



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101  
January 6, 2012

Dr. Robert Moser, Secretary  
Kansas Department of Health and Environment  
Office of the Secretary  
1000 S.W. Jackson Street  
Topeka, Kansas 66612

Dear Dr. Moser:

RE: Approval of TMDL Document for Lovewell Lake

This letter responds to the submission from the Kansas Department of Health and Environment, originally received by the U.S. Environmental Protection Agency, Region 7, on October 5, 2011, for a Total Maximum Daily Load document which contained TMDLs for eutrophication and pH. Lovewell Lake was identified on the 2010 Kansas Section 303(d) List as impaired. 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) are:

<u>Water Body Name</u>	<u>WBID</u>	<u>Pollutants</u>
Lovewell Lake	KS-KR-16-LM015001	Eutrophication and pH

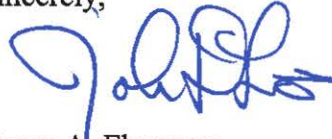
The EPA has completed its review of the TMDL document with supporting documentation and information. By this letter, the EPA approves the submitted TMDLs. Enclosed with this letter is the Region 7 TMDL Decision Document which summarizes the rationale for the EPA's approval of the TMDLs. The EPA believes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


The 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 these TMDLs at the present time, we may decide that changes to the TMDL document are warranted based upon the results of the consultation when it is completed.



The EPA appreciates the thoughtful effort that the KDHE has put into these TMDLs. We will continue to cooperate with and assist, as appropriate, in future efforts by the KDHE to develop TMDLs.

Sincerely,



 Karen A. Flourney  
Director  
Water, Wetlands and Pesticides Division

Enclosure

cc: Mr. John Mitchell, Director, Division of Environment, KDHE  
Mr. Tom Stiles, KDHE  
Mr. Dan Mulhern and Mr. John Meisner, U. S. Fish and Wildlife Service, Manhattan