

State of Oregon
Department of Environmental Quality

Memorandum

To: Molalla-Pudding Subbasin TMDL File

Date: December 8, 2008

From: ^{NSM} Neil Mullane, WQ Administrator

Subject: Molalla-Pudding Subbasin TMDL Order

On December 8, 2008, the Molalla-Pudding Subbasin Total Maximum Daily Load (TMDL) was issued as an order by the Oregon Department of Environmental Quality (ODEQ). The area covered by the Molalla-Pudding Subbasin corresponds to hydrologic unit codes (HUCs) 1709000901, 1709000902, 1709000903, 1709000904, 1709000905, and 1709000906. The Molalla-Pudding Subbasin encompasses an area of approximately 878 square miles located in the Middle Willamette Basin. The TMDLs addressed are temperature, bacteria, DDT, dieldrin, chlordane, iron, and nitrate. The TMDLs are applicable to all perennial and intermittent waters as follows:

TMDL Parameter	Applicable Hydrologic Unit Codes
Temperature	1709000901, 1709000902, 1709000903, 1709000904, 1709000905, and 1709000906
Bacteria	1709000901, 1709000902, 1709000903, 1709000904, 1709000905, and 1709000906.
DDT	1709000902, 1709000903, 1709000904, and 6 th field HUCs 170900090108, 170900090109 and 170900090110
Dieldrin	1709000902, 1709000903, 1709000904, and 6 th field HUCs 170900090108, 170900090109 and 170900090110
Chlordane	Zollner Creek watershed within 5 th field HUC 1709000902
Iron	1709000902, 1709000903, 1709000904, and 6 th field HUCs 170900090108, 170900090109 and 170900090110
Nitrate	Zollner Creek watershed within 5 th field HUC 1709000902

The allocations are applicable to sources and land uses in the relevant hydrologic unit codes as follows:

TMDL Allocation for	Applicable Sources and Land Uses
Temperature	All sources and land uses
Bacteria	All sources and all land uses except forestry
DDT	Point sources: wastewater treatment plants that discharge into listed reach of Pudding River. All non-point sources on all land uses.
Dieldrin	Point sources: wastewater treatment plants that discharge into listed reach of Pudding River. All non-point sources on all land uses.
Chlordane	All non-point sources on all land uses.
Iron	Point sources: sources that discharge into listed reach of Pudding River or a tributary that enters listed reach of Pudding River. All non-point sources on all land uses.
Nitrate	All non-point sources on all land uses.

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

Watershed analyses and draft TMDLs were presented to and discussed with a review committee that consisted of a variety of stakeholders and interests including: City of Woodburn, City of Hubbard, City of Molalla, City of Silverton, City of Canby, Canby Utility/Veolia Water North America, BLM, Marion County, Clackamas County, Pudding River Watershed Council, Molalla River Watch, Native Fish Society, Molalla River Improvement District, East Valley Water District, JLR, LLC/Bruce Pac, Norpac, and private landowners and citizens in the subbasin. The intent was to get informal review and comment while DEQ was completing the development of the draft TMDLs.

The public comment period on the draft Molalla-Pudding Subbasin TMDL was opened on August 29, 2008 and closed on October 31, 2008. Informational meetings to present background on the technical and modeling components of the draft TMDLs were provided preceding a formal public hearing on October 15, 2008. Copies of the document were made available at various locations within the subbasin including the libraries; Marion SWCD office, Salem and Portland DEQ offices as well as through the internet and direct mailings. ODEQ received comments on the draft TMDLs from 14 parties including: EPA, City of Woodburn, City of Salem, City of Molalla, City of Silverton, City of Keizer, City of Wilsonville, Clackamas County Water Environment Services, Native Fish Society, East Valley Irrigation District, Lake Labish Water Control District, U.S. Bureau of Land Management, Oregon Department of Geology and Mineral Industries, and Oregon Department of Forestry.

DEQ has summarized the issues raised, prepared responses and made revisions to the draft TMDL and WQMP.

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

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

This TMDL/WQMP and Response to Comments documents can be found at the following website: <http://www.deq.state.or.us/wq/tmdls/willamette.htm> or can be viewed at the following locations: ODEQ Headquarters, 811 SW Sixth Avenue, Portland, OR 97204 or ODEQ Northwest Regional Office, 2020 SW 4th Avenue, Suite 400, Portland, OR 97201. Once USEPA has approved this TMDL, this document will be made available via a CD electronic file or paper copy.

Should you have any questions about this TMDL, please contact Karen Font Williams at 503-229-6254.

Issued by:

Neil Mullane

Neil Mullane
Water Quality Administrator

Date: 12/8/08

Attachments

