

**Iowa Department of Natural Resources  
Environmental Protection Commission**

---

**ITEM**

**DECISION**

**TOPIC**

**Final Rule – Chapter 61 – Water Quality Standards (Stream  
Reclassifications via Use Assessment and Use Attainability  
Analyses)**

---

The Commission will be asked to approve a final rule to amend the state’s water quality standards (WQS). The rule amendments, if approved, would:

1. Revise and list approximately 33 river and stream segments as Class A2 Secondary Contact Recreational Use designated waters in the rule-referenced document “Surface Water Classification.”
2. Revise and list approximately 83 river and stream segments as Class A2 Secondary Contact Recreational Use and Class B(WW-2) Warm Water-Type 2 designated waters in the rule-referenced document “Surface Water Classification.”
3. Revise and list four stream segments as Class A2 Secondary Contact Recreational Use and Class B(WW-3) Warm Water-Type 3 designated waters in the rule-referenced document “Surface Water Classification.”
4. Revise and list six river and stream segments as Class A3 Children’s Recreational Use and Class B(WW-2) Warm Water-Type 2 designated waters in the rule-referenced document “Surface Water Classification.”
5. Revise and list 12 river and stream segments as Class A3 Children’s Recreational Use designated waters in the rule-referenced document “Surface Water Classification.”
6. Revise and list one stream segment as Class HH Human Health designated water in the rule-referenced document “Surface Water Classification.”

The concept of Use Assessment and Use Attainability Analysis (UA/UAA) is being applied by the DNR as a step-by-step process to gather site-specific field data on stream features and uses. The DNR then assesses available information to determine if the “presumed” recreational and aquatic life uses are appropriate.

The DNR elected to perform a UA/UAA on any newly designated stream that receives a continuous discharge from a facility with a National Pollutant Discharge Elimination System (NPDES) permit. Prior to issuing a NPDES permit for an affected facility, the DNR must complete a UA/UAA for the receiving stream or stream network. Each use designation revision recommendation proposed in the NOIA has an associated UA/UAA that is available on the department’s web site at: <http://programs.iowadnr.gov/uaa/search.aspx>

The adopted amendments have been modified from those published in the NOIA, including specific changes to 2 stream segments. The modifications were made after all comments from the public comment process were considered.

The stream descriptions provided in the preamble are designed to provide clear notice to the public and may be subject to non-substantive corrections to conform to the format used in the stream classification document. The stream classification document now being adopted by reference also contains non-substantive revisions to previously adopted stream designations to correct typographical or descriptive errors. All designations conform to the previously-approved use designations, as amended by the Commission.

The Notice of Intended Action (NOIA) was published in the Iowa Administrative Bulletin on March 11, 2009 as **ARC 7624B**. Six public hearings were held across the state throughout April 2009. Approximately 247 persons or groups provided oral or written comments on the proposed WQS revisions. A responsiveness summary has been prepared addressing the comments received in terms of the issues involved.

Comments from stakeholder groups and other persons or organizations may be made at the Commission meeting regarding the rule changes. As discussed in the Responsiveness Summary, the Department believes that the rule changes will be protective of water quality and the uses being made of Iowa waters.

Charles C. Corell, Chief  
Water Quality Bureau  
Environmental Services Division

June 24, 2009