



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

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Seattle, WA 98101-3188

WATER  
DIVISION

June 23, 2020

Mr. Randy Bates  
Director  
Division of Water  
Alaska Department of Environmental Conservation  
P.O. Box 111800  
Juneau, Alaska 99811

Re: Approval of Alaska's 2018 Clean Water Act Section 303(d) List

Dear Mr. Bates:

The U.S. Environmental Protection Agency has completed the review of the State of Alaska 2018 Integrated Report. On March 26, 2020, the Alaska Department of Environmental Conservation (ADEC) submitted the final 2018 Integrated Report, which included the Clean Water Act Section 305(b) report on the status of all state waters, the 303(d) Impaired Waters List (list), a response to public comments, and the state's Total Maximum Daily Load (TMDL) schedule. Although ADEC's Integrated Report describes the status of all of Alaska's waters, EPA is only taking action on the waters listed in Category 5, which constitutes the 303(d) list applicable to the waters within the jurisdiction of the State of Alaska.

Based on EPA's review of Alaska's 2018 Integrated Report and supporting documentation and information, we have determined that Alaska's list of water quality limited segments (WQLSs) still requiring a TMDL meets the requirements of Section 303(d) of the CWA and EPA's implementing regulations. Therefore, EPA approves Alaska's 2018 Section 303(d) list. EPA's review and discussion of Alaska's compliance with the statutory and regulatory requirements are described in the enclosure to this letter.

In accordance with Section 303(d) of the CWA and 40 C.F.R. §§130.7(b)(1) and (5), states are required to "assemble and evaluate all existing and readily available water quality-related data and information to develop the list." EPA has concluded that Alaska has met the requirements at 40 C.F.R. § 130.7(b)(5) with regard to all the waters listed by the State in the 2018 Integrated Report. In addition, EPA has determined that the State's decision to exclude from Category 5 four previously identified WQLSs due to attainment of water quality standards was also consistent with CWA Section 303(d) and the federal regulations. The State has also appropriately excluded five WQLSs from the list consistent with CWA Section 303(d) and the federal regulations and instead placed them in Category 4a and 4b.

While ADEC reviewed all the existing and readily available zinc data for the Kenai River, the State has reasonably concluded that it cannot use this data to make a listing decision due to numerous questions and data gaps that need to be addressed. ADEC has placed the Kenai River in Category 3 for zinc, citing insufficient data at this time to make an attainment determination. It is EPA's understanding, based on information contained in ADEC's response to public comments and the Kenai River Factsheet included with the 2018 Integrated Report submittal, that additional data were collected in 2018 and 2019 and more are scheduled to be collected in 2020. EPA anticipates that ADEC will address these data gaps during the 2020 Integrated Report cycle such that it can determine the water quality status of the Kenai

River as it pertains to zinc. EPA encourages ADEC to continue to monitor water quality in the Kenai River and to work with state and local partners to implement measures to reduce pollutant loading to the River.

EPA would like to recognize the hard work of the staff and managers at ADEC in transitioning to EPA's Assessment, TMDL, Tracking and Implementation System (ATTAINS) database and electronically submitting the final 2018 Integrated Report. If you have any questions, please feel free to call me at (206) 553-1855, or have your staff contact Jill Fullagar, EPA Assessment Coordinator, at (206) 553-2582.

Sincerely,

Daniel D. Opalski  
Director

Enclosure

cc: Ms. Terri Lomax, ADEC (by email)