

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made by and between L. John Iani, Regional Administrator for the United States Environmental Protection Agency Region X, Christine Todd Whitman, Administrator of the United States Environmental Protection Agency, and the United States Environmental Protection Agency (collectively, “EPA”), the Idaho Conservation League and The Lands Council (collectively, “Plaintiffs”), and the Idaho Department of Environmental Quality (“DEQ” or “State” or “Idaho”).

WHEREAS, Plaintiffs filed and served the Complaint in Civ. No. C00-972 Z (W.D. Wash.) (“the Litigation”) on June 6, 2000, seeking declaratory and injunctive relief based on allegations that EPA failed to undertake what Plaintiffs allege to be nondiscretionary duties imposed by section 303(d) of the Clean Water Act (“CWA”), 33 U.S.C. § 1313(d). Plaintiffs allege that EPA has failed to comply with CWA § 303(d), which relates to the establishment of Total Maximum Daily Loads (“TMDLs”) for water quality limited segments identified pursuant to the CWA, for the State of Idaho;

WHEREAS, pursuant to a stipulation entered into between Plaintiffs and EPA and filed with the Court in the Litigation, EPA and Idaho issued TMDLs for certain segments and pollutants, or “waterbody/pollutant combinations,” within the Coeur d’Alene subbasin and the Court dismissed with prejudice Plaintiffs’ claims related to the establishment of the TMDLs for certain waterbody/pollutant combinations within the Coeur d’Alene subbasin;

WHEREAS, as a result of prior litigation, *Idaho Sportsman’s Coalition v. Browner*, Civ. No. C93-943WD (W.D. Wash.1997), a schedule for the development of TMDLs for all water quality limited segments on the State’s 1996 § 303(d) list was agreed upon by the parties and

submitted to the court. This schedule, dated April 3, 1997, calls for all such TMDLs to be completed by DEQ in an 8-year time period ending in the year 2005;

WHEREAS, EPA and DEQ have developed a new schedule for the development of TMDLs for all waterbody/pollutant combinations on the State's 1998 § 303(d) list ("the Schedule"), which is attached hereto as Attachment 1;

WHEREAS, DEQ submitted to EPA a 1998 § 303(d) list that identified certain waterbody/pollutant combinations that had not been included in the State's 1996 § 303(d) list and did not identify certain other waterbody/pollutant combinations that had been identified in the 1996 § 303(d) list;

WHEREAS, on May 1, 2000, EPA approved DEQ's decision to include the waterbody/pollutant combinations identified on DEQ's 1998 submission, but disapproved DEQ's decision not to identify certain other waterbody/pollutant combinations on DEQ's 1998 submission;

WHEREAS, on January 29, 2001, EPA identified 127 waterbody/pollutant combinations to be added to the State's 1998 § 303(d) list;

WHEREAS, the Schedule attached hereto as Attachment 1 addresses all of the waterbody /pollutant combinations on the State's 1998 § 303(d) list, including those added as a result of EPA's action on January 29, 2001;

WHEREAS, DEQ utilized the document entitled "Water Body Assessment Guidance" ("WBAG") both as a guide to assist the State in the development of DEQ's 1998 § 303(d) list and to propose mid-cycle listing/delisting decisions;

WHEREAS, DEQ has developed a new guidance document to assist DEQ in determining which waterbody/pollutant combinations to include on future § 303(d) lists, which new guidance

supersedes WBAG and is hereinafter referred to as Waterbody Assessment Guidance II, or “WBAG II”;

WHEREAS, it has been DEQ’s practice to develop a subbasin assessment (“SBA”) prior to the development of TMDLs for waterbody/pollutant combinations on Idaho’s § 303(d) list. The SBA describes water quality in a subbasin, identifies and evaluates pollutant sources and activities that contribute to water quality problems, and identifies those waterbody/pollutant combinations in the subbasin that still require TMDLs;

WHEREAS, as a result of the SBA process, Idaho believes that the waterbody/pollutant combinations from the 1998 § 303(d) list that are set forth on Attachment 2 hereto do not require TMDLs;

WHEREAS, Idaho has preliminarily determined to propose delisting the waterbody/pollutant combinations set forth on Attachment 2 based upon an analysis done in accordance with the WBAG and a review of other available, relevant data;

WHEREAS, on July 13, 2000, EPA published a final rule addressing TMDLs entitled “Revisions to the Water Quality Planning and Management Regulation and Revisions to the National Pollutant Discharge Elimination System Program in Support of Revisions to the Water Quality Planning and Management Regulation,” 65 Fed. Reg. 43585 (July 13, 2000) (“Revisions Rule”);

WHEREAS, the Revisions Rule is not in effect, see 66 Fed. Reg. 53044 (October 18, 2001), but the parties recognize that, if and when it takes effect, the Revisions Rule might affect DEQ’s performance and obligations under this Agreement;

WHEREAS, on September 4, 2001, the state district court in ASARCO, Inc. v. State of Idaho, Department of Environmental Quality, Case No. CV-00-05760, issued a Memorandum

Opinion and Order in which the court invalidated the South Fork Coeur d'Alene River TMDL ("SFCDA decision");

WHEREAS, DEQ has appealed the SFCDA decision but that appeal has not yet been resolved;

WHEREAS, Plaintiffs, EPA and DEQ have agreed to this Settlement Agreement without any admission of fact or law in order to achieve as rapidly as possible the establishment of sound and defensible TMDLs for the State of Idaho;

WHEREAS, by entering into this Settlement Agreement, plaintiffs do not waive, release or settle any claims or challenges they may now have, or may have in the future, to the substance of any TMDLs, the listing or delisting of any waterbody/pollutant combinations from DEQ's § 303(d) list or the application of WBAG or WBAG II;

WHEREAS, Plaintiffs, EPA and DEQ consider this Agreement to be a fair, adequate and equitable resolution of the claims that were or potentially could have been raised in the litigation;

WHEREAS, by entering into this Settlement Agreement, EPA and DEQ do not waive or limit any claim or defense, on any grounds, related to any final agency action taken pursuant to this Agreement, including the approval, disapproval and/or development of CWA § 303(d) lists and/or the establishment of TMDLs in Idaho;

WHEREAS, DEQ has provided notice to the public of, and has solicited and reviewed comments on, this Settlement Agreement;

WHEREAS, Plaintiffs, EPA and DEQ believe it is in the interest of the public, the parties and judicial economy to resolve the issues in this action without protracted litigation;

NOW, THEREFORE, PLAINTIFFS, EPA AND DEQ AGREE AS FOLLOWS:

I. Parties Bound.

This Settlement Agreement applies to, is binding upon and inures to the benefit of Plaintiffs (and their successors, assigns and designees), EPA and DEQ.

II. Definitions.

Unless otherwise expressly provided, terms used in this Settlement Agreement that are defined in the CWA or in implementing regulations shall have the meaning assigned to them therein as of the date that this Agreement is executed by all parties or as subsequently amended. For the purposes of this Settlement Agreement, the following terms shall have the meaning provided below:

- A. "DEQ" means the Department of Environmental Quality for the State of Idaho.
- B. "EPA" means the United States Environmental Protection Agency, including L. John Iani, Regional Administrator for the United States Environmental Protection Agency Region X, Christine Todd Whitman, Administrator of the United States Environmental Protection Agency, and their successors.
- C. "Execution" means the signing of an original counterpart to this Agreement.
- D. "Final Action By DEQ" means submission of TMDLs by DEQ for EPA's approval or disapproval.
- E. "The Litigation" means Civ. No. C00-972 Z (W.D. Wash.).
- F. "1997 Schedule" means the schedule for the development of TMDLs for all water quality limited segments on the State's 1996 § 303(d) list that was agreed

upon and submitted to the court in *Idaho Sportsman's Coalition v. Browner*, Civ. No. C93-943WD (W.D. Wash. 1997).

G. "1998 Section 303(d) list" means the list submitted by DEQ to EPA that EPA approved on May 1, 2000 as well as the 127 waterbody/pollutant combinations added by EPA on January 29, 2001;

H. "Parties" means the Idaho Conservation League, The Lands Council, EPA and DEQ.

I. "Plaintiffs" means the Idaho Conservation League and The Lands Council.

J. "Section 303(d) list" means the list required by Section 303(d)(2) of the CWA, 33 U.S.C. § 1313(d)(2), and 40 C.F.R. § 130.7(d), to be submitted to EPA.

K. "Schedule" means the schedule for the submission of TMDLs by DEQ that is attached hereto as Attachment 1 or as subsequently amended pursuant to the terms of this Agreement.

L. "Total Maximum Daily Loads" or "TMDLs" has the meaning provided at 40 C.F.R. § 130.2(i), as of the date of execution of this Agreement or as subsequently amended.

M. "United States" means the United States of America, including its officers, agencies, departments and instrumentalities.

N. "Water Quality Limited Segments" or "WQLSs" has the meaning provided at 40 C.F.R. § 130.2(j), as of the date of execution of this Agreement or as subsequently amended.

O. "Waterbody Assessment Guidance" or "WBAG" means the guidance document that DEQ used in developing the Section 303(d) list that it submitted to EPA in 1998 and has also used to propose mid-cycle delisting decisions.

P. "Waterbody Assessment Guidance II" or "WBAG II" means the guidance document, the draft of which was proposed on January 30, 2001, that the State has developed to assist the State in determining which waterbody/pollutant combinations to include on future § 303(d) lists and in reevaluating for potential delisting certain waterbody/pollutant combinations on the 1998 Section 303(d) list.

Q. "Water Quality Standards" has the meaning provided at 40 C.F.R. § 130.2(d), as of the date of execution of this Agreement or as subsequently amended.

III. The TMDL Schedule.

A. The parties have agreed to a Schedule that includes dates for Final Action By DEQ on the TMDLs for the WQLSs identified on the 1998 Section 303(d) list (subject to Paragraph III.B and Section IV below, relating to TMDLs DEQ need not complete and to modification of the Schedule). The Schedule is set forth as Attachment 1 hereto, the terms of which are incorporated by reference in this Settlement Agreement. The parties agree that the Schedule, including the overall time-frame and the order in which TMDLs are to be developed, as well as the provisions in this Agreement that allow future changes to the Schedule, are reasonable. The parties agree that this Schedule replaces the 1997 Schedule and that the 1997 Schedule is null and void.

B. In fulfilling its commitments under this Settlement Agreement, DEQ is under no obligation to establish a TMDL for any waterbody/pollutant combination for a WQLS listed on

the Schedule for which EPA approves a decision by DEQ to delist the waterbody/pollutant combination under CWA section 303(d). In addition, DEQ is not responsible for, and is under no obligation to establish, TMDLs for any waterbody/pollutant combinations for any WQLSs listed on the Schedule for which DEQ does not have jurisdiction to establish a TMDL. Nothing in this Settlement Agreement shall be deemed to recognize, imply or confer State authority or jurisdiction under the CWA over any Indian country, as defined at 18 U.S.C. § 1511.

C. DEQ and the Plaintiffs agree that all TMDLs submitted to EPA for approval and/or disapproval after the date of execution of this Settlement Agreement shall include as an attachment a summary of implementation strategies. EPA, DEQ and the Plaintiffs understand, however, that EPA will approve or disapprove only the TMDL as defined by 40 C.F.R. § 130.2(i) and that, pursuant to regulations in effect at the time this Agreement is executed, EPA will not approve or disapprove the attached summary of implementation strategies. Further, EPA, DEQ and the Plaintiffs understand that the presence or absence of a summary of implementation strategies will not be a factor in EPA's decision to approve or disapprove the TMDL. DEQ and the Plaintiffs agree that the summary of implementation strategies shall include:

1. The expected timeframe for meeting water quality standards;
2. The approaches to be used to meet load and wasteload allocations;
3. An identification of the federal, state and local governments, individuals or entities that will be involved in or responsible for implementing the TMDL; and
4. A monitoring strategy to measure implementation activities and achievement of water quality standards.

DEQ recognizes that implementation strategies for TMDLs may need to be modified if monitoring shows that the TMDL goals are not being met or significant progress is not being made toward achieving the goals.

IV. Future Modifications of the Schedule.

A. The parties understand that the Schedule is based on the 1998 Section 303(d) list and that future Section 303(d) lists may include waterbody/pollutant combinations that may warrant TMDL development prior to waterbody/pollutant combinations for WQLSs listed on the Schedule. The parties agree that the State may substitute one or more such future-listed waterbody/pollutant combinations for one or more waterbody/pollutant combinations for WQLSs on the Schedule. No such substitution will affect the overall pace of the 10-year time frame for completing the TMDLs in the Schedule.

B. The sequencing of TMDL development reflected in the Schedule is premised upon existing information regarding severity of pollution and uses of the waters, existing priorities and resources, and coordination with activities of other state and federal agencies. DEQ may change the sequencing of TMDL development in the Schedule if new information is collected or if issues arise that: (1) affect state or federal priorities; (2) indicate more time is needed to complete a TMDL; or (3) suggest it would be more appropriate to develop a TMDL at an earlier or later date. DEQ also may change the sequencing of TMDL development in the Schedule to reflect changes in agency resources available to complete development of TMDLs. No such change will affect the overall pace of the 10-year time-frame for completing the TMDLs in the Schedule.

C. Prior to changing the Schedule under paragraphs IV.A or IV.B, DEQ shall provide notice to the applicable Basin Advisory Group (“BAG”), the Plaintiffs and other interested parties. This notice may be combined with or be a part of a public notice relating to the results

of a SBA and the development of TMDLs, or it may be provided by mailing the notice to the BAG, Plaintiffs and other interested parties. DEQ will consider comments received within 30 days of the notice and will consult with EPA prior to changing the Schedule under paragraphs IV.A or IV.B.

D. The parties recognize that DEQ must submit delisting decisions to EPA for approval or disapproval, and that some of those submissions may occur “mid-cycle,” i.e., prior to the date DEQ’s next § 303(d) list is required to be submitted to EPA. For any such submissions by DEQ, including “mid-cycle” submissions:

1. DEQ shall publish notice to the public that: (a) specifically identifies the waterbody/pollutant combinations DEQ proposes to delist; (b) includes a brief description of the reasons for the delisting; (c) describes the location of any material available for public review supporting the delisting; and (d) explains that the public may provide comments regarding the proposed delisting for a minimum of 30 days. This notice may be combined with or be a part of a public notice relating to the results of the SBA and the development of TMDLs for the applicable subbasin.

2. DEQ shall decide whether to seek EPA approval for delisting any such waterbody/pollutant combinations after reviewing the comments regarding the proposed delisting(s). For those waterbody/pollutant combinations for which DEQ decides not to seek EPA approval for delisting, including any such waterbody/pollutant combinations on Attachment 2, DEQ shall publish notice to the public of that decision, and Final Action By DEQ on those waterbody/pollutant combinations shall be taken within one year of the date that DEQ publishes notice to the public of its decision not to seek approval for delisting. Final Action By DEQ shall be taken on any waterbody/pollutant combinations that DEQ submits to EPA for delisting

but for which EPA disapproves the delisting, including any waterbody/pollutant combinations on Attachment 2 that EPA disapproves for delisting, within one year of the date that EPA identifies that waterbody/pollutant combination as being part of Idaho's Section 303(d) list.

3. For those years that DEQ is required to submit a Section 303(d) list to EPA for approval, DEQ shall submit for EPA approval all of DEQ's delisting decisions from the previous calendar year as part of DEQ's Section 303(d) list. For those years that DEQ is not required to submit a Section 303(d) list to EPA for approval, DEQ shall, by April 1, submit for EPA approval all of DEQ's delisting decisions from the previous year in one package, accompanied by explanations of the basis for DEQ's decisions consistent with the requirements of 40 C.F.R. § 130.7(b)(6).

V. Progress Reports and Documentation.

A. DEQ shall provide Plaintiffs with a progress report by January 30 of every year after execution of this Agreement until completion of the Schedule. That report shall identify the following:

- (1) the TMDLs submitted by the State during the preceding calendar year, the date of each submission, EPA action taken on each submission and the date of the action taken by EPA;
- (2) any TMDLs that EPA has established during the preceding calendar year;
- (3) all waterbody/pollutant combinations for WQLSs on the Schedule for which EPA has approved or disapproved a delisting during the preceding calendar year;
- (4) an addendum to the Schedule that reflects all changes to the Schedule that occur after execution of this Agreement and that identifies the calendar year in which each change was made. The addendum shall include new dates, if any, by

which TMDLs for specific waterbody/pollutant combinations will be developed.

The addendum also shall cumulatively identify all waterbody/pollutant combinations for WQLSs on the Schedule for which EPA has approved a delisting after execution of this Agreement.

B. EPA agrees to provide Plaintiffs with copies of the TMDLs and EPA letters approving the TMDLs for waterbody/pollutant combinations established by DEQ in accordance with this Settlement Agreement within a reasonable time after EPA approval of such TMDLs.

VI. Use of WBAG II to Reevaluate Waterbody/Pollutant Combinations that DEQ Believes Should be Removed From the 1998 § 303(d) List.

A. DEQ shall use the final WBAG II to reevaluate DEQ's preliminary determination to delist the waterbody/pollutant combinations from the 1998 § 303(d) list that are set forth on Attachment 2 hereto. The result of this reevaluation will be reflected in DEQ's 2002 § 303(d) list.

B. DEQ shall use the final WBAG II to reevaluate the waterbodies set forth in Attachment 3, which sets forth sixty-four (64) waterbodies that were identified on the State's 1996 Section 303(d) list but did not appear on the 1998 § 303(d) list. DEQ collected new data for 53 of the 64 waterbodies set forth on Attachment 3 during the 2001 field season. The results of each reevaluation shall be reflected in the listing decision submitted by DEQ to EPA after the data is collected and the results of the laboratory analysis of the data are provided to DEQ.

C. By August 5, 2002, DEQ shall develop and provide to the public for comment a state-wide monitoring plan that describes how and when DEQ will address all waters in the state to determine or reevaluate support status.

VII. Termination of Settlement Agreement, Dismissal of Claims and Releases.

A. Upon execution of this Settlement Agreement, Plaintiffs and EPA shall stipulate to dismiss without prejudice the remaining allegations of the Complaint in the Litigation, in accordance with the stipulation attached hereto as Attachment 4.

B. Upon Final Action By DEQ on the last TMDL called for in the Schedule:

(1) DEQ's obligations under this Agreement shall be terminated; and

(2) Plaintiffs shall be deemed to release, discharge and covenant not to assert (by way of commencement or refiling of any action, the joinder of DEQ in an existing action, or in any other fashion) any and all claims, causes of action, suits or demands of any kind in law or in equity that Plaintiffs may have had, may now have or hereafter may have against DEQ that could have been asserted in the Litigation or in a state civil or administrative action by Plaintiffs based upon the facts existing at the time Plaintiffs enter into this Agreement related to the establishment of the TMDLs for the WQLSs or waterbody/pollutant combinations listed on the 1997 Schedule, Attachments 1 or 2, or any waterbody/pollutant combinations substituted for waterbody/pollutant combinations for WQLSs on the Schedule pursuant to Paragraph IV.A above. Specifically, Plaintiffs agree not to assert (by way of commencement or refiling of any action, the joinder of DEQ in an existing action, or in any other fashion) any claims against DEQ alleging that DEQ has unreasonably delayed or failed to take final action as required by state or federal law on the TMDLs for the WQLSs or waterbody/pollutant combinations listed on the 1997 Schedule, Attachments 1 or 2, or any waterbody/pollutant combinations substituted for waterbody/pollutant combinations for WQLSs on the Schedule pursuant to Paragraph IV.A above. This release of claims does not include any claim substantively challenging the TMDLs for the WQLSs or waterbody/pollutant combinations listed on the 1997 Schedule, Attachments 1

or 2, or any waterbody/pollutant combinations substituted for waterbody/pollutant combinations for WQLSs on the Schedule pursuant to Paragraph IV.A above. This release of claims also does not include any claim challenging DEQ's decision to seek EPA approval for delisting any waterbody/pollutant combinations.

C. Upon EPA's fulfillment of its obligations under this Settlement Agreement,

- (1) EPA's obligations under this Agreement shall be terminated; and
- (2) Plaintiffs shall be deemed to release, discharge and covenant not to assert (by way of commencement or refiling of any action, the joinder of EPA in an existing action, or in any other fashion) any and all claims, causes of action, suits or demands of any kind in law or in equity that Plaintiffs may have had, may now have or hereafter may have against the United States and/or EPA that were asserted or could have been asserted in the Litigation by Plaintiffs based upon the facts existing at the time Plaintiffs enter into this Agreement related to the establishment of the TMDLs for the WQLSs or waterbody/pollutant combinations listed on the 1997 Schedule, Attachments 1 or 2, or any waterbody/pollutant combinations substituted for waterbody/pollutant combinations for WQLSs on the Schedule pursuant to Paragraph IV.A above. Specifically, Plaintiffs agree not to assert (by way of commencement or refiling of any action, the joinder of EPA in an existing action, or in any other fashion) any claims against the United States and/or EPA alleging that EPA has unreasonably delayed or failed to take final action on the TMDLs for the WQLSs or waterbody/pollutant combinations listed on the 1997 Schedule, Attachments 1 or 2, or any waterbody/pollutant combinations substituted for waterbody/pollutant combinations for WQLSs on the Schedule pursuant to Paragraph IV.A above. This release of claims does not include any claim substantively challenging EPA decisions establishing or approving the TMDLs for the WQLSs or waterbody/pollutant

combinations listed on the 1997 Schedule, Attachments 1 or 2, or any waterbody/pollutant combinations substituted for waterbody/pollutant combinations for WQLSs on the Schedule pursuant to Paragraph IV.A above. This release of claims also does not include any claim challenging EPA's approval of the delisting of any waterbody/pollutant combinations.

VIII. Dispute Resolution.

In the event of a disagreement between the parties concerning the interpretation or performance of any aspect of this Settlement Agreement, the dissatisfied party shall provide the other party with written notice of the dispute and a request for negotiations. The parties shall meet and confer in order to attempt to resolve the dispute within 30 days of the written notice, or such time thereafter as is mutually agreed. If the parties are unable to resolve the dispute, then Plaintiffs' sole remedy is to refile claims from the Litigation. Plaintiffs may not refile claims from the Litigation prior to 60 days from the date of the meeting and conference following the written notice of the dispute, and plaintiffs have specified that they will provide a 60-day notice as set forth in section 505(b) of the CWA, 33 U.S.C. § 1365(b), before filing any such claims. EPA and DEQ do not waive or limit, and expressly reserve, any and all defenses relating to such litigation. DEQ expressly reserves any available defenses to federal court jurisdiction, including any constitutional defense, and DEQ does not consent to jurisdiction in federal court.

IX. Force Majeure.

The parties recognize that EPA's performance under this Settlement Agreement is subject to fiscal and procurement laws and regulations of the United States which include, but are not limited to, the Anti-Deficiency Act, 31 U.S.C. § 1341, *et seq.* Nothing in this agreement shall be construed to commit a federal official to expend funds not appropriated by Congress. Further, the possibility exists that circumstances outside the reasonable control of EPA or DEQ could

delay compliance with the timetables contained in this Settlement Agreement. Such situations include, but are not limited to, sufficient funds not being appropriated as requested, appropriated funds not being available for expenditure, or catastrophic environmental events requiring an immediate and/or time-consuming response by EPA or DEQ. Should a delay occur due to such circumstances, any resulting failure to meet the timetables set forth herein shall not constitute a failure to comply with the deadlines or other terms of this Settlement Agreement, and any deadlines so affected shall be extended one day for each day of the delay. EPA or DEQ will provide Plaintiffs with reasonable notice in the event that EPA or DEQ invokes this term of the Settlement Agreement. Any dispute regarding invocation of this provision shall be resolved in accordance with the dispute resolution provision of Section VIII above.

X. SFCDA Decision.

The Parties recognize that the Schedule is premised upon the fact that DEQ does not adopt TMDLs as rules pursuant to the Idaho Administrative Procedure Act. The Parties further recognize that, if DEQ were to adopt TMDLs as rules as discussed in the SFCDA decision, DEQ's ability to meet the deadlines in the Schedule might be affected and DEQ might determine that it is necessary to modify the Schedule to accommodate such rulemaking. If DEQ determines that it is necessary to modify the Schedule to accommodate such rulemaking, DEQ shall notify the Parties of its determination and shall provide the Parties with a proposed revised schedule and the Parties shall attempt to agree on a revised schedule. If the Parties are unable to agree on a revised schedule within 60 days of the date that DEQ provides a proposed revised schedule or within such other time to which the Parties agree, DEQ may modify the Schedule as it deems necessary to accommodate such rulemaking. Any dispute regarding the new schedule shall be resolved in accordance with the dispute resolution provision of Section VIII above. Plaintiffs

expressly reserve their position that EPA should establish TMDLs if DEQ is unable to meet the deadlines in the Schedule.

XI. Agency Discretion.

Except as expressly provided herein, nothing in this Settlement Agreement shall be construed to limit or modify the discretion accorded EPA or DEQ by the Clean Water Act, 33 U.S.C. §§ 1251-1387, or by general principles of administrative law. Thus, nothing in this Agreement shall be construed to limit or modify EPA's or DEQ's discretion to alter, amend or revise from time to time any actions that EPA or DEQ may perform pursuant to this Agreement, including to promulgate regulations or to establish superseding TMDLs.

XII. Effective Date.

This Settlement Agreement shall become effective upon its execution by the parties.

XIII. Effect of Settlement Agreement and Remedy For Non-Compliance.

This Settlement Agreement shall not constitute an admission or evidence of jurisdiction of the federal district court over EPA or DEQ in the Litigation or any fact, wrongdoing, misconduct or liability on the part of the United States or the State, their officers, or any person affiliated with them. The provisions, terms and conditions of this Agreement shall not be admissible in any judicial or administrative proceeding, except at the request of DEQ or EPA in defense of any judicial or administrative claim related to the pace of establishment of TMDLs for the State of Idaho. A determination that DEQ is in compliance with the overall pace of the Schedule on any judicial or administrative claim alleging that EPA or DEQ failed to approve or establish a sufficient number of TMDLs for the State of Idaho shall constitute a complete defense to that claim, requiring dismissal of the claim. If at any time after the execution of this Settlement Agreement Plaintiffs believe that DEQ or EPA is not in compliance with this

Agreement, Plaintiffs' sole remedy is to refile claims from the Litigation. Plaintiffs shall invoke the Dispute Resolution provisions of Section VIII above before any such refiling. The parties agree that contempt of court is not an available remedy under this Settlement Agreement.

XIV. Notice.

Any notice required or made with respect to this Settlement Agreement shall be in writing and shall be effective upon receipt. Any notice or other documents required pursuant to this Settlement Agreement shall be sent to the following contact persons:

For Plaintiffs:

Kristen L. Boyles (WSB # 23806)
Patti A. Goldman (WSB # 24426)
Earthjustice Legal Defense Fund
705 Second Ave., Suite 203
Seattle, WA 98104-1711

Laurence ("Laird") J. Lucas (ISB # 4733)
Land and Water Fund of the Rockies
P.O. Box 1612
Boise, Idaho 83701

For EPA:

Associate General Counsel, Water Law Office
Office of General Counsel (2355A)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

Adrienne Allen
Office of Regional Counsel (ORC-158)
U.S. EPA Region X
1200 Sixth Avenue
Seattle, WA 98101

Mark A. Nitzynski
U.S. Department of Justice
Environment & Natural Resources Division
999 18th Street
Suite 945, North Tower
Denver, CO 80202

For DEQ:

Douglas M. Conde
Deputy Attorney General
Natural Resources Division
Environmental Quality Section
1410 N. Hilton, 2nd Floor
Boise, ID 83706-1255

Upon written notice to the other parties, any party may designate a successor contact person for any matter relating to this Agreement.

XV. Representative Authority.

Each undersigned representative of the parties certifies that he or she is fully authorized by the party to enter into this Agreement and to bind such party to comply with the terms and conditions of this Agreement.

XVI. Mutual Drafting.

It is expressly understood and agreed that this Settlement Agreement was jointly drafted by the parties. Accordingly, the parties hereby agree that any and all rules of construction to the effect that ambiguity is construed against the drafting party shall be inapplicable in any dispute concerning the terms, meaning, or interpretation of this Agreement.

XVII. Counterparts.

This Settlement Agreement may be executed in any number of counterpart originals, each of which shall be deemed to constitute an original agreement, and all of which shall constitute

one agreement. The execution of one counterpart by any party shall have the same force and effect as if that party had signed all other counterparts.

XVIII. Compliance With Other Laws.

No provision of this Settlement Agreement shall be interpreted as or constitute a commitment or requirement that EPA obligate or pay funds in contravention of the Anti-Deficiency Act, 31 U.S.C. § 1341, or that EPA or DEQ take actions in contravention of the Administrative Procedure Act, 5 U.S.C. §§ 551-559, 701-706, the Clean Water Act, or any other law or regulation, either substantive or procedural.

XIX. Applicable Law.

This Settlement Agreement shall be governed and construed under the laws of the United States.

XX. Third-Party Beneficiaries.

Nothing in this Settlement Agreement shall be construed to make any person or entity not executing this Agreement a third-party beneficiary to this Agreement.

XXI. Consent to Form and Substance.

The parties consent to the form and substance of this Agreement.

XXII. Integration Clause.

This agreement constitutes the final, complete and exclusive agreement and understanding between Plaintiffs, EPA and DEQ with respect to the matters addressed in this Agreement. There are no representations, agreements or understandings relating to this settlement other than those expressly contained in this Agreement.

XXIII. Changes in Law.

If, subsequent to the execution of this Agreement, any change in the law goes into effect that alters or relieves EPA or DEQ of the obligations concerning matters addressed in this Agreement, then the Agreement shall be amended to conform to such changes. The parties specifically recognize that, if and when it takes effect, the Revisions Rule might affect DEQ's performance and obligations under this Agreement. Any dispute regarding invocation or the applicability of this provision shall be resolved in accordance with the dispute resolution provision of Section VIII above.

XXIV. Modifications.

The Parties may agree, in a written document signed by all of the Parties, to modify this Agreement.

XXV. General Reservation of Rights.

Except as set forth in this Agreement, the parties reserve and do not waive any and all other legal rights and remedies.

WHEREFORE, after having reviewed the terms and conditions of this Agreement, Plaintiffs, the United States on behalf of EPA, and DEQ hereby consent and agree to the terms and conditions of this Agreement.

DATE: _____

Kristen L. Boyles (WSB # 23806)
Patti A. Goldman (WSB # 24426)
Earthjustice Legal Defense Fund
705 Second Ave., Suite 203
Seattle, WA 98104-1711
(206) 343-7340
(206) 343-1526 (fax)

Laurence ("Laird") J. Lucas (ISB # 4733)
Land and Water Fund of the Rockies
P.O. Box 1612
Boise, Idaho 83701
(208) 342-7024
(208) 342-8286 (fax)

ATTORNEYS FOR ICL AND TLC

THOMAS L. SANSONETTI
Assistant Attorney General
Environment & Natural Resources
Division

DATE: _____

MARK A. NITCZYNSKI, Trial Attorney
U.S. Department of Justice
Environment and Natural Resources Division
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ATTACHMENT I
TMDL SETTLEMENT SCHEDULE FINAL 5/1/2002

RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
POC	16010102	2273	Bear River	Wyoming Line to Wardboro	2001
POC	16010102	2274	Thomas Fork	Wyoming Line to Bear River	2001
POC	16010102	2275	Preuss Creek	Forest Service boundary to Thomas Fork	2001
POC	16010102	2276	Dry Creek	Headwaters to Thomas Fork	2001
POC	16010201	2252	Alexander Reservoir		2001
POC	16010201	2253	Bear River	Wardboro to Alexander Reservoir	2001
POC	16010201	2257	Pearl Creek	N Fk Pearl Cr to Bear River	2001
POC	16010201	2259	Co-Op Creek	USFS boundary to Stauffer Creek	2001
POC	16010201	2261	Ovid Creek	Confluence of North & Mill Creeks to Bear Rive	2001
POC	16010201	2265	Snowslide Canyon	Headwaters to Montpelier Creek	2001
POC	16010201	2268	Saint Charles Creek	Lower IDL boundary to Refuge	2001
POC	16010201	5121	Meadow Creek	Headwaters to North Creek	2001
POC	16010202	2231	Bear River	Highway 91 to Utah Line	2001
POC	16010202	2232	Bear River	Mink Creek to Highway 91	2001
POC	16010202	2233	Bear River	Oneida Dam to Mink Creek	2001
POC	16010202	2234	Oneida Narrows Reservoir		2001
POC	16010202	2235	Bear River	Cove Power Plant to Oneida	2001
POC	16010202	2236	Bear River	Alexander Dam to Cove Power	2001
POC	16010202	2237	Cub Creek	Sugar Creek to Utah line	2001
POC	16010202	2238	Weston Creek	Headwaters to Bear River	2001
POC	16010202	2240	Battle Creek	Headwaters to Bear River	2001
POC	16010202	2245	Cottonwood Creek	Trib 6.4 km upstream to Bear River	2001
POC	16010202	2246	Williams Creek	Right Fk Williams Cr to Bear River	2001
POC	16010202	2248	Whiskey Creek	Headwaters to Bear River	2001
POC	16010202	2249	Densmore Creek	Headwaters to Bear River	2001
POC	16010204	2285	Malad River	Headwaters to Pleasant View	2001
POC	16010204	2289	Samaria Creek	Headwaters to Malad River	2001
POC	16010204	2290	Devil Creek	Devil Creek Reservoir to Malad River	2001
POC	16010204	2292	Little Malad River	Headwaters to Malad River	2001
POC	16010204	2294	Wright Creek	Headwaters to Daniels Reservoir	2001
CDA	17010302	3513	South Fork Coeur d'Alene F	Big Creek to Pine Creek	2001
CDA	17010302	3514	South Fork Coeur d'Alene F	Pine Creek to Bear Creek	2001
CDA	17010302	3515	South Fork Coeur d'Alene F	Bear Creek to Coeur d'Alene River	2001
CDA	17010302	3516	South Fork Coeur d'Alene F	Canyon Creek to Ninemile Creek	2001
CDA	17010302	3517	South Fork Coeur d'Alene F	Ninemile Creek to Placer Creek	2001
CDA	17010302	3518	South Fork Coeur d'Alene F	Placer Creek to Big Creek	2001
CDA	17010302	3519	Pine Creek	E Fk Pine Creek to S Fk CdA River	2001
CDA	17010302	3520	East Fork Pine Creek	Headwaters to Hunter Creek	2001
CDA	17010302	3521	East Fork Pine Creek	Hunter Creek to Pine Creek	2001
CDA	17010302	3524	Ninemile Creek	Headwaters to S Fk Coeur d'Alene R	2001
CDA	17010302	3525	Canyon Creek	Gorge Gulch to South Fk CdA River	2001
CDA	17010302	5084	Government Gulch	Headwaters to S.Fk of CdA River	2001
CDA	17010302	5127	Moon Creek	Headwaters to S Fk CdA River	2001
CDA	17010302	5618	East Fork Ninemile Creek	Headwaters to Ninemile Creek	2001
CDA	17010302	5661	Milo Creek	Headwaters to mouth	2001
IDF	17040204	2116	Teton River	Highway 33 to Bitch Creek	2001
IDF	17040204	2117	Teton River	Trail Creek to Highway 33	2001
IDF	17040204	2118	Teton River	Headwaters to Trail Creek	2001
IDF	17040204	2125	Badger Creek	Highway 32 to Teton River	2001
IDF	17040204	2128	South Leigh Creek	Wyoming line to Teton River	2001
IDF	17040204	2129	Packsaddle Creek	Headwaters to Teton River	2001
IDF	17040204	2130	Horseshoe Creek	Confluence of N & S Fks to Teton River	2001
IDF	17040204	2134	Darby Creek	Highway 33 to Teton River	2001
POC	17040207	2303	Blackfoot River	Blackfoot Dam to Wolverine Creek	2001
POC	17040207	2305	Blackfoot River	Headwaters to Blackfoot Reservoir	2001
POC	17040207	2306	Wolverine Creek	Wolverine to Blackfoot River	2001

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POC	17040207	2309	Corral Creek	Headwaters to Blackfoot River	2001
POC	17040207	2310	Meadow Creek	Headwaters to Blackfoot Reservoir	2001
POC	17040207	2311	Trail Creek	Headwaters to Blackfoot River	2001
POC	17040207	2312	Slug Creek	Headwaters to Blackfoot River	2001
POC	17040207	2313	Angus Creek	Headwaters to Blackfoot River	2001
POC	17040207	2314	Dry Valley Creek	Headwaters to Blackfoot River	2001
POC	17040207	2315	Diamond Creek	Headwaters to Blackfoot River	2001
POC	17040207	2316	Bacon Creek	Forest Service boundary to Lanes Creek	2001
POC	17040207	2320	Lanes Creek	Headwaters to Blackfoot River	2001
POC	17040207	2321	Sheep Creek	Headwaters to Lanes Creek	2001
POC	17040207	6302	Blackfoot River	Wolverine Creek to Main Canal	2001
TWF	17040219	2476	Big Wood River	Little Wood River to Interstate	2001
TWF	17040219	2477	Big Wood River	Highway 75 to Little Wood River	2001
TWF	17040219	2478	Big Wood River	Magic Reservoir to Highway 75	2001
TWF	17040219	2482	Big Wood River	Glendale Diversion to T1NR18ES35	2001
TWF	17040219	2483	Big Wood River	Trail Creek to Glendale Diversion	2001
TWF	17040219	2487	Rock Creek	Headwaters to Magic Reservoir	2001
TWF	17040219	2491	Croy Creek	Elk Creek to Big Wood River	2001
TWF	17040219	5290	Owl Creek	Headwaters to Big Wood River	2001
TWF	17040219	5291	Eagle Creek	Headwaters to Big Wood River	2001
TWF	17040219	5292	Baker Creek	Headwaters to Norton Creek	2001
TWF	17040219	5293	Placer Creek	Headwaters to Warm Springs Creek	2001
TWF	17040219	5294	Greenhorn Creek	Headwaters to Big Wood River	2001
TWF	17040219	5295	East Fork Wood River	Headwaters to Blind Canyon	2001
TWF	17040219	5296	Cove Creek	Headwaters to East Fk Wood River	2001
TWF	17040219	5297	Quigley Creek	Headwaters to mouth	2001
TWF	17040219	5298	Seamans Creek	Headwaters to Big Wood River	2001
TWF	17040219	5299	East Fork Rock Creek	Headwaters to Rock Creek	2001
TWF	17040219	5300	Thorn Creek	Thorn Reservoir to Schooler Creek	2001
TWF	17040219	7613	Horse Creek	Headwaters to Big Wood River	2001
TWF	17040219	7614	Lake Creek	Headwaters to Big Wood River	2001
BOI	17050114	2730	Sand Hollow Creek	Headwaters to Boise River	2001
BOI	17050114	2731	Indian Creek	New York Canal to Boise River	2001
BOI	17050114	2732	Indian Creek	Headwaters to New York Canal	2001
BOI	17050114	2733	Mason Creek	Headwaters to Boise River	2001
BOI	17050114	2734	Fivemile Creek	Headwaters to Fifteenmile Creek	2001
BOI	17050114	2736	Tenmile Creek	Headwaters to Fifteenmile Creek	2001
BOI	17050114	2737	Blacks Creek	Headwaters to Blacks Creek Res.	2001
BOI	17050115	2664	Snake River	Boise River to Weiser River	2001
BOI	17050122	2695	Bissel Creek	Headwaters to Payette River	2001
BOI	17050201	2817	Snake River	Brownlee Dam to Oxbow Dam	2001
BOI	17050201	2818	Brownlee Reservoir		2001
BOI	17050201	2819	Snake River	Weiser (town) to Brownlee Dam	2001
BOI	17050201	2825	Dennett Creek	Headwaters to Snake River	2001
BOI	17050201	2828	Warm Springs Creek	Headwaters to Snake River	2001
BOI	17050201	2829	Hog Creek	Headwaters to Snake River	2001
BOI	17050201	2830	Scott Creek	Headwaters to Snake River	2001
LEW	17060103	3311	Tammany Creek	Headwaters to Snake River	2001

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CDA	17010303	3531	Willow Creek (tribal)	Headwaters to Coeur d'Alene River	2002
CDA	17010303	3549	Lake Creek (tribal)	House Creek to Cda Lake	2002
CDA	17010304	3579	Saint Maries River	Mashburn (town) to St. Joe River	2002
CDA	17010304	3580	Saint Maries River	Clarkia to Mashburn (town)	2002
CDA	17010304	3581	West Fork Saint Maries Riv	Headwaters to St. Maries River	2002
CDA	17010304	3582	Thorn Creek	Headwaters to St. Maries River	2002
CDA	17010304	3583	Alder Creek	Headwaters to St. Maries River	2002
CDA	17010304	3584	John Creek	Unnamed trib 7.5 km upstream to St. Maries Ri	2002
CDA	17010304	3585	Santa Creek	Headwaters to St. Maries River	2002
CDA	17010304	3587	Charlie Creek	Headwaters to Santa Creek	2002
CDA	17010304	3588	Renfro Creek	Headwaters to Davis Creek	2002
CDA	17010304	3589	Tyson Creek	North Fk Tyson Creek to St. Maries River	2002
CDA	17010304	3590	Crystal Creek	Headwaters to St. Maries River	2002
CDA	17010304	3591	Carpenter Creek	Headwaters to St. Maries River	2002
CDA	17010304	3593	Emerald Creek	Conflu of E & W Fks to St. Maries R	2002
CDA	17010304	3593	Emerald Creek, EF	Headwaters to mouth	2002
CDA	17010304	3594	Middle Fork Saint Maries R	Headwaters to St. Maries River	2002
CDA	17010304	3594	St. Maries River, MF	Headwaters to St. Maries River	2002
CDA	17010304	3596	Gold Center Creek	Windy Creek to Middle Fk St. Maries River	2002
CDA	17010304	3601	Mica Creek	Headwaters to St. Joe River	2002
CDA	17010304	3608	Fishhook Creek	Lick Creek to St. Joe River	2002
CDA	17010304	3614	Bird Creek	Headwaters to St. Joe River	2002
CDA	17010304	3622	Gold Creek	East Fk Gold Creek to St. Joe River	2002
CDA	17010304	5022	East Fork Bluff Creek	Headwaters to St. Joe River	2002
CDA	17010304	5022	Bluff Creek	Headwaters to St. Joe River	2002
CDA	17010304	5619	Beaver Creek	Headwaters to St. Joe River	2002
CDA	17010304	5620	Loop Creek	Headwaters to North Fk St. Joe River	2002
CDA	17010304	7575	Tank Creek	Headwaters to St. Joe River	2002
CDA	17010304	7576	Harvey Creek	Headwaters to St. Joe River	2002
CDA	17010304	7577	Blackjack Creek	Headwaters to St. Joe River	2002
CDA	17010304	7596	Flewsie Creek	Headwaters to M Fk St. Maries River	2002
CDA	17010304	7598	Gramp Creek	Headwaters to Gold Center Creek	2002
CDA	17010304	7606	Bear Creek	Headwaters to Marble Creek	2002
CDA	17010304	7607	Little Bear Creek	Headwaters to Big Bear Creek	2002
CDA	17010304	3579, 3580	St. Maries River	headwaters to mouth	2002
CDA	17010304		Fishhook Creek	headwaters to mouth	2002
CDA	17010304		Fly Creek	headwaters to mouth	2002
CDA	17010304		Heller Creek	Headwaters to mouth	2002
CDA	17010304		Loop Creek	Headwaters to mouth for temperature	2002
CDA	17010304		Mosquito Creek	Headwaters to mouth	2002
CDA	17010304		Simmons Creek	Headwaters to mouth	2002
IDF	17040204	2113	North Fork Teton River	Forks to Henrys Fk, Snake R	2002
IDF	17040204	2119	Moody Creek	Forest Boundary to Teton River	2002
IDF	17040204	2127	Spring Creek	Wyoming line to Teton River	2002
IDF	17040204	2136	Fox Creek	Wyoming line to Teton River	2002
IDF	17040204	5230	North Leigh Creek	Wyoming line to Spring Creek	2002
BOI	17050103	2668	Snake River	Swan Falls to Boise River	2002
BOI	17050103	2669	Snake River	Castle Creek to Swan Falls	2002
BOI	17050103	2670	Snake River	CJ Strike Res to Castle Creek	2002
BOI	17050103	2671	Succor Creek	Oregon line to Snake River	2002
BOI	17050103	2672	McBride Creek	Headwaters to Oregon Line	2002
BOI	17050103	2673	Jump Creek	Headwaters to Snake River	2002
BOI	17050103	2674	Squaw Creek	Unnamed trib 3.9 km upstream to Snake River	2002
BOI	17050103	2674	Squaw Creek	Headwaters to Snake River	2002
BOI	17050103	2675	Hardtrigger Creek	Headwaters to Snake River	2002
BOI	17050103	2676	Reynolds Creek	Diversion to Snake River	2002
BOI	17050103	2677	Rabbit Creek	Headwaters to Snake River	2002

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BOI	17050103	2679	Sinker Creek	Diamond Creek to Snake River	2002
BOI	17050103	2680	Castle Creek	T5SR1ES28 to Snake River	2002
BOI	17050103	2680	N.F. Castle Creek	Headwaters to Castle Creek	2002
BOI	17050103	2680	N.F. Castle Creek	Headwaters to Castle Creek	2002
BOI	17050103	2681	Pickett Creek	T5SR1WS32 to Catherine Creek	2002
BOI	17050103	2682	Brown Creek	Headwaters to Catherine Creek	2002
BOI	17050103	2683	South Fork Castle Creek	Headwaters to Castle Creek	2002
BOI	17050103	2684	Birch Creek	Headwaters to Snake River	2002
BOI	17050103	2685	Corder Creek	Headwaters to Snake River	2002
BOI	17050103	2687	Poison Creek	Headwaters to Shoofly Creek	2002
BOI	17050103	6671	Succor Creek	Headwaters to Oregon Line	2002
BOI	17050103	6681	Pickett Creek	Headwaters to T5SR1W32	2002
BOI	17050103		Cottonwood Creek	Headwaters to Succor Creek	2002
BOI	17050104	2613	Red Canyon	Headwaters to Owyhee River	2002
BOI	17050104	2614	Deep Creek	Headwaters to Owyhee River	2002
BOI	17050104	2616	Castle Creek	Headwaters to Deep Creek	2002
BOI	17050104	2617	Pole Creek	Headwaters to Deep Creek	2002
BOI	17050104	2621	Battle Creek	Headwaters to Owyhee River	2002
BOI	17050104	2625	Juniper Basin Reservoir		2002
BOI	17050104	2627	Blue Creek Reservoir		2002
BOI	17050104	2630	Shoofly Creek	Headwaters to Blue Creek	2002
BOI	17050104	6618	Nickel Creek	Headwaters to Mud Flat Road	2002
LEW	17060103		Snake River	Salmon River to Wash. State line	2002
IDF	17060201	3009	Salmon River	Redfish Lake Cr to E Fk Salmon R	2002
IDF	17060201	3010	Salmon River	Hellroaring Cr to Redfish Lake Cr	2002
IDF	17060201	3013	Challis Creek	Forest Boundary to Salmon River	2002
IDF	17060201	3017	Garden Creek	Forest Boundary to Salmon River	2002
IDF	17060201	3019	Warm Spring Creek	Headwaters to Sink	2002
IDF	17060201	3031	Thompson Creek	Scheelite Jim mill site to Salmon River	2002
IDF	17060201	3035	Yankee Fork	Jordan Cr. to Salmon River	2002
IDF	17060201	3036	Yankee Fork	Fourth of July Creek to Jordan Creek	2002
IDF	17060201	5226	Lost Creek	Headwaters to sink	2002
IDF	17060201	5227	Kinnikinik Creek	Sawmill Creek to Salmon River	2002
IDF	17060201	7009	Road Creek	Headwaters to E Fk Salmon River	2002
IDF	17060201		Squaw Creek	Headwaters to mouth	2002
IDF	17060202	3099	Pahsimeroi River	Downton Lane to Salmon River	2002
IDF	17060202	3100	Pahsimeroi River	Mahogany Creek to Downton Lane	2002
IDF	17060202	3102	Patterson Creek	Inyo Creek to Pahsimeroi River	2002
IDF	17060202	3106	Morse Creek	Forest Boundary to Pahsimeroi River	2002
IDF	17060202	3110	Big Creek	Forest Boundary to Pahsimeroi River	2002
LEW	17060305	3291	Threemile Creek	Headwaters to S Fk Clearwater River	2002
LEW	17060305	3292	Butcher Creek	Headwaters to S Fk Clearwater River	2002
LEW	17060305	3301	Newsome Creek	Beaver Creek to South Fk Clearwater River	2002
LEW	17060305	4002	Lucas Lake		2002
LEW	17060305	5015	Beaver Creek	Headwaters to Newsome Creek	2002
LEW	17060305	5030	Buffalo Gulch	Headwaters to American River	2002
LEW	17060305	5056	Dawson Creek	Headwaters to Red River	2002
LEW	17060305	5136	Nugget Creek	Headwaters to Newsome Creek	2002
LEW	17060305	5169	Sing Lee Creek	Headwaters to Newsome Creek	2002
LEW	17060305	5185	South Fork Clearwater River	Red River to Clearwater River	2002
LEW	17060305	5217	Cougar Creek	Headwaters to SF Clearwater	2002
LEW	17060305		Big Elk Creek	Headwaters to mouth	2002
LEW	17060305		Little Elk Creek	Headwaters to mouth	2002

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
CDA	17010303	7529	Black Lake (tribal)		2003
IDF	17040201	2003	Snake River	HUC boundary to Heise	2003
IDF	17040201	5250	Birch Creek	Unnamed trib in T2N, R41E, Section 2 to sink	2003
IDF	17040201	5655	South Fork Willow Creek	HUC boundary to Snake River	2003
IDF	17040205	2035	Willow Creek	Ririe Dam to HUC boundary	2003
IDF	17040205	2036	Ririe Lake		2003
IDF	17040205	2037	Willow Creek	Grays Lake Outlet to Ririe Reservoir	2003
IDF	17040205	2039	Willow Creek	Headwaters to Sellars Creek	2003
IDF	17040205	2040	Meadow Creek	Headwaters to Ririe Reservoir	2003
IDF	17040205	2041	Tex Creek	Headwaters to Indian Fork	2003
IDF	17040205	2042	Birch Creek	Headwaters to Willow Creek	2003
IDF	17040205	2044	Grays Lake Outlet	Grays Lake to Above Falls	2003
IDF	17040205	2044	Grays Lake Outlet	Grays Lake to Willow Creek for temperature	2003
IDF	17040205	2045	Hell Creek	Headwaters to Grays Lake Outlet	2003
IDF	17040205	2046	Lava Creek	Headwaters to Grays Lake Outlet	2003
IDF	17040205	2047	Brockman Creek	Headwaters to Grays Lake Outlet	2003
IDF	17040205	2048	Corral Creek	Headwaters to Brockman Creek	2003
IDF	17040205	2049	Sawmill Creek	Headwaters to Brockman Creek	2003
IDF	17040205	2050	Homer Creek	Headwaters to Grays Lake Outlet	2003
IDF	17040205	2051	Sellars Creek	Confluence of South Fk Sellars to Willow Creek	2003
IDF	17040205	2053	Long Valley Creek	Headwaters to Willow Creek	2003
IDF	17040205	2054	Mill Creek	Headwaters to Willow Creek	2003
IDF	17040205	2056	Crane Creek	Headwaters to Willow Creek	2003
IDF	17040205	2057	Seventy Creek	Headwaters to Willow Creek	2003
IDF	17040205	5232	Buck Creek	Headwaters to Mill Creek	2003
IDF	17040205	2035, 2037, 2038	Willow Creek	Grays Lake Outlet to mouth for temperature	2003
IDF	17040205		Rock Creek	Headwaters to mouth	2003
POC	17040206	2346	American Falls Reservoir		2003
POC	17040206	2347	Snake River	Ferry Butte to American Falls Reser	2003
POC	17040206	2348	Snake River	Bonneville County line to Ferry But	2003
POC	17040206	2349	Bannock Creek	Headwaters to IR Boundary	2003
POC	17040206	2350	Rattlesnake Creek	Headwaters to IR Boundary	2003
POC	17040206	2356	McTucker Creek	Headwaters to Snake River	2003
POC	17040206	5263	Knox Creek	Headwaters to Bannock Creek	2003
POC	17040206	6349	Moonshine Creek	Headwaters to IR Boundary	2003
POC	17040206	6350	West Fork Bannock Creek	Headwaters to IR Boundary	2003
POC	17040206	6351	Bannock Creek	IR Boundary to American Falls	2003
TWF	17040210	2430	Raft River	Malta to Snake River	2003
TWF	17040210	2431	Raft River	Utah Line to Malta	2003
TWF	17040210	2432	Sublett Creek	Sublett Res to lower boundaries	2003
TWF	17040210	2434	Sublett Reservoir		2003
TWF	17040210	2438	Cassia Creek	Connor Creek to Raft River	2003
TWF	17040210	7612	Fall Creek	Headwaters to Lake Fork	2003
TWF	17040211	2446	Lower Goose Creek Reservoir		2003
TWF	17040211	2447	Goose Creek	State line to Lower Goose Creek Reservoir	2003
TWF	17040211	2448	Birch Creek	Headwaters to Oakley (town)	2003
TWF	17040211	2449	Trapper Creek	Ibex Hollow to Lower Goose Creek Reservoir	2003
TWF	17040211	5274	Mill Creek	Headwaters to mouth	2003
TWF	17040211	5275	Cold Creek	Headwaters to Goose Creek	2003
TWF	17040211	5277	Blue Hill Creek	Headwaters to Goose Creek	2003
TWF	17040211	5278	Beaverdam Creek	Right Hand Fork Beaverdam Creek to Goose C	2003
TWF	17040211	5280	Big Cottonwood Creek	Billys Hole to mouth	2003
IDF	17040218	2161	Big Lost River	Moore Diversion to US 26	2003
IDF	17040218	2164	Big Lost River	Chilly Buttes to Mackay Reservoir	2003
IDF	17040218	2167	Spring Creek	Springs to Big Lost River	2003
IDF	17040218	2168	Antelope Creek	Spring Creek to Big Lost River	2003
IDF	17040218	2176	Twin Bridges Creek	Headwaters to Big Lost River	2003

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
IDF	17040218	2179	East Fork Big Lost River	Starhope Creek to Forks	2003
IDF	17040218	2180	East Fork Big Lost River	Headwaters to Starhope Creek	2003
IDF	17040218	5236	Little Boone Creek	Headwaters to E Fk Little Lost R	2003
IDF	17040218	5237	Warm Springs Creek	Spring to Mackay Reservoir	2003
IDF	17040218		Leadbelt Creek	Headwaters to mouth	2003
BOI	17050124	2834	Weiser River	Galloway Dam to Snake River	2003
BOI	17050124	2835	Weiser River	West Fk Weiser River to Little Weiser River	2003
BOI	17050124	2837	Mann Creek	Mann Creek Res to Weiser River	2003
BOI	17050124	2839	Cove Creek	Headwaters to Weiser River	2003
BOI	17050124	2840	Crane Creek	Crane Creek Res to Weiser River	2003
BOI	17050124	2840	Crane Creek	Headwaters to Weiser River for temperature	2003
BOI	17050124	2841	Crane Creek Reservoir		2003
BOI	17050124	2842	North Crane Creek	Headwaters to Crane Creek Reservoir	2003
BOI	17050124	2845	Little Weiser River	Indian Valley to Weiser River	2003
BOI	17050124	2845	Little Weiser River	Headwaters to Weiser River for temperature	2003
BOI	17050124	5623	South Crane Creek	Headwaters to Crane Creek Reservoir	2003
BOI	17050124	5624	West Fork Weiser River	Headwaters to Weiser River	2003
BOI	17050124	5636	Johnson Creek	Headwaters to Weiser River	2003
BOI	17050124	6834	Weiser River	Little Weiser River to Galloway Dam	2003

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
CDA	17010104	3365	Boulder Creek	Headwaters to Kootenai River	2004
CDA	17010104	3368	Deep Creek	McArthur Lake to Kootenai River	2004
CDA	17010104	3371	Caribou Creek	Headwaters to Snow Creek	2004
CDA	17010104	3391	Blue Joe Creek	Headwaters to Canadian border	2004
CDA	17010104	5051	Cow Creek	Headwaters to Smith Creek	2004
CDA	17010104		Boundary Creek	Headwaters to mouth	2004
CDA	17010213	3471	Clark Fork	Montana line to Pend Oreille Lake	2004
CDA	17010213	3472	Johnson Creek	Headwaters to Clark Fork	2004
CDA	17010213	3476	Wellington Creek	Falls to Lightning Creek	2004
CDA	17010213	7473	East Fork Creek	Headwaters to Lightning Creek	2004
CDA	17010213		Cascade Creek	Headwaters to mouth	2004
CDA	17010213		Lightning Creek	Headwaters to mouth	2004
CDA	17010213		Mosquito Creek	Headwaters to mouth	2004
CDA	17010213		Porcupine Creek	Headwaters to mouth	2004
CDA	17010213		Rattle Creek	Headwaters to mouth	2004
CDA	17010213	3476	Wellington Creek	Headwaters to mouth for temperature	2004
IDF	17040215	2206	Medicine Lodge Creek	Spring Hollow Creek to Small (town)	2004
IDF	17040215	2210	Edie Creek	Headwaters to Medicine Lodge Creek	2004
IDF	17040215	2211	Irving Creek	Headwaters to Medicine Lodge Creek	2004
IDF	17040215	2212	Fritz Creek	Forks to Medicine Lodge Creek	2004
IDF	17040215	2215	Warm Springs Creek	Headwaters to Sinks	2004
TWF	17040220	2532	Camas Creek	Headwaters to Macon Flat Bridge	2004
TWF	17040220	2537	Soldier Creek	Baseline to Camas Creek	2004
TWF	17040220	2539	Mormon Reservoir		2004
TWF	17040220	5301	Little Beaver Creek	Headwaters to Beaver Creek	2004
TWF	17040220	5302	Camp Creek	Headwaters to Camas Creek	2004
TWF	17040220	5303	Willow Creek	Beaver Creek to Camas Creek	2004
TWF	17040220	5304	Elk Creek	Base Line Road to Camas Creek	2004
TWF	17040220	5305	McKinney Creek	Headwaters to Mormon Reservoir	2004
TWF	17040220	5306	Corral Creek	Highway 20 to Camas Creek	2004
TWF	17040220	5307	Cow Creek	Headwaters to Cow Creek Reservoir	2004
TWF	17040220	5308	Wild Horse Creek	Highway 20 to Camas Creek	2004
TWF	17040220	5309	Beaver Creek	Headwaters to Willow Creek	2004
TWF	17040221	2511	Little Wood River	Richfield (town) to Big Wood River	2004
TWF	17040221	2512	Little Wood River	Silver Creek to Richfield (town)	2004
TWF	17040221	2513	Little Wood River	East Canal Diversion to Silver Cr	2004
TWF	17040221	2515	Little Wood River Reservoir		2004
TWF	17040221	2521	Dry Creek	Headwaters to Little Wood River	2004
TWF	17040221	2522	Fish Creek	Fish Creek Reservoir to Carey Lake	2004
TWF	17040221	2523	Fish Creek Reservoir		2004
TWF	17040221	5288	Muldoon Creek	South Fk Muldoon Creek to Little Wood River	2004
TWF	17040221	5288	Muldoon Creek	Headwaters to Little Wood River	2004
TWF	17040221	5289	Loving Creek	Headwaters to Silver Creek	2004
TWF	17040221	5650	Fish Creek	Headwaters to Fish Creek Reservoir	2004
TWF	17040221	511, 2512, 251	Little Wood River	Headwaters to Big Wood River	2004
BOI	17050101	2414	C J Strike Reservoir		2004
BOI	17050101	2415	Snake River	King Hill to HWY 51 Bridge	2004
BOI	17050101	2418	Browns Creek	Headwaters to Snake River	2004
BOI	17050101	2420	Sailor Creek	Headwaters to Snake River	2004
BOI	17050101	2422	Ryegrass Creek	Headwaters to Cold Springs Creek	2004
BOI	17050101	2422	Ryegrass Creek	Headwaters to Cold Springs Creek	2004
BOI	17050101	2423	Alkali Creek	Headwaters to Snake River	2004
BOI	17050101	2423	Alkali Creek	Headwaters to Snake River	2004
BOI	17050101	2424	Little Canyon Creek	Headwaters to Snake River	2004
BOI	17050101	2424	Little Canyon Creek	Headwaters to Snake River	2004
BOI	17050101	2425	Deadman Creek	Conflu of E & W Fks to Snake River	2004
BOI	17050101	5641	Bennett Creek	Headwaters to Snake River	2004

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
BOI	17050101	5642	Cold Springs Creek	Ryegrass Creek to Snake River	2004
BOI	17050120	5186	South Fork Payette River	Wilderness bnd to Payette River	2004
BOI	17050122	2690	Black Canyon Reservoir		2004
BOI	17050122	2697	Soldier Creek	Headwaters to Squaw Creek	2004
BOI	17050123	2889	Round Valley Creek	Headwaters to N Fk Payette River	2004
BOI	17050123	2890	Clear Creek	Headwaters to N Fk Payette River	2004
BOI	17050123	2891	Big Creek	Horsethief Creek to North Fk Payette River	2004
BOI	17050123	5625	Brush Creek	Headwaters to North Fk Payette River	2004
BOI	17050123	5626	Landing Creek	Headwaters to Deadhorse Creek	2004
BOI	17050123	5627	Elip Creek	Headwaters to Lemah Creek	2004
BOI	17050123	5633	Tripod Creek	Headwaters to North Fk Payette River	2004
BOI	17050123	6882	North Fork Payette River	Clear Creek to Smiths Ferry	2004
BOI	17050123	6897	Browns Pond		2004
BOI	17050123		Box Creek	Headwaters to mouth	2004
BOI	17050123		Fall Creek	Headwaters to mouth	2004
LEW	17060108	3122	Deep Creek	Headwaters to Palouse River	2004
LEW	17060108	3123	Flannigan Creek	Headwaters to Palouse River	2004
LEW	17060108	3124	West Fork Rock Creek	Headwaters to Palouse River	2004
LEW	17060108	3125	Gold Creek	Waterhole Creek to Palouse River	2004
LEW	17060108	3126	Hatter Creek	Headwaters to Palouse River	2004
LEW	17060108	3128	Big Creek	Headwaters to Palouse River	2004
LEW	17060108	3134	South Fork Palouse River	Headwaters to Washington Line	2004
LEW	17060108	3136	Cow Creek	Headwaters to Washington line	2004
LEW	17060308	3188	Long Meadow Creek	Headwaters to Dworshak Reservoir	2004
LEW	17060308	3189	Elk Creek	Headwaters to Dworshak Reservoir	2004
LEW	17060308	3190	Elk Creek Reservoir		2004
LEW	17060308	3191	Cranberry Creek	Headwaters to Dworshak Reservoir	2004
LEW	17060308	3192	Swamp Creek	Headwaters to Dworshak Reservoir	2004
LEW	17060308	3193	Reeds Creek	Headwaters to Dworshak Reservoir	2004
LEW	17060308	3193	Reeds Creek	Headwaters to Dworshak Reservoir	2004
LEW	17060308	3197	Breakfast Creek	Headwaters to Clearwater R.	2004
LEW	17060308	3198	Floodwood Creek	Headwaters to Breakfast Creek	2004
LEW	17060308	3199	Stoney Creek	Headwaters to Breakfast Creek	2004
LEW	17060308	5014	Beaver Creek	Headwaters to N Fk Clearwater R	2004
LEW	17060308	5016	Bertha Creek	Headwaters to Beaver Creek	2004
LEW	17060308	5020	Bingo Creek	Headwaters to Beaver Creek	2004
LEW	17060308	5063	Dog Creek	Headwaters to Isabella Creek	2004
LEW	17060308	5095	Isabella Creek	Headwaters to NF Clearwater	2004
LEW	17060308	5100	Johnson Creek	Tributary to Elk Creek	2004
LEW	17060308	5140	Partridge Creek	Headwaters to Elk Creek	2004
LEW	17060308	5181	Sourdough Creek	Headwaters to Beaver Creek	2004
LEW	17060308	5182	South Fork Beaver Creek	Headwaters to Beaver Creek	2004
LEW	17060308	5209	West Fork Elk Creek	Headwaters to Elk Creek	2004

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
CDA	17010105	3395	Moyie River	Moyie Falls dam to Kootenai River	2005
CDA	17010306	3565	Hangman Creek	IR Boundary to ID/WA line	2005
CDA	17010306	3566	Hangman Creek	Headwaters to IR Boundary	2005
CDA	17010306	3567	Little Hangman Creek	Headwaters to Washington Line	2005
IDF	17040214	2190	Camas Creek	Highway 91 to Mud Lake	2005
IDF	17040214	2191	Camas Creek	Spring Creek to Highway 91	2005
IDF	17040214	2193	Beaver Creek	Dubois to Camas Creek	2005
IDF	17040214	2194	Beaver Creek	Spencer to Dubois	2005
IDF	17040214	5233	Cow Creek	Headwaters to Thunder Gulch	2005
BOI	17050108	2648	Jordan Creek	Williams Creek to Oregon Line	2005
BOI	17050108	2649	Jordan Creek	Headwaters to Williams Creek	2005
BOI	17050108	2656	Rock Creek	Headwaters to Triangle Reservoir	2005
BOI	17050108	2657	Meadow Creek	Headwaters to Rock Creek	2005
BOI	17050108	2660	Louse Creek	Headwaters to Jordan Creek	2005
BOI	17050108	2662	Soda Creek	Headwaters to Cow Creek	2005
BOI	17050108	2662	Soda Creek	Headwaters to Cow Creek	2005
BOI	17050108	6656	Louisa Creek	Headwaters to Triangle Reservoir	2005
BOI	17050108	6661	Cow Creek	Headwaters to Oregon Line	2005
BOI	17050108	2648, 2649	Jordan Creek	Headwaters to Oregon Line	2005
BOI	17060210	2863	Little Salmon River	Round Valley Creek to Salmon River	2005
BOI	17060210	2863	Little Salmon River	Headwaters to Salmon River for temperature	2005
BOI	17060210	2865	Squaw Creek	Headwaters to Little Salmon	2005
BOI	17060210	2869	Elk Creek	Headwaters to Little Salmon	2005
BOI	17060210	2877	Big Creek	Headwaters to Little Salmon River	2005
BOI	17060210	5094	Indian Creek	Headwaters to Little Salmon	2005
BOI	17060210	5165	Shingle Creek	Headwaters to Rapid River	2005
BOI	17060210	6875	Brundage Reservoir		2005
BOI	17060210		Big Creek	Headwaters to mouth	2005
LEW	17060306	3173	Lolo Creek	Eldorado Creek to Clearwater R.	2005
LEW	17060306	3176	Jim Brown Creek	Headwaters to Musselshell	2005
LEW	17060306	5130	Mud Creek	Headwaters to Lolo Creek	2005
LEW	17060306	5216	Yakus Creek	Molly Creek to Lolo Creek	2005
LEW	17060306	5222	Texas Creek	Headwaters to Lolo Creek	2005
LEW	17060306	5223	Schmidt Creek	Headwaters to Lolo Creek	2005
LEW	17060306	3149	Potlatch River	Bear Creek to Clearwater River	2005
LEW	17060306	3150	Potlatch River	Headwaters to Bear Creek	2005
LEW	17060306	3155	Pine Creek	Headwaters to Potlatch River	2005
LEW	17060306	3156	Cedar Creek	Leopold Creek to Potlatch River	2005
LEW	17060306	3157	East Fork Potlatch River	Ruby Creek to Potlatch River	2005
LEW	17060306	3158	Ruby Creek	Unnamed trib 3.4 km upstream to East Fk Potlatch	2005
LEW	17060306	3159	Moose Creek	Headwaters to Potlatch River	2005
LEW	17060306	5048	Corral Creek	Headwaters to Potlatch Creek	2005
LEW	17060306	5125	Middle Potlatch Creek	Headwaters to Potlatch River	2005
LEW	17060306	5211	West Fork Potlatch River	Cougar Creek to Potlatch River	2005
LEW	17060306	5224	Boulder Creek	Pig Creek to Potlatch River	2005
LEW	17060306	5225	Big Bear Creek	W. Fk. Big Bear to Potlatch River	2005

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
POC	16010201	5251	North Creek	Unnamed trib 3.2 km below Mill Hollow to Ovid	2006
POC	16010202	5252	Deep Creek	Oxford Slough to Bear River	2006
POC	16010202	5253	Fivemile Creek	Headwaters to Bear River	2006
POC	16010202	5254	Worm Creek	Glendale Reservoir to Utah line	2006
POC	16010202	5254	Worm Creek	Headwaters to Utah line for Temperature	2006
POC	16010202	5255	Maple Creek	Left Fork to Cub River	2006
POC	16010202	5256	Strawberry Creek	Forest Service boundary to Mink Creek	2006
POC	16010204	5257	Deep Creek	Headwaters to mouth	2006
POC	16010204	5258	Elkhorn Creek	Forest Service bnd to Little Malad River	2006
POC	16010204	5259	Dairy Creek	Headwaters to Wright Creek	2006
CDA	17010214	7615	Schweitzer Creek	Headwaters to Sand Creek	2006
POC	17040105	5266	Boulder Creek	Headwaters to Stump Creek	2006
IDF	17040202	7610	Sheridan Creek	Yale Kilgore Road to Island Park Reservoir	2006
IDF	17040202		Duck Creek	Headwaters to mouth	2006
IDF	17040202		Howard Creek	Headwaters to mouth	2006
IDF	17040202		Targhee Creek	Headwaters to mouth	2006
IDF	17040202		Timber Creek	Headwaters to mouth	2006
IDF	17040202		Warm River	Headwaters to mouth	2006
POC	17040207	5267	Brush Creek	Headwaters to Blackfoot River	2006
POC	17040207	5267	Brush Creek	Headwaters to Blackfoot River	2006
POC	17040207	5268	Grizzly Creek	Headwaters to Corral Creek	2006
TWF	17040213	2458	Salmon Falls Creek	Nevada line to Salmon Falls	2006
TWF	17040213	2459	Salmon Falls Creek	Bluegill Lake to Snake River	2006
TWF	17040213	2462	Cedar Creek	Cedar Creek Res to Salmon Falls Cr	2006
TWF	17040213	2463	Cedar Creek Reservoir		2006
TWF	17040213	2466	Shoshone Creek	Magic Hot Springs to Nevada	2006
TWF	17040213	2468	Shoshone Creek	Cottonwood Creek to Big Creek	2006
TWF	17040213	2471	Cottonwood Creek	Headwaters to Shoshone Creek	2006
TWF	17040213	5282	Horse Creek	Headwaters to Shoshone Creek	2006
TWF	17040213	5285	Hopper Gulch	Headwaters to Shoshone Creek	2006
TWF	17040213		Hot Creek	Headwaters to mouth	2006
IDF	17040216	2154	Birch Creek	Reno Ditch to Sinks	2006
IDF	17040217	5654	Summit Creek	Headwaters to Little Lost River	2006
IDF	17040217	5660	Little Lost River	Headwaters to Big Springs Creek	2006
IDF	17040217		Badger Creek	BLM/FS Boundary to mouth	2006
IDF	17040217		Barney Creek	Headwaters to mouth	2006
IDF	17040217		Basin Creek	Headwaters to mouth	2006
IDF	17040217		Big Creek	Headwaters to mouth	2006
IDF	17040217		Big Springs Creek	Headwaters to mouth	2006
IDF	17040217		Coal Creek	Headwaters to mouth	2006
IDF	17040217		Deer Creek	Headwaters to mouth	2006
IDF	17040217		Dry Creek	Headwaters to mouth	2006
IDF	17040217		Fallert Springs Creek	Headwaters to mouth	2006
IDF	17040217		Iron Creek	Headwaters to mouth	2006
IDF	17040217		Mill Creek	Headwaters to mouth	2006
IDF	17040217		Smithie Creek	Headwaters to mouth	2006
IDF	17040217		Squaw Creek	Headwaters to mouth	2006
IDF	17040217		Summerhouse Canyon Cre	Headwaters to mouth	2006
IDF	17040217		Summit Creek	Headwaters to mouth	2006
IDF	17040217		Timber Creek	Headwaters to mouth	2006
IDF	17040217		Williams Creek	Headwaters to mouth	2006
TWF	17040219		Big Wood River	Headwaters to mouth for temperature	2006
BOI	17050112	5117	Macks Creek	Headwaters to Grimes Creek	2006
BOI	17050112	5126	Minneha Creek	Headwaters to Mores Creek	2006
BOI	17050112		Mores Creek	Headwaters to Arrowrock Res.	2006
BOI	17050114	5637	Willow Creek	Headwaters to Boise River	2006

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
BOI	17050114	5637	Willow Creek	Headwaters to Boise River for temperature	2006
BOI	17050114	5638	Cottonwood Creek	Headwaters to Freestone Creek	2006
BOI	17050114	5640	Lake Lowell		2006
BOI	17050114	2731, 2732	Indian Creek	Headwaters to Boise River	2006
BOI	17050114		Dixie Drain	Headwaters to mouth	2006
BOI	17050122	5635	Big Willow Creek	Rock Creek to Payette River	2006
BOI	17050122	5635	Big Willow Creek	Headwaters to Payette River for temperature	2006
BOI	17050201		Wildhorse River	Headwaters to mouth	2006
IDF	17060204	3061	Kirtley Creek	Headwaters to Lemhi River	2006
IDF	17060204	3065	Bohannon Creek	Headwaters to Lemhi River	2006
IDF	17060204	3067	Wimpey Creek	Headwaters to Lemhi River	2006
IDF	17060204	3070	Sandy Creek	Headwaters to Lemhi River	2006
IDF	17060204	3072	Kenney Creek	Headwaters to Lemhi River	2006
IDF	17060204	3084	Little Eightmile Creek	Headwaters to Lemhi River	2006
IDF	17060204	3093	Eighteenmile Creek	Headwaters to Lemhi River	2006
IDF	17060204	5264	Short Creek	Headwaters to Bear Valley Creek	2006
IDF	17060204	5265	Cruikshank Creek	Headwaters to Canyon Creek	2006
IDF	17060204	7611	Lemhi River	Conflu of Texas & 18-mile Creeks to Salmon Ri	2006
IDF	17060204	7611	Lemhi River	Headwaters to Salmon River	2006
LEW	17060306	3137	Long Hollow Creek	Headwaters to Little Canyon	2006
LEW	17060306	3139	Clearwater River	Confluence of North Fork to Washington line	2006
LEW	17060306	3140	Holes Creek	Headwaters to Little Canyon	2006
LEW	17060306	3141	Lindsay Creek	Boundary to Clearwater River	2006
LEW	17060306	3142	Hatwai Creek	Headwaters to Clearwater River	2006
LEW	17060306	3143	Lapwai Creek	Unnamed trib 26.2 km upstream to Clearwater	2006
LEW	17060306	3145	West Fork Sweetwater Cre	Headwaters to Boundary	2006
LEW	17060306	3146	Webb Creek	Headwaters to IR Boundary	2006
LEW	17060306	3148	Catholic Creek	Headwaters to Clearwater River	2006
LEW	17060306	3161	Pine Creek	Boundary to Clearwater River	2006
LEW	17060306	3162	Bedrock Creek	Headwaters to Boundary	2006
LEW	17060306	3164	Big Canyon Creek	Sixmile Canyon to Clearwater R.	2006
LEW	17060306	3179	Sixmile Creek	Headwaters to Clearwater River	2006
LEW	17060306	3180	Lawyer Creek	Headwaters to IR Boundary	2006
LEW	17060306	3181	Sevenmile Creek	Headwaters to Lawyer Creek	2006
LEW	17060306	4010	Pine Creek	Headwaters to Boundary	2006
LEW	17060306	7162	Bedrock Creek	Boundary to Clearwater River	2006
LEW	17060306	7164	Big Canyon Creek	Headwaters to Sixmile Canyon	2006
LEW	17060308	3184	North Fork Clearwater Rive	Dworshak Dam to conflu of Clearwater River	2006

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CDA	17010214	3436	Pend Oreille River	Pend Oreille Lake to HUC boundary	2007
CDA	17010214	3440	Hoodoo Creek	Hoodoo Lake to Pend Orielle R	2007
CDA	17010214	3441	Hoodoo Creek	Headwaters to Hoodoo Lake	2007
CDA	17010214	3442	Cocolalla Creek	Cocolalla Lake to Pend Oreille Rive	2007
CDA	17010214	3443	Cocolalla Creek	Headwaters to Cocolalla Lake	2007
CDA	17010214	3462	Trestle Creek	Headwaters to Pend Oreille Lake	2007
CDA	17010214	3465	Granite Creek	Headwaters to Pend Oreille Lake	2007
CDA	17010214	7443	Fish Creek	Headwaters to Cocolalla Creek	2007
CDA	17010214		Upper Cocolalla Creek	Headwaters to mouth for temperature	2007
CDA	17010214		Grouse Creek	Headwaters to mouth	2007
CDA	17010214		Pack River	HWY 95 to Pend Oreille Lake	2007
CDA	17010215	3427	Two Mouth Creek	Headwaters to Priest Lake	2007
CDA	17010215	5615	Lion Creek	Headwaters to Priest Lake	2007
CDA	17010215	5616	Granite Creek	Headwaters to mouth	2007
CDA	17010215	5622	Gold Creek	Washington line to Hughes Fork	2007
CDA	17010215		Soldier Creek	headwaters to mouth	2007
CDA	17010216	5657	Pend Oreille River	HUC boundary to Washington line	2007
CDA	17010301	3499	Beaver Creek	Headwaters to N Fk CdA River	2007
CDA	17010301	3495	Steamboat Creek	Headwaters to CdA River	2007
CDA	17010301	3500	Prichard Creek	Barton Gulch to N Fk CdA River	2007
CDA	17010303	3535	Latour Creek	Headwaters to CdA River	2007
CDA	17010303	3543	Fernan Creek	Headwaters to CdA Lake	2007
CDA	17010303	3585	Santa Creek	Headwaters to St. Maries River	2007
CDA	17010303	4023	Coeur d'Alene River	Thompson Lake to CdA Lake	2007
CDA	17010303	7535	Baldy Creek	Headwaters to Latour Creek	2007
CDA	17010303	7536	Larch Creek	Headwaters to Latour Creek	2007
CDA	17010305	3552	Spokane River	CdA Lake to Huetter	2007
CDA	17010305	3552	Spokane River	CdA Lake to Huetter	2007
CDA	17010305	3553	Spokane River	Huetter to Post Falls Bridge	2007
CDA	17010305	3553	Spokane River	Huetter to Post Falls Bridge	2007
CDA	17010305	3554	Spokane River	Post Falls Bridge to WA border	2007
CDA	17010305	3554	Spokane River	Post Falls Bridge to WA border	2007
POC	17040207	5269	Maybe Creek	Maybe Canyon waste dump to Dry Valley Creel	2007
POC	17040208	5270	Indian Creek	Forest Service bnd to Portneuf River	2007
POC	17040208	5271	Arkansas Creek	Headwaters to Marsh Creek	2007
TWF	17040209	5272	Marsh Creek	Land Creek to mouth	2007
TWF	17040209	5273	South Fork Rock Creek	Headwaters to Rock Creek	2007
TWF	17040209		Calf Creek	Headwaters to mouth	2007
TWF	17040212	2374	Snake River	Cedar Draw to Rock Creek	2007
TWF	17040212	2378	Snake River	Milner Dam to Murtaugh	2007
TWF	17040212	2380	Pioneer Reservoir		2007
TWF	17040212	2384	Billingsley Creek	Headwaters to Snake River	2007
TWF	17040212	2385	Riley Creek	Headwaters to Snake River	2007
TWF	17040212	2386	Sand Springs Creek	Headwaters to Snake River	2007
TWF	17040212	2389	Blind Canyon	Headwaters to Snake River	2007
TWF	17040212	2395	Clear Springs	Headwaters to Snake River	2007
TWF	17040212	2398	Crystal Springs	Headwaters to Snake River	2007
TWF	17040212	2400	Rock Creek	Rock Creek (town) to Snake	2007
TWF	17040212	2403	Cottonwood Creek	Headwaters to Rock Creek	2007
TWF	17040212	2404	McMullen Creek	Headwaters to Cottonwood Creek	2007
TWF	17040212	2405	Alpheus Creek	Headwaters to Snake River	2007
TWF	17040212	2408	Dry Creek	West Fk Dry Creek to Murtaugh Lake	2007
TWF	17040212	2411	West Fork Dry Creek	Headwaters to Dry Creek	2007
TWF	17040212	5173	Snake River	Cassia Gulch to Big Pilgrim Gulch	2007
TWF	17040212	5174	Snake River	Clear Lakes Bridge to Cedar Draw	2007
TWF	17040212	5175	Snake River	Deep Creek to Mud Creek	2007
TWF	17040212	5176	Snake River	King Hill to Big Pilgrim Gulch	2007

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TWF	17040212	5177	Snake River	Mud Creek to Clear Lakes Bridge	2007
TWF	17040212	5286	Deep Creek	High Line Canal to Snake River	2007
TWF	17040212	5286	Deep Creek	Headwaters to Snake River for temperature	2007
TWF	17040212	5287	Toolbox Creek	Headwaters to Fifth Fk Rock Creek	2007
TWF	17040212	5646	Cedar Draw	Headwaters to Snake River	2007
TWF	17040212	5646	Cedar Draw Creek	Headwaters to Snake River	2007
TWF	17040212	5647	Mud Creek	Low Line Canal to Snake River	2007
TWF	17040212	5647	Mud Creek	Headwaters to Snake River	2007
TWF	17040212	6374	Snake River	Shoshone Falls to Rock Creek	2007
TWF	17040212	2379	Clover Creek	Pioneer Res. to Snake River	2007
BOI	17050102	2549	Bruneau River	Hot Creek to CJ Strike Reservoir	2007
BOI	17050102	2551	Jacks Creek	Little Jacks Cr to CJ Strike Res	2007
BOI	17050102	2555	Wickahoney Creek	Headwaters to 2.5 miles below headwaters	2007
BOI	17050102	2558	Clover Creek	Headwaters to Bruneau River	2007
BOI	17050107	2641	N.F. Owyhee River	Headwaters to Oregon Line	2007
BOI	17050107	6641	Cabin Creek	Headwaters to mouth	2007
BOI	17050107		Corral Creek	Headwaters to mouth	2007
BOI	17050113	2578	Smith Creek	Headwaters to S Fk Boise River	2007
BOI	17050113	2588	Lime Creek	Headwaters to Anderson Ranch Reserv	2007
BOI	17050114	2726	Boise River	Notus (town) to Snake River	2007
BOI	17050114	2727	Boise River	Star (town) to Notus (town)	2007
BOI	17050114	2728	Boise River	Barber Diversion to Star	2007
BOI	17050121	2703	MF Payette River	Headwaters to South Fk. Payette River	2007
BOI	17050122	2689	Payette River	Black Canyon Dam to Snake River	2007
BOI	17060101	2905	Divide Creek	Headwaters to Snake River	2007
BOI	17060101	2906	Wolf Creek	Headwaters to Snake River	2007
BOI	17060101	2907	Getta Creek	Headwaters to Snake River	2007
BOI	17060101	2912	Deep Creek	Red Ledge Mine to Snake River	2007
BOI	17060101		Snake River	Hells Canyon Dam to Salmon River	2007
IDF	17060205	2805	Elkhorn Creek	Headwaters to Middle Fk Salmon Rive	2007
IDF	17060205	2808	Bear Valley Creek	Headwaters to Wilderness Boundary	2007
IDF	17060205	5013	Bearskin Creek	Headwaters to Elk Creek	2007
IDF	17060205	5033	Cache Creek	Headwaters to Bear Valley Creek	2007
IDF	17060205	5046	Cook Creek	Headwaters to Elk Creek	2007
IDF	17060205	5053	Cub Creek	Headwaters to Bear Valley Creek	2007
IDF	17060205	5055	Dagger Creek	Headwaters to Bear Valley Creek	2007
IDF	17060205	5077	Fir Creek	Headwaters to Bear Valley Creek	2007
IDF	17060205	5149	Porter Creek	Headwaters to Elk Creek	2007
IDF	17060205	5164	Sheep Trail Creek	Headwaters to Bear Valley Creek	2007
IDF	17060205	6808	Bear Valley Creek	Wilderness boundary to M Fk Salmon	2007
IDF	17060206	2775	Monumental Creek	Headwaters to Fall Creek	2007
LEW	17060209	3321	China Creek	Headwaters to Salmon River	2007
LEW	17060209	3323	Deer Creek	Headwaters to Salmon River	2007
LEW	17060209	3323	Deer Creek	Headwaters to Salmon River	2007
LEW	17060209	3324	Cottonwood Creek	Headwaters to Salmon River	2007
LEW	17060209	3325	Maloney Creek	Headwaters to Salmon River	2007
LEW	17060209	3326	Deep Creek	Headwaters to Salmon River	2007
LEW	17060209	3327	Rice Creek	Headwaters to Salmon River	2007
LEW	17060209	3328	Rock Creek	Conflu of Johns and Telcher Creeks to Salmon	2007
LEW	17060209	3329	Grave Creek	Headwaters to Rock Creek	2007
LEW	17060209	3333	Slate Creek	Headwaters to Salmon River	2007
LEW	17060209	3334	Little Slate Creek	Headwaters to Slate Creek	2007
LEW	17060209	3336	Race Creek	Headwaters to Salmon River	2007
LEW	17060209	5003	Allison Creek	Headwaters to Salmon River	2007
LEW	17060209	5041	China Creek	Headwaters to Salmon River	2007
LEW	17060209	5050	Cow Creek	Headwaters to Salmon River	2007
LEW	17060209	5101	Jungle Creek	Headwaters to S Fk White Bird Creek	2007

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
LEW	17060209	5102	Kessler Creek	Headwaters to S Fk Race Creek	2007
LEW	17060209	5108	Little Boulder Creek	Headwaters to Big Boulder Creek	2007
LEW	17060209	5111	Little White Bird Creek	Headwaters to S Fk White Bird Creek	2007
LEW	17060209	5146	Pinnacle Creek	Headwaters to S Fk White Bird Creek	2007
LEW	17060209	5171	Skookumchuck Creek	Conflu of N & S Fks to Salmon River	2007
LEW	17060209	5201	Turnbull Creek	Headwaters to Little Slate Creek	2007
LEW	17060209	5204	Van Buren Creek	Headwaters to Little Slate Creek	2007
LEW	17060209		Rock Creek	Headwaters to Salmon River for temperature	2007
LEW	17060303	3257	Boulder Creek	Headwaters to Lochsa River	2007
LEW	17060303	5037	Canyon Creek	Headwaters to mouth	2007
LEW	17060303	5068	W.F. Deadman Creek	Headwaters to mouth	2007
LEW	17060303	5080	Glade Creek	Headwaters to mouth	2007
LEW	17060303	5137	Nut Creek	Headwaters to mouth	2007
LEW	17060303	5183	S.F. Canyon Creek	Headwaters to mouth	2007
LEW	17060303	5265	Walde Creek	Headwaters to mouth	2007
LEW	17060303		Fish Creek	Headwaters to mouth	2007
LEW	17060303		Placer Creek	Headwaters to mouth	2007
LEW	17060303		Polar Creek	Headwaters to mouth	2007
LEW	17060303		Storm Creek	Headwaters to mouth	2007

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
RO	17050105	2632	South Fork Owyhee River	Nevada Line to Owyhee River	***
BOI	17050107	2644	Juniper Creek	Headwaters to N Fk Owyhee River	***
BOI	17050107	2640	Middle Fork Owyhee River	Headwaters to Oregon Line	***
BOI	17050107	2646	Noon Creek	Headwaters to N Fk Owyhee River	***
BOI	17050107	2641	North Fork Owyhee River	Headwaters to Oregon Line	***
BOI	17050107	2645	Pleasant Valley Creek	Headwaters to N Fk Owyhee River	***
BOI	17050107	2642	Squaw Creek	Headwaters to Oregon Line	***
BOI	17050111	5026	Browns Creek	Headwaters to M Fk Boise River	***
BOI	17050111	5028	Buck Creek	Headwaters to M Fk Boise River	***
BOI	17050113	5038	Cayuse Creek	Headwaters to S Fk Boise River	***
BOI	17050113	5060	Deer Creek	Headwaters to Anderson Ranch Res	***
BOI	17050113	5071	Elk Creek	Headwaters to Feather River	***
BOI	17050113	5639	Little Smoky Creek	Headwaters to Carrie Creek, except tribs	***
BOI	17050113	2577	Rattlesnake Creek	Headwaters to S Fk Boise River	***
BOI	17050113	2578	Smith Creek	Tiger Creek to South Fk Boise River	***
BOI	17050113	2572	South Fork Boise River	Anderson Ranch Res to Arrowrock Res	***
BOI	17050113	2575	Willow Creek	Headwaters to Arrowrock Reservoir	***
BOI	17060208	5066	Dollar Creek	Headwaters to S Fk Salmon River	***
BOI	17060208	2934	East Fork South Fork Salm	Johnson Creek to Salmon River	***
BOI	17060208	2935	East Fork South Fork Salm	Sugar Creek to Johnson Creek	***
BOI	17060208	2936	East Fork South Fork Salm	Headwaters to Sugar Creek	***
BOI	17060208	2940	Johnson Creek	Ice Hole Campgrnd to S Fk Salmon R	***
BOI	17060208	2941	Johnson Creek	Halfway Creek to Ice Hole Campgrnd	***
BOI	17060208	2942	Johnson Creek	Headwaters to Halfway Creek	***
BOI	17060208	2959	Rice Creek	Headwaters to Salmon River, S.F.	***
BOI	17060208	5195	Trail Creek	Headwaters to Curtis Creek	***
BOI	17060208	5199	Trout Creek	Headwaters to Johnson Creek	***
BOI	17060208	5203	Tyndall Creek	Headwaters to Johnson Creek	***
CDA	17010214	7443	Fish Creek	Headwaters to Cocolalla Creek	***
CDA	17010214	3465	Granite Creek	Headwaters to Pend Oreille Lake	***
CDA	17010214	3438	Spirit Lake		***
CDA	17010303	7535	Baldy Creek	Headwaters to Latour Creek	***
CDA	17010303	7529	Black Lake		***
CDA	17010303	4018	Coeur d'Alene River	French Gulch to Skeel Gulch	***
CDA	17010303	4021	Coeur d'Alene River	S Fk CdA River to French Gulch	***
CDA	17010303	3529	Coeur d'Alene River	Black Lake to Thompson Lake	***
CDA	17010303	4015	Coeur d'Alene River	Cave Lake to Black Lake	***
CDA	17010303	4016	Coeur d'Alene River	Fortier Creek to Robinson Creek	***
CDA	17010303	4017	Coeur d'Alene River	Fourth of July Creek to Fortier Cr	***
CDA	17010303	4019	Coeur d'Alene River	Latour Creek to Fourth of July Cr	***
CDA	17010303	4020	Coeur d'Alene River	Robinson Creek to Cave Lake	***
CDA	17010303	4022	Coeur d'Alene River	Skeel Gulch to Latour Creek	***
CDA	17010303	4023	Coeur d'Alene River	Thompson Lake to CdA Lake	***
CDA	17010303	3545	Cougar Creek	North Fk Cougar Creek to CdA Lake	***
CDA	17010303	3543	Fernan Creek	Fernan Lake to CdA Lake	***
CDA	17010303	3534	Fourth of July Creek	Headwaters to CdA River	***
CDA	17010303	7536	Larch Creek	Headwaters to Latour Creek	***
CDA	17010303	3535	Latour Creek	Headwaters to CdA River	***
CDA	17010303	7541	Marie Creek	Searchlight Creek to Wolf Lodge Creek	***
CDA	17010303	3547	North Fork Mica Creek	Headwaters to CdA Lake	***
CDA	17010303	3530	Thompson Creek	Headwaters to Cda River	***
CDA	17010303	3531	Willow Creek	Headwaters to Coeur d'Alene River	***
CDA	17010305	3561	Fish Creek	Washington line to Twin Lakes	***
CDA	17010305	3562	Hauser Lake		***
CDA	17010305	7555	Hayden Lake		***
CDA	17010305	3560	Rathdrum Creek	Twin Lakes outlet to E Greenacres Diversion	***
CDA	17010305	7561	Twin Lakes		***

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
IDF	17040104	5245	Bear Creek	Headwaters to North Fk Bear Creek	***
IDF	17040104	5246	Elk Creek	Headwaters to West Fk Elk Creek	***
IDF	17040104	5247	Fall Creek	Headwaters to S Fk Snake River	***
IDF	17040104	5242	Little Elk Creek	Headwaters to Palisades Reservoir	***
IDF	17040104	5244	North Fork Indian Creek	Wyoming line to Indian Creek	***
IDF	17040104	5653	Sheep Creek	Headwaters to S Fk Snake River	***
IDF	17040104	2004	Snake River	Palisades Dam to Irwin	***
IDF	17040104	5645	Snake River	Irwin to HUC boundary	***
IDF	17060203	2972	Big Deer Creek	Big Deer Cr. S.Fk to Panther Cr.	***
IDF	17060203	2977	Blackbird Creek	Blackbird Creek Reservoir to Panther Creek	***
IDF	17060203	2952	Bucktail Creek	Headwaters to S Fk Big Deer Creek	***
IDF	17060203	5240	Diamond Creek	Headwaters to Salmon River	***
IDF	17060203	2989	Dump Creek	Headwaters to Salmon River	***
IDF	17060203	2967	Panther Creek	Blackbird Creek to Salmon River	***
IDF	17060203	2964	Salmon River	Pahsimeroi River to NF Salmon River	***
IDF	17060204	3082	Mill Creek	Forest boundary to Lemhi River	***
IDF	17060204	3095	Hawley Creek	First Diversion to Eighteenmile Creek	***
LEW	17060302	5096	Island Creek	Headwaters to Selway River	***
LEW	17060302	3262	O'Hara Creek	Hamby Fork to Selway River	***
LEW	17060302	5172	Slide Creek	Headwaters to Selway River	***
LEW	17060303	3236	Lochsa River	Crooked Fk/Walton to Selway/MF Clea	***
LEW	17060307	5040	China Creek	Headwaters to Osier Creek	***
LEW	17060307	5045	Cold Springs Creek	Headwaters to N Fk Clearwater R	***
LEW	17060307	5047	Cool Creek	Headwaters to Cold Springs Creek	***
LEW	17060307	5049	Cougar Creek	Headwaters to Quartz Creek	***
LEW	17060307	5059	Deception Gulch	Headwaters to N Fk Clearwater R	***
LEW	17060307	3229	Gravey Creek	Headwaters to Cayuse Creek	***
LEW	17060307	5088	Grizzly Creek	Headwaters to Quartz Creek	***
LEW	17060307	5093	Hem Creek	Headwaters to Sylvan Creek	***
LEW	17060307	5104	Laundry Creek	Headwaters to Osier Creek	***
LEW	17060307	5119	Marten Creek	Headwaters to Gravey Creek	***
LEW	17060307	5123	Middle Creek	Headwaters to Weitas Creek	***
LEW	17060307	3215a	Upper Orogrande Creek	Headwaters to French Creek	***
LEW	17060307	3215b	Lower Orogrande Creek	French Creek to N Fk Clearwater River	***
LEW	17060307	3225	Osier Creek	Headwaters to Moose Creek	***
LEW	17060307	5178	Sneak Creek	Headwaters to N Fk Clearwater	***
LEW	17060307	5189	Sugar Creek	Headwaters to Swamp Creek	***
LEW	17060307	5190	Swamp Creek	Headwaters to Osier Creek	***
LEW	17060307	5192	Sylvan Creek	Headwaters to French Creek	***
LEW	17060307	5193	Tamarack Creek	Headwaters to Orogrande Creek	***
LEW	17060307	5200	Tumble Creek	Headwaters to Washington Creek	***
SO	17060207	3351	Big Creek	Headwaters to Crooked Creek	***
SO	17060207	5018	Big Mallard Creek	Headwaters to Salmon River	***
SO	17060207	3349	Crooked Creek	Headwaters to Salmon River	***
SO	17060207	5099	Jersey Creek	Headwaters to Salmon River	***
SO	17060207	5109	Little Mallard Creek	Headwaters to Salmon River	***
SO	17060207	5156	Rhett Creek	Headwaters to Salmon River	***
SO	17060207	3346	Salmon River	Corn Creek to Cherry Creek	***
SO	17060207	3352	Warren Creek	Headwaters to Wilderness Bo.	***
TWF	17040209	2359	Milner Lake		***
TWF	17040209	2362	Snake River	Massacre Rocks to Lake Walcott	***
TWF	17040209	2363	Snake River	Eagle Rock to Massacre Rock	***
TWF	17040209	6363	Snake River	American Falls Dam to Eagle Rock	***
TWF	17040212	2405	Alpheus Creek	Headwaters to Snake River	***
TWF	17040212	2384	Billingsley Creek	Headwaters to Snake River	***
TWF	17040212	2389	Blind Canyon	Headwaters to Snake River	***
TWF	17040212	2370	Bliss Reservoir		***

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RO	HUC	WQL SEG	IDGS_NAME	BOUNDARIES	Due Date
TWF	17040212	2395	Clear Springs	Headwaters to Snake River	***
TWF	17040212	2403	Cottonwood Creek	Headwaters to Rock Creek	***
TWF	17040212	2398	Crystal Springs	Headwaters to Snake River	***
TWF	17040212	2404	McMullen Creek	Headwaters to Cottonwood Creek	***
TWF	17040212	2380	Pioneer Reservoir		***
TWF	17040212	2385	Riley Creek	Headwaters to Snake River	***
TWF	17040212	2400	Rock Creek	Rock Creek (town) to Snake	***
TWF	17040212	2378	Snake River	Milner Dam to Murtaugh	***
TWF	17040212	2377	Snake River	Murtaugh to Twin Falls Reservoir	***
TWF	17040212	2411	West Fork Dry Creek	Headwaters to Dry Creek	***
TWF	17050102	2549	Bruneau River	Hot Creek to CJ Strike Reservoir	***
TWF	17050102	2558	Clover Creek	71 Draw to Bruneau River	***
TWF	17050102	2567	Cougar Creek	Headwaters to Jarbidge River	***
TWF	17050102	2557	Hot Creek	Headwaters to Bruneau River	***
TWF	17050102	2568	Poison Creek	Headwaters to Jarbidge River	***
TWF	17050102	2552	Sugar Creek	Headwaters to Jacks Creek	***
TWF	17050102	2555	Wickahoney Creek	2.5 miles below headwaters to Big Jacks Creek	***

Notes on Definitions, Acronyms and Asterisks (**): RO (Regional Office) includes BOI (Boise) POC (Pocatello) TWF (Twin Falls) IDF (Idaho Falls) CDA (Coeur d'Alene) LEW (Lewiston) SO (State Office); HUC (Hydrologic Unit); WQL SEG (Water Quality Limited Segment); IDGS Name (Idaho Geographic Information System Name); Boundaries (the boundary limits of the listed reach); Due Date (the year the TMDL(s) for that segment are scheduled to be completed). ***Each asterisk denotes a waterbody listed on Attachment 2. Those waterbodies will be addressed under the procedures and timeframes described in Paragraphs IV.D and VI.A of the Settlement Agreement.

ATTACHMENT II

Seq	RO	HUC	WQLSEG	IDGS_NAME	BOUNDARIES	LENGTHMILE	Pollutants Removed	Pollutants Remaining
1	BOI	17050105	2632	South Fork Owyhee River	Nevada Line to Owyhee River	32.33	- sed	T
2	BOI	17050107	2644	Juniper Creek	Headwaters to N Fk Owyhee River	11.72	- sed	T
3	BOI	17050107	2640	Middle Fork Owyhee River	Headwaters to Oregon Line	8.64	- sed	T
4	BOI	17050107	2646	Noon Creek	Headwaters to N Fk Owyhee River	9.13	- sed	T
5	BOI	17050107	2641	North Fork Owyhee River	Headwaters to Oregon Line	22.51	-bac	none
6	BOI	17050107	2645	Pleasant Valley Creek	Headwaters to N Fk Owyhee River	10.79	- sed	T
7	BOI	17050107	2642	Squaw Creek	Headwaters to Oregon Line	13.05	- sed	T
8	BOI	17050111	5026	Browns Creek	Headwaters to M Fk Boise River	6.45	- sed	none
9	BOI	17050111	5028	Buck Creek	Headwaters to M Fk Boise River	7.18	- sed	none
10	BOI	17050113	5038	Cayuse Creek	Headwaters to S Fk Boise River	3.23	- sed	none
11	BOI	17050113	5060	Deer Creek	Headwaters to Anderson Ranch Res	1.33	-sed	none
12	BOI	17050113	5071	Elk Creek	Headwaters to Feather River	7.04	-sed	none
13	BOI	17050113	5639	Little Smoky Creek	Headwaters to Carrie Creek, except tribs	11.32	-unk	none
14	BOI	17050113	2577	Rattlesnake Creek	Headwaters to S Fk Boise River	15.91	- sed	none
15	BOI	17050113	2578	Smith Creek	Tiger Creek to South Fk Boise River	14.51	- sed	none
16	BOI	17050113	2572	South Fork Boise River	Anderson Ranch Res to Arrowrock Res	28.73	- sed	none
17	BOI	17050113	2575	Willow Creek	Headwaters to Arrowrock Reservoir	14.95	-sed	none
18	BOI	17060208	5066	Dollar Creek	Headwaters to S Fk Salmon River	7.93	-sed	none
19	BOI	17060208	2934	East Fork South Fork Salmon River	Johnson Creek to Salmon River	14.47	-sed	met
20	BOI	17060208	2935	East Fork South Fork Salmon River	Sugar Creek to Johnson Creek	10.96	-sed	met
21	BOI	17060208	2936	East Fork South Fork Salmon River	Headwaters to Sugar Creek	7.04	-sed	met
22	BOI	17060208	2940	Johnson Creek	Ice Hole Campgrnd to S Fk Salmon R	2.55	-sed	none
23	BOI	17060208	2941	Johnson Creek	Halfway Creek to Ice Hole Campgrnd	12.7	-sed	none
24	BOI	17060208	2942	Johnson Creek	Headwaters to Halfway Creek	23.13	-sed	none
25	BOI	17060208	2959	Rice Creek	Headwaters to Salmon River, S.F.	6.36	-unk	none
26	BOI	17060208	5195	Trail Creek	Headwaters to Curtis Creek	4.49	-sed	none
27	BOI	17060208	5199	Trout Creek	Headwaters to Johnson Creek	5.17	-sed	none
28	BOI	17060208	5203	Tyndall Creek	Headwaters to Johnson Creek	1.06	-sed	none
29	CDA	17010214	7443	Fish Creek	Headwaters to Cocolalla Creek	5.09	-bac	sed,T
30	CDA	17010214	3465	Granite Creek	Headwaters to Pend Oreille Lake	9.69	-sed	none
31	CDA	17010214	3438	Spirit Lake		0	-DO,nut,sed	none
32	CDA	17010303	7535	Baldy Creek	Headwaters to Latour Creek	5.17	-bac,sed	T
33	CDA	17010303	7529	Black Lake		0	-nut	none
34	CDA	17010303	4018	Coeur d'Alene River	French Gulch to Skeel Gulch	4.21	-pH	met,sed
35	CDA	17010303	4021	Coeur d'Alene River	S Fk CdA River to French Gulch	2.13	-pH	met,sed
36	CDA	17010303	3529	Coeur d'Alene River	Black Lake to Thompson Lake	4.21	-pH,sed	met
37	CDA	17010303	4015	Coeur d'Alene River	Cave Lake to Black Lake	4	-pH,sed	met
38	CDA	17010303	4016	Coeur d'Alene River	Fortier Creek to Robinson Creek	0.8	-pH,sed	met
39	CDA	17010303	4017	Coeur d'Alene River	Fourth of July Creek to Fortier Cr	10.5	-pH,sed	met
40	CDA	17010303	4019	Coeur d'Alene River	Latour Creek to Fourth of July Cr	4.09	-pH,sed	met
41	CDA	17010303	4020	Coeur d'Alene River	Robinson Creek to Cave Lake	1.57	-pH,sed	met
42	CDA	17010303	4022	Coeur d'Alene River	Skeel Gulch to Latour Creek	1.16	-pH,sed	met
43	CDA	17010303	4023	Coeur d'Alene River	Thompson Lake to CdA Lake	4.19	-pH,sed	met,T
44	CDA	17010303	3545	Cougar Creek	North Fk Cougar Creek to CdA Lake	4.04	-nut	sed,T

ATTACHMENT II

Seq	RO	HUC	WQLSEG	IDGS_NAME	BOUNDARIES	LENGTHMILE	Pollutants Removed	Pollutants Remaining
45	CDA	17010303	3543	Fernan Creek	Fernan Lake to CdA Lake	0.68	-bac,DO,sed	none
46	CDA	17010303	3534	Fourth of July Creek	Headwaters to CdA River	7.15	-sed	none
47	CDA	17010303	7536	Larch Creek	Headwaters to Latour Creek	4.06	-bac,sed	T
48	CDA	17010303	3535	Latour Creek	Headwaters to CdA River	1.44	-bac	T
49	CDA	17010303	7541	Marie Creek	Searchlight Creek to Wolf Lodge Creek	16.31	(hab alt only)	none
50	CDA	17010303	3547	North Fork Mica Creek	Headwaters to CdA Lake	1.04	-nut	bac,DO,sed
51	CDA	17010303	3530	Thompson Creek	Headwaters to Cda River	7.74	-sed	none
52	CDA	17010303	3531	Willow Creek	Headwaters to Coeur d'Alene River	4.64	-sed	none
53	CDA	17010305	3561	Fish Creek	Washington line to Twin Lakes	10.3	-sed,nut	none
54	CDA	17010305	3562	Hauser Lake		6.02	-sed	DO
55	CDA	17010305	7555	Hayden Lake		0	-sed	nut
56	CDA	17010305	3560	Rathdrum Creek	Twin Lakes outlet to E Greenacres Diversion	0	-sed,nut	none
57	CDA	17010305	7561	Twin Lakes		3.42	-sed	bac,nut
58	IDF	17040104	5245	Bear Creek	Headwaters to North Fk Bear Creek	12.02	-unk,+sed	+sed
59	IDF	17040104	5246	Elk Creek	Headwaters to West Fk Elk Creek	3.28	-unk	none
60	IDF	17040104	5247	Fall Creek	Headwaters to S Fk Snake River	12.18	bndry chng	+sed
61	IDF	17040104	5242	Little Elk Creek	Headwaters to Palisades Reservoir	4.52	-unk	none
62	IDF	17040104	5244	North Fork Indian Creek	Wyoming line to Indian Creek	1.08	-unk	none
63	IDF	17040104	5653	Sheep Creek	Headwaters to S Fk Snake River	5.37	-unk	none
64	IDF	17040104	2004	Snake River	Palisades Dam to Irwin	7.28	(flow alt only)	none
65	IDF	17040104	5645	Snake River	Irwin to HUC boundary	32.41	(flow alt only)	none
66	IDF	17060203	2972	Big Deer Creek	Big Deer Cr. S.Fk to Panther Cr.	2.98	superfund	met,pH,sed
67	IDF	17060203	2977	Blackbird Creek	Blackbird Creek Reservoir to Panther Creek	5.97	superfund	met,pH,sed
68	IDF	17060203	2952	Bucktail Creek	Headwaters to S Fk Big Deer Creek	1.82	superfund	met
69	IDF	17060203	5240	Diamond Creek	Headwaters to Salmon River	4.70	-unk	none
70	IDF	17060203	2989	Dump Creek	Headwaters to Salmon River	6.48	-sed	none
71	IDF	17060203	2967	Panther Creek	Blackbird Creek to Salmon River	24.55	superfund	met
72	IDF	17060203	2964	Salmon River	Pahsimeroi River to NF Salmon River	67.59	-unk	none
73	IDF	17060204	3082	Mill Creek	Forest boundary to Lemhi River	5.35	-sed	none
74	IDF	17060204	3095	Hawley Creek	First Diversion to Eighteenmile Creek	6.09	-nut,sed	none
75	LEW	17060302	5096	Island Creek	Headwaters to Selway River	3.97	-sed	none
76	LEW	17060302	3262	O'Hara Creek	Hamby Fork to Selway River	4.42	-sed	none
77	LEW	17060302	5172	Slide Creek	Headwaters to Selway River	4.17	-sed	none
78	LEW	17060303	3236	Lochsa River	Crooked Fk/Walton to Selway/MF Clea	68.74	-T	none
79	LEW	17060307	5040	China Creek	Headwaters to Osier Creek	4.89	-sed	+T
80	LEW	17060307	5045	Cold Springs Creek	Headwaters to N Fk Clearwater R	4.84	-sed	+T
81	LEW	17060307	5047	Cool Creek	Headwaters to Cold Springs Creek	3.32	-sed	+T
82	LEW	17060307	5049	Cougar Creek	Headwaters to Quartz Creek	3.69	-sed	+T
83	LEW	17060307	5059	Deception Gulch	Headwaters to N Fk Clearwater R	4.74		sed,+T
84	LEW	17060307	3229	Gravey Creek	Headwaters to Cayuse Creek	8.96	-sed	+T
85	LEW	17060307	5088	Grizzly Creek	Headwaters to Quartz Creek	4.53	-sed	+T
86	LEW	17060307	5093	Hem Creek	Headwaters to Sylvan Creek	4.96	-sed	none
87	LEW	17060307	5104	Laundry Creek	Headwaters to Osier Creek	4.39	-sed	+T
88	LEW	17060307	5119	Marten Creek	Headwaters to Gravey Creek	4.47	-sed	+T

ATTACHMENT II

Seq	RO	HUC	WQLSEG	IDGS_NAME	BOUNDARIES	LENGTHMILE	Pollutants Removed	Pollutants Remaining
89	LEW	17060307	5123	Middle Creek	Headwaters to Weitas Creek	13.32	-sed	+T
90	LEW	17060307	3215a	Upper Orogrande Creek	Headwaters to French Creek	19.51	-sed	+T
91	LEW	17060307	3215b	Lower Orogrande Creek	French Creek to N Fk Clearwater River	19.51	-sed	+T
92	LEW	17060307	3225	Osier Creek	Headwaters to Moose Creek	8.09	-sed	+T
93	LEW	17060307	5178	Sneak Creek	Headwaters to N Fk Clearwater	3.49	-chan_alt	+T
94	LEW	17060307	5189	Sugar Creek	Headwaters to Swamp Creek	3.99	-sed	+T
95	LEW	17060307	5190	Swamp Creek	Headwaters to Osier Creek	5.39	-sed	+T
96	LEW	17060307	5192	Sylvan Creek	Headwaters to French Creek	4.31	-sed	+T
97	LEW	17060307	5193	Tamarack Creek	Headwaters to Orogrande Creek	3.92	-sed	+T
98	LEW	17060307	5200	Tumble Creek	Headwaters to Washington Creek	4.60	-sed	none
99	SO	17060207	3351	Big Creek	Headwaters to Crooked Creek	12.25	-sed	none
100	SO	17060207	5018	Big Mallard Creek	Headwaters to Salmon River	18.77	-sed	none
101	SO	17060207	3349	Crooked Creek	Headwaters to Salmon River	21.25	-sed	+T
102	SO	17060207	5099	Jersey Creek	Headwaters to Salmon River	7.65	-sed	none
103	SO	17060207	5109	Little Mallard Creek	Headwaters to Salmon River	8.78	-sed	none
104	SO	17060207	5156	Rhett Creek	Headwaters to Salmon River	8.39	-sed	none
105	SO	17060207	3346	Salmon River	Corn Creek to Cherry Creek	76.9	-sed	none
106	SO	17060207	3352	Warren Creek	Headwaters to Wilderness Bo.	16.15	(hab alt only)	none
107	TWF	17040209	2359	Milner Lake		0	-DO, sed, O&G	nut
108	TWF	17040209	2362	Snake River	Massacre Rocks to Lake Walcott	20.51	-DO,pest,nut	none
109	TWF	17040209	2363	Snake River	Eagle Rock to Massacre Rock	2.49	-sed	none
110	TWF	17040209	6363	Snake River	American Falls Dam to Eagle Rock	8.99	-sed	none
111	TWF	17040212	2405	Alpheus Creek	Headwaters to Snake River	0.35	-DO	nut,sed
112	TWF	17040212	2384	Billingsley Creek	Headwaters to Snake River	7.57	-DO,nh3	sed
113	TWF	17040212	2389	Blind Canyon	Headwaters to Snake River	0.72	-DO,nh3	bac,nut,sed
114	TWF	17040212	2370	Bliss Reservoir		0	-bac, nh3	DO,sed
115	TWF	17040212	2395	Clear Springs	Headwaters to Snake River	1	-DO,nh3	nut,sed
116	TWF	17040212	2403	Cottonwood Creek	Headwaters to Rock Creek	6.57	-nh3,pest	nut,sed
117	TWF	17040212	2398	Crystal Springs	Headwaters to Snake River	0.2	-DO,nh3	nut,sed
118	TWF	17040212	2404	McMullen Creek	Headwaters to Cottonwood Creek	15.7	-DO	bac,nut,sed,T
119	TWF	17040212	2380	Pioneer Reservoir		0	-bac,nh3	DO,nut,sed,T
120	TWF	17040212	2385	Riley Creek	Headwaters to Snake River	2.47	-DO,nh3	bac,nut,sed
121	TWF	17040212	2400	Rock Creek	Rock Creek (town) to Snake	26.07	-DO,O&G	nh3,nut,bac,sed
122	TWF	17040212	2378	Snake River	Milner Dam to Murtaugh	8.53	-bac,DO	sed,T
123	TWF	17040212	2377	Snake River	Murtaugh to Twin Falls Reservoir	11.65	-bac,DO,nh3	sed
124	TWF	17040212	2411	West Fork Dry Creek	Headwaters to Dry Creek	6.22	-DO	bac,nut,sed
125	TWF	17050102	2549	Bruneau River	Hot Creek to CJ Strike Reservoir	14.44	-sed	nut, T
126	TWF	17050102	2558	Clover Creek	71 Draw to Bruneau River	52.61	-sed	none
127	TWF	17050102	2567	Cougar Creek	Headwaters to Jarbidge River	23.07	-sed	none
128	TWF	17050102	2557	Hot Creek	Headwaters to Bruneau River	21.79	-bac,sed	none
129	TWF	17050102	2568	Poison Creek	Headwaters to Jarbidge River	32.33	-sed	none
130	TWF	17050102	2552	Sugar Creek	Headwaters to Jacks Creek	36.34	-sed	none
131	TWF	17050102	2555	Wickahoney Creek	2.5 miles below headwaters to Big Jacks Creek	15.55	-sed	none

ATTACHMENT II

Seq	RO	HUC	WQLSEG	IDGS_NAME	BOUNDARIES	LENGTHMILE	Pollutants Removed	Pollutants Remaining
<p>***Notes on Definitions and Acronyms: RO (Regional Office) includes BOI (Boise) POC (Pocatello) TWF (Twin Falls) IDF (Idaho Falls) CDA (Coeur d'Alene) LEW (Lewiston) SO (State Office); HUC Hydrologic Unit; WQL SEQ (Water Quality Limited Segment); IDGS Name (Idaho Geographic Information System Name); Boundaries (the boundary limits of the listed reach); bac (bacteria), DO (dissolved oxygen), met (metals), nh3 (nitrogen), nut (nutrients), sed (sediment), T (temperature), unk (unknown), O & G (oil and grease), hab alt (habitat alteration only), pest (pesticide)</p>								

ATTACHMENT III. Waters De-Listed in 1998 to be Re-evaluated by IDEQ

HUC	WQL SEG	IDGS_NAME	BOUNDARIES	MILES
17010104	3370	Snow Creek	Headwaters to Deep Creek	12.09
17010104	3373	Twentymile Creek	Headwaters to Deep Creek	10.09
17010104	3389	Boundary Creek	Gaging station to Canadian border	0.39
17010104	3390	Boundary Creek	Headwaters to Gaging station	7.1
TOTAL	4 SEGMENTS			29.67
17010304	3578	Benewah Creek	Headwaters to Chatcolet Lake	13.49
17010304	3584	John Creek	Headwaters to St. Maries River	5.31
17010304	3586	Beaver Creek	Headwaters to St. Maries River	5.98
17010304	3589	Tyson Creek	Headwaters to St. Maries River	3.7
17010304	3595	Merry Creek	Headwaters to Middle Fk St. Maries River	7.44
17010304	3596	Gold Center Creek	Headwaters to St. Maries River	3.93
17010304	3598	Bond Creek	Headwaters to St. Joe River	10.67
17010304	3600	Hugus Creek	Headwaters to St. Joe River	7.58
17010304	3602	Big Creek	Conf of M & W Fks Big Cr to St Joe	8.63
17010304	3604	Marble Creek	Hobo Creek to St. Joe River	14.28
17010304	3608	Fishhook Creek	Outlaw & W Fk Fishhook to St Joe R	3.27
17010304	3613	Sisters Creek	Headwaters to St. Joe River	13.46
17010304	3615	Prospector Creek	Headwaters to St. Joe River	4.32
17010304	3617	Eagle Creek	Headwaters to St. Joe River	6.62
17010304	3618	Quartz Creek	Headwaters to St. Joe River	8.32
17010304	3620	Bruin Creek	Headwaters to St. Joe River	4.65
17010304	3621	Mosquito Creek	Headwaters to St. Joe River	6.62
17010304	3622	Gold Creek	Headwaters to St. Joe River	7.95
17010304	7604	Norton Creek	Headwaters to Bussel Creek	4.77
17010304	7605	Toles Creek	Headwaters to Marble Creek	3.45
17010304	7609	Daveggio Creek	Headwaters to Marble Creek	6.88
TOTAL	21 SEGMENTS			151.32
17060306	3138	Fivemile Creek	Headwaters to Clearwater R.	6.93
17060306	3143	Lapwai Creek	Headwaters to Clearwater R.	15.34
17060306	3144	Sweetwater Creek	IR Boundary to Lapwai Creek	6.02
17060306	3147	Mission Creek	Headwaters to IR Boundary	4.64
17060306	3151	Little Potlatch Creek	Headwaters to IR Boundary	16.39
17060306	3154	Little Bear Creek	Headwaters to Big Bear Creek	9.48
17060306	3156	Cedar Creek	Headwaters to Potlatch River	4.5
17060306	3157	East Fork Potlatch River	Headwaters to Potlatch River	15.84
17060306	3158	Ruby Creek	Headwaters to Potlatch River	4.31
17060306	3160	Cottonwood Creek	Headwaters to Clearwater River	19.87
17060306	3163	Jacks Creek	Headwaters to Clearwater	9.65
17060306	3165	Little Canyon Creek	Headwaters to Big Canyon Creek	18.57
17060306	3170	Whiskey Creek	Headwaters to Orofino Creek	13

17060306	3174 Lolo Creek	Headwaters to Eldorado Creek	16.91
17060306	3175 Eldorado Creek	Headwaters to Lolo Creek	14.27
17060306	3177 Musselshell Creek	Headwaters to Lolo Creek	12.49
17060306	3178 Yoosa Creek	Headwaters to Lolo Creek	8.65
17060306	5039 Chamook Creek	Headwaters to Yoosa Creek	2.28
17060306	5065 Dollar Creek	Headwaters to El Dorado Cr	3.24
17060306	5075 Feather Creek	Headwaters to W Fk Potlatch River	5.25
17060306	5083 Gold Creek	Headwaters to Musselshell Creek	3.83
17060306	5148 Porcupine Creek	Headwaters to Potlatch River	2.54
17060306	5194 Tom Taha Creek	Headwaters to Clearwater R.	8.86
17060306	5211 West Fork Potlatch River	Headwaters to Potlatch River	3.95
17060306	5216 Yakus Creek	Headwaters to Lolo Creek	3.59
17060306	7180 Willow Creek	Headwaters to Lawyer Creek	7.9
17060306	7181 Lawyer Creek	IR Boundary to Clearwater River	34.65
17060306	7182 Camp Creek	Headwaters to Yoosa Creek	4.17
TOTAL	28 SEGMENTS		277.12
17050102	2550 Bruneau River	Nevada line to Hot Creek	68.51
17050102	2555 Wickahoney Creek	Headwaters to Big Jacks Creek	2.53
17050102	2558 Clover Creek	Headwaters to Bruneau River	0.93
17050102	2559 Big Flat Creek	Flat Creek to Clover Creek	11.05
17050102	2560 Cherry Creek	Nevada line to Three Creek	10.75
17050102	2562 Deadwood Creek	Headwaters to Clover Creek	18.15
17050102	2563 Sheep Creek	Marys Creek to Bruneau River	22.38
17050102	2564 Sheep Creek	Nevada Line to Marys Creek	36.21
17050102	2565 Marys Creek	IR boundary to Sheep Creek	28.46
TOTAL	9 SEGMENTS		198.97
17040217	2148 Sawmill Creek	Headwaters to Little Lost River	8.39
TOTAL	1 SEGMENT		8.39
17040218	2168 Antelope Creek	Headwaters to Big Lost River	16.6
TOTAL	1 SEGMENT		16.6
TOTAL	64 SEGMENTS		682.07

***Notes on Definitions and Acronyms: HUC (Hydrologic Unit Code), WQLS (Water Quality Limited Segment), IDGS Name (Idaho Geographic Information System Name), BOUNDARIES (the boundary limits of the listed reach), Miles (Mileage of stream segment that was de-listed)

**RESPONSE TO COMMENTS
ON THE PROPOSED TMDL SETTLEMENT AGREEMENT**

List of Abbreviations:

IFA – Intermountain Forest Association
DEQ – Idaho Department of Environmental Quality
IWUA – Idaho Water Users Association, Inc.
TMDL – Total Maximum Daily Load
EPA – U.S. Environmental Protection Agency
WAGs – Watershed Advisory Groups
BAGs – Basin Advisory Groups
WBAG – Water Body Assessment Guidance
IFBF – Idaho Farm Bureau Federation
BMPs – Best Management Practices
HUC – Hydrologic Unit Code

Settlement Agreement Attachments Unclear

Comment (IFA):

The attachments to the Settlement Agreement were unclear and appeared inconsistent with the language in the Settlement Agreement.

Response:

DEQ agrees that the attachments should be clarified and has made the following changes:

- 1) The “New Due Date” heading was removed from Attachment 1 and replaced by the heading “Due Date.”
- 2) The heading “303(d) Changes” on Attachment 2 was modified to make it clear this column is intended to identify the pollutants proposed to be removed from the 303(d) list.
- 3) The title of Attachment 3 was changed to reflect the language at pages 12 and 13 of the Settlement Agreement.
- 4) DEQ has explained and defined abbreviations and acronyms used in the attachments.
- 5) The formatting and labeling of the attachments was made consistent.

Revisions Rule

Comment (IFA):

Regarding the references to the “revisions rule” in the first full paragraph on page 4 of the Settlement Agreement. The “revisions rule” should not affect the settlement and the parties should not try to agree to a rule that may go into affect or may change.

Response:

The referenced paragraph was not intended to suggest that the parties were agreeing to the application of the “revisions rule” or that the “revisions rule” was a part of the settlement. Instead, the paragraph simply provides that the parties recognize that, should the “revisions rule” take effect in the future, it may affect the performance and obligations under the Settlement Agreement. This, in turn, may require the parties to review potential modifications of the agreement.

Changes to the 1997 Schedule

Comment (IFA & IWUA):

In reference to the first sentence on page 8 and paragraph XX on page 20 of the Settlement Agreement, while the parties may agree that the 1997 schedule is null and void, the Settlement Agreement cannot affect the rights of parties to the litigation which led to the 1997 schedule. The Settlement Agreement should include the following language: “Nothing in the Agreement shall in any way affect or limit the rights of parties in Case No. 93-943.” (IFA)

The 1997 TMDL schedule cannot be amended or replaced without the express written consent of the parties to the Idaho Sportsman Coalition v. Browner litigation. (IWUA)

Response:

The schedule dated April 3, 1997 arose out of the Idaho Sportsman Coalition v. Browner litigation. The 1997 schedule, however, was not a part of any court order or enforceable agreement between the parties. As a result, Plaintiffs in the current litigation and any other parties or intervenors to the prior litigation do not have a right to enforce or prevent changes to the 1997 schedule. Moreover, the 1997 schedule, like any TMDL schedule, was intended to be a living document and subject to change based on changes in circumstances, including changes in § 303(d) lists, as long as appropriate notice was provided. In addition, the schedule in the Settlement Agreement clearly is a “reasonable schedule” as discussed by the court in the Idaho Sportsman’s Coalition v. Browner litigation. Finally, DEQ has provided notice and an opportunity to comment for parties and intervenors to the prior litigation, and any other members of the public regarding the new schedule.

Notice to Nonparties; Access to Reports and Other Documents Under the Settlement Agreement; Involvement in Dispute Resolution

Comment (IFA):

The Settlement Agreement should require EPA and DEQ provide individual notice of changes in the schedule to all parties to the 1997 litigation and provide such parties copies of all progress reports, TMDL s and EPA approval letters.

Response:

The Settlement Agreement requires DEQ provide notice to the public of any changes in the schedule. The progress reports, TMDLs, and EPA approval letters are all available to members of the public under state and federal public records laws. The Settlement Agreement does not alter these requirements or in any way preclude public access to these documents. Members of the public, therefore, will be adequately notified of changes to the schedule and will have reasonable access to the referenced documents.

Comment (IFBF):

Progress reports and other documents should be provided to IFBF and other stakeholders and stakeholders should be allowed to be involved in dispute resolution over performance of any aspect of the Settlement Agreement.

Response:

The progress reports and other documents provided under the Settlement Agreement are available to members of the public pursuant to state and federal public records laws. The Settlement Agreement does not alter these requirements or in any way preclude public access to these documents. The Settlement Agreement also in no way restricts the ability of stakeholders to become involved in TMDLs or listing decisions. State law requires the involvement of the public through the WAGs and BAGs and federal law also requires public participation in TMDL development and listing decisions. The Settlement Agreement does not diminish this public involvement, but instead helps to ensure the public is notified and has an opportunity to comment by requiring a set and uniform public notice and comment procedure when listing decisions are made. In addition, the dispute resolution provisions of the Settlement Agreement relate only to disagreements regarding the Settlement Agreement, which establishes a schedule for developing TMDLs. DEQ does not anticipate that the procedure for implementation of a wasteload allocation will be subject to dispute resolution under the Settlement Agreement.

Comment (IWUA):

Progress reports and other documentation should be automatically provided to IWUA.

Response:

The progress reports and other documents referenced in the Settlement Agreement are all available to the public pursuant to state and federal public records laws. The settlement Agreement does not alter these requirements or in any way preclude public access to these documents. Therefore, DEQ believes that IWUA and other members of the public will have reasonable access to such information.

Schedule for Development of TMDLs for Waterbody/Pollutants Combinations on Attachment 2

Comment (IFA):

The Settlement Agreement is not clear with respect to how the schedule to develop TMDLs for water body/pollutant combinations DEQ has proposed to delist, but which subsequently are not delisted, fit within the overall schedule set forth in Attachment 1.

Response:

DEQ agrees that the Settlement Agreement may be unclear as to the schedule for the development of TMDLs for water body/pollutant combinations set forth on Attachment 2 that are proposed to be delisted, but are subsequently not delisted. DEQ has changed the Schedule to reference all the proposed delistings on Attachment 2. The Schedule lists all of the Attachment 2 water bodies and indicates that these water bodies will be addressed under the procedures and time frames described in paragraphs IV and VI of the Settlement Agreement. This change clarifies that all the proposed delistings on Attachment 2 that are not delisted will remain on the schedule.

Implementation Strategies and Implementation of TMDLs

Comment (IFA):

Paragraph C on page 8 should be amended to indicate that EPA agrees that implementation strategies are not required to be submitted and will not be approved or disapproved by EPA and to clarify that the implementation strategies are informational and not to be approved or disapproved.

Response:

DEQ has changed paragraph C as follows: “EPA, DEQ and the Plaintiffs understand, however, that EPA will approve or disapprove only the TMDLs defined by 40 C.F.R. § 130.2(i) and that, pursuant to regulations in effect at the time this Agreement is executed, EPA will not approve or disapprove the attached Summary of Implementation Strategies. Further, EPA, DEQ and the Plaintiffs understand that the presence or absence of a

Summary of Implementation Strategies will not be a factor in EPA's decision to approve or disapprove the TMDL. DEQ and the Plaintiffs agree that the Summary of Implementation Strategies shall include..."

DEQ feels that the paragraph is otherwise clear that the implementation strategies are not to be approved or disapproved and, therefore, declines the suggestion to make further changes.

Comment (IFBF):

Regarding the requirement in the Settlement Agreement that a Summary of Implementation Strategies be attached to all TMDLs submitted to EPA. IFBF commented that it was concerned regarding the identification of entities or individuals involved or responsible for implementing TMDLs, how DEQ will ensure individual nonpoint sources are doing their part in implementing the TMDLs, and the enforcement mechanism regarding voluntary BMPs.

Response:

The Settlement Agreement does not affect DEQ or other designated state agency authorities, programs or procedures regarding implementation of TMDLs and enforcement mechanisms. TMDLs implemented through voluntary BMPs will continue to be implemented in this manner.

Comment (IWUA):

The Summary of Implementation Strategies should not be submitted to EPA because such implementation strategies are not required to be submitted to EPA under the Clean Water Act.

Response:

DEQ agrees that the Summary of Implementation Strategies are not required to be submitted to EPA or approved/disapproved by EPA. DEQ believes the Settlement Agreement is clear on this point.

While not required by federal law, Idaho Code § 39-3611 does require DEQ to identify pollutant control strategies. The Settlement Agreement, therefore, does not require DEQ to undertake work DEQ does not already do pursuant to state law. In addition, DEQ believes a Summary of Implementation Strategies may be helpful in framing, at the TMDL development stage, the implementation issues DEQ will need to address when it subsequently develops an implementation plan. Therefore, DEQ does not propose to delete the provisions relating to the Summary of Implementation Strategies.

Statewide Monitoring Plan and Funding for Monitoring and Implementation

Comment (IFA):

Asked whether under the statewide monitoring plan developed under paragraph VI.D, DEQ intended to visit stream segments or some other water body.

Response:

The monitoring plan will likely address waters on a different scale than stream segments. In addition, DEQ has changed the word “visit” to “address” in this paragraph because, while DEQ’s monitoring and analysis will address all waters, it is impractical for DEQ to visit all waters in the state within any reasonable timeframe.

Comment (IFBF):

Commented regarding the funding and nature of monitoring related to TMDLs.

Response:

The state is required under state and federal law to determine the beneficial uses and support status of water bodies in the state. As described in paragraph VI.D of the Settlement Agreement, DEQ is developing a state-wide monitoring plan to meet this requirement. This monitoring will largely be funded by the state.

Comment (multiple parties and individuals):

Many commentors support the TMDL settlement, but are concerned that sufficient funding be made available for monitoring and development and implementation of TMDLs.

Response:

DEQ agrees that funding for the TMDL program is critical to its success. DEQ will continue to fund the TMDL program to the fullest extent reasonable given the overall DEQ and state budgets.

Water Body Assessment Guidance (WBAG)

Comment (IFBF):

Asked whether the new WBAG will be used to meet load allocations.

Response:

The WBAG is used to determine whether water bodies in the state meet state Water Quality Standards and support designated and existing uses. The WBAG will not be used to determine load allocations or as a means of implementing TMDLs.

Time Frame for Meeting Water Quality Standards

Comment (IFBF):

Asked what happens if the time frame for meeting Water Quality Standards is not realistic or is not met.

Response:

As a threshold matter, DEQ notes that the Settlement Agreement establishes a schedule for developing TMDLs, not meeting Water Quality Standards. DEQ, however, hopes and expects that the TMDLs will lead to achievement of Water Quality Standards in a reasonable time. DEQ recognizes that implementation strategies for TMDLs must be flexible plans that change if, for example, monitoring during implementation indicates that time frames or goals are unrealistic or if the standards upon which a TMDL is based change. The Settlement Agreement does not affect this approach. Instead, the Settlement Agreement is consistent with this approach as it indicates on page 9 that DEQ recognizes its strategies for TMDLs may need to be modified depending on the results of monitoring during implementation.

Flow Alteration and Temperature Standards

Comment (IWUA):

TMDLs should not be required for water bodies listed for flow alteration and such water bodies should be removed from the 303 (d) list and the schedule.

Response:

DEQ agrees that TMDLs are not required for water bodies impaired solely as a result of “flow alteration.” DEQ intends to address this issue in the 2002 303(d) list and by subsequent changes to the schedule. Any such changes will be reflected in the annual progress reports required to be prepared under paragraph V of the Settlement Agreement.

Comment (IWUA):

The schedule does not indicate those water bodies for which temperature TMDLs will be developed and that such information must be made available in order to analyze the Settlement Agreement. IWUA also commented that the Settlement Agreement does not address the method by which DEQ intends to address the difficulties of meeting the state temperature standards.

Response:

DEQ believes that it has provided information that reflects the scheduling of temperature TMDLs.
DEQ agrees that there are many difficult temperature issues that must be addressed.
DEQ continues to participate in national, regional and state efforts to resolve these issues.
DEQ, however, must continue to meet its obligations under the Clean Water Act and state laws to develop TMDLs. DEQ has attempted to phase in the development of TMDLs so that DEQ can take advantage of progress and changes in water quality standards and the method in which such TMDLs are developed.

Release Language and Dispute Resolution Language

Comment (IWUA):

The release language in the Settlement Agreement is not strong enough.

Response:

While commenting that the release language was inappropriate, no changes to the language were suggested to meet this concern. Moreover, DEQ believes the current release language is adequate.

Comment (IWUA):

The dispute resolution language made it too easy to reopen the litigation. It is suggested that the dispute resolution language provides that DEQ will be subject to litigation under the agreement.

Response:

While commenting that the dispute resolution language was inappropriate, suggested changes to the language to address this concern was not provided. Moreover, DEQ believes the dispute resolution language is adequate. DEQ disagrees that the Settlement Agreement in any way implies a recognition that DEQ will subject itself to litigation. To the contrary, paragraph VIII is clear that DEQ does not consent to jurisdiction in federal court and that DEQ reserves all defenses to any potential litigation.

Comment (Willow Creek WAG):

The Willow Creek WAG suggested the TMDL for the Willow Creek drainage be delayed until after 2002.

Response:

The Willow Creek TMDL (HUC #1704205) is on the schedule to be completed in 2003.

Comment (Nez Perce and Coeur d'Alene tribes):

The tribes expressed concerns regarding the timing and authority to develop TMDLs for waters on tribal reservations. The tribes also suggested that the due date for certain TMDLs be changed.

Response:

Language was added to the Settlement Agreement that provides nothing in the agreement shall be deemed to recognize, imply, or confer state authority or jurisdiction under the Clean Water Act over any Indian Country, as defined at 18 U.S.C. § 1511. DEQ also changed the due dates for certain TMDLs in response to comments.