



REGION 10

SEATTLE, WA 98101

November 16, 2023

Mr. Steve Mrazik
Manager, Watershed Management
Oregon Department of Environmental Quality
700 NE Multnomah Street, Suite 600
Portland, Oregon 97232-4100

Dear Mr. Mrazik:

The U.S. Environmental Protection Agency has completed its Clean Water Act (CWA) review of the Upper Yaquina River Watershed Total Maximum Daily Load (TMDL), submitted by the Oregon Department of Environmental Quality (ODEQ) on September 18, 2023. The Upper Yaquina River Watershed TMDL addresses dissolved oxygen and bacteria impairments in the Upper Yaquina River. The waterbody segments addressed by this TMDL totals nine unique waterbody-pollutant pairs, each of which is identified as impaired on ODEQ's 2022 303(d) list and identified in the table below.

Name & Reach Description	Assessment Unit	Impairment	
		Dissolved Oxygen	Bacteria
Yaquina River Little Yaquina River to Little Elk Creek	OR_SR_1710020401_02_105951	spawning & cold water	<i>E.Coli</i>
Yaquina River Little Elk Creek to Sloop Creek	OR_SR_1710020401_02_105953	spawning & cold water	<i>E.Coli</i>
Little Elk Creek Headwaters to confluence with Yaquina River	OR_SR_1710020401_02_105950	spawning & cold water	NA
Young Creek, Yaquina River HUC 12 watershed unit (1 st -4 th order streams)	OR_WS_1710020401_02_106126	cold water	NA

EPA is approving the TMDL that address these nine impaired waters. The TMDL meets the statutory and regulatory requirements found in section 303(d) of the CWA and EPA's implementing regulations at 40 C.F.R Part 130. EPA's review indicates that the allocations have been established at levels that, when fully implemented, will lead to attainment of applicable water quality standards. As such, ODEQ does not need to include these waters on the next 303(d) list of impaired waters for dissolved oxygen and bacteria.

ODEQ's submittal also includes a Water Quality Management Plan (WQMP), which is an implementation plan for the TMDL. As you know, EPA has no duty to approve or disapprove

implementation plans under section 303(d) of the CWA; therefore, EPA is not taking action on the WQMP. Implementation is the critical next step to improve water quality, and EPA encourages ODEQ to continue its work with responsible parties on the implementation of the WQMP.

EPA appreciates the work of David Waltz, Daniel Sobota, Kevin Brannan, and Alex Liverman in developing and completing the Upper Yaquina River Watershed TMDL. EPA also appreciates the continued cooperation by ODEQ as we work towards the common goal of addressing impaired waters in the State of Oregon. By EPA's approval action, the dissolved oxygen and bacteria TMDL in the Upper Yaquina River is now incorporated into the State's WQMP under section 303(e) of the CWA.

If you have any comments or questions on this agency action, please feel free to call me at (206) 553-0171 or have your staff contact Rebecca Veiga Nascimento at (208) 378-5767 or by email at veiganascimento.rebecca@epa.gov.

Sincerely,

Hanh Shaw, Manager
Standards, Assessment and Watershed Management
Branch

cc: David Waltz (david.waltz@deq.oregon.gov)
Alex Liverman (alex.liverman@deq.oregon.gov)