

State of Oregon
Department of Environmental Quality

Memorandum

To: Willamette Basin TMDL File

Date: September 21, 2006

From: Lauri Aunan, Water Quality Administrator

Subject: Willamette Basin TMDL Order

On September 21, 2006, the Willamette Basin Total Maximum Daily Load (TMDL) was issued as an order by the Oregon Department of Environmental Quality (DEQ). The Willamette Basin includes 12 fourth-field hydrologic units and covers approximately 11,400 square miles. All of these subbasins are covered by the Phase 1 mercury TMDLs, and nine of the 12 are covered for temperature and bacteria. (The Tualatin Subbasin is covered by TMDLs approved by EPA in 2001, and the Molalla-Pudding and Yamhill subbasins will be addressed through TMDLs that are currently under development.) Many of these rivers and streams do not meet water quality standards for a variety of parameters including temperature, fecal bacteria, dissolved oxygen and various metals and pesticides. Elevated concentrations of mercury in certain fish have also resulted in a general advisory against consuming these fish. In response to this information, DEQ included many of these rivers and streams on its list of impaired waterbodies ("303(d) List") that was submitted to the United States Environmental Protection Agency (USEPA or EPA) for approval in 1998 and 2002. The federal Clean Water Act (CWA) requires that these listed rivers and streams have TMDLs developed to determine appropriate pollutant limits to ensure water quality standards will be met.

These Willamette Basin TMDLs provide pollutant limits for temperature, fecal bacteria, and mercury as described above. Limits are also included for dissolved oxygen and pesticides for some localities. In all there are 150 individual 303(d) listings covered by these water quality plans.

This final Willamette Basin TMDL, developed under Section 303(d) of the CWA, has been submitted for USEPA approval. The document, when approved, will be an update to Oregon's Continuous Planning Process pursuant to Section 303(e) of the CWA. The Willamette Basin Water Quality Management Plan is also being submitted to USEPA, although it does not need to be approved or disapproved as specified under the terms of the February 1, 2000 Memorandum of Agreement between EPA and DEQ regarding the implementation of Section 303(d) of the CWA. Should USEPA modify or disapprove this TMDL, such actions will be made public.

The watershed analyses, monitoring results, and draft TMDLs were developed with input from a variety of agencies, governments and stakeholders, including USEPA, Army Corps of Engineers, Oregon Department of Fish and Wildlife, Oregon Department of Forestry, Oregon Department of Agriculture, United States Geological Survey, Tribes, private landowners, and the Willamette TMDL Council. The council included representatives from Tribal government, state and federal agencies, conservation groups, industrial sectors, municipalities and forestry and agricultural interests. The council met regularly from 2003 through 2004, and less frequently in 2005. The initial public comment period on the draft Willamette Basin TMDL was opened on October 25, 2004, and closed on January 31, 2005, after a two-week extension. Informational meetings to present background on the technical and modeling components of the draft TMDL were provided at

four venues during the public comment period, and formal public hearings were held in Eugene, Albany, Salem, and Portland between January 10 and 12, 2005. DEQ received comments on the draft TMDL from 69 individuals or organizations. DEQ summarized the issues raised, prepared responses, and made revisions to the draft TMDL and Water Quality Management Plan.

The revisions to the chapter of the TMDL that set pollutant limits for temperature in the Willamette River were so substantial that DEQ released it for a second public comment period. This comment period extended from April 3, 2006, to June 1, 2006, including a two-week extension. Informational meetings and public hearings were held in Eugene, Albany, and Portland between the 4th and 9th of May, 2006. Comments were received from an additional 24 individuals. Additional revisions were made to Chapter 4 of the document as appropriate, based on these comments.

Oregon Administrative Rules (OAR 340-042-0070) provide that any person who participated in establishing a TMDL, including those who submitted comments and any other person entitled to seek judicial review of an order issuing a TMDL may request reconsideration by the Director in accordance with OAR 137-004-0080. In addition, any person who is adversely affected or aggrieved by the TMDL may file a petition for judicial review as allowed by ORS 183.484.

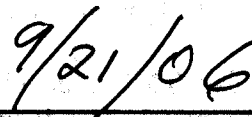
This TMDL will be available on the DEQ website at www.deq.state.or.us/wq/TMDLs/TMDLs.htm or can be viewed at DEQ Headquarters, 811 SW Sixth Avenue, Portland, OR 97204. Once USEPA has approved this TMDL, this document will be made available via a CD electronic file or on paper.

Should you have any questions about this TMDL, please contact Andy Schaedel in Portland at (503) 229-6121 or Mike Wolf in Eugene at (541) 686-7848.

Issued by:



Lauri Aunan
Water Quality Administrator



Date