Final

Total Maximum Daily Load (TMDL)

for

Clear Creek

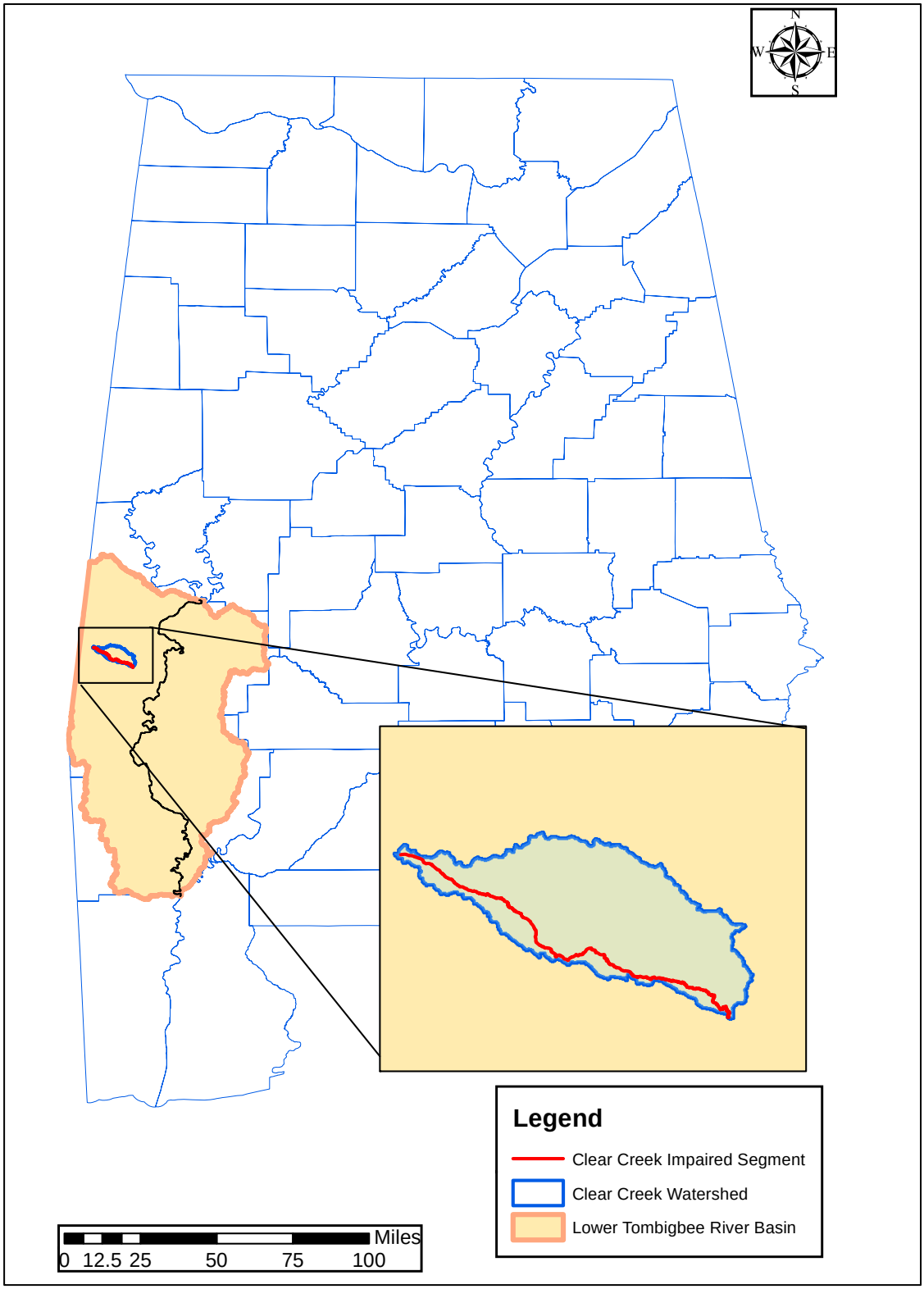
Assessment Unit ID# AL03160201-0504-200

Choctaw and Sumter Counties

Pathogens (*E. coli*)

Alabama Department of Environmental Management
Water Quality Branch
Water Division
August 2023

Figure 1: Clear Creek Watershed



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1.0 Executive Summary

Section 303(d) of the Clean Water Act and EPA's Water Quality Planning and Management Regulations (40 CFR Part 130) require states to identify waterbodies which are not meeting their designated uses and to determine the total maximum daily load (TMDL) for pollutants causing the use impairment. A TMDL is the sum of individual waste load allocations (WLAs) for point sources, load allocations (LAs) for nonpoint sources including natural background levels, and a margin of safety (MOS).

Clear Creek, part of the Tombigbee River basin, is currently included on Alabama's §303(d) list as impaired for pathogens (*E. coli*) from Yantley Creek to its source. This segment of Clear Creek has a designated use classification of Fish and Wildlife (F&W). Clear Creek begins northwest of Jachin, Alabama near the Choctaw/Sumter county line. The creek flows southeast to its confluence with Yantley Creek. The total drainage area for the Clear Creek watershed is approximately 39.6 square miles.

Clear Creek was first listed as impaired for pathogens on the §303(d) list in 2018 based on data collected by the Alabama Department of Environmental Management (ADEM) in 2015. The exceedances were found at station CLEC-1. This data, which can be found in Table 10, indicated the stream was impaired for *E.coli*.

Additional sampling studies were performed by ADEM on Clear Creek to further assess the water quality of the impaired stream. For purposes of this TMDL, data from 2019 and 2022 will be used to assess the water quality of Clear Creek because it is the most current data and provides the best picture of the current water quality conditions of the stream. The 2022 edition of *Alabama's Water Quality Assessment and Listing Methodology*, prepared by ADEM, provides the rationale for the Department to use the most recent data to prepare a TMDL for an impaired waterbody. All of the available and recent bacterial data is listed in the Appendix for reference. ADEM collected 22 samples at station CLEC-1 in 2019 and 2022 and, according to the collected data, Clear Creek was not meeting the pathogen criteria applicable to its use classification of Fish and Wildlife. Therefore, this TMDL has been developed for pathogens (*E. coli*) for Clear Creek.

A mass balance approach was used for calculating the pathogen TMDL for Clear Creek. The mass balance approach utilizes the conservation of mass principle. The TMDL was calculated using the single sample or geometric mean sample exceedance event which resulted in the highest percent reduction. Existing loads were calculated by multiplying the *E. coli* concentrations times the respective in-stream flows and a conversion factor. In the same manner as existing loads were calculated, allowable loads were calculated for the single sample *E. coli* target of 268.2 colonies/100 mL (298 colonies/100mL-10% Margin of Safety) and geometric mean *E. coli* target of 113.4 colonies/100 ml (126 colonies/100 ml – 10% Margin of Safety). In this case, it was determined that the highest percent reduction was calculated from a single sample *E. coli* violation of 579.4 colonies/100 mL measured on October 6, 2022 at station CLEC-1. This violation calls for a reduction of 54%.

Table 1 is a summary of the estimated existing load, allowable load, and percent reduction for the single sample criterion and the geometric mean criterion. Table 2 lists the TMDL, defined as the maximum allowable *E. coli* loading under critical conditions for Clear Creek.

Table 1. *E. coli* Loads and Required Reductions

Source	Existing Load (col/day)	Allowable Load (col/day)	Required Reduction (col/day)	% Reduction
Single Sample Load	1.32E+11	6.10E+10	7.08E+10	54%
Geometric Mean Load	6.41E+10	3.22E+10	3.19E+10	50%

Table 2. *E. coli* TMDL for Clear Creek

TMDL[e]	Margin of Safety (MOS)	Waste Load Allocation (WLA)[a]			Load Allocation (LA)	
		WWTPs[b]	MS4s[c]	Leaking Collection Systems[d]		
(col/day)	(col/day)	(col/day)	% reduction	(col/day)	(col/day)	% reduction
6.78E+10	6.78E+9	N/A	N/A	0	6.10E+10	54%

Note: N/A = not applicable

a. There are no CAFOs in the Clear Creek watershed. Future CAFOs will be assigned a waste load allocation (WLA) of zero.

b. Future WWTPs must meet the applicable in-stream water quality criteria for pathogens at the point of discharge.

c. Future MS4 areas would be required to demonstrate consistency with the assumptions and requirements of this TMDL.

d. The objective for leaking collection systems is a WLA of zero. It is recognized, however, that a WLA of 0 colonies/day may not be practical. For these sources, the WLA is interpreted to mean a reduction in *E. coli* loading to the maximum extent practicable, consistent with the requirement that these sources not contribute to a violation of the water quality criteria for *E. coli*.

e. TMDL was established using the single sample criterion of 298 colonies/100 ml.

Compliance with the terms and conditions of existing and future NPDES permits will effectively implement the WLA and demonstrate consistency with the assumptions and requirements of the TMDL. Required load reductions in the LA portion of this TMDL can be implemented through voluntary measures and may be eligible for CWA §319 grants.

The Department recognizes that adaptive implementation of this TMDL will be needed to achieve applicable water quality criteria, and we are committed to targeting the load reductions to improve water quality in the Clear Creek watershed. As additional data and/or information become available, it may become necessary to revise and/or modify the TMDL accordingly.

2.0 Basis for §303(d) Listing

2.1 Introduction

Section 303(d) of the Clean Water Act and EPA's Water Quality Planning and Management Regulations (40 CFR Part 130) require states to identify waterbodies which are not meeting their designated uses and to determine the total maximum daily load (TMDL) for pollutants causing use impairment. The TMDL process establishes the allowable loading of pollutants 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 and restore and maintain the quality of their water resources (USEPA, 1991).

The State of Alabama has identified the 17.25-mile segment of Clear Creek from Yantley Creek to its source as impaired for pathogens. Clear Creek was originally listed on Alabama's 2018 List of Impaired Waters for pathogens based on data collected in 2015. The source of the pathogens impairment is listed on the 2022 §303(d) list as pasture grazing.

2.2 Problem Definition

Waterbody Impaired:	Clear Creek, from Yantley Creek to it source
Impaired Reach Length:	17.25 miles
Impaired Drainage Area:	39.63 square miles
Water Quality Standard Violation:	Pathogens (Single Sample Maximum, Geometric Mean)
Pollutant of Concern:	Pathogens (*E. coli*)
Water Use Classification:	Fish and Wildlife

Usage Related to Classification:

The impaired stream segment is classified as Fish and Wildlife (F&W). Usage of waters in this classification is described in ADEM Admin. Code R. 335-6-10-.09(5) (a), (b), (c), and (d).

(a) Best usage of waters: fishing, propagation of fish, aquatic life, and wildlife.

(b) Conditions related to best usage: the waters will be suitable for fish, aquatic life and wildlife propagation. The quality of salt and estuarine waters to which this classification is assigned will also be suitable for the propagation of shrimp and crabs.

(c) Other usage of waters: it is recognized that the waters may be used for incidental water contact year-round and whole body water-contact recreation during the months of May through October, except that water contact is strongly discouraged in the vicinity of discharges or other conditions beyond the control of the Department or the Alabama Department of Public Health.

(d) Conditions related to other usage: the waters, under proper sanitary supervision by the controlling health authorities, will meet accepted standards of water quality for outdoor swimming areas and will be considered satisfactory for swimming and other whole body water-contact sports.

E. coli Criteria:

Criteria for acceptable bacteria levels for the F&W use 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.

Criteria Exceeded:

Clear Creek was included on Alabama's 2018 §303(d) list for pathogens (*E. coli*) based on data collected in 2015. Monthly sample results taken from CLEC-1- for *E.coli* showed three out of eight samples exceeding the single sample criterion. This data can be seen in Appendix 7.2, Table 10.

3.0 Technical Basis for TMDL Development

3.1 Water Quality Target Identification

For the purpose of this TMDL, a single sample maximum *E. coli* target of 268.2 colonies/100 ml will be used. This target was derived by using a 10% explicit margin of safety from the single sample maximum criterion of 298 colonies/100 ml. This target is considered protective of water quality standards and should not allow the single sample maximum of 298 colonies/100 ml to be exceeded. In addition, a geometric mean *E. coli* target of 113.4 colonies/100 ml will be used for a series of five samples taken at least 24 hours apart over the course of 30 days. This target was derived by using a 10% explicit margin of safety from the geometric mean maximum of 126 colonies/100 ml criterion. This target is considered protective of water quality standards and should not allow the geometric mean of 126 colonies/100 ml to be exceeded.

3.2 Source Assessment

3.2.1 Point Sources in the Clear Creek Watershed

A point source can be defined as a discernible, confined, and discrete conveyance from which pollutants are or may be discharged to surface waters. Point source contributions can typically be attributed to municipal wastewater facilities, illicit discharges, and leaking sewer systems in urban areas. Municipal wastewater treatment facilities are permitted through the National Pollutant Discharge Elimination System (NPDES) process administered by ADEM. In urban settings, sewer lines typically run parallel to streams in the floodplain. If a leaking sewer line is present, high concentrations of bacteria can flow into the stream or leach into the groundwater. Illicit discharges are found at facilities that are discharging bacteria when not permitted, or when the pathogens criterion established in the issued NPDES permit is not being upheld.

There are no NPDES regulated continuous point sources in the Clear Creek watershed that would contribute to the *E. coli* loading. There is one facility with an NPDES general permit (ALG060501) in the watershed; however, it is not believed that this facility is contributing to the pathogen impairment in Clear Creek based on the nature of its processes. As such, no *E. coli* loading will be attributed to this facility, nor will it receive an allocation in this TMDL. In addition, the Clear Creek watershed does not presently qualify as a municipal separate storm sewer system (MS4) area.

There are currently no Animal Feeding Operation/Concentrated Animal Feeding Operation (AFO/CAFO) facilities located within the Clear Creek watershed. AFOs/CAFOs are required to implement and maintain effective best management practices (BMPs) that meet or exceed Natural Resources Conservation Service (NRCS) technical standards and guidelines, and the ADEM AFO/CAFO rules currently prohibit discharges of pollutants from these facilities and their associated land application activities. As a result, future AFOs/CAFOs will receive a waste load allocation of zero.

Any future NPDES regulated discharger that is considered by the Department to be a pathogen source will be required to demonstrate consistency with the assumptions and requirements of this TMDL.

3.2.2 Nonpoint Sources in the Clear Creek Watershed

Nonpoint sources of bacteria do not have a defined discharge point, but rather occur over the entire length of a stream or waterbody. On the land surface, bacteria can accumulate over time and be washed into streams or waterbodies during rain events. Therefore, there is some net loading of bacteria into streams as dictated by the watershed hydrology.

Agricultural land can be a source of *E. coli* bacteria. Runoff from pastures and animal feeding areas, improper land application of animal wastes, and animals with direct access to streams are all mechanisms that can contribute bacteria to waterbodies. To account for the potential influence from animals with direct access to stream reaches in the watershed, *E. coli* loads can be calculated as a direct source into the stream.

E. coli bacteria can also originate from forested areas due to the presence of wild animals such as deer, raccoons, turkey, waterfowl, etc. Wildlife will deposit feces onto land surfaces, where it can be transported during rainfall events to nearby streams. Control of these sources is usually limited to land management BMPs and may be impracticable in most cases. As a result, forested areas are not specifically targeted in this TMDL.

E. coli loading from developed areas is potentially attributable to multiple sources including storm water runoff, unpermitted discharges of wastewater, runoff from improper disposal of waste materials, failing septic tanks, and domestic animals. On-site septic systems may be direct or indirect sources of bacterial pollution via ground and surface waters due to system failures and malfunctions.

3.3 Land Use Assessment

Land use for the Clear Creek watershed was determined using ArcMap with land use datasets derived from the 2019 National Land Cover Dataset (NLCD). The total drainage area of the Clear Creek watershed is approximately 39.6 square miles. Table 3 depicts the primary land uses in the Clear Creek watershed.

The majority of the Clear Creek watershed is comprised of forested and natural lands (90.27%). The remaining land use is approximately 6.72% agricultural land, 2.73% developed land, and 0.28% open water. Developed land includes both commercial and residential land uses.

Figure 2. Land Use in the Clear Creek Watershed

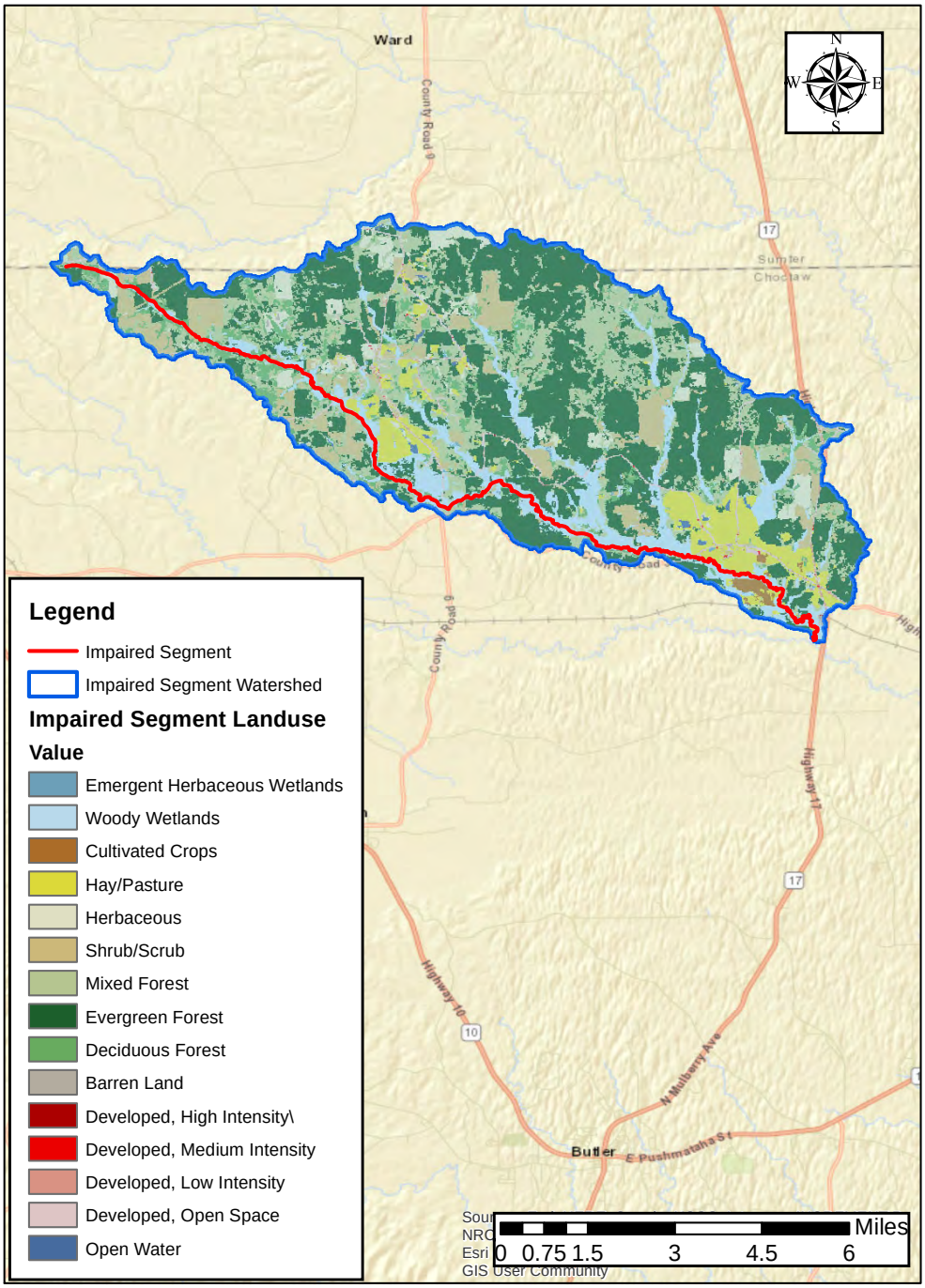
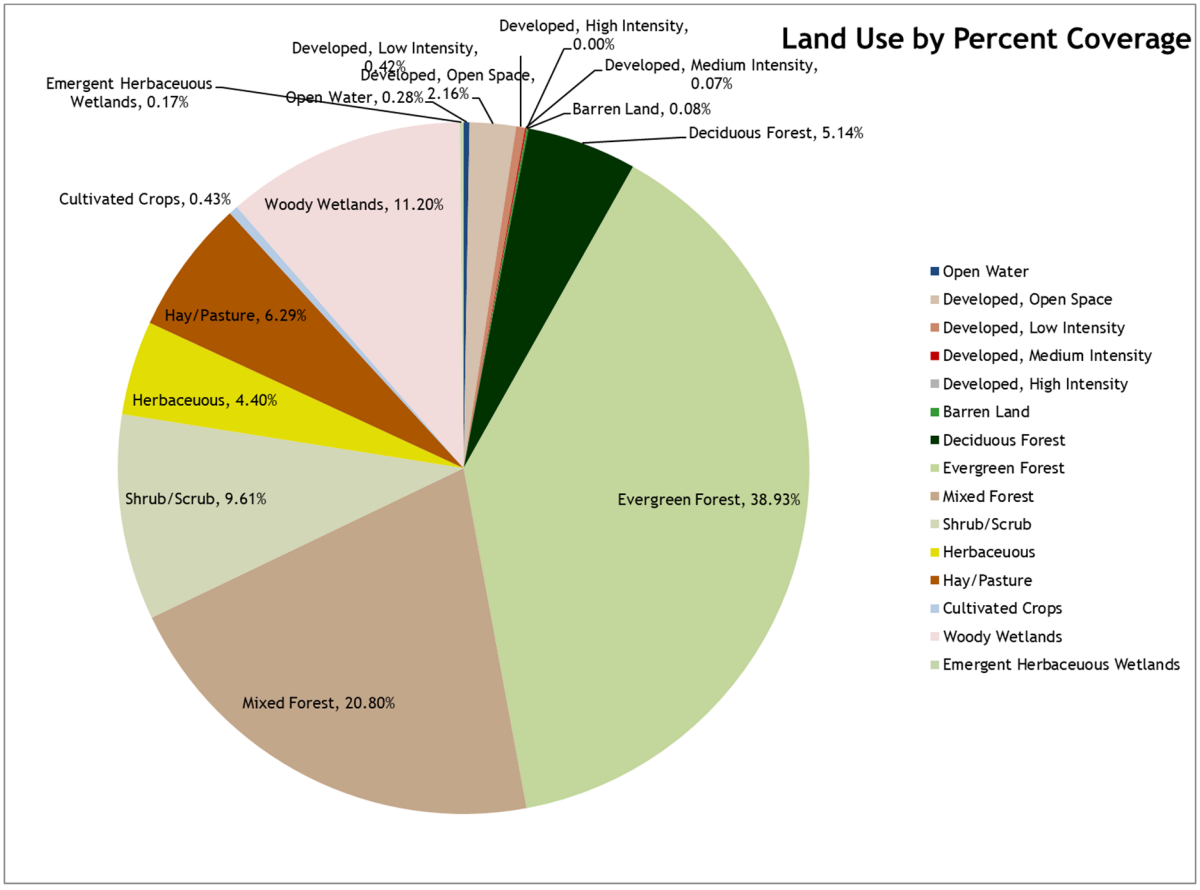


Table 3: Land Use (2019) in the Clear Creek Watershed

Land Use	Miles^2	Acres	Percent
Open Water	0.11	69.83	0.28%
Developed, Open Space	0.86	548.20	2.16%
Developed, Low Intensity	0.17	105.86	0.42%
Developed, Medium Intensity	0.03	17.12	0.07%
Developed, High Intensity	0.00	0.89	0.00%
Barren Land	0.03	20.91	0.08%
Deciduous Forest	2.04	1304.57	5.14%
Evergreen Forest	15.43	9873.66	38.93%
Mixed Forest	8.24	5275.65	20.80%
Shrub/Scrub	3.81	2438.34	9.61%
Herbaceous	1.75	1116.87	4.40%
Hay/Pasture	2.49	1595.24	6.29%
Cultivated Crops	0.17	109.42	0.43%
Woody Wetlands	4.44	2841.32	11.20%
Emergent Herbaceous Wetlands	0.06	44.03	0.17%
Totals→	**39.63**	**25361.90**	**100.00%**
Class Description	**Miles^2**	**Acres**	**Percent**
Open Water	0.11	69.83	0.28%
Agricultural Lands	2.66	1704.66	6.72%
Forested/Natural	35.77	22894.43	90.27%
Developed Land (Grouped)	1.08	692.98	2.73%
Totals→	**39.63**	**25361.90**	**100.00%**

Figure 3: Pie Chart of Land Use Distribution in the Clear Creek Watershed



3.4 Linkage between Numeric Targets and Sources

The dominant land use coverage in the Clear Creek watershed is forested/natural, followed by agriculture and developed land. Pollutant loadings from forested areas tend to be low due to their filtering capabilities and will be considered as background conditions. The most likely sources of pathogen loadings in Clear Creek are from the agricultural land uses and leaking or failing septic tanks. It is not considered a logical approach to calculate individual components for nonpoint source loadings. Hence, there will not be individual loads or reductions calculated for the various nonpoint sources. The loadings will be calculated as a single total nonpoint source load and reduction.

3.5 Data Availability and Analysis

In 2019 and 2022, ADEM conducted sampling on Clear Creek to further assess the water quality of the impaired stream. For purposes of this TMDL, the 2019 and 2022 data will be used to assess the water quality of Clear Creek because it is the most current data and provides the best picture

of the current water quality conditions of the stream. The 2022 edition of *Alabama's Water Quality Assessment and Listing Methodology*, prepared by ADEM, provides the rationale for the Department to use the most recent data to prepare a TMDL for an impaired waterbody.

ADEM collected monthly water quality data for the Clear Creek watershed at station CLEC-1. A description of the location of station CLEC-1 can be found in Table 4, and a map showing the location of station CLEC-1 can be found in Figure 4. A total of 22 *E. coli* samples were collected at station CLEC-1 in 2019 and 2022. Of the 22 samples, there were seven exceedances of the single sample maximum criterion. In addition, there was a geometric mean exceedance at station CLEC-1 in October 2022. Sampling completed at station CLEC-1 from October 6, 2022 to October 27, 2022 yielded a geometric mean of 225.8 colonies/100 ml. The average flow taken during this period was calculated to be 11.6 cfs. A complete list of available data used in this report and photographs at CLEC-1 can be found in Appendices 7.2 and 7.3.

Table 4: ADEM Sampling Station in the Clear Creek Watershed

Station Name	Agency Name	Latitude	Longitude	Description
CLEC-1	ADEM	32.23648	-88.19938	Clear Creek at Choctaw County Road 32

Figure 4: ADEM sampling station in the Clear Creek Watershed

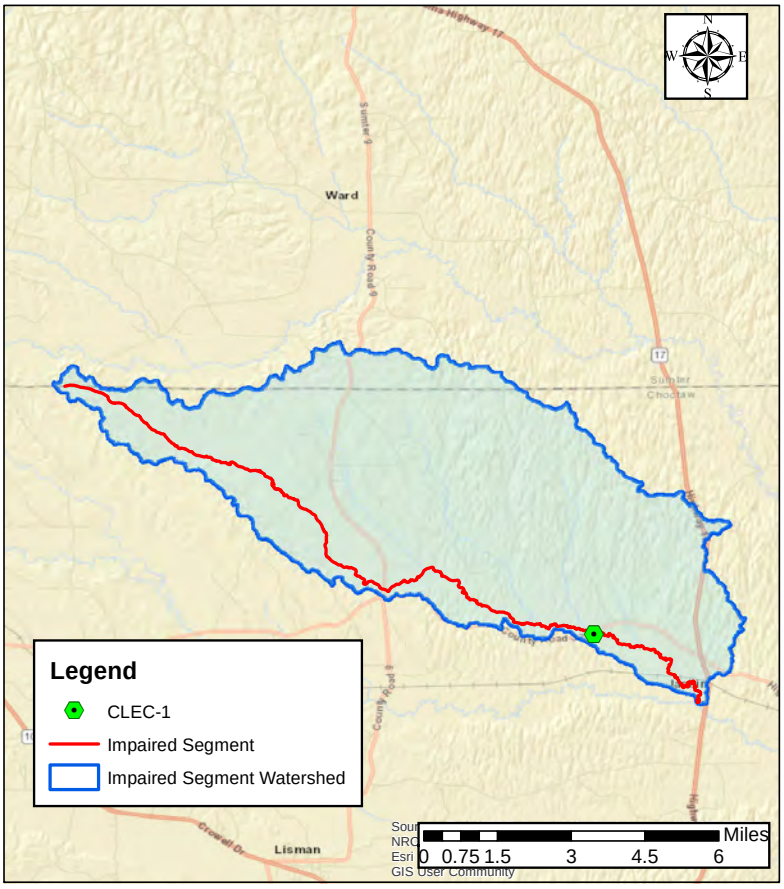


Table 5: 2019 and 2022 *E. coli* data for Clear Creek

Station ID	Visit Date	*E. coli* Single Sample (col/100 ml)	*E. coli* Dc	*E. coli* Single Sample Criterion (col/100 ml)	Geometric Mean (col/100 ml)	Geometric Mean Criterion (col/100 ml)	Flow (cfs)
CLEC-1	3/12/2019	2419.6	G	2,507			
CLEC-1	5/15/2019	266.8		298			56.5
CLEC-1	7/11/2019	410.6		298			
CLEC-1	9/4/2019	547.5		298			4.4
CLEC-1	3/8/2022	214.2	H	2,507			19.8
CLEC-1	4/6/2022	344.8	H	2,507			
CLEC-1	5/4/2022	45.7	H	298			8.5
CLEC-1	5/19/2022	107.1	-	298	96.9	126	118.4
CLEC-1	6/1/2022	80.4	-	298			9.1
CLEC-1	6/7/2022	140.1	H	298			7.5
CLEC-1	6/13/2022	186	-	298			8.1
CLEC-1	6/15/2022	42	-	298			7.7
CLEC-1	6/16/2022	88	-	298			5.9
CLEC-1	7/5/2022	387.3	H	298			10.1
CLEC-1	8/9/2022	261.3	H	298			5.5
CLEC-1	9/7/2022	410.6	H	298			0.7
CLEC-1	10/6/2022	579.4	-	298	225.8	126	9.3
CLEC-1	10/11/2022	137.6	H	298			4.7
CLEC-1	10/17/2022	328.2	-	298			21.8
CLEC-1	10/19/2022	365.4	-	298			13.2
CLEC-1	10/25/2022	206.4	-	298			9.8
CLEC-1	10/27/2022	67.2	H	298			11.1

*G denotes that the analyte is present, but is above an acceptable level for quantitation
*H denotes that the holding times for analysis were exceeded

3.6 Critical Conditions/Seasonal Variation

Critical conditions typically occur during the summer months (May – October). This can be explained by the nature of storm events in the summer versus the winter. In summer, periods of dry weather interspersed with thunderstorms allow for the accumulation and washing off of bacteria into streams, resulting in spikes of bacteria counts. In winter, frequent low intensity rain events are more typical and do not allow for the build-up of bacteria on the land surface, resulting in a more uniform loading rate.

The Clear Creek watershed generally follows the trends described above for the summer months of May through October. The maximum single sample concentration of 579.4 colonies/100 ml at station CLEC-1 will be used to estimate the pathogen loadings to Clear Creek under critical conditions. The highest *E. coli* single sample exceedance value occurred on October 6, 2022, with

a flow of 9.3 cfs. The use of the highest exceedance to calculate the TMDL is expected to be protective of water quality in Clear Creek year-round.

3.7 Margin of Safety

There are two methods for incorporating a Margin of Safety (MOS) in the TMDL analysis: 1) by implicitly incorporating the MOS using conservative model assumptions to develop allocations, or 2) by explicitly specifying a portion of the TMDL as the MOS and using the remainder for allocations.

The MOS accounts for the uncertainty associated with the limited availability of data used in this analysis. An explicit MOS was applied to the TMDL by reducing the appropriate target criterion concentration by ten percent and calculating a mass loading target with measured or calculated flow data. The single sample *E. coli* maximum criterion of 298 colonies/100 ml was reduced by 10% to 268.2 colonies/100 ml, while the geometric mean criterion was reduced in the same fashion to 113.4 colonies/100 ml.

4.0 TMDL Development

4.1 Definition of a TMDL

A total maximum daily load (TMDL) is the sum of individual waste load allocations (WLAs) for point sources, load allocations (LAs) for nonpoint sources including natural background levels, and a margin of safety (MOS). The margin of safety can be included either explicitly or implicitly and accounts for the uncertainty in the relationship between pollutant loads and the quality of the receiving waterbody. As discussed earlier, the MOS is explicit in this TMDL. A TMDL can be denoted by the equation:

$$TMDL = \Sigma\ WLAs + \Sigma\ LAs + MOS$$

The TMDL is the total amount of pollutant that can be assimilated by the receiving waterbody while achieving water quality standards under critical conditions.

For some pollutants, TMDLs are expressed on a mass loading basis (e.g., pounds per day). However, for pathogens, TMDL loads are typically expressed in terms of organism counts per day (colonies/day), in accordance with 40 CFR 130.2(i).

4.2 Load Calculations

A mass balance approach was used to calculate the pathogen TMDL for Clear Creek. The mass balance approach utilizes the conservation of mass principle. Total mass loads can be calculated by multiplying the *E. coli* concentration times the in-stream flow times a conversion factor. Existing loads were calculated for the highest geometric mean sample exceedance and the highest single sample exceedance. In the same manner, allowable loads were calculated for both

the single sample criterion and geometric mean criterion. The TMDL was based on the violation that produced the highest percent reduction of *E. coli* loads necessary to achieve applicable water quality criteria, whether it was the single sample or geometric mean sample.

4.2.1 Existing Conditions

The **single sample** mass loading was calculated by multiplying the highest single sample *E. coli* concentration of 579.4 colonies/100 ml times the measured flow at the time the sample was taken. This concentration was measured at station CLEC-1 on October 6, 2022. This measurement can be found in Appendix 7.2, Table 9. The product of the concentration, flow, and a conversion factor gives the total mass loading (colonies per day) of *E. coli* to Clear Creek under the single sample exceedance condition.

$$\frac{9.3\ \text{ft}^3}{\text{s}} \times \frac{579.4\ \text{colonies}}{100\ \text{ml}} \times \frac{24{,}465{,}755 * 100\ \text{ml} * \text{s}}{\text{ft}^3 * \text{day}} = \frac{1.32 \times 10^{11}\text{colonies}}{\text{day}}$$

The **geometric mean** mass loading was calculated by multiplying the highest geometric mean exceedance concentration of 225.8 colonies/100 ml times the average of the measured flows taken during the geometric mean sampling period. This concentration was calculated based on measurements at station CLEC-1 between October 6, 2022 and October 27, 2022, and can be found in Appendix 7.2, Table 9. The average stream flow was determined to be 11.6 cfs. The product of these two values times the conversion factor gives the total mass loading (colonies per day) of *E. coli* to Clear Creek under the geometric mean exceedance condition.

$$\frac{11.6\ \text{ft}^3}{\text{s}} \times \frac{225.8\ \text{colonies}}{100\ \text{ml}} \times \frac{24{,}465{,}755 * 100\ \text{ml} * \text{s}}{\text{ft}^3 * \text{day}} = \frac{6.41 \times 10^{10}\text{colonies}}{\text{day}}$$

4.2.2 Allowable Conditions

The **allowable load** to the watershed was calculated under the same physical conditions as discussed above for the single sample and geometric mean criteria. This was done by taking the product of the measured or estimated flow for the violation event, the allowable concentration, and the conversion factor.

For the **single sample** *E. coli* target concentration of 268.2 colonies/100 ml, the allowable *E. coli* loading is:

$$\frac{9.3\ \text{ft}^3}{\text{s}} \times \frac{268.2\ \text{colonies}}{100\ \text{ml}} \times \frac{24{,}465{,}755 * 100\ \text{ml} * \text{s}}{\text{ft}^3 * \text{day}} = \frac{6.10 \times 10^{10}\text{colonies}}{\text{day}}$$

The explicit margin of safety of 29.8 colonies/100 ml equals a daily loading of:

$$\frac{9.3\ \text{ft}^3}{\text{s}} \times \frac{29.8\ \text{colonies}}{100\ \text{ml}} \times \frac{24{,}465{,}755 * 100\ \text{ml} * \text{s}}{\text{ft}^3 * \text{day}} = \frac{6.78 \times 10^{9}\text{colonies}}{\text{day}}$$

For the **geometric mean** *E. coli* target concentration of 113.4 colonies/100 ml, the allowable *E. coli* loading is:

$$\frac{11.6\ \text{ft}^3}{\text{s}} \times \frac{113.4\ \text{colonies}}{100\ \text{ml}} \times \frac{24{,}465{,}755 * 100\ \text{ml} * \text{s}}{\text{ft}^3 * \text{day}} = \frac{3.22 \times 10^{10}\text{colonies}}{\text{day}}$$

The explicit margin of safety of 12.6 colonies/ 100 ml equals a daily loading of:

$$\frac{11.6\ \text{ft}^3}{\text{s}} \times \frac{12.6\ \text{colonies}}{100\ \text{ml}} \times \frac{24{,}465{,}755 * 100\ \text{ml} * \text{s}}{\text{ft}^3 * \text{day}} = \frac{3.58 \times 10^{9}\text{colonies}}{\text{day}}$$

The difference between the existing conditions (violation event) and the allowable conditions converted to a percent reduction represents the total load reduction needed to achieve the *E. coli* water quality criteria. The TMDL was calculated as the total daily *E. coli* load to Clear Creek as evaluated at station CLEC-1. Table 6 shows the existing and allowable *E. coli* loads and required reductions for the Clear Creek watershed.

Table 6: *E. coli* Loads and Required Reductions

Source	Existing Load (col/day)	Allowable Load (col/day)	Required Reduction (col/day)	% Reduction
Single Sample Load	1.32E+11	6.10E+10	7.08E+10	54%
Geometric Mean Load	6.41E+10	3.22E+10	3.19E+10	50%

From Table 6, compliance with the single sample criterion of 298 colonies/100 ml requires a reduction of 54% in the *E. coli* load. The TMDL, WLA, LA, and MOS values necessary to achieve the applicable *E. coli* criteria are provided below in Table 7.

Table 7: *E. coli* TMDL for Clear Creek

TMDL[e]	Margin of Safety (MOS)	Waste Load Allocation (WLA)[a]			Load Allocation (LA)	
		WWTPs[b]	MS4s[c]	Leaking Collection Systems[d]		
(col/day)	(col/day)	(col/day)	% reduction	(col/day)	(col/day)	% reduction
6.78E+10	6.78E+9	N/A	N/A	0	6.10E+10	54%

Note: N/A = not applicable

a. There are no CAFOs in the Clear Creek watershed. Future CAFOs will be assigned a waste load allocation (WLA) of zero.

b. Future WWTPs must meet the applicable in-stream water quality criteria for pathogens at the point of discharge.

c. Future MS4 areas would be required to demonstrate consistency with the assumptions and requirements of this TMDL.

d. The objective for leaking collection systems is a WLA of zero. It is recognized, however, that a WLA of 0 colonies/day may not be practical. For these sources, the WLA is interpreted to mean a reduction in *E. coli* loading to the maximum extent practicable, consistent with the requirement that these sources not contribute to a violation of the water quality criteria for *E. coli*.

e. TMDL was established using the geometric mean criterion of 126 colonies/100 ml.

4.3 TMDL Summary

Clear Creek was placed on Alabama's §303(d) list for pathogens in 2018 based on data collected in 2015. Additional water quality data was collected by ADEM in 2019 and 2022. The data collected by ADEM during that sampling period confirmed the pathogen impairment and provided the basis for TMDL development.

A mass balance approach was used to calculate the *E. coli* TMDL for Clear Creek. Based on the TMDL analysis, it was determined that a 54% reduction in *E. coli* loading was necessary to achieve compliance with applicable water quality standards.

Compliance with the terms and conditions of existing and future NPDES sanitary and storm water permits will effectively implement the WLA and demonstrate consistency with the assumptions and requirements of the TMDL.

Required load reductions in the LA portion of this TMDL will be implemented through voluntary measures/best management practices (BMPs). Cooperation and active participation by the general public and various other groups is critical to successful implementation of TMDLs. Local citizen-led and implemented management measures offer the most efficient and comprehensive avenue for reduction of loading rates from nonpoint sources. Therefore, TMDL implementation activities for nonpoint sources will be coordinated through interaction with local entities and may be eligible for CWA §319 grants through the Department's Nonpoint Source Unit.

The Department recognizes that adaptive implementation of this TMDL will be needed to achieve applicable water quality criteria, and we are committed to targeting the load reductions to improve water quality in the Clear Creek watershed. As additional data and/or information become available, it may become necessary to revise and/or modify the TMDL accordingly.

5.0 Follow-up monitoring

ADEM has adopted a basin approach to water quality monitoring, an approach that divides Alabama's sixteen major river basins into three groups. Each year, ADEM's water quality resources are concentrated in one of the three basin groups and are divided among multiple priorities including §303(d) listed waterbodies, waterbodies with active TMDLs, and other waterbodies as determined by the Department. Monitoring will help further characterize water quality conditions resulting from the implementation of best management practices and load reductions in the watershed. This monitoring will occur in each basin according the schedule shown in Table 8.

Table 8: Follow-up Monitoring Schedule

River Basin Group	Years to be Monitored
Coosa, Escatawpa, Tennessee (Guntersville), Tombigbee	2022/2025
Alabama, Cahaba, Mobile, Tallapoosa, Tennessee (Pickwick and Wilson)	2023/2026
Black Warrior, Blackwater, Chattahoochee, Chipola, Choctawhatchee, Escambia, Perdido, Tennessee (Wheeler), Yellow	2024/2027

6.0 Public Participation

As part of the public participation process, this TMDL was placed on public notice and made available for review and comment. The public notice was prepared and published in four major newspapers in Montgomery, Huntsville, Birmingham, and Mobile, as well as submitted to persons who requested to be on ADEM's postal and electronic mailing distributions. In addition, the public notice and subject TMDL were made available on ADEM's Website: www.adem.alabama.gov. The public could also request paper or electronic copies of the TMDL by contacting Ms. Kimberly Minton at 334-271-7826 or kminton@adem.alabama.gov. The public was given an opportunity to review the TMDL and submit comments to the Department in writing. No written comments were received during the public notice period.

7.0 Appendices

7.1 References

ADEM Administrative Code, 2021. Water Division - Water Quality Program, Chapter 335-6-10, Water Quality Criteria.

ADEM Administrative Code, 2021. Water Division - Water Quality Program, Chapter 335-6-11, Use Classifications for Interstate and Intrastate Waters.

Alabama's Monitoring Program. 2015, 2019, 2022. ADEM.

Alabama Department of Environmental Management (ADEM), *Alabama's Water Quality Assessment and Listing Methodology*, 2022.

Alabama's §303(d) List and Fact Sheet. 2018, 2020, 2022. ADEM.

Alabama Department of Environmental Management (ADEM), Laboratory Data Qualification SOP #4910 Revision 7.2, 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.

7.2 Water Quality Data

Table 9: 2019 and 2022 *E. coli* Data for Station CLEC-1

Station ID	Visit Date	*E. coli* Single Sample (col/100 ml)	*E. coli* Dc	*E. coli* Single Sample Criteria (col/100 ml)	Geometric Mean (col/100 ml)	Geometric Mean Criteria (col/100 ml)	Flow (cfs)
CLEC-1	3/12/2019	2419.6	G	2,507			
CLEC-1	5/15/2019	266.8		298			56.5
CLEC-1	7/11/2019	410.6		298			
CLEC-1	9/4/2019	547.5		298			4.4
CLEC-1	3/8/2022	214.2	H	2,507			19.8
CLEC-1	4/6/2022	344.8	H	2,507			
CLEC-1	5/4/2022	45.7	H	298			8.5
CLEC-1	5/19/2022	107.1	-	298	96.9	126	118.4
CLEC-1	6/1/2022	80.4	-	298			9.1
CLEC-1	6/7/2022	140.1	H	298			7.5
CLEC-1	6/13/2022	186	-	298			8.1
CLEC-1	6/15/2022	42	-	298			7.7
CLEC-1	6/16/2022	88	-	298			5.9
CLEC-1	7/5/2022	387.3	H	298			10.1
CLEC-1	8/9/2022	261.3	H	298			5.5
CLEC-1	9/7/2022	410.6	H	298			0.7
CLEC-1	10/6/2022	579.4	-	298	225.8	126	9.3
CLEC-1	10/11/2022	137.6	H	298			4.7
CLEC-1	10/17/2022	328.2	-	298			21.8
CLEC-1	10/19/2022	365.4	-	298			13.2
CLEC-1	10/25/2022	206.4	-	298			9.8
CLEC-1	10/27/2022	67.2	H	298			11.1

*G denotes that the analyte is present, but is above an acceptable level for quantitation
*H denotes that the holding times for analysis were exceeded.

Table 10. Station CLEC-1 Listing *E. coli* Data (2015)

Station ID	Visit Date	*E. coli* Single Sample (col/100 mL)	*E. coli* Dc	*E. coli* Single Sample Criteria	*E. coli* Geometric Mean (col/100 ml)	*E. coli* Geometric Mean Criteria (col/100 ml)	Flow (cfs)
CLEC-1	3/30/2015	98.7	-	2,507	-	-	29.9
CLEC-1	4/15/2015	727	-	2,507	-	-	52.6
CLEC-1	5/12/2015	129.1	H	298	-	-	6.7
CLEC-1	6/11/2015	129.6	-	298	-	-	4.5
CLEC-1	7/1/2015	224.7	-	298	-	-	19.1
CLEC-1	8/25/2015	517.2	-	298	-	-	6.0
CLEC-1	9/17/2015	613.1	-	298	-	-	1.5
CLEC-1	10/26/2015	816.4	-	298	-	-	4.4
*H denotes that the holding times for analysis were exceeded.							

7.3 Clear Creek Photos

Figure 5. At Station CLEC-1: Upstream View of Clear Creek (3/8/2022)

Figure 6. At Station CLEC-1: Downstream View of Clear Creek (3/8/2022)

Figure 7: At Station CLEC-1: Upstream View of Clear Creek (6/22/2022)

Figure 8: At Station CLEC-1: Downstream View of Clear Creek (6/22/2022)