

Response Summary to Comments on Oregon's Draft 1998 303(d) List

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ambrose David</i>	North Coast Klaskanine 11B-KLAT0	Klaskanine River misspelled as "Klatskanine."	Spelling Corrected.
<i>Anderson John</i>		Opposes de-listing any stream. Need to clean up waters not lower water quality standards.	DEQ evaluates water quality based on its water quality standards and lists those waters which do not meet the standards as outlined in the water quality criteria. Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Azumano Jim</i>	Hood River	Received comment requests from WRD, USFS and DEQ that were thick and had short response times. Would like to review with Planning Dept. and Watershed Group but need more time. Would like an extension until April 29, 1997 in order to really evaluate and understand the proposals and their	No site specific action requested. Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Bailey Tim</i>	Umatilla Umatilla River, North Fork 27B-UMNF0	Concerned about the de-listing of the North Fork Umatilla River for temperature due to the lack of anthropogenic causes for the temperature excellence. This is not accurate. There have been logging activities in the North Fork Umatilla Drainage above the wilderness area. To be consistent, the North Fork should remain listed for temperature until there is evidence that logging activities did not raise the temperature or temperatures could not be lowered through changes in watershed management.	After review of the data and the revised EPA guidance on natural conditions. DEQ has determined that anthropogenic activity cannot be eliminated as contributing to the water temperature concerns in the wilderness area. Therefore, DEQ cannot declare conditions are solely the result of Natural Conditions with in the wilderness area. Segment has been
<i>Bailey Tim</i>	Umatilla Meacham Creek, North Fork 27B-MENF0	In ODFW's document "Status of Oregon's Bull Trout" you will find that the North Fork of Meacham Creek is designated as spawning and rearing habitat for bull trout. The 50 °F standard should apply there. I believe that the USFS data would support a listing for temperature for bull trout spawning	DEQ agrees 50°F Bull Trout standard applies, data base modified. Change does not affect listing because stream was already listed for 64°F standard.
<i>Beck Sharon</i>		The reports and assessments used by DEQ are unreliable for a regulatory program. Members of OCA and all citizens of Oregon, are being treated unfairly and are being burdened due to the arbitrary and capricious manner with which DEQ has designed the standards and decision matrix.	DEQ is required by the Clean Water Act to use existing available data in making its 303(d) listing decisions. Please see Responses under Water Quality Standards, Water Quality Standards Development and Existing Authorities, Clean Water Act in "Responses to Commonly Asked
<i>Beck Sharon</i>		The Clean Water Act does not require that a substance be more pure than the natural and physical properties found in the watersheds.	Please see Responses under Existing Authorities, Clean Water Act in "Responses to Commonly Asked Questions".

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<i>Beck</i> <i>Sharon</i>	Grande Ronde Indian Creek 31D-INDIO	Mrs. Beck contends that the data DEQ used this time to list Indian Creek is equally devoid of substantive evidence to support a listing. Eight miles of stream should not be listed based on measurements at the mouth. Additionally, the mean average air and soil temperature ranges between 64 and 67°F during July and August. The mean water temperature at the mouth will lie between those values. She contends that the entire thermal environment has a temperature greater than the standard and it is obvious that the standard is inaccurate and unachievable. She requests that Indian Creek not be listed until a new, more appropriate standard has been determined and even then not for the full 8 miles. Also attached was a paper developed by Dr. and Mrs. Larson which reflects the view that stream temperature is natural and not due to human activity.	Data that DEQ has shows that the 7 day average maximum water temperature at the mouth of Indian Creek exceeds the 64°F criteria, above the confluence with Little Indian Creek the Forest Service has data that shows the creek meeting the temperature criteria. Also please see response under Data Use and Water Quality Standards, Temperature in "Responses to
<i>Beck</i> <i>Sharon</i>	Grande Ronde Grande Ronde Basin	Requests to have the Grande Ronde Basin and its tributaries de-listed based on DEQ's failure to use proper scientific methodology, use of inaccurate data and no acknowledgment of natural conditions in their assessment of water quality limited streams in Oregon. Attached Larson's justification.	A TMDL is being developed at this time on the Grande Ronde River and several studies have been completed. Please see "Grande Ronde River Water Quality Technical Assessment (Temperature) by DEQ, "Integrating Water Quality Modeling with Ecological Risk Assessment for Nonpoint Source Pollution Control: A Conceptual Framework" by Chen, David Y.; McCutcheon, Steve C.; Rasmussen, Todd C.; Nutter, Wade L.; and Carsel, Robert F. and "Stream Temperature Simulation of Forested Riparian Areas: I. Watershed-Scale Model Development" by Chen, David Y.; Carsel, Robert F.; McCutcheon, Steve C.; Nutter, Wade L.. Also please see Responses under Water Quality Standards in "Responses to Commonly Asked
<i>Bell</i> <i>Nina</i>		The removal of a Water body previously found to be in violation of standards because standards have been modified should only take place when new data show that the new standard has been met.	DEQ reviews past data when a standard is modified and bases the listing of a water body on the current standard, the only exception is when sufficient data is not available to apply the current standard then those water bodies already listed under the older standard will remain on the list until sufficient data to apply the new standard has been collected. Also please see responses under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Bell</i> <i>Nina</i>		The definition for assessing violations of the biological criteria defines aquatic species as "any plant or animals which live at least part of their life cycle in waters of the State" which excludes birds, mammals and amphibians that do not live or reproduce in water but depend on the aquatic environment (e.g. for feeding). DEQ also excludes wildlife by its method of applying the narrative toxics criteria and does not include examples of types of use impairment such as population studies, reproductive failure,	This is the definition that has been adopted by the Environmental Quality Commission and is part of the standard. Also please see responses under Water Quality Standards, Toxics in "Responses to Commonly Asked Questions".

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Bell Nina		The listing criteria allow exclusion of a Water body from the list when "data is available showing water quality standards are being met or activities are being implemented that will lead to attainment." Clean Water Act section 303(d) requires listing of all waters on which controls under section 301(b) "are not stringent enough" to implement water quality standards. The reference to activities suggests an impermissibly overly broad range of activities for de-listing rather than allowing only where an enforceable plan or program is currently underway which is expected to achieve water quality standards within a specific period of time. The 1994/96 list removed water-bodies that are ostensibly regulated by completed TMDLs. While there is a TMDL for dioxin in the Columbia River Basin, this TMDL has not been applied to any source of dioxin in the Columbia Slough. The fact that the basin TMDL is controlling pulp mills within the basin is not a sufficient basis upon which to exclude water-bodies with excessive loads of	DEQ does not believe the reference to activities is overly broad and complies with EPA's policy for de-listing. Please see responses under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions". A separate TMDL is being develop for the Columbia Slough, one of the parameters addressed in the TMDL is Dioxin. Once a TMDL is developed for a water body DEQ removes the water body for the parameters covered by the TMDL from the list and tracks them separately.
Bell Nina		Waters placed on the 303(d) list must be listed for all aspects of water quality standards including criteria that are violated, antidegradation and beneficial use impairment.	If water bodies meet the minimum data requirements and fall within the criteria for the water quality standard then the water body is listed as a 303(d) water body for those parameters.
Bell Nina		There are no wetlands in Oregon listed despite clear evidence that water quality criteria are violated and uses impaired at numerous Oregon wetlands. Data on wetlands is obtainable through 401 certifications and from other state and federal agencies.	Wetlands were not excluded from the list (waterbodies, such as Smith and Bybee Lakes, are arguably wetlands) but are likely under-listed due to the lack of data that was available for review. Please also see Waters of the State/Nation in "Responses to Commonly Asked Questions".
Bell Nina		DEQ failed to establish a priority ranking for waters on the list taking into account severity of the pollution and uses to be made of such waters. While DEQ did apply the "Oregon Clean Water Strategy" and is planning to reevaluate prioritization, the list should have been disapproved.	DEQ modified its Priorities and Targets document in 1997 and has used it for the 1998 303(d) submission. Sub-basins are ranked using a two tier system. Tier one priorities are set based on a beneficial use impairment concerns. The second tier priorities are used within a sub-basin to further define rank, refine priorities or target resources within a sub-basin. Also please see responses under Prioritization Process in "Responses to
Bell Nina		There are a number of arbitrary cut-offs for the use of data for which there is no rationale presented. Due to the widespread lack of data, the Department should not eliminate any data from consideration and conditions in prior years should be presumed to continue until new data	DEQ needs some criteria for determining whether data is representative of the conditions in a water body, the "Minimum Data Requirements" serve this function. Percentages are based on those requirements outlined by EPA for compiling the CWA 305 (b) report. Condition in a water body are assumed to continue to exist unless new data demonstrates that conditions have changed. Also please see responses under Data Use in "Responses to
Bell Nina		Responsiveness Summary stated that "economic are considered in the listing process." This is an improper factor.	Economic considerations are not considered as part of the listing process, however, economic considerations are considered when determining what activities will be pursued under a Water Quality Management Plan and when determining that all feasible activities have been taken and no further

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Bell Nina		There is no indication that DEQ evaluated waters for listing on the basis of antidegradation. One example where this could have been done is where there are violations of the water quality objectives or standards of the USFS Land Resource Management Plans or where there are negative trends in use impairment of commercial shellfish harvesting (1992 305(b) Report).	There is little trending data available which can be used to determine whether degradation of a water body is occurring. As more long term data is collected this may be a viable evaluation in future 303(d) cycles. Please see the Anti-degradation discussion under Water Quality Standards in "Responses to Commonly Asked Questions".
Bell Nina		Oregon's statement that it is currently planning on two TMDLs per year is, in effect, a "constructive submission" of its intent to submit only two TMDLs per year. EPA should disapprove that submission and perform enough TMDLs to bring the Oregon program within a reasonable schedule.	DEQ has already listed the shellfish water based on non-compliance with DEQ's Priorities and Targets document submitted with the 1998 303(d) list outlines priorities which target the development of TMDL's with in the state by 2008.
Bell Nina		DEQ designed its listing criteria to be overly restrictive to avoid the use of professional judgment, dismissing the NPS Assessment and resisting application of its narrative criteria particularly with regard to toxic contamination of sediments and tissue. Oregon's failure to make listings based on narrative criteria, beneficial use support and antidegradation results in a failure to list waters that are suffering from toxins, turbidity, temperature and habitat impairment, to name a few, that are directly responsible for impairment of the state's most sensitive beneficial uses. For	Please see responses under Data Use for Listing, Data in "Responses to Commonly Asked Questions".
Bell Nina		There must be a finding that Forest Practices necessary to meet water quality standards are actually currently in force on the affected waterway to remove a Water body from the list. It is not enough to presume that statutes and rules will be followed.	No waters were de-listed unless a TMDL has been established or it meets water quality standards. Please see responses under Existing Authorities in "Responses to Commonly Asked Questions".
Bell Nina		While an improvement, the list failed to use "all available data and information." A striking omission is sources such as U.S. Army Corp of Engineers and electric utilities (which submit data for relicensing through FERC) data. Examples include work being done by PGE on Lake Billy Chinook and by EWEB on the McKenzie River. There is evidence that the McKenzie is being impacted by cold water releases and should be listed. There is no evidence of data or information from the National Marine Fisheries Service (NMFS) which would include primarily data and information regarding the threatened or endangered status of anadromous fisheries under the ESA. Similarly, the list almost entirely ignores data from USF&WS on toxics in sediments and tissue of invertebrates, fish and wildlife and data and information on threatened or endangered status of resident aquatic species and wildlife under the ESA. ODFW maintains information in its Basin Management Plans that evaluates the causes of fish population declines and evaluate habitat conditions - particularly in newer plans such as those for the Upper and Lower Deschutes. Listings should be based on data and information from these sources. DEQ concedes that it has not obtained all readily available data in response to comment that it should use data from inspections by the ODA of confined animal feeding	During the development of the 1998 list DEQ actively sought out data on water bodies from the electric utilities and the 401 certification process. (Many of these reports were not available for earlier listings). These include North Umpqua, McKenzie, Hood and the Deschutes River. DEQ also reviewed and where appropriate applied ODFW's basin management plans as a source for beneficial use data. USFW was contacted for its studies and used where appropriate. NMFS was contacted, however, they indicated that they did not have any of their own data and referred DEQ back to other agencies such as ODFW, USGS, DEQ and others. DEQ also requested, received and reviewed numerous watershed analysis and other reports from the USFS and BLM. Also please see responses under Data Use for Listing, Data in "Responses to Commonly Asked Questions". Data from inspections of confined animal feeding operations is limited. Water Quality samples are not always taken during an inspection and when they are they are grab samples above and below an operation and do not meet the minimum data requirements. DEQ will review this information closer in the next list development cycle.

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<i>Bell</i> <i>Nina</i>		The Policy Advisory Committee of the Triennial Review that developed the Bull Trout criterion wanted the criterion to apply to more than existing bull trout habitat (but less than the historical range). Was this done?	For the 1998 list, DEQ used Oregon Department of Fish and Wildlife publication "Status of Oregon's Bull Trout" Spawning, Rearing or Resident Adult Bull Trout designations for applying the Bull Trout criteria. At this time no procedure or analysis has been developed to determine what additional area beyond that specified by ODFW may be needed for bull trout. It is anticipated that any additional area will be determined on an individual watershed or basin basis most likely during the development of
<i>Bell</i> <i>Nina</i>		The four requirements to list for flow is overly restrictive. Requiring a concurrent showing of beneficial use impairment, DEQ merges two stand-alone components of the standard: the use and the criteria. A demonstration that only an established or applied for In-stream Water Right (IWR) and documentation of flows not being attained should be sufficient to list a stream in the absence of information on beneficial use impairment. The absence of an established or applied for IWR precludes the use of professional judgment that there is insufficient flow. Given the widespread lack of flow data, the requirement of statistical summaries of stream flow based on actual flow measurements precludes the use of information and the application of professional judgment. The requirement of an identification of human contribution to the reduction of stream flow is inconsistent with burden of proof adopted for other parameters. As with others, the burden should be to show that lack of flow is a natural, not	Please see responses under Water Quality Standards, Flow Modification in "Responses to Commonly Asked Questions".
<i>Bell</i> <i>Nina</i>		The list should have been disapproved because of inadequacy of monitoring - a monitoring assessment and plan similar to that ordered by the court in Alaska TMDL case is needed.	DEQ has an ambient monitoring network of 168 stations on 104 water bodies within Oregon. Additionally, DEQ seeks out data collected by federal agencies, other state agencies, watershed councils, other organizations and individuals. Also please see responses under Data Use for Listing in "Responses to Commonly Asked Questions".
<i>Bell</i> <i>Nina</i>		Format in Decision Matrix is, at times, inconsistent and sometimes information is missing in "Basis for Listing" (such as CSO discharges for Columbia Slough). In some cases specific levels and percentage information is missing in "Supporting Data or Information" (such as for the Columbia Slough - only citations are given to reports). Application for In-stream flows should be treated as a starting point for entry into the matrix as was the 1988 NPS Assessment. DEQ should note which criteria are satisfied for listings that depend upon more than one criteria. The matrix should be amended to provide information on the level of the exceedence and/or use impairment to more effectively establish priorities. Segments should be	DEQ attempted to improve format of both the Decision Matrix and the 303(d) list for the 1998 list. As the 303(d) process is an iterative process DEQ will continually attempt to improve the matrix and list with each subsequent update. In most cases a summary of the data is included in the Supporting Data or Information column, studies and reports are cited when the data is extensive and would be difficult to summarize in a few sentences. For Flow Modification please see responses under Water Quality Standards in "Responses to Commonly Asked Questions".
			DEQ will redesign the location information with the year 2000 list. Please see responses under Data Use in "Responses to Commonly Asked

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Bell Nina		<p>There are no listings based on beneficial use impairment and no mention of evaluating use impairment. The failure to give independent meaning to the beneficial use component restricts the list for flow modification. DEQ confuses the application of its narrative criteria with listings based on beneficial use impairment. There is not a need to demonstrate that a beneficial use is impaired to list under a narrative standard. An example is the limited listings of waters for toxics due to the excessive restrictions caused by the melding of beneficial uses and narrative criteria (e.g. Coast Fork Willamette is not listed for mercury due lack of supporting information of beneficial use impact, Dorena Reservoir is not listed for mercury due to lack of a consumption advisory). DEQ should list on the basis of the information it has regardless of what other agencies do with it. Similar confusion is with sedimentation where listing criteria requires a finding that uses are impaired. Requiring use impairment information to apply narrative criteria improperly shifts the burden of proof from the</p>	<p>Data connected within shellfish areas, as well as, shellfish closures were evaluated for potential listing purposes. All or portions of these bays are on the 303(d) list: Winchester, Yaquina, Nehalem, Tillamook, Nestucca, Nehalem, Coos, Coquille and Columbia; Netarts was determined to be OK. Also please see responses under Data Use in "Responses to Commonly Asked Questions".</p> <p>Beneficial use impairment information was used as an integral part of the evaluation of whether a water body met narrative standards. The Coast Fork of the Willamette River and Dorena Reservoir have both been listed for Toxics (Mercury) as a Fish Consumption Health Advisory has been issued.</p> <p>DEQ's narrative standards require that a beneficial use impairment be demonstrated to be considered violating the standard. Also, please see</p>

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Bell Nina		<p>Oregon ignores the majority of available information on toxic materials by failing to properly apply its narrative criteria to data on fish tissue and sediment. DEQ required evidence of use impairment in order to apply the narrative standard thereby restricting itself to using only ambient water data.</p> <p>Oregon failed to evaluate data on use impairment to piscivorous wildlife such as eagles, mink and otters. DEQ did not include data from the Columbia River - River Otter Study (as summarized in Tetra Tech, May 1996) in the decision matrix.</p> <p>DEQ does not pretend to assess that additive and/or synergistic risks of combination of toxic materials.</p> <p>No reference exists in the listing criteria to data on higher life forms such as piscivorous birds and mammals and no reference is made to sublethal effects.</p> <p>No data on sediment contamination is used for listing purposes unless there is a corresponding proof of beneficial use impairment. For example, the Bi-State study found numerous locations where sediment contamination exceeds values believed to be protective of benthic organisms and wildlife (Tetra Tech, May 1996).</p> <p>The Decision Matrix does include entries for tissue residues of PCB, DDE/DDT and dioxin in the Lower Columbia River based on Health Division Advisories and reduced bald eagle reproduction. Other contaminants found in tissue were not entered into the matrix or listed.</p>	<p>DEQ believes it is applying its narrative criteria for toxics correctly. Please see responses under Water Quality Standards, Toxics in "Responses to Commonly Asked Questions".</p> <p>The River Otter Study was reviewed, however, it was a preliminary study and was not conclusive about what effects were occurring. DEQ did use the Eagle Egg study and numerous fish studies for listing some toxics.</p> <p>DEQ does not have standards for evaluating additive and/or synergistic risks of combinations of toxic materials, but uses evidence of toxicity such as demonstrated through bioassays.</p> <p>DEQ reviewed the Bi-state information and data and Washington's listings. PCBs are listed on Oregon's 303(d) list, as are DDE and DDT, after review of the data DEQ determined that Arsenic should be listed in the Lower Columbia River. Dieldrin will not be added to the list because of the lack of evidence for a documented beneficial use impairment additionally, Bis-s-(ethylhexyl) phthalate is not listed on Washington's 303(d) list nor is there an indication of a beneficial use impairment. Additionally, DEQ reviewed studies completed on the Willamette River basin (including the USGS reports) and found several streams that should be listed. The listing status of most toxics associated with sediment are a potential concern because there has been not demonstrated beneficial use impairment.</p> <p>Several toxics are of potential concern in the Columbia Slough and are included in the Decision Matrix.</p> <p>Mercury for the Willamette was listed because of a fish consumption</p>
Bell Nina	Columbia River Columbia River	<p>Bi-State study data was ignored in the Decision Matrix. Reference levels were exceeded for aluminum, iron, cadmium, copper, lead, selenium, zinc and silver. Cooper and lead exceeded reference levels frequently and deserve further evaluation. Additional testing is recommended for silver and mercury. Dissolved arsenic concentrations exceeded water quality criteria for protection of human health in 15 of 16 samples collected from four sites and was not entered into the matrix. DEQ did not use data and information on other aquatic species such as mink, otter, seals, gulls, etc. or apply its</p>	<p>The Bi-state study was not ignored in the Decision Matrix. Radionuclides, Pesticides, Semi-volatiles, and Trace Metals were all placed in the Decision Matrix as a Potential Concern if they appeared to be elevated as compared to certain guidance values used in the Bi-state report. More definition of the parameters and why there are a potential concern have been included in the Decision Matrix. After review of the data (based on USGS data) DEQ determined that Arsenic should be listed in the Lower Columbia River. Please see responses under Water Quality Standards, Toxics in "Responses to Commonly Asked Questions".</p>
Bell Nina	Deschutes Squaw Creek 25B-SQUA0	<p>Two different segments of Squaw Creek had precisely the same supporting data or information. The creek was listed from Alder Springs to Maxwell Ditch but not from its mouth to Alder Springs. With a seven day average of daily maximums at 70.6 and 45 days exceeding the standard, the entire</p>	<p>The same citation that summarized data from two USFS sites (one site above and one site below Alder Springs) was listed for both sites and may have caused confusion. The site above Alder Springs was above standard (seven day max of 70.6 and 45 days above standard in 1995), so the segment from the Alder Springs to Maxwell Ditch was listed. The site below Alder Springs met the temperature standard (seven day max of 63.6 and 0 days above standard in 1995) probably due to cold water from the springs</p>

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<i>Bell</i> <i>Nina</i>	Deschutes Harvey Creek 25G-HARV0	Harvey Creek should have been listed as USFS data showed it exceeded the temperature standard.	Harvey Creek is listed on the 303(d) list. Respondent referenced information from a draft matrix, not the final matrix.
<i>Bell</i> <i>Nina</i>	Deschutes Fintcher Creek 25G-FINT0	Fintcher Creek should be listed as it exceeded the previous standard (58 degrees) and had a maximum temperature of 67.	The stream did exceed the 64°F criteria in 1992, however, 1992 was a drought year and in 1991 it did not exceed the criteria.
<i>Bell</i> <i>Nina</i>	Deschutes Deschutes River 25--DESC171	USFS and DEQ showed 11% of values exceeding 64 between 1986 - 1995 and segment should have been listed.	There are both grab sample and continuous monitoring data available for this site. Generally continuous monitoring data (which met the criteria) is more accurate and reliable than grab sample data which the data from 1986 to 1995 was. DEQ use professional judgment in determining that the continuous monitoring data was more representative of the stream than the
<i>Bell</i> <i>Nina</i>	Deschutes Lake Billy Chinook 25B.CHIN	100% (3 of 3) values exceeded pH standard in 1982 and should have been listed.	The 3 values did not meet the minimum data requirements specified in the listing criteria. For the 1998 list DEQ reviewed a just completed study on the lake which was submitted to DEQ by PGE. Based on that study, Lake Billy Chinook is listed for pH.
<i>Bell</i> <i>Nina</i>	Goose & Summer Swamp Creek 42B-SWAM0	BCI showed extreme stress conditions in 1994 but this waterway was not listed because of better BCI values in 1990. The segment should have been listed until newer data show compliance.	In the Listing Criteria under Rationale for Not Listing DEQ indicated how it would handle data which indicated that it met the standard one year but not another. As stated, "if the Department was able to determine that there was a probable explanation as to why data from one year was more representative of stream conditions, the Department would use that data as a basis for listing." It further states that "where multiple years of data were available, if the only data showing an exceedence of the standard was data collected during a drought year, the waterbody was not put on the 303(d) list but the status would be Potential Concern. The Department will encourage that additional data be collected to confirm that these waters are typically meeting standards." This was the case as 1990 showed a good BCI value and 1994, a drought year, showed stress conditions. The report noted that the change may be due to low water and a different sampling technique in 1994. The need for additional sampling has been generally discussed with the Fremont NF.

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<i>Bell</i> <i>Nina</i>	Goose & Summer Buck Creek 42A-BUCK0	USFS data showed that, at one of the two sites, the seven day average maximum temperature exceeded the standard (64) for 13 days in 92 and 22 days in 94 and should have been listed rather than shown as "potential concern."	In the Listing Criteria under Rationale for Not Listing DEQ indicated how it would handle data which indicated that it met the standard one year but not another. As stated, "if the Department was able to determine that there was a probable explanation as to why data from one year was more representative of stream conditions, the Department would use that data as a basis for listing." It further states that "where multiple years of data were available, if the only data showing an exceedence of the standard was data collected during a drought year, the waterbody was not put on the 303(d) list but the status would be Potential Concern. The Department will encourage that additional data be collected to confirm that these waters are typically meeting standards." This was the case as 1992 and 1994 were drought years and 1993, when the lower site did not exceed the standard, was not. Based on this, the stream was identified as "potential concern" and the need for additional sampling has been generally discussed with the Fremont NF. Also, the BCI at this site was shown as excellent in 1989 and 1990 and was
<i>Bell</i> <i>Nina</i>	Grande Ronde Grande Ronde River 31=GRAN194	USFS data at two sites showed seven day moving averages of daily maximums from 54.8 to 66 in 1992-93. This segments should have been at the very least "potential concern" but was designated "OK."	The respondent reviewed the draft matrix, the final matrix indicated that the segment was OK based on USFS data collected above Blowout Creek which indicated 7 day ave of daily max of 59.3 and 60.1 in 1992 and 1993. The site that showed a 7 day average of the daily maximum of 66.8 was located above Clear Creek, which is below this segment, and is listed on the

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<i>Bell</i> <i>Nina</i>	Grande Ronde Motett Creek 31D-MOTE0	USFS data showed a seven day moving average of daily maximums at 72 in 1994, yet this waterway was designated "OK," it should have been listed.	In the Listing Criteria under Rationale for Not Listing, DEQ indicated how it would handle data which indicated that it met the standard one year but not another. As stated, "if the Department was able to determine that there was a probable explanation as to why data from one year was more representative of stream conditions, the Department would use that data as a basis for listing." It further states that "where multiple years of data were available, if the only data showing an exceedence of the standard was data collected during a drought year, the waterbody was not put on the 303(d) list but the status would be Potential Concern. The Department will encourage that additional data be collected to confirm that these waters are typically meeting standards." This was the case as 1993 data showed a 7 day moving average of daily maximums of 60.3 and 1994 data, a drought year, a 7 day moving average of daily maximums of 72. The stream was designated as "potential concern" on the final list, not "OK." This range in values is unusual and the Department will follow up with the USFS.
<i>Bell</i> <i>Nina</i>	Hood Fifteenmile Creek 24A-FIFT43.6	Seven day average of daily maximums exceeded the standard (64) in 1990 and 1992. This water should have been listed but was designated as "OK."	Seven day average of daily maximums were 64.2, 59, 65.5 and 60.6 in 1990 - 1993 respectively. 1991, 1992 and 1994 were drought years. It appears that the segment generally meets the standard with exception of 1992 (a drought year). The lower reach of Fifteenmile creek (RM 0-43.6) is listed. The upper portion generally meets the criteria with 1990 only being slightly over by .2°F. The stream's status will be potential concern and
<i>Bell</i> <i>Nina</i>	John Day Alder Creek 26C-ALDE0	USFS data showed a seven day average of the daily maximum of 66.5 exceeding the temperature standard (64) in 1991. This should have been listed.	In the Listing Criteria under Rationale for Not Listing DEQ indicated how it would handle data which indicated that it met the standard one year but not another. As stated, "if the Department was able to determine that there was a probable explanation as to why data from one year was more representative of stream conditions, the Department would use that data as a basis for listing." It further states that "where multiple years of data were available, if the only data showing an exceedence of the standard was data collected during a drought year, the waterbody was not put on the 303(d) list but the status would be Potential Concern. The Department will encourage that additional data be collected to confirm that these waters are typically meeting standards." This was the case as the 7 day average of daily maximum of 61 in 1993 and 66.5 in 1994 exceeded temperature standard (64) in 1994, but not in 1993. 1994 data was not used because it was a drought year and a second year's data was available which was below the temperature criteria.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Bell</i> <i>Nina</i>	John Day Scotty Creek 26F-SCOT0	USFS data showed maximums of 66 and 71 in 1994. This Water body should be listed rather than "potential concern."	In the Listing Criteria under Rationale for Not Listing DEQ indicated how it would handle data which indicated that it met the standard one year but not another. As stated, "if the Department was able to determine that there was a probable explanation as to why data from one year was more representative of stream conditions, the Department would use that data as a basis for listing." It further states that "where multiple years of data were available, if the only data showing an exceedence of the standard was data collected during a drought year, the waterbody was not put on the 303(d) list but the status would be Potential Concern. The Department will encourage that additional data be collected to confirm that these waters are typically meeting standards." This was the case as 1992 and 1994 showed maximums (not calculated as the 7 day average of the daily maximum) of 66 and 71 in 1992 and 1994 respectively which were both drought years. In 1993, the maximum was 57. Therefore, the stream was identified as "potential concern." The Department has requested that the USFS present the data as a 7 day average of the daily maximum in future reports.
<i>Bell</i> <i>Nina</i>	John Day South Fork of Long Creek 26D-LOSF0	USFS data showed a seven day average of the daily maximum of 81 with 27 days exceeding the temperature standard (64) in 1991. This should have been listed.	In the Listing Criteria under Rationale for Not Listing DEQ indicated how it would handle data which indicated that it met the standard one year but not another. As stated, "if the Department was able to determine that there was a probable explanation as to why data from one year was more representative of stream conditions, the Department would use that data as a basis for listing." It further states that "where multiple years of data were available, if the only data showing an exceedence of the standard was data collected during a drought year, the waterbody was not put on the 303(d) list but the status would be Potential Concern. The Department will encourage that additional data be collected to confirm that these waters are typically meeting standards." This was the case as 1991 (drought year) data showed a 7 day average of daily maximums of 81 and 1990 data showed a 7 day average of daily maximums of <64. Therefore, this was listed as a "potential concern" although the department is following up with USFS given the extreme range of data.
<i>Bell</i> <i>Nina</i>	North Coast Tillamook Bay	There is no reference to the status of shellfish harvesting. Shellfish areas are classified as prohibited, conditionally approved and approved. The failure to include this suggests that DEQ did not obtain the existing Management Plans for Commercial Shellfish Harvesting. The status of harvesting is an important indicator of beneficial use impact that is readily	These bays are listed for bacteria based on the same data used to determine shellfish harvesting status. Netarts and portions of other bays are not listed as they are approved for shellfish harvesting and meet water quality standards.
<i>Bell</i> <i>Nina</i>	Willamette Willamette	The Pope & Talbot pulp mill at Halsey on the Willamette creates a very colored and strong smelling discharge that creates odor problems downstream and affects boating and drinking water.	Discharges from the Pope & Talbot pulp mill are address through their National Pollution Discharge Elimination System (NPDES) permit. Since 1993, the facility has made process changes that have reduced the color of its discharge significantly (from 3400 C.U. to 1100 C.U.). The facility is planning on making further changes to the mill that may further reduce the color associated with its discharge. These issues will be addressed in the
<i>Berg</i> <i>Teodor</i>		Urges DEQ to insist that most waterways and lakes meet the highest standards of purity possible. Is especially concerned about the effects of livestock grazing on streams.	DEQ will continue to protect Oregon's waters by applying the appropriate state and federal laws, rules and regulations.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Biggs Charles</i>	Willamette Willamette River	The entire Willamette River system should be listed due to the high number of abnormalities observed in large-scale suckers documented in the "Willamette River Basin Study." In Phase I, a large abnormality rate was detected in the Eugene/Springfield area, above pollution sources.	The Tetra Tech study indicated that there were major limitations and uncertainties to the Fish Health Assessment that conclusions regarding the appropriateness of the defined river reaches and the water quality conditions could not be made but the study would serve as valuable reference data for future studies. The limitations included limited sucker and squawfish data with which to compare the results and to define the "normal" variation and the target species may not represent the environment in which they were captured (Tetra Tech, 8/95). Therefore, this data was not used for listing. As measured in a separate but related study - "Measurement of Fish Skeletal Deformities Study" (Tetra Tech, 8/95), the Department did list the Willamette River from the Calapooia River to the mouth under "Biological Criteria - Skeletal Fish Deformities" based on the increased incident of skeletal deformities as compared to reference sites. This met the listing criteria under biological criteria. The factors that cause the skeletal deformities are not known at this time and the Department is seeking additional funding for further study.
<i>Blackmer Loren</i>	Klamath Basin	Problems with water quality are a result of too many people and exploitation of our resources. Eastern OR streams are different than western OR streams. Dams have stopped the salmon. DEQ and EPA are not needed. Problems can be overcome through education which could best	No site specific action requested, Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Bloem Douglas</i>	Sandy Little Sandy Creek	Segment in the Decision Matrix is miss placed. Sample site is most likely above Little Sandy Dam not below. Site at road FSR 2503 is above dam.	DEQ agrees that the wrong segment was identified. Decision Matrix corrected.
<i>Bogart Steve</i>	Powder	Objects to listing water-bodies solely on temperature criteria. Notes that many streams in Baker County can be considered proper functioning streams in their water quality limited state.	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Breese Doug</i>		Concerned about the use of limited data to list streams and whether that data was accurate.	Please see response under Data Use in "Responses to Commonly Asked Questions".
<i>Breese Doug</i>		Ranchers credibility is questioned as land users, but DEQ's credibility is not to be questioned.	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Breese Doug</i>		Concerned about how the public meeting was being conducted.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Breese Doug</i>		Concerned about the liability of being on the list. . He was worried about someone using the list to get at him and his grazing allotments.	Please see response under Liability in "Responses to Commonly Asked Questions".
<i>Breese Doug</i>		Concerned about using one standard 64°F statewide to list streams, especially when DEQ has received information from fish biologists that say that 64 °F is not necessarily the temperature that fish can propagate in.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Breese Richard</i>		Did not like the private room hearing process.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Breese Richard</i>		Does not think data now is much better, grabbed what ever data DEQ could get and used it.	Please see response under Data Use, Minimum Data Requirements and Quality Assurance/Control and Existing Authorities, Clean Water Act in "Responses to Commonly Asked Questions".
<i>Breese Richard</i>		Question getting back to natural state, does not think we will be able to get back to natural state without eliminating humans.	Please see response under Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Brown Carolyn</i>	Malheur Dork Canal	Concerned that storm water is affecting Dork Canal which has become a resting place and wetland area for migrating ducks. Three new subdivisions are being developed. Information from a 3/83 Storm Water Management Plan containing water quality data.	One sample out of 3 fecal coliform samples exceeded fecal coliform standard that was in effect at the time. This did not meet listing criteria of a minimum of two exceedences.
<i>Brown Merle</i>		Seals and other predators are the major cause for the loss of salmon. Barging of fish over dams can help until predators is addressed. Yearly rainfall and drought conditions should govern temperature results.	Please see response under Salmon Issues and the Oregon Plan in "Responses to Commonly Asked Questions".
<i>Brown Merle</i>	John Day	Some streams can't support vegetation because of alkaline soils. pH is to high.	Management options for how to address water quality concerns will be addressed during the development of the TMDLs and associated Water Quality Management Plans. Also please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Brown Merle</i>	John Day	Believes the biggest polluters are in Willamette Valley and Portland (raw sewage being discharged). Salmon also have to go through that area. Should be doing something about this area.	DEQ has worked extensively in the Willamette Valley. TMDLs have been established on a number of rivers in the basin including the Tualatin, Pudding, Yamhill, and Coast Fork. Additionally, Portland is required to eliminate its Combined Sewer Overflows by 2011.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Brown</i> <i>Merle</i>	John Day	Concerned about fishery issues. Seals are getting salmon. Has found seals in Beaver Creek (South of Newport) about 7 miles upstream, also above fish hatchery at Alsea. Seals are above Bonneville. There are more seals now than there use to be. Seals get 20,000,000 pounds of salmon/year. Merganser ducks get a lot of salmon as do other predators like northern squaw fish, shad. Need to control predators - work in upper John Day won't help fish. Additionally, need barging to get fish by dams or better fish	Please see response under Salmon Issues and the Oregon Plan in "Responses to Commonly Asked Questions".
<i>Burgel</i> <i>Lara</i>		The general desire expressed from private citizens and local groups seems to be how they can remove themselves from the list as fast as possible. Clear guidance for management plans, succinct time lines and processes for development and approval of plans, and a clear delineation of who is responsible for what may help alleviate the furor surrounding this list.	Please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Burgel</i> <i>Lara</i>		The development of Senate Bill 1010 plans by the Department of Agriculture does not mesh with the time lines set forth by DEQ for its development of TMDL's. What can be done to reconcile these two processes.	Please see response under Prioritization Process in "Responses to Commonly Asked Questions".
<i>Burgel</i> <i>Lara</i>		DEQ requires a change in a condition but fails to provide any method of achieving those goals. If DEQ (or someone) could provide scientific rationale for a course of action, local interests would be more likely to move in that direction.	Please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Burgel</i> <i>Lara</i>		Another difficulty of the 303(d) list is the development of management plans. Who is going to develop the management plans? What constitutes a management plan? Who approves the plans and when?	Please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Burgel</i> <i>Lara</i>		What are the quality assurances and controls required by DEQ for data before it is used? Is it different depending on whether DEQ is listing or de-listing? Are there training programs for agencies, watershed councils, or private interest groups which might facilitate data collection and use of the	Please see response under Data Use, Quality Assurance/Control and Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Burgel</i> <i>Lara</i>		Concerned about the sufficiency of notification for the public hearing held in LaGrande on March 31, 1998. DEQ mailings seemed to be the only alert about the meeting. A notice in the local paper or radio station may help broaden public input.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Burgel</i> <i>Lara</i>		Because of the distances between places in Eastern Oregon, meetings in just La Grande and Prineville made it difficult for people to attend.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Burgel</i> <i>Lara</i>		Need to use localized knowledge and expertise held by WRD regional field staff, Stream flow data from Bureau of Reclamation's data base and USGS water supply papers.	Please see response under Data Use, Monitoring in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Burgel Lara</i>		Holding public hearings near the end of the comment period makes it difficult for people and agencies to submit further information that might aid in decisions about listed streams.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Burgel Lara</i>		Concerned about taking testimony in the back room. Did not increase the level of trust about a touchy subject. The intent of helping people feel more comfortable when testifying does not over-rule the general public's desire and expectation to hear other's testimony.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Burgel Lara</i>		Is all available data used? The Water Resources Department has multiple years of stream flow data, often accompanied by temperature data that exists in WRD's paper files. Although staff are not available to pull this shouldn't a way be found to use this information.?	Please see response under Data Use, Monitoring in "Responses to Commonly Asked Questions".
<i>Burgel Lara</i>		Believes a more frequent presence of DEQ staff at local meetings such as watershed council meetings would enhance the public education process.	Please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Caprino Jan</i>	South Coast Cunningham Creek 14B-CUNN0	Concerned with loosing the right to raise cattle on their land would be in jeopardy needlessly. Do not want to loose more rights as a property owner.	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Carlson Louis</i>		Do not believe that water temperature is an adequate measure of stream health, other factors involved such as width of stream, velocity and air temperature. Personal, hands-on experience and testimony should be factored into listing process - one way would be to involve landowners in the analysis of data. County Court would like to be involved in the development of action plans and notified of the process.	No site specific action requested. Please see response under Water Quality Standards, Temperature and Implementation in "Responses to Commonly Asked Questions".
<i>Carter Kent</i>	John Day	He thought that cattle has replaced wildlife that were there. He believed there is a need for some control but cannot go to the extreme. People pointing at cattle, but he's concerned about contaminants being put in the water downstream. Need to listen to people who live here. He thought his livelihood was being taken away by outsiders.	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Carter Kent</i>	John Day	Long Creek goes through his ranch. He noted that a lot of sediment is due to the fires (heat, exposed ground, etc.). He was concern about liability on downstream folks due to activity in the headwaters. Additionally, · Fires will wreak havoc on the ability to meet standards. People downstream will have a problem due to the fires upstream.	TMDLs and water quality management plans are envisioned to be developed for watersheds as a whole and should consider concerns such as natural conditions and fires. The intent of the management plans is to encourage changes in practices, therefore, land owners will only be responsible for what occurs on their property not someone else's. However, the TMDL and management plan will remain in place until the waterbody meets water quality standards or no further improvement is deemed possible.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Carter</i> <i>Lolita</i>	Deschutes Deschutes River 25--DESC046.4	Suggests segment be defined as White River to the Reregulating Dam instead of to Lake Simtustus. The Reregulating reservoir is not habitat for Bull Trout, therefore the Bull Trout temperature standard should not apply nor is it a spawning area for salmonid and the spawning DO standard should not apply. Temperature and DO data from 7/94 to 11/95 was provided.	ODFW Bull Trout maps had indicated the reregulating Pool as spawning, rearing or resident Bull Trout Habitat but agreed that it was designated in error and modified it to migrating Bull Trout. The segment was modified to "White River to deregulating Dam" (data for listing was collected downstream of the Dam and did not reflect conditions in the pool).
<i>Cascadia</i> <i>Wildlands</i>	Willamette Winberry Creek,	North Winberry Creek has experienced substantial changes to its channel morphology and increased sediment loads. They believe largely due to logging operations, road construction, and poor roadway conditions in combination with increased peak flows from rain on snow events.	The Decision Matrix status of this stream is "Needs Data" for sedimentation and is not listed as a 303(d) stream for this parameter. There have been some observations that this parameter may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for
<i>Clark</i> <i>Mike</i>	Malheur Lake Hay Creek 41B-HAY0	Question DEQ's decision to list Hay Creek based on: 1) stream running through private property appears to be in better condition than other portions where data was collected; 2) one year's data at one site is inadequate for listing a stream; and natural conditions should be used to help	The listing was based on two years of data collected by the Malheur NF at a site at FSR 37 in which the 7 day average of daily maximums of 77 and 82 with 60 and 64 days exceeding temperature standard in 1993 and 1994 respectively (temperature was also noted as a concern for the entire length of Hay Creek in the 1988 NPS Assessment). Please see response under Water Quality Standards and Data Use in "Responses to Commonly Asked
<i>Clugston</i> <i>Thomas</i>	Powder Burnt River, West 32B-BUWF0	Stream should not be listed for habitat modification because of inadequate and erroneous information. Testing was done improperly and by people not qualified to do testing.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Concerned</i> <i>Resident</i>	John Day Pine Creek 26F-PINE0	Concern expressed about Pine Creek in Wheeler County which is considered a Steelhead spawning stream by ODFW. In 1996, the creek was dammed completely off with plastic tarps with fish going out into the fields and the creek dried up in some places. An old underground fuel tank that was close to the creek has never been dug up and checked.	No supporting data was provided, concern was forwarded to the Eastern Region for any follow up.
<i>Cowan</i> <i>Helen</i>		Concerned that the temperature standard is not realistic and would not be reached under current climatic conditions for desert streams. It is an unrealistic goal	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Crum</i> <i>Harriet & Melvin</i>	Powder Gimlet Creek 32B-GIML0	This is a natural stream bed that cannot be changed. Dries up in the summer months so cannot support fish. Should be de-listed for Sedimentation and habitat modification.	The Decision Matrix status of this stream is "OK" for temperature and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters. USFS watershed analysis indicated concerns with habitat modification and sedimentation. Also please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Crum</i> <i>Harriet & Melvin</i>	Powder Camp Creek 32B-CANF0	There is not enough information to justify listing of this creek for habitat modification or temperature.	The Decision Matrix status of this stream is "Needs Data" for temperature and habitat modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Crum</i> <i>Harriet & Melvin</i>	Powder Denny Flat Creek 32B-DENNO	This creek is dry as a bone 90% of the year. Any sediment collection is caused by snow runoff when rain rapidly melts the snow and a summer flash flood occurs, but the water probably would not get to the Burnt River. Should be de-listed for temperature, sedimentation, and habitat	The Decision Matrix status of this stream is "Needs Data" for temperature, habitat modification and sedimentation and is not listed as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Crum</i> <i>Harriet & Melvin</i>	Powder	Requested an extension to the public comment period and that a public hearing be held in the Burnt River Valley.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Crum</i> <i>Harriet & Melvin</i>	Powder Pinus Creek 32B-PINU0	Before listing more data is need. Creek is spring feed which dries up in the summer at the bottom end.	The Decision Matrix status of this stream is "Needs Data" for temperature and habitat modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Crum</i> <i>Harriet & Melvin</i>	Powder Gimlet Creek 32B-GIML0	With a temperature of 58.4°F this stream should not be on the 303(d) list.	The Decision Matrix status of this stream is "OK" for temperature and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.
<i>D'Aversa</i> <i>Mary</i>	John Day Rock Creek 26B-ROCK0	Data used for listing was credited to BLM but it was not their data.	Data was provided to BLM from a private source and did not have proper QA/QC. Data deleted from data base. Upstream USFS data indicates that temperature standards were exceeded so segment is listed based on USFS data.
<i>D'Aversa</i> <i>Mary</i>	John Day Cottonwood Creek 26C-COTT0	Data used for listing was credited to BLM but it was not their data.	Data was provided to BLM from a private source and did not have proper QA/QC. Data deleted from data base. Stream removed from 303(d) list.
<i>D'Aversa</i> <i>Mary</i>	John Day Rudio Creek 26C-RUDI0	Data used from two sites for listing was credited to BLM but they collected data from only one site.	Data was provided to BLM from a private source and did not have proper QA/QC. Data deleted from data base. Upstream BLM data indicates that temperature standards were exceeded so segment is listed based on that data.
<i>D'Aversa</i> <i>Mary</i>	John Day John Day, North Fork - MF J. Day to Big 26C-JONF032.3	Data used for listing was credited to BLM but it was not their data.	Data used to list this segment was USFS data (as shown under "Supporting Data or Information" column). Reference to BLM data under "Basis for Consideration of Listing" deleted, data shown as under 26C-JONF0 as collected by BLM at Monument was deleted from data base. Data was provided to BLM from a private source and did not have proper QA/QC.
<i>D'Aversa</i> <i>Mary</i>	John Day Deer Creek 26C-DEER0	Data used for listing was credited to BLM but it was not their data.	Data was provided to BLM from a private source and did not have proper QA/QC. Data deleted from data base. Stream removed from 303(d) list.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>D'Aversa</i> <i>Mary</i>	John Day Deer Creek, East Fork 26C-DEEF0	Data used for listing was credited to BLM but it was not their data.	Data was provided to BLM from a private source and did not have proper QA/QC. Data deleted from data base. Stream removed from 303(d) list.
<i>Dade</i> <i>Gary</i>		DEQ has not made accurate assessments and relied on surveys from other agencies that were not designed to be applied to state water quality standards.	Please see response under Data Use, minimum Data Requirements and Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Dade</i> <i>Gary</i>	Grande Ronde Minam River	Requests that DEQ remove the Minam River and its tributaries from the 303(d) list because DEQ did not consider natural conditions of the basin. Attached Larson's justification.	Please see response under Natural and Anthropogenic Conditions and Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Dade</i> <i>Gary</i>	Grande Ronde Minam River	DEQ's Water Quality index shows the river is high quality but the river is still listed as a 303(d) stream.	Please see response under Data Use, Monitoring in "Responses to Commonly Asked Questions".
<i>Davison</i> <i>Ronda</i>	Rogue Selmac Lake 15E-SELM	Concerned about water quality of Selmac Lake, unable to get data from Josephine Co. Lake built in 1961, never cleaned up with possible human bodies in the lake, water plants interfere with swimming and swimmers are warned about "swimmers itch." Is searching for information to address the	No data provided to support listing at this time. Follow up initiated through the Citizen Lake Watch Program.
<i>Deboodt</i> <i>Tim</i>		Issue on accuracy of the Hobo temperature measurements. Temperatures are carried to the tenths, however, the company that produces the hobsos says they have an error factor of + or - 2°F.	Please see response under Data Use, Monitoring in "Responses to Commonly Asked Questions".
<i>Deboodt</i> <i>Tim</i>	Deschutes Buck Creek 25F-BUCK0	Buck Creek in the Upper Crooked River listed as violating the temperature standard, but under supporting data and information data shows 63.9°F which does not violate the 64°F standard and should be removed form list, page 16 of draft 303(d) list.	Correction made, water body remove from list because data shows it meets water quality standard.
<i>Doolittle</i> <i>Bob</i>	Goose & Summer	Concerned that data was collected during drought years and at single points and may not be representative. Is managing lands under management plans developed with the OSU Foundation and allotment plans from USFS and BLM.	The Department has a guidance document for NPS TMDLs under which the management plan may qualify. Please see response under Water Quality Standards, Temperature, Data Use and Implementation in "Responses to Commonly Asked Questions".
<i>Dryden</i> <i>Bill</i>		Concerned that DEQ continues to list streams for habitat modification. Concerned that narrative criteria adopted by the EQC are vague additionally the EQC has not adopted these criteria as rule.	Please see response under Water Quality Standards in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Dryden</i> <i>Bill</i>		Concerned that one year of data will not accurately represent water quality data and would only represent data for a given reach, not the entire stream and only when air temperature is within normal ranges. Suggests that vegetative conditions change rapidly (3-4 years), data older than 3-4 years should not be used unless supporting data indicates that vegetative conditions remained constant (for example, as determined from aerial photos). Streams that reach equilibrium with air temperatures should be de-listed based on natural causes. Literature suggests a length of 750 to 1500 feet in Western Oregon with an attached report suggesting 2,250 feet on Ramsey Creek. Suggests streams with "mouth to headwaters" listed be	The Department is required to list waters based on existing and readily available data and information. While the Department would prefer having multiple years and multiple sites of data on a stream, the burden is on the State to demonstrate good cause for not including a water on the list. Therefore, data from one site and for one year is sufficient to list a waterbody. The extent of the listing is one based on professional judgment. While one point of data is not sufficient to indicate the extent of the exceedence. For parameters such as temperature, one can assume that the temperature is likely to be equal or higher downstream. Where the Department had information or data readily available, it used it to indicate the upstream extent. Without additional information, the entire reach was listed. The purpose of this was to encourage a watershed approach to address the heating of the stream. Significant heat loads can be contributed in the upper portions that result in exceedences in the lower ends. Addressing the anthropogenic heating in these areas can result in cooler water downstream. For some parameters, such as bacteria, information such as land use or land management could be used to help identify the segment. The Department generally based most of the temperature listings based on data collected during the previous 10 years and reviewed older data on a case-by-case basis. Additional review of vegetative conditions is most useful in the development of management plans rather than the listing which indicates that a water is not in compliance with the standard. Please see
<i>Dryden</i> <i>Bill</i>		Recommends that DEQ utilize the option of identifying existing pollution control mechanisms that are sufficient to achieve water quality standards. When these mechanisms are available DEQ should rely on their implementation and not list streams as water quality limited. The Forest Practices Act is one of those mechanisms therefore streams listed on lands covered by the Forest Practices Act should be remove from the list.	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Dryden</i> <i>Bill</i>	Grande Ronde Grande Ronde R, Dark Canyon Cr, Little Lookingglass Cr, Lookingglass Cr	Listing streams for habitat modification exceeds DEQ legislative and administrative authority, EQC has not adopted any water quality standards regarding habitat modification to support beneficial uses. Boise Cascade rejects the statement that a stream can be listed based upon evidence of beneficial use impairment. Physical surveys of many streams in the past four years indicate that habitat is not limiting factor for fish on many forest streams and that other conditions such as over harvesting, hatcheries and estuarine/main stream conditions limit fish access to upstream habitat. Until issues are addressed, recommends that these streams specific to Boise	Please see response under Water Quality Standards, Water Quality Standards Development and Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Dryden</i> <i>Bill</i>	Grande Ronde Minam 31E-MINA0	Suggests de-listing the portion of the Minam that flows through the wilderness area based on natural conditions.	In the listing guidance, the Department indicated that waters would be removed from the list where standard violations were caused by natural conditions with no direct human caused influences. This judgment was applied to waters in wilderness areas based on supporting information from the land management agency. No such supporting information was provided for the Minam River. It should be noted that the Operations - Action Plan for the Grande Ronde Model Watershed Program noted that: "Historic splash damming and other activities along the Minam River have affected channel morphology and riparian conditions. These changes may have caused temperature increases during the summer that limit the suitability of this section of river as a holding and spawning area for adult spring chinook and reduced the suitability of the lower river as a summer rearing area for juvenile salmon." Therefore, the Minam remains on the
<i>Dryden</i> <i>Bill</i>	Mid Coast Thompson Creek 12A-THOM0	The probable source of bacteria in this segment is due to faulty septic tanks in lower reaches, a more precise listing would include those stream segments below the upper limits of residential development.	Determination of the cause of the violation will be determined during development of the TMDL and management plan.
<i>Dryden</i> <i>Bill</i>	Rogue Hawk Creek 15A-HAWK0	Submitted water temperature data collected in 1996 approximately 1.25 miles above BLM site that was used to list the stream. Data indicates that stream was in compliance.	Segment was modified.
<i>Dryden</i> <i>Bill</i>	Rogue Bitter Lick Creek 15A-BITTO	Request that Bitter Lick Creek be removed from list because the forest canopy is intact and it is in a roadless track. The water temperature should be considered a natural condition.	Need to have documentation that there have been no past or present human activities in the watershed which could have influenced the present water quality. Also please see response under Water Quality Standards, Natural and Anthropogenic Conditions and Existing Authorities in "Responses to
<i>Dryden</i> <i>Bill</i>	Willamette Willamina Creek 22J-WILLO	The probable source of bacteria in this segment is due to faulty septic tanks in lower reaches, a more precise listing would include those stream segments below the upper limits of residential development.	Determination of the cause of the violation will be determined during development of the TMDL and management plan.
<i>Duby</i> <i>Allen & Bev</i>		Concerned that if streams are listed will potentially eliminate their way of life (ranching).	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Duby</i> <i>Allen & Bev</i>	Powder Unity Reservoir 32B.UNIT	Requests that this reservoir be removed from the 303(d) list.	The Decision Matrix status of this reservoir is "Needs Data" for algae, dissolved oxygen, nutrients, pH, and sedimentation and is not listed at this time as a 303(d) waterbody for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the waterbody is not listed on the 303(d) list for
<i>Duby</i> <i>Allen & Bev</i>	Powder Geiser Creek 32B-GEISO	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "OK" for temperature and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Duby</i> <i>Allen & Bev</i>	Powder Geiser Creek 32B-GEISO	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for habitat modification and sedimentation. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.
<i>Duby</i> <i>Allen & Bev</i>	Powder Gimlet Creek 32B-GIML0	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for habitat modification and sedimentation. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.
<i>Duby</i> <i>Allen & Bev</i>	Powder Gimlet Creek 32B-GIML0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "OK" for temperature and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.
<i>Duby</i> <i>Allen & Bev</i>	Powder Patrick Creek 32B-PATRO	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for temperature, habitat modification and sedimentation. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.
<i>Duby</i> <i>Allen & Bev</i>	Powder Patrick Creek 32B-PATRO	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for flow modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on
<i>Duby</i> <i>Allen & Bev</i>	Powder Pine Creek 32B-PINE0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for flow modification, habitat modification, sedimentation, temperature and toxics and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for
<i>Duby</i> <i>Allen & Bev</i>	Powder Trout Creek 32B-TROU0	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for habitat modification, sedimentation and temperature. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Duby</i> <i>Allen & Bev</i>	Powder Water Gulch 32B-WATE0	Requests that this reservoir be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for flow modification, habitat modification, sedimentation and temperature and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for
<i>Duby</i> <i>Allen & Bev</i>	Powder Whiskey Creek 32B-WHIS0	Requests that this reservoir be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for habitat modification, sedimentation and temperature and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Duby</i> <i>Allen & Bev</i>	Powder Beaverdam Creek 32B-BEAV0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for temperature, flow modification and habitat modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Duby</i> <i>Allen & Bev</i>	Powder Cow Creek 32B-COW0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for dissolved oxygen, habitat modification and temperature and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of
<i>Duby</i> <i>Allen & Bev</i>	Powder Pinus Creek 32B-PINU0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for habitat modification and temperature and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Duby</i> <i>Allen & Bev</i>	Powder Burnt River, North 32B-BUNF0	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for flow modification, habitat modification, sedimentation, temperature. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.
<i>Duby</i> <i>Allen & Bev</i>	Powder	Request that streams shown in their attachment and all streams in the Burnt River Drainage be removed from the 303(d) list, because intensive data was not collected to substantiate the listings.	Please see response under Data Use in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Duby</i> <i>Allen & Bev</i>	Powder Big Creek 32B-BIG0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for temperature, dissolved oxygen, nutrients, and sedimentation and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of
<i>Duby</i> <i>Allen & Bev</i>	Powder Burnt River 32B-BURN0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "OK" for bacteria, chlorophyll a and dissolved oxygen and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.
<i>Duby</i> <i>Allen & Bev</i>	Powder Burnt River 32B-BURN0	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for temperature and flow modification. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.
<i>Duby</i> <i>Allen & Bev</i>	Powder Burnt River 32B-BURN0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Potential Concern" for toxics and is not listed at this time as a 303(d) stream for these parameters. There have been some observations or data to indicate that these parameters may be causing a water quality concern, however, at this time the data is insufficient to place the stream on the 303(d), therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Duby</i> <i>Allen & Bev</i>	Powder Burnt River 32B-BURN45.8	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "OK" for bacteria, dissolved oxygen and pH and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.
<i>Duby</i> <i>Allen & Bev</i>	Powder Burnt River 32B-BURN45.8	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for habitat modification, sedimentation and nutrients and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Duby</i> <i>Allen & Bev</i>	Powder Burnt River 32B-BURN45.8	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for chlorophyll a, flow modification and temperature. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Duby Allen & Bev</i>	Powder Burnt River 32B-BURN0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for habitat modification, nutrients and sedimentation and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Duby Allen & Bev</i>	Powder Burnt River, North 32B-BUNF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for dissolved oxygen, and nutrients and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Duby Allen & Bev</i>	Powder China Creek 32B-CHIN0	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for habitat modification, sedimentation and temperature. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.
<i>Duby Allen & Bev</i>	Powder Camp Creek, East 32B-CAEF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for habitat modification and sedimentation and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Duby Allen & Bev</i>	Powder Camp Creek, West 32B-CAWF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for habitat modification and sedimentation and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Duby Allen & Bev</i>	Powder Camp Creek, West 32B-CAWF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for habitat modification and sedimentation and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Duby Allen & Bev</i>	Powder Burnt River, Middle Fork 32B-BUMF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for dissolved oxygen, flow modification, habitat modification, nutrients, sedimentation and temperature and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Duby Allen & Bev</i>	Powder Camp Creek, East 32B-CAEF0	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for temperature. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the
<i>Duby Allen & Bev</i>	Powder Burnt River, South 32B-BUSF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for flow modification and habitat modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Duby Allen & Bev</i>	Powder Camp Creek (North Fork Burnt River) 32B-CANF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for habitat modification and temperature and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Duby Allen & Bev</i>	Powder Camp Creek (Burnt River) 32B-CAMP0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for temperature and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for
<i>Duby Allen & Bev</i>	Powder Camp Creek (Burnt River) 32B-CAMP0	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for habitat modification and sedimentation. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.
<i>Duby Allen & Bev</i>	Powder Burnt River, West 32B-BUWF0	Requests that this stream be removed from the 303(d) list.	This stream is listed as a 303(d) stream because DEQ has data which indicates it does not meet the water quality criteria for habitat modification and sedimentation. DEQ is required by the Clean Water Act to use all available data when making listing decisions and must justify not using available data. At this time DEQ has determined that the available data justifies listing the stream for the parameters indicated.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Duby</i> <i>Allen & Bev</i>	Powder Burnt River, West 32B-BUWF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "Needs Data" for dissolved oxygen, nutrients and temperature and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Duby</i> <i>Allen & Bev</i>	Powder Burnt River, South 32B-BUSF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "OK" for temperature and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.
<i>Duby</i> <i>Allen & Bev</i>	Powder Camp Creek, West 32B-CAWF0	Requests that this stream be removed from the 303(d) list.	The Decision Matrix status of this stream is "OK" for temperature and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.
<i>Dunbar</i> <i>Harvey</i>		Cattle are not to be blamed for the warm water temperatures - other factors such as the sun, hot desert winds are involved. Elk and horse are involved in the damage to streambanks. Does not support Ballot Measure 38 or 303(d) listings.	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Duvendack</i> <i>Michael</i>	Willamette Rickreall Creek 22H-RICK0	Requests that Rickreall Creek be divided into two segment, mouth to Dallas WWTP, Dallas WWTP to Mercer Reservoir to reflect the basis for the Facility Planning work for the City of Dallas and to reflect "cool water" stream classification for the lower segment.	Segments modified to reflect the change in beneficial use for use of the dissolved oxygen standard based on ODFW judgment.
<i>Fewel</i> <i>Pat</i>	Malheur Lake Trout Creek 41F-TROU0	Recommends that listed segment be modified to USGS gage to Headwaters to reflect portion of stream with trout. Lower segment is on the desert floor where it dries up, trout habitat is in the upper end of Trout Creek and lower end (below the USGS gage to where becomes intermittent) is warmer where it is beneficial to the Alvord Chub.	This information was confirmed by Wayne Bowers (ODFW, Burns) - the portion from headwaters to about the USGS gage is trout habitat (cold water), below that is Alvord Chub habitat (warm water). The Department will add a definition for "river mouth" which is similar to the definition for headwaters so that it better addresses the situation for streams that go dry. The Department would need to do a "use attainability study" to modify the beneficial use listed in Table 17 (340-41-882) which indicates "Salmonid Fish Rearing (Trout)" for all rivers and tributaries. This suggestion will be reviewed in the next triennial standards review. Until the use is modified,
<i>Foster</i> <i>Calvin</i>		Would like to know the true reason for listing other than because of EPA and the Clean Water Act. Should use a good measure of common sense and also why not standup to the Federal government and the environmental groups.	The reason for listing water bodies as water quality limited is that they do not meet the state's water quality standards. Also, please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Foster</i> <i>Calvin</i>		He did not believe there was any science that shows that cattle are a detriment to fish.	Please see response under Steam Function in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Foster</i> <i>Calvin</i>		Fish are being hurt by commercial fishing, gill nets and sea lions not the rancher. Powder basin should not be listed because salmon can't get here anyway. Only native or planted fish are present in the basin.	Please see response under Salmon Issues in "Responses to Commonly Asked Questions".
<i>Foster</i> <i>Calvin</i>	Powder Elk Creek 32D-ELK0	Elk Creek listed for temperature is not a year around stream would dry up even if not used for irrigation, does run year long in the headwaters where city of Baker takes their water out.	Please see response under Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Foster</i> <i>Calvin</i>	Powder California Gulch 32D-CALI0	Other stream of concern was California Gulch, just a gulch no flow after snow leaves, some pot holes, but that's all. Found a red band trout in one of the pot holes and have now been forced to fence to keep livestock out because of finding the fish.	Please see response under Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Foster</i> <i>Calvin</i>	Powder Silver Creek 32D-SILV0	Silver Creek (tributary to Cracker Creek) up stream of Philips's Reservoir (Mason Dam) pristine alpine stream should be the coldest does not meet bull trout 50°F, but is 54°F, do the bull trout really care about 4°F.	The scientific research used at the time the standard was adopted to set the Bull Trout temperature criteria indicated the fish needed this cold of water. Fish may not die out right above the criteria, however, as the temperature increases it puts more stress on them and their long term survival rate may decline. Also, please see response under Water Quality Standards, Temperature and Beneficial Uses in "Responses to Commonly Asked Questions". There are some indications which show that certain life stages of Bull Trout can tolerate temperatures above 50°F. Pending additional information DEQ may reviewing for possible modification the temperature
<i>Foster</i> <i>Don</i>	Powder Silver Creek 32D-SILV0	This streams was impacted from several large industrial mines but now has recovered into a beautiful, high mountain jewel in excellent condition. If Bull Trout survived early day abuses, they should have no problems with current excellent condition, scarce public money should be used on other streams that need conservation.	The Department will be reviewing the Bull Trout standard and criteria related to different life stages in the near future. Please also see responses under Beneficial Uses and Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Foster</i> <i>Don</i>	Powder Powder River 32D-POWD114	Submitted data that the Baker Valley SWCD was collecting on the Upper Powder (between Mason Dam and North Powder).	Temperature data indicated that site at Powder River below Mason Dam generally met the temperature standard. Data collaborates Bureau of Reclamation data, stream segment is not listed on the 303(d) list.
<i>Foster</i> <i>Don</i>	Powder Powder River 32D-POWD073	Submitted data that the Baker Valley SWCD was collecting on the Upper Powder (between Mason Dam and North Powder).	Temperature data indicated that Powder R below Hughes Lane (UP4) had a 7 day average of daily maximums of approximately 70.4 and 65.7 in 1995 and 1996 respectively and Power R at first bridge above North Powder had a 7 day average of daily maximums of 80.4 in 1995 (North Powder site was typically above 64 between 6/20/95 - 9/20/95). Stream was added to 303(d)
<i>Foster</i> <i>Don</i>	Powder Elk Creek 32D-ELK0	Supports listing as long as it means a continued cooperative effort in improving its condition. Riparian zone is improving from conditions of 15-20 years ago although there are problems with channel reconstruction, sediments and de-watering.	Management plans will be done cooperatively. No modification requested. Please see response under Implementation in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Foster</i> <i>Don</i>	Powder California Gulch 32D-CALIO	This small stream is listed as a trout stream but is hardly suited (about 4 were found in two dishpan size potholes) as it is only a trickle. Lower 1/2 mile dries up every year by end of July or earlier. Previous mining activity has affected it (turbidity) and extensive stream structures would be needed for	Stream was listed based on standard exceedences related to existing use. Management plan can address approach and phasing in of practices to restore stream. Your suggestions will be most useful in the development of that plan.
<i>Franke</i> <i>Jerry</i>		Request an extension of the comment period to allow more time for evaluation of stream segments and that another round of public hearings be conducted in each watershed. Attached Larson's justification.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Franke</i> <i>Jerry</i>	Powder Cave Creek 32B-CAVE0	Should be de-listed because Burnt River Irrigation District data shows max temperature of 60°F.	DEQ does not have temperature data on this creek so the creek is not listed on the 303(d) list. There have been some observations that temperature may be a concern. DEQ would be interested in reviewing the temperature data the irrigation district has for Cave Creek.
<i>Franke</i> <i>Jerry</i>	Powder Coronet Creek 32B-CORO0	Should be de-listed because Burnt River Irrigation District data shows max temperature of 50°F and stream dries up early.	DEQ does not have temperature data on this creek so the creek is not listed on the 303(d) list. There have been some observations that temperature may be a concern. DEQ would be interested in reviewing the temperature data the irrigation district has for Coronet Creek.
<i>Franke</i> <i>Jerry</i>	Powder Deer Creek 32B-DEER0	Should be de-listed because Burnt River Irrigation District data shows max temperature of 64°F.	DEQ does not have temperature data on this creek so the creek is not listed on the 303(d) list. There have been some observations that temperature may be a concern. DEQ would be interested in reviewing the temperature data the irrigation district has for Deer Creek.
<i>Franke</i> <i>Jerry</i>	Powder Denny Flat Creek 32B-DENNO	Needs to be de-listed because it is a dry wash.	The Decision Matrix status of this stream is "Needs Data" for temperature, sedimentation and habitat modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Franke</i> <i>Jerry</i>	Powder Hooker Gulch 32B-HOOK0	Needs to be de-listed because it is a dry wash.	The Decision Matrix status of this stream is "Needs Data" for temperature, sedimentation and habitat modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Franke</i> <i>Jerry</i>	Powder	Requests all streams in the Burnt River Sub-basin be removed from the "water quality limited" category until adequate data, collected by qualified personnel, can be gathered and evaluated using a widely recognized science. Data is inaccurate and fails to recognize any natural processes.	Please see response under Water Quality Standards, Temperature and Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Franke</i> <i>Jerry</i>	Powder Brannan Gulch 32B-BRAN0	Needs to be de-listed because it is a dry wash.	The Decision Matrix status of this stream is "Needs Data" for temperature, sedimentation and habitat modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Freeman</i> <i>David</i>	Powder Sutton Creek 32D-SUTT0	Presence of fecal coliform is indicative of summer and fall use by elk, deer and antelope. Creek on their property has been fenced for years to maintain strong vegetation stands. Lightning cause fire has caused major changes to flow, sedimentation and riparian habitat. These are natural phenomena and not a man caused problem. It is unreasonable that the stream be listed for any of the above mentioned parameters.	At the present time there is no data available which indicates that Sutton Creek has a bacteria problem and the creek is not listed on the 303(d) list for bacteria concerns.
<i>Freeman</i> <i>David</i>	Powder Sutton Creek 32D-SUTT0	Request removal of creek from 1998 303(d) list because temperature is natural as indicated by presents of rainbow trout, crayfish and frogs. Temperature and surveys are inaccurate as per Larson's attachment.	There have been some observations that temperature, flow modification, sedimentation and habitat modification may be a concern, however, there is no supporting data to back up the observations at this time, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Freeman</i> <i>Twila</i>			
<i>Futter</i> <i>Herb</i>		Why was data older than 15 years used after DEQ said during the 1994/96 listing that no data older than 15 years would be used. Fecal Coliform data are inconsistent with the 1979 data that was the foundation for the Malheur County stream listings.	Please see response under Data Use, Minimum Data Requirements and Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Futter</i> <i>Herb</i>		Request that stream segments that exceed standards be first classified as a area of concern (potential concern). This would allow restoration efforts to improve the condition over a season. If efforts do not then meet standards then listing should occur.	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Futter</i> <i>Herb</i>		Should make Proper Functioning Condition (or similar evaluation) needs to be part of the standard.	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Futter</i> <i>Herb</i>		Requests that before DEQ lists a segment for exceedence of a standard that DEQ should allow more sampling to determine the extent of the problem before listing.	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Futter</i> <i>Herb</i>		The 64°F temperature standard is not a realistic standard for the majority of Oregon's desert streams. Standards should be developed which consider and relate to the flow variation, weather, and biological realities of Eastern Oregon resident fish requirements.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Futter</i> <i>Herb</i>		DEQ needs to clarify data requirement needs for de-listing segments. (Clear de-listing protocols are not available.)	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Futter</i> <i>Herb</i>	Malheur Cottonwood Creek 33D-COYY0	This stream generally has good riparian condition, spring flows are high and summer/fall flows are low. Should this stream be classified as a cold water stream. With two DO measurements close to the standard request that the stream be designated a potential concern and not listed.	The stream was listed based on 2 of 5 DO measurements in 1996 being below the cold water criteria, however, after review of the data it was discovered that the DO percent saturation had not been applied. To list a water body for DO both the measurement and the percent saturation must not meet the standard. In this stream and others where the MOWC provided data, the temperature of the water and elevation were not provided and are needed to determine the percent saturation for DO. The stream will be removed from the list because of insufficient data to determine level
<i>Futter</i> <i>Herb</i>	Malheur Malheur River 33C-MALHO	This river segment should not be listed for DDT and Dieldrin. There has been no use for 20 years. There are no management alternatives that can reasonably be expected to reduce the half-life of degradation of traces found in the sediments.	DEQ is required to list on the 303(d) list segments for all parameters which violate water quality standards, unless naturally occurring. The cited chemicals do not occur naturally. During the TMDL development phase a determination will be made as to whether anything can be done to reduce the concern over these contaminants. Management actions could be such things as using practices which would reduce sediment disturbance in the stream and/or reduce sediment delivered to the stream that may move or
<i>Garton</i> <i>Kalvin</i>		To blame the farmer for stream problems is a joke. The Fish and Wildlife believe streams should wash freely on the flood plain, the streams would then silt up and DEQ would list them and blame the farmer. Streams should be kept along the north shady slopes of canyons.	Please see response under Stream Function in "Responses to Commonly Asked Questions".
<i>Garton</i> <i>Kalvin</i>		Contends that money would be better spent on removal of monofilament nets from the Columbia River.	Please see response under Salmon Issues and the Oregon Plan in "Responses to Commonly Asked Questions".
<i>Garton</i> <i>Kalvin</i>		Beavers destroy stream side trees, widen the channel, and slow flows. How are they going to be handled?	Please see response under Stream Function in "Responses to Commonly Asked Questions".
<i>Garton</i> <i>Kalvin</i>		Contends cattle provide important fire control by keeping down weeds and that total removal of cattle will increase fires.	Please see response under Stream Function in "Responses to Commonly Asked Questions".
<i>Garton</i> <i>Kalvin</i>		Contends that the intent is to eliminate flood irrigation and to severely restrict all irrigation. Stream flows will be reduced significantly to support stream side vegetation. Trees (especially junipers) and willows will consume water and will possibly dry up the stream.	Please see response under Beneficial Uses in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Garton</i> <i>Kalvin</i>		Studies show water temperatures are not accomplished at lower elevations and also need protein.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Garton</i> <i>Kalvin</i>		This program was obviously created by bureaucrats trying to create job security. The government should focus on larger environmental problems of their own first. (Including Hanford, city sewers, and illegal dumping because of landfill closures)	Please see response under Existing Authorities, Clean Water Act in "Responses to Commonly Asked Questions".
<i>Garton</i> <i>Kalvin</i>		Stated that DEQ's goal was to require farmer/ranchers to fence their streams and be responsible for fire and weed control and illegal dumping.	DEQ's mission is to restore, maintain and enhance Oregon's water quality. DEQ is responsible for developing TMDLs and working with other agencies and local residents to develop water quality management plans to address water quality concerns. Management plans are expected to address needs for improving water quality and may make recommendations on management activities and practices needed to reach water quality standards.
<i>Garton</i> <i>Kalvin</i>		The Oregon farmers are the best environmentalists in the world and they don't need DEQ's advice.	Please see response under Existing Authorities, Clean Water Act and Implementation in "Responses to Commonly Asked Questions".
<i>Garton</i> <i>Kalvin</i>		In his opinion government is out of control. There are too many different government agencies spending money on salmon issues when the actual problem is predators (sea lions) and man (fishing).	Please see response under Salmon Issues and the Oregon Plan in "Responses to Commonly Asked Questions".
<i>Garton</i> <i>Kalvin</i>	Columbia River Columbia River	Submitted a spreadsheet on yearly totals of salmon counted over Bonneville Dam from 1938 to 1993. Stated that there may actually be more salmon now than in 1938.	Please see response under Salmon Issues and the Oregon Plan in "Responses to Commonly Asked Questions".
<i>Garton</i> <i>Kalvin</i>	Columbia River Columbia River	Thinks the temperature standard is unrealistic. When the streams warm up fish move to cooler waters up or down stream or to deep pools.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Gibbs</i> <i>William</i>	John Day Big Creek	There is a hot spring that feeds into Big Creek about one mile below Deadwood Creek that could impact the temperature measurements. There is nothing to affect temperatures other than a road that runs along a portion of the creek and there is no reason to list the creek where it flows through public lands (all but the lower three miles of the creek).	The Department realizes that many streams have hot springs contributing to the thermal loading. Further evaluation than the presence of the hot springs is needed to remove a stream from the list. A temperature plan would not be needed to address the hot springs contribution but would be needed to address anthropogenic (human caused) contribution to heating
<i>Gibbs</i> <i>William</i>	John Day Granite Boulder, Big Boulder, Little Boulder and Big Creek	These streams are listed solely for temperature violations and have never met the temperature criteria, the only change in the riparian areas has been an increase in the under-story in my lifetime.	The Department recognizes that this may be the case in some situations but the removal from the list and modification of the standard needs to be based on analysis often best done through the watershed management planning process. These observations will be most useful in the development of a management plan for the Middle Fork John Day watershed.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Gibbs</i> <i>William</i>	John Day	Concerned that, according to Equal Footing Doctrine, that there are no waters of the United States, therefore federal law is unenforceable. Too much credence is given to ODFW and NMFS and, that given their vested interest, should not be considered in the listing criteria (especially flow criteria). In many cases, In-stream Water Rights include all natural flows and, when Out-of-Stream Water Rights are used, those streams will not meet flow criteria and be listed. The Department's approach of identifying In-stream aquatic life as the most sensitive beneficial use is not well-rounded. If water cannot be used out-of-stream, there is no out-of-stream use and this may affect other in-stream uses as well as local economies. Shouldn't temperature standards be consistent - if 68 degrees is OK for smolts/adults in the Columbia, wouldn't this be OK in Eastern Oregon streams. The burden of proof for a listing should be on DEQ to assure that the water quality is outside the natural range of variability. Natural selection plays a role in what optimum conditions are for a fish run rather than laboratory conditions - local information from residents may give a better estimate of stream conditions. The requirements for de-listing	Please see response under Waters of the State/Nation, Water Quality Standards, Flow Modification and Temperature, Listing and De-listing Methodology Issues and Stream Functions in "Responses to Commonly Asked Questions".
<i>Gibbs</i> <i>William</i>	John Day Deadwood Creek	Deadwood Creek flows into Big Creek. It is similar, but not listed.	DEQ does not have any data on Deadwood Creek to make a determination about whether it does or does not meet the listing criteria.
<i>Gibbs</i> <i>William</i>	John Day	Has concern that State of Oregon is wasting time and resources using federal law regulating state waters. Questions what is navigable and what is not.	Please see response under Waters of the State/Nation in "Responses to Commonly Asked Questions".
<i>Gibbs</i> <i>William</i>	John Day	Not sure how water quantity affects or relates to water quality. Concern about in-stream water rights that take most of the water. If owner uses his/her water, then ends up on 303(d) list. In-stream beneficial uses carry more weight than out-of-stream beneficial uses which he objects to.	Like any other water right, instream water rights have a priority date and only junior water right holders would be prevented from with drawing their allotted amount of water. Also, please see response under Beneficial Uses and Water Quality Standards, Flow Modification in "Responses to
<i>Gibbs</i> <i>William</i>	John Day	Concerns about temperature standards. Listing presumes guilty until proven innocent. Concerned that criteria depend on ODFW setting too stringent - all lab data, no allowance for natural selection and conditions.	Temperature standard is based on a combination of laboratory and field studies and research. Also, please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Gibbs</i> <i>William</i>	John Day	Does not understand how quantity and habitat modification is arrived at.	Flow modification is addressed through 4 criteria 1) a demonstration that there is a beneficial use impairment (such as, the fish population is under stress or in decline), there is an established or applied for instream water right, documentation that flows are frequently not satisfying the instream water right and human contribution to the reduction of instream flows (water rights and diversions). Also please see response under Water Quality Standards, Flow Modification and Sedimentation and Habitat Modification

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Gibbs</i> <i>William</i>	John Day Big Creek 26D-BIG0	Big Creek has only about 3 miles with grazing which has not had an impact. Additionally the head waters have never been logged.	Data shows creek does not meet the 50°F Bull Trout temperature criteria. The 303(d) list does not identify the cause of a water quality problem. Causes and sources are determined during the development of the TMDL.
<i>Gibbs</i> <i>William</i>	John Day	Local residents are not given any credence or asked for their historical knowledge. Guilt until proven innocent approach to listing shifts cost from public domain to private.	Please see response under Natural and Anthropogenic Conditions and Implementation in "Responses to Commonly Asked Questions".
<i>Godbout</i> <i>Kevin</i>		Current Forest Practices Act regulations are stringent enough to attain standards, therefore forested streams should not be listed (40 CFR 130.7). A MOU should be developed with ODF and state that the process in ORS 527.765 will be used for those forested streams where standards will not be met in a reasonable period. The listing of streams due to temperature, habitat and flow modification should be postponed to allow a pilot period to better understand the new temperature standard and to develop standards and criteria for habitat and flow modification, the jury is still out on acceptable criteria to assess habitat conditions. Generally agree with priorities for TMDL implementation but believe that DEQ should remain flexible to encourage voluntary efforts to work on lower priority streams. A ten year period is needed to implement a TMDL, a shorter time period will likely result in a chaotic rush to meet a self imposed deadline that	Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Godbout</i> <i>Kevin</i>		Concerned that 303(d) listing decisions are biased in favor of listing where water quality data is limited. Using the 303(d) list as a regulatory vehicle to collect more water quality data is inappropriate. Waters should only be placed on the list when there is clear evidence of a problem that can be	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Godbout</i> <i>Kevin</i>		Questioned the use of Listing Criteria such as biological criteria, habitat modification, flow modification and sedimentation for the purpose of listing streams for the 303(d) list. Parameters have not been adopted by rule; criteria for parameters are technically unsound; and TMDLs can not be developed for these parameters.	Please see response under Water Quality Standards in "Responses to Commonly Asked Questions".
<i>Godbout</i> <i>Kevin</i>		Listing from mouth to headwaters is inappropriate. Should only list stream segments where there is clear and convincing data of a water quality standards violation.	Please see response under Format of 303(d) list in "Responses to Commonly Asked Questions".
<i>Godbout</i> <i>Kevin</i>		Waters flowing from watersheds regulated by the Forest Practices Act, that do not meet promulgated water quality standards should be excluded from the 303(d) list. If DEQ believes more stringent controls are needed then it should uses its existing authority (ORS 527.765 (3), rather than develop a	Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Godbout</i> <i>Kevin</i>	Willamette Mohawk River 22D-MOHA0	Upper part of creek should be removed from list. Company temperature data for 1993 (61.2°F) and 1994 (62.3°F) shows temperatures were below the 7 day average maximum temperature criteria of 64°F.	Data submitted shows stream meets 64 °F temperature criteria above river mile 25. Segment split: Mouth to River Mile 25 will continue to be listed for water temperature; River Mile 25 to headwaters will be removed from the 303(d) list.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Godbout Kevin</i>	Willamette Mill Creek 22D-MILL0	Upper part of creek should be removed from list. Company temperature data for 1993 (63.9°F) and 1994 (63.8°F) shows temperatures were below the 7 day average maximum temperature criteria of 64°F.	Subsequent letter from Weyerhaeuser dated June 17, 1998 noted that after calculating the 7 day average maximum the stream did not meet the 64°F target and not be considered for removal from the list.
<i>Grant Cathy</i>	Mid Coast Grant Creek	Gave information about a salmon survey conducted by a home schooling team on two thirds of a mile of Grant Creek. They counted primarily Chinook, did note existing Coho. Survey was repeated seven times at a week to 10 day intervals over the fall of 1997. Also took water quality samples and in each case only found a few grains of sediment, water temperatures were taken at 1:00 p.m. and ranged from 46°F to 52°F.	Grant Creek is not listed in the 1998 303(d) Water Quality Limited Waterbody list. To be of use for the 303(d) list the survey results need to be compared to a reference level or guidelines established for Salmon counts the area.
<i>Grant Josh</i>	Mid Coast Grant Creek	Assisted in the salmon survey and provided the results of the survey for the record. Total adults 284, total juveniles 16, total live count 300, dead count 83, 20 were male and 26 were female, 14 were juveniles and 23 were unknown.	Grant Creek is not listed in the 1998 303(d) Water Quality Limited Waterbody list. Need to reference counts to past years or other reference sites.
<i>Grant Tim</i>	Mid Coast Grant Creek 12A-ELBIO	Family has lived in the same area for over 125 years. Three streams and a river running through their ranch including Big Elk River and Grant Creek. Grant Creek has been a major spawning ground for salmon. Have not changed or done anything different to Grant Creek since it was homesteaded. Fish count are still very high. They have done nothing different and do not see why they should be affected by any rulings. Big Elk River also runs part way through the ranch because they have data of high fish runs from family history the river has not been changed by the family from this time back over the past 125 years, still have some of the highest runs of salmon on the coast documented. Which indicates that the ranch is not the problem and do not see why they should be on the list or come under any special rules or regulations.	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Gray Linda</i>	Willamette Butternut Creek	Please keep me advised of temperature and nutrient load issues related to Butternut Creek. Please monitor closely the segment at Rosa Rd. where the Reserve Golf Course irrigation water travels off the course, down Rosa Road and into Buternut Creek	DEQ recommends working with a local watershed council if one has formed in your area. The Northwest Regional DEQ office can also be contacted to assist is determining what activities are taking place in the watershed.
<i>Graybill Jane</i>	Willamette Fairview Lake 22P.FAIR	Request that water quality testing be done on Fairview Lake. TMDLs should be developed for more that just phosphorus.	DEQ will keep your request in mind as future monitoring plans are developed and implemented.
<i>Green Michael</i>	Malheur Lake Fish Creek 41C-FISH0	1996 water temperature data was submitted from BLM monitoring sites.	BLM Data (2 Sites: at mouth, 32S-32.5E-28sesw and above Corral Creek, 33S-32.75E-6nwse): 7 day average of daily maximums of 66.6 and 71.2 with 18 and 62 seven day periods exceeding temperature standard (64) in 1996 respectively. Water body added to 303(d) list.
<i>Green Michael</i>	Malheur Lake Little Blitzen River 41C-BLLIO	1996 water temperature data was submitted from BLM monitoring sites.	Segment was listed based on 1995 BLM data. 1996 data confirms listing and was added to decision matrix

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Green</i> <i>Michael</i>	Malheur Lake South Fork Donner und Blitzen 41C-DOSF0	1996 water temperature data was submitted from BLM monitoring sites.	Segment was listed based on 1995 BLM data. 1996 data confirms listing and was added to decision matrix
<i>Green</i> <i>Michael</i>	Malheur Lake Donner und Blitzen 41C-DONN45	1996 water temperature data was submitted from BLM monitoring sites.	BLM Data (2 Sites: above Fish Creek, 32S-32.5E-28sesw and at Big Springs, 33S-32.5E-4sesw): 7 day average of daily maximums of 73.5 and 71.0 with 52 and 42 seven day periods exceeding temperature standard (64) in 1996 respectively. Water body added to 303(d) list.
<i>Green</i> <i>Michael</i>	Malheur Lake Little Indian Creek 41C-INLI0	1996 water temperature data was submitted from BLM monitoring sites.	Not listed - BLM Data (Site at mouth, 34S-32.75E-2NWSW): 7 day average of daily maximums of 59.6 with 0 seven day periods exceeding temperature standard (64) in 1996.
<i>Green</i> <i>Michael</i>	Malheur Lake Denio Creek 41E-DENI0	1996 water temperature data was submitted from BLM monitoring sites.	Segment was listed based on 1995 BLM data. 1996 data confirms listing and was added to decision matrix
<i>Green</i> <i>Michael</i>	Malheur Lake Threemile Creek 41E-THRE0	1996 water temperature data was submitted from BLM monitoring sites.	BLM Data (Lower Site, 35S-31E-25nwnw): 7 day average of daily maximums was 61.0 did not exceed temperature standard (64) in 1995. 1996 data showed a 7 day average of daily maximums of 72.7 but records showed distinct periods of unusual fluctuating temperatures, that were not observed in 1995 or in data collected in 1994, accounted for high temperature. BLM is collecting additional data to determine if this was an
<i>Green</i> <i>Michael</i>	Malheur Lake Willow Creek (Steens Mountains) 41F-WILS0	1996 water temperature data was submitted from BLM monitoring sites.	BLM Data (2 sites: in canyon, 33S-34E-15senw and at mouth, 33S-34E15senw): 7 day average of daily maximums of: 60.6 with 0 7-day periods at site in canyon and 72.1 with 58 7-day periods at site at mouth exceeded temperature standard (64) in 1996. Segment was added to the
<i>Green</i> <i>Michael</i>	Malheur Lake Skull Creek 41E-SKUL0	1996 water temperature data was submitted from BLM monitoring sites.	Segment was listed based on 1995 BLM data. 1996 data confirms listing and was added to decision matrix
<i>Green</i> <i>Michael</i>	Malheur Lake Home Creek 41E-HOME0	1996 water temperature data was submitted from BLM monitoring sites.	Segment was listed based on 1995 BLM data. 1996 data confirms listing and was added to decision matrix
<i>Green</i> <i>Michael</i>	Malheur Lake Silver Creek 41D-SILV27	1996 water temperature data was submitted from BLM monitoring sites.	Segment was listed based on 1995 BLM data. 1996 data confirms listing and was added to decision matrix

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Green</i> <i>Michael</i>	Malheur Lake Deep Creek 41C-DEEP0	1996 water temperature data was submitted from BLM monitoring sites.	BLM Data (at Mouth, 35S-32.5E-5nwse): 7 day average of daily maximums of 71.6 with 79 seven day periods exceeding temperature standard (64) in 1996. Water body added to 303(d) list.
<i>Green</i> <i>Michael</i>	Malheur Lake Indian Creek 41C-INDIO	1996 water temperature data was submitted from BLM monitoring sites.	BLM Data (2 Sites: at mouth, 34S-32.75E-7swne and above Little Indian Creek, 34S-32.75E-2swnw): 7 day average of daily maximums of 69.2 and 66.6 with 55 and 9 seven day periods exceeding temperature standard (64) in 1996 respectively. Water body added to 303(d) list.
<i>Green</i> <i>Michael</i>	Malheur River Stinkingwater Creek 33B-STINO	1996 water temperature data was submitted from BLM monitoring sites.	Segment was listed based on 1995 BLM data. 1996 data confirms listing and was added to decision matrix
<i>Grissette</i> <i>Simone</i>		Thanked the Department for using the data they submitted. DEQ is considered the only hope for limiting the degradation occurring in the watershed. Requested that DEQ do more enforcement.	DEQ will continue to follow the requirements of the Clean Water Act and apply the state's environmental rules and regulations..
<i>Grissette</i> <i>Simone</i>	Umpqua Little River	The Forest Practices Act is inadequate to protect water quality; stream enhancement and restoration afterwards is no substitute for responsible land management and is ineffective; local watershed councils are incapable of protecting resources; DEQ needs to enforce laws, not just offer guidelines.	Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Hallett</i> <i>Sue</i>		Concern about DEQ policy to require a Section 404 permit for dredging activity for mining when a stream is listed for sediment or toxics. Concerned that there is no sound, verifiable evidence showing that mining significantly contributes to sedimentation or toxicity problems. Will other users of these waters, such as fisherman, rafters, swimmers be regulated? Suggest that de minimus activities, including small scale placer miner be made an exception to the 404 process. Also, concern about the listing of an entire stream unless data information available to divide into segments. Concerned that comment period makes it difficult for small grassroots	When a water body is placed on the 303(d) list it has not been determined what the source of the water quality concurs is, only that the stream is water quality limited. During development of the TMDL and associated management plan will the sources be identified and management practices by developed to address them. The 404 process is a separate process from the 303(d) list and the issue of exception should be addressed within the contexts of the 404 process. Also please see response under Public Comment Process, Listing and De-listing Methodology Issues and Format of
<i>Hamlin</i> <i>Tim</i>		Natural Condition: Several Waters are not listed due to natural conditions. For those waters that drain a wilderness area and that have no human sources contributing to the problem, the only question is when the wilderness area designation was made and if there were human impacts on the watershed before the designation was made that continue to significantly	DEQ has some of the documentation for wilderness designations and conditions from the land management agencies in its files. However, DEQ does not have official letters from the land management agencies that cover all the information EPA has requested. DEQ will seek official confirmation from the land management agencies.
<i>Hamlin</i> <i>Tim</i>		Page 47 and 48 are printed head to head and should be printed head to toe.	This appears to be a collating error most lists were printed correctly.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>		Several other waters were not listed because "Low pH were attributed to natural causes (pH of rain)". Please explain the basis for the determination the pH of the rain was not anthropogenically caused.	The Water bodies not listed for pH because of natural condition are all in the Oregon coastal range and the exceedences occur during the winter months. There is significant rain fall in this area during the winter (80 to 200 inches a year mostly occurring during the winter months) the pH of the rain is fairly low (between a pH of 5.5 and 6.5). The weather for Oregon comes predominately from over the Pacific Ocean to the West, so there are no human activities in that direction which would contribute to the low pH of the rain water. In addition the coastal streams are naturally not highly buffered. Given the high precipitation of low pH rain water combined with the low buffering capacity of the streams, it would be expected to have low pH values for streams in this area, in the winter time, due to these naturally occurring conditions.
<i>Hamlin</i> <i>Tim</i>		pH Criteria: On page 23 of the listing criteria document you show the Deschutes Basin with a pH of 6.5 to 8.5 with an asterisk. Is the asterisk an error? All other asterisked basins go up to a pH value of 9.0.	The asterisk is in error and will be removed.
<i>Hamlin</i> <i>Tim</i>		Declaration of Drought Emergency: "For the 1994/96 list process a drought year was determined based on a drought emergency being declared by the governor". Please clarify if this is the same basis for determining a drought year that you used for the 1998 list. Please describe how the drought emergency decision is made by the governor's office and the basis for using this as a criterion for not listing. The declaration by county does not correlate well with water-bodies and their associated basins. How does one tell whether a Water body is or is not in a declared Drought Emergency	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Hamlin</i> <i>Tim</i>		Waters on Tribal Lands: The draft 303(d) list contains some waters that are within tribal reservation boundaries. EPA's position is that the Clean Water Act programs approved for the State of Oregon do not extend into Indian country. Please make it clear in the final list that tribal waters included on the list are not part of the Oregon 303(d) list submitted to EPA	Oregon will indicate for waters on Indian lands which appear on the final 303(d) list that "These waters are within tribal reservation boundaries and are not part of the Oregon 303(d) list, but are presented here in order to provide a more complete picture of impaired waters in each basin."
<i>Hamlin</i> <i>Tim</i>		Warm Water Fisheries: Several waters in the decision matrix have high temperature values, but are not listed because the designated beneficial use is a warm water fishery. There also appears to be an oversight in the standard development process there is no specific temperature criteria. It is EPA's understanding that criteria for warm water fisheries will be develop during the next triennial standards review (1998-2000) and that these site specific	Temperature criteria for warm water was an oversight in the development of the temperature standard. DEQ will be addressing the warm water temperature issues during the next tri-annual review. When and if the standard is modified and approved DEQ will apply the revised standard during the subsequent 303(d) list development.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>		<p>Biological Criteria: The language used to describe the criterion for listing waters for biological criteria is identical to the language describing the first set of requirements for listing under habitat modification, flow modification, and sedimentation. It appears from this, that a water listed for habitat modification, flow modification, or sedimentation would also be listed for biological criteria, but this is not the case. Please describe the criteria more clearly to delineate the differences between these parameters.</p> <p>Also, a number of waters are identified in the decision matrix as having Biotic Condition Index (BCI) from one year that indicates stress conditions or a poor rating and a BCI from another year with fair to excellent values. These waters with conflicting BCI information are generally not listed. Please provide the rationale for not listing these waters.</p>	<p>The Biological Criteria, water quality limited criteria was intended to focus on bio-monitoring data using metric scores and indexes using specific protocols. The third condition under the criteria was not meant to be applied in the Biological Criteria because of its less rigorous methods of analysis (many time based on observational information), but rather as a criteria for evaluating whether a beneficial use impairment existed under the flow modification, habitat modification and sedimentation criteria. No Biological listings were based on this third condition. The third condition will be removed from the Biological criteria (as it was not meant to be used under this criteria), but will continue to be use as a indication of beneficial use impairment under the flow modification, habitat modification and sedimentation criteria. Please see response under Water Quality Standards in "Responses to Commonly Asked Questions".</p>
<i>Hamlin</i> <i>Tim</i>		<p>Parameters taken off the list for Potential TMDL: A segment and parameter can only be taken of the 303(d) list for establishment of a TMDL if EPA has approved the TMDL. If parameters are a potential concern or are not covered by a TMDL they should not have the</p>	<p>The "Potential TMDL" designation was intended to give advanced notice that several water bodies had the potential to be removed from the final 303(d) list because TMDL's were close to completion. These water bodies are still part of the 303(d) list and will not be remove from the list until a TMDL has been approved by EPA. The "Potential TMDL" designation will not appear on the final 303(d) list.</p> <p>Only those parameters covered by a TMDL will be removed from the list and the designation "Potential TMDL" will be removed form those</p>
<i>Hamlin</i> <i>Tim</i>		<p>Bacteria (Fecal Coliform) Shellfish: Under Data Requirements data consideration is limited to water year 90 (10/90) or study conducted under section 208 funding of the Clean Water Act prior to 10/90. For Bacteria-Water Contact Recreation Data Requirements are since Water Year 86 (10/85). You are considering 10 years of data for all other parameters. Please explain why the requirements are different for these</p>	<p>The reason the shellfish data uses a different period of record from that of other bacteria data is that FDA uses data collected over the last 3 year period for shell fish classification purposes (data needs to have at least 15 data points over a 3 year period). DEQ was trying to indicate that the most recent FDA 3 years of data (at the time of the analysis) was used. What DEQ will do, to be consistent, is change to the 10 year time from WY86 (10/85), however, when FDA shellfish classification guidelines are used a minimum of 15 data points over a 3 year period would be needed to classify</p>

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i>		<p>Other Control Strategies: On page 6 and 7 wording is incorrect, EPA has not identified EPA approved TMDLs, Non-point TMDLs, or permits as being "other pollution control requirements". Although, the state may choose to not list waters with an approved TMDL or an other pollution control requirement that meets EPA criteria.</p>	This will be note in the Final 1998 303(d) list.
<i>Tim</i>		<p>"EPA regulations do allow an impaired water body to be removed from the 303(d) list where other pollution control requirements exist that will result in water quality standards being attained. Region 10 has identified two crucial differences between a TMDL and an other pollution control requirement. First, whereas only some TMDLs must include reasonable assurance that non-point allocations will be attained, all other pollution control requirements must include enforceable pollution controls. Second, for an other pollution control requirement to serve as a basis for removing a water body from the list of impaired waters, EPA presently requires that all other pollution control requirements assure that standards are achieved within two years."</p>	

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
Hamlin Tim		<p>Temperature for Salmonid Spawning: It is not clear in your listing criteria document how you applied your temperature criterion for salmonid spawning and what information you reviewed in relation to this criterion. Please explain how you applied this criterion in this listing cycle and how you will obtain the information to apply this standard in the future.</p>	<p>On June 22, 1998, DEQ sent a policy letter to EPA proposing when and where the salmonid spawning criterion should apply. The policy statement was not completed before the draft 303(d) was developed and the public comment period on the draft 1998 303(d) list had closed. The salmonid spawning periods policy has not yet been approved by EPA and is still being reviewed by EPA in consultation with the National Marine Fisheries Service (NMFS). Consequently, since the spawning period criteria was uncertain DEQ's ability to analyze temperature data relative to the attainment of the salmonid spawning criterion during the development of the 1998 303(d) list was limited. DEQ did not apply the spawning temperature criterion unless a specific spawning season had been determined for a specific water body. DEQ believes that most of the waters with potential spawning temperature criterion exceedences would already be listed for temperature under the rearing criterion.</p> <p>For waters listed for exceeding the rearing criterion the water body is already on the 303(d) list for temperature and DEQ did not consider a second listing for violation of the spawning temperature criterion to be necessary during this cycle. During TMDL development DEQ will determine the management measures needed to address temperature problems occurring in both the rearing and spawning periods for all waters listed for temperature. The same management practices will likely be used to address both salmonid rearing and spawning temperature requirements. Therefore a waterbody need only appear on the 303(d) list for temperature once, whether it violates the rearing or the spawning criteria.</p> <p>During the development of the 94/96 list, there were several standards that were being modified: temperature, dissolved oxygen, pH and bacteria. Temperature and dissolved oxygen were both modified to include salmonid spawning as a criteria. There was little organized information on when, in general, spawning was occurring within the different basins and it was unclear during what time frame DEQ should apply the spawning criteria. Since DEQ did not have information on general spawning times DEQ contacted local fish biologists in the watersheds where DO monitoring sites were located, to determine if sampling sites were representative of spawning waters (i.e. did spawning occur at or near the monitoring site) and what the general spawning through egg incubation time periods would be. This is where the 1994/96 DO spawning periods came from. Subsequently, opinions varied about whether these specific times were appropriate (most of these stream segments have more specific times periods than what was reflected in the policy memo of June 22, 1998) and these DO spawning periods were brought into question. Because of the questions about the appropriateness of the DO spawning periods they were not applied to the temperature criteria.</p> <p>There was much disagreement about generalized spawning times for a basin and discussions continued into the 1998 listing cycle. DEQ completed a policy memo on June 22, 1998 outlining the spawning period it was considering applying for temperature and DO in the next update of the 303(d) list in the year 2000. EPA is now consulting with NMFS and US F&W on whether they believe these spawn periods are appropriate. EPA</p>

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin Tim</i>		DO for Salmonid Spawning: It is not clear how the DO criterion for salmonid spawning was applied for listing purposes. Please explain how the criterion was applied for this listing cycle and how you will obtain the information to apply in the future.	<p>has not yet approved the spawning period criteria. Because the spawning periods have yet to be agreed on DEQ has chosen to wait to apply the temperature spawning criteria until there is better agreement on when spawning periods occur.</p> <p>Since the 303(d) listing process is an iterative process, DEQ's intention is to evaluate all temperature data for exceedences of the spawning criterion, Please see response under Water Quality Standards in "Responses to Commonly Asked Questions".</p>

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
Hamlin Tim		<p>Toxics: For a number of waters listed in the decision matrix, for toxics, the following explanation was provided "Value exceeds reference values but did not meet listing criteria". What are the reference values referred to and why are they not considered for use as a basis for listing under your narrative standard?</p> <p>It appears that a number of waters exceed reference values, but are not listed for toxics because they do not meet your listing criteria. Because toxics data is so limited, we encourage you to consider expanding your interpretation of your narrative criteria to include listing for fish tissue alone (calculated based on EPA's bioconcentration factors and water column criteria and to address toxics not on Table 20.</p> <p>The decision matrix also states "Elevated levels of toxics detected but no consumption advisory given, did not meet criteria." EPA would encourage Oregon to use the toxic data available for listing rather than relying on a consumption advisory from your Health Division.</p>	<p>With the wording of "Value exceeds reference values, but did not meet listing criteria" DEQ was indicating that some studies and reports had used guidance values as screening tools to indicate that a value might be elevated.</p> <p>Since there were not local guidance values available the authors of these reports and studies choose several guidance documents as screening tools. These guidance values were used to determine whether a compound's value in the sediment might be considered elevated, recognizing that the guidance values may not be appropriate for use in the local area. They noted that the use of the guidance values in this way was only to identify potential problem areas and problem chemicals for screening purposes and to help in planning future studies. Because the studies used certain numerical guideline values for screening purposes, even though the values may not be appropriate, DEQ acknowledged the use of these guidelines in determining elevated levels and has identifying the status of those waters with elevated levels as a "Potential Concern". Only those waters which have demonstrated a beneficial use impairment will be listed on the 303(d) list.</p> <p>Historically the Health Division has been the agency that assesses direct human health effects and determines corrective measures, prevention and public advisories. All past fish consumption advisories have been issued by the Health Division as are current assessments. Therefore, DEQ relies on the Health Division to make the determination about whether compounds found in fish tissue are considered a human health risk.</p> <p>The Health Division generally follows the fish assessment guidance of US EPA Volumes 1 and 2. Fish tissue test data is compiled and compared to EPA screening values, where provided; and based on oral reference doses, regulatory limits or advisory values of other jurisdictions when no specific EPA guidance exists. Species, size and age variations are evaluated, and may be addressed specifically in advisories. Often advisories are applied to all species uniformly, and based upon the arithmetic mean concentration for the contaminant in question. In some cases a more conservative screening value is used than that of USEPA because the Health Division believes the fish consumption default of 6.5 mg/day is unrealistically low for Pacific Northwest sport fish consumers (an example is Mercury the USEPA's is (0.6 ppm); Oregon's is (0.35 ppm)).</p> <p>Since DEQ's sister agency, the Health Division, has the expertise and the responsibility for determining the human health effects of compounds found in fish tissue, DEQ relies on their expertise for determining when fish tissue should be considered a human health concern through the declaration of a Fish Consumption Advisory. DEQ then uses these advisories as an indication of a beneficial use impairment.</p> <p>DEQ believes this is mostly a standards issue. DEQ has indicated several areas related to toxics for future reviews in the standards. It would be useful if EPA would pursue the development of additional criteria for developing standards - particularly for sediment and tissue. DEQ will change its explanation wording for toxics to better indicate the intent.</p>

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>		Status Modifications: On the last two lines of page 7 of the listing criteria document, you describe one of the changes from the 1994/96 list with the term status modification described as "The Listing Status of a water body segment already in the Decision Matrix was changed, but did not result in a 303(d) listed segment." Because your description states that this term applies to a water body segment that "did not result in a 303(d) listed segment" I wouldn't expect to see this term on the 303(d) list, but only in the decision matrix. However, two waters on the draft 303(d) list are noted as Status Modification in the "changes from 1994/96" column Please clarify what is meant by the term Status Modification for these waters on the 303(d) list. (These waters are Catherine Creek in the Grande Ronde basin, Upper Grande Ronde subbasin and Salt Creek in the Willamette basin, Middle Fork Willamette subbasin)	Wording was in error, for these two segments the Listing Change should have read Addition not Status Modification. Error has been corrected.
<i>Hamlin</i> <i>Tim</i>		Removed, TMDL Equivalent: On page 8, of the listing criteria document you describe 5 categories under which you took a water body off of the list. The third category you describe under the term TMDL Equivalent and state that it is something that EPA would approve. This term is confusing. The terms TMDL or Other Control Strategy are better recognized. EPA approves TMDLs. We do not approve Other Control Strategies though we do evaluate them in the context of listing to determine if waters can be removed from the list or not listed. If EPA did not believe an Other Pollution Control Requirement would attain standards within 2 years, then	Wording was corrected.
<i>Hamlin</i> <i>Tim</i>	Deschutes Lake Simtustus 25J.SIMT	Page 30 Lake Simtustus, Reservoir, Temperature Matrix states "Lakes regularly exceeds 17.8 C in the summer." It appears from the information in the matrix that this water should be on the 303(d)	The temperature measurements are near the surface of the lake. Unlike a stream most of the lake's volume is below the temperature standard only the surface layers warm above the standard. In a lake of this kind salmonids can easily seek cooler water further below the lake surface, because of this DEQ does not list these deep lakes in the 303(d) list.
<i>Hamlin</i> <i>Tim</i>	Deschutes Squaw Creek 25B-SQUA0	Page 73 Squaw Creek, Mouth to Alder Springs, Temperature Matrix states that data showed 7 day average of daily maximums of 70.6 with 45 days exceeding standard in 1995. It appears from the information provided that this water should be on 303(d) list.	Listing is correct there are two segments above and below Alder Springs. Wording in Supporting Data section was modified to make distinction more clear.
<i>Hamlin</i> <i>Tim</i>	Deschutes Lake Billy Chinook 25B.CHIN	Page 72 Lake Billy Chinook, Reservoir, Temperature Matrix states "lakes regularly exceeds 17.8 C in the Summer." It appears from the information provided that this water should be listed.	The temperature measurements are near the surface of the lake. Unlike a stream most of the lake's volume is below the temperature standard only the surface layers warm above the standard. In a lake of this kind salmonids can easily seek cooler water further below the lake surface, because of this DEQ does not list these deep lakes in the 303(d) list.
<i>Hamlin</i> <i>Tim</i>	Deschutes Deschutes River 25--DESC192.5	Page 70 Deschutes River, Little Deschutes to Wickiup Reservoir, Temperature Matrix states 11% of values exceeded standard of 64, but its status is given as OK. It appears this water should be listed. Please list it or alternatively, explain why it is not listed.	Running 7-day average maximum temperatures are more accurate than grab sample data which is represented by the DEQ data for WY 86-95. All the 7 day ave. max values were below the standard, the grab sample data was barely over the standard. DEQ relied on the more accurate 7-day ave. max temperature values to determine the segment met the standard.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	Deschutes Deschutes River 25--DESC171	Page 68 Deschutes River, Central Oregon Canal to Little Deschutes, Temperature Matrix states 11% values exceeded 64 F between WY 86-95. It appears this water should be listed. Please list or, alternatively, explain why it is not	Running 7-day average maximum temperatures are more accurate than grab sample data which is represented by the DEQ data for WY 86-95. All the 7 day ave. max values were below the standard, the grab sample data was barely over the standard. DEQ relied on the more accurate 7-day ave. max temperature values to determine the segment met the standard.
<i>Hamlin</i> <i>Tim</i>	Deschutes Little Hay Creek 25G-HALI0	Page 18 Decision Matrix Little Hay Creek, Mouth to Headwaters, Temperature Matrix states 7 day average maximum was 65.3 in 1994. It appears from the information in the matrix that this stream should be listed. If not listed because 1994 was a drought year in this area, please state this.	Had two years of data 1994 and 1995. The exceedence occurred in 1994 which was a drought year. So DEQ relied on the 1995 data which did not exceed the temperature criteria.
<i>Hamlin</i> <i>Tim</i>	Deschutes Oak Canyon 25J-OAKC0	Page 31 Oak Canyon, Reservoir, Temperature Matrix states "appears to have air values included as part of record." Since this is the only data available for this water, we suggest you remove the air values and reanalyze the data for this water for this listing cycle.	Contacted BLM and had data recalculated after removing air values.
<i>Hamlin</i> <i>Tim</i>	Deschutes East Lake 25C.EAST	East Lake was removed from the 303(d) list because "Source of Mercury is natural". Please explain the basis for this conclusion.	DEQ's conclusions that the mercury in East Lake was natural is based on 1) there is no anthropogenic activities in the drainage which would contribute to the elevated mercury levels (i.e. no mining activity) 2) Frontier Geosciences did a water quality survey of Paulina and East Lakes. Their conclusions were that there was a strong correlation of high methyl mercury and sulfate in East Lake leading them to believe that sulfate-reducing bacteria contribute significantly as a mercury methylation source. They believed East Lake was affected much more than Paulina Lake because East Lake has a much larger shoal area so more sediment is closer to the
<i>Hamlin</i> <i>Tim</i>	Deschutes Rock Creek 25J-ROCK0	Page 32 Rock Creek, Mouth to Headwaters, Temperature Matrix states "7 day average of daily maximum of 73.0" in 1993. Listing status is given as OK. It appears from the information provided that this water should be on the 303(d) list.	Added Rock Creek (25J-ROCK0): Redefined segment splitting segment at Rock Creek Reservoir. Mouth to reservoir listed, reservoir to headwaters is OK.
<i>Hamlin</i> <i>Tim</i>	Goose and Summer Honey Creek 42C-HONE15	Page 93 Honey Creek, Little Honey Creek to Headwaters, Temperature 7 day average of daily maximums exceeded standard for 4 7-day periods in 1994 and 1 7-day period in 1995. It appears from the information provided that the water should be listed.	Did not receive temperature data from USFS, only days exceeded 64°F. DEQ will continue to seek the data to calculate the 7 day ave. max.
<i>Hamlin</i> <i>Tim</i>	Goose and Summer Dismal Creek 42C-DISM0	Page 92 Dismal Creek, Mouth to Headwaters, Temperature 7 day average of daily maximums exceeded standard for 3 7-day periods in 1993 and 7 7-day periods in 1994. It appears from the information provided that the water should be listed.	Did not receive temperature data from USFS, only days exceeded 64°F. Maximum temperature for 1993 was 62.2°F and for 1994 was 65.6°F, however, data was not available to calculate the 7 day ave. max. DEQ will continue to seek the data to calculate the 7 day ave. max.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	Grande Ronde Grande Ronde River 31--GRAN194	Page 118 Grande Ronde River, Tanner Gulch to headwaters, Temperature Temperature data is found in the 1994/96 matrix that states the 7 day average maximum ranged from 54.8 to 66.5 in 1992-1993. It appears from this information that this water should be listed. However, this temperature information is not even found in the 1998 decision matrix. Please put this information back into the decision matrix for this listing	Segment was not listed in 1994/96 list, data was 7-day ave. max. of 59.3 °F for 1992 and 60.1°F for 1993. For 1998 list segment was split into 3 sections Five points Creek to Limber Jim Creek (listed for 64°F), Limber Jim Creek to Clear Creek (listed for 50°F) and Clear Creek to Headwaters
<i>Hamlin</i> <i>Tim</i>	Grande Ronde Wenaha River 31F-WENA0	Page 104 Wenaha River, Mouth to Butte Creek, DO, Salmonid spawning USFS Forest plan report noted that DO was below 90 percent saturation (95% required for spawning). One sample in September 1996, DO was 9.6 mg/l. The listing status is given as Potential Concern. It appears from this information that this water should be listed. However, on the next page the same segment is identified for sedimentation with the rationale for not listing as "Exceedences are natural as watershed is wilderness area"	The DO sample size did not meet minimum data requirements so there was no exceedence of a standard so the justification of natural conditions is not necessary.
<i>Hamlin</i> <i>Tim</i>	Grande Ronde Cow Creek 31B-COW0	Page 97 Cow Creek, Mouth to Headwaters, Temperature 7 day moving average of daily maximums of 74.9 exceeded temperature standard in 1993 but "data was questionable due to unusual data point and probe malfunction in September". Since this is the only information currently available we suggest that you list this water until better	DEQ disagrees, data from a malfunctioning probe is inappropriate for use in listing a waterbody.
<i>Hamlin</i> <i>Tim</i>	Grande Ronde Sheep Creek, East 31D-SHEF0	Page 132 Sheep Creek, East Fork, Mouth to headwaters, Temperature 7 day average of daily maximum of 67.6 in 1997. Water listed as Potential Concern. It appears from the information provided that this water should be on 303(d) list.	Error corrected site listed.
<i>Hamlin</i> <i>Tim</i>	Grande Ronde Mottet Creek 31D-MOTT0	Page 129 Mottet Creek, Mouth to headwaters, temperature 7 day moving average of 72 in 1994. It appears this water should be listed. If 94 was considered a drought year in this area, that should be stated in the	1994 data was not used because it was a drought year and a second year's data was available.
<i>Hamlin</i> <i>Tim</i>	Grande Ronde Grande Ronde	Page 43 Grande Ronde Basin, Upper Grande Ronde Grande Ronde River, Five Points Creek to Limber Jim Creek, The Segment # is missing.	In the data base when the segment number starts at the same point but the reach is different the segment number is not printed. During the development of the 2000 list DEQ will consider whether to modify the segment numbers.
<i>Hamlin</i> <i>Tim</i>	Grande Ronde Grande Ronde River 31--GRAN082	Page 115 Grande Ronde River, Wallawa R. To Five Points Cr, Chlorophyll a 12 % (3 of 5), 0% (0 of 7), 20% (1 of 5) etc. Values exceeded chlorophyll a standard. It appears this water should be listed based on this information. If it did not meet the 3 month average value excellence criteria, this should	Data did not meet 3-month average value exceedence criteria.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	Hood Tenmile Creek 24A-FIFT43.6	Page 149 Tenmile Creek, Orchard Ridge Ditch to Headwaters, Temperature 7 day average of daily maximums exceeded standard in 2 of 4 years (1990 and 1992) It appears from information provided that this water should be	Error corrected site listed.
<i>Hamlin</i> <i>Tim</i>	Hood Indian Creek 24A-INDI0	Page 154 Indian Creek, Mouth to Headwaters, Temperature 7 day average maximum temperature exceeded standard in one of the two years of data, 1996 (64.2) It appears water should be listed or explain basis	Stream added to 303(d) list
<i>Hamlin</i> <i>Tim</i>	Hood Lake Branch Hood River 24A-HOLA0	Page 155 Lake Branch Hood River, Mouth to headwaters, temperature One of four measurements exceeded standard (2 sites, 2 years) Water listed as potential concern. It appears water should be listed or rationale for not listing explained.	Stream water temperature is affected by lake at head waters will split stream into two segments and list segment for a mile below lake.
<i>Hamlin</i> <i>Tim</i>	John Day John Day River	Page 169 John Day River, Tumwater Falls to North Fork, pH 12 % (3 of 25) summer values exceeded pH standard. It appears from information provided that this water should be listed.	The measurements were considered over the entire reach from the mouth to the North Fork. Measurements indicated the river met the standard from the mouth to around RM 39.5 where it was slightly over and then met the standard for the rest of the segment. Professional Judgment was used to consider all three site together. Combined there was only 6% violations of
<i>Hamlin</i> <i>Tim</i>	John Day Belshaw Creek 26B-BELS0	Page 213 Belshaw Creek, mouth to Headwaters, Temperature Matrix states that 7 day average of daily maximum of 71 and less than 64 in 1993 and 1994. It appears from information provided that water should	Data was in error 7 day Max ave. of 71°F was for 1992, there was no data for other years. Added to 303(d) list.
<i>Hamlin</i> <i>Tim</i>	John Day Wilson Creek 26C-WILS0	Page 209 Wilson Creek, Bull Prairie Lake to Headwaters, Temperature Matrix states that water exceeded Standard in 1994 and was 64 degrees in 1996. It appears from information that water should be listed. If 1994 was a drought year in this area, that should be stated.	1994 data was not used because it was a drought year and other years of data were available which were below the temperature criteria. 1996 measurement was at the criteria not over it, therefore, did not exceed the criteria.
<i>Hamlin</i> <i>Tim</i>	John Day Crawfish Creek 26C-CRAW0	Page 192 Crawfish Creek, Mouth to headwaters, Habitat Modification The language in the Supporting Data or Information Column is identical to the language in the same column on page 191 for Crane Creek, yet Crawfish Creek is listed as Potential Concern and Crane Creek is listed as 303(d) list. Please correct this inconsistency.	Correction made. It should be noted that especially with habitat modification, watersheds with habitat concerns were evaluated on a watershed basis. DEQ used its professional judgment to list the major tributaries mainstem instead of listing every tributary in the watershed. The "Supporting Data and Information" column indicated that the listing
<i>Hamlin</i> <i>Tim</i>	John Day Alder Creek 26C-ALDE0	Page 184 Alder Creek, Mouth to Headwaters, Temperature Matrix states 7 day average of 61 and 66.5 exceeded temperature standard in 1993 and 1994. It appears from the information provided that this water should be listed. If water is not listed because 94 was a drought year in	1994 data was not used because it was a drought year and a second year's data was available which was below the temperature criteria.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	John Day Vincent Creek 26D-VINC0	Vincent Creek, Mouth to Headwaters, Temperature Matrix states 7 day average of 60.4 and 65.2 in 1993. It appears from the information provided that this water should be listed.	Professional Judgment was used to make the determination that the majority of the stream met the temperature criteria and that temperatures only exceeded the criteria slightly for a short section near the mouth. Stream's status will be Potential Concern in the Decision Matrix until
<i>Hamlin</i> <i>Tim</i>	John Day Ruby Creek 26D-RUBY0	Page 182 Ruby Creek, Mouth to headwaters, Temperature Matrix states 7 day average of daily maximum of 64.3 and 57.4 in 1993. Listing Status is given as OK. It appears from the information provided that this water should be listed.	Professional Judgment was used to make the determination that the majority of the stream met the temperature criteria and that temperatures only exceeded the criteria slightly at the mouth.
<i>Hamlin</i> <i>Tim</i>	John Day Fields Creek 26B-FIEL0	Page 220 Fields Creek, Mouth to Big Canyon, Temperature 7 day average of daily maximums of less than 64, less than 64, and 67 in 1992,1993, and 1994. It appears from information provided that water should be listed. If 1994 was a drought year in this area, that should be	1994 data was not used because it was a drought year and a second year's data was available which was below the temperature criteria.
<i>Hamlin</i> <i>Tim</i>	John Day Scotty Creek 26F-SCOT0	Page 174 Scotty Creek, Mouth to Headwaters, temperature Maximums of 66/57/71 in 1992/1993/1994. It appears from the information provided that this water should be listed.	1992 and 1994 data was not used because they were drought years and a non drought year's data was available which was below the temperature criteria.
<i>Hamlin</i> <i>Tim</i>	John Day Deer Creek, East Fork 26C-DEEF0	Page 193 Deer Creek, East Fork, Mouth to Headwaters, Temperature There is no information in the Basis for Consideration of Listing, Supporting Data or Information, or Rationale for Not Listing Columns.	Temperature data from another stream was incorrectly applied to this stream. Data was remove, but record was maintained in data base for future use.
<i>Hamlin</i> <i>Tim</i>	John Day John Day River 26--JOHN0	Page 168 John Day River, Mouth to Tumwater Falls, pH 12% (3 of 25) summer values exceeded pH standard. Status listed as OK. It appears from the information provided that this water should be listed.	The measurements at the USGS site at McDonald were below the pH standard, originally the entire reach was considered, however, this segment can be separated. The Supporting Data column has be change to reflect the downstream site only.
<i>Hamlin</i> <i>Tim</i>	John Day Dodds Creek 26F-DODD0	Page 165 Dodds Creek, Mouth to headwaters, temperature Maximum temperature of 68 and 61 in 1991 and 1993. Listed as potential concern. It appears from information provided that this water should be	1991 data was not used because it was a drought year and a second year's data was available which was below the temperature criteria.
<i>Hamlin</i> <i>Tim</i>	John Day Olive Creek 26C-OLIV0	Page 71 Olive Creek, Mouth to Headwaters, 26C-OLIVO In the Supporting Data and Information Column, the last sentence "Degradation of stream habitat has reduced the potential for supporting	Corrected
<i>Hamlin</i> <i>Tim</i>	John Day Long Creek, South 26D-LOSF0	Page 180 Log Creek, South Fork, Mouth to headwaters, temperature 7 day average of daily maximum of less than 64 and 81 in 1990 and 1991. It appears from the information provided that this water should be listed.	1991 data was not used because it was a drought year and a second year's data was available which was below the temperature criteria.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	John Day Beaver Creek, South Fork 26C-BEAV0	Page 186 Beaver Creek, South Fork, Habitat Modification The language in the Supporting Data or Information Column for Beaver Creek is identical to the language in the same column on page 187 for Boulder Creek and the language on page 188 for Bull Creek, yet Beaver Creek is listed as Potential Concern, Boulder Creek is listed as 303(d) list, and Bull Creek is listed as Potential Concern.. Please correct this	Correction made. It should be noted that especially with habitat modification, watersheds with habitat concerns were evaluated on a watershed basis. DEQ used its professional judgment to list the major tributaries mainstem instead of listing every tributary in the watershed. The "Supporting Data and Information" column indicated that the listing
<i>Hamlin</i> <i>Tim</i>	Klamath Klamath River 43D-KLAM208	Page 257 Klamath River, California Border to Keno Dam, Chlorophyll a Matrix states that 11% (2 of 19) values exceeded the Chlorophyll a standard. Listing Status is given as OK. It appears from information provided that water should be listed. If it did not meet the 3-month average chlorophyll a criteria, this should be stated and water should perhaps be	Did not meet 3-month average exceedences were in different years. With present data it is not considered a potential concern.
<i>Hamlin</i> <i>Tim</i>	Klamath Camp Creek	Page 247 Camp Creek, Mouth to Headwaters, T Matrix states that 7 day average of daily maximums was exceeded in 1994. It appears from the information provided this water should be listed. If 1994 was a drought year in this area, that should be stated.	1994 data was not used because it was a drought year and a second year's data was available which was below the temperature criteria.
<i>Hamlin</i> <i>Tim</i>	Klamath Link River 43E-LINK0	Page 243 Link River, Lake Ewauna to Klamath Lake, pH, FWS Matrix states that 10% (3 of 29) values exceed pH standard. Listing status given as OK. It appears from the information provided this water should be	Does not meet Minimum Data Requirements, must be more than 10% violations to list. Percentage is 10%.
<i>Hamlin</i> <i>Tim</i>	Klamath Klamath River 43E-KLAM231.6	Page 239 Klamath River, Keno Dam to Link River, Bacteria 25%(2 of 8) values exceeded fecal coliform standard. Listing status is given as "OK". It appears from information provided that this water should be	Did not meet minimum data requirements "a minimum of at least two exceedences for a season is need to list", this condition was not met.
<i>Hamlin</i> <i>Tim</i>	Klamath Antelope Creek 43E-ANTE0	Page 238 Antelope Creek, Mouth to Headwaters, Temperature Matrix states 7 day average of daily maximums in 1997 at lower site was 79.5 "Lower mile water quality limited", but water is listed as OK in Listing status column. Water should be on 303(d) list.	Listings are correct, wording modified to make clear which segment is listed.
<i>Hamlin</i> <i>Tim</i>	Klamath Fourmile Creek 43C-FOUR0	Page 262 Fourmile Creek, Mouth to Headwaters, Temperature Matrix states 7 day average of daily maximums was 64.8 and 67.1 in 1997. Listing Status is given as potential concern. It appears that this water	All but last mile met the temperature criteria after further evaluation split stream into two segments and listed last mile of stream.
<i>Hamlin</i> <i>Tim</i>	Malheur Bully Creek 33D-BULL0	Page 299 Bully Creek, Bully Creek Reservoir to Headwaters, DO Matrix states that 4 sites had one sample below standard and 1 site had 2 samples below standard. It appears this water should be listed. If it did not meet the 10% criteria, this should be stated.	Temperature was not collected so unable to determine percent saturation. Insufficient data to determine level of DO in the stream.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	Malheur Lake Burnt Cabin Creek 41B-BURN0	Page 293 Burnt Cabin Creek, Mouth to headwaters, temperature Matrix states 7 day average of daily maximums exceeded standard in 1994 and 1995. Listing status given as Potential Concern. It appears from information provided that this water should be listed.	1994 data was not used because it was a drought year and other years of data were available which was below the temperature criteria. Temperature was 64°F in 1995 it did not exceed 64°F which is the criteria for listing.
<i>Hamlin</i> <i>Tim</i>	Mid Coast Big Creek 12B-BIG0	Page 330 Big Creek, Mouth to Panther Creek, Temperature Matrix states 7 day average of daily maximums of 66.0 and 67.3 in 1991 and 1992, but averages did not exceed standard in 1993 and 1994. Listing Status given as Potential concern. It appears from information that water	1991 and 1992 data were not used because they were drought years and a non drought year's data was available which was below the temperature criteria.
<i>Hamlin</i> <i>Tim</i>	Mid Coast Ollala Slough 12A+OLLA0	Page 343 Ollala Slough, Tidal portion of Slough, Bacteria - water contact rec., FWS Matrix states 22% (2 of 9) values exceeded fecal coliform standard. Listing status is given as OK. It appears from information provided that water	DEQ used Professional Judgment in determining that over all the 10 year record showed little Bacteria impact on water contact and recreation. Combined samples showed violations of less than 5%.
<i>Hamlin</i> <i>Tim</i>	North Coast / Lower Nehalem River 11D-NEHA0	Page 375 Nehalem River, Mouth to Cook Creek, Bacteria-water contact Rec., FWS Matrix states that 12%(5 of 34) and 20% (1 of 5) values exceeded standard. Listing Status is given as OK. It appears that this water should be listed.	4 sites were viewed in total, combined had a 10% violation rate, violations occurred in different years, professional judgment was used in review of data to determine that Bacteria water contact recreation was not a concern in this segment.
<i>Hamlin</i> <i>Tim</i>	North Coast / Lower Nehalem River, North Fork	Page 378 Nehalem River, North Fork, Mouth to Soapstone Creek, Bacteria-water contact rec., FWS Matrix states 15% (3 of 20) and 43% (3 of 7) values exceeded standard from 1988-1991. Values at 2 sites in 1997 met standard and farms have upgraded their manure holding and spreading facilities. Listing change is given as Removed based on meeting standards. However your criteria document states that a water should have the same amount of information to get off the list as it took to get on the list - i.e. several years of data.	Collected data covered the seasons of concern when the past violations occurred and showed bacteria count much improved and below standard. Additionally, improvements in manure handling had been made since 1990. Professional Judgment was used to determine the stream was now meeting the bacteria- water contact recreation standard.
<i>Hamlin</i> <i>Tim</i>	North Coast / Lower Trask River, North 11E-TRNF4	Page 401 Trask River, North Fork, Bark Shanty Creek to Headwaters, Temperature Two values are recorded as being above temperature standard (66.1 and 64.3) while one value meets standard (63.7). Listing status is given as OK. It appears from information provided that water should be listed.	Listing is correct data base modified to make clearer that below Bark Shanty Creek is listed above is not.
<i>Hamlin</i> <i>Tim</i>	Owyhee Owyhee River 34G-OWYH0	Page 411 Owyhee River, Mouth to Black Willow Creek, temperature Maximum values from 65.6 to 72.9. Listing status given as OK. Not listed because no warm water fishery criteria.	Segment is a warm water fishery, change criteria column to reflect this fact.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	Powder Althouse Creek	Page 479 Burnt River, west fork Mouth to Headwaters, Temperature Matrix states that the 7 day average maximum temperature in 1995 was 66.0 and in 1996 was 66.5. Listing status given as OK. It appears from information provided that this water should be listed.	Value for 1996 was incorrect in Decision Matrix, value should have been 56.5 not 66.5. Data base corrected. Stream meets temperature criteria.
<i>Hamlin</i> <i>Tim</i>	Powder Burnt River 32B-BURN45.8	Page 430 Burnt River, Clarks Creek to Unity Res., DO - Salmonid spawning 11% (5 of 42) values exceeded standard. Listing status given as OK. It appears from information provided that this water should be listed.	Did not meet the "Minimum Data Requirements" of two exceedences for a season of interest.
<i>Hamlin</i> <i>Tim</i>	Powder Burnt River 32B-BURN45.8	Page 430 Burnt River, Clarks Creek to Unity Res., DO - Salmonid spawning 11%(3 of 27) values exceeded standard. Listing status given as OK. It appears from information provided that this water should be listed.	Did not meet the "Minimum Data Requirements" of two exceedences for a season of interest.
<i>Hamlin</i> <i>Tim</i>	Rogue Rogue River 15--ROGU132	Page 545 Rogue River, Little Butte Reservoir to Lost Creek Reservoir, Temperature For three of the five years of data presented, the standard is exceeded. It appears that this water should be listed.	1991, 1992 and 1994 data were not used because they were drought years and two years of non drought year data were available which were below the temperature criteria.
<i>Hamlin</i> <i>Tim</i>	Rogue Mule Creek 15F-MULE0	Page 501 Mule Creek, Mouth to Headwaters, Temperature The matrix state that the West Fork of Mule Creek is in the Rogue Wilderness Area so the high temperatures are a natural condition. However, the name and description states Mule Creek is the water body being documented. Should the name be stated as the West Fork of Mule Creek or is it Mule Creek that is in a wilderness area? If only the West Fork of Mule Creek is in a wilderness area, please provide assurance that there are not human impacts on the temperature in the part of Mule Creek not in the	Only the West Fork of Mule Creek is in the Wilderness Area. The monitoring site is on Mule Creek below the confluence with the West Fork. This stream has been added back to the 303(d) list.
<i>Hamlin</i> <i>Tim</i>	Rogue Ashland Creek 15B-ASHL0	Page 510 Ashland Creek, Mouth to Ashland STP, Nutrient, Toxics A TMDL was approved in 1992. The Supporting Data of information column states only that DEQ TMDL data exists. It would be helpful if the data was briefly summarized so that the Decision Matrix could be used to track progress on waters with TMDL's in place.	DEQ is developing a separate tracking system to track waterbodies with TMDLs.
<i>Hamlin</i> <i>Tim</i>	Sandy Salmon River 23A-SALM0	Page 558 Salmon River, Mouth to headwaters, Temperature 1994 and 1996 7 day average maximum temperatures exceeded the standard. It appears that this water should be listed.	After review of data split stream into two segments from Mouth to Boulder Creek (listed for temperature) and Boulder Creek to headwaters.
<i>Hamlin</i> <i>Tim</i>	South Coast Coquille River 14B-COQU4	Page 593 Coquille River, Prosper to North/South Fork Confluence, Bacteria 18% (2 of 11) values exceeded standard. It appears from the information provided that the water should be listed.	Did not meet the "Minimum Data Requirements" of two exceedences for a season of interest.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	South Coast Alder Creek 14B-ALDE0	Page 589 Alder Creek, Mouth to Headwaters, temperature 1996 data shows 65.7 for 7day maximum average, 1997 data shows 63.9. It appears from the information provided that this water should be listed.	Error corrected 1996 was over temperature criteria, stream added to list.
<i>Hamlin</i> <i>Tim</i>	South Coast Baker Creek 14B-BAKE0	Page 589 Baker Creek, Mouth to Headwaters, Temperature 7 day average maximum did not exceed standard in 1994, but did in 1993. It appears from this information that the water should be listed.	Entire stream is less than 2 miles long, used professional judgment to determine that the majority of stream meets the temperature criteria and should not be listed, will change status from OK to Potential Concern.
<i>Hamlin</i> <i>Tim</i>	South Coast Cherry Creek 14B-CHER2	Page 591 Cherry Creek, Little Cherry Creek to Headwaters, Temperature Standard exceeded in 1994, but not in 1997. Please state if 1994 was a drought year in this area. Otherwise, it appears water should be listed.	1994 data was not used because it was a drought year and a second year's data was available which was below the temperature criteria.
<i>Hamlin</i> <i>Tim</i>	Umatilla Spring Hollow Creek 27B-SPRH0	Page 643 Spring Hollow Creek, Mouth to Headwaters, Nutrients, Nitrate Three samples taken in September 1997 had 19 mg/l of nitrate. Rationale for not listing states "Did not meet listing criteria." What is the listing criteria for Nitrate? Nitrate is not listed in your summary of the nutrient parameter in your listing criteria document.	Data was incorrectly evaluated against the nutrient criteria when it should have been evaluated against the toxic criteria. Water body was added to 303(d) for nitrate toxicity.
<i>Hamlin</i> <i>Tim</i>	Umatilla Umatilla River 27B-UMAT55	Page 185 Umatilla River, Wildhorse Creek to Forks 27B-UMAT55 This boundary description has a different segment number (27B-UMAT89) on the next page, and a different boundary description (Wildhorse Creek to Lick Creek) has the segment number 27B-UMAT55.	Segment should read 27B-UMAT55, list corrected.
<i>Hamlin</i> <i>Tim</i>	Umatilla Rail Creek 27B-RAILO	Page 179 Lost Pin Creek, 27B-RAILO The boundaries of the stream segment are missing.	Name of creek was in error, segment was on Rail Creek, list was corrected.
<i>Hamlin</i> <i>Tim</i>	Umatilla Mill Creek	Page 733 Mill Creek, Tiger Creek upstream to WA border, Temperature One segment described as "Tiger Creek upstream to WA border" is not listed for temperature because "the upper watershed is managed as a municipal watershed with no anthropogenic activity allowed." However, the segment just above this in the matrix is described as "WA border upstream to Tiger Creek" and this segment is listed for temperature. Please explain how these two segments fit together or if one of the segment descriptions is an error. Also, please clarify that the entire segment is in the watershed where no	Mill Creek flows from Washington state (up stream where the municipal watershed is) into Oregon past Tiger Creek then back into Washington state where it flows past Walla Walla and into the Snake River. Tiger Creek is a logical point to split the reach in Oregon between the municipal watershed

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	Umatilla Hermiston Drain, 27B-HEDN0	Page 629 Hermiston Drain, North, Mouth to Headwaters, Nutrients, Ammonia What is the criterion for ammonia and should it be considered under your toxic standard instead of your nutrient standard? Ammonia is considered under your toxic criterion for Dairy Creek, page 833 of decision matrix. Matrix states that 2 of 3 samples exceeded both Gold and Silver book criteria for ammonia. It appears from the information provided that this	Data was incorrectly evaluated against the nutrient criteria when it should have been evaluated against the toxic criteria. Water body was added to 303(d) for ammonia toxicity.
<i>Hamlin</i> <i>Tim</i>	Umpqua Umpqua River, South 13B-UMS0	Page 703 Umpqua River South, Mouth to Roberts Creek, Bacteria 11% (3 of 28) values exceeded fecal coliform standard. It appears from the information provided that this water should be listed.	Did not meet the "Minimum Data Requirements" of two exceedences for a season of interest.
<i>Hamlin</i> <i>Tim</i>	Willamette Yamhill River, South 22J-YAS0	Page 891 Yamhill River, South, Mouth to Salt Creek, Chlorophyll a 29% (2 of 7) values exceeded chlorophyll a standard. It appears from information provided that water should be listed. If water did not meet 3 month average criteria, this should be stated.	Did not meet "Minimum Data Requirements", data did not exceed the 3-month average criteria.
<i>Hamlin</i> <i>Tim</i>	Willamette McKay Creek 22M-MCKA16.7	Page 849 McKay Creek, East Fork McKay Creek to Headwaters, pH, FWS 17% (2 of 12) values exceeded standard. It appears from information provided that the water should be listed.	Did not meet "Minimum Data Requirements" need at least two exceedences of the standard for a season of interest. Exceedences occurred in separate years.
<i>Hamlin</i> <i>Tim</i>	Willamette McKay Creek 22M-MCKA0	Page 848 McKay Creek, Mouth to East Fork McKay Creek 20% (12 of 60) values exceeded ammonia TMDL standard, 0% exceeded chronic ammonia criteria (salmonid).	Two different Ammonia standards were accidentally combined into one listing. For toxics - the Table 20 value was used and the calculations indicated that (0% (0 of 60) Summer values exceeded chronic ammonia criteria (salmonid) Table 20 between 7/93 - 11/95) so it should be = OK in the Decision Matrix. There is an ammonia TMDL with a target value of 40 ug/l to address DO concerns in the lower Tualatin and that was the other summary (20% (12 of 60) Summer values exceeded ammonia TMDL standard (40) between 7/93 - 11/95) this should have been shown under the
<i>Hamlin</i> <i>Tim</i>	Willamette Little Abiqua Creek 22K-ABLI0	Page 798 Little Abiqua Creek, Mouth to Headwaters, Temperature 7 day average maximum exceeded standard in 1994 did not exceed standard in 1993. It appears this water should be listed. If 1994 was a drought year in this area, this should be stated in the matrix.	1994 data was not used because it was a drought year and a second year's data was available which was below the temperature criteria.
<i>Hamlin</i> <i>Tim</i>	Willamette Johns Creek, South 22M-JOHB0	Page 845 Johnson Creek - South (Beaverton Creek), Mouth to Headwaters, Chlorophyll a From data provided in matrix the water exceeded 10% of the seasonal values and the 3-month average Chlorophyll a value exceeded the standard	Johnson Creek is a short creek and had 3 sites on it (all between RM 1.1 and 2.4) - one site (the upper site) showed high values in one year - 94 (data was collected in the system between 91-95), composite data showed that only 6 of 99 values exceeded the standard and only one 3 month period at one site exceeded the criteria. DEQ's professional judgment was that on the whole the stream met the standard (no pH values were found to exceed the

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	Willamette Coal Creek 22B-COALO	Page 232 Coal Creek, Mouth to Headwater, 22B-COALO Parameter is listed as Sedimentation when it should be listed as Temperature.	List corrected.
<i>Hamlin</i> <i>Tim</i>	Willamette Silver Creek 22K-SILV0	Page 803 Silver Creek, Mouth to above Silverton, DO The DO criteria (salmonid spawning or rearing) exceeded is not stated in the matrix. The Supporting Data column says only "DEQ data" and the Rationale for Not Listing is given as "Water Quality Based Permit". Please provide information on which DO criteria the listing is based on, if the water is meeting water quality standards when the permit is complied with, and when the permit was issued. The water should not be taken off the list unless the permitted facility is the only source of low DO and the water either is meeting water quality standards or will meet the water quality	After further evaluation of this segment it was determined that this stretch of the stream was cool water and not a salmon spawning area (ODFW) and only needed to meet the 6.5 mg/l DO standard. Data showed it did not violate the this standard.
<i>Hamlin</i> <i>Tim</i>	Willamette Dairy Creek 22M-DAIRO	Page 833 Dairy Creek, Mouth to East/West Forks, Toxics, Ammonia Matrix states 11% (10 of 94) summer values exceeded ammonia TMDL standard (40) between 7/93-11/95 and 0% exceeded chronic ammonia criteria (salmonid) between same dates. Criterion values for ammonia are specified in Table 20 and the listing criteria states if 10% of values are over Table 20 value, water will be listed. Please explain how an excellence of the ammonia criteria is calculated and how the TMDL standard is calculated. Is the TMDL standard based on the Table 20 value? It appears from the information provided that this water should be listed or alternatively	Two different Ammonia standards were accidentally combined into one listing. For toxics - the Table 20 value was used and the calculations indicated that 0 of 94 values exceeded the criteria so it should be = OK in the Decision Matrix. There is an ammonia TMDL with a target value of 40 ug/l to address DO concerns in the lower Tualatin and that was the other summary (11% exceedence (10 of 94)) this should have been shown under the nutrient parameter with a TMDL. Decision Matrix corrected.
<i>Hamlin</i> <i>Tim</i>	Willamette McKenzie River 22D-MCKE	Page 772 McKenzie River, Mouth to Leaburg Dam, Leaburg Dam to S. Fk McKenzie River, and S. Fk McKenzie River to Carmen Reservoir, Toxics Matrix states "6 and 4 samples had detectable dissolved Arsenic concentration (1 -2 ug/l) that exceeded arsenic standard (.0022 ug/l)". Listing status given as potential concern. It appears from the information	Initially DEQ based a listing on USGS data that was summarized that found values above the detection level in 1979 and 1980 but did not have any values above detection in 1977-78 and 1982-85 (4/17 at McKenzie Bridge and 6/15 at Vida). EWEB submitted additional data collected in 91-93 near Armitage Park that showed values less than detection (19 values) - Due to the conflicting values between 1977-85 in the USGS data and the age of the data, DEQ used professional judgment to determine that the more recent data was more representative than the older conflicting USGS data. However, DEQ did list its status as a Potential concern because of the USGS
<i>Hamlin</i> <i>Tim</i>	Willamette Lake Oswego 22P-OSWE	Page 760 Lake Oswego, Lake, Aquatic Weeds, DO, Nutrients, pH Rationale for not listing states TMDL approved 12/8/92. Listing Status states TMDL approved 1/27/94. These should be consistent. It would also be helpful if you provided the "common name" of the TMDL approved. For example, I believe this water was included in the Tualatin TMDL	Dates for the two TMDLs were confused in the Decision Matrix. Tualatin Ammonia TMDL approved 12/8/92, Tualatin Phosphorus TMDL was approved 1/27/94. Tualatin TMDL package was added and dates corrected.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hamlin</i> <i>Tim</i>	Willamette Johnson Creek 22P-JOHN0	Page 759 Johnson Creek, Mouth to Headwaters, DO, Spawning Matrix states "DO fell below the 11 mg/l at more than two sites September through January." Listing Status given as potential concern. It appears from the information provided that this water should be listed.	Did not meet the "Minimum Data Requirements" greater than 10% of samples exceed the standard and a minimum of at least two exceedences of the standard for a season of interest.
<i>Hamlin</i> <i>Tim</i>	Willamette Fairview Creek 22P-FAIRO	Page 758 Fairview Creek, Mouth to Headwaters, Temperature 5 sites show temperature exceedences in June, July and August of 1996. High value was 78.8 F. It appears from the information provided that this	Did not meet "Minimum Data Requirements" data was not continuous monitoring data therefore needed multi-year monthly monitoring data or for a single year weekly monitoring data. Only one year of data, but data was taken ever two weeks not weekly.
<i>Hamlin</i> <i>Tim</i>	Willamette Fish Creek 22N-FISH0	Page 741 Fish Creek, Mouth to Headwaters, Temperature 7 day average of daily maximums exceeded standard in 1992 and 1993. The 5 day average in 1997 did not exceed the temperature standard. It appears from the information provided that the water should be listed. There are two years of data exceeding standard and only one year showing standard is met. Your criteria document states that to get off the list DEQ would require as much information showing standard is met as information	The Fish Creek Flood Assessment study had much more temperature extensive data and with one of the previous data being collected in a drought year, DEQ used its Professional Judgment and gave more weight to the study as better reflecting the actual conditions in the watershed.
<i>Hammond</i> <i>Susan</i>		The acceptable standard for monitoring and equipment should be made known to all agencies and individuals and the same criteria should be used for consideration of "listing" as well as "de-listing" water-bodies.	Please see response under Data Use, Minimum Data Requirements in "Responses to Commonly Asked Questions".
<i>Hammond</i> <i>Susan</i>		Many of these listings come from a 'one-time' monitor with no comparative data.	Please see response under Data Use, Minimum Data Requirements in "Responses to Commonly Asked Questions".
<i>Hammond</i> <i>Susan</i>		The direction of the agency must be prioritized towards listing streams that are actually deficient in a standard that has been proven, monitored over time scientifically, creating a "trend", and not for a standard that is natural occurrence. Water-bodies on the 303(d) list should be reevaluated and removed for lack of credible specific scientific data, including trend analysis.	Please see response under Water Quality Standards and Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Hammond</i> <i>Susan</i>		For listing to become a co-operative successful partnership the burden of proof of listing should be on the listing agency, not on the property owner. Indiscriminate listing as is being done currently will not create a workable alliance, only a top heavy bureaucracy. Paranoia is being created in the private sector, causing a lack of confidence in the agency, because of a lack of thoroughness and creditability in the activities of the agencies currently	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Hammond</i> <i>Susan</i>		Listings failed to include specific dates only "Summer".	Please see response under Data Use, Minimum Data Requirements in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hammond</i> <i>Susan</i>		The workshops held around the state by the DEQ were not accessible to the people in the rural Southeastern area of the state, therefore, making many effected landowners uninolved in the "public process". Timing and distance many were unable to receive information, ask questions and offer	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Hancock</i> <i>James L.</i>	Deschutes Macks Canyon Creek 25J-MACSO	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM
<i>Hancock</i> <i>James L.</i>	Deschutes Oakbrook Creek 25J-OAKCO	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM
<i>Hancock</i> <i>James L.</i>	John Day Hay Creek 26F-HAYO	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM
<i>Hancock</i> <i>James L.</i>	John Day Sunflower Creek 26B-SUNFO	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM
<i>Hancock</i> <i>James L.</i>	John Day Indian Creek 26B-INDIO	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM
<i>Hancock</i> <i>James L.</i>	John Day Deer Creek 26B-DEERO	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM
<i>Hancock</i> <i>James L.</i>	John Day Sorefoot Creek 26F-SOREO	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM
<i>Hancock</i> <i>James L.</i>	John Day Ferry Canyon Creek 26F-FERO	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hancock James L.</i>	John Day John Day, South Fork 26B-JOSF0	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM
<i>Hancock James L.</i>	John Day Grass Valley Canyon 26F-GRAS0	Listing was based on BLM which, upon review, contains air temperature data along with water data due to interrupted and/or intermittent flow during which recorder was partially out of water.	Data initially submitted to the Department when it was drafting the 94/96 303(d) list included some air temperatures. However, the Department worked with BLM in reviewing and removing the values that were recorded when the recorder was out of water and the listing is based on what BLM
<i>Hatfield Tom</i>	Umpqua Deer Creek 13B-DEER0	Comments on the Bacteria listing for Deer Creek (13B-DEER0). Notes that the sampling point is in an area known to be frequented by homeless people and that's the reason for the high bacteria counts. Additionally, a storm water drain, that may have sewers connected to it, is located about 100 yards upstream of the sample site. He maintains that because of where the sample site is located our process and data are fundamentally flawed. Because DEQ is listing areas that he believes do not have problems it brings into question DEQ's motives and criteria and is compromising trust with	Please see response under Data Use, Monitoring in "Responses to Commonly Asked Questions".
<i>Haugen Harold</i>		Concerned that historic data was not used in developing the temperature standard for the Rogue and only used the assumed needs of fish. Concerned with the level of burden put on citizens and would like DEQ to address concerns with County Planning/Water Resources Department.	Please see response under Water Quality Standards, Historical or Legacy Uses, Implementation in "Responses to Commonly Asked Questions".
<i>Hawes Daryl</i>	Powder	Requests that all the streams in the Burnt River sub-basin be removed from the "water quality limited" category until adequate data, collected by qualified personnel, can be gathered and evaluated using a valid science.	Please see response under Water Quality Standards, Data used For Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions". Burnt River sub-basin listed water bodies will remain on 303(d) list.
<i>Hays John</i>		(Bio-diversity treaty or Clean Water Act) is unconstitutional and challengable, rights are being violated and process is not proper. Act is overriding congress and gives power to the agencies.	Please see response under Existing Authorities, Clean Water Act and Salmon Issues and the Oregon Plan in "Responses to Commonly Asked Questions".
<i>Hays John</i>		Water quality is not a problem in his area, there are plenty of fish and streams are very drinkable.	Please see response under Beneficial Uses and Steam Function in "Responses to Commonly Asked Questions".
<i>Hays John</i>		He thought cattle had just as much right as fish do and cattle are his livelihood.	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Hays John</i>		Concerned about de-listing, he was told that endanger species could not be de-listed because it cost too much. Will de-listing a stream be the same.	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hays</i> <i>John</i>		How can a government agency be so far off base, DEQ's sources of information are false, bogus and has no credibility with Oregon land owners.	Please see response under Water Quality Standards, Water Quality Standards Development in "Responses to Commonly Asked Questions".
<i>Hays</i> <i>John</i>		DEQ should not be using data and information collected by unskilled individuals such as forest service workers. Measurements were by sight and temperature measurements were questionable.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification and Temperature in "Responses to Commonly Asked Questions".
<i>Hays</i> <i>John</i>		Government should be focusing on things that are important like the economy and the homeless.	Please see response under Existing Authorities, Clean Water Act in "Responses to Commonly Asked Questions".
<i>Hays</i> <i>John</i>	Powder Burnt River, South 32B-BUSF0	Should not be listed for flow modification and habitat modification.	The Decision Matrix status of this stream is "Needs Data" for flow modification and habitat modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Hays</i> <i>John</i>	Powder Beaverdam Creek 32B-BEAV0	Should not be listed for temperature, sedimentation, and flow modification.	The Decision Matrix status of this stream is "Needs Data" for flow modification and habitat modification and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these
<i>Hays</i> <i>John</i>	Powder China Creek 32B-CHIN0	Temperature was taken by the US Forest Service and is not scientific data. DEQ will face a law suit if they use this data.	Please see response under Water Quality Standards, Temperature and Data Use for Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions".
<i>Hays</i> <i>John</i>	Powder Burnt River, Middle Fork 32B-BUMF0	Do not believe in the validity of the observations made in the 1988 non-point source assessment for temperature, dissolved oxygen, flow modification, habitat modification, nutrients, and sedimentation. Should use scientific data.	The Decision Matrix status of this stream is "Needs Data" for temperature, dissolved oxygen, flow modification, habitat modification, nutrients, and sedimentation and is not listed as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for any of these parameters. Also, please see response under Data Use for Listing, Data in "Responses to Commonly Asked Questions".
<i>Hays</i> <i>John</i>	Powder	Anything the U.S. Forest Service did was not tested properly. Should not be listed for Habitat Modification or Sedimentation.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
Hays John	Powder Beaver Creek 32D-BEAV0	Questions listings for Beaver Creek. Most of these creeks run cold and are in good shape.	This stream is not on the 303(d) list. It appears in the Decision Matrix as needing data for Temperature, Sedimentation and Habitat Modification.
Hays John	Powder Burnt River, South 32B-BUSF0	This is a clear snow melt stream should not be listed for temperature.	The Decision Matrix status of this stream is "OK" for temperature and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.
Hays John	Powder China Creek 32B-CHIN0	Questions listings for China Creek (runs very cold and is 80% shaded). Most of these creeks run cold and are in good shape.	USFS data indicates temperature gets above 64°F criteria, and habitat and sedimentation are a concern. A more in-depth analysis of conditions will be made when the TMDL is developed. Management actions and options to address the TMDLs will be considered during the development of a Water Quality Management Plan.
Hays John	Powder Burnt River, North 32B-BUNF0	Questions listings for North Fork of Burnt River. Most of these creeks run cold and are in good shape.	USFS data indicates temperature gets above 64°F criteria, and habitat and sedimentation are a concern. A more in-depth analysis of conditions will be made when the TMDL is developed. Management actions and options to address the TMDLs will be considered during the development of a Water Quality Management Plan.
Hays John	Powder Burnt River, South 32B-BUSF0	Questions listings for South Fork of the Burnt River. Most of these creeks run cold and are in good shape.	Stream is not listed in the 303(d) list. Temperature is OK in Decision Matrix and the Decision Matrix shows needing data, for flow and habitat modification.
Hays John	Powder Denny Flat Creek 32D-DENNO	No such creek in the Burnt River Basin	The lower part of Pritchard Creek to Lawrence Creek and Lawrence Creek were miss labeled in the 303(d) data base and the 1988 Non-point Source Assessment as Denny Flat Creek segment 412. There is no creek in the Burnt River Basin named Denny Flat Creek. Creek is removed from data
Hays John	Powder Elk Creek 32D-ELK0	Questions listings for Elk Creek. Most of these creeks run cold and are in good shape.	USFS data indicates temperature gets above 64°F criteria. A more in-depth analysis of conditions will be made when the TMDL is developed. Management actions and options to address the TMDLs will be considered during the development of a Water Quality Management Plan.
Heller Russ	South Coast Cherry Creek 14B-CHERO	Surprised by high temperature in Cherry Creek - found 54 degree temp in 1996 (no date of measurements specified) and creek has good tree cover along the entire length of it. Would like additional testing of creek.	Listing was based on DEQ data collected in 1994 indicating that the 7 day average of the daily maximums was 68.0 with 57 days exceeding the standard.
Henry Y.A.		Collecting water temperatures with a thermometer will not give an answer about the sunshine and where it is dispersed throughout the day.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
Henry Y.A.		Remove the Grande Ronde River, streams in Baker County, and other watersheds in Oregon for sediment and all other parameters because of inaccurate data, inadequate testing and collection by DEQ. Man caused activities are not affecting streams.	Please see response under Water Quality Standards, Listing and De-listing Methodology Issues and Data Use for Listing, Data in "Responses to Commonly Asked Questions". Water bodies will need to remain listed on the 303(d) list.
Henry Y.A.		Fish may be intolerant of certain high temperatures for a long period, but there is no indication that the variable temperatures found on a daily cycle in the Grande Ronde Basin can be shown to be detrimental to the fish.	Please see response under Water Quality Standards, Temperature and Beneficial Uses in "Responses to Commonly Asked Questions".
Henry Y.A.		The temperature standard is in error and represent someone's opinion rather than fact.	Please see response under Water Quality Standards, Water Quality Standards Development and Temperature in "Responses to Commonly Asked Questions".
Henry Y.A.	Grande Ronde Grande Ronde River	Request that the Grande Ronde River be removed from the 303(d) list for temperature, because it was listed without good data or science. DEQ did not take into consideration the natural heating of the stream.	Please see response under Water Quality Standards in "Responses to Commonly Asked Questions". Grande Ronde River will remain on 303(d) list.
Hermens Stan		DEQ is leaning to the environmental groups side and trying to show its worse out there than we know it really is.	DEQ must follow the requirements of the Clean Water Act in developing the 303(d) list.
Hermens Stan		Concern about using tank tests to determine the affect of temperature on fish.	The Temperature Water Quality Standard relied on scientific research which was a combination of both laboratory and field studies. Please see response under Water Quality Standards, Water Quality Standards Development and Temperature in "Responses to Commonly Asked Questions".
Hermens Stan		Concerned about using the word "polluted" in presentation instead of water quality limited.	DEQ understands that the word "polluted" means to some people that a substance has made the water unusable. That is not necessarily the case with "water quality limited" water bodies rather, it means there is a beneficial use impairment of some kind associated with the water body. DEQ will try to avoid using the words "water quality limited" and "polluted"
Hermens Stan		Protests the listing of the whole stream when data is only acquired at one or two points. Guidelines require listing segments, listing the whole stream places an undue burden on the land owner.	Please see response under Data Use for Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions".
Hermens Stan		Guidelines for doing water quality monitoring have only been developed in the last few years, however, data used in the 303(d) listing process has used data that dates before the guidelines were developed. To get a stream de-list a rancher has to use the new guidance. It appears that de-listing is much	Please see response under Data Use for Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Hermens Stan</i>		Does not believe anyone can do anything about the temperature of the stream unless people start putting refrigeration units in the stream. If we have to comply with this agency needs to come up with a solution that is workable in nature. Non workable solutions lead to frustration which could result in land owners not cooperating. What your saying now is give us 20 years of trying to prove the temperature standard wrong when DEQ is	Please see response under Water Quality Standards, Temperature and Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Hermens Tan</i>		Protests how the hearings were being run. Concerned about behind the door testimony, not recording the whole workshop and questions ask during the workshop. . Encourage DEQ to be more open and operate in a more forthright manner in the future.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Hewitt Pam</i>		Local watershed councils should be more willing to develop monitoring plans and provided data on streams to the state. Special interest on watershed councils are preventing monitoring plans from being developed because they do not want to obtain data that would incriminate them or lead to a more accurate 303(d) list. This is mainly because they might have to take action to correct some of the tremendous environmental impacts to	DEQ works with local watershed councils to address all the water quality concerns within a watershed. DEQ would encourage local residents to become active in their local watershed councils.
<i>Hewitt Pam</i>	Willamette Mohawk River	Large industrial private timberland owners should be required to share data from their streams with the state.	There are no laws which require that private land owners share their water quality data with the state.
<i>Holliday Ken</i>		He has 35,000 acres with a lot of upland game birds, deer, elk, antelope along with grazing cattle - If he goes out of business will put houses on ranch and everyone will lose. Feels he's been backed against the wall and feels that everything is going backwards and has no representation. He'll go down	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Holliday Ken</i>		Lots of prescribed burn fires (estimated 140,000 acres) have no control of USFS	These types of activities will be taken into account as the TMDLs and associated water quality management plans are developed.
<i>Holliday Ken</i>		Thought the 303(d) listing was responsible for Ballot Measure 38	Please see response under Liability in "Responses to Commonly Asked Questions".
<i>Holliday Ken</i>		Forest health (Spruce Budworm and Western Bark Beetle) has an affect on temperature - especially if data has been collected recently.	Forest health, especially if trees are being lost near the riparian zone, will affect the water quality in a stream. These type of affects should be considered when developing TMDLs and water quality management plans. Management practices which reduces the severity of infestations should be
<i>Holliday Ken</i>		303(d) list is one of the reasons for state employee bashing, will not allow state employees on his ranch. Streams that were listed were due to OSU data collection and cooperation (Silvies River, Bear, Pine, Thistle, Dog, India, and Grub Creeks)	Please see response under Existing Authorities, Clean Water Act and Data Use for Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Holliday Ken</i>	John Day Indian Creek (nr Prairie City) 26B-INDIO	Indian Creek has a hot springs that could be affecting the water temperature.	The segment of Indian Creek above river mile 3 has been removed from the list. Data showed the upper section was meeting the temperature criteria. Data also showed the hot springs was not affecting the temperature of the stream significantly.
<i>Hopkins-Clark Jeffrey</i>	John Day	No streams or river segments are listed for the lower John Day subbasin at all. Is that a mistake or has the Lower John Day and all its tributaries miraculously improved between 1996 and 1998.	In the Draft 1998 303(d) list there are 14 streams listed for temperature including two segments of the John Day River. One stream is listed for Biological criteria.
<i>Hunkapillar Patricia</i>		Opposes Ballot Measure 38 because it would be devastating to the cattlemen.	Please see response under Steam Function and Liability in "Responses to Commonly Asked Questions".
<i>Isley Arleigh</i>	Grande Ronde Wallowa River 31E-WALL0	There is no evidence that temperatures were ever within recommended levels. Shade has not been effective in reducing temperatures. Shading has increased along the river and flows from Wallowa Lake to Enterprise have been reduced to less than 1/2 the unregulated flows. Flows below Enterprise are at higher levels then when the European arrived. Irrigation water entering the river at ground temperatures keeps the Wallowa from freezing	The Wallowa River is listed for temperature, sediment and bacteria based on information and/or data contained in the Wallowa County Salmon Recovery Plan (Wallowa County/Nez Perce Tribe, 8/93) and Department data. A number of factors are identified as contributing to the elevated temperatures as well as to elevated sediment and bacteria. The temperature standard calls for the development and implementation of a management plan to address anthropogenic (human caused) factors when the temperature criteria is exceeded. This can include the management of irrigation waters, dam releases, shading, etc. For these reasons, the natural conditions guidance would not apply. The Salmon Recovery Plan along with other supporting documents can form the basis of a management plan for the listed waters that can be reviewed by the Department.
<i>Isley Arleigh</i>	Grande Ronde Prairie Creek 31E-PRAIO	Conditions are better than those that existed when the European arrived - it went dry in August or early Sept in the lower portion. Now it flows all year long at 200 cfs, supports fish populations and should not be listed.	Prairie Creek is listed for dissolved oxygen, habitat modification, sediment and bacteria. While current conditions may have improved from historical conditions, there are indications that current practices have an influence on the water quality (Salmon Recovery Plan, Wallowa County/Nez Perce Tribe, 8/93). The Department recognizes that conditions in many streams have improved. The actions identified in the Salmon Recovery Plan can be built into watershed management plans for these waters. Please see response under Implementation in "Responses to Commonly Asked

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Isley</i> <i>Arleigh</i>	Grande Ronde Big Sheep, Little Sheep, Imnaha and	Believes that streams should be de-listed due to natural conditions. While temperatures may not reach an optimum for fish, temperatures are probably as low as they ever were and within range of historical variability. Big Sheep was greatly affected by the Canal and Twin Lakes forest fire.	Big Sheep Creek is listed for habitat modification and it, along with other tributaries are listed for temperature. Big Sheep Creek Watershed Analysis (pg. III-2, USFS, 1995) indicates that, while natural conditions and the Canal Fire (1989) and Twin Lakes Fire (1994) have influenced temperatures, other factors such as the removal and alteration of riparian vegetation due to factors such as homesteading, converting floodplains to agriculture and grazing, roading and logging have also contributed. In addition, the influence of the irrigation canal may be a factor. The temperature standard calls for the development and implementation of a management plan to address anthropogenic (human caused) factors when the temperature criteria is exceeded. For these reasons, the natural conditions guidance would not apply. The Salmon Recovery Plan and the Watershed Analysis along with other supporting documents can form the basis of a management plan for the listed waters that can be reviewed by the
<i>Isley</i> <i>Arleigh</i>	Grande Ronde Joseph Creek 31F-JOSEO	There is limited use of the water for out-of-stream uses and conifers inhabit nearly twice the area and are much denser. It appears that the higher water requirement in semi-desert conditions reduces mid-summer flows and could increase temperature which would be a natural condition.	Joseph Creek and a number of its tributaries are listed for temperature based on information and/or data contained in the Wallowa County Salmon Recovery Plan (Wallowa County/Nez Perce Tribe (8/93) and the Upper Joseph Creek Watershed Analysis Report (USFS, 1995). A number of factors are identified as contributing to the elevated temperatures. The temperature standard calls for the development and implementation of a management plan to address anthropogenic (human caused) factors when the temperature criteria is exceeded. For these reasons, the natural conditions guidance would not apply. The Salmon Recovery Plan and Watershed Analysis along with other supporting documents can form the
<i>Isley</i> <i>Arleigh</i>	Grande Ronde	Wallowa County streams appear to be within the historical range of variability, listing them will do nothing to help the situation and will make corrective management activities more difficult with greater costs due to legal questions and red tape. Recommends that the Wallowa County/Nez Perce Salmon Habitat Conservation Plan is technically and scientifically sound with specific recommendations for each stream and this should be the	The Wallowa County/Nez Perce Salmon Habitat Conservation Plan (Wallowa County/Nez Perce, 8/93) is an important document that identifies many water quality concerns and actions that can be taken to reduce their impact - the Department is interested working with the County and reviewing this along with other documents developed for waters in the County under the NPS TMDL guidance.
<i>Jones</i> <i>David</i>	Rogue Twincheria Creek 15A-TWINO	Segment should be listed as WQL to approximately 3/4 mile above the confluence with Rancheria Creek where the 7-day average maximum temperature was 58.9 in 1995 (instead of mouth to headwaters).	Data showed during 1994 the 7 day ave of daily maximums was 69.1 whereas it was 58.9 in 1995. 1994 was a drought year and a second years date did not exceed the temperature criteria. Segment was removed from 303(d) list and status was changed to Potential Concern.
<i>Jones</i> <i>David</i>	Rogue North Fork Little Butte Creek 15A-BULNO	Segment should be listed as WQL to Heppsie Mountain Road. The 7-day average maximum temperature was 60.2 at the Heppsie Mountain Road Bridge in 1995.	Segment was modified based on BLM data, segment upstream of Heppsie Mt. Rd was listed as "Potential Concern" as it exceeded the temperature standard (64) in 1994 but not in 1995
<i>Jones</i> <i>David</i>	Rogue Lake Creek 15A-LAKE0	Lake Creek needs to be added based on 7 day average maximum temperature of 74.1 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 74.1 with 90 days in 1995 exceeding the temperature standard (64).

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
Jones David	Rogue Lost Creek 15A-LOSL0	Lost Creek needs to be added based on 7 day average maximum temperature of 64.8 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 64.8 with 15 days in 1995 exceeding the temperature standard (64).
Jones David	Rogue Burnt Canyon Creek 15A-BURN0	Burnt Canyon Creek needs to be added based on 7 day average maximum temperature of 81.8 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 81.8 with 51 days in 1995 exceeding the temperature standard (64).
Jones David	Rogue Yale Creek 15C-YALE0	1995 data shows the 7-day average maximum temperatures below 64 - it should be put on Potential Concern List as it was a more typical year than the drought year of 1994.	Segment will remain on 303(d) list. 1996 temperature data 7 day Max. Ave. was 65.4 °F which exceeded the temperature criteria 1997 data was 63.9 °F.
Jones David	Rogue Dry Creek 15E-DRY0	Dry Creek (above the confluence with South Fork Deer Creek needs to be added based on 1995 7-day average maximum temperature of 64.4.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 64.4 in 1995 exceeding temperature standard (64).
Jones David	Rogue Big Boulder Creek 15D-BOBI0	Big Boulder Creek at confluence with Grave Creek needs to be added based on 7 day average maximum temperature of 68.0 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 68.0 with 28 days in 1995 exceeding the temperature standard (64).
Jones David	Rogue Star Gulch 15C-STAR0	Needs to be added from the mouth to Deadman Gulch as the 1995 7-day average of the daily maximum was 67.7.	Segment added the list based on 1995 BLM data indicating that the 7 day average of the daily maximums was 67.7 with 48 days above standard (64).
Jones David	Rogue Little Applegate 15C-APLI0	Segment should be listed as WQL to Yale Creek based on 1995 data which was a more typical year than the drought year of 1994.	Segment modified based on 1995 data.
Jones David	Rogue Ramsey Creek 15B-RAMS0	Ramsey Creek needs to be added based on 7 day average maximum temperature of 68.6 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was at least 68.6 with 28 days in 1995 exceeding the temperature standard (64).
Jones David	Rogue Bear Gulch (Waters Creek) 15C-BEAR0	1995 data shows the 7-day average maximum temperature as 63.9 - it should be put on Potential Concern List as it was a more typical year than the drought year of 1994.	Data showed that 1994 data (a drought year) that the 7 day ave of daily maximums was 68.8 whereas it was 63.9 in 1995. Segment removed from 303(d) list and status changed to Potential Concern.
Jones David	Rogue Hog Creek 15D-HOG0	Hog Creek needs to be added based on 7 day average maximum temperature of 66.1 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 66.1 with 22 days in 1995 exceeding the temperature standard (64).

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
Jones David	Umpqua Elk Valley Creek 13B-ELKV0	Segment should be listed as WQL from the mouth to the confluence of the East and West Fork as the 7-day average maximum temperature was 68.8 in 1995, East Fork had a 7 day average maximum temperature of 60.8 and the thermograph in the West Fork malfunctioned so no data is available.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 68.8 with 55 days in 1995 exceeding the temperature standard (64).
Jones David	Umpqua Slide Creek 13B-SLID0	Segment should be listed as WQL as the 7-day average maximum temperature was 64.2 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 64.2 with 7 days in 1995 exceeding the temperature standard (64).
Jones David	Umpqua Skull Creek 13B-SKUL0	Segment should be listed as WQL as the 7-day average maximum temperature was 66.5 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 66.5 with 28 days in 1995 exceeding the temperature standard (64).
Jones David	Umpqua Riffle Creek 13B-RIFF0	Segment should be listed as WQL as the 7-day average maximum temperature was 68.1 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 68.1 with 43 days in 1995 exceeding the temperature standard (64).
Jones David	Umpqua Cow Creek	Segment should be listed as WQL from West Fork Cow Creek to Whitehorse Creek. In 1995, the 7-day average maximum temperature were 72.1 above Susan Creek, 70.9 at Glendale and 57.7 above Whitehorse Creek.	Segment listed from West Fork Cow Creek to Quines Creek BLM data (2 sites: above Susan Creek for years 1994/95/96 7 day ave. max. temperature 78.7/72.1/73.9°F and at Glendale 1995/96, 70.9/69.4°F all exceed temperature criteria. Water Temperature above Quines Creek at Whitehorse Creek met the Temperature Criteria.
Jones David	Umpqua Woodford Creek 13B-WOOD0	Segment should be listed as WQL as the 7-day average maximum temperature was 66.3 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 65.3 with 18 days in 1995 exceeding the temperature standard (64).
Jones David	Umpqua Windy Creek 13B-WIND0	Segment should be listed as WQL as the 7-day average maximum temperature was 66.3 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 66.3 with 31 days in 1995 exceeding the temperature standard (64).
Jones David	Umpqua Fortune Branch Creek 13B-FORT0	Segment should be listed as WQL as the 7-day average maximum temperature was 65.6 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 65.6 with 18 days in 1995 exceeding the temperature standard (64).
Jones David	Umpqua Dads Creek 13B-DADS0	Segment should be listed as WQL as the 7-day average maximum temperature was 64.8 in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums was 64.8 with 11 days in 1995 exceeding the temperature standard (64).

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Jones David</i>	Umpqua West Fork Cow Creek 13B-COWF0	Segment should be listed as WQL as the 7-day average maximum temperature was 76.6 at the mouth, 76.4 above Bobby Creek, and 73.8 above Slide Creek in 1995.	Segment was added to 303(d) list based on BLM data showing that the 7-day average of daily maximums were exceeding the temperature standard (64) at the 3 sites in 1995.
<i>Jones Jack</i>		Doesn't believe temperature standard of 64°F for certification of a stream. Temperature varies and the standard should reflect this.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Jones Jack</i>		Protest the manner in which the hearing was presented, by segregating the presentation from the oral testimony. Does not think this was a public hearing in regards to the 303(d) list, because did not record the whole meeting including questions during the presentation.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Jones Randall</i>	Powder	Concerned that listing is based on data collected over a relatively short period of time compared to the age of streams and human impact. Our understanding of their natural conditions is limited. By requiring actions before we have a better understanding of these systems would have a	No site specific action requested. Please see response under Data Use and Implementation in "Responses to Commonly Asked Questions".
<i>Jones Randall</i>	Powder Powder	Suggests that a number of rivers are now in better shape than in the past. Submitted pictures of the Powder showing it to be dry in the fall prior to the construction of Mason Dam. Feels these efforts and those by the irrigation district, ranchers and volunteer groups is making the river the best it has ever been and listing would hold these efforts up for unnecessary regulation that would destroy the goodwill. Suggests deleting the Powder from the list.	The Powder River, from Sutton Creek to Thief Valley Dam, is listed for bacteria and temperature. The Department recognizes that many streams have improved considerable due to management efforts by ranchers, volunteer groups and various entities. These efforts will be essential elements for watershed management plans that will be developed locally to address identified problems. Please see response under Implementation in "Responses to Commonly Asked Questions". Data indicates segment should
<i>Joyce Timothy</i>	John Day	Feels that Bull Trout is not an endangered species and that should be considered in setting of standards.	The Bull Trout was declared a Threatened Species on June 10, 1988 for the Columbia and Klamath basins. The full justification can be found in the Federal Register Vol. 63, Section 111 pg.. 31647 to 31674.
<i>Joyce Timothy</i>	Malheur River	Concerned that much of the data was illegally obtained as many areas are private lands and therefore there is no data to support the listing. The 303(d) list should not include private lands and was meant to only address navigable waters.	Please see response under Listing and De-listing Methodology Issues, Data Use for Listing, Minimum Data Requirements, Waters of the State/Nation and Existing Authorities in "Responses to Commonly Asked Questions".
<i>Kaser Nauta</i>		Feels the agency should watch discharges of large business and companies and leave farmer and ranchers alone.	Please see response under Existing Authorities, Clean Water Act in "Responses to Commonly Asked Questions".
<i>Kaser Sam</i>		Stream data taken is too new to consider major climatic cycles which affect stream conditions. Believes that there are other environmental priorities rather than blaming cattle and ranchers for muddying streams.	Please see response under Water Quality Standards, Data Use, Stream Functions, and Existing Authorities in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Kelly</i> <i>Elizabeth</i>	Mid Coast Siltcoos Lake	Believes that clear-cutting and use of 2,4-D have affected Siltcoos Lake (included photographs)	No data presented as a basis for listing. Concerns referred to regions, ODF and the Citizen Lake Watch Program. Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Kenops</i> <i>Darrel</i>	Willamette Horse Creek 22D-HORS0	Disagree with listing based on Bull Trout Criteria. Bull trout adults and subadults have been observed in Horse Creek, but spawning and early rearing have not been observed nor expected in Horse Creek. The more appropriate standard is salmonid habitat (12.8 degree) which was met in	Currently the Bull Trout Standard does not have different temperature criteria for different life stages. The 50 degree criteria applies to waters that support or are necessary to maintain the viability of native Oregon bull trout - bull trout have been observed in Horse Creek. The Department realizes that there is interest and additional information that may support further refinement of the standard for different life stages and will review this information in the next standards review. Modifications to the listing
<i>Kenops</i> <i>Darrel</i>	Willamette McKenzie Basin	Suggest that the spawning through fry emergence time period used for the temperature standard be change from "October 1 to May 31" to "September 1 to July 1" in order to account for time of spawning of McKenzie River chinook salmon, rainbow trout and cutthroat trout and be consistent with the In-stream work period established by ODFW to protect spawning fish, their eggs and developing young.	The Department will consider this information when the next 303(d) listing period begins.
<i>Kenops</i> <i>Darrel</i>	Willamette Winberry Creek, South Fork 22B-WISF0	Supplied data that applies from confluence Winberry Creek to Monterica Creek.	Segment Added to 303(d) list. USFS Data (at mouth, T19S-R2E-S19): 7 day average of daily maximums of 65.5 (1991), 63.4 (1993) and 64.3 (1995) exceeded temperature standard (64).
<i>Kenops</i> <i>Darrel</i>	Willamette Winberry Creek, North Fork 22B-WINF0	Supplied data that applies from confluence Winberry Creek to Blanket Creek.	USFS Data (at mouth, T19S-R2E-S19): 7 day average of daily maximums of 64.4 (1991), 63.5 (1993) and 64.1 (1995) exceeded temperature standard (64).
<i>Kenops</i> <i>Darrel</i>	Willamette Winberry Creek 22B-WINB0	Supplied data that applies from Fall Creek Reservoir to confluence with North and South Fork Winberry Creek.	Added to 303(d) list. USGS Data (above reservoir at USGS gage 14150800): 7 day average of daily maximums of 70 in 1980 and 73 in 1981 exceeded temperature standard (64) (data from 1964 - 1979 also available and exceeds standard). USFS Data (at NF Boundary, T19S-R2E-S19): 7 day average of daily maximums of 64.7 (1991), 63.4 (1993) and 64.3 (1995)
<i>Kenops</i> <i>Darrel</i>	Willamette August Creek 22D-AUGU0	Recommend against listing based on Bull Trout Criteria (as was suggested in the draft 94/96 list). It is likely that adults and subadults use the Creek for foraging and refuge from high flows but do not spawn or rear in the Creek. Applying the 17.8 degree standard for summer stream temperatures, Augusta did not meet the standard in 92 and 94 but did meet the standard in 91, 93 and 95 would recommend that it remain on the list.	Currently the Bull Trout Standard does not have different temperature criteria for different life stages. The 50 degree criteria applies to waters that support or are necessary to maintain the viability of native Oregon bull trout - bull trout have been observed in Augusta Creek. The Department realizes that there is interest and additional information that may support further refinement of the standard for different life stages and will review this information in the next standards review. Modifications to the listing

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Kenops</i> <i>Darrel</i>	Willamette South Fork McKenzie River - mouth to Cougar Reservoir 22D-MCSF0	Recommend against listing based on Bull Trout Criteria. Although adult and subadult bull trout have been observed here, they have not been documented as spawning in the reach. The more appropriate standard is salmonid habitat which is not met for 90-94 due the period of drawdown of the reservoir when water released during October increases the downstream	Currently the Bull Trout Standard does not have different temperature criteria for different life stages. The 50 degree criteria applies to waters that support or are necessary to maintain the viability of native Oregon bull trout - bull trout have been observed in South Fork McKenzie in this segment. The Department realizes that there is interest and additional information that may support further refinement of the standard for different life stages and will review this information in the next standards review. Modifications to the listing would be made if there is a revision to
<i>Kenops</i> <i>Darrel</i>	Willamette McKenzie River - South Fork McKenzie R to Clear Lake 22D-MCKE59.8	Recommend that Bull Trout temperature standard be applied to the reach between Trail Bridge Reservoir and Tamolitch Falls because bull trout use this stretch for spawning and early rearing. The remainder (Trail Bridge to the S. Fk McKenzie) should be evaluated against the salmonid habitat criteria. Water temperature data is currently being collected upstream of Trail Bridge Reservoir to determine temperatures within the section used by bull trout for spawning and rearing. The 12.8 degree standard is met during	The upper portion of the segment was modified from "Clear Lake" to "Trail Bridge Reservoir" since there was not water temperature data above the reservoir and water temperatures could be different above the reservoir. No modifications were made to the listing from Trail Bridge Res to S Fk McKenzie River as the Bull Trout standard does not have separate criteria
<i>Kenops</i> <i>Darrel</i>	Willamette McKenzie River - Ritchie Creek to South Fork McKenzie 22D-MCKE35	Recommend against listing based on Bull Trout Criteria. Although adult and subadult bull trout have been observed here, they have not been documented as spawning in the reach. The more appropriate standard is salmonid habitat but do not have data to determine if standard is met.	Currently the Bull Trout Standard does not have different temperature criteria for different life stages. The 50 degree criteria applies to waters that support or are necessary to maintain the viability of native Oregon bull trout - bull trout have been observed in the McKenzie River from the South Fork down to Trout Creek. The Department realizes that there is interest and additional information that may support further refinement of the standard for different life stages and will review this information in the next standards review. Modifications to the listing would be made if there is a
<i>Kenops</i> <i>Darrel</i>	Willamette McKenzie Basin	Believes that 50 degree Bull Trout standard should be applied to areas that support spawning, eggs and the young which are extremely vulnerable to temperature increases. Adults and subadults have less demanding water temperature requirements (42 to 59 degrees in rivers) and a different standard should apply to them.	Currently the Bull Trout Standard does not have different temperature criteria for different life stages. The 50 degree criteria applies to waters that support or are necessary to maintain the viability of native Oregon bull trout. The Department realizes that there is interest and additional information that may support further refinement of the standard for different life stages and will review this information in the next standards review. Modifications to the listing would be made if there is a revision to the standard. Also please see response under Beneficial Uses in "Responses
<i>Kenops</i> <i>Darrel</i>	Willamette Deer Creek 22D-DEEB0	Agree with listing as WQL for high temperature. However, implementation of riparian reserves as outlined in Northwest Forest Plan and Upper McKenzie Watershed Analysis will ensure recovery of stream temperature above the powerline right-of-way. Effects from lack of cover in powerline rights-of-way will continue to influence the ability to recover in the lower mile and needs to be addressed in relicensing.	The Department is interested in reviewing the Upper McKenzie Watershed Analysis and the Northwest Forest Plan using the NPS TMDL guidance and will consider the additional comments during relicensing.
<i>Kenops</i> <i>Darrel</i>	Willamette Hills Creek 22B-HILL3	Supplied data from 1995 - 1996 that applies from mouth to Juniper Creek.	Segment Added to 303(d) List. USFS Data (above reservoir at USGS gage 14144900): 7 day average of daily maximums of 64.7 in 1995, 76.1 in 1996 and 66.0°F in 1997 exceeded temperature standard (64).

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Kenops</i> <i>Darrel</i>	Willamette Salmon Creek 22B-SALM0	Supplied data from 1970 - 1995 that applies from mouth to Wall Creek.	USFS Data (Salmon Creek at Oakridge Fish Hatchery, station 18181301): 7 day average of daily maximums did not exceed standard (64). Site above Wall Creek was 57.2°F in 1997.
<i>Kenops</i> <i>Darrel</i>	Willamette North Fork of the Middle Fork of the Willamette River 22B-WIMN0	Supplied data from 1980 - 1990 that applies from mouth to Christy Creek.	Segment added to 303(d) list. USFS Data (At Westfir Water Intake, Station 18171501): 7 day average of daily maximum exceeded standard in 1984, 1985, 1986, 1987, 1988, 1989,1990
<i>Kenops</i> <i>Darrel</i>	Willamette Fall Creek 22B-FALL14	Supplied data from 1963 - 1987 (with 1969 missing) that applies from Fall Creek Reservoir to HeHe Creek.	Segment Added to 303(d) list based on 1997 data. USGS Data (Site near Lowell at USGS Gage 14150300): 7 day average of daily maximums of 66.1 (1980), 71.0 (1981), 68.7 (1982), 66.5 (1983), 70.7 (1985), 69.8 (1986) 69.3 (1987) exceeded temperature standard (64).
<i>Kerby</i> <i>Bob</i>	Malheur Lake Trout Creek, Little Trout Creek, East Fork Trout Creek	Progressive management plans on BLM lands are working. 64 degree temperature standard is unrealistic for desert streams - air temperature will drive the water temperature above the standard as indicated by data collected on 8/21/96 at Sherman Field (within 1/2 mile of the top of Trout Cr at 8000 feet elevation). Stream Flow was natural. Similar trends were	Please see response under Water Quality Standards, Temperature and Implementation in "Responses to Commonly Asked Questions".
<i>Killam</i> <i>Gayle</i>		Since there are numerous occasions where standards are not exceeded (and perhaps do not even exist), does the agency have an approach to the problems that are not addressed not solved by the "regulatory" requirements of the 303(d) list and the setting of TMDL's under the Clean Water Act?	Please see response under Water Quality Standards, Toxics in "Responses to Commonly Asked Questions".
<i>Killam</i> <i>Gayle</i>		It has come to OEC's attention that drinking water has not been established as a beneficial use in the setting of TMDL's in basins that have drinking water intakes or connected groundwater resources used for drinking. We believe that the proactive protection of drinking water sources should be built into the TMDL process in all basins unless it is proved otherwise.	Please see response under Water Quality Standards, Water Quality Standards Development in "Responses to Commonly Asked Questions".
<i>Killam</i> <i>Gayle</i>	Willamette	The Willamette basin falls into the Priority 1 category for committing agency resources to setting TMDL's, yet many of the subbasins are targeted for 2005-2207. Especially in light of the recent listing of the Lower Columbia River steelhead and the proposed listing of Willamette River steelhead and chinook. Work on these sub-basins need to be done sooner.	Please see response under Prioritization Process in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Killam Gayle</i>	Willamette	It is the OEC's understanding that there is a great deal of data on the toxic contaminates in the Willamette River and its tributaries that have not been included in this list. No standards exist for many of these contaminants in the water, sediment or fish tissue, yet they are having a severe impact on the health of the basin and its beneficial uses. The DEQ needs to provide these data to the public and to address their impact outside the context of	DEQ has evaluated the USGS data and the studies done by Tetra Tech on toxics in the Willamette River Basin. Review of the data showed that there either was not a standard established for a given parameter, did not exceed a state water quality standard (Table 20), did not meet the minimum data requirements for listing and/or a beneficial use impairment was not shown. For those toxics that did meet the minimum data requirements and exceeded an established standard they were listed. Also listed where those segments which a beneficial use impairment was demonstrated (Toxics for Mercury and Biological Criteria for Fish Deformities). Please see response under Water Quality Standards, Toxics in "Responses to Commonly Asked
<i>Koehn Catherine</i>	Willamette Wilamette River	Believes its the Department's responsibility to compile and assess data on any toxics that impair the water quality of the state. She worked as an intern with DEQ to compiling toxics data for the Willamette Basin and was surprised to find the compiled data was not used for the 303(d) list. She believes the information should have been released.	DEQ appreciates the help of the interns in compiling this data. Unfortunately, much of the data was not usable because the evaluation of the data was incorrect. DEQ did review the toxic information for the Willamette and several water bodies are list for certain toxics, however, much of the toxic data was not used to list a water body because it either did not meet minimum data requirements, the amount detected was below the standard, there was not a standard for the toxic, and/or there was no beneficial use impairment identified. Depending on the situation these appear in the Decision Matrix as Potential Concern or OK. Additionally, in the data compilation non detections were recorded as detections because the detection limit was above a standard, these should not have been shown as detections. Please see response under Water Quality Standards, Toxics in
<i>Kuhn Wayne</i>	Klamath Keene Creek 43D-KEEN7.5	Supporting data needs to include the year the data was collected.	Data added.
<i>Kuhn Wayne</i>	Klamath Keene Creek 43D-KEEN0	Data for Keene Creek that was submitted with our letter dated Dec. 10, 1997 shows that this segment of Keene Creek exceeds the temperature criteria. It should be listed from the mouth to Mill Creek.	After review of data DEQ agrees segment should be listed, however, has defined segment as Mouth to Keene Creek Reservoir instead of to Mile Creek.
<i>Kuhn Wayne</i>	Klamath Jenny Creek 43D-JENN0	Description for segment 43D-JENN0 has misspelled Grizzly Creek.	Spelling corrected.
<i>Kuhn Wayne</i>	Klamath Keene Creek, South Fork 43D-KESF0	The Decision Matrix basis for listing shows FOG data. This should be FOG/BLM data as the monitoring was done jointly.	Decision Matrix modified to show FOG/BLM monitoring data.
<i>Kuhn Wayne</i>	Klamath Hoxie Creek 43D-HOXI0	The Decision Matrix basis for listing shows FOG data. This should be FOG/BLM data, as the monitoring was done Jointly.	Decision Matrix modified to show FOG/BLM monitoring data.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Kuhn</i> <i>Wayne</i>	Rogue Big Boulder Creek 14F-BOBI0	Legal Description should be T33S not T35S. Our letter dated Dec. 10, 1997 also provided temperature data for 1996 and 1997 which should be included in Decision Matrix.	Change made in data base.
<i>Kuhn</i> <i>Wayne</i>	Rogue Little Butte Creek, North Fork 15A-BULN5	The supporting data for the Heppsie Mt.. Bridge in 1996 is not correct, it should be 63.9°F. Data included.	Change made.
<i>Kuhn</i> <i>Wayne</i>	Rogue Little Butte Creek, North Fork 15A-BULN0	Supporting data for 1995 and 1996 is not BLM data. The 1995 7-day ave. max. temperature collected by BLM was 72.5°F. BLM did not collect data at this site in 1996. Data included.	Data corrected.
<i>Kuhn</i> <i>Wayne</i>	Rogue Ramsey Creek 15B-RAMS0	The 1995 7-day ave. max. should be 68.6°F. BLM letter of Dec. 10, 1997 also provided temperature data for 1996 and 1997 and should be included in the Decision Matrix.	Data base corrected and temperatures for 1996 and 1997 added.
<i>Kuhn</i> <i>Wayne</i>	Rogue Clark Creek 15F-CLAR0	The Decision Matrix should include the year that the data was collected. BLM does not have a record of a 7-day ave. max. of 62.0°F	The Rogue River Basin Cooperative Stream Temperature Monitoring 1993-1997 listed this data as BLM data. Submitted temperature was a rounded number for 1995, review of data shows temperature was 61.7°F, 1996 data shows exceedence of temperature standard 64.8°F, stream is
<i>Kuhn</i> <i>Wayne</i>	Rogue Dry Creek 15E-DRY0	The 7 day Ave. Max. listed for 1993 is actually the temperature obtained in 1994. No data from 1993.	Changed year data was collected.
<i>Kuhn</i> <i>Wayne</i>	Rogue Thompson Creek 15C-THOM5	BLM temperature data above Ninemile Creek does not exceed the temperature criteria. The segment should be from Mee Cove to Ninemile Creek. Data included.	After review of the new data DEQ agrees. Will split the stream into three segments
<i>Kuhn</i> <i>Wayne</i>	Rogue Powell Creek 15C-POWE0	Why was the segment changed from "mouth to headwaters" to "mouth to Blodgett Creek"? Where is Blogett Creek? BLM only has one temperature monitoring site on Powell Creek and it exceeds the temperature criteria. BLM data shows 7-day max. avg. water temperatures for 1994/1995/1996/1997 of 67.0/65.6/67.6/66.9°F. Data included.	After review of the data this segment was modified in error. Segment changed back to Mouth to Headwaters.
<i>Kuhn</i> <i>Wayne</i>	Rogue Little Applegate 15C-APLI0	The stream segment from Yale Creek to McDonald Creek was removed form the list. Out letter of Dec. 10, 1997 recommended leaving this stream on the 303(d) list due to 1996 and 1997 temperatures that exceed the temperature criteria at sites above Yale Creek. Data enclosed.	After review of data DEQ agrees the segment should continue to be listed on the 303(d) list.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Kuhn Wayne</i>	Rogue Galls Creek 15C-GALL0	This stream is in the Middle Rogue Basin, not the Applegate.	Corrected the Sub-basin
<i>Kuhn Wayne</i>	Rogue Forest Creek 15C-FORE0	Add BLM data under Basis for Consideration of Listing for the temperature parameter.	BLM added
<i>Kuhn Wayne</i>	Rogue Chapman Creek, West Fork 15C-CHWF0	The Decision Matrix identifies BLM 1994 data as exceeding temperature criteria. BLM did not monitor this site in 1994. However, the 1995 7-day average maximum temperature was 55.2°F. Data enclosed. Site is out of order because of a space in front of name.	Data error corrected, data shows stream is meeting 64°F temperature criteria. Status modified to OK.
<i>Kuhn Wayne</i>	Rogue Bear Gulch 15C-BEAR0	This stream was removed from the 1998 303(d) list. Our letter of Dec. 10, 1997 recommended leaving the stream on the list due to 1996 and 1997 temperatures (64.1°F and 65.0°F) which exceed the temperature standard. Data included.	Stream was initially removed because DEQ had two years of data, 1994 a drought year, exceeded the temperature criteria and 1995 did not. DEQ's policy is to not rely on the drought year's data if there are other years of data available. With the receipt of the 1996 and 1997 data Bear Gulch will
<i>Kuhn Wayne</i>	Rogue Yale Creek 15C-YALE0	This stream segment was removed from the 1998 303(d) list. Our letter dated Dec. 10, 1997 recommended leaving it on the list due to 1996 and 1997 temperatures which exceed the temperature criteria.	Segment was removed because 1995 data was below criteria and 1994 exceeded criteria, but was a drought year. New data shows 1996 exceeded 64 °F criteria and 1997 did not, DEQ will list segment from mouth to Waters Gulch.
<i>Kuhn Wayne</i>	Umpqua Elk Valley Creek 13B-ELKV0	Letter dated Dec. 10, 1997 requested that the information BLM submitted in Oct. 1996 for this site be disregarded. Data did not meet quality assurance.	Noted problem with quality assurance, indicated as a potential concern in decision matrix.
<i>Kuhn Wayne</i>	Umpqua Cow Creek 13B-COW26.6	Supporting data for this segment is from BLM, not USFS	Change made.
<i>Kuhn Wayne</i>	Umpqua Cow Creek, West 13B-COWF0	BLM letter dated Dec. 10, 1997 provided temperature data for a site on West Fork Cow Creek above Bear Creek that exceeded the temperature criteria. The site above Slide Creek is the farthest upstream location that exceeds the temperature criteria. The 7-day ave. max. temperature at the site above Wilson Creek is below the temperature criteria.	Segment adjusted to Wilson Creek from the upper Bear Creek on the West Fork of Cow Creek.
<i>Kuhn Wayne</i>	Umpqua Elk Valley Creek, East Fork 13B-ELVE0	The supporting information shown for this site is actually for Elk Valley, West Fork. This stream segment should be removed from the 303(d) list. Data for this site was submitted with BLM's letter of Oct. 29, 1996.	Change made.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Kuhn</i> <i>Wayne</i>	Umpqua Elk Valley Creek, West Fork 13B-ELVW0	The supporting information shown for this site is actually for Elk Valley, East Fork. Data for this site was submitted with BLM's letter of Oct. 29, 1996.	Change made.
<i>Kuhn</i> <i>Wayne</i>	Umpqua Slide Creek 13BSLID0	The letter of Dec. 10, 1997 requested that the information BLM submitted in Oct. 1996 for this site be disregarded. The data does not meet quality assurance. The supporting data (from BLM) gives a 7 day ave. max temperature for this site in 1997. BLM did not collect temperature data at	Segment listed in Decision Matrix as a Potential Concern. Erroneous data for 1997 removed.
<i>Kuhn</i> <i>Wayne</i>	Umpqua Cow Creek 13B-COW51.5	Supporting data for this segment is from BLM, not USFS	Change made.
<i>Lankister</i> <i>Keith</i>		What is the relationship between the 7 day average maximum temperature, the number of days exceeding the temperature and the relationship to fish.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Lankister</i> <i>Keith</i>	Deschutes Kloutchman Creek 25F-KLOO0	Kloutchman Creek also has a reservoir. Why listed from mouth to headwaters with a reservoir in between.	Temperature data is from Forest Service boundary which is above reservoir. DEQ agrees the segment should be modify to show the listing is from the private reservoir to the headwaters.
<i>Lankister</i> <i>Keith</i>	Deschutes Deer Creek 25F-DEER0	Deer Creek is a seasonal creek that runs into a private reservoir. Part of the season it does not even flow into reservoir. Why listed from mouth to headwaters with a reservoir in between.	Temperature data is from Forest Service boundary which is above reservoir. DEQ agrees the segment should be modify to show the listing is from the reservoir to the headwaters.
<i>Lankister</i> <i>Keith and Wendi</i>		Concerned about streams being placed on the list as being view as "polluted" and the liability of the 303(d) list being used to target agriculture through law suits and initiatives such as the 1996 Ballot Measure 38. This erodes finances, generates distrust reducing cooperation and reduces the time and energy to actually effect positive change in the watershed. They request that DEQ critically evaluate the data for the entire stream before placing it	Please see response under Liability in "Responses to Commonly Asked Questions".
<i>Lankister</i> <i>Keith and Wendi</i>		As ranchers in Central Oregon they are concerned with issues regarding the bio-economic systems that relate to their business, including watersheds, rangeland, cattle, wildlife, economics and people. In agriculture it has been learned that focusing on "single trait selection" or only one aspect of a system is destructive to the system. Therefore, it is alarming to see this single trait approach being used regarding water quality. They specifically note that of all the beneficial uses of water DEQ is focusing on cold water fisheries as the single trait that is being maximized. DEQ needs to focus on	Please see response under Economic Viability in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Lankister</i> <i>Keith and Wendi</i>		They question the temperature standard for several reasons: 1) It does not take into account the mobility of fish; 2) nor is refugia considered; 3) the standard only reflects the ideal situation for fish not the natural potential of the stream. The procedures provided by the 303(d) process to establish a stream's potential for temperature are reasonable, but will take several seasons to achieve. The ask that this determination take place prior to listing the stream rather than after it is declared water quality limited.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Lankister</i> <i>Keith and Wendi</i>		Both Klootchman and Deer Creek should be removed from the 303(d) list for non-compliance with DEQ criteria for quality assurance in regards to data collections. The data for both streams was collected by the US Forest Service for the purposes of and use by that agency. Additionally, protocols for data collection for DEQ 303(d) list purposes was not established at that time. The temperature probe was left unattended for 5 to 7 months, in that time the probe could have been removed by the curious or been exposed by	Please see response under Data Use for Listing, Monitoring in "Responses to Commonly Asked Questions". Forest Service data is in the public domain and DEQ is required to consider it during list development. The Forest Service did follow their own QA/QC including review of the data to determine whether the probe had record air values. If air values were discovered they were removed from the data set before calculation of the
<i>Lankister</i> <i>Keith and Wendi</i>	Deschutes Klootchman Creek 25F-KLOO0	DEQ is misrepresenting the severity of the temperature violation on the creek, because they list both 1994 (82.9°F) and 1995 (70.8°F) dates when 1994 was a drought year and DEQ own decision matrix states that if there is a probable reason (drought) as to why data from one year is more representative of stream conditions the DEQ would use the more	The temperature data needs to remain as part of the supporting data to give the public an idea of how much difference there is between a drought and a regular year and second to show that all available data has been evaluated. DEQ will indicate when a drought year is not being used in the data
<i>Lankister</i> <i>Keith and Wendi</i>	Deschutes Deer Creek 25F-DEER0	During the summer Deer Creek flow is greatly reduced and may dry up before it gets to the private reservoir. Streams with smaller volumes of water will change temperature faster than those with larger volumes. The high temperatures in Deer Creek are related to it's low volume and seasonally of flow, therefore, it should not be listed on the 303(d) list for	Please see response under Listing and De-listing Methodology Issues and Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Lankister</i> <i>Wendi</i>		Did not consider flow of stream when determining temperature concerns.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Lankister</i> <i>Wendi</i>		Being on this list sets up the farmers and ranchers to be targets for legislation and lawsuits which is hard to over come.	Please see response under Liability in "Responses to Commonly Asked Questions".
<i>Lankister</i> <i>Wendi</i>		Only using one data point to list stream is not appropriate for listing, Did not consider flow of stream when determining temperature concerns.	Please see response under Data Use for Listing Minimum Data Requirements in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Lankister</i> <i>Wendi</i>		In agriculture they have learned that focusing on just one aspect of a system can be very destructive to the sustainable functioning of the system. Very disturbing to see this narrow minded focusing on one aspect (water quality) of the watershed system. Not that water quality is not important, but cold water fisheries and temperature has become the single most important standard to meet which leaves out the other important beneficial uses of	Please see response under Economic Viability in "Responses to Commonly Asked Questions".
<i>Lankister</i> <i>Wendi</i>		Need to include the economic viability of the ranches along the streams as well as recreation.	Please see response under Economic Viability in "Responses to Commonly Asked Questions".
<i>Lankister</i> <i>Wendi</i>	Deschutes Kloutchman Creek 25F-KLOO0	Concern about Kloutchman Creek in 1994 temperature was 82 °F next year it was 70 °F that's a 12 °F difference in one year. Don't see how with this much variation can use the data to list the stream or whether its just natural.	Because 1994 was a drought year the higher temperature was most likely a result of lower stream flows for that year.
<i>Larson</i> <i>Patricia</i>		DEQ during the comment period is only seeking temperature data to support their theory and does not allow interpretation of the data by anyone but them.	DEQ seeks data which either demonstrates a water body does or does not meet the state's water quality standards. It is DEQ's responsibility to review the data submitted to determine whether it is meeting the water quality standards.
<i>Larson</i> <i>Patricia</i>		She also ask that the streams remain off the list until DEQ can account for the degrees that must occur due to natural conditions.	DEQ will evaluate the natural conditions of a watershed during the development of the TMDL. The 303(d) list is an inventory of water quality concerns, water bodies which violate water quality standards must be included on the list. Also please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia</i>		Additionally, the 7 day moving average is not a trend and will not be a trend until it can be repeated continuously throughout the summer months for the next 20 or 30 years.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia</i>		DEQ assumes that violations of the temperature standard occur for the same reason in Eastern and Western Oregon.	Water temperature is a result of solar radiation and assorted energy processes which occur throughout the state. The balance between the different energy processes may vary somewhat based on local conditions, however, in all cases solar radiation is the driving force. Local physical, chemical and biological conditions are taken into account during the

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Larson Patricia		She stated that the Grande Ronde River and its tributaries have been improperly analyzed to determine whether they violate any biologically significant event in the watershed. She requests that all streams relying on the 7 day moving average be removed from the list because the method used	A TMDL is being developed at this time on the Grande Ronde River and several studies have been completed. Please see "Grande Ronde River Water Quality Technical Assessment (Temperature) by DEQ, "Integrating Water Quality Modeling with Ecological Risk Assessment for Nonpoint Source Pollution Control: A Conceptual Framework" by Chen, David Y.; McCutcheon, Steve C.; Rasmussen, Todd C.; Nutter, Wade L.; and Carsel, Robert F. and "Stream Temperature Simulation of Forested Riparian Areas: I. Watershed-Scale Model Development" by Chen, David Y.; Carsel, Robert F.; McCutcheon, Steve C.; Nutter, Wade L.. Also please see response under Water Quality Standards in "Responses to Commonly Asked Questions".
Larson Patricia		Stated that DEQ contends that temperatures exceed the standard throughout the state is because of anthropogenic activities. DEQ relies on literature and scientists who claim theories that support this view and have decided that these theories are true.	DEQ's standards are develop using current scientific studies and knowledge and reviewed by scientists, various industry interests and the public before they are adopted. Also please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
Larson Patricia		There is no biological significance to the 7 day moving average.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
Larson Patricia		DEQ does not do a test of confidence on the maximum average temperatures. She gave an example that during 1996 on the Grande Ronde River the 7day moving average showed a confidence interval of +10°F to -10°F which meant that the variation in maximum temperatures around the mean of 64°F represented temperatures between 74°F and 54°F.	DEQ is not trying to establish a trend. The 7-day moving average of maximum temperatures is calculated by averaging the maximum temperature for each of 7 days, this is done continuously over the data collection period by dropping the first day value and adding the eighth day (which is a moving average) The highest of these 7-day moving maximum values is used to compare against the established standard, if the value is over then the stream is placed on the 303(d) list. There is no confidence test needed or used. Also please see response under Water Quality
Larson Patricia		DEQ does not want any new ideas attempting to prove the temperature standard in Oregon is unattainable.	There are provisions in the current temperature standard to address whether a water body is able to attain the target temperature criteria. This process occurs during the development of the TMDL and associated water quality management plans. If after all feasible steps have been taken and the stream still can not meet the temperature criteria then DEQ can request EPA approval for a site specific standard. For DEQ to modify the temperature standard we must go through the formal process for changing a rule. DEQ reviews its standards every three years during this review process is when DEQ reviews new information and determines whether the standard merits a reevaluation and modification. If DEQ determines the standard needs modified, recommendations will be sot from technical and policy advisory committees.

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Larson Patricia		Talking about the natural heating process with DEQ bothers them, because they cannot maintain their assertion that man has caused the temperature violations in the streams. She maintains that the waters in Oregon do have a natural rate of heating and cooling.	DEQ is not able to show that the temperatures are not caused by anthropogenic activities and therefore, must list the water body. During the TMDL development a more in-depth look at the causes and effects of temperature will take place. All waters have a natural rate of heating and cooling, however, showing these rates does not demonstrate that there are no anthropogenic effects associated with the heating or cooling of a
Larson Patricia		DEQ has failed to take part in the scientific process of attempting to prove that their idea of anthropogenic contributions is wrong.	The standards are based on scientific knowledge, technical expertise and numerous scientific studies that have demonstrated that certain anthropogenic management activities do have negative impacts on stream systems. Also please see response under Water Quality Standards, Water Quality Standards Development and Temperature and Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
Larson Patricia		She believes that DEQ has misused testing methods to satisfy a determination that violations have occurred and the water is impaired. She asserted that the 7 day moving average is not satisfactory to conclude there is a standards violation because DEQ has not conducted a series of rigorous	The temperature standard is developed to protect the beneficial uses of water, in this case fish survival. The 7-day moving average of maximum water temperatures is defined in rule, these values are targets where if the water measurements exceed the criteria certain actions need to take place including listing on the 303(d) list, development of a TMDL and development of a management plan. Also please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked
Larson Patricia		She defined part of conducting a scientific experiment as arguing to show an idea is right, not that you are right, the best way to do science is to try to prove your ideas wrong. In natural resource studies the task of testing a hypothesis is plagued with problems of accounting for variations that	DEQ's standards are develop using current scientific studies and knowledge and reviewed by scientists, various industry interests and the public before they are adopted. Also please see response under Water Quality Standards, Water Quality Standards Development in "Responses to Commonly Asked
Larson Patricia and Larry		The influence of land activities does not exceed the natural amount of heating and cooling on the 4 watersheds assessed by the Larsons.	While the commenters do provide some data and results of "hundreds" of regressions and ANOVAs from four unidentified streams, this analysis does not show cause and effect or prove that the situation is natural. No information on the physical conditions, past and present management, or any other pertinent information about these unidentified watersheds is provided. Additionally, there is no indication as to whether calculations were based on averages, maximums or the differences between daily high and low values and the time periods involved. Without such information it is impossible to determine what is responsible for the observed changes in

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<i>Larson Patricia and Larry</i>		DEQ has made an "assessment" and an assumption that the stream are surrounded by anthropogenic activities and are directly influenced by various land practices. This is not the conclusions the Larsons reached from rigorous testing of stream temperature across 4 watersheds.	While the commenters do provide some data and results of "hundreds" of regressions and ANOVAs from four unidentified streams, this analysis does not show cause and effect or prove that the situation is natural. No information on the physical conditions, past and present management, or any other pertinent information about these unidentified watersheds is provided. Additionally, there is no indication as to whether calculations were based on averages, maximums or the differences between daily high and low values and the time periods involved. Without such information it is impossible to determine what is responsible for the observed changes in temperature. There is much evidence that some human management activities do affect water bodies and since at the 303(d) stage DEQ can not discount the affects of human activity, water bodies are listed if they do not meet water quality criteria. Also please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Larson Patricia and Larry</i>		Mean monthly air, water (i.e. influent streams) and soil temperature have similar values and seasonal patterns of heating and cooling. Climate and soil classification systems recognize these patterns as natural variation within the thermal environment. In Eastern Oregon, these natural patterns result in daily water temperatures that exceed the artificial (fish based) temperature standard established by DEQ on a regular basis.	While it may be true that Eastern Oregon streams heat and cool within some "natural" pattern, the generalization that all streams in Eastern Oregon do so is certainly not supported. Many studies have shown the effects of management activities (primarily removal of riparian vegetation and modification of stream structure) on stream temperature. These activities do occur in Eastern Oregon and their physical effects must also occur (and can be easily calculated and monitored). The fish based temperature criteria is not an artificial based criteria but based on both laboratory and field scientific studies of fish needs and requirements. The influence of stream heating, both natural and anthropogenic should be evaluated in a complete analysis which is part of the development of a TMDL. Also please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Larson Patricia and Larry</i>		DEQ determines stream temperature violations using a "7 day moving average" calculation. DEQ seeks to establish a trend analysis using this calculation. However, the "7 day moving average" is not an accurate means of determining trend. Trend needs both an estimate of trend (such as time series regression) and an assessment of the likelihood (confidence) that the	DEQ is not trying to establish a trend. The 7-day moving average of maximum temperatures is calculated by averaging the maximum temperature for each of 7 days, this is done continuously over the data collection period by dropping the first day value and adding the eighth day (which is a moving average) The highest of these 7-day moving maximum values is used to compare against the established standard if the value is over then the stream is placed on the 303(d) list. There is no confidence test needed or used. Also please see response under Water Quality Standards in
<i>Larson Patricia and Larry</i>		DEQ must require more than an ocular estimation to list or accept data and de-list when intensive sampling disproves the occurrence of a violation. Rigorous sampling using a scientific methodology and rigorous statistical testing that indicates the natural occurrence of sediments deems it necessary to de-list streams list for violations because ocular estimations cannot determine what is or is not natural.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Larson Patricia and Larry</i>		The speculation that anthropogenic activities cause polluted conditions across Oregon can not be verified on the ground , in the riparian, nor in the water bodies.	The standards are based on scientific knowledge, technical expertise and numerous scientific studies that have demonstrated that certain anthropogenic management activities do have negative impacts on stream systems. Also please see response under Water Quality Standards, Temperature and Natural and Anthropogenic Conditions in "Responses to

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<i>Larson</i> <i>Patricia and Larry</i>		DEQ's continued reliance on models representing heat budget components has caused DEQ to remain focused on the impact of direct solar radiation as the single cause of stream temperature violations. The entire planet is heated by solar radiation and water in streams and lakes must heat regardless of shade or other factors.	DEQ is not focused on direct solar radiation as "the single cause of stream temperature violations". The Department has always recognized all of the processes that affect stream temperature and the relevant rule language and all DEQ publications related to temperature clearly reflect this. Direct solar radiation is typically the largest input of energy to a stream system and tends to be one of the easiest to control through management practices. Also please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia and Larry</i>		The question is not what the maximum is on any given day, but rather can "humans" change the patterns of heating and cooling? And if so which ones.	The Water Quality temperature standard is based on what the maximum water temperatures are in a water body because high water temperatures do affect a beneficial use (fish). There are many scientific studies that show that some human management practices can affect the heating and cooling rate of a water body and these management practices can be modified to affect heating and cooling of a stream. Also please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia and Larry</i>		DEQ through subjective analysis has assessed streams for sediment violations without a baseline inventory of empirical data. Ocular estimates by various individuals without regard to personal agendas and bias have led to unsatisfactory results and unfair treatment to citizens by listing streams which may or may not have such conditions.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia and Larry</i>		Nutrient analyses have failed to capture the natural background conditions for pH, BOD and algae growth. DEQ has also failed to recognize the correlation between these parameters and water temperature.	TMDL analysis does recognize and take into consideration the interconnection of different parameters and how they affect the stream, especially, the effects of temperature. Also please see response under Water Quality Standards in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia and Larry</i>		Thermometers measure the accumulation of energy at points in time, they do not indicate the source of the energy and therefore, can not distinguish between heat sources. They cannot be used to determine what amount of the energy is coming from direct solar inputs and indirect solar inputs.	The water quality standard for temperature is based on protecting the beneficial uses of the water body, in the case of the 64°F criteria it is to protect salmonid species from excessive temperatures. When the temperature of the water body is taken the thermometer is reading an accumulation of a number of heating sources and the contribution of any one heating source cannot be determined. All we know is that the temperature exceeded the criteria. From other studies we do know that human activities and management practices have changed the character of water bodies over time and these changes can contribute to excessive heating of the water. Since the 303(d) list does not determine the cause of an exceedence of the criteria and when human activity is present it cannot be ruled out as a contributor to the exceedence so the water body is required to be listed. Also please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".

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Larson Patricia and Larry		To determine if the maximum water temperatures on streams is significant the following must be accounted for: a. Variability between days; b. Variability between cool periods and warm periods; c. Variability between instruments used; d. Variability between streams and ultimately watersheds, and variation associated with natural vs man-caused sources.	DEQ's Temperature standard has defined the maximum water temperatures as significant factor in protecting beneficial uses for salmonids. A. The temperature standard defines the maximum water temperature as a concern. B. The temperature standard is established to protect the beneficial uses (fish) which are sensitive to the maximum water temperature. The standard is set to protect salmonid from extremes in temperature. C. Part of a good QA/QC program will evaluate the accuracy of the measuring instruments. D. The TMDL modeling will evaluate what water temperatures can be achieved within a watershed given the conditions that are present and the management practices that could be implemented. There is no need to determine what the variation between watersheds is as the TMDL and temperature standard focus on what can be achieved within a watershed. Also please see response under Water Quality Standards, Temperature and Implementation in "Responses to Commonly Asked Questions".
Larson Patricia and Larry		If the 7-day ave. max. temperature goes above the standard a violation is assumed. This analysis does not assess whether the test is an anomaly or the likelihood that the assumption of a violation would be correct over an extended time period.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
Larson Patricia and Larry		DEQ's assessments of water quality do not stand on a solid foundation of scientific study and knowledge. The team of scientists DEQ relied on to develop the water quality standards (temperature) did not present a consensus of known facts, but rather a document that reflects an emotional bias to the subject that attempts to appease the courts.	DEQ's standards are develop using current scientific studies and knowledge and reviewed by scientists, various industry interests and the public before they are adopted. Also please see response under Water Quality Standards, Water Quality Standards Development in "Responses to Commonly Asked
Larson Patricia and Larry		Streams on the 303(d) list were determined to be water quality limited using DEQ 1988 NPS assessments, Forest Service inventories and ODFW surveys.	Streams were not listed based on the 1988 Non-point Source Assessment, the assessments were used to place a water body on the Decision Matrix as a potential concern. Forest Service inventories and ODFW surveys were used if they met the data requirements or narrative criteria for the parameter of interest. Also please see response under Data Use in "Responses to
Larson Patricia and Larry		DEQ has used inaccurate studies, reports and testing methods which ultimately allows DEQ to list streams inappropriately. DEQ relied on subjective surveys and undefined data without regard to objective analysis. DEQ has not used proper scientific methodology to make "assessments" of	Data used to evaluate water bodies for the 303(d) must meet established "Minimum Data Requirements" and quality control/quality assurance before data is used to list a water body. Please see response under Data Use for Listing, Minimum Data Requirements in "Responses to Commonly Asked
Larson Patricia and Larry		Mean monthly and mean annual air, water and soil temperatures will be similar and follow a similar pattern of seasonal heating and cooling. Mean monthly water temperature must be similar to mean monthly air and soil values. The water temperature standard would be expected to be exceeded on a regular basis due to natural variation in the thermal environment.	Mean monthly and mean annual air, water and soil temperatures will follow a similar pattern of seasonal heating and cooling because they are all heated by the same source solar radiation. However, it does not follow that the water temperature would be exceeded irregardless of human management activities. The Temperature Water Quality Standard is based on the 7-day moving Average Maximum temperature not the monthly or yearly average temperature. The concern is with the maximum water temperatures which are detrimental to cold water fish. Average monthly and yearly values would mask extremes in water temperatures that would be detrimental to cold water fish. Also please see response under Water Quality Standards,

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Larson Patricia and Larry		Requests that the Grande Ronde River and its tributaries be de-listed from the 303(d) list, because DEQ's standards are arbitrary and do not consider the natural basin conditions.	A TMDL is being developed at this time on the Grande Ronde River and several studies have been completed. Please see "Grande Ronde River Water Quality Technical Assessment (Temperature) by DEQ, "Integrating Water Quality Modeling with Ecological Risk Assessment for Nonpoint Source Pollution Control: A Conceptual Framework" by Chen, David Y.; McCutcheon, Steve C.; Rasmussen, Todd C.; Nutter, Wade L.; and Carsel, Robert F. and "Stream Temperature Simulation of Forested Riparian Areas: I. Watershed-Scale Model Development" by Chen, David Y.; Carsel, Robert F.; McCutcheon, Steve C.; Nutter, Wade L..
Larson Patricia and Larry		The 7-day time period is an arbitrary time period that has no apparent ecological or cyclical significance to the data set.	DEQ's standards are develop using current scientific studies and knowledge and reviewed by scientists, various industry interests and the public before they are adopted. Also please see response under Water Quality Standards in "Responses to Commonly Asked Questions". The Grande Ronde River will remain on the 303(d) list until a TMDL is developed and approved by There are several reasons for using a 7-day average maximum temperature: 1) as an average it smoothes out individual day peaks, giving a buffer from one or two high values driving a listing, 2) it reflects sustained conditions in temperature above what is recommended for fish survival. 3) 7 days is commonly used in scientific studies as the time period use to determine whether fish are being affected by a sustained condition. Also please see response under Water Quality Standards, Temperature in "Responses to
Larson Patricia and Larry		In the case of stream sediment, measurements were not taken to achieve data accuracy. Measurements were made using sight (ocular estimate) at the stream bottom and estimating the proportion of the sediment present at the surface of the stream bed and then recording the estimate as a category or class to provide an index of the amount of sediment present. DEQ should be using information with a high level of accuracy because of the	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
Larson Patricia and Larry		Ocular estimations done by the ODF&W and USFS are inaccurate. Additionally, the inventory crews used in the assessments had limited training.	DEQ is required to use the data available to make a determination of whether the water is meeting standards. The court decision in Georgia directed EPA and Georgia to use the data available to make decisions on water quality. Also please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked
Larson Patricia and Larry		A person can not distinguish between sediment particles which cause a violation and organic particles which are not considered a violation by simply looking. Sediments must be collected, screened and separated for accurate data.	There is no distinction made between inorganic or organic particles in the standard both or either could cause a violation. The standard reads "formation of appreciable bottom or sludge deposits or the formation of any organic or inorganic deposits deleterious to fish or other aquatic life or injurious to public health, recreation, or industry shall not be allowed". Also please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".

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<i>Larson</i> <i>Patricia and Larry</i>		Energy accumulations occur throughout the environment (air, soil, rock, etc.) due to natural conditions. These accumulations need to be measured and indexed against stream temperatures to determine if energy accumulations are other than natural. Water temperature data alone can only indicate that there are stream temperature changes and will not	The mechanisms by which streams heat and cool are well studied and well understood and have been summarized in DEQ publications and elsewhere. The comments presented by the Larson are well taken and can only be addressed through statistical, spatial and analytical assessments. These are accomplished through the development of a TMDL for the water body and are in progress in the Grande Ronde and other watersheds in the state. Please see response under Water Quality Standards, Temperature in
<i>Larson</i> <i>Patricia and Larry</i>		Temperature also changes based on elevation (adiabatic rate).	The adiabatic lapse rate does not have a direct effect on water temperatures, adiabatic temperature changes apply to gases which are compressible. Liquids such as water are not compressible and therefore do not heat or cool due to adiabatic processes. Convection would apply as the air gets warmer, however, changes in temperature due to convection are small when compared to direct solar radiation. Also please see response under Water Quality Standards in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia and Larry</i>		It is unknown from data collected from thermometers if the patterns of energy are from direct radiation, indirect radiation, conduction, convection, evaporation, or any other source. We can not determine which components of the heat budget contributed to the heating patterns. Other instruments are needed to perform those analyses.	Please see response under Water Quality Standards, Temperature and Data Used for Listing, Monitoring in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia and Larry</i>		Thermodynamics says that energy will flow in a specific direction and the amount of time involved in the heating can be calculated. The ultimate questions are; how fast did the air, water, soil heat? Did the water heat beyond what the rest of the environment heated? Can the rates of heating and cooling be associated with the natural rates that are known to occur due	The Laws of Thermodynamics are not disputed by DEQ and are well understood. It is true that heat will move from warmer air to cooler water if the two are in contact. But all of the other mechanisms by which energy moves into or out of a water body are also consistent with the Laws of Thermodynamics. Very few energy processes have the ability to quickly impart the large amount of energy needed to warm water rapidly, with the exception of solar radiation. Compared to the other energy processes, solar radiation is the predominant process that contributes to daytime heating. Other processes such as convection and longwave radiation may also introduce energy into the stream, but at much smaller amounts when compared to solar radiation. Very little heat exchange at the surface of small streams results from convection or evaporation. This is important for two reasons. First, high air temperatures cannot be responsible for a rapid rise in temperature. Second, it suggests that the heat added to streams by the sun will not be readily dissipated. A study conducted by the OSU Departments of Rangeland and Bioresource Engineering "Temperature Related to Stream Surface Shade: OSU Tank Study" demonstrated this very well. The tank in the sun heated up substantially during the day while the tank in the shade maintained a more constant temperature. Also please see responses under Water Quality Standards, Temperature in "Responses to

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<i>Larson</i> <i>Patricia and Larry</i>		Ocular estimation can not provide any indication of the depth to which sediments are penetrating the streambed.	Visual methods do not make a determination of the depth of sediments, but give an indication about whether there is excessive sedimentation occurring when compared against target conditions. What DEQ is concerned about is excess sedimentation beyond what is naturally occurring which maybe affecting a beneficial use, such as fish spawning. For listing proposes DEQ is required to consider all existing and readily available data and must justify not using the data in the listing process. DEQ has relied on habitat and sedimentation surveys conducted by other natural resource management agencies (Forest Service, BLM and ODFW) which compare survey results with that of a target condition. Also please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia and Larry</i>		The Larson's conducted a survey using surface and volumetric composition directly and found that their data indicated that the listing process was based upon inaccurate data and methodology. Sediment accumulation for the Grande Ronde occurs on less than 6% of the transect lengths and where sediment accumulates, <2% of the volume is composed of fine sediment. Huntington's document, the Grande Ronde River Assessment and the USFS Watershed Analysis used the survey methods that rely on ocular estimations which determined these reaches to have sediment >20%. Their survey showed <6% sediments so the Grande Ronde should be de-listed for	The data provided was not compared to established reference levels, therefore, the significance of data can not be determined. Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions". Until such time as the Sediment standard is reviewed and modified DEQ will base its evaluation on current reports, under those reports the water bodies listed for
<i>Larson</i> <i>Patricia and Larry</i>		Streams in Oregon do have an natural rate of heating and cooling and the Larson's analysis shows that all streams tested, heated and cooled within the expected natural heating and cooling pattern. No stream data indicated heating and cooling rates were affected by any streamside activities.	The mechanisms by which streams heat and cool are well studied and well understood and have been summarized in DEQ publications and elsewhere (Boyd and Sturdevant, 1997). The conclusion that water in streams and lakes must heat regardless of shade or other factors does not follow from the observation that the entire planet is heated by solar radiation. Many factors affect the rate of heating, and the maximum, minimum and equilibrium temperatures achieved.
			While it may be true that Eastern Oregon streams heat and cool within some "natural" pattern, to generally conclude that all streams in Eastern Oregon heat and cool exactly the same is not supported. Many studies have shown the effects of management activities (primarily removal of riparian vegetation) on stream temperature. These activities do occur in Eastern Oregon and their physical effects also occur (and can be easily calculated and monitored). While the commenters do provide some data and results of "hundreds" of regressions and ANOVAs from four unidentified streams, this analysis does not show cause and effect or prove that the situation is natural. No information on the physical conditions, past and present management, or any other pertinent information about these unidentified watersheds is provided. Without such information it is impossible to determine what is responsible for the observed changes in temperature.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Larson</i> <i>Patricia and Larry</i>		The patterns of heating and cooling on a stream when indexed against air temperature are the same now (1997) as they were in 1875. This historical data indicates that water temperatures seen today on the same stream are as natural today as they were in 1875. If anthropogenic activities were affecting water temperatures one might expect the water temperatures of this stream (<64°F for historic and present day) to be quite a bit different.	DEQ is uncertain how to interpret this graph. It is doubtful that continuous monitoring data was available for any streams in 1875, the location and name of the stream is not identified and the data from which the graph was developed was not provided. DEQ also notes that according to the graph this unknown stream met the water quality temperature criteria of 64°F in 1875 and also met the criteria in 1997. Therefore, if the measurements are accurate and meet QA/QC standards this stream would not have appeared
<i>Larson</i> <i>Patricia and Larry</i>		DEQ has listed streams for sediment violations without regard for geologic landforms. Streams show that they naturally reflect the composition of the surrounding landforms.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Larson</i> <i>Patricia and Larry</i>		EPA recommends against the use of ocular methods of estimating substrate. Therefore, DEQ should not be relying on data from other agencies which use the ocular method for their surveys to list water bodies.	EPA recommends using the information to evaluate a stream for listing purposes rather than discarding the information, this was also the directive established with the Georgia decision. Also please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Laurance</i> <i>Mark</i>		The largest episode of sedimentation is during spring runoff and flood events which is naturally occurring, affects of livestock would be minimal.	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Laurance</i> <i>Mark</i>		Primary spawning habitat is on ranches without riparian fencing. Has riparian fencing on his ranch - fenced area with good riparian vegetation produces good holding habitat for salmon, but limited spawning habitat as salmon prefer shallow gravel areas.	During the development of the TMDL and associated water quality management plans local conditions and observations will need to be built into the plans along with the flexibility to respond to local conditions and needs of both the fish and landowners.
<i>Laurance</i> <i>Mark</i>		Criteria are primarily fish driven, had second best redd count above Prairie City over the last 30 years (based on letter from Tim Unterwegner, ODFW biologist)	Water Quality standards are based on protection of beneficial uses. Fish population may be affected over the long term if water quality standards are not being met.
<i>Laurance</i> <i>Mark</i>	John Day Deardorf Creek 26B-DEAR0	He has a USFS allotment on Deardorf Creek. Used only once before 1994 and has been used in the two years since. Will be monitoring temperature and will be comparing more recent data with data used for listing (1990, 1991, 1993 - when there was no cattle usage). The watershed has good overstory, it is Bull Trout habitat. He also has had comments that grazing improves fishing - gives better access. Some places with high overstory won't be affected by grazing in the case of temperature (sun won't reach the river). If the average temperature is the same, with or without cattle, what	Determining what management practices are needed to meet water quality standards will be worked out during the development of the TMDL and associated management plans. Development of plans would include the USFS and encourage participation by local residents and users of the forest. Plans would not necessarily require exclusion of cattle. DEQ would be interested in any water quality monitoring data that is collected. Also please see response under Steam Function, Implementation and Data Use, Monitoring in "Responses to Commonly Asked Questions".
<i>Laurance</i> <i>Mark</i>	John Day Reynolds Creek 26B-REYN0	Reynolds Creek is same condition as Deardorf, has only steelhead in the creek. Some places with high overstory won't be affected by grazing in the case of temperature (sun won't reach the river). If the average temperature is the same, with or without cattle, what good will the exclusion of cattle	The water quality temperature standard is more concerned with how high the water temperature gets each day rather than the average temperature. Averages can mask large fluctuations in temperature which can be detrimental to fish. Also, please see response under Water Quality Standards and Steam Function in "Responses to Commonly Asked

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ledger John</i>		AOI maintains that the Department must be more specific with regard to removal of waters from the 303(d) list. AOI suggests that the Department should remove a water body from the 303(d) list immediately upon demonstrating that one of the four criteria for removal has been	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Ledger John</i>		Noted that the Department continues to rely on the phrase "other conditions" as a basis for imposing water quality standards for habitat and flow modification. This is an over broad application of the Department's authority to implement properly promulgated water quality criteria. Under ORS 468B.048(1), water quality criteria may only be adopted by the EQC, and only by a properly promulgated rule. AOI believes that the Department should not continue to use this improper criteria unless and until the EQC	Please see response under Listing and De-listing Methodology Issues, Water Quality Standards, Water Quality Standards Development in "Responses to Commonly Asked Questions".
<i>Ledger John</i>		AOI is concerned that the Department does not give adequate weight and discussion to management plans, initiatives, and other public and private efforts that may lead to improved water quality (off-ramps). AOI suggests that the Department expressly incorporate such programs into its plan to improve Oregon water quality and allow these programs to be a basis for either not listing a stream segment or for de-listing a stream segment.	Please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Ledger John</i>		Stated that AOI believes that the Department has substantially improved the substantive and procedural aspects of the list since the 1994/96 version. AOI also supports the comments submitted by the Oregon Forest Industries Council and Northwest Pulp and Paper Association.	DEQ thanks AOI for their support and will continue to improve the 303(d) list both substantively and procedurally.
<i>Lind Kyle</i>	Mid Coast Siltcoos Lake	Siltcoos Lake has been clear cut around its perimeter and is threatened by further development. Lake is affected by downed trees, weeds, silt, bacteria and nutrients from septic tanks and 2,4-D from aerial spraying. This is having both a physical and psychological affect on residents.	No data presented as a basis for listing. Concerns referred to regions, ODF and the Citizen Lake Watch Program. Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Luther Marji</i>	Rogue Louse Creek 15D-LOUS0	Submitted stream temperature data	Modified list to show exceedence of temperature criteria.
<i>Luther Marji</i>	Rogue Jumpoff Joe Creek 15D-JUMP0	Submitted stream temperature data	Modified list to show exceedence of temperature criteria.
<i>Marlett Bill</i>	Owyhee	Oregon Natural Desert Association is recommending that the entire upper Owyhee River be placed on the 303(d) list. While data may be lacking from Oregon, it apparently is available in Idaho, where both the North and South Forks are on the Idaho draft 303(d) list for sediment, thermal modification and flow alteration. It would seem highly irregular to have the listing stop at the Idaho-Oregon state line, then start again at Three Forks.	The North Fork and Middle Fork of the Owyhee are both listed for temperature to the Idaho border. The main stem of the Owyhee from Rome to Three Forks is also listed for temperature. DEQ reviewed Idaho's listing and agrees that for temperature the Owyhee River segment should be extended to the Idaho border. DEQ only has observational information and lacks data on flow modification, habitat modification and sedimentation for the upper Owyhee basin so it cannot be listed in Oregon's 303(d) list.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Matosec Thomas</i>	South Coast Larson Creek	Concerned about temp standard in relation to natural conditions, but wants Larson Slough back to its natural condition. Afraid DEQ will treat slough as an inland stream.	No site specific action requested, the approach used to address the temperature concerns in Larson Creek through Watershed Management Plans can be flexible to fit the tidal situation encountered. Input will be valuable in the development of a plan for action.
<i>McCauley James</i>		Waters that do not meet water quality standards should nonetheless be excluded from the 303(d) list if pollution control mechanisms other than a TMDL would be sufficient to achieve water quality standards. TMDLs are a resource intensive undertaking that should be employed only when other existing pollution control mechanisms are incapable of achieving water quality standards. The Department and EPA have recognized that restrictions on forest operations imposed by the Forest Practices Act and implementing Board of Forestry regulations are among the other pollution control requirements (Oregon Department of Agriculture's Water Quality Management Program, the Confined Animal Feeding program on-site rules and Watershed Enhancement Program) referred to in 40 CFR 130.7(b)(1)(iii). OFIC strongly encourages the Department to minimize 303(d) listings by relying on other controls requirements to not list a water	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>McCauley James</i>		OFIC does not contend that a narrative criterion cannot provide a basis for placing a water on the 303(d) list. However, the Department must act on the basis of all the facts relevant to that particular water, not on the basis of generally applicable criteria that have not been adopted by the EQC.	Please see response under Water Quality Standards, Water Quality Standards Development in "Responses to Commonly Asked Questions".
<i>McCauley James</i>		A load or loading is defined as "an amount of matter or thermal energy that is introduced into a receiving water". These definitions reflect that TMDLs are appropriate only for matter or energy that is introduced into a Water body. TMDLs cannot and are not intended to remedy every water quality problem or water quality standards violation. In the EPA guidance it states "if there is no pollutant to allocate and the TMDL process is not appropriate. Therefore, for the 1998 section 303(d) lists, states are not required to list water-bodies where the use impairment results solely from a physical barrier to fish migration. The principle underlying the guidance is clear; Where water quality or beneficial uses are impaired by conditions that cannot be remedied through wasteload or load allocations on pollutants, a TMDL is inappropriate, and there is no requirement or reason to include the water on the 303(d) list. Because impairments of the habitat and flow modification parameters cannot be addressed through a TMDL wasteload or load allocation, these parameters should not be used as a basis for including water on the 303(d) list and should be removed. Additionally, biological criteria should not be listed unless the impairment can be attributed to the addition of a pollutant of some type, although the precise pollutant need	Please see response under Water Quality Standards, Sedimentation and Habitat Modification and Flow Modification in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>McCauley</i> <i>James</i>		<p>OFIC is concerned about including on the draft 303(d) list "biological criteria", "habitat modification", "flow modification" and "sedimentation". OFIC urges the Department to reconsider its use of these parameters for three reasons (1) the Oregon Environmental Quality Commission has not adopted the criteria for the parameters by rule, as Oregon law requires; (2) the criteria for the parameters are technically unsound; and (3) TMDLs cannot be developed for the "biological criteria", "habitat modification", and "flow modification" parameters. ORS468B.048 requires that the EQC must adopt water quality criteria by rule! Although the EQC has adopted all of these narrative criteria as rules pursuant to ORS 468B.048, the narrative criteria are so vague that the Department appears to be relying on other, more substantial criteria, like Oregon Department of Fish and Wildlife In-stream water rights, to evaluate whether to list waters for these parameters. These other criteria, however, have not been adopted by the EQC through rulemaking proceedings, nor were they ever intended to be used as water quality standards. The standards themselves, however, provides no basis for distinguishing among conditions that are or are not deleterious. In the absence of such a basis in the rule, the Department has provided its own criteria which has not been adopted as rule by the EQC.</p>	Please see response under Water Quality Standards, Biological Criteria, Flow Modification and Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>McCauley</i> <i>James</i>		<p>PACFISH and INFISH take into consideration federal land management issues that go beyond the concerns of the Clean Water Act and state water quality standards. Furthermore, the habitat conditions are based on theoretical ideal stream conditions which do not include the natural range of variation now or in the past and do not exist on the majority of streams found on federal lands. Additionally, the relationship between these objectives and the health of fisheries has not been established. In many basins conditions are not the limiting factor because fish populations are</p>	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>McCauley</i> <i>James</i>		<p>The comparison of ODFW data with PACFISH and INFISH standards/objectives is scientifically flawed because of the different collection standards. For example ODFW data collection process included many visual observations, not data gathering. PACFISH and INFISH used numerical references to habitat values and therefore visual observation is substantially different from actual measurements. This is also true of</p>	DEQ used the guidelines from the related watershed analysis to determine water quality impacts and did not use the guidelines for comparison with unrelated studies. Also please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked
<i>McCauley</i> <i>James</i>		<p>OFIC commends the Department and the citizens of Oregon for the efforts to protect and improve water quality and the effort made to solicit and evaluate water quality data from other agencies, industry and the general public.</p>	DEQ thanks OFIC for their support and will continue to address water quality concerns in Oregon.
<i>McCauley</i> <i>James</i>		<p>In addition, the stream survey data does not measure the natural range of conditions present within a basin, which must be considered in evaluating the effects of habitat conditions on designated beneficial uses. By not using a historic range of conditions in basins DEQ's application of PACFISH and INFISH objectives substantially overestimate the habitat objectives. By some estimates basins have an average of 25% of the PACFISH and INFISH</p>	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>McCauley</i> <i>James</i>		OFIC is also concerned about listing very long segments (e.g. "mouth to headwaters") based on water quality data from a small part of the stream. As more data is acquired the segment can be better defined, but in the interim only those portions of the stream segments for which there is clear evidence of a water quality standards violation should be included on the	Please see response under Format of 303(d) list in "Responses to Commonly Asked Questions".
<i>McCauley</i> <i>James</i>		OFIC is concerns about many of the listings decisions being based on inadequate data that may prove to be erroneous as more information is gathered. Because of the demands of a TMDL waters should be placed on the 303(d) list only when there is clear evidence of a water quality problem that needs to be addressed through a TMDL.	Please see response under Data Used for Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions".
<i>McLean</i> <i>Fergus</i>	Willamette Lost Creek 22B-LOST0	Requests that Lost Creek be placed on the 1998 303(d) list for temperature, flow modification and possibly bacteria. Cites as references ODF&W 1992 "Middle Fork Willamette Subbasin Fish Management Plan" (pp 10,13,15,23) and BLM 1997 "Lost Creek Watershed Analysis" (pp	Review of both reports indicates there are potential water temperature and sedimentation concerns in the watershed. However, these observations are not backed up with data as noted in the BLM report, there is little data available to support the observations. The report did suggest BLM conduct some temperature monitoring in the watershed. Lost Creek is in the DEQ Decision Matrix as needing data for temperature and sedimentation. Once quantitative data has been collected for the water body DEQ will evaluate
<i>McLean</i> <i>Fergus</i>	Willamette Amazon Creek 22E-AMAZ0	Amazon Creek runs through Eugene and the west Eugene industrial area before draining into Fern Ridge reservoir an the Long Tom River. Samples of sediment have been tested for multitude of toxics. That these substances have not shown up in sampling likely reflects deficiencies in sampling procedures. These substances are a real barrier to recovery of the Amazon	Elevated levels of toxics have been measured in the creek's sediment, however, there has been no corresponding data which shows an impairment of beneficial uses. Please also see response under Water Quality Standards, Toxics in "Responses to Commonly Asked Questions".
<i>McLean</i> <i>Fergus</i>	Willamette ? ?	The Creek draining the Lane Community College basin just south of Eugene is a very heavily impacted stream and should be listed for high water temperatures, high turbidity and low dissolved oxygen.	DEQ does not currently have any data which would support a listing. No data was submitted.
<i>McLean</i> <i>Fergus</i>	Willamette Amazon Creek 22E-AMAZ0	Amazon Creek should also be listed for high water temperatures, as most of the channel is channelized, with little or no cover, and is choked with algae during the warm season.	No supporting data to demonstrate whether the water body exceeds the temperature standards has been collect. The water body can not be listed until appropriate temperature data becomes available.
<i>Memcott</i> <i>L.A.</i>		DEQ has not proven that man's activities are the cause and should not list any other streams until human activities have proven to be a contributing factor. Streams are functioning within natural conditions and should not be listed.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Memcott</i> <i>L.A.</i>	Grande Ronde Grande Ronde River	Requests that DEQ de-list the Grande Ronde River, streams in Baker County as well as all streams listed in the state for all parameters, because it has been listed without good data or the use of proper science theories.	Please see response under Water Quality Standards, Listing and De-listing Methodology Issues and Data Use for Listing, Data in "Responses to Commonly Asked Questions". Water bodies will need to remain listed on the 303(d) list.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Mohr</i> <i>Clarence</i>	Powder Eagle Creek and East and West Forks 32D-EAGL0	Data was from a drought year (1994) and should not have been used. Should remove streams from 303(d) list for temperature.	DEQ will not use water temperature data collected during a drought year if there is data available from other non drought years to base our evaluation for listing on, however, if the only data available is from a drought year we will use that data to base a listing on until data from a non drought year
<i>Mohr</i> <i>Clarence</i>	Powder Eagle Creek and East and West Forks 32D-EAGL0	Thought that the drought years were 1992, 1993, and 1994. Concerned that DEQ did not apply the 90th percentile air temperature exception correctly to the Eagle Creek temperature data. Data was from a drought year (1994) and should not have been used. Should remove streams from	The drought years are 1991, 1992 and 1994. The 90th percentile air temperature exception is applied to the days the 7 day average maximum air temperature goes above the 90th percentile, it does not mean that the entire year is eliminated. In the case of the Halfway station that would be 100.4°F. On those days when the air temperature is above the 90th percentile air temperature (100.4°F) the 7 day average maximum temperature for the water is removed from the record and the 7 day average maximum is refigure without using the 7 day average maximum water temperatures for those days. In the case of Eagle Creek the USFS was asked to leave out the 7 day average maximum values for those days when the air temperature was above the 90th percentile and refigure the 7 day average maximum water temperatures. The 7 day average maximum water temperatures still exceeded the criteria so the streams were listed.
<i>Mohr</i> <i>Clarence</i>	Powder Eagle Creek and East and West Forks 32D-EAGL0	DEQ stated a one time measurement above standard would not be considered a violation of the standard.	Please see response under Data Used for Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions".
<i>Moltzen</i> <i>Roberta</i>	Deschutes Gate Creek 25J-GATE0	Recommend that Gate Creek from about 2 miles below FSR 4811 to headwaters not be listed for water temperature; this reach is well vegetated and the Rocky Burn area, which begins 2 miles below FSR 4811 has a significant impact on water temperatures downstream.	Need documentation that there have been no past or present human activities in the watershed that may have affected water quality. Need data to demonstrate impact of the burn on water temperatures.
<i>Moltzen</i> <i>Roberta</i>	Deschutes Badger Creek 25J-BADG0	Should not be listed as WQL above FSR 2710 (Wilderness Boundary). 7 day average maximum water temperature was 61.3 and 60.3 in 95 and 96 respectively.	After review of data submitted with comments DEQ's evaluation showed that most of stream meet temperature criteria. Listing status was set to potential concern.
<i>Moltzen</i> <i>Roberta</i>	Deschutes Rock Creek 25J-ROCK0	Agreed that Rock Creek had a sediment problem for a variety of reasons including the Rocky Burn and past overgrazing. Restoration work is being implemented to improve water quality.	No change needed
<i>Moltzen</i> <i>Roberta</i>	Deschutes Rock Creek 25J-ROCK0	Rock Creek from the reservoir to about 0.75 mile downstream from FSR 4810 should be listed as water quality limited for water temperature. This corresponds to the stream reach of Rock Creek within the Rocky Burn. 7 day ave. max. temperature was 66.9 °F in 1997.	Placed Rock Creek on the 303(d) list for exceeding temperature criteria from reservoir to below FSR 4810.
<i>Moltzen</i> <i>Roberta</i>	Deschutes Badger Creek 25J-BADG0	During the 1997 field season water temperature was monitored on Badger Creek at Bonnie Crossing, Badger Creek at the Highland Ditch and Badger Creek at the new National Forest Boundary (66.6 °F). Water temperature at the two upper sites were below the temperature criteria and above the	After review of data submitted with comments DEQ's evaluation showed that most of stream meet temperature criteria. Listing status was set to potential concern.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Moltzen</i> <i>Roberta</i>	Deschutes Rock Creek 25J-ROCK0	Sediment and temperature problems in Rock Creek are due to a variety of reasons including the Rocky Burn and past overgrazing. Rock Creek from the reservoir to about 0.75 miles downstream from FSR 4810 should also be listed for temperature. Restoration is now being implemented.	Rock Creek was added to the 303(d) listed from reservoir to mouth for temperature based on submitted information. Creek was already on 303(d) list for sedimentation.
<i>Moltzen</i> <i>Roberta</i>	Deschutes Threemile Creek 25J-THRE0	Agree that Threemile Creek below the Threemile Ditch should be listed for temperature	Stream is listed for Temperature between Threemile ditch and Mouth.
<i>Moltzen</i> <i>Roberta</i>	Hood Fivemile Creek 24A-FIVE0	Agree with listing	No change necessary
<i>Moltzen</i> <i>Roberta</i>	Hood Eightmile Creek - above Wolf Run 24A-EIGH22	Eightmile Creek above the Wolf Run Ditch should not be listed as WQL for habitat modification and sediment - there is minimal watershed disturbance and a low-potential for management-related sedimentation. Both highly erosive soils and soils with moderate resiliency may be a chronic natural	To remove a stream from 303(d) list DEQ will need written documentation on sediment and habitat conditions and how they differ from the Miles Creek Watershed Analysis (USFS, 1994). Need to have written documentation from land management agency of lack of present and past anthropogenic activities in area (mining, grazing, logging activities).
<i>Moltzen</i> <i>Roberta</i>	Hood Clear Branch Hood River 24A-HOCB0	7 day average of daily maximum in Clear Branch below Laurence Lake was 57.2 in 1995 which exceeds the 50 degree Bull Trout Standard.	River is listed for exceedence of the Bull Trout temperature criteria from Lake to Mouth.
<i>Moltzen</i> <i>Roberta</i>	Hood Eight Mile Creek 24A-EIGH0	The 7 day avg. max. water temperature at the National Forest boundary was 56 °F in July 1996 and 56.5 °F during the summer of 1997. Eightmile Creek should not be listed above the National Forest boundary for temperature.	Eightmile Creek segment was modified to reflect that stream met water temperature criteria above USFS boundary.
<i>Moltzen</i> <i>Roberta</i>	Hood Middle Fork Hood River 24A-HOMF0	Bull Trout use this reach of stream as a migration corridor and feel that standard is too stringent.	Oregon's Dept. of Fish and Wildlife publication "Status of Oregon's Bull Trout" indicates this segment is used by Bull Trout as a Spawning, Rearing and Resident Adult use, migration occurs below this reach. No change in status.
<i>Moltzen</i> <i>Roberta</i>	Hood Ramsey Creek 24A-RAMS0	Natural sediments resulting from active valley forming processes in highly erosive ashy volcanic soils are more than likely the cause of elevated levels of fine sediments in Ramsey Creek. Ramsey Creek above the National Forest boundary should not be listed as water quality limited for sediment.	To remove a stream from 303(d) list DEQ will need written documentation on sediment and habitat conditions and how they differ from the Miles Creek Watershed Analysis (USFS, 1994).
<i>Moltzen</i> <i>Roberta</i>	Hood Fifteenmile Creek 24A-FIFT43.4	Fifteenmile Creek should be listed for habitat and flow modification below Orchard Ridge Ditch but should not be listed for habitat modification and sediment above the Ditch. The amount of sediment above the ditch is likely due to natural sources (reference Miles Creeks Watershed Analysis	To remove a stream from 303(d) list DEQ will need written documentation on sediment and habitat conditions and how they differ from the Miles Creek Watershed Analysis (USFS, 1994). Need to have written documentation from land management agency of lack of present and past anthropogenic activities in area (mining, grazing, logging activities).

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Moltzen</i> <i>Roberta</i>	Hood Ramsey Creek 24A-RAMS5	Water temperature was monitored at several sites during the summer of 1997. All sites except the lowest site at the new National Forest boundary met state water quality standards. The 7 day ave. max was 68.7 °F at the new Forest boundary.	Data indicates stream should remain split at the old USFS Boundary RM5. Old USFS Boundary to headwaters is not listed for temperature, mouth to old USFS boundary is listed for temperature. New USFS Boundary site is above temperature criteria. Request data referenced in comment be
<i>Moltzen</i> <i>Roberta</i>	Hood Fifteenmile Creek 24A-FIFT43.6	Summer stream flow is most certainly affected by ditch withdrawals at the Forest boundary, and only stream reaches below the ditch should be listed for habitat and flow modification.	To remove a stream from 303(d) list DEQ will need written documentation on sediment and habitat conditions and how they differ from the Miles Creek Watershed Analysis (USFS, 1994).
<i>Moltzen</i> <i>Roberta</i>	Hood Eight Mile Creek 24A-EIGH0	Half of the summer stream flow is diverted by the Wolf Run ditch at Eightmile Crossing Campground. Agrees the portion of Eightmile Creek below Eightmile Crossing Campground should be listed as water quality limited for habitat and flow modification.	No change required.
<i>Moltzen</i> <i>Roberta</i>	Hood Eightmile Creek - below Wolf Run Ditch 24A-EIGH0	Agree with Habitat/Flow modification listing below Eightmile Crossing Campground. Opinion of eastside hydrologists and fish biologists is that the creek above the Forest boundary should not be listed for sediment based on a series of four pebble counts done in 1993. Temperature at the National Forest Boundary was approximately 56 in 1996 - creek above the boundary	To remove a stream from 303(d) list DEQ will need written documentation on sediment conditions and how they differ from the Miles Creek Watershed Analysis (USFS, 1994). DEQ agrees stream segment is modified from Wolf Run ditch to USFS boundary to headwaters.
<i>Moltzen</i> <i>Roberta</i>	Hood Fifteenmile Creek 24A-FIFT43.6	The Fifteenmile Creek watershed is in relatively good shape and should not be listed for sediment above the Forest boundary. The amount of sediment is likely due to natural sources. Fifteenmile Creek above the Forest boundary is a Rosgen channel type A and B cobble and boulder dominated stream system. In the Miles Creek Watershed Analysis the percent fines (<6mm) below Fret Creek are 21% and below Cedar Creek are 26%	To remove a stream from 303(d) list DEQ will need written documentation on sediment and habitat conditions and how they differ from the Miles Creek Watershed Analysis (USFS, 1994).
<i>Moltzen</i> <i>Roberta</i>	Hood Eight Mile Creek 24A-EIGH0	The opinion of a group of eastside hydrologists and fish biologists is that Eightmile Creek above the Forest boundary should not be listed for sediment. Eightmile Creek above the Wolf Run Ditch should not be listed as water quality limited for habitat modification and sediment. There is minimal Watershed disturbance and a low potential for management related sedimentation. Both highly erosive soils and soils with moderate resiliency may be a chronic natural source of sediments. Also note 1993 pebble count where the opinion of a group of eastside hydrologists and fish biologists is that Eightmile Creek above the Forest boundary should not be listed for sediment. A series of four pebble counts done in 1993 found 2 sites (above road 44 and at Forest boundary) had less than <20% fines (<6mm), while 2 sites in between exceeded 20% fines.	To remove a stream from 303(d) list DEQ will need written documentation on sediment and habitat conditions and how they differ from the Miles Creek Watershed Analysis (USFS, 1994). Information inconclusive to take segment off list (two surveys met desired conditions, two sites did not)
<i>Moltzen</i> <i>Roberta</i>	Hood Ramsey Creek 24A-RAMS0	Ramsey Creek above the NF Boundary should not be listed for sediment as they are natural sediments resulting from active valley forming processes in highly erosive ashy volcanic soils.	To remove a stream from 303(d) list DEQ will need written documentation on sediment and habitat conditions and how they differ from the Miles Creek Watershed Analysis (USFS, 1994). Need to have written documentation from land management agency of lack of present and past anthropogenic activities in area (mining, grazing, logging activities).

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Moltzen</i> <i>Roberta</i>	Willamette Fish Creek 22N-FISH0	Past practices (road construction, timber harvesting and wood removal) and flooding have had a big impact on Fish Creek. Rehabilitation efforts over the last 10 years have focused on re-introduction of large wood. Recent surveys indicate that pool habitat has return to levels approximating those observed immediately following the 1964 flood but not at levels that existed prior to the flood. Recommend not listing for habitat modification. Recommend the reach listed for temperature be to the confluence of Fish	Information provided indicates stream still has habitat concerns because there are two salmonid populations in decline in area, stream will continued to be listed. Data submitted for temperature indicated stream was meeting criteria and was removed from 303(d) list.
<i>Moltzen</i> <i>Roberta</i>	Willamette Eagle Creek 22N-EAGL22	All but the lower 1.5 miles of mainstem Eagle Creek on National Forest lands is in the Wilderness area. 1990 data at boundary exceeded 64 for only 5 days with a maximum temperature of 65.3. Believe that temperatures reflect natural conditions since the riparian area appears intact.	Eagle Creek from the Wilderness Boundary to the Headwaters is not listed on the 303(d) list.
<i>Moltzen</i> <i>Roberta</i>	Willamette Eagle Creek 22N-EAGL0	All but the lower 1.5 miles of main fork of Eagle creek on National Forest lands is in the Salmon-Huckleberry wilderness. The current summer water temperatures in Eagle Creek between the National Forest boundary and the Wilderness primarily reflect natural conditions, since the riparian area	1991 and 1992 exceeded temperature criteria, but were drought years, 1990 did not exceed water temperature criteria. Status is Potential Concern because only non drought year is close to temperature criteria. Need additional data to verify non drought year temperatures are meeting
<i>Morgan</i> <i>Wes</i>		Requests an Environmental Quality Commission hearing and an extension of the public comment period before any more streams are listed.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Morgan</i> <i>Wes</i>		Requests that all streams on the 303(d) list be removed and non added, because the blanket approach is unjust, unfair and inaccurate.	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Morgan</i> <i>Wes</i>		There is a failure to recognize natural processes in the listing process. Attached Larson's justification for natural conditions.	Please see response under Water Quality Standards, Temperature and Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Morin</i> <i>Wayne</i>		Most of problems with water quality are not livestock but the forest service building roads up streams and improperly installed culverts.	Determination of the sources of a water quality problem and the solutions will occur during the development of the TMDL and associated management plan.
<i>Morin</i> <i>Wayne</i>		Proposed a reservoir above Whitney Valley which would have made the North Fork of Burnt River a nice fishery, but was prevented from building because of elk calving grounds.	Balancing the needs of multiple human and wildlife needs can be complex.
<i>Morin</i> <i>Wayne</i>		The 7-day moving average calculations do not exhibit a trend as the time period is too short. Because time period is too short all streams should be de-listed for temperature.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Morin</i> <i>Wayne</i>	Powder Burnt River, North 32B-BUNF0	There isn't much that can be done about habitat modification due to the heavy run off in the spring. Therefore, the North Fork of the Burnt River should be de-listed.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification and Steam Function in "Responses to Commonly Asked Questions".
<i>Morin</i> <i>Wayne</i>	Powder China Creek 32B-CHIN0	South slope and air temperature controls the water temperature should be de-listed because of natural causes.	Please see response under Water Quality Standards, Temperature and Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Morin</i> <i>Wayne</i>	Powder Burnt River, North 32B-BUNF0	The North Fork of the Burnt River is almost dry during July 15 to September. Should be de-listed because of natural causes.	Please see response under Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Morin</i> <i>Wayne</i>	Powder Burnt River, North 32B-BUNF0	River should be de-listed for nutrients, due to natural causes.	The Decision Matrix status of this stream is "Needs Data" for nutrients and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on the 303(d) list for
<i>Morin</i> <i>Wayne</i>	Powder China Creek 32B-CHIN0	Mother nature controls the weather not much can be done about sedimentation, should be de-listed because of natural conditions. China Creek is a high runoff creek. Deep snow and fast runoff can cause a lot of stream bank damage, which is beyond anybody's control. Before the road was put up creek it was a nice fishing stream. It should be de-listed.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification and Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Morin</i> <i>Wayne</i>	Powder Burnt River, North 32B-BUNF0	Part of the North Fork of the Burnt River has unstable banks, therefore, erodes pretty bad during high water. Should be de-listed because of natural causes.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Morin</i> <i>Wayne</i>	Powder Geiser Creek 32B-GEISO	This stream has light soils which cause excess sediment. Sedimentation is from natural causes not humans or animals should be de-listed.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification and Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Morin</i> <i>Wayne</i>	Powder Geiser Creek 32B-GEISO	Geiser Creek is fed by springs and most of the stream has canopy over it. Should be meeting the standards so should be de-listed.	The Decision Matrix status of this stream is "OK" for temperature and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.
<i>Morin</i> <i>Wayne</i>	Powder Geiser Creek 32B-GEISO	This habitat modification is from natural causes, not from livestock damage so should be de-listed.	Determination of the sources of a water quality problem and the solutions will occur during the development of the TMDL and associated management plan. Also please see response under Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Morin</i> <i>Wayne</i>	Powder Burnt River, North 32B-BUNF0	River should be de-listed for Dissolved Oxygen because of the near 20 years of drought and floods.	The Decision Matrix status of this stream is "Needs Data" for dissolved oxygen and is not listed at this time as a 303(d) stream for these parameters. There have been some observations that these parameters may be causing a water quality concern, however, there is no supporting data, at this time, to back up the observations, therefore, the stream is not listed on
<i>Mullin</i> <i>Steve and Carolyn</i>		Frustrated by government intervention. Sees the 303(d) list as more interference with landowner rights.	Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Mullin</i> <i>Steve and Carolyn</i>	John Day Indian Creek 26B-INDI0	Indian Creek should be removed from the list and criteria adjusted for Eastside streams. Temperature readings from 1993 - 1996 were enclosed. High air temperatures (90-100's), fire in the watershed and low snow pack contribute to elevated water temperatures. All water in Indian Creek is in adjudicated water rights from middle summer on, no water reaches the John Day. Have not seen a salmon or Bull Trout in the Creek and the fish that	The segment of Indian Creek above river mile 3 has been removed from the list. Data showed the upper section was meeting the temperature criteria. Data also showed the hot springs was not affecting the temperature of the stream significantly.
<i>Mullin</i> <i>Steve and Carolyn</i>	John Day	They have adjudicated water right. Can they use it? What business of the government what he does with his water right. Indian Creek is completely appropriated, how do the standards apply?	Oregon's Water Resources Department administers water rights in Oregon an they should be consulted about water rights uses. Also, please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Mullin</i> <i>Steve and Carolyn</i>	John Day	They wanted to know why the Bull Trout now was considered valuable, it use to be considered a trash fish.	The Bull Trout may be considered by fishermen as a trash fish, but its value is more than just for fishing. Bull Trout is part of a unique cold water system, it and it's habitat are slowly disappearing, mainly due to anthropogenic changes to its habitat. The Bull Trout was declared a Threatened Species on June 10, 1988 for the Columbia and Klamath basins. The full justification can be found in the Federal Register Vol. 63, Section
<i>Mullin</i> <i>Steve and Carolyn</i>	John Day Indian Creek 26B-INDI3	Sent a letter in January. Live on Indian Creek which come through their ranch from wilderness above. Fire above will cause turbidity and temperature problems. Afraid that they will be held accountable for the problems caused by the fire. Plenty of cover on creek - trees and brush; in August, streams goes underground and should not be listed. Sending data (Extension service data). Water cold enough, can't keep hand in it.	The segment of Indian Creek above river mile 3 has been removed from the list. Data showed the upper section was meeting the temperature criteria. Data also showed the hot springs was not affecting the temperature of the stream significantly.
<i>Mullin</i> <i>Steve and Carolyn</i>	John Day	They are concerned about buffer strips - don't get compensation, where is it going to end up?	The types of activities which should be applied within a watershed will vary and will be discussed during the development of the TMDL and associated water quality management plan..
<i>Myers</i> <i>Ralph</i>		Concerned about the lack of coordination between Oregon and Idaho on schedules for boundary waters. Oregon's target for the Snake is 2007 and Idaho's target for the same segment is 2001. Oregon and Idaho should synchronize schedules.	Oregon will consult with Idaho and EPA on the timing and needs for addressing the development of a TMDL on the mainstem of the Snake River, given the resources available.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Myers Ralph</i>	Snake River	Idaho Power is concerned about prioritizing watersheds for TMDL's in a down stream progression. Rather than an up stream progression used in other sub-basins in the Snake system.	In Oregon's priority system sub-basins were prioritized based on factors other than the order of the progression up or down stream. Progression could be one of the factors considered in prioritizing watersheds within a sub-basin. At present Oregon's envisions completing the sub-basins to the Snake before the mainstem, however, if the opportunity presents itself for developing a TMDL earlier, Oregon will consider modifying the priority
<i>Myers Ralph</i>	Snake River Snake River	There is a discrepancy between text (priority 1) and shading (showing priority 2). In addition the Snake although listed as a priority 1 is not scheduled for a TMDL until 2007 which seem inconstant with its priority.	The intent of Oregon's priorities is to address the sub-basins bordering the Snake River first (under Oregon's priority system these are priority 2 and 3 sub-basins) and then to develop a Snake River TMDL. Although the Snake River is a number one priority resources, the complexity and the need to coordinate the TMDL between Idaho, Washington, Oregon and EPA necessitates addressing the TMDL at a later date.
<i>Naef Randy</i>	Willamette Willamette R 22--WILL026.7	Listing of segment based on Biological Criteria - Fish Skeletal Deformities is premature as it should be based on thorough and defensible data. The Tetra Tech Report indicates that there are many uncertainties surrounding the fish health data collected for squawfish and suckers that make it inappropriate to draw conclusions on the defined reaches and water quality conditions. Further study was recommended. A similar theme was noted in an ODFW memo. Segment should be listed as needing further data as requested in the proposed major rivers policy package.	The Tetra Tech study indicated that there were major limitations and uncertainties to the Fish Health Assessment that conclusions regarding the appropriateness of the defined river reaches and the water quality conditions could not be made but the study would serve as valuable reference data for future studies. The limitations included limited sucker and squawfish data with which to compare the results and to define the "normal" variation and the target species may not represent the environment in which they were captured (Tetra Tech, 8/95). Therefore, this data was not used for listing. As measured in a separate but related study - "Measurement of Fish Skeletal Deformities Study" (Tetra Tech, 8/95), the Department did list the Willamette River from the Calapooia River to the mouth under "Biological Criteria - Skeletal Fish Deformities" based on the increased incident of skeletal deformities as compared to reference sites. This met the listing criteria under biological criteria. The factors that cause the skeletal deformities are not known at this time and the Department is seeking additional funding for further study.
<i>Nawa Rich</i>	Rogue	He stated that there are currently no turbidity and sedimentation standards and no data is being collected. Contends the principle sediment and turbidity polluter in southwest Oregon is the forest service. Forest Service should work with DEQ to develop standards. Then sediment and turbidity should be monitored both on and off the national forest land.	DEQ does have water quality standards for both sedimentation and turbidity. A number of water bodies appear on the 303(d) list because of information and data showing a violation of either the sedimentation or turbidity standard. When a water body appears on the 303(d) list DEQ will work in conjunction with those in the watershed including the Forest Service to develop a TMDL and water quality management plan to address the
<i>Nawa Rich</i>	Rogue	People in the lower elevation private lands would have a chance of meeting the 64 °F standard if the water temperatures on forest service lands were lower. Although the rule does not allow for a stricter standard on forest service land the forest service should model temperatures on their land so they can reduce the temperature coming off forest service land as much as possible so private land owners would have a chance of meeting the stream	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Nawa Rich</i>	Rogue	Need to pay more attention to urbanization in Middle Rouge on decomposed granitics. Land clearing practices are putting sediment in streams which will result in low survival rates for salmon.	DEQ will keep this in mind as TMDLs and Water Quality Management Plans are developed.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Nelson David</i>		Standards are regarded as being inflexible and having the effect of assuming streams are polluted without enough data to justify that conclusion - for example Bull Trout streams listed at 50 degrees when 56-58 is sufficient for spawning. Concerned citizens with expertise in fish management and water temperatures are not encouraged to come forth. DEQ should take adequate time to develop reasonable and flexible guidelines to determine standards.	Please see response under Water Quality Standards, Beneficial Uses and Implementation in "Responses to Commonly Asked Questions".
<i>Orlando Cynthia</i>	North Coast Lewis and Clark River 11B-LEWI10	Provided preliminary findings of a two year baseline study indicating: pH is in borderline compliance with standard; dissolved oxygen percent saturation not in compliance with estuarine standard; and fecal coliform, while not meeting sampling frequency requirements, was not in compliance. Concerned that river was de-listed based on new standard.	DEQ bacteria data collected quarterly since 1992 at Stavebolt Lane (River Mile 12.7) shows some elevated fecal coliform values but no values over 400 and no E. coli values over 406. In sufficient samples were available to compare to the 30 day mean standard for either parameter. Tetra Tech's data was collected from one site on one day at three depths - the mean values for the three data points showed an exceedence of the fecal coliform standard but not the E. coli which is the current standard. The elevated values indicate a concern and the Department would encourage that more data be collected. Data does not indicate that the segment should be listed for bacteria. The dissolved oxygen criteria is complicated - data collected in the estuarine portion needs to meet a standard of 6.5 mg/l which is met with the exception of 1 value in the Fort Clatsop Data and except for 1 value in DEQ data. The standard for rearing areas in fresh water is 8.0 mg/l (or 90% saturation) and, in spawning areas during times of spawning, 11.0 mg/l (or 95% saturation) - these values are generally met, elevated salinity or specific conductance is a good guide for when to apply the estuarine standard vs the rearing standard. Based on the available data, this segment meets standards. The Department would be glad to discuss data collection
<i>Ostby Don</i>	Umpqua Umpqua River, North 13A-UMN	Total dissolved gas criteria is exceeded at Lemolo 2 Powerhouse.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby Don</i>	Umpqua Brownie Creek 13B-BROW0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby Don</i>	Umpqua Lake Creek 13A-LAKE0	This stream would not benefit from restoration efforts and would draw resources from other streams and should not be listed. Lake Creek is a naturally occurring warm stream whose temperature is determined by the outflow of surface was from the natural of 3000 acre Diamond Lake. The temperature decreases down gradient until it flows into Lemolo Reservoir. Riparian condition is good and accretion of cool ground water lowers water	Need to have written documentation from land management agency of lack of present and past anthropogenic activities in wilderness area (mining, grazing, logging activities). Also please see response under Water Quality Standards, Natural Conditions in "Responses to Commonly Asked
<i>Ostby Don</i>	Umpqua Watson Creek 13A-WATSO	Watson Creek tributary to the Clearwater River exceeds the water temperature spawning and emergence criteria for rainbow trout fry emergence in June.	Segments modified as per review of data by DEQ, USFS and Pacificorp.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ostby</i> <i>Don</i>	Umpqua Fish Creek 13A-FISH0	Fish Creek mouth to headwaters exceeds the water temperature spawning and emergence criteria for rainbow trout fry emergence in June.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Deer Creek 13A-DEER0	Deer Creek (diverted tributary to the North Umpqua above Toketee Lake) exceeds the water temperature spawning and emergence criteria for rainbow trout fry emergence in June.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, North 13A-UMN	Total dissolved gas criteria is exceeded on the North Umpqua River between Lemolo 2 powerhouse and Toketee Lake.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, North 13A-UMN	Total dissolved gas criteria is exceeded on the North Umpqua River below Slide Creek diversion.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Drew Creek 13B-DREW0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua Clearwater River 13A-CLEA0	Total dissolved gas criteria is exceeded on the Clearwater River above Toketee Lake.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, North 13A-UMN	Total dissolved gas criteria is exceeded at Crystal Springs Creek above Lemolo Reservoir.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, North 13A-UMN	Total dissolved gas criteria is exceeded at Lemolo 1 Powerhouse.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Joe Hall Creek 13B-JOEH0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua Flat Creek 13B-FLAT0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ostby</i> <i>Don</i>	Umpqua Callahan Creek 13B-CALL0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua 13B-	All tributaries to Elk Creek should be added for temperature from "mouth to headwaters".	All creeks where DEQ has data on the tributaries to Elk Creek have been evaluated for inclusion on the 303(d) list. If there is additional data available on the tributaries DEQ asks that the USFS submit it for review.
<i>Ostby</i> <i>Don</i>	Umpqua Francis Creek 13B-FRAN0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua Deadman Creek, East Fork 13B-DEEF0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua Slick Creek 13B-SLIC0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua Dismal Creek 13B-DISM0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua Applegate Creek 13B-APPL0	Should be added for temperature from "mouth to headwaters".	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua	Believes that efforts to improve water quality and beneficial uses through Water Quality Management and Restoration Plans should focus on streams where exceedences of the water quality criteria are due to management disturbance and not on streams with naturally occurring exceedences.	Please see response under Water Quality Standards and Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Ostby</i> <i>Don</i>	Umpqua City Creek 13A-CITY0	This stream would not benefit from restoration efforts and would draw resources from other streams and should not be listed. Creek has part of its watershed in a roadless area; less than 5 percent of the riparian area of fish-bearing streams has been harvested. Additionally, during most of the five year sample period the air temperature was above the 24 year average as were water temperatures. Boulder Creek Wilderness waters average 2 to	Need to have written documentation from land management agency of lack of present and past anthropogenic activities in wilderness area (mining, grazing, logging activities). Also please see response under Water Quality Standards, Natural Conditions in "Responses to Commonly Asked

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ostby</i> <i>Don</i>	Umpqua Castle Rock Creek 13A-CASR0	This stream would not benefit from restoration efforts and would draw resources from other streams and should not be listed. Flows almost wholly from the Rogue-Umpqua Divide Wilderness. Less than 6 percent of the two tributaries and non of the remaining watershed has been harvested. Additionally, large tributaries of Castle Rock Creek are near or exceed the salmond rearing standard for temperature. During most of the five year sample period the air temperature was above the 24 year average as were water temperatures. Boulder Creek Wilderness waters average 2 to 3°F	Need to have written documentation from land management agency of lack of present and past anthroprogenic activities in wilderness area (mining, grazing, logging activities). Also please see response under Water Quality Standards, Natural Conditions in "Responses to Commonly Asked
<i>Ostby</i> <i>Don</i>	Umpqua Quartz Creek 13B-QUAR0	This stream would not benefit from restoration efforts and would draw resources from other streams and should not be listed. Aerial photos of the stream show that riparian condition is good with no adjacent valley bottom road. Stream condition (large wood and channel morphology meets or exceeds measures of habitat needs. About 5 miles up stream from mouth, 7-day ave. max. temperature was 60.2. Watershed analysis due Oct. 1998.	Need to have written documentation from land management agency of lack of present and past anthroprogenic activities in wilderness area (mining, grazing, logging activities). Also please see response under Water Quality Standards, Natural Conditions in "Responses to Commonly Asked
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, North 13A-UMN76.7	The North Umpqua from Toketee Lake to Lemolo Dam exceeds the water temperature spawning and emergence criteria for rainbow trout fry emergence in June. (Warmest at Barkenberger Creek)	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Potter Creek	Habitat information	Modified 303d list as needed
<i>Ostby</i> <i>Don</i>	Umpqua Fish Creek 13A-FISH0	Fish Creek from mouth to Pine Creek exceed the salmonid rearing criteria for summer temperature.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, North 13A-UMPN	North Umpqua River from Slide Creek Powerhouse to Fish Creek Powerhouse exceed the salmonid rearing criteria for summer temperature.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, North 13A-UMPN	North Umpqua River from Rock Creek to Copeland Gage exceed the salmonid rearing criteria for summer temperature.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Clearwater Diversion 13A-CLED0	Clearwater Diversion reflects temperatures in the diversion canal not the Clearwater River and should be removed.	Segments modified as per review of data by DEQ, USFS and Pacificorp.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ostby</i> <i>Don</i>	Umpqua Horseheaven Creek 13A-HORS0	Add Horseheaven Creek to list for temperature in 1990 7-day avg. max temperature was 68°F.	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua Clearwater River 13A-CLEA0	Total dissolved gas criteria is exceeded at Clearwater 2 Powerhouse.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, North 13A-UMN	The pH criteria of 8.5 is exceeded on the North Umpqua between Lemolo 2 powerhouse and Toketee Lake.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, North 13A-UMN	Several diverted hydropower reaches experience water quality problems (dissolved oxygen, TDG, turbidity exceedences) during annual maintenance of powerhouses and canals, when water sits in forebays and is turned into or rediverted from river reaches.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Mowich Creek 13A-MOWI0	Mowich Creek tributary to the Clearwater at Clearwater 2 diversion dam exceeds the water temperature spawning and emergence criteria for rainbow trout fry emergence in June.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby</i> <i>Don</i>	Umpqua Slide Creek	Insufficient data comment	Modified 303d list as needed
<i>Ostby</i> <i>Don</i>	Umpqua North Umpqua River	Flow, Habitat, Biological Criteria, Temperature, Dissolved Gases information	Modified 303d list as needed
<i>Ostby</i> <i>Don</i>	Umpqua Umpqua River, South Black Rock Fork 13A-UMSB0	Add temperature, summer mouth to headwaters.	Stream is already included in the draft 1998 303(d) list citing this information.
<i>Ostby</i> <i>Don</i>	Umpqua Fish Creek	Dissolved Oxygen, habitat and temperature information	Modified 303d list as needed

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ostby Don</i>	Umpqua Umpqua River, North 13A-UMN	The North Umpqua from Soda Springs Reservoir to Fish Creek Powerhouse exceeds the water temperature spawning and emergence criteria for rainbow trout fry emergence in June.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby Don</i>	Umpqua Buckeye Creek 13B-BUCK0	Should be changed from "mouth to headwaters" to "mouth to above Coyote Creek", approximately 2.2 miles upstream.	Stream has already been modified in the draft 1998 303(d) list citing this information.
<i>Ostby Don</i>	Umpqua Umpqua River, North 13A-UMN	The North Umpqua from Rock Creek to Soda Springs Reservoir exceeds the water temperature spawning and emergence criteria for rainbow trout fry emergence in June.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Ostby Don</i>	Umpqua Deer Creek	Flow and Habitat information	Modified 303d list as needed
<i>Ostby Don</i>	Umpqua Clearwater River	Flow and Habitat information	Modified 303d list as needed
<i>Ostby Don</i>	Umpqua Lake Creek	Biological Criteria information	Modified 303d list as needed
<i>Ostby Don</i>	Willamette Sharps Creek 22C-SHAR0	Sharps Creek above Martin Creek to Fairview Creek was 62.7°F in 1997 and this segment should be de-listed. Segment should be from mouth to Martin Creek.	DEQ agrees segment was modified.
<i>Otley Allan and Jennie</i>	Malheur Lake Riddle Creek 41A-RIDDO	Very little data has been compiled from Riddle Creek and temperature reading were not taken seven consecutive days during July. Many streams, such as narrow, slow moving streams during hot summer months on the high desert, do not meet standards because of natural conditions. DEQ must work with water users to correct any true water quality problems allowing the user to correct the problem before any penalty is issued.	The listing for Riddle Creek was based on BLM Data (3 Sites: Lower, 29S-34E-8nsw; Middle, 29S-34E-22nwse; and Upper, 30S-35E-31nesw) which indicated that the 7 day average of daily maximums of 71.0; 69.1; and 74.5 exceeded temperature standard (64) in 1995. Data was collected from 7/21/95 at the upper site and 8/8/95 at the other two sites through late September. Please see response under Water Quality Standards, Steam Function Existing Authorities and Implementation in "Responses to
<i>Pampush Andy</i>	North Coast / Lower Nestucca River 11E-NEST0	Since the late 1980 the BLM and U.S. Forest Service have endeavored to improve water quality throughout the Nestucca River watershed. Management plans have been developed and implemented which have dramatically changed the management direction in the forest.	Management plans to improve water quality already developed and being implemented should be continued. It is envisioned that current management plans will be reviewed and appropriate components incorporated into Total Maximum Daily Loads (TMDL's) and water quality management plans as they are developed to address a waterbody's water quality limited status.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Patterson H. Wade</i>		Interested in knowing temperature criteria for designating a stream as WQL.	Criteria is outline in the front of the 303 (d) list.
<i>Petersen Philip</i>	Malheur Lake Silver Creek 41D-SILV27	Questions the data that has been collected in the Silver Creek drainage because of the "agenda" of many of the people involved in Ballot Measure 38. State and Federal governments could accomplish more by cooperating with private land owners than by developing oppressive rules and regulations. They use the same irrigation methods as used by the wildlife preserve at the other end of the creek but do not allow the plant life to decay and stagnate. If cattle operations become unprofitable, land will become less pristine as it is subdivided with resultant concrete and asphalt.	Silver Creek from the Moon Reservoir to headwaters was listed based on Bureau of Land Management and U.S. Forest Service Data collected at four separate sites: BLM Data (3 sites: below Sawmill Cr, 21S-26E-20nwse; below Claw Cr, 21S-26E-31swnw; below Nicoll Cr, 22S-25E-12se): 7 day average of daily maximums of: 73.9 (1995) and 75.2 (1996) with 47 7-day periods below Sawmill, 79.6 (1996) with 56 7-day periods below Claw, and 77.8 (1996) with 49 7-day periods below Nicoll exceeded temperature standard (64); USFS Data (Site 1.5 miles above FS Boundary): 63/97 days above former standard (68) in 91/92 respectively. Please see response under Steam Function and Implementation in "Responses to Commonly
<i>Peterson Everett</i>	Umpqua Deer Creek 13B-DEERO	Submitted data on Deer Creek located in Roseburg for evaluation for listing.	Deer Creek is on the 94/96 303(d) list for Dissolved Oxygen (Salmonid spawning: September through March), Temperature - Summer and Bacteria. Data supplied included pH, specific conductance, temperature and dissolved oxygen and observations collected on 8/18/95 which would not change the listing. The Department encourages local efforts for monitoring streams and will be glad to work with the Little River Committee to help insure that
<i>Power Laurie</i>	Willamette McKenzie	Feel that it is inappropriate to apply the Bull Trout standard to the entire mainstem from Ritchie Creek to Clear Lake. The 50 degree standard is based on preferred temperatures for the most temperature-sensitive bull trout life stages of spawning, incubation and early rearing and should be applied to those areas. Adult bull trout can tolerate and are found in waters that have higher temperatures. EWEB understands that a review of the bull trout standard is planned and supports the development of a revised standard that accounts for varied temperature tolerances of different life stages. Believes that lower segment listed is too long based on 1996 DEQ sampling which shows that site at RM 24.2 meets the standard and seeks clarification of which standard was applied. EWEB is concerned on how year to year variation were factored in as site at Walterville Gage exceeds in 1992 but not in 1993 and suggests a more rigorous process in evaluating sufficiency of data in making determinations. Provided information regarding spawning in the lower McKenzie for future reference in applying the spawning	Currently the Bull Trout Standard does not have different temperature criteria for different life stages. The 50 degree criteria applies to waters that support or are necessary to maintain the viability of native Oregon bull trout - Bull Trout have been observed in the McKenzie River from the South Fork down to Trout Creek. The McKenzie River has been segmented at Leaburg Dam to better reflect hydrologic changes in the McKenzie River. The Department realizes that there is interest and additional information that may support further refinement of the temperature standard for Bull Trout which would establish a different numeric criteria for different life stages. DEQ will review this information in the next standards review. Modifications to the listing would be made if there is a revision to the standard.
<i>Rauch Chris</i>		Temperature guidelines are way out of line. Message send by E-mail was not complete and the Department has requested additional comment.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Reed David</i>		Believe that standards are unrealistic and trying to achieve "perfect" conditions will destroy many people's livelihood.	Please see response under Water Quality Standards, Steam Function and Implementation in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Rees</i> <i>Elaine</i>		Concerned that DEQ will accept data from farmers and ranchers which may not be properly quality assured. Wants to know where comments can be reviewed.	No site specific action requested. Please see response under Data Used for Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions". Comments will be provided to those who commented during the public comment period and to anyone else who requests a copy.
<i>Reynolds</i> <i>Dennis</i>	John Day	Need to look at Clean Water Act as it applies to navigable waters - not all the streams listed are navigable	Please see response under Waters of the State/Nation in "Responses to Commonly Asked Questions".
<i>Reynolds</i> <i>Dennis</i>	John Day	Will property owners be responsible for pollution that comes on to their lands?	For non-point sources of pollution TMDLs will be focused on water quality at a watershed level rather than on individual land owners. Evaluation of water quality conditions will be on a watershed basis. Management plans which will focus on management practices and activities that if implemented would benefit water quality. A land owner would only need to address activities on their own lands. Also please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Reynolds</i> <i>Dennis</i>	John Day	DEQ needs to look at the OSU study on temperature in the Upper John Day, has been actively involved in setting up this study as chairman of the committee. Study of 21 class one streams using Hobos and coordinated with a variety of agencies. Focused on temperature but had interest in flow and	DEQ has reviewed this study.
<i>Reynolds</i> <i>Dennis</i>	John Day Indian Creek 26B-INDI3	He believes that Indian Creek (26B-INDI0) is unusual (pg. 25 of OSU study). Hot Springs on Ray Brothers Ranch on upper end of stream. Salmon not in Indian Creek.	The segment of Indian Creek above river mile 3 has been removed from the list. Data showed the upper section was meeting the temperature criteria. Data also showed the hot springs was not affecting the temperature of the stream significantly.
<i>Reynolds</i> <i>Dennis</i>	John Day	Disagree with approach to TMDL (10 steps identified) - a plan would need to be written by ODA or ODF, concerned about affect on local citizens. State should have burden of proof of water quality problems.	Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Reynolds</i> <i>Dennis</i>	John Day	Need to have a consistent method to measuring parameters.	Please see response under Data Used in Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions".
<i>Reynolds</i> <i>Dennis</i>	John Day Call Creek 26B-CALL0	Call Creek had a 3 degree variation across the cross section. Call Creek was not listed. Hot Springs along a number of the Strawberry streams could be responsible for them being listed.	OSU Data showed that Call Creek meet the temperature criteria for Bull Trout (50°F). Therefore, would not be listed. In 1993, 7 day ave. max was 49.6°F.
<i>Reynolds</i> <i>Dennis</i>	John Day Reynolds Creek 26B-REYN0	Reynolds Creek (26B-REYN0) has only two miles of private land - only those two miles were listed. Monitoring site was about 1 mile from mouth - there is not a substantial reason to believe that a problem occurs in the mile upstream. It is inappropriate to list this segment or it should be list all the way to headwaters similar to Deardorf Creek	After review of data DEQ agrees the segment should be from mouth to headwaters.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Rilling Hans</i>	Rogue Illinois River 15E-ILLI32.5	Submitted continuous temperature monitoring data and other water data	7-day average of daily maximums were 79.0 and 80.0 at two sites monitored which exceeded temperature standard (64).
<i>Rilling Hans</i>	Rogue Rough and Ready 15E-ROUG0	Submitted continuous temperature monitoring data and other water data	7-day average of daily maximums was 79.7 at site monitored which exceeded temperature standard (64), other parameters met standard except for one pH value of 8.61 exceeded pH standard (8.5) but did not meet listing criteria (a minimum of two exceedences).
<i>Rilling Hans</i>	Rogue South Fork Rough and Ready Creek 15E-ROSF0	Submitted continuous temperature monitoring data and other water data	7-day average of daily maximums was 74.7 at site monitored which exceeded temperature standard (64).
<i>Rilling Hans</i>	Rogue East Fork Illinois 15E-ILEF0	Submitted continuous temperature monitoring data and other water data	7-day average of daily maximums was 72.0 at site monitored which exceeded temperature standard (64).
<i>Rilling Hans</i>	Rogue Illinois River 15E-ILLI0	Submitted continuous temperature monitoring data and other water data	7-day average of daily maximums were 80.0 and 75.0 at two sites monitored which exceeded temperature standard (64).
<i>Rilling Hans</i>	Rogue Sucker Creek 15E-SUCK0	Submitted continuous temperature monitoring data and other water data	7-day average of daily maximums were 64.0, 72.0 and 71.0 at three sites monitored which exceeded temperature standard (64).
<i>Rilling Hans</i>	Rogue Grayback Creek 15E-GRAY0	Submitted continuous temperature monitoring data and other water data	7-day average of daily maximums were 55.0 and 59.0 at two sites monitored which met temperature standard.
<i>Roach John</i>	Rogue Sand Creek	Concerned about Sand Creek a possible steelhead stream, its not listed in Middle Rogue Watershed should be monitored for temperature. Private ownership and development dominate creek and there is a forgotten culverted irrigation canal	DEQ does not have any data on this stream at this time.
<i>Roach Steven</i>		Concerned about erosion and development of property, especially on hillsides. Development is uncontrolled creating erosion which puts sediment in streams resulting in fish being killed and pollutes drinking water. Should stabilize sites as they are developed. Also concerned about maintenance of irrigation ditches and sending sediment to river. Not enough riparian zone left as part of developments (1 foot) not enough to keep the banks	Oregon's cities, counties and state Land Conservation and Development Commission are responsible for development within the state. If there is data or other analysis that indicates a sedimentation problem in a water body DEQ would list the water body in the 303(d) list, however, the list does not identify the cause of water quality listing. Addressing the sedimentation issues would be handled through the development of a TMDL and corresponding water quality management plan.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Robotcek John</i>		Concerned that DEQ proposed the list before asking for comments and now is the process of defending the list. Feels that many streams listed did not meet temperature standard and never will. DEQ should start over and list only those water bodies with an identifiable problem that offers a reasonable	No site specific action requested. See the listing process overview at the start of the list for background on the listing process. Please see response under Water Quality Standards, Temperature and Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Robison E. George</i>		Concerned about using stream habitat survey data in comparison with Oregon Benchmark values for both habitat modification and sedimentation. Oregon Benchmark values are not water quality standards. They represent a desired future condition that over time Oregon hopes to achieve in a certain percentage of streams (not 100%). The Oregon Department of Fish and Wildlife benchmarks (as does PAC Fish or IN Fish benchmarks) represent a range of values that are considered optimum or desirable for fish habitat. There is a range of natural variation that would cause some streams not to achieve the desired condition. In contrast water quality standards demand compliance unless natural conditions are demonstrated that makes this impossible or TMDL's or equivalents have been established. For these reasons streams listed using the benchmarks should be removed from the list.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Robison E. George</i>		Stream Habitat survey data is not suited for water quality indicators. It is a well known fact that stream habitat survey data lack precision and are very prone to observer bias. These surveys have low repeatability and high inability to measure true differences between reaches. Water-bodies listed based on parameters such as percent pools and percent fines should be removed from the 1998 202(d) list. (Pebble count methods are known to have better precision than simple aerial estimates.)	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Robison E. George</i>		As a policy the use of stream surveys data to list streams on the 303(d) list in essence punishes landowners that have cooperated in the past. There is a sever and justified concern that using stream surveys to list streams on the 303(d) list will severely hamper voluntary permission to do surveys in the future, and therefore, should not be used to do 303(d) listings.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Robison E. George</i>		Concerned about using various federal watershed analyses when water quality impaired designations are due to commentary within the watershed analysis itself based on visual or anecdotal information instead of data. Often times these analyses are put together under tight time frames and the analysts make judgment calls lacking data in pointing out areas of potential concern. Because of the above reasoning, streams using federal watershed analysis and stream habitat survey data should be remove from the list.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
Ross Gordon	South Coast Coos Bay	Concerned that many streams are being listed for temperature and sediment without sufficient information. If Best Management Practices are being followed you may or may not be able to find a measurable effect different than background water quality. He notes that sedimentation is a natural process. He also notes that as long as people are working through the watershed councils who are addressing water quality issues that there is no inherent advantage to the environment from being on the list. The Department should not list a Water body unless there is good evidence that human activities are having a detrimental effect on water quality. Coos County remains committed to improving water quality through a	Please see response under Water Quality Standards, Temperature and Sedimentation and Habitat Modification and Implementation in "Responses to Commonly Asked Questions".
Ross Gordon	South Coast Coos Bay	Requested that Upper Coos Bay be shifted to "Water Body of Concern" List based on presence of Shellfish Management Plan. Also concerned that 55 degree temperature on spawning streams may not take into account natural conditions	Upper Coos Bay could be removed from the list based on: an approved management plan (the Shellfish Management Plan provides a good start for that management plan, see NPS TMDL guidance for requirements), achieving water quality standards or through a modification of standard (such as air temperature exclusion in the water temperature standard). The Department believes that the development and implementation of a management plan to address bacterial sources is the first step to take and recognizes that the Coos Bay area has been implementing a number of
Ross Pat		The stream needs to be accurately documented that the existing stream conditions are detrimental to the fish. As any fisherman knows the fish migrate up and down the course of a stream seeking the most desirable area, depending on the time of day and season of year. Therefore, a census of fish population at any given point at a given time can in no way be	Please see response under Steam Function and Beneficial Uses in "Responses to Commonly Asked Questions".
Ross Pat		It is impossible to determine long term trends with data obtained over extremely short periods of time.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
Ross Pat		It is highly impractical with global warming, changing weather patterns, flooding, dry years, natural warm springs and varying daily and yearly atmospheric temperatures to determine the historic patterns of temperatures in the streams.	Water quality standards are set to protect the designated beneficial uses of a water body and are not based on the historic patterns of a water body. Also please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
Ross Pat		Need to focus the resources of government away from this area's perceived problems to the real problems in the inter-city.	Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
Ross Pat	Powder Burnt River, South 32B-BUSF0	A good clear stream with fish, no reason to be on the list please remove.	The South Fork of the Burnt River is not on the 1998 303(d) list. The river is within criteria for temperature, there have been some observations that flow and habitat modification may be a concern, however, there is no supporting data to back up the observation at this time and the stream is not listed on the 303(d) list for either of these parameters.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ross</i> <i>Pat</i>	Powder Dixie Creek, South 32B-DISF0	Do not know of any Dixie Creek on the South Fork should not be listed.	The South Fork of Dixie Creek is in the lower Burnt River basin. Additionally, the South Fork of Dixie Creek is not on the 1998 303(d) list. There have been some observations that temperature, dissolved oxygen, sedimentation and habitat modification may be a concern, however, there is no supporting data to back up the observations at this time, therefore, the stream is not listed on the 303(d) list for any of these parameters.
<i>Rowe</i> <i>Blake</i>		Believe that the 303(d) list includes streams that should not be placed on the 303(d) list because listing decisions were based upon: 1) listing criteria for water quality parameters that have not been properly adopted by rule; 2) criteria that are technically unsound; and 3) parameters like "biological criteria, habitat modification, and flow modification" that cannot be handled through TMDL's. Any streams placed on the 303(d) list based on these factors should be removed. Also cited Oregon Forest Industries	Please see response under Water Quality Standards in "Responses to Commonly Asked Questions".
<i>Russell</i> <i>William</i>	South Coast Ferry Creek	Ferry Creek is our municipal water supply, it deserves a higher indication of concern.	Based on DEQ data collected between 1988 - 1992, Ferry Creek met standards for DO, pH and bacteria. No additional data was submitted for evaluation for listing.
<i>Saunders</i> <i>Lynora</i>	Willamette Lake Oswego 22P.OSWE	Request that Lake Oswego be added to the list as it appears very polluted.	A TMDL was developed and approved for Lake Oswego on 1/27/94. The TMDL covers Algae, Dissolved Oxygen, Nutrients (Phosphorus) and pH. DEQ continues to track water quality limited streams who have had TMDLs approved for them, but removes them from the 303(d) list.
<i>Saunders</i> <i>Lynora</i>	Willamette 22P-TRYO0	Request that Tryon Creek be tested for a number of pesticides.	DEQ will keep you request in mind as future monitoring plans are developed and implemented.
<i>Schab</i> <i>Rob</i>	South Coast Pony Creek 14A-PONY0	The data utilized for this listing was very limited and is quite dated (June 1983). Since this data was collected significant improvements have been made in the sanitary systems. The Water Board will be working with the Coos Watershed Association to provide data to determine the applicability of Pony Creek's continued listing.	DEQ would welcome more up to date information on bacteria and encourage the Water Board to move ahead with their monitoring effort. DEQ recommends contacting one of our monitoring or basin coordinators to assist the Board and Association with the development of a monitoring
<i>Shrier</i> <i>Frank</i>	Hood Hood River 24A-HOOD1.3	It is premature to conclude that the Hood River is water quality limited for pH or that a total maximum daily load (TMDL) determination for pH is warranted. Although the data meets the general data requirements for pH, the proposed listing is based on approximately nine days of hourly pH measurements in early June. The combination of reduced water clarity and nutrient loadings may limit algal growth and therefore, pH exceedences to late spring and early summer. Given the spatially and temporally limited evidence of pH exceedences and the complex interaction of factors that produce high pH levels more data is needed to determine whether this	Further data is need to determine whether this data is an anomaly . Segment will remain on the 303(d) list until other data demonstrates that this data is an anomaly or the development of the TMDL shows that the listing is not warranted.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Shrier</i> <i>Frank</i>	Umpqua Mowich Creek 13A-MOWI0	Mouth: Temperature data collected in Mowich Creek exceeded the 12.8 °C salmon spawning temperature criteria in September 1994 and 1997.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN	All 7 day ave. max. temperature data collected for the downstream end of the Toketee bypass reach and the upstream end of the Slide Creek bypass reach were less than 17.8 °C salmon rearing temperature criteria.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN	Non of the temperature data collected upstream of the Fish Creek Powerhouse exceeded the 17.8 °C salmon rearing temperature criteria.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Watson Creek 13A-MOWI0	Temperature data collected below Watson Falls exceeded the 12.8 °C salmon spawning temperature criteria in September 1993.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Boulder Creek 13A-BOUL0	Mouth: Temperature data collected in Boulder Creek exceeded the 12.8 °C salmon spawning temperature criteria in June and September of 1992, 1993, 1994 and 1997.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Slide Creek 13A-SLID0	Mouth: Temperature data collected in Slide Creek exceeded the 12.8 °C salmon spawning temperature criteria in May 1994 and in June 1994 and 1997.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Deer Creek 13A-DEER0	Mouth: Temperature data collected in Deer Creek exceeded the 12.8 °C salmon spawning temperature criteria in June 1995 and 1997.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Lake Creek 13A-LAKE0	Lemolo Lake to Diamond Lake: Temperature data collected in Lake Creek exceeded the 12.8 °C salmon spawning temperature criteria.	This stream is currently listed on the draft 303(d) list for temperature, the additional data presented indicates it should continue to be listed for this parameter and will remain on the list.
<i>Shrier</i> <i>Frank</i>	Umpqua Fish Creek 13A-FISH0	Thermograph data collected throughout Fish Creek exceeded the 12.8 °C salmon spawning temperature criteria.	This stream is currently listed on the draft 303(d) list for temperature, the additional data presented indicates it should continue to be listed for this parameter and will remain on the list.
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN	Soda Springs Powerhouse to Rock Creek: Data analysis for four sites downstream of the Soda Springs Powerhouse indicates that the reach from Soda Springs Powerhouse to the Rock Creek confluence should be added to the 303(d) list for exceedences of the 12.8 °C salmon spawning temperature	Segments modified as per review of data by DEQ, USFS and Pacificorp.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN	Temperature data collected at and immediately downstream of the Fish Creek Powerhouse exceeded the 17.8 °C salmon rearing temperature criteria in July, August and September 1994.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN	Rock Creek to 3 miles upstream of Steamboat Creek: None of the 7 day ave. max. temperature data for the USGS gage above Copeland Creek exceeded the 17.8 °C salmon rearing temperature criteria. At Mott Bridge (upstream of Steamboat Creek) the 7-day ave. max, temperatures exceeded 17.8 °C in July 1992 and 1994. Below Steam Boat Creek temperature criteria was exceeded in July and August of 1992 and 1994. Above Rock Creek temperatures exceeded criteria in July and August 1992 and 1994.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN69.6	Soda Springs Powerhouse to Lemolo Lake: No exceedences of the 12.8 °C salmon spawning temperature criteria occurred at either end of the Toketee bypass reach; therefore; the Toketee bypass reach should be removed from the 303(d) list. Most exceedences occurred in drought years 1992 and	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Clearwater River 13A-CLED0	Between Clearwater Powerhouse No. 1 and No. 2: it is inappropriate to use the 20.8 °C 7-day ave. max. temperature reported for the canal inflow to the Clearwater No. 2 forebay as the basis for an exceedence. The thermograph was sitting in less than 1 foot of stagnant water in the canal because maintenance activities had resulted in no flow in the canal.	DEQ agrees, segment removed from list.
<i>Shrier</i> <i>Frank</i>	Umpqua Clearwater River 13A-CLEA0	None of the 7-day ave. max. temperatures exceeded the 17.8 °C salmon rearing temperature criteria.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Fish Creek 13A-FISH0	None of the 7-day ave. max. temperatures exceeded the 17.8 °C salmon rearing temperature criteria upstream of PacifiCorp's dam. The upstream end of Fish Creek bypass reach exceeded the temperature criteria in July of 1992 and 1994 and August 1992. The downstream end of the Fish Creek bypass reach exceeded the 17.8 °C salmon rearing temperature criteria in July and August 1992, 1994 and 1997 and August 1993.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Lake Creek 13A-LAKE0	Lemolo Lake to Diamond Lake: 7-day ave. max. temperatures exceeded the 17.8 °C salmon rearing temperature criteria below Diamond Lake in July and August 1992 and 1994; and June, July, August and September in 1995, 1996 and 1997; Below Sheep Creek in July and August 1997; At Highway 138 in July 1995 and in July and August 1996; and Upstream of Lemolo Lake in June 1994 and in July and August 1994 and 1997.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Deer Creek 13A-DEER0	No 7-day ave. max temperatures for Deer Creek exceeded 17.8 °C.	Segments modified as per review of data by DEQ, USFS and Pacificorp.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Shrier</i> <i>Frank</i>	Umpqua Slide Creek 13A-SLID0	Slide Creek near mouth exceeded the 7-day ave. max temperature of 17.8 °C in July 1994 and 1997 and in August 1997.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN	Lemolo No. 2 Powerhouse to Toketee Lake: 26% of the pH measurements made during July 29 to Aug. 4 1994 exceeded 8.5 and 12% during July 24 to Aug. 1, 1995.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Lemolo Lake 13A.LEMO	Reservoir: During August in 1992 and 1993 pH exceeded 8.5 in the upper 6 meters of the lake. All pH measurements during August 11 and 12 1993 exceeded 8.5	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Steamboat Creek 13A-STEAO	37% of the pH measurements near the mouth during August 9 to 11, 1994 exceeded 8.5.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN	Immediately Downstream of the Lemolo No. 1 Powerhouse: 22% Total Dissolved Gas (TDG) measurements exceeded the 110% criteria and 99% during the diel study, however, non of the 22 measurements made one-quarter mile downstream of the powerhouse exceeded 105%.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN	Temperature data collected at the downstream end of the Slide Creek bypass reach 7 day avg. max. exceeded the 17.8 °C salmon rearing temperature criteria in July of 1992 and 1994 and August 1992.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Fish Creek 13A-FISH0	Mouth to PPI Diversion: This reach should be removed from the draft list for dissolved oxygen because, for the downstream end only one measurement exceeded the dissolved oxygen criteria and all measurements up stream met the criteria.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Deer Creek 13A-DEER0	PacifiCorp urges the Department to delete the proposed listing for flow modification because (1) the Oregon Environmental Commission has not adopted the criteria for these listings by rule as Oregon law requires and (2) TMDLs cannot be developed for these parameters.	Please see response under Water Quality Standards, Flow Modification in "Responses to Commonly Asked Questions".
<i>Shrier</i> <i>Frank</i>	Umpqua Clearwater River 13A-CLEA0	None of the Clearwater River thermograph data exceeded the 12.8 °C salmon spawning temperature criteria during the applicable periods.	The Decision Matrix status of this stream is "OK" for temperature and is not listed as a 303(d) stream for these parameters. "OK" means that the available data shows that the stream is meeting water quality criteria for these parameters.
<i>Shrier</i> <i>Frank</i>	Umpqua Potter Creek 13A-POTT0	PacifiCorp urges the Department to delete the proposed listing for biological criteria and habitat modification because (1) the Oregon Environmental Commission has not adopted the criteria for these listings by rule as Oregon law requires and (2) TMDLs cannot be developed for	Please see response under Water Quality Standards, Biological Criteria in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Shrier Frank</i>	Umpqua Umpqua River, North	In order to address the water quality criteria for dissolved oxygen and temperature which are based in part on fish periodicity, PacifiCorp consulted with the Oregon Department of Fish and Wildlife and agreed upon fish periodicity for reaches of the North Umpqua River, Clear River and Fish Creek that may be affected by PacifiCorp's hydroelectric project.	DEQ used the same fish periodicity when evaluating the PacifiCorp data. Segments modified as per review of data by DEQ, USFS and PacifiCorp.
<i>Shrier Frank</i>	Umpqua Umpqua River, North 13A-UMN	Toketee Lake to Lemolo No. 2 Powerhouse: 35% Total Dissolved Gas (TDG) measurements exceeded the 110% criteria, 71% upstream of Toketee Lake exceeded 105% and 61% during the diel study at Lemolo No. 2 Powerhouse tailrace exceeded the 110% criteria and all measurements made one-quarter mile downstream of Lemolo No. 2 exceeded 105% both were inversely related to power generation.	Segments modified as per review of data by DEQ, USFS and PacifiCorp.
<i>Shrier Frank</i>	Umpqua Umpqua River, North 13A-UMN67	Copeland Creek to Lemolo Lake: Data analyzed by PacifiCorp does not support including this entire reach on the 303(d) list. Listing should be immediately downstream of the Lemolo No. 2 powerhouse only.	Segments modified as per review of data by DEQ, USFS and PacifiCorp.
<i>Shrier Frank</i>	Umpqua Umpqua River, North 13A-UMN67	Immediately downstream of the Lemolo No. 2 Powerhouse: Measurements at the downstream end of the Lemolo No. 2 bypass reach were erratic in mid-November 1995 and in late November 1995 a second deployment did not support the assumption that the low values were representative. and	Segments modified as per review of data by DEQ, USFS and PacifiCorp.
<i>Shrier Frank</i>	Umpqua Clearwater River 13A-CLEA	Mouth to Watson Creek: 13% Total Dissolved Gas (TDG) measurements exceeded the 105% at the bypass, no TDG measurements exceeded 105 at upstream end of Totktee bypass.	Segments modified as per review of data by DEQ, USFS and PacifiCorp.
<i>Shrier Frank</i>	Umpqua Clearwater River 13A-CLEW0	Mouth to Diversion Structure: This reach should be removed from the draft list for dissolved oxygen because only one of 14 measurements at the downstream end of Clearwater NO. 1 bypass did not meet the DO spawning criteria and none of the measurements at Clearwater NO. 2 bypass reach were less than the salmond spawning criteria.	Segments modified as per review of data by DEQ, USFS and PacifiCorp.
<i>Shrier Frank</i>	Umpqua Umpqua River, North 13A-UMN	Immediately Downstream of Clearwater No. 2 Powerhouse: 67% Total Dissolved Gas (TDG) measurements exceeded the 110% criteria and all during the diel study.	Segments modified as per review of data by DEQ, USFS and PacifiCorp.
<i>Shrier Frank</i>	Umpqua Umpqua River, North 13A-UMN76.7	Toketee Lake to Lemolo Lake: PacifiCorp urges the Department to delete the proposed listing for habitat modification because (1) the Oregon Environmental Commission has not adopted the criteria for these listings by rule as Oregon law requires and (2) TMDLs cannot be developed for	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Shrier Frank</i>	Umpqua Umpqua River, North 13A-UMN	Upstream of Lemolo Lake: Although 41% of dissolved oxygen measurements made in July exceeded the DO measurements. evaluation indicated the probe had drifted by .4 mg/L however, the DO membrane may have been fouled. Recommends that this reach not be listed on the 303(d)	Segments modified as per review of data by DEQ, USFS and PacifiCorp.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN	Slide Creek Powerhouse to Fish Creek: Nine (15%) of the DO measurements for the downstream end of the Slide Creek bypass reach did not meet the cold water DO criteria prior to the upramp. All the measurements for the upstream end of the bypass reach met the DO criteria.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Clearwater River 13A-CLEW0	Immediately Downstream of the Clearwater No. 1 Dam: 11% of the DO measurements for mid-August 1995 study at the beginning of the maintenance event did not meet the cold water criteria, while all measurements for the downstream end of the bypass reach met the DO	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Fish Creek 13A-FISH0	Mouth: In early August 1995 at the end of a maintenance event 32% of the DO measurements for the downstream end of the Fish Creek bypass reach did not meet the cold water criteria.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Steamboat Creek 13A-STEAO	Mouth: 51% of DO measurements for study in August 1994 did not meet the cold water criteria.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Shrier</i> <i>Frank</i>	Umpqua Lemolo Lake 13A.LEMO	The draft lists Lemolo Lake as water quality limited for both "aquatic weeds or algae" and pH. Both parameters are related to excessive pH levels due to the presence of algae. Apart from the excessive pH levels no adverse effects of the type identified in the narrative criterion for "aquatic weeds or algae" are described. Therefore, Lemolo Lake should only be listed as water	The criteria for Aquatic Weeds and Algae states " Documented evidence that algae is causing other standard exceedences (e.g. pH or dissolved oxygen) or is impairing a beneficial use." Algae blooms have been documented on the lake and there are pH problems in the lake connected with the algae blooms this is sufficient to meet the criteria for listing.
<i>Shrier</i> <i>Frank</i>	Umpqua Umpqua River, North 13A-UMN67	Slide Creek Powerhouse to Fish Creek: Based on the results of water quality studies, PacifiCorp believes it is appropriate to only include the reach from the downstream end of the Slide Creek bypass to Fish Creek on the 303(d) list. All of the DO measurements in the Slide Creek bypass reach downstream of the Fish Creek confluence in May 1996 met the DO criteria.	Segments modified as per review of data by DEQ, USFS and Pacificorp.
<i>Skalski</i> <i>Susan</i>	Deschutes Lookout Creek 25F-LOOK0	Based on provided data request that stream segment be changed from mouth to headwater to mouth to River Mile 1.5	Data submitted shows stream meets 64 °F temperature criteria above FS Road 4220. Segment split: Mouth to FS Road 4220 will continue to be listed for water temperature; FS Road 4220 to headwaters will be removed from the 303(d) list.
<i>Skinner</i> <i>Robert</i>	Owyhee Jordan Creek 34E-JORD0	Should not list stream for mercury because of "historical use" by miners at beginning of century. Additionally, stream originates in a natural cinnabar deposit. Problem originates in a different state.	The 303(d) list does not identify the causes of a water quality problem just that there is one. During the development of a Water Quality Management Plan there will be a determination made as to whether there is anything that can be done to address the historic mining issues. Oregon will need to work with both Idaho and EPA to address the water quality issues for the stream. Also please see response under Listing and De-listing Methodology Issues and Historical or Legacy Uses in "Responses to Commonly Asked

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Sohn Rick</i>	Umpqua Brush Creek 13C-BRUS0	Request Brush Creek be removed from the 303(d) list because of demonstrated natural conditions which exceed the temperature standard. (Data provided).	Cannot declare water body as being influenced only by natural conditions. The watershed is a managed system having many past and present anthropogenic influences. The types of management practices now being practiced and the amount of data available will be beneficial in determining the TMDL and developing the associated water quality management plan.
<i>South Santiam Watershed</i>		The proposed listings do not take into account deep pools and cooler tributaries which might act as cold water refugia for fish.	Please see response under Water Quality Standards, Temperature and Stream Function in "Responses to Commonly Asked Questions".
<i>South Santiam Watershed</i>	Willamette McDowell Creek 22F-MCDO0	The proposed listings of McDowell Creek for temperature are based on less than two months of data collection. The Watershed Council feels that this is insufficient and that a minimum of two years of data is needed to draw any conclusions or provide a reasonable basis for listing. Additionally, the watershed council believes that this creek may have been historically warm during the late summer months, due to the origin at low elevations.	Data submitted met the minimum data requirements for use in evaluating whether a water body should be listed.
<i>South Santiam Watershed</i>	Willamette Hamilton Creek 22F-HAMI0	The proposed listings of Hamilton Creek for temperature are based on less than two months of data collection. The Watershed Council feels that this is insufficient and that a minimum of two years of data is needed to draw any conclusions or provide a reasonable basis for listing. Additionally, the watershed council believes that this creek may have been historically warm during the late summer months, due to the origin at low elevations.	Data submitted met the minimum data requirements for use in evaluating whether a water body should be listed.
<i>South Santiam Watershed</i>	Willamette Crabtree Creek 22F-CRAB0	The watershed council believes that this creek may have been historically warm during the late summer months, due to the origin at low elevations.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>South Santiam Watershed</i>	Willamette Thomas Creek 22F-THOM0	The proposed listings of Thomas Creek for dissolved oxygen are based on less than two months of data collection. The Watershed Council feels that this is insufficient and that a minimum of two years of data is needed to draw any conclusions or provide a reasonable basis for listing.	Data submitted met the minimum data requirements for use in evaluating whether a water body should be listed.
<i>South Santiam Watershed</i>	Willamette Thomas Creek 22F-THOM0	White Rock Creek is not a tributary to Thomas Creek. The reach listed should be the mouth to Neal Creek.	After review of the location and data DEQ agrees, the error will be corrected in the data base.
<i>South Santiam Watershed</i>	Willamette Thomas Creek 22F-THOM0	Thomas Creek is listed as a stream of potential concern based on one reading the accuracy of the equipment used was ± 1 mg/l. Therefore, the stream should not be listed as a stream of potential concern based on this information alone.	Although the data did not meet the minimum data requirements it did show a violation of the standard. DEQ tracks these water bodies as potential concerns until additional data can be collected to clarify the condition of the water body. DEQ will add (need data) to the data base record.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>South Santiam Watershed</i>	Willamette McDowell Creek 22F-MCDO0	McDowell Creek does not have a tributary named Deer Creek.	Error corrected segment should be Mouth to Cedar Creek.
<i>Stephens Mary</i>		What are the criteria and data requirements the Department uses to remove parameters and segments from the list. The process and data requirements for de-listing specific parameters needs to be more clearly explained in the 303(d) list and support documents.	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Stephens Mary</i>		DEQ needs to develop de-listing criteria for each parameter and then identify those segments which rely on questionable or insufficient data for listing. This would allow interested parties to gather data that would confirm the problem, or make steps towards removing a parameter from the list. It may be more cost effective to gather data to remove a parameter from the list rather than develop and implement a TMDL for	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Stephens Mary</i>		There are a number of uncertainties regarding the Department's expectations of municipal participation and responsibilities related to the TMDL development and implementation process.	Please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Stephens Mary</i>		The prioritization process does not appear to offer adequate distinction or differentiation to yield true priorities. Is it realistic to have over 50% of the state in the first priority. This number of priorities does not give the City adequate direction for future fiscal or development planning efforts. The City recommends refinement of the current prioritization process with emphasis on criteria that further differentiates between priorities.	Please see response under Prioritization Process in "Responses to Commonly Asked Questions".
<i>Stephens Mary</i>		Is it possible to begin developing monitoring plans, BMPs and other action plans for parameters such as temperature and bacteria prior to TMDL development and implementation.	Please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Stephens Mary</i>		Will the Department develop guidance on bacteria management?	Please see response under Water Quality Standards, Bacteria in "Responses to Commonly Asked Questions".
<i>Stephens Mary</i>		The "Biological Criteria" parameter expands the media of concern from the water column to a more comprehensive aquatic ecosystem. Will other media such as sediment be included on the 303(d) list or will other media be a factor in TMDL development?	Please see response under Water Quality Standards, Biological Criteria and Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
<i>Stephens Mary</i>		The Department should identify the water quality parameters associated with "Biological Criteria" this would allow management agencies to begin developing recovery strategies and actions plans.	Please see response under Water Quality Standards, Biological Criteria and Implementation in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Stephens Mary</i>	Willamette Columbia Slough 22P-COLS0	The City objects to the listing of the Columbia Slough for dioxin. Listing is based on fish tissue in the lower slough which with the mobility of fish could have come from the landfill or the Willamette River. Additionally, two values are questionable because of the interference of PCBs. The City requests a justification and re-evaluation for continued listing of dioxin for the slough and the development of a process and data requirements that would confirm or remove dioxin as a parameter of the 303(d) list.	DEQ does not have any data or information which would lead it to conclude that the listing for Dioxin in the Columbia Slough is in error. There is no way to discern the origin of fish in the Slough, the fish were caught in the Slough and the listing is to protect people who fish in the Slough.. The proposed TMDL contains allocations and loading capacity for Dioxin.
<i>Stern Nancy</i>		Was happy that North Umpqua is a Priority. Worried about North Umpqua system - wants to save best quality sites, have buffers for small streams and restoring worse sites. Is willing to help as a volunteer group.	As shown in DEQ's priority document the North Umpqua basin is a high priority. Management activities will be addressed during the development of the TMDL and Water Quality Management Plans.
<i>Stern Nancy</i>		Would like an emphasis on non-point sources. Forestry is a major impact and need more control.	Non-point sources will be addressed through the Water Quality Management plans, Forest Practices Act and other exiting authorities. Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Stern Nancy</i>		Wants water quality plans to be coordinated with endangered species plans.	Water quality Management Plans, other state agency existing authorities are all being coordinated under the Oregon Salmon Recovery Plan.
<i>Stern Nancy</i>		Federal agencies rely on BMPs - in many cases these are inadequate; there is no monitoring of BMPs; has trouble getting BLM to follow their own findings in watershed analysis.	Federal land management agencies will be partners in the development of TMDLs and Management Plans. These plans will include water quality monitoring requirements and mile stones for achieving certain water quality conditions. Also please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Stern Nancy</i>		She believes that the state's Forest Practices Act are lacking e.g. Brush Creek timber sale cut down to fish bearing stream to encourage conifer regrowth but it raised temperature.	Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Stern Nancy</i>		Has reservations about the ability of local watershed councils to solve water quality problems - politics are a problem, focus is on insignificant stream enhancement projects and ignore causes of problem upstream.	State agencies are working with watershed councils to help them focus on those water quality concerns which need addressed. Additionally, TMDLs and Water Quality Management Plan will outline needs and activities which should be addressed to improve water quality. Also please see response under Implementation in "Responses to Commonly Asked Questions".
<i>Stern Nancy</i>	Umpqua Little River 13A-LITTO	Submitted data collected from 94-96. Studies indicate that portions of Little River, Cavitt Creek, some tributaries and North Umpqua at confluence with Little R exceed pH standard. Feels that a number of water-bodies should be listed for temperature, pH and possibly DO. Feels that local protection measures including USFS BMPs, forest practices and watershed restoration efforts have not maintained or restored water quality	Little River already listed for pH based on data contained in Little River Watershed Analysis. Please see response under Existing Authorities in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Stern</i> <i>Nancy</i>	Umpqua Cavitt Creek 13A-CAV10	Submitted data collected from 94-96. Studies indicate that portions of Little River, Cavitt Creek, some tributaries and North Umpqua at confluence with Little R exceed pH standard.	USFS previously submitted continuous pH monitoring data collected near Cavitt Falls (T26S,R2W,S14) by Resources Northwest, Inc. indicated that pH values of approximately 8.6 exceeded pH standard (8.5) on two consecutive days (9/6-7/95). Little River Committee data indicates an exceedence of pH standard (8.5) on 8/23/95 (8.68) at ballpark past covered
<i>Stern</i> <i>Nancy</i>	Umpqua Wolf Creek 13A-WOLF0	Submitted data collected from 94-96. Studies indicate that portions of Little River, Cavitt Creek, some tributaries and North Umpqua at confluence with Little R exceed pH standard.	Wolf Creek already listed for pH based on data contained in Little River Watershed Analysis. Data added to data base.
<i>Stern</i> <i>Nancy</i>	Umpqua Emile Creek 13A-EMIL0	Submitted data collected from 94-96. Studies indicate that portions of Emile Creek exceeded pH standard.	USFS previously submitted continuous pH monitoring data collected near mouth (T26S,R1W,S2) by Resources Northwest, Inc. that showed pH values exceeding standard (8.5) on two consecutive days (9/10-11/95). Little River Committee data indicates an exceedence of pH standard (8.5) on 7/27/96 (9.95) and 8/20/96 (8/95) near the mouth. Stream was added to the
<i>Sullens</i> <i>Holly</i>		Concerned about the science used to list streams.	Please see response under Water Quality Standards in "Responses to Commonly Asked Questions".
<i>Sullens</i> <i>Holly</i>		Washington state in a Preliminary Review Draft Discussion Paper notes that "Populations of Char (Bull trout) which spawn before Sept. 1 are likely to be in headwater rivers heavily influenced by coldwater seepage and thus are naturally protected to a large extent. She believe that DEQ will fine that there is no population of bull trout as the fish are already in the higher reaches. Specifically, Meadow Creek, Okanogan Creek, Trail Creek, Aspen Creek, Big Elk Creek, Clear Creek, Elk Creek, and Pine Creek.	DEQ considers new information during its tri-annual review of water quality standards. At that time DEQ will determine whether the information is sufficient to justify beginning the procedure to modify the water quality standard.
<i>Sullens</i> <i>Holly</i>		Concerned that no one wants to tell the public that this unscientific program is going to cost at a minimum \$400,000,000 of the next 20 years.	Water quality standards are based on science, please see response under Water Quality Standards in "Responses to Commonly Asked Questions".
<i>Sullens</i> <i>Holly</i>		She is concerned about how streams can be de-listed.	Please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Sullens</i> <i>Holly</i>		Believes DEQ has gone beyond its requirements and the listing criteria is much more strict than it needs to be.	Please see response under Existing Authorities in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Sullens Holly</i>		Since streams are listed individually should be able to de-list by individual stream. Thought workshop said could only de-list by watershed.	Streams can be de-listed on an individual basis. Most TMDLs and management plans will be developed to apply to a watershed as a whole. Also please see response under Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>Sullens Holly</i>	Powder	Adiabatic temperature and ambient water and air temperature as explained by Dr. Larson are accurate and true science. Questioned Mr. Kepler dismissing Dr. Larson's work as mere theory.	Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Sullens Holly</i>	Powder Powder River 32D-POWD0	If the Thief Valley Reservoir were not present then there would be no water in the river during the summer and, therefore, no fish. Additionally, fish, deer, elk, antelope, and vole also add to the so-called pollution. This section should be de-listed.	Water quality standards protect beneficial uses which are now present in the water body. No data submitted which indicates water body is meeting standards. Please see response under Natural and Anthropogenic Conditions in "Responses to Commonly Asked Questions".
<i>Tetreault Jan</i>	Umpqua Lake and Mill Creeks	The 1988 NPS assessment and 303d list wrongly identify the stream discharging from Loon Lake as Lake Creek when it should be Mill Creek.	The 303d was modified to show the distinction between Lake Creek flowing into Loon Lake and Mill Creek Flowing out of Loon Lake
<i>Tetreault Jan</i>	Umpqua Soup Creek 13C-SOUP0	Requested copy of data used to list Soup Creek, but did not receive the data.	Data was sent on May 4, 1998.
<i>Tetreault Jan</i>	Umpqua Soup Creek 13C-SOUP0	Since the creek dries up in the summer this stream should not be listed. Also questions the QA/QC methods of the data collector since the creek crosses only private lands the only point for sampling would have been at the mouth which would not be representative.	The monitoring point was at the mouth of the creek and there is no indication that it was not representative. Also please see response under Natural and Anthropogenic Conditions and Intermittent Streams in "Responses to Commonly Asked Questions".
<i>Thompson Terry</i>	Umatilla Balm Fork 27D-BALM0	Balm Fork should be removed from the 303(d) list because the data used was gathered in 1986. At that time, there was a pig farm less than one mile upstream from the data collection site. The pig farm was terminated in 1988. Since that time domestic animals have little contact with Balm Fork during the summer months. The adverse conditions present in 1986 no	Department staff met with Mr. Thompson and observed potential sources of bacteria in the watershed, as well as possible locations for future sampling sites. Staff suggested and helped design a follow up monitoring program for Balm Fork. The Department will consider removing Balm Fork from the list based on more recent data. Department is also seeking data that may be collected recently by the Corp of Engineers related to Willow Creek
<i>Topping Cheryl</i>	Umpqua Soup Creek 13C-SOUP0	Soup Creek in 1996 went dry about August 16th and remained dry until October the 7th, in 1997 went dry about August 18th and remained dry until October 14th. Hauled water to cattle during that time period. (Concern was about listing a stream that naturally dries up in the summer.)	Please see response under Natural and Anthropogenic Conditions and Intermittent Streams in "Responses to Commonly Asked Questions".
<i>Turner Randy</i>	Umpqua South Umpqua	TMDLs need to be implemented on the South Fork. The watershed council for the Umpqua basin needs to be divided into more councils.	The South Umpqua is currently a priority for the Department for developing Total Maximum Daily Loads.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ullian</i> <i>Barbara</i>	Rogue Josephine Creek 15E-JOSE0	Josephine Creek should be added to list for temperature based on Siskiyou National Forest data as well as for habitat modification and sediment due to extensive past and current mining (Supporting information attached).	Stream was placed on the 303(d) list for Temperature based on USFS 1990 data. Habitat modification and sedimentation: There was a general description of concern outlined in the report, however, specific data on impacts to beneficial uses was not documented, stream status was assigned as Potential Concern. In the exerts submitted, there is some conflicting information. While there is evidence of impact from past mining activity, the FEIS indicates that "sediment derived from historic mining has generally been washed form both Canyon and Josephine Creek in the decades since
<i>Ullian</i> <i>Barbara</i>	Rogue Fall Creek 15E-FALL0	Fall Creek should be listed for temperature and habitat modification, mining is the only human disturbance factor (supporting information attached).	Temperature: Stream was placed on the 303(d) list for Temperature based on USFS data from 1996. Sedimentation: There was a general description of concern outlined in the report, however, specific data on impacts to beneficial uses was not documented, stream status was assigned as Potential Concern. In the exerts submitted, there is some conflicting information.
<i>Ullian</i> <i>Barbara</i>	Rogue Rancherie Creek 15E-RANC0	Rancherie Creek should be listed for temperature and habitat modification has occurred near its mouth (supporting information attached).	Stream was placed on the 303(d) list based on 1996 data collected by the USFS. Habitat modification: There was a general description of concern outlined in the report, however, specific data on impacts to beneficial uses was not documented, stream status was assigned as Potential Concern.
<i>Ullian</i> <i>Barbara</i>	Rogue Canyon Creek 15E-CANY0	Habitat modification and sediment should be added to Canyon Creek from its mouth to Lightning Gulch (supporting information attached)	Habitat modification and sedimentation: There was a general description of concern outlined in the report, however, specific data on impacts to beneficial uses was not documented, stream status was assigned as Potential Concern. In the exerts submitted, there is some conflicting information. While there is evidence of impact from past mining activity, the FEIS indicates that "sediment derived from historic mining has generally been washed form both Canyon and Josephine Creek in the decades since massive
<i>Ullian</i> <i>Barbara</i>	South Coast Chetco River in the Kalmiopsis 14D-CHET0	The upper reach for the temperature listing should be extended to Sluice Creek as the NF Watershed Analysis notes that temperatures in the segment from Boulder Creek to Sluice Creek were measured in the high 70's.	The TMDL for temperature will apply to the watershed as a whole. The segments are a general description of where the concern is the TMDL will determine where temperature is a concern. Segment will remain as Mouth to Box Creek there is no information that indicates the segment should be expanded. It should be noted that Sluice Creek is about 0.5 miles above Box
<i>Ullian</i> <i>Barbara</i>	South Coast Eagle Creek and Mineral Hill Fork 14D-EAGL0	Eagle Creek and its tributary Mineral Hill Fork should be listed for sediment and temperature. A 1980 National Forest survey for Eagle Ck found sediment was contributed by 13 major landslides and extremely steep banks with roads and tractor-logged clearcuts (supporting information attached)	General description of concern outlined, however, specific data on impacts to beneficial uses not documented. Placed in the Decision Matrix as needs data.
<i>Ullian</i> <i>Barbara</i>	South Coast Pistol River 14D-PIST0	Sediment should be included due to poor land management practices (supporting information attached).	General description of concern outlined, however, specific data on impacts to beneficial uses not documented. Placed in the Decision Matrix as needs data.

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
<i>Ullian</i> <i>Barbara</i>	South Coast Hawk Creek 14D-HAWK0	Hawk Creek should be added for habitat modification and possibly temperature. Port Orford cedar is the predominant riparian vegetation on ultramafic soils in this wilderness segment. Port Orford cedar root disease was introduced into the wilderness in 1990. The rate at which cedar is dying is exceeding the range of natural variability and has potential to affect stream temperature and channel mophology.	Watershed Analysis notes that existing data needs compile, data not included as part of analysis. Data not available at this time.
<i>Ullian</i> <i>Barbara</i>	South Coast Chetco River	Chetco River in the wilderness area should be added for habitat modification and possibly temperature. Port Orford cedar is the predominant riparian vegetation on ultramafic soils in this wilderness segment. Port Orford cedar root disease was introduced into the wilderness in 1990. The rate at which cedar is dying is exceeding the range of natural variability and has potential to affect stream temperature and channel mophology. In addition, this area is affected by past and current mining roads.	Partial documentation was attached. The full documents referenced has been requested from the USFS and will be reviewed for potential listing in the next listing cycle.
<i>Ullian</i> <i>Barbara</i>	South Coast Little Chetco River 14D-CHELO	Little Chetco River should be added for habitat modification and possibly temperature. Port Orford cedar is the predominant riparian vegetation on ultramafic soils in this wilderness segment. Port Orford cedar root disease was introduced into the wilderness in 1990. The rate at which cedar is dying is exceeding the range of natural variability and has potential to affect stream temperature and channel mophology.	Watershed Analysis notes that existing data needs compile, data not included as part of analysis. Data not available at this time.
<i>Underhill-Wilkins</i> <i>on</i> <i>Jean</i>		Requested that DEQ extend its public comment period and hold additional hearings throughout Oregon to allow for adequate public participation.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Underhill-Wilkins</i> <i>on</i> <i>Jean</i>		The introductions, the instructions on the hearing process, and the 303(d) information given at the hearings were confusing to landowners.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Underhill-Wilkins</i> <i>on</i> <i>Jean</i>		Public comments were taken "behind closed doors".	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>Underhill-Wilkins</i> <i>on</i> <i>Jean</i>		Landowners did not have adequate notice of the hearings.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".

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<i>Underhill-Wilkins on Jean</i>		There were not enough hearings held in areas of the state where affected landowners could feasibly attend.	Please see response under Public Comment Process in "Responses to Commonly Asked Questions".
<i>VanNatta Kathryn</i>		It is highly important that the information used to determine a 303(d) listing should not be based solely on fish consumption advisories or recommendations, the state has the burden of demonstrating that the proposed segment is truly "impaired," advisories or recommendations do not form an adequate scientific basis for an impairment finding.	Fish consumption advisories are used by DEQ as a demonstration of a beneficial use impairment and are evaluated in conjunction with related water quality data.
<i>VanNatta Kathryn</i>		Because of the implication of added requirements through the TMDL process the 303(d) list should contain only water-bodies which are truly impaired and for which a TMDL is the appropriate mechanism to achieve water quality standards. NWPPA believes waters should be excluded from the list if mechanisms other than a TMDL will achieve water quality standards. Oregon has other state programs intended to improve nonpoint source water quality and should use these rules instead of placing a Water	Please see response under Water Quality Standards and Listing and De-listing Methodology Issues in "Responses to Commonly Asked Questions".
<i>VanNatta Kathryn</i>		The potential for uneven application of temperature remedies between point and non-point sources is of great concern to NWPPA. NWPPA encourages DEQ to approach the implementation of TMDLs with temperature issues with a win-win philosophy that will treat all Oregonians	Please see response under Implementation in "Responses to Commonly Asked Questions".
<i>VanNatta Kathryn</i>		Water quality information for listing decisions should be based on current, comprehensive and based on evaluative data. DEQ and EPA should work to minimize stream listings based on inadequate, non-scientific or questionable data.	Please see response under Data Use for Listing, Minimum Data Requirements in "Responses to Commonly Asked Questions".
<i>VanNatta Kathryn</i>		DEQ should immediately reconsider the use and application of the biological criteria, habitat modification, flow modification and sedimentation parameters.	Please see response under Water Quality Standards in "Responses to Commonly Asked Questions".
<i>VanNatta Kathryn</i>		NWPPA supports the continued de-listing status of various stream segments for 2,3,7,8 TCDD based on the functioning 1991 TMDL.	The TMDL continues to be implemented.
<i>VanNatta Kathryn</i>		It is highly important that the information used to determine a 303(d) listing should be appropriate for the length of the stream segment (e.g. not listing the whole upland stream for a data point collected at the mouth of a low-gradient, urban stream).	Please see response under Format of 303(d) list in "Responses to Commonly Asked Questions".
<i>VanNatta Kathryn</i>		Complements DEQ on the format of its 303(d) list and Oregon on its efforts to improve water quality.	DEQ appreciates the recognition and will continue to try to improve the 303(d) process.

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<i>Waldron Jay</i>		Would like to see workshops held in each basin to discuss the data DEQ used to support its decision to list streams and to improve communications.	The Department would like to use this type of approach and is working more closely with local government, agencies, industries, groups and individuals in priority basins for TMDLs (Umpqua, Rogue, Tillamook, Umatilla) and will work with others as resources allow.
<i>Ward John</i>	Klamath Lost River Basin	His sense is that TMDLs are not easily set in isolation from upstream basins and the Lost River target (1999) might need to be reset and merged into a "by 2001" target for the other four sub-basins.	DEQ will look into this suggestion as TMDLs are developed within the basin.
<i>Ward John</i>	Klamath Jenny, Beaver, Corral, Johnson and Lincoln Creeks	Continuous monitoring data from summer 1996 support the listing based on min/max studies from 1990-1996.	Streams are listed for temperature and no change is being suggested. Additional continuous monitoring data will be reviewed when final report is made available to DEQ.
<i>Ward John</i>	Rogue Tyler Creek 15B-TYLE0	Continuous monitoring data from summer 1996 indicates that Tyler Creek should be listed (supporting data attached).	Segment was added to 303(d) list based on FOG data showing that the 7-day average of daily maximums was 68.6 with 34 days in 1996 exceeding the temperature standard (64).
<i>Ward John</i>	Rogue Hobart Creek 15B-HOBA0	Continuous monitoring data from summer 1996 indicates that Hobart Creek should be listed (supporting data attached).	Segment was added to 303(d) list based on FOG data showing that the 7-day average of daily maximums was 68.6 with 34 days in 1996 exceeding the temperature standard (64).
<i>Ward John</i>	Rogue Carter Creek 15B-CART0	Continuous monitoring data from summer 1996 indicates that Carter Creek should be listed (supporting data attached).	Segment was added to 303(d) list based on FOG data showing that the 7-day average of daily maximums was 71.6 with 18 days in 1996 exceeding the temperature standard (64).
<i>Ward John</i>	Rogue Emigrant Creek 15B-EMIG6	Continuous monitoring data from summer 1996 support the listing based on ODFW min/max studies in 1992, data added to decision matrix.	Emigrant Creek is listed for temperature and no change is requested, DEQ will add data based on BLM data summaries to the data base.
<i>Williams King</i>		Just has the second largest run of Chinook Salmon since 1959, yet have gone from 150 to 850 streams listed. Vegetation has changed over the years, it probably has gotten better, but streams are still listed.	Water Quality standards are based on protection of beneficial uses. Fish population may be affected over the long term if water quality standards are not being met.
<i>Williams King</i>		Flood irrigation cools water temperature (according to OSU study) due to the ground temperature being cooler. Flood irrigation should not be limited.	Please see response under Beneficial Use in "Responses to Commonly Asked Questions".

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<i>Williams King</i>		Forest Practices Act, USFS and 303(d) will limit private landowners ability to manage riparian areas.	TMDLs and water quality management plans will address federal land management agencies and other state and federal requirements. Please see response under Existing Authorities in "Responses to Commonly Asked Questions".
<i>Williams King</i>		He runs cattle on a lot of streams he believes you get cool water from depth not through shade on streams in John Day. Shade on north side of stream will not cool an east/west running stream. OSU study shows that shade does not help.	Groundwater discharge to a stream is one avenue for getting cooler water to a stream. However, shade is also important because of its ability to block direct solar radiation. Please see response under Water Quality Standards, Temperature in "Responses to Commonly Asked Questions".
<i>Williams King</i>		Dams on Columbia and fishing in the ocean are limiting aquatic life, not what is happening in the headwaters.	Please see response under Steam Function in "Responses to Commonly Asked Questions".
<i>Williams King</i>		Need to spend money where problems are big (e.g. Portland sewers) do not fix what is not broken, there are good plans for the John Day Basin.	DEQ has worked extensively in the Willamette Valley. TMDLs have been established on a number of rivers in the basin including the Tualatin, Pudding, Yamhill, and Coast Fork. Additionally, Portland is required to eliminate its Combined Sewer Overflows by 2011.
<i>Williams King</i>		Federal Government does not have authority to list non-navigable waters which is most of the waters on the list - This would negate most of the listings.	Please see response under Waters of the State/Nation in "Responses to Commonly Asked Questions".
<i>Williams King</i>		State is remiss in setting the standards so stringent that they cannot be met - (e.g. Bull Trout at 50°F). Need to look at what stream temperatures have historically been and what the streams can produce.	Please see response under Water Quality Standards, Temperature and Beneficial Use in "Responses to Commonly Asked Questions".

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Wolski Mike	Willamette Pringle Creek 22H-PRIN0	Pringle Creek should not be listed based on the criteria used for listing. Pringle Creek was sampled only during high flow with 2 of the 3 samples collected within 1.5 hours of each other during unusually high flow storm conditions. These samples were highly turbid and were 0.002 and 0.003 ug/l and exceeded the standard of 0.0019 as a 24 hour average for protection of aquatic life. The third sample was taken about a week later during relatively normal flows and was not detected. Laboratory results from filtered water of all samples was less than detection. Dieldrin was not found in high enough quantity in sediment to be a potential water quality concern.	The Department's listing criteria is based on at least two samples exceeding the standard. In this case, although the samples were collected during the same storm event one hour and forty minutes apart, the list criteria was met. The earlier dieldrin sample of 0.002 ug/l was collected at a flow of 500 cfs and suspended sediment of 164 mg/l. The later sample of 0.003 ug/l was collected at a flow of 650 cfs and suspended sediment of 266 mg/l. The chronic standard for dieldrin, to protect aquatic life is 0.0019 ug/l as a 24 hour average. The standard does not specify the dissolved form, therefore the total fraction is appropriate to apply. Based on the USGS data, the standard is exceeded and the stream should be listed. The Department agrees that the higher concentrations appear to be associated with high flows and high levels of sediment and would recommend further sampling including further wet weather sampling and sampling of the sediment. In a more recent report (Occurrence of Selected Trace Elements and Organic Compounds and Their Relation to Land Use in the Willamette River Basin, Oregon, 1992 - 1994, USGS, 1996), USGS notes that proportions of dieldrin expected to be in the dissolved phase at equilibrium are much higher than other organochlorine compounds such as DDT, DDE or DDD. It is our understanding that further work is being conducted by the USGS and would be glad to recommend and/or review additional data that is collected by
Wood James	Deschutes Crooked River 25F-CROO70.5	Has continued objection to listing the Crooked River for flow modification. Notes that the In-stream water right 70353 is being contested.	Once instream water right is resolved DEQ will evaluate flow and final instream water right to determine whether water body should remain listed.
Wood James	Deschutes Crooked River 25F-CROO70.5	Has continued objection to listing the Crooked River for pH violations. Previously supplied pH data clearly demonstrates the endogenous alkalinity of the area.	It appears there may be little room to accommodate increases in pH in this sub-basin given winter time pH values between 8.0 and 8.5 when the standard is 8.5. Summer time values appear to only increase slightly to 8.6. The Department cannot remove the water body from the 303(d) list because it exceeds the adopted water quality standard for pH. pH is elevated in the summer over what would be considered natural conditions which occur in the winter time, so the Department cannot declare the summer time conditions to be natural. However, the Department has committed to reviewing the pH standard for the Crooked River Basin in the next standard
Wood James	Deschutes Crooked 25F-CROO70.5	Concern with the listing of the Crooked R for flow modification and pH. The listing for flow modification was based on an In-stream water right that ODFW applied for (IWR70353) in 1993. Protests have been filed on the IWR based on several problems, chief of which is an over-estimated average natural flow rate. pH values likely reflect the natural soils which have an elevated pH (soil sample data collected near post prior to list being published were submitted) and as indicated by the high values observed in the Fall through Spring when values would not be influenced by algae blooms. Given the sparse population, other man-made activities would have	The Department will review the listing for flow modification based on any modification to the instream water right, fishery reports indicate that redband trout populations are fragmented and depressed, in part, due to low flows caused by stream diversions. The Department has committed to reviewing the pH standard for the Crooked River Basin in the next standard review and will modify the listing pending a revised standard. The

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Wood Karyn	Grande Ronde Bear Creek 31E-BEAR0	The USFS station is located at the Forest boundary above Little Bear Creek. Temperature data was collected during the summer months of 1994, 1996, 1997 with respective 7-day moving average of daily maximum temperatures of 63.3, 54.2 and 55.2°F.	Stream added to 303(d) list. Data shows exceedence of Bull Trout water temperature criteria.
Wood Karyn	Grande Ronde Tamarack Creek 31F-TAMA0	The Forest does not have a temperature monitoring station on Tamarack Creek. A temperature monitoring station was located on Joseph creek immediately downstream from the confluence with Tamarack Creek.	Error noted. Data base corrected, Tamarack Creek removed from 303(d) list.
Wood Karyn	Grande Ronde Chicken Creek 31D-CHIC0	The forest does not maintain a site at the mouth of Chicken Creek. The station is above the confluence with West Chicken Creek. The 7-day moving average of maximum daily temperatures for 1994-97 is 61.7, 53.7, 62.9 and 57.8°F respectively.	The station at the mouth is a DEQ station. Decision Matrix temperature values corrected.
Wood Karyn	Grande Ronde West Chicken Creek 31D-INDA0	The 7-day moving average for maximum daily temperatures for 1993-97 is 68.3, no data, 59.4, 72.8 and 68.9°F respectively.	Decision Matrix temperature values corrected.
Wood Karyn	Grande Ronde Jordan Creek 31D-JORD0	The 7-day moving average of maximum daily temperatures for 1995 was 59.5°F.	1992 was a drought year, 1995 meet water temperature criteria stream removed from list.
Wood Karyn	Grande Ronde Indiana Creek 31D-INDA0	The 7-day moving average for maximum daily temperatures for 1995 and 1997 were 51.6 °F and 55.5 °F.	Decision Matrix temperature values corrected.
Wood Karyn	Grande Ronde Salmon Creek 31F-SALM0	Cited USFS as data source, this is incorrect the USFS has never had a temperature monitoring station here.	Data used was from Oregon Department of Fish and Wildlife. Correction made to data base.
Wood Karyn	John Day Boundary Creek 26C-BOUN0	Data in the decision matrix show stream temperatures do not exceed the 64°F standard. The stream should not be list.	Stream is not listed on the 303(d) list, is in the Decision Matrix as OK, meeting the temperature criteria.
Wood Karyn	John Day Bull Run Creek 26G-BULR0	Listing these streams using results of erosion hazard rating models is not appropriate.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
Wood Karyn	John Day Crane Creek 26G-CRAN0	Listing these streams using results of erosion hazard rating models is not appropriate.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".

Commentor's Name	Basin Waterbody Segment Number	Summary of Comment	Response
Wood Karyn	John Day Granite Creek 26G-GRAN10	Listing these streams using results of erosion hazard rating models is not appropriate.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
Wood Karyn	John Day John Day, North Fork 26G-JDNF106	Any increase in sediment in this reach is natural, due to post-burn effect of the Sloans Ridge Fire.	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
Wood Karyn	Powder Baldy Creek 26C-BALD0	This stream should not be listed as water quality limited for habitat modification. This stream is entirely within a designed wilderness area which has never been harvested. Forest Service biologists and hydrologists believe the large wood component and pools per mile are at potential.	Need to have written documentation from land management agency of lack of present and past anthropogenic activities in wilderness area (mining, grazing, logging activities).
Wood Karyn	Powder Baldy Creek 26C-BALD0	This stream should not be listed as water quality limited for sedimentation because surface and gully erosion hazard models are used to determine level of risk of sediment delivered to streams. Using these models in such a manner is inappropriate. In addition, the high erosion risk in this area is the result of the Sloans Ridge wildfire, a natural occurring event in a	Please see response under Water Quality Standards, Sedimentation and Habitat Modification in "Responses to Commonly Asked Questions".
Wood Karyn	Powder Baldy Creek 26C-BALD0	This stream should not be listed as water quality limited for temperature because this is a designated wilderness and as such water temperature reflects natural conditions. Water temperatures following wildfires may increase, but still represent natural conditions.	Need to have written documentation from land management agency of lack of present and past anthropogenic activities in wilderness area (mining, grazing, logging activities).
Wood Karyn	Powder Baldy Creek 26C-BALD0	This stream should not be listed as water quality limited for the following reasons: Habitat modification This stream is entirely within a designed wilderness area which has never been harvested. Forest Service biologists and hydrologists believe the large wood component and pools per mile are	Need to have written documentation from land management agency of lack of present and past anthropogenic activities in wilderness area (mining, grazing, logging activities).
Yearous Martin	Rogue Soup Creek 13C-SOUP0	Does not believe a short coast stream like Soup Creek can maintain acceptable water temperatures given the low elevation drop and that it does not flow August through October.	Please see response under Natural and Anthropogenic Conditions, Intermittent Streams in "Responses to Commonly Asked Questions".