UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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Seattle, WA 98101-3140

OFFICE OF
WATER AND WATERSHEDS

NOV 6 2013

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

Re: Approval of the Fernan Lake TMDL, 2013 Addendum (HUC: ID17010303)

Dear Mr. Burnell:

The Idaho Department of Environmental Quality (IDEQ) submitted the Coeur d'Alene Lake and River Total Maximum Daily Load (TMDL), 2013 Fernan Lake Addendum, dated October 31, 2013, to the U.S. Environmental Protection Agency (EPA). Following our review, the EPA is pleased to approve the one Fernan Lake (Assessment Unit # ID17010303PN033_03) total phosphorus TMDL.

Our review indicates that allocations have been established at a level that, when fully implemented, will lead to the attainment of the water quality standards addressed by this TMDL. Therefore, the IDEQ does not need to include Fernan Lake on the next 303(d) list of impaired waters for total phosphorus/excess nutrients.

This approval only includes those waters for which a TMDL was completed and does not constitute approval for the proposed de-listing of waters within Hydrologic Unit Code: ID17010303 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.

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

We would like to recognize Ms. Kristin Larson's hard work and cooperation in bringing this TMDL to completion.

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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 your staff may call Jayne Carlin of my staff at (206) 553-8512.

Sincerely,

Daniel D. Opalski, Director
Office of Water and Watersheds

cc: Mr. Doug Conde, Attorney General, Idaho
Mr. Mike McIntyre, Surface Water Program Manager, IDEQ
Ms. Marti Bridges, TMDL Program Manager, IDEQ
Mr. Daniel Redline, Regional Administrator, Coeur d'Alene Regional Office, IDEQ
Mr. Thomas Herron, Water Quality Manager, Coeur d'Alene Regional Office, IDEQ
Ms. Kristin Larson, Watershed Coordinator, Coeur d'Alene Regional Office, IDEQ
Mr. Laird Lucas, Advocates for the West
Ms. Kristen Boyles, Earthjustice