

APPENDIX A

Decision of December 22, 2004



Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

WYOMING DEQ/WQD FINAL DETERMINATION REGARDING THE RECLASSIFICATION OF EIGHT MAINSTEM DRAINAGES TO THE POWDER RIVER AND THEIR TRIBUTARIES IN THE POWDER RIVER BASIN, WYOMING

December 22, 2004

Affected Drainages

Drainage	Headwater Location	Mouth Location	HUC	Proposed Class
Indian Creek	Section 23, Township 49 North, Range 79 West	Section 32, Township 49 North, Range 77 West	100902020504	4B – entire watershed
Coal Draw	Section 6, Township 50 North, Range 78 West	Section 5, Township 50 North, Range 77 West	100902020605	4B – entire watershed
Flying E. Creek	Section 13, Township 49 North, Range 79 West	Section 28, Township 50 North, Range 77 West	100902020602	4B – entire watershed
Cat Creek	Section 4, Township 48 North, Range 79 West	Section 32, Township 48 North, Range 78 West	100902020408	4C – mainstem 4B - tributaries
North Fork Fourmile Cr	Section 25, Township 47 North, Range 80 West	Section 32, Township 48 North, Range 78 West	100902020407	4B – entire watershed
South Fork Fourmile Cr	Section 1, Township 46 North, Range 80 West	Section 32, Township 48 North, Range 78 West	100902020406	4B – entire watershed
Timber Creek	Section 35, Township 49 North, Range 79 West	Section 1, Township 49 North, Range 80 West	100902050205	4B – entire watershed
Fourmile Creek	Section 32, Township 48 North, Range 78 West	Section 36, Township 48 North, Range 78 West	100902020408	4C – mainstem 4B - tributaries

DECISION

I have determined according to the provisions of Sections 3, 4, 33 and 34 of Chapter 1 of the Wyoming Water Quality Rules and Regulations, and after consideration of the *“Use Attainability Analysis Kennedy Oil South*

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH
(307) 777-7758
FAX 777-3610

ABANDONED MINES
(307) 777-6145
FAX 777-6462

AIR QUALITY
(307) 777-7391
FAX 777-5616

INDUSTRIAL SITING
(307) 777-7369
FAX 777-6937

LAND QUALITY
(307) 777-7756
FAX 777-5864

SOLID & HAZ. WASTE
(307) 777-7752
FAX 777-5973

WATER QUALITY
(307) 777-7781
FAX 777-5973



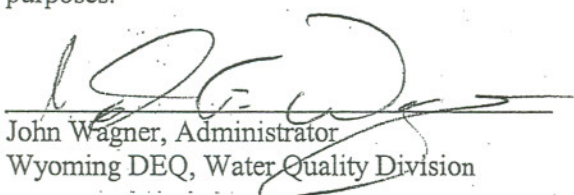
Kennedy South Reclassification

December 23, 2004

Page 2 of 2

Area in Johnson County, September 23, 2004" and related public comments that the above referenced drainages, including the mapped and unmapped tributaries, are most appropriately classified as Class 4B, with the exception of the mainstem segments of Cat Creek and Fourmile Creek as described above which are most appropriately classified as Class 4C. All of these Class 4 drainages will be protected for recreation, wildlife, agriculture, industry and scenic value use

This decision is considered a final action of the administrator of the Water Quality Division and may be appealed pursuant to Chapter 1, Section 16 of the Rules of Practice and Procedure. The reclassification of these eight drainages to the Powder River and their tributaries shall also be submitted to the U.S. Environmental Protection Agency for approval as revised water quality standards for Clean Water Act purposes.



John Wagner, Administrator
Wyoming DEQ, Water Quality Division

12/27/04

Date

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