



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101
SEP 29 2009

Mr. Michael J. Linder, Director
Nebraska Department of Environmental Quality
Suite 400, The Atrium
P. O. Box 98922
Lincoln, Nebraska 68509-8922

Re: Nebraska TMDL document submittal

Dear Mr. Linder:

This letter responds to the submission from the Nebraska Department of Environmental Quality (NDEQ) originally received by the U. S. Environmental Protection Agency (EPA), Region 7, on July 16, 2009, for a Total Maximum Daily Load (TMDL) document which contained TMDLs for sediment and total phosphorus. This submission fulfills the Clean Water Act statutory requirement to develop TMDLs for impairments listed on a state's § 303(d) list. The specific impairment (water body segment and pollutants) is:

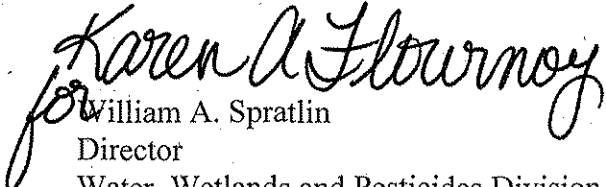
<u>Water Body Name</u>	<u>WBID</u>	<u>Pollutant(s)</u>
Big Indian Lake	BB1-L0030	Sediment and Phosphorus

EPA has completed its review of these TMDLs with supporting documentation and information. By this letter, EPA approves the submitted TMDLs. Enclosed with this letter is the Region 7 TMDL Decision Document which summarize the rationale for EPA's approval of the TMDLs. EPA believes the separate elements of the TMDLs described in the enclosed form adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety. Although EPA does not approve the monitoring plan submitted by the state, EPA acknowledges the state's efforts. EPA understands that the state may use the monitoring plan to gauge the effectiveness of the TMDLs and determine if future revisions are necessary or appropriate to meet applicable water quality standards.

EPA is currently in consultation under Section 7 of the Endangered Species Act with the U. S. Fish and Wildlife Service regarding this TMDL document. While we are approving this TMDL at the present time, we may decide that changes to the TMDL are warranted based upon the results of the consultation when it is completed.

EPA commends NDEQ on its efforts to submit these TMDLs. We appreciate the thoughtful teamwork and partnering effort that Nebraska has put forth in the development of these TMDLs. We will continue to cooperate with and assist, as appropriate, in future efforts by Nebraska to develop remaining TMDLs.

Sincerely,


for William A. Spratlin
Director
Water, Wetlands and Pesticides Division

Enclosure

cc: Mr. Luke Zakrzewski
NDEQ