

PUBLIC NOTICE

U. S. Environmental Protection Agency, Region 7
Water, Wetlands and Pesticides Division
901 North 5th Street
Kansas City, Kansas 66101

NOTICE OF AVAILABILITY
TOTAL MAXIMUM DAILY LOAD (TMDL)
FOR SEGMENTS OF THE CEDAR RIVER AND
ONE SEGMENT OF SHELL ROCK RIVER, IN THE STATE OF IOWA

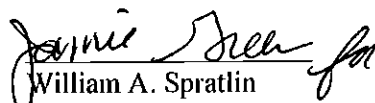
Section 303(d) of the Clean Water Act (CWA), 33 USC § 1313(d)(1)(C), and the U. S. Environmental Protection Agency's (EPA) implementing regulation, 40 CFR § 130.7(c)(1), require the establishment of Total Maximum Daily Loads (TMDLs) for waters identified as not meeting water quality standards (WQS) under authority of § 303(d)(1)(A) of the CWA. TMDLs are established at a level necessary to implement applicable WQS with seasonal variations and a margin of safety (MOS) that accounts for lack of knowledge concerning the relationship between pollutant loading and water quality. The MOS is a percentage of the TMDL intended to account for the uncertainty attributed to model assumptions, data limitations, and other sources.

To meet the milestones of the 2001 Consent Decree, *Sailors, et al. v. EPA*, Consolidated Case No. C98-134-MJM, December 17, 2001, EPA is establishing this TMDL. EPA is developing this TMDL in cooperation with the state of Iowa, and Iowa may submit and EPA may approve another TMDL for this water at a later time.

The impaired waterbodies addressed by this TMDL are eight segments of the Cedar River and one segment of the Shell Rock River. The impaired segments of the Cedar River are two continuous Segments IA 02-CED-0110_2 and _3 in Floyd and Mitchell Counties; Segments IA 02-CED-0050-L_0 and IA-02-CED-0040_I in Black Hawk County; and four continuous Segments IA 02-CED-0020_2 and _3, IA 02-CED-0030_1 and _2 in Cedar, Johnson, and Linn Counties. One segment of the Shell Rock River, IA 02-SHL-0020_1, in Floyd and Cerro Gordo Counties, is also impaired. These waters were identified in Iowa's 2006 Integrated Report as impaired. The Cedar River generally flows south approximately 335 miles to the confluence with the Iowa River near Conesville, Iowa, which flows into the Mississippi River. The major tributaries are the Little Cedar River, Winnebago River, Shell Rock River, West Fork Cedar River, Beaver Creek, Wolf Creek, and Prairie Creek. The impaired stream segment is 7,060 square miles - nearly 90 percent of the Cedar River Watershed. The Cedar and Shell Rock Rivers' beneficial use impaired by the bacteria indicator *E. coli*, is primary contact recreational use. The impairment of these waterbodies is based on exceedance of the specific criteria contained in Iowa Administrative Code, Environmental Protection Rule 567, Chapter 61, *Water Quality Standards*. Public comment for this TMDL ends on February 10, 2010.

Persons wishing to comment on this proposed TMDL or to offer new data or information regarding the proposed TMDL are invited to send comments to the EPA, Region 7, Water, Wetlands and Pesticides Division, 901 North 5th Street, Kansas City, KS 66101, ATTENTION: Ms. Carol Taylor-Curth, Water Quality Management Branch.

A copy of the proposed TMDL can be obtained through the Internet or by contacting Mrs. Curth via email at taylor-curth.carold@epa.gov or via FAX at 913-551-9836. On the web, the TMDL is found at: http://www.epa.gov/region07/water/tmdl_public_notice.htm.


William A. Spratlin
Director

Water, Wetlands and Pesticides Division

12/21/09

Date