

Commenter A:

A1: The map of CSO's didn't show any in the Evansville section of the creek. I noticed they were in the data but not on the map.

IDEM Response to A1: The map that Commenter A was referring to was the original map which did not indicate the CSO's along the Evansville section in question. This has been resolved and a new map was generated to properly reflect the locations of the CSO's along the Pigeon Creek portion in question.

Commenter B:

B1: The City recommends that the TMDL be renamed to indicate it addresses *E. coli* for portions of the Highland-Pigeon Creek Watershed and Total Phosphorus for Hurricane Creek.

IDEM Response to B1: This has been changed to properly reflect the impairments and locations.

B2: In the TMDL, it would be helpful if IDEM would clarify how it expects the TMDL for the 15 Assessment Unit IDs (AUIDs) to address impairments throughout the watershed or remove the statement on page 1 that the TMDL will address 1156 stream miles (statement on page 1).

IDEM Response to B2: IDEM has added language clarifying the difference between stream mile and AUID impairments. Also that the TMDL addresses 1156 stream miles and 399 of those stream miles are impaired.

B3: It would be helpful if information on the upstream and downstream river miles associated with each AUID was provided in Table 1 and Tables 2 to 18. There are also some inconsistencies between the tables (names of stream segments). Map(s) with these segments clearly identified with old and new Assessment Unit IDs (AUIDs) would also be helpful.

IDEM Response to B3: The watershed is viewed as a whole system so upstream and downstream of specific AUIDs is not necessary. All segments for the TMDL are linked via the Assessment Unit ID. Variations in Stream names can be resolved by using the AUID. A cross-walk table is included to assist in any variations.

B4: Table 1 (pages 8-9) should be modified to indicate that the TMDL calculation for Pigeon Creek-Kleymeyer Park is being deferred until IDEM and US EPA approve the City of Evansville's Integrated Overflow Control Plan (IOCP). In accordance with a federal consent decree, the City is required to submit the IOCP no later than November 30, 2012.

IDEM Response to B4: The language has been changed to reflect that the TMDL is not intended to circumvent the IOCP. The TMDL expects the results of the IOCP to address the impairments within the watershed. This language has been discussed and sent to the commenter for comment prior to submission of the TMDL. Based on this information IDEM is proceeding with submission of this TMDL.

B5: Deferring the TMDL will also allow the City to assemble data that could be useful for establishing the appropriate load limits for the City's MS4 program. Because the TMDL does not distinguish between MS4 loads and nonpoint source loads, the City will need to assess its existing bacteria loads for the MS4 discharges and the TMDL will need to be updated over time. The TMDL should explicitly recognize this or IDEM should develop better estimates of the different MS4 and nonpoint source loads and account for these in the TMDL.

IDEM Response to B5: The TMDL has accounted for the WLA of the MS4 and realizes that the MS4 permitting process is still in its infancy and improvements will occur as the process is refined. IDEM anticipates that within further NPDES MS4 permits the impairments will be addressed.

Calculations have been accounted for in the sub-watersheds effected by the MS4 and a wasteload allocation has been set at the Water Quality Standard for *E. coli*. . This language has been discussed and sent to the commenter for comment prior to submission of the TMDL. Based on this information IDEM is proceeding with submission of this TMDL.

B6: The statements “Evansville is currently under a federal consent decree. They have an integrated work plan to eliminate the CSO discharges. Evansville has until November 2012 to submit their final Long Term Control Plan (LTCP) and will be required to have complete and full implementation of the plan by 2032 (Personal Communication: D. Tennis, IDEM-OWQ, 2011).” should be replaced with “Evansville is developing an Integrated Overflow Control Plan (IOCP) to control CSOs and eliminate SSOs in accordance with requirements in a federal consent decree (3:09CV128 WTL-WGH). Under the terms of the decree, Evansville will evaluate different CSO control alternatives and submit the IOCP no later than November 30, 2012.”

IDEM Response to B6: Language has been changed to better reflect the ICOP as requested. The Project Manager, D. Tennis, agreed that the language change would be appropriate to better reflect the situation in Evansville.

B7: The statement on page 9 “These sampling sites were intensively sampled for *E. coli* September through October 2007” should be re-worded to include the range of number of times that the stream segments were sampled. For example, Appendix B shows that Site 21 was sampled only five times for *E. coli*, and all at lower flows (which does not in the City’s opinion represent intensive sampling).

IDEM Response to B7: IDEM has removed the word "intensively" and restated the WQS for *E. coli*.

B8: Table 14, the TMDL for the Pigeon Creek-Kleymeyer Park, should be deleted.

IDEM Response to B8: IDEM has recalculated the WLA for the MS4 portion of this sub-watershed per other comments from Commenter B. This language and change has been discussed and sent to the commenter for comment prior to submission of the TMDL.

B9: The text on page 21 regarding Evansville’s CSOs should be modified as discussed above. Text should be added to make it clear that the WLA for the City’s CSOs will be established using the information from the IOCP.

IDEM Response to B9: IDEM has added language to better reflect the CSO discussion. This language has been discussed and sent to the commenter for comment prior to submission of the TMDL.

B10: Additional text should be added on page 22 under “Load Allocations” to indicate that a LA for the City of Evansville’s MS4 discharges will be determined after consideration of the information provided in the IOCP. The work under the IOCP will result in more data and modeling tools that can be used to calculate a more specific LA for the City’s MS4 and other nonpoint source loads.

IDEM Response to B10: Load Allocations are for nonpoint sources of the impairment. The loadings and NPDES permits response has been answered in previous response to comments.

B11: Additional text should be added on page 22 under “Monitoring” to reflect that additional data should be available in 2013 for the Pigeon Creek-Kleymeyer TMDL as a result of the IOCP that the City of Evansville is developing.

IDEM Response to B11: The TMDL is based upon currently available data. When the additional data has been collected it can be submitted to IDEM-TMDL for use in any updates to the TMDL that are deemed necessary. This language has been discussed and sent to the commenter for comment prior to submission of the TMDL. Based on this information IDEM is proceeding with submission of this TMDL.

B12: The section on the Storm Water General Permit Rule 13 needs to be expanded to include IDEM's expectations for MS4 permittees. This is because US EPA is requiring more explicit incorporation of TMDLs into NPDES permits.

IDEM Response to B12: Additional language has been included in the TMDL to clarify the expectations of the results of the TMDL on the NPDES permits. This language has been discussed and sent to the commenter for comment prior to submission of the TMDL. Based on this information IDEM is proceeding with submission of this TMDL.

B13: A section should be added to "Potential Future Activities" on page 24 to acknowledge the work that the City of Evansville is undertaking under the IOCP and that this work is being conducted in close coordination with IDEM under the federal consent decree.

IDEM Response to B13: During the discussions with Commenter B on the submitted comments, IDEM requested the additional information on activities being done as part of the IOCP. This additional information has not been submitted at the time of the final submittal of this TMDL. If the information is submitted after the finalization of the TMDL the information will be made and attachment to the final TMDL document.