance Letter for Winchester Lake TMDL**

Dear Mr. McIntyre:

Please find enclosed three (3) copies of the letter of issuance for the Winchester Lake TMDL. Please review and forward to the appropriate DEQ personnel for signature. When complete, please forward to the Environmental Protection Agency for final signature.

I am glad we were able to successfully work together toward completion of this document and hope that our work on Jim Ford and Cottonwood Creeks results in a successful outcome. If you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,

Rick Eichstaedt  
Adjudication Coordinator

United States  
Environmental Protection Agency  
Region 10  
1200 Sixth Avenue  
Seattle, Washington 98101

## Total Maximum Daily Load (TMDL) For Winchester Lake and Upper Lapwai Creek

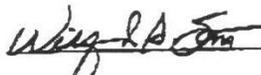
In compliance with the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq., as amended by the Water Quality Act of 1987, P.L. 100-4, the Environmental Protection Agency, the State of Idaho, and the Nez Perce Tribe are jointly establishing a Total Maximum Daily Load (TMDL) for the following pollutants in Winchester Lake as listed under §303(d): nutrients (phosphorus), sediment, dissolved oxygen, and temperature; and in Upper Lapwai Creek: sediment, nutrients (phosphorus), dissolved oxygen, pathogens, and temperature, to comply with water quality standards which apply to these waterbodies. The joint establishment of this TMDL does not and shall not be utilized or construed to establish, waive or otherwise affect any claims of sovereignty, jurisdiction, or other authorities of the Environmental Protection Agency, the State of Idaho or the Nez Perce Tribe.

This TMDL shall become effective immediately. Future implementation plan activities must be consistent with this TMDL.

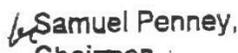


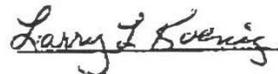
3-22-99  
Date

Randall F. Smith,  
Director,  
Office of Water  
USEPA



2-16-99  
Date

  
Samuel Penney,  
Chairman,  
Nez Perce Tribe



2-22-99  
Date

Larry L. Koenig,  
Assistant Administrator,  
Water Quality and Remediation  
Idaho Div. of Env. Quality