



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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OFFICE OF THE  
WATER AND  
WATERSHEDS

November 15, 2013

Mr. Gregory Aldrich  
Water Quality Programs Administrator  
Oregon Department of Environmental Quality  
DEQ Headquarters Office  
811 SW 6<sup>th</sup> Avenue  
Portland, Oregon 97204-1390

Re: U.S. Environmental Protection Agency's Action on Oregon's Water Quality Standards  
Revisions for the West Division Main Canal, Umatilla Basin

Dear Mr. Aldrich:

On June 25, 2012, the Oregon Department of Environmental Quality (ODEQ) submitted new or revised water quality standards for the West Division Main Canal to the U.S. Environmental Protection Agency for review and approval or disapproval in accordance with Section 303(c) of the Clean Water Act. The revised water quality standards are located in Oregon Administrative Rules (OARs) 0002, 0310, and 0315, contained in Chapter 340, Division 41. The EPA has completed its review of ODEQ's submission and a brief summary of the EPA's action is provided below.

### **Background**

The Oregon Environmental Quality Commission (EQC) adopted revisions to its state water quality standards on April 26, 2012, and such revisions became effective under State law upon filing with the Oregon Secretary of State on May 21, 2012. The adopted revisions were for the Umatilla Subbasin and established designated uses and criteria for the West Division Main Canal (WDMC), which is near the cities of Hermiston and Boardman. ODEQ completed a Use Attainability Analysis (entitled the *Water Quality Standards Revision, Water Quality Standards, West Division Main Canal near Hermiston, Oregon, June 8, 2012*) to support the removal of public and private domestic water supply (drinking water), fish and aquatic life, Redband trout, fishing, and boating as designated uses of the canal. Oregon designated an aquatic life subcategory use, "modified aquatic habitat," for the lower segment of the canal, and established water quality criteria to protect the modified aquatic life use, as well as the irrigation and livestock watering uses for the entire canal.

### **Summary of the EPA's Action and Potential Remedies**

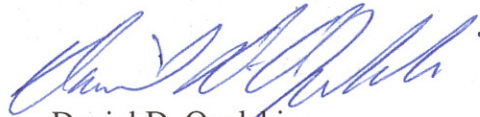
Detailed information on the EPA's action and potential remedy options are provided in the enclosed *Technical Support Document for EPA's Action on the State of Oregon's Revised Water Quality Standards for the West Division Main Canal, November 15, 2013* (TSD). In summary, the EPA is approving Oregon's removal of the boating and public and private domestic water supply designated uses, as well as the revised pH criteria, for the entire WDMC. The EPA also is approving the removal of the fish and aquatic life, Redband trout, and fishing designated uses

and the criteria revisions for the constructed channel segment. For the overflow channels segment, the EPA is only approving the removal of the human health criteria that specifically apply to the public and private domestic water supply designated use since the removal of that use is being approved for the entire WDMC.

The EPA is disapproving, in part, the provision at OAR 340-041-0315(2)(b), for the entire WDMC. The EPA also is disapproving the removal of the fish and aquatic life and Redband trout designated uses, the addition of the modified aquatic habitat subcategory designated use, the removal of the fishing designated use, and the removal and adoption of certain criteria (further described in the enclosed TSD) for the overflow channels segment only (i.e. OAR 340-041-0315(2)(a)-(e)). In addition, the EPA is disapproving the modified aquatic habitat designated use definition, which applies to the overflow channels segment only.

There are several ways for Oregon to address the EPA's disapproval actions. The EPA has provided possible remedy options for Oregon to consider in the enclosed TSD, and we are available to address any questions ODEQ may have as the State considers its response to today's action. If you would like to discuss the EPA's action further, please contact me at 206-553-1855 or you may contact Angela Chung, the Region 10 Water Quality Standards Unit Manager, at 206-553-6511.

Sincerely,



Daniel D. Opalski  
Director, Office of Water and Watersheds

Enclosure

cc: Mr. Dick Peterson, Director of Department of Environmental Quality

Ms. Jennifer Wigal, Standards and Assessment Manager, Water Quality Division  
Department of Environmental Quality