



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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

WATER DIVISION

October 14, 2020

Dr. Mary Anne Nelson, Administrator
Surface and Wastewater Division
Department of Environmental Quality
1410 North Hilton
Boise, ID 83706-1255

Re: Approval of the Lolo Creek Tributaries Watershed 2017 Temperature TMDL
(HUC: 17060306)

Dear Dr. Nelson:

The Idaho Department of Environmental Quality (IDEQ) submitted the Lolo Creek Tributaries 2017 Temperature Total Maximum Daily Load (TMDL) to the U.S. Environmental Protection Agency (EPA) on September 10, 2020. Following our review, EPA is pleased to approve five TMDLs for the waters and pollutants listed in the tables below.

IDEQ revised the 2011 Lolo Creek Tributaries Subbasin TMDL using a different methodology for the following five waterbodies in Table 1 (located in Category 4a of Idaho’s Integrated Report) to address the temperature impairments. EPA previously approved temperature TMDLs for these waterbodies in 2011.

Table 1 EPA-Approved Revised Temperature TMDLs Using Different Methodology

Name of Creek/Water Segment	Assessment Unit #	Pollutant
Eldorado Creek – 1st and 2nd Order	17060306CL029_02	Temperature
Jim Brown Creek – 1st and 2nd order	17060306CL031_02	Temperature
Jim Brown Creek – 3rd order	17060306CL031_03	Temperature
Musselshell Creek – 1st and 2nd order	17060306CL032_02	Temperature
Musselshell Creek – 3rd order	17060306CL032_03	Temperature

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 in the waters 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 pollutant(s) covered by these TMDLs.

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, 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) 553-1855, or you may call Lisa Kusnierz of my staff at 208-378-5626.

Sincerely,

Daniel D. Opalski
Director

cc: Mr. Mark Cecchini-Beaver, Deputy Attorney General, Idaho
Mr. Jason Pappani, Surface Water Bureau Chief, IDEQ
Mr. Graham Freeman, TMDL Program Manager, IDEQ
Sujata Connell, Water Quality Manager, Lewiston Regional Office, IDEQ
Mark Sellet, Lewiston Regional Office, IDEQ
Mr. Laird Lucas, Advocates for the West
Ms. Kristen Boyles, Earthjustice