

ENVIRONMENTAL PROTECTION COMMISSION[567]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission (EPC) hereby amends Chapter 61, “Water Quality Standards,” Iowa Administrative Code.

This rule making adopts by reference the updated and amended Surface Water Classification document which lists the use designations for Iowa streams. Stream redesignations are based upon the Department of Natural Resources (DNR) conducting a Use Assessment and Use Attainability Analysis (UA/UAA), which is a step-by-step process to gather site-specific field data on stream features and uses. The DNR then assesses available information to determine if the “presumed” recreational and aquatic life uses are appropriate. The listed amendments are the recommended designated use classifications for stream segments that have undergone the UA/UAA process.

The Surface Water Classification changes are summarized as follows:

1. Class A1 Stream Segments

	Stream Name	UAA ID	Basin	Class A1 Stream Segment Length (miles)	Aquatic Stream Segment Length (miles)
1	Blue Creek (Benton/Linn Counties)	508	Iowa-Cedar	5.5	NA
2	Camp Creek (Calhoun County)	1416	Des Moines	8.3	NA
3	Dye Creek (Story County)	1461	Skunk	1.0	NA
4	East Indian Creek (Story County)	1460	Skunk	8.2	NA
5	Price Creek (Iowa County)	NA	Iowa-Cedar	0.3	NA
6	South English River (Poweshiek/Mahaska/Keokuk/Washington Counties)	1453	Iowa-Cedar	10.6	NA
7	West Fork Camp Creek (Calhoun County)	1415	Des Moines	7.0	NA
8	White Fox Creek (Wright/Hamilton Counties)	1466	Des Moines	12.1	NA

2. Class A1, B(WW-1) Stream Segments

	Stream Name	UAA ID	Basin	Class A1 Stream Segment Length (miles)	B(WW-1) Aquatic Stream Segment Length (miles)
1	Saylor Creek (Polk County)	1466	Des Moines	<0.1	<0.1

3. Class A1, B(WW-2) Stream Segments

	Stream Name	UAA ID	Basin	Class A1 Stream Segment Length (miles)	B(WW-2) Aquatic Stream Segment Length (miles)
1	Cub Creek (Poweshiek County)	1427	Iowa-Cedar	<0.1	<0.1
2	Drainage Ditch 29 (Fonda, City of, STP) (Pocahontas County)	1419	Des Moines	0.5	0.5
3	Dry Run (O'Brien County)	1473	Western	8.8	8.8
4	East Branch Blue Creek (Linn County)	1499	Iowa-Cedar	4.0	4.0
5	Fox Creek (Dallas County)	1457	Des Moines	2.4	2.4
6	Unnamed Creek (Firestone Agricultural Tire Company) (Polk County)	1485	Des Moines	0.9	0.9
7	Unnamed Creek (Lanesboro, City of, STP) (Carroll County)	1413	Des Moines	0.1	0.1
8	Unnamed Creek (Pella Corp.) (Marion County)	1422	Des Moines	<0.1	<0.1

4. Class A2 Stream Segments

	Stream Name	UAA ID	Basin	Class A2 Stream Segment Length (miles)	Aquatic Stream Segment Length (miles)
1	Chihaks Creek (Howard County)	NA	Northeastern	1.1	NA
2	Deep River (Poweshiek/Iowa Counties)	1429	Iowa-Cedar	7.5	NA

5. Class A2, B(WW-2) Stream Segments

	Stream Name	UAA ID	Basin	Class A2 Stream Segment Length (miles)	B(WW-2) Aquatic Stream Segment Length (miles)
1	Brushy Creek (Carroll/Audubon/Guthrie Counties)	1071	Des Moines	4.0	4.0
2	Cub Creek (Poweshiek County)	1426	Iowa-Cedar	3.3	3.3
3	Drainage Ditch (Adair, City of, STP) (Adair County)	1495	Des Moines	0.2	0.2
4	Drainage Ditch 2 (I35-105 Interchange Commercial District) (Worth County)	1409	Iowa-Cedar	9.4	9.4
5	East Branch Blue Creek (Linn County)	1500	Iowa-Cedar	4.2	4.2
6	Granger Creek (Dubuque County)	1476	Northeastern	0.5	0.5
7	Little Creek (Iowa/Keokuk Counties)	1455	Iowa-Cedar	6.1	6.1
8	Middle English River (Iowa County)	1452	Iowa-Cedar	10.2	2.8
9	Painter Creek (Madison/Warren Counties)	1420	Des Moines	7.9	7.9
10	Soap Creek (Lee County)	949	Skunk	0.9	0.9
11	South English River (Poweshiek/Mahaska/Keokuk/Washington Counties)	1454	Iowa-Cedar	21.8	6.1
12	Spring Creek (Des Moines County)	NA	Iowa-Cedar	3.8	3.8

	Stream Name	UAA ID	Basin	Class A2 Stream Segment Length (miles)	B(WW-2) Aquatic Stream Segment Length (miles)
13	Unnamed Creek (Country Living Court, LLC) (Story County)	1462	Skunk	0.2	0.2
14	Unnamed Creek (Deep River, City of, WWTP) (Poweshiek County)	1428	Iowa-Cedar	1.5	1.5
15	Unnamed Creek (Earling, City of, STP) (Shelby County)	1498	Western	<0.1	<0.1
16	Unnamed Creek (East Iowa Bible Camp) (Iowa County)	1450	Iowa-Cedar	2.9	2.9
17	Unnamed Creek (Fonda, City of, WWTP) (Pocahontas County)	1417	Des Moines	0.2	0.2
18	Unnamed Creek (Kwik Star #303) (Poweshiek County)	1425	Iowa-Cedar	1.9	1.9
19	Unnamed Creek (Lanesboro, City of, STP) (Carroll County)	1414	Des Moines	1.2	1.2
20	Unnamed Creek (Pella Corp.) (Marion County)	1421	Des Moines	0.5	0.5
21	Unnamed Creek (Primghar, City of, STP) (O'Brien County)	1472	Western	<0.1	<0.1
22	Unnamed Creek (Webster City, City of, WWTP) (Hamilton County)	1501	Des Moines	<0.1	<0.1
23	Unnamed Creek (Wendling Quarries – Robins Facility) (Linn County)	1479	Iowa-Cedar	0.3	0.3
24	Unnamed Creek #1 (Des Moines International Airport Outfall #2) (Polk County)	1490	Des Moines	0.8	0.8
25	Unnamed Creek #1 (New Albin, City of, STP) (Allamakee County)	979	Northeastern	0.5	0.5
26	Unnamed Creek #2 (Adair, City of, STP) (Guthrie County)	1496	Des Moines	1.4	1.4
27	Unnamed Creek #2 (Atkins, City of, WTF) (Benton County)	1502	Iowa-Cedar	1.2	1.2
28	Unnamed Creek #2 (Des Moines International Airport Outfall #2) (Polk County)	1491	Des Moines	0.2	0.2
29	Unnamed Creek #2 (John Deere Engine Works) (Black Hawk County)	1481	Iowa-Cedar	<0.1	<0.1
30	Unnamed Creek #2 (Neal Smith National Wildlife Refuge) (Jasper County)	1516	Des Moines	2.0	2.0
31	Unnamed Creek #3 (Adair, City of, STP) (Adair/Guthrie Counties)	1497	Des Moines	1.9	1.9
32	Unnamed Creek #3 (Macksburg, City of, STP) (Madison County)	1489	Southern	0.3	0.3
33	Unnamed Creek #4 (Des Moines International Airport Outfall #2) (Polk County)	1493	Des Moines	<0.1	<0.1
34	West Fork Big Creek (Ringgold County)	1471	Southern	10.2	10.2
35	West Jackson Creek (Wayne County)	1487	Southern	2.5	2.5
36	White Fox Creek (Wright/Hamilton Counties)	1467	Des Moines	15.8	15.8

6. Class A2, B(WW-3) Stream Segments

	Stream Name	UAA ID	Basin	Class A2 Stream Segment Length (miles)	B(WW-3) Aquatic Stream Segment Length (miles)
1	Rock Creek (Jefferson/Wapello Counties)	NA	Skunk	12.0	8.5
2	Unnamed Creek (Iowa DOT – 21, 22 & I-80 Rest Stop) (Dallas County)	1456	Des Moines	0.4	0.4
3	Unnamed Creek (New Hartford, City of, WWTP) (Butler County)	1470	Iowa-Cedar	0.1	0.1
4	Unnamed Creek #1 (West Point, City of, STP) (Lee County)	1284	Skunk	0.9	0.9

7. Class A3 Stream Segments

	Stream Name	UAA ID	Basin	Class A2 Stream Segment Length (miles)	Aquatic Stream Segment Length (miles)
1	Buttermilk Creek (Wright County)	1465	Des Moines	0.5	NA
2	Dry Creek (Linn County)	1480	Iowa-Cedar	8.2	NA
3	West Branch Floyd River (Plymouth/Sioux Counties)	1401	Western	4.4	NA
4	West Branch Floyd River (Plymouth/Sioux Counties)	1403	Western	3.4	NA
5	West Branch Floyd River (Plymouth/Sioux Counties)	1405	Western	2.7	NA

8. Class A3, B(WW-2) Stream Segments

	Stream Name	UAA ID	Basin	Class A2 Stream Segment Length (miles)	B(WW-2) Aquatic Stream Segment Length (miles)
1	Blackhawk Creek (Scott County)	833	Northeastern	5.5	5.5
2	Coon Creek (Tama County)	1468	Iowa-Cedar	0.5	0.5
3	Gypsum Creek (Webster County)	1463	Des Moines	1.3	1.3
4	Soap Creek (Lee County)	948	Skunk	2.8	2.8
5	Unnamed Creek (aka, 7th Ward Ditch) (Polk County)	152	Des Moines	5.2	5.2
6	Unnamed Creek (Clow Valve) (Mahaska County)	1424	Skunk	1.0	1.0
7	Unnamed Creek (Corn LP) (Wright County)	1464	Des Moines	0.3	0.3
8	Unnamed Creek (Des Moines International Airport Outfall #3) (Polk County)	1459	Des Moines	1.0	1.0
9	Unnamed Creek (Nevada, City of, WWTP) (Story County)	1412	Skunk	<0.1	<0.1
10	Unnamed Creek (Pella Corp.) (Marion County)	1423	Des Moines	0.3	0.3

	Stream Name	UAA ID	Basin	Class A2 Stream Segment Length (miles)	B(WW-2) Aquatic Stream Segment Length (miles)
11	Unnamed Creek (Tama Paperboard) (Tama County)	1474	Iowa-Cedar	0.7	0.7
12	Unnamed Creek (University of Northern Iowa) (Black Hawk County)	1469	Iowa-Cedar	0.2	0.2
13	Unnamed Creek #2 (Atkins, City of, WTF) (Benton County)	1503	Iowa-Cedar	0.3	0.3
14	Unnamed Creek #3 (John Deere Engine Works) (Black Hawk County)	1482	Iowa-Cedar	1.2	1.2
15	Unnamed Creek #4 (John Deere Engine Works) (Black Hawk County)	1484	Iowa-Cedar	0.5	0.5
16	Yeader Creek (Polk County)	1458	Des Moines	0.5	0.5

9. Administrative Name Changes

	Stream Name	UAA ID	Basin	Stream Segment Length (miles)	Aquatic Stream Segment Length (miles)
1	Chialk Creek to Chihaks Creek (Howard County)	1268	Northeastern	NA	NA
2	West Indian Creek (Story County)	1002	Skunk	NA	NA

10. Omitted Stream Segments*

	Stream Name	UAA ID	Basin	Stream Segment Length (miles)	Aquatic Stream Segment Length (miles)
1	Middle Branch Boone River (Wright/Hancock Counties)	NA	Des Moines	11.5	4.0
2	Unnamed Creek #1 (Calmar, City of, STP) (Winneschek County)	NA	Northeastern	1.4	1.4

*Stream segments that were previously approved by EPC but omitted from the Surface Water Classification document.

The stream descriptions provided above are designed to provide clear notice to the public and may have nonsubstantive differences from the Surface Water Classification document. The Surface Water Classification document also contains nonsubstantive revisions to previously adopted stream designations to correct typographical or descriptive errors. All designations conform to the previously approved use designations, as amended by the Commission.

Notice of Intended Action was published in the Iowa Administrative Bulletin on February 18, 2015, as **ARC 1877C**. Two written comments on the proposed water quality standards revisions were received. A responsiveness summary has been prepared addressing the comments in terms of the issues involved. The comments did not result in changes to the proposed amendment. This amendment is identical to that published under Notice of Intended Action.

Additional information on Iowa's Water Quality Standards and the Department's rules can be found on the Department's Web site at <http://www.iowadnr.gov/InsideDNR/RegulatoryWater/WaterQualityStandards/Rules.aspx>.

This amendment may have an impact upon small businesses.

A jobs impact statement (JIS) has been prepared for this rule making and is available upon request. The Department believes the rule making will not impact jobs since adoption of this amendment does not add to the burden or cost established by the 2006 rule making. Wastewater treatment facilities in Iowa, particularly local government-owned wastewater facilities, have been significantly impacted by

the 2006 water quality standard revisions. This amendment will not add to the burden or cost established by the 2006 rule making but does allow for the implementation of those prior requirements. Based upon the number of facilities impacted by this amendment, it is estimated that between \$46 million and \$64 million will be spent on facility upgrades. These upgrades will be implemented upon approval of the renewed NPDES permit for the facility. These figures may change based upon other factors, including inflation and varying construction costs.

It is important to understand that by revising the stream designations to reflect the appropriate uses, rather than the presumed uses, the amendment does not increase the potential compliance costs for any necessary facility upgrades in any way. When compared to the costs of implementation of the presumed uses, the cost of implementing the revised designations will always be the same or less.

Additional information on Iowa's water quality standards, including the JIS and detailed maps of the stream assessments, can be found on the Department's Web site at <http://www.iowadnr.gov/InsideDNR/RegulatoryWater/WaterQualityStandards/DesignatedUses/UseAssessments.aspx>.

This amendment is intended to implement Iowa Code chapter 455B, division III, part 1.

This amendment will become effective June 17, 2015.

The following amendment is adopted.

Amend subrule 61.3(5) as follows:

61.3(5) *Surface water classification.* The department hereby incorporates by reference "Surface Water Classification," effective ~~December 22, 2010~~ June 17, 2015. This document may be obtained on the department's Web site at <http://www.iowadnr.com/water/standards/index.html> <http://www.iowadnr.gov/InsideDNR/RegulatoryWater/WaterQualityStandards/Rules.aspx>.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/13/15.