



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Leo M. Drozdoff, P.E., Acting Director

Colleen Cripps, Acting Administrator

June 4, 2010

NOTICE OF DECISION

PERMIT NUMBER NV0023736

SOUTHERN NEVADA WATER AUTHORITY

BOWMAN RESERVOIR/MUDDY RIVER DISCHARGE

The Nevada Division of Environmental Protection has decided to issue National Pollutant Discharge Elimination System Permit NV0023736 for the Southern Nevada Water Authority (SNWA) Bowman Reservoir/Muddy River Project. This permit authorizes the discharge of a daily maximum of 12.96 million gallons per day (MGD) of treated well water meeting primary drinking water standards to Bowman Reservoir. The permit further authorizes the discharge of up to 9.36 MGD of stored water from Bowman Reservoir to the Muddy River Irrigation Company transmission system, with ultimate discharge of released water to the Muddy River. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.228 through NAC 445A.263, to assure the Division that the waters of the State will not be degraded from this discharge and that public safety and health will be protected.

This permit will become effective **June 7, 2010**. The final determination of the administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statutes 445A.605. The appeal must be requested within ten (10) days of the date of this notice of decision and in accordance with Administrative rules of the Environmental Commission.

During the comment period, one comment email was received. Much of the comment dealt with issues outside the scope of the permit. NDEP responded to the original email. Subsequent to NDEP's response, an additional email was received from the original commenter, with follow-up comments on the same issues. Therefore, because the comments have been answered and the follow-up comments raised no new permit issues, NDEP has made the determination to issue the permit. Pursuant to NAC 445A.238, it has been determined that significant public interest on permit issues does not exist, and a hearing on the permit will not be held.

Should the public seek information on the SNWA Bowman Reservoir/Muddy River project that is outside the scope of permit issues, they may contact the following:

Southern Nevada Water Authority (Jeff Johnson (702) 862-3748)
Moapa Valley Water District ((702) 397-6893)

Muddy Valley Irrigation Company ((701) 398-7310)
Nevada Division of Water Resources ((775) 684-2800)

RESPONSE TO COMMENTS

Email correspondence from Darren and Rebecca Paulson, received May 6, 2010.

1.1

Comment: If this is "treated drinking" water from a well in Coyote Springs, why pipe it all the way to Logandale and dump it into the landscaping supply?

Response SNWA owns 9,000 acre feet per year (afy) of water rights in Coyote Spring Valley. They are treating the water by removing arsenic and conveying it to the Moapa Valley Water District and Muddy Valley Irrigation Company in order to convey the water to the lower Muddy River and Lake Mead. A portion of the water may be used by the Moapa Valley Water District and/or the Muddy Valley Irrigation Company in exchange for Muddy River water. Adding Coyote Spring Valley water to the Muddy River or exchanging Coyote Spring water for Muddy River water will enhance the flows in the lower Muddy River. It is hoped that this flow of water in the lower Muddy River will help maintain aquatic life and wildlife populations.

1.2

Comment Why not use it at Coyote Springs when it eventually gets going?

Response Coyote Spring Investments, the developer in Coyote Spring Valley, retains 4,600 afy of water rights in the valley for their use. The developer sold SNWA 9,000 afy. SNWA and the Moapa Valley Water District (MVWD) have signed an agreement where MVWD can use the treated well water and exchange it for Muddy River water.

1.3

Comment Why so much water? Up to ~22 MGD seems like a lot.

Response: The maximum discharge to Bowman Reservoir is 12.96 million gallons per day (MGD). Of that 12.96 MGD, 9.36 MGD may pass through Bowman Reservoir into the Muddy Valley Irrigation District channel system, with eventual discharge into the Muddy River. The two maximum discharges are not additive.

1.4

Comment: I'm aware of the arsenic levels, but is the SNWA aware that people swim in Bowman Reservoir?

Response: Currently, Bowman Reservoir is filled by diverting water from the Muddy River at Wells Siding and then it is utilized for Muddy River Irrigation Company purposes. The water being proposed for discharge to the reservoir meets all primary drinking water standards, including the arsenic drinking water standard, and is of better quality than the river, which contains higher concentrations of arsenic.

1.5

Comment: If they are dumping it on us because it isn't good for consumption which will allow them to get water from elsewhere for cheaper or whatever, where is our, the affected community's, cut?"

Response: The treated well water, which meets all primary drinking water standards, is being transported through MVWD distribution system for direct community use without further treatment costs, under the exchange agreement discussed above. Additionally, the project will benefit the community by improving the habitat in the Muddy River watershed.

Email correspondence from Darren and Rebecca Paulson, received May 28, 2010.

2.1

Comment: Basically, in the answers in your previous email, you're leading me to believe that Coyote Springs is paying to treat water and ship it to Logandale so MVWD and MVIC can use it instead of muddy river water in order to benefit the muddy river wildlife by increasing the flow with more thoroughly filtered water than the naturally occurring muddy river water, is this correct?

Response: No. The Southern Nevada Water Authority has agreements with the Moapa Valley Water District and the Muddy Valley Irrigation Company to assist them in conveying SNWA's water rights to the Muddy River and Lake Mead. By placing the water from the SNWA discharge in Bowman Reservoir, the Muddy River will not be diverted and the increased passage of river water within the river channel is expected to benefit wildlife. In addition, the majority of the up to 9.36 MGD of drinking water quality water that will be discharged into Bowman Reservoir and conveyed through the MVIC irrigation system will return to the Muddy River downstream of Bowman Reservoir. The SNWA did conduct an environmental assessment on the construction of their pipeline and associated infrastructure. See Response 1.4.

2.2

Comment: Is there a contract for any return flow credits with Lake Mead? What does Coyote Springs get in return? Will MVWD and/or MVIC have their rates affected because of this?

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Response: Comments are noted. These comments are not within the scope of the permit. Please contact The State Engineer's Office, SNWA, MVWD or MVIC for answers to these questions.

2.3

Comment: Was an environmental impact study done or is one even required for something like this? I just seems like if you have a habitat surviving on a natural source of water and you replace/dilute it with water that's been filtered of the majority of it's naturally occurring substance, it would harm that ecosystem.

Response: See Response 2.1.

2.4

Comment: Say, God forbid, something happens to the filtration system or what have you and entire crops, livestock, and/or people get sick/die because of it, is anyone responsible?

Response: Your comments are noted. The permit holder is responsible for meeting all permit requirements and limits. If the permit limits cannot be met, discharge must stop.

2.5

Comment: Will there be constant/periodic water testing?

Response: Yes. The permit requires monthly sampling.