TMDL: Tampier Lake and Saganashkee Slough, Illinois
Date:

DECISION DOCUMENT FOR THE APPROVAL OF THE TAMPIER LAKE AND SAGANASHKEE SLOUGH, ILLINOIS, TMDLS

Section 303(d) of the Clean Water Act (CWA) and EPA's implementing regulations at 40 C.F.R. Part 130 describe the statutory and regulatory requirements for approvable TMDLs. Additional information is generally necessary for EPA to determine if a submitted TMDL fulfills the legal requirements for approval under Section 303(d) and EPA regulations, and should be included in the submittal package. Use of the verb "must" below denotes information that is required to be submitted because it relates to elements of the TMDL required by the CWA and by regulation. Use of the term "should" below denotes information that is generally necessary for EPA to determine if a submitted TMDL is approvable. These TMDL review guidelines are not themselves regulations. They are an attempt to summarize and provide guidance regarding currently effective statutory and regulatory requirements relating to TMDLs. Any differences between these guidelines and EPA's TMDL regulations should be resolved in favor of the regulations themselves.

1. Identification of Waterbody, Pollutant of Concern, Pollutant Sources, and Priority Ranking

The TMDL submittal should identify the waterbody as it appears on the State's/Tribe's 303(d) list. The waterbody should be identified/georeferenced using the National Hydrography Dataset (NHD), and the TMDL should clearly identify the pollutant for which the TMDL is being established. In addition, the TMDL should identify the priority ranking of the waterbody and specify the link between the pollutant of concern and the water quality standard (see section 2 below).

The TMDL submittal should include an identification of the point and nonpoint sources of the pollutant of concern, including location of the source(s) and the quantity of the loading, e.g., lbs/per day. The TMDL should provide the identification numbers of the NPDES permits within the waterbody. Where it is possible to separate natural background from nonpoint sources, the TMDL should include a description of the natural background. This information is necessary for EPA's review of the load and wasteload allocations, which are required by regulation.

The TMDL submittal should also contain a description of any important assumptions made in developing the TMDL, such as:

(1) the spatial extent of the watershed in which the impaired waterbody is located;
(2) the assumed distribution of land use in the watershed (e.g., urban, forested, agriculture);
(3) population characteristics, wildlife resources, and other relevant information affecting the characterization of the pollutant of concern and its allocation to sources;
(4) present and future growth trends, if taken into consideration in preparing the TMDL (e.g., the TMDL could include the design capacity of a wastewater treatment facility); and
(5) an explanation and analytical basis for expressing the TMDL through *surrogate*

measures, if applicable. *Surrogate measures* are parameters such as percent fines and turbidity for sediment impairments; chlorophyll *a* and phosphorus loadings for excess algae; length of riparian buffer; or number of acres of best management practices.

Comment:
Spatial Extent: These TMDLs for total phosphorus address impairments in Tampier Lake and Saganashkee Slough in Illinois (Table 1 below). The lakes are located in northeastern Illinois, southwest of Chicago (HUC 0712000407). Tampier Lake discharges to Long Run which in turn discharges into the Chicago Ship and Sanitary Canal. Saganashkee Slough discharges into the Cal Sag Channel which in turn discharges into the Chicago Ship and Sanitary Canal.

Table 1 Waterbodies addressed by this TMDL approval

Waterbody	**Segment ID**	**Pollutant**	**Impairments addressed**
Tampier Lake	RGZO	Total Phosphorus	Total phosphorus, sedimentation/siltation, aquatic algae/plants
Saganashkee Slough	RHH	Total Phosphorus	Total phosphorus, Dissolved Oxygen sedimentation/siltation, aquatic algae/plants

The lakes are also listed for other impairments (sedimentation/siltation, aquatic algae/plants, nickel and silver) and the State believes that the sedimentation /siltation and aquatic algae/plants impairments will be addressed by the activities undertaken to control the TMDL pollutants (Section 1.2 of the TMDL). The nickel and silver impairments are due to contaminated sediments, and are not addressed by the TMDL. Another waterbody in the watershed (Fiddyment Creek) is also listed as impaired due to ammonia, dissolved oxygen, total phosphorus, and sedimentation/siltation. During the development of the TMDL report, the Illinois Environmental Protection Agency (IEPA) determined that the impairments are due to municipal point sources (Section 1.2 of the TMDL). IEPA believes these impairments can be addressed through the National Pollutant Discharge Elimination system (NPDES) permit process, and therefore no TMDL was developed for Fiddyment Creek.

Tampier Lake covers about 125 acres, and the watershed covers approximately 1,581 acres. The maximum depth is 16 feet, and the average depth is 6 feet. The lake discharges from a small dam at the southeastern end of the lake. The lake was originally a series of sloughs which were dug out in 1962 to form the lake. The lake has significant fishing and boating recreational use.

Saganashkee Slough is about 325 acres in size, and the watershed area is approximately 3600 acres. The maximum depth is 10 feet, and the average depth is 3 feet. Saganashkee Slough was formed from a tributary to the Cal Sag Channel that was dammed in 1948-1949. A series of earthen dams/levees surround the slough, and a small dam allows discharge from the eastern edge of the slough.

Distribution of land use: The land use for the lakes is mixed forest/grassland and urban in nature (Tables 2.1 and 2.3 of the TMDL). The lakes are part of the Cook County Forest District, and most of the land immediately surrounding the lakes is forest preserve. Tampier Lake land

use is about 57% forest/grassland, 22% water/marsh, and 18% urban. Land use around Saganashkee Slough is 73% forest/grassland, 16% water/marsh, and 7% urban. The Soils Section of the TMDL (Section 2.4) states that the soils in the two watersheds have a generally moderate to high runoff potential.

Population and future growth trends: Approximately half of the Tampier Lake watershed lies within the city of Palos Park, which has a population of about 5,000. The remaining half of the watershed is in unincorporated Cook County. Most of the watershed of Saganashkee Slough lies within the city of Palos Hills. IEPA stated that future growth is not anticipated to be an issue in the watersheds (Section 2.5 of the TMDL).

Pollutant of concern: The TMDL submittal states the pollutant causing the impairments of the waterbodies is total phosphorus (Table 1 above). Sampling data in Tampier Lake from 1991, 2002 and 2006 indicate that the total phosphorus criteria have been exceeded on almost all occasions (Section 5.1 of the TMDL). Sampling data from Saganashkee Slough from 1992 and 2001 all exceeded the total phosphorus criteria (Section 5.1 of the TMDL). IEPA noted that there was one exceedance of the dissolved oxygen criteria in Saganashkee Slough; IEPA also noted that this exceedance was based upon the previous water quality criteria. This exceedance would not be considered a violation under the recently revised dissolved oxygen criteria.

Surrogates: IEPA believes that the TMDLs for total phosphorus will likely address the low dissolved oxygen, sedimentation/siltation and aquatic algae/plants impairments. The nickel and silver impairments are the result of contaminated sediments and were not addressed in the TMDL.

Sources:
IEPA identified several potential sources of phosphorus for the lakes (Section 5.4 of the TMDL). No permitted sources discharging to the lakes were identified by IEPA, including stormwater (Section 5.3 of the TMDL). Run-off from forested lands and non-regulated urban run-off can all result in phosphorus loads entering the waterbodies, as well as internal loading of phosphorus (Section 5 of the TMDL).

Priority Ranking: Tampier Lake and Saganashkee Slough were given a medium priority ranking by IEPA.

EPA finds that the TMDL document submitted by IEPA satisfies all requirements concerning this first element.

2. Description of the Applicable Water Quality Standards and Numeric Water Quality Target

The TMDL submittal must include a description of the applicable State/Tribal water quality standard, including the designated use(s) of the waterbody, the applicable numeric or narrative water quality criterion, and the antidegradation policy. (40 C.F.R. §130.7(c)(1)). EPA needs this information to review the loading capacity determination, and load and wasteload allocations, which are required by regulation.

The TMDL submittal must identify a numeric water quality target(s) - a quantitative value used to measure whether or not the applicable water quality standard is attained. Generally, the pollutant of concern and the numeric water quality target are, respectively, the chemical causing the impairment and the numeric criteria for that chemical (e.g., chromium) contained in the water quality standard. The TMDL expresses the relationship between any necessary reduction of the pollutant of concern and the attainment of the numeric water quality target. Occasionally, the pollutant of concern is different from the pollutant that is the subject of the numeric water quality target (e.g., when the pollutant of concern is phosphorus and the numeric water quality target is expressed as Dissolved Oxygen (DO) criteria). In such cases, the TMDL submittal should explain the linkage between the pollutant of concern and the chosen numeric water quality target.

Comment:
Designated Use/Standards: Section 4 of the TMDL states that the impaired waterbodies are not meeting the General Use designation due to the pollutants noted in Table 1 above. Tampier Lake was listed specifically for not meeting the Aesthetic Quality portion of the General Use standard, and Saganashkee Slough was listed specifically for not meeting the Aesthetic Quality and Aquatic Life portions of the General Use standards (Table 1-1 of the TMDL).

The applicable General Use water quality standards (WQS) for these waterbodies are established in Illinois Administrative Rules Title 35, Environmental Protection; Subtitle C, Water Pollution; Chapter I, Pollution Control Board; Part 302, Water Quality Standards. Table 4-3 of the TMDL lists the parameters and the applicable criteria under the Illinois Code. For total phosphorus, the criterion is 0.05 mg/l.

Target: The target for the TMDLs is the WQS for total phosphorus, 0.05 mg/l.

EPA finds that the TMDL document submitted by IEPA satisfies all requirements concerning this second element.

3. Loading Capacity - Linking Water Quality and Pollutant Sources

A TMDL must identify the loading capacity of a waterbody for the applicable pollutant. EPA regulations define loading capacity as the greatest amount of a pollutant that a water can receive without violating water quality standards (40 C.F.R. §130.2(f)).

The pollutant loadings may be expressed as either mass-per-time, toxicity or other appropriate measure (40 C.F.R. §130.2(i)). If the TMDL is expressed in terms other than a daily load, e.g., an annual load, the submittal should explain why it is appropriate to express the TMDL in the unit of measurement chosen. The TMDL submittal should describe the method used to establish the cause-and-effect relationship between the numeric target and the identified pollutant sources. In many instances, this method will be a water quality model.

The TMDL submittal should contain documentation supporting the TMDL analysis, including the basis for any assumptions; a discussion of strengths and weaknesses in the analytical process; and results from any water quality modeling. EPA needs this information to review the loading capacity determination, and load and wasteload allocations, which are required by regulation.

TMDLs must take into account *critical conditions* for steam flow, loading, and water quality parameters as part of the analysis of loading capacity. (40 C.F.R. §130.7(c)(1)). TMDLs should define applicable *critical conditions* and describe their approach to estimating both point and nonpoint source loadings under such *critical conditions*. In particular, the TMDL should discuss the approach used to compute and allocate nonpoint source loadings, e.g., meteorological conditions and land use distribution.

Comment:
Loading capacity: The loading capacity for total phosphorus for Tampier Lake is **1.3 lbs/day**, and the loading capacity for total phosphorus for Saganashkee Slough is **2.4 lbs/day** (Section 8 of the TMDL).

Table 2 TMDL Summary for Tampier Lake (total phosphorus)

Load source	LC (lbs/day)	WLA (lbs/day)	LA (lbs/day)	MOS (lbs/day)
Total	**1.3**	**0**	**1.17**	**0.13**
Internal	0.8	0	0.68	0.08
External	0.5	0	0.49	0.05

Table 3 TMDL Summary for Saganashkee Slough (total phosphorus)

Load source	LC (lbs/day)	WLA (lbs/day)	LA (lbs/day)	MOS (lbs/day)
Total	**2.4**	**0**	**2.16**	**0.24**
Internal	1	0	0.90	0.10
External	1.4	0	1.26	0.14

Method for cause and effect relationship: To determine the loading capacity, IEPA used an "export coefficient" method to determine loadings from the watersheds, and BATHTUB, a computer model that accounts for pollutant transport and sedimentation to determine the water quality impacts. (Section 7.2 of the TMDL).

The export coefficient method is a process that uses run-off coefficients from various land uses to determine the amount or phosphorus that washes off the land surface and into the waterbody (Appendix D of the TMDL). The watershed for each lake was divided into subbasins to further define the loads entering the lakes (Figures 9-2 and 9-3 of the TMDL). The flows from the subbasins and related tributaries were determined by IEPA from a US Geological Survey gage on Long Run, just downstream of the lakes.

The BATHTUB water quality model was used to determine the impacts of the phosphorus on the lakes (Section 7.4 of the TMDL). BATHTUB performs steady-state water and phosphorus balance calculations in a spatially segmented hydraulic network, accounting for pollutant transport and sedimentation. The model requires tributary flows and concentrations, reservoir bathymetry, in-lake concentrations, and weather data.

The BATHTUB model was calibrated for the lakes based upon sampling data. The model was also adjusted to account for internal loading from phosphorus in the sediments. The loading

capacity was then determined based upon the loads and fate of phosphorus entering the lakes to meet the WQS (target) of 0.05 mg/l phosphorus (Appendix D of the TMDL). IEPA determined that a 51% reduction in total phosphorus in Tampier Lake is needed to achieve the WQS, and a 79% reduction in total phosphorus in Saganashkee Lake is needed to achieve the WQS. Internal loading was calculated to be 60% of the phosphorus load in Tampier Lake, and 40% of the load in Saganashkee Lake (Section 8.3.5 of the TMDL).

Critical condition: IEPA believes the critical condition for phosphorus is during high flow/storm events, when run-off is greatest (Section 8.3.2 of the TMDL). The critical condition for water quality impacts is the summer season, when temperatures are higher, and water circulation within the lakes is reduced, allowing the phosphorus to be consumed by the algae. IEPA accounted for the critical condition by modeling the impacts based upon seasonal changes and area precipitation rates.

EPA finds that the TMDL document submitted by IEPA satisfies all requirements concerning this third element.

4. Load Allocations (LAs)

EPA regulations require that a TMDL include LAs, which identify the portion of the loading capacity attributed to existing and future nonpoint sources and to natural background. Load allocations may range from reasonably accurate estimates to gross allotments (40 C.F.R. §130.2(g)). Where possible, load allocations should be described separately for natural background and nonpoint sources.

Comment:
The LA for phosphorus for Tampier Lake is **1.17 lbs/day** and for Saganashkee Lake is **2.16 lbs/day** (Tables 2 and 3 above). The loads are further split into internal loads and external loads, based upon the model (Section 8.3 of the TMDL).

EPA finds that the TMDL document submitted by IEPA satisfies all requirements concerning this fourth element.

5. Wasteload Allocations (WLAs)

EPA regulations require that a TMDL include WLAs, which identify the portion of the loading capacity allocated to individual existing and future point source(s) (40 C.F.R. §130.2(h), 40 C.F.R. §130.2(i)). In some cases, WLAs may cover more than one discharger, e.g., if the source is contained within a general permit.

The individual WLAs may take the form of uniform percentage reductions or individual mass based limitations for dischargers where it can be shown that this solution meets WQSs and does not result in localized impairments. These individual WLAs may be adjusted during the NPDES permitting process. If the WLAs are adjusted, the individual effluent limits for each permit issued to a discharger on the impaired water must be consistent with the assumptions and requirements of the adjusted WLAs in the TMDL. If the WLAs are not adjusted, effluent limits contained in the permit must be consistent with the individual WLAs specified in the TMDL. If

a draft permit provides for a higher load for a discharger than the corresponding individual WLA in the TMDL, the State/Tribe must demonstrate that the total WLA in the TMDL will be achieved through reductions in the remaining individual WLAs and that localized impairments will not result. All permittees should be notified of any deviations from the initial individual WLAs contained in the TMDL. EPA does not require the establishment of a new TMDL to reflect these revised allocations as long as the total WLA, as expressed in the TMDL, remains the same or decreases, and there is no reallocation between the total WLA and the total LA.

Comment:
No point sources (including MS4) were identified by the State as contributing to the phosphorus impairments in Tampier Lake or Saganashkee Slough. Therefore, the WLA for total phosphorus is **0** (Section 8.3.4 of the TMDL).

EPA finds that the TMDL document submitted by IEPA satisfies all requirements concerning this fifth element.

6. Margin of Safety (MOS)

The statute and regulations require that a TMDL include a margin of safety (MOS) to account for any lack of knowledge concerning the relationship between load and wasteload allocations and water quality (CWA §303(d)(1)(C), 40 C.F.R. §130.7(c)(1)). EPA's 1991 TMDL Guidance explains that the MOS may be implicit, i.e., incorporated into the TMDL through conservative assumptions in the analysis, or explicit, i.e., expressed in the TMDL as loadings set aside for the MOS. If the MOS is implicit, the conservative assumptions in the analysis that account for the MOS must be described. If the MOS is explicit, the loading set aside for the MOS must be identified.

Comment:
For phosphorus in Tampier Lake and Saganashkee Slough, IEPA used an explicit MOS of 10% (Tables 2 and 3 above; Section 8.3.3 of the TMDL). IEPA determined this to be an appropriate MOS, as the loads calculated in the model were adjusted to match the in-lake data values. IEPA also noted that the TMDLs also provide an implicit MOS. The model values used by IEPA in the BATHTUB model are default values based upon data from a large number of lakes across various regions. These default values are based upon statistical analysis, and are deliberately chosen at a conservative value. For example, the atmospheric loading rate assumes that wind-born dust/soil from farmland containing phosphorus enters the lakes. However, there are limited amounts of agricultural land in the Tampier Lake and Saganashkee Slough watersheds, and IEPA believes atmospheric loading is overestimated. Therefore, the reductions needed to meet the WQS are overestimated. EPA agrees that this approach appropriately reflects the MOS and uncertainty in the TMDLs.

EPA finds that the TMDL document submitted by IEPA contains an appropriate MOS satisfying all requirements concerning this sixth element.

7. Seasonal Variation

The statute and regulations require that a TMDL be established with consideration of seasonal variations. The TMDL must describe the method chosen for including seasonal

variations. (CWA §303(d)(1)(C), 40 C.F.R. §130.7(c)(1)).

Comment:
IEPA properly accounted for seasonality for phosphorus by using the BATHTUB model, which uses flows and precipitation data from a multi-year period (Sections 7 and 8.3.2 of the TMDL). EPA agrees that this properly accounts for seasonal variations.

EPA finds that the TMDL document submitted by IEPA satisfies all requirements concerning this seventh element.

8. Reasonable Assurances

When a TMDL is developed for waters impaired by point sources only, the issuance of a National Pollutant Discharge Elimination System (NPDES) permit(s) provides the reasonable assurance that the wasteload allocations contained in the TMDL will be achieved. This is because 40 C.F.R. 122.44(d)(1)(vii)(B) requires that effluent limits in permits be consistent with "the assumptions and requirements of any available wasteload allocation" in an approved TMDL.

When a TMDL is developed for waters impaired by both point and nonpoint sources, and the WLA is based on an assumption that nonpoint source load reductions will occur, EPA's 1991 TMDL Guidance states that the TMDL should provide reasonable assurances that nonpoint source control measures will achieve expected load reductions in order for the TMDL to be approvable. This information is necessary for EPA to determine that the TMDL, including the load and wasteload allocations, has been established at a level necessary to implement water quality standards.

EPA's August 1997 TMDL Guidance also directs Regions to work with States to achieve TMDL load allocations in waters impaired only by nonpoint sources. However, EPA cannot disapprove a TMDL for nonpoint source-only impaired waters, which do not have a demonstration of reasonable assurance that LAs will be achieved, because such a showing is not required by current regulations.

Comment:
IEPA provided discussion on reasonable assurance in Section 9.2 of the TMDL. IEPA identified a number of programs that will be pursued in developing programs and mechanisms to reduce loads of total phosphorus in the lakes.

The programs include Clean Water Act Section 319 grants. Programs administered by the US Department of Agriculture are also available, including the Wildlife Habitat Incentives Program (WHIP), Wetlands Reserve Program (WRP), and Streambank Stabilization and Restoration Practice programs. Many of these programs target lands where a TMDL has been developed, and non-agricultural lands can participate.

IEPA also provided cost estimates of various Best Management Practices (BMPs) that could be pursued in the watershed. IEPA will be developing a more detailed implementation plan in the near future to more fully identify the sources contributing to the impairment, and determine

potential best management practices to control those sources. IEPA will hold a separate public meeting to discuss the proposed implementation plan.

EPA finds that this criterion has been adequately addressed.

9. Monitoring Plan to Track TMDL Effectiveness

EPA's 1991 document, *Guidance for Water Quality-Based Decisions: The TMDL Process* (EPA 440/4-91-001), recommends a monitoring plan to track the effectiveness of a TMDL, particularly when a TMDL involves both point and nonpoint sources, and the WLA is based on an assumption that nonpoint source load reductions will occur. Such a TMDL should provide assurances that nonpoint source controls will achieve expected load reductions and, such TMDL should include a monitoring plan that describes the additional data to be collected to determine if the load reductions provided for in the TMDL are occurring and leading to attainment of water quality standards.

Comment:
The TMDL submittal contains a discussion on future monitoring (Section 9.3 of the TMDL). The monitoring plan discusses what monitoring is needed as implementation activities are underway. Current monitoring will continue as funding allows.

EPA finds that this criterion has been adequately addressed.

10. Implementation

EPA policy encourages Regions to work in partnership with States/Tribes to achieve nonpoint source load allocations established for 303(d)-listed waters impaired by nonpoint sources. Regions may assist States/Tribes in developing implementation plans that include reasonable assurances that nonpoint source LAs established in TMDLs for waters impaired solely or primarily by nonpoint sources will in fact be achieved. In addition, EPA policy recognizes that other relevant watershed management processes may be used in the TMDL process. EPA is not required to and does not approve TMDL implementation plans.

Comment:
IEPA will be developing a more-detailed implementation plan to address pollutant sources, and potential implementation activities. Section 9.1 of the TMDL discusses potential activities that will be pursued in implementing the TMDLs. IEPA will be pursuing an "adaptive management" approach for the TMDL, where BMPs are developed, water quality is monitored to determine BMP effectiveness and to ensure the appropriate BMPs are in place, and then more BMPs may be implemented. A separate public meeting will be scheduled to specifically discuss implementation issues once the implementation plan is developed.

EPA reviews, but does not approve, implementation plans. EPA finds that this criterion has been adequately addressed.

11. Public Participation

EPA policy is that there should be full and meaningful public participation in the TMDL development process. The TMDL regulations require that each State/Tribe must subject calculations to establish TMDLs to public review consistent with its own continuing planning process (40 C.F.R. §130.7(c)(1)(ii)). In guidance, EPA has explained that final TMDLs submitted to EPA for review and approval should describe the State's/Tribe's public participation process, including a summary of significant comments and the State's/Tribe's responses to those comments. When EPA establishes a TMDL, EPA regulations require EPA to publish a notice seeking public comment (40 C.F.R. §130.7(d)(2)).

Provision of inadequate public participation may be a basis for disapproving a TMDL. If EPA determines that a State/Tribe has not provided adequate public participation, EPA may defer its approval action until adequate public participation has been provided for, either by the State/Tribe or by EPA.

Comment:
A public meeting was held in Palos Park, Illinois on November 6, 2008, by IEPA to present the Stage 1 preliminary TMDL findings. The public comment period for the draft TMDL opened on August 5, 2009, and closed September 24, 2009. A public meeting was held on August 25, 2009, in Palos Park, Illinois. The public notice for the meeting was published in the *Palos Citizen* newspaper, and gave the details of the public meeting (Appendix E of the TMDL). Interested individuals and organizations also received copies of the public notice. A hard copy of the TMDL was made available to the public for comment upon request, as well as at the Palos Park Village Hall. The draft was also made available at the website: http://www.epa.state.il.us/water/tmdl/. No comments were received.

EPA finds that the TMDL document submitted by IEPA satisfies all requirements concerning this eleventh element.

12. Submittal Letter

A submittal letter should be included with the TMDL submittal, and should specify whether the TMDL is being submitted for a *technical review* or *final review and approval*. Each final TMDL submitted to EPA should be accompanied by a submittal letter that explicitly states that the submittal is a final TMDL submitted under Section 303(d) of the Clean Water Act for EPA review and approval. This clearly establishes the State's/Tribe's intent to submit, and EPA's duty to review, the TMDL under the statute. The submittal letter, whether for technical review or final review and approval, should contain such identifying information as the name and location of the waterbody, and the pollutant(s) of concern.

Comment:
On April 7, 2010, EPA received the Tampier Lake and Saganashkee Slough TMDL, and a submittal letter dated July 22, 2009. In the submittal letter, IEPA stated "Please find enclosed Illinois EPA's submittal of the Tampier Lake and Saganashkee Slough watersheds TMDL report for USEPA final approval". The submittal letter included the names and locations of the waterbodies and the pollutants of concern.

EPA finds that the TMDL document submitted by IEPA satisfies all requirements concerning this twelfth element.

Conclusion

After a full and complete review, EPA finds that the TMDLs for Tampier Lake and Saganashkee Slough satisfy all of the elements of approvable TMDLs. This approval is for 2 TMDLs, addressing a total of 7 impairments in 2 waterbody segments.

EPA's approval of this TMDL does not extend to those waters that are within Indian Country, as defined in 18 U.S.C. Section 1151. EPA is taking no action to approve or disapprove TMDLs for those waters at this time. EPA, or eligible Indian Tribes, as appropriate, will retain responsibilities under the CWA Section 303(d) for those waters.