



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

MAR 03 2010

Mr. Scott Totten, Acting 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 Buffalo Ditch TMDL

Dear Mr. Totten:

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 low dissolved oxygen for Buffalo Ditch segment 3118. The document was originally received by the United States Environmental Protection Agency (EPA), Region 7, on January 12, 2010. Revisions were made to the original submittal and the final version was submitted on February 23, 2010.

Buffalo Ditch was identified on the 2008 Missouri 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 pollutant) is:

Table with 3 columns: Water Body Name, WBID, Pollutant. Row 1: Buffalo Ditch, MO_3118, low dissolved oxygen

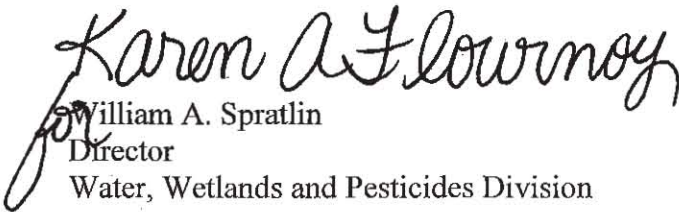
EPA has completed its review of the TMDL document with supporting documentation and information. By this letter, EPA approves the submitted TMDL. Enclosed with this letter is the EPA Region 7 TMDL Decision Document summarizing the rationale for EPA's approval of the TMDL. EPA believes the separate elements 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 United States 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 the remaining TMDLs.

Sincerely,


William A. Spratlin
Director
Water, Wetlands and Pesticides Division

Enclosures

cc: Mr. John Hoke
Missouri Department of Natural Resources

Mr. Paul Sanford
American Canoe Association

Mr. Scott Dye
Sierra Club

Mr. John Simpson
KS Natural Resource Council