



STATE OF NEVADA

Department of Conservation & Natural Resources

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DIVISION OF ENVIRONMENTAL PROTECTION

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Proposed Changes to Water Quality Standards Nevada Administrative Code (NAC) 445A.124, 125 and 127

Fact Sheet
April 2010

Background

Section 303 of the Clean Water Act and 40 CFR 131 give states responsibility for setting, reviewing and revising beneficial uses and water quality standards. State of Nevada authorities are contained in Nevada Revised Statutes 445A.425, 520 and 565 and water quality standards for waters of Nevada are found in the Nevada Administrative Code (NAC) 445A.118 through 445A.225 (these NAC citation numbers will change to NAC 445A.118 through 2234). Water quality standards are set for a waterbody segment at a level designed to protect and ensure a continuation of the designated beneficial use(s) set for the waterbody. Standards are based on criteria, such as, physical, chemical and biological characteristics, to protect the designated beneficial use(s). Workshops are held to obtain comments on proposed beneficial uses and/or water quality standards from federal, state and local agencies and the general public. Proposed standards are presented at a public hearing to the Nevada State Environmental Commission (SEC) for review and adoption. Standards adopted by the SEC are then subject to approval by the USEPA before incorporating into the NAC.

Summary of Changes to Water Quality Standards

When NDEP updated the Class Waters to the E. Coli bacteria standard in 2008, EPA required Nevada perform an assessment of the Class D waters (NAC 445A.127), which do not have contact recreation as a beneficial use, to determine if the waters would now meet the fishable/swimmable goal of the CWA. NDEP will be adding the beneficial use of contact recreation and the corresponding E. Coli water quality standards ($AGM \leq 126$ no./100 ML and a $S. V. \leq 576$ no./100 ML) to the following Class D waters:

- Lagomarsino Creek, (Long Valley Creek) the entire length.
- Lower Steamboat Creek, from gaging station number 10-349300, located in the S 1/2 of section 33, T. 18 N., R. 20 E., M.D.B. & M., to its confluence with the Truckee River.
- the Humboldt River - from Rogers Dam to the Humboldt Sink, and ,
- Murray Creek - From its confluence with Gleason Creek to the Crawford Street.

NDEP will leave the beneficial use designations as noncontact recreation with the existing bacterial water quality standard for E. Coli of an $AGM \leq 630$ no./100 ML to the remaining Class D waters:

- Gleason Creek - from State Highway 485 (old State Highway 44) to its confluence with Murray Creek,
- Quinn River (the Slough) - from the Idaho-Nevada state line in section 31, T. 48 N., R. 38 E., M.D.B. & M. to the confluence with the main tributary of the Quinn River at the south section line of section 17, T. 47 N., R. 38 E., M.D.B. & M,
- Stillwater Marsh - all that area of Stillwater Marsh not designated as class C,
- the Humboldt Sink - the entire area, and
- Murray Creek - from Crawford Street to the south line of section 35, T. 17 N., R. 63 E., M.D.B. & M.

The State of Nevada water quality regulations are not applicable on tribal lands. As a sovereign nation, the Fort McDermitt Paiute and Shoshone Tribes are responsible for regulating the water quality of the river within the boundaries of their land. The three reaches within the NAC that are on the Fort McDermott Reservation Land include:

- NAC 445A.124 (445A.1312) - The Quinn River, East and South Forks - From their origin to the confluence of the East and South Forks.
- NAC 445A.125 (445A.1314) - Quinn River at Fort McDermitt Reservation - From the point of the confluence of the East and South Forks to the Fort McDermitt Indian Reservation diversion dam.
- NAC 445A.127 (445A.1316) - Quinn River (The Slough) - From the Idaho-Nevada state line in section 31, T. 48 N., R. 38 E., M.D.B. & M., to the confluence with the main tributary of the Quinn River at the south line of section 17, T. 47 N., R. 38 E. M.D.B. & M.

Changes are proposed to the NAC to remove the segments of these reaches that are on tribal lands.

For questions, comments or additional information please contact:

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