

State of Oregon
Department of Environmental Quality

Memorandum

To: Western Hood Subbsin TMDL File

Date: February 16, 2018

From: Richard Whitman, Director

Subject: Western Hood Subbasin TMDL Order

The Oregon Department of Environmental Quality is issuing as an order on February 16, 2018, the *Western Hood Subbasin Temperature Total Maximum Daily Load: Revision to the 2001 Western Hood Subbasin TMDL*. This revised TMDL is for temperature and covers the same geographic area as the 2001 TMDL. The revised TMDL represents the completion of 13 TMDLs: six for salmon and trout rearing and migration, five for core cold water habitat, and two for bull trout spawning and juvenile rearing. This includes six additional TMDLs necessitated by additional 303(d) listings between 2001 and 2018. The 2001 Water Quality Management Plan for the 2001 Western Hood Subbasin TMDL was not revised or reissued and remains in effect.

This TMDL document, developed under §303(d) of the Clean Water Act, has been submitted to the U.S. Environmental Protection Agency for approval. The document, when approved, will be an update to Oregon's Continuing Planning Process per §303(e) of the Clean Water Act. Should the USEPA modify or disapprove this TMDL, such actions will be made public.

This revision incorporates Oregon's current temperature standard adopted by the Environmental Quality Commission in December 2003 and approved by USEPA in March 2004. The 2001 TMDL incorporated a temperature standard that had been adopted by the Environmental Quality Commission in 1996. In order for the 2003 standard to be used in drafting new NPDES permits, wasteload allocations were recalculated and the TMDLs revised to incorporate the more recent standard while ensuring beneficial uses were protected. While the primary reason for this TMDL revision was to recalculate wasteload allocations using Oregon's 2003 temperature standard, DEQ took this opportunity to update other aspects of the 2001 Western Hood Subbasin TMDL to comply with the current standard and with the state's TMDL Rule (OAR 340-042).

The public comment period for the draft *2018 Revision to the 2001 Western Hood Subbasin TMDL* was initially open from April 6, 2017 through June 6, 2017. Upon the request of the USEPA, the public comment period was extended two weeks, closing on June 20, 2017. Copies of the draft TMDL documents were made available online. A public hearing was not held for the TMDL revision and no hearing was requested.

Written comments were received from four parties and addressed as part of the formal response to comment process. Comments were received from: USEPA, Columbia Riverkeeper, Oregon Association of Clean Water Agencies, and Middle Fork Irrigation District. DEQ has prepared responses and made revisions to the draft TMDL.

This memo and the related public notification represent the beginning of the 60-day appeal period on this DEQ action. The Oregon Administrative Rules allow for the following:

- (1) Any person who participated in establishing a TMDL, including those who submitted comments and any other person entitled to seek judicial review of an order issuing a TMDL, may request reconsideration by the Director in accordance with OAR 137-004-0080.
- (2) A person may file a petition for judicial review of a final TMDL order as allowed by ORS 183.484.

The revised TMDL and Response to Comments documents can be found at the following website:
<http://www.oregon.gov/deq/wq/tmdls/Pages/midcolumbiahood.aspx>. Once USEPA has approved this TMDL,
the approval document will be added to the website.

Should you have any questions about these TMDLs, please contact Bonnie Lamb, 541-633-2027, or Eric
Nigg, 541-633-2035.

Issued by:



Richard Whitman, Director

Date: 2/16/18

Attachments: TMDL, Response to Comments