



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

DEC 10 2008

Mr. Edward Galbraith, Director
Water Protection Program
Water Protection and Soil Conservation Division
Missouri Department of Natural Resources
P. O. Box 176
Jefferson City, Missouri 65102

Re: Approval of Lateral #2 Main Ditch TMDL

Dear Mr. Galbraith:

This letter responds to the Missouri Department of Natural Resources (MDNR) submission for a Total Maximum Daily Load (TMDL) document which contained a TMDL for sediment for Lateral#2 Main Ditch. The document was originally received by the U. S. Environmental Protection Agency (EPA), Region 7, on May 14, 2008. Revisions were made to the original submittal and the final version was resubmitted on November 6, 2008.

MDNR submitted a TMDL document for Lateral #2 Main Ditch, which was identified on the 2002 Missouri §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 pollutant) is:

<u>Water Body Name</u>	<u>WBID</u>	<u>Pollutant</u>
Lateral #2 Main Ditch	MO_3105	sediment

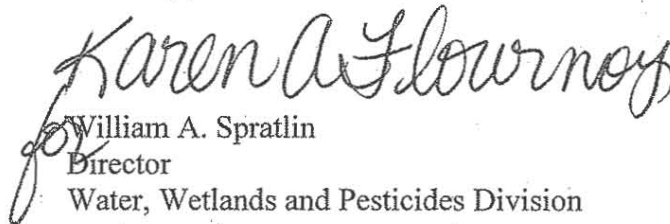
EPA has completed its review of the TMDL document with supporting documentation and information. By this letter, EPA approves the submitted TMDL. Enclosed with this letter is the EPA Region 7 TMDL Decision Document summarizing the rationale for EPA's approval of this TMDL. EPA believes the separate elements of the TMDL described in the enclosed form adequately address the pollutant 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 TMDL 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. 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.

We appreciate the thoughtful effort that MDNR has put into this TMDL. We will continue to cooperate with and assist, as appropriate, in future efforts by MDNR to develop remaining TMDLs.

Sincerely,


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

Enclosures

cc: Mr. John Hoke
Missouri Department of Natural Resources

Mr. Phil Schroeder
Missouri Department of Natural Resources

Mr. Gerald Babao
American Canoe Association

Mr. Paul Sanford
American Canoe Association

Mr. Scott Dye
Sierra Club

Mr. John Simpson
KS Natural Resource Council