



# Fact Sheet

## Summary of a Final Rule Withdrawing the Federal Designated Use for Shields Gulch in Idaho

### Summary

The U.S. Environmental Protection Agency (EPA) has published a final rule withdrawing the federal designated use for Shields Gulch in Idaho.

### Background

On July 31, 1997, EPA promulgated new use designations for five water bodies in the State of Idaho, including the designation of cold water biota for Shields Gulch. On March 19, 1999, the Idaho Mining Association challenged EPA's promulgation in the U.S. District Court of Idaho. On March 14, 2000, the Court found that EPA was arbitrary and capricious in determining the attainability of the cold water biota use for Shields Gulch. Therefore, the Court ordered that portion of the EPA rule designating Shields Gulch for cold water biota vacated and remanded to the EPA for further consideration. To conform with the Court's order, EPA is withdrawing the federal cold water biota designated use for Shields Gulch.

### About this Rule

This final rule withdraws the federal cold water biota designated use for Shields Gulch in Idaho. This rule imposes no costs and will not result in additional environmental benefits. This action will not result in a change in the level of environmental protection for Shields Gulch because the State revised its water quality standards since EPA's July 1997 promulgation. The State now applies the cold water biota use to Shields Gulch as State law.

### How to Get Additional Information

The full text of the *Federal Register* notice is available at <http://www.epa.gov/waterscience/standards> on the Internet. For additional information, please contact Rob Van Brunt, U.S. EPA, 1200 Pennsylvania Ave NW (4305), Washington DC, 20460, (202) 260-2630, [vanbrunt.robert@epa.gov](mailto:vanbrunt.robert@epa.gov).