



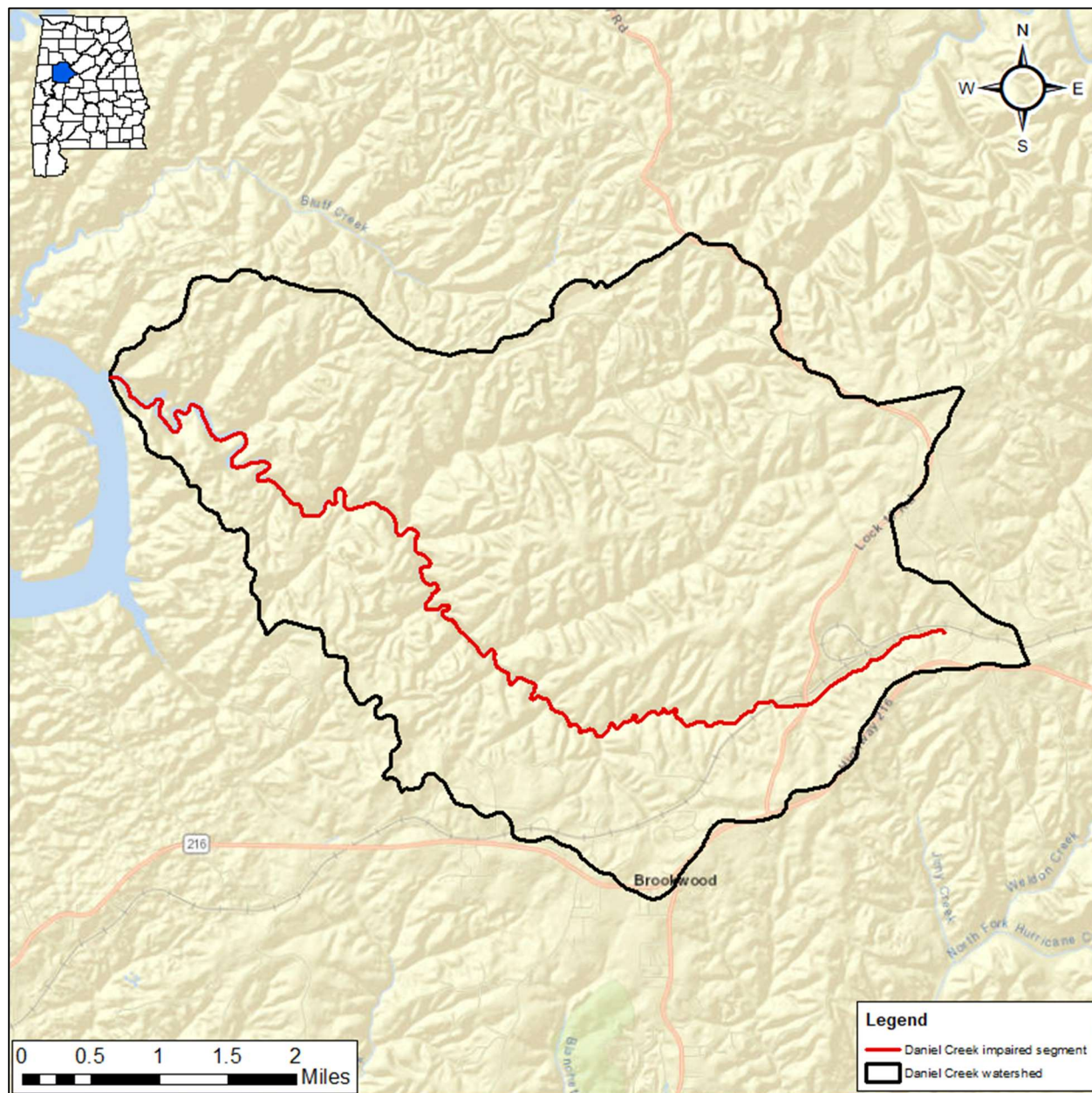
**Draft Delisting Decision
for
Daniel Creek**

Assessment Unit ID # AL03160112-0305-110

Pathogens (*E. coli*)

Alabama Department of Environmental Management
Water Quality Branch
Water Division
January 2026

Figure 1: Daniel Creek Watershed



<i>Table of Contents</i>	<i>Page</i>
1. Executive Summary	1
2. Basis for §303(d) Listing	2
3. Technical Basis for Delisting Decision	2
3.1. Water Quality Target Identification	2
3.2. Data Availability and Analysis	3
4. Conclusion	6
5. Public Participation	6
Appendix A: References	7
Appendix B: Station DNCT-2 Listing <i>E. coli</i> Data (2012)	8
Appendix C: Station DNCT-2 Photographs	9

List of Tables

Table 1. Daniel Creek Sampling Station	3
Table 2. Daniel Creek Station DNCT-2 <i>E. coli</i> data (2024)	5
Table 3. DNCT-2 <i>E. coli</i> Data Summary (2024)	5

List of Figures

Figure 1. Daniel Creek Watershed	ii
Figure 2. Daniel Creek Sampling Location (DNCT-2)	4

1.0 Executive Summary

Daniel Creek (AL03160112-0305-110) is in Tuscaloosa County and is part of the Black Warrior River basin. It begins northeast of Brookwood, Alabama and flows west to its confluence with the Black Warrior River (Holt Lake). It has a total length of 10.42 miles and a use classification of Fish and Wildlife (F&W).

Daniel Creek, from Holt Lake to its source, was first placed on the State of Alabama's §303(d) list for pathogens (*E. coli*) in 2018 based on data collected by the Alabama Department of Environmental Management (ADEM) in 2012. The source of the pathogens impairment was listed as pasture grazing.

During the 2024 sampling season, additional data was acquired for Daniel Creek to assess its ability to meet applicable water quality standards. The data indicates that this waterbody now fully supports its use classification with respect to pathogens (*E. coli*).

This report addresses the results of the delisting analysis for pathogens (*E. coli*) for Daniel Creek. Based on the assessment of the available data, ADEM has determined that a water quality impairment due to pathogens (*E. coli*) does not currently exist. Therefore, ADEM will not develop a Total Maximum Daily Load (TMDL) due to "more recent or accurate data," which is just cause for delisting a waterbody according to Title 40 of the Code of Federal Regulations (CFR), Part 130.7(b)(6)(iv).

2.0 Basis for §303(d) Listing

Section 303(d) of the Clean Water Act (CWA), as amended by the Water Quality Act of 1987 and the Environmental Protection Agency (EPA) Water Quality Planning and Management Regulations [Title 40 of the Code of Federal Regulations (CFR), Part 130], requires states to identify waterbodies which are not meeting water quality standards applicable to their designated use classifications. The identified waters are prioritized based on severity of pollution with respect to designated use classifications. TMDLs for all pollutants causing violation of applicable water quality standards are established for each identified water. Such loads are established at levels necessary to implement the applicable water quality standards with seasonal variations and margins of safety. The TMDL process establishes the allowable loading of pollutants, or other quantifiable parameters for a waterbody, based on the relationship between pollution sources and in-stream water quality conditions, so that states can establish water-quality based controls to reduce pollution from both point and non-point sources and restore and maintain the quality of their water resources (USEPA, 1991).

The segment of Daniel Creek from Holt Lake to its source was first placed on Alabama's §303(d) list for pathogens (*E. coli*) in 2018 based on data collected by ADEM in 2012. The source of the pathogens impairment was listed as pasture grazing. The impairment has been included on all subsequent §303(d) lists. The 2012 listing data is shown in Appendix B.

3.0 Technical Basis for Delisting Decision

3.1 Water Quality Target Identification

Criteria for acceptable bacteria levels for the F&W classification are described in ADEM Admin. Code R. 335-6-10-.09(5)(e)7(i) and (ii) as follows:

7. *Bacteria:*

(i) *In non-coastal waters, bacteria of the E. coli group shall not exceed a geometric mean of 548 colonies/100 ml; nor exceed a maximum of 2,507 colonies/100 ml in any sample. In coastal waters, bacteria of the enterococci group shall not exceed a maximum of 275 colonies/100 ml in any sample. The geometric mean shall be calculated from no less than five samples collected at a given station over a 30-day period at intervals not less than 24 hours.*

(ii) *For incidental water contact and whole body water-contact recreation during the months of May through October, the bacterial quality of water is acceptable when a sanitary survey by the controlling health authorities reveals no source of dangerous pollution and when the geometric mean E. coli organism density does not exceed 126 colonies/100 ml nor exceed a maximum of 298 colonies/100 ml in any sample in non-coastal waters. In coastal waters, bacteria of the enterococci group shall not exceed a geometric mean of 35 colonies/100 ml nor exceed a maximum of 158 colonies/100 ml in any sample. The geometric mean shall be calculated from no less than five samples collected at a given station over a 30-day period at intervals not less than*

24 hours. When the geometric bacterial coliform organism density exceeds these levels, the bacterial water quality shall be considered acceptable only if a second detailed sanitary survey and evaluation discloses no significant public health risk in the use of the waters. Waters in the immediate vicinity of discharges of sewage or other wastes likely to contain bacteria harmful to humans, regardless of the degree of treatment afforded these wastes, are not acceptable for swimming or other whole-body water-contact sports.

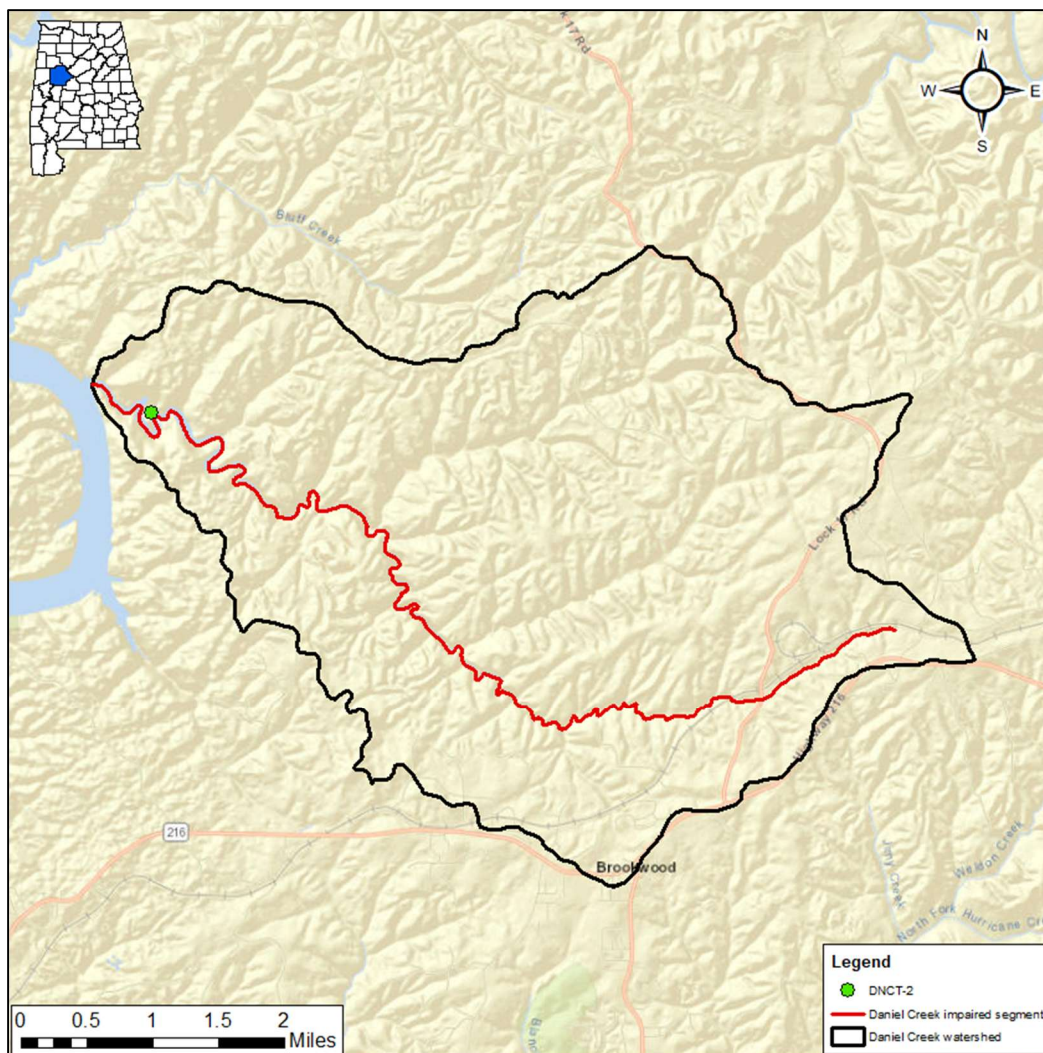
3.2 Data Availability and Analysis

In 2024, ADEM performed additional sampling on Daniel Creek to further assess the water quality of the impaired stream. For the purposes of this delisting decision, the 2024 data will be used to assess the water quality of Daniel Creek. This is consistent with the 2024 edition of *Alabama's Water Quality Assessment and Listing Methodology*. Sampling was conducted at ADEM station DNCT-2. A description of the location of station DNCT-2 can be found in Table 1, and a map showing the location can be found in Figure 2.

Table 1. Daniel Creek Sampling Station

Station ID	Description	Latitude	Longitude
DNCT-2	Coalbed methane pad off Davis Road	33.305016	-87.385126

Figure 2. Daniel Creek Sampling Location (DNCT-2)



A total of 18 *E. coli* samples were collected at station DNCT-2 during the 2024 sampling season. Of the 18 samples taken at station DNCT-2, there were no exceedances of the single sample maximum criterion. There were also no exceedances of the geometric mean criterion. The 2024 *E. coli* data can be seen below in Table 2.

Table 2. Daniel Creek Station DNCT-2 *E. Coli* Data (2024)

Visit Date	<i>E. coli</i> (col/100 mL)	Single Sample Criterion (col/100 ml)	Geometric Mean (col/100 ml)	Geometric Mean Criterion (col/ 100 ml)	Flow (cfs)
3/14/2024	56.3	2507	-	-	14.68
4/18/2024	18.3	2507	-	-	9.96
5/23/2024	10.9	298	-	-	7.41
6/5/2024	24.6	298	19.0	126	12.29
6/10/2024	17.1	298			5.18
6/17/2024	14.6	298			2.59
6/19/2024	21.6	298			5.33
6/25/2024	13.1	298			3.14
6/28/2024	27.2	298			6.35
7/18/2024	43.5	298	-	-	7.6
8/7/2024	27.2	298	30.7	126	8.39
8/12/2024	24.1	298			5.4
8/15/2024	23.5	298			8.11
8/22/2024	76.3	298			4.75
8/26/2024	16	298			4.96
9/5/2024	44.1	298			5.57
9/19/2024	84.2	298	-	-	9.35
10/24/2024	35.5	298	-	-	1.8

Table 3: DNCT-2 *E. coli* Data Summary (2024)

Geometric Mean Sampling Events	Geometric Mean Criterion (col/100ml)	Geometric Mean Exceedances	Single Samples	Single Sample Criteria (col/100ml)	Single Sample Exceedances
2	≤126	0	18	≤298 or ≤2507	0

4.0 Conclusion

Based on an examination of the recently collected water quality data on Daniel Creek, ADEM has determined that a water quality impairment due to pathogens (*E. coli*) does not currently exist. Therefore, ADEM will not develop a TMDL due to “more recent data,” which is a just cause for delisting waterbodies according to Title 40 of the Code of Federal Regulations (CFR), Part 130.7(b)(6)(iv).

5.0 Public Participation

As part of the public participation process, this Delisting Decision (DD) will be placed on public notice and made available for review and comment. The public notice will be prepared and published in newspapers in Montgomery, Huntsville, Birmingham, and Mobile, as well as submitted to persons who have requested to be on ADEM’s postal and electronic mailing distributions. In addition, the public notice and subject DD will be made available on ADEM’s Website: www.adem.alabama.gov. The public may also request paper or electronic copies of the DD by contacting Ms. Kimberly Minton at 334-271-7826 or kminton@adem.alabama.gov. The public will be given an opportunity to review the DD and submit comments to the Department in writing. At the end of the public review period, all written comments received during the public notice period will become part of the administrative record. ADEM will consider all comments received by the public prior to finalization of this DD and subsequent submission to EPA Region 4 for final review and approval.

Appendix A: References

ADEM Administrative Code, 2025. Water Division - Water Quality Program, Chapter 335-6-10, Water Quality Criteria.

ADEM Administrative Code, 2025. Water Division - Water Quality Program, Chapter 335-6-11, Use Classifications for Interstate and Intrastate Waters.

Alabama's Monitoring Program. 2012, 2024. ADEM.

Alabama Department of Environmental Management (ADEM), *Alabama's Water Quality Assessment and Listing Methodology*, 2024.

Alabama's §303(d) Lists and Fact Sheets. 2018, 2020, 2022, 2024. ADEM.

Alabama Department of Environmental Management (ADEM) Laboratory QA Manual, Chapter 10, Appendix A: ADEM Laboratory Qualifier Codes and Descriptions, January 24, 2022.

United States Environmental Protection Agency, 1991. Guidance for Water Quality-Based Decisions: The TMDL Process. Office of Water. EPA 440/4-91-001.

United States Environmental Protection Agency, 1986. Quality Criteria for Water. Office of Water. EPA 440/4-91-001.

Appendix B: Station DNCT-2 Listing *E. coli* Data (2012)

Visit Date	<i>E. coli</i> (col/100 mL)	Qualifier Code*	<i>E. coli</i> Criterion (col/100 mL)	Flow (ft ³ /s)
4/26/2012	15.6	-	2507	10.25
5/9/2012	410.6	-	298	51.35
6/13/2012	18.5	H	298	13.95
7/5/2012	42	-	298	-
8/14/2012	547.5	-	298	46.2
9/12/2012	38.3	-	298	6.64
10/11/2012	11	-	298	10.76
11/15/2012	7.5	-	2507	-

*Qualifier code "H" means that analytical holding times for analysis have been exceeded.

Appendix C: Station DNCT-2 Photographs

Station DNCT-2, looking upstream (8/22/2024)



Station DNCT-2, looking downstream (8/22/2024)

