



## **Fact Sheet: Proposed Regulation of the State Environmental Commission R146-24 Colorado River Salinity**

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### **Statutory Requirements: State and Federal Regulations**

Nevada state law (Nevada Revised Statutes [NRS] 445A.520) requires the State to establish water quality standards to protect beneficial uses of surface waters of the State. Additionally, Section 303 of the Clean Water Act (CWA) and other Federal regulations (40 Code of Federal Regulations [CFR] Part 131) require that States and authorized tribes routinely review and, as appropriate, modify water quality standards that protect the designated uses of surface waters. Such standards also provide the basis for controlling discharges or releases of pollutants into surface waters of the State.

Requirements for water quality standards are contained in NRS 445A.425, 445A.520, and 445A.565. Surface water quality standards for waters of the State of Nevada are found in the Nevada Administrative Code (NAC) 445A.11704 through 445A.2234 inclusive.

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### **Nevada Criteria for Salinity on the Colorado River**

Under existing regulations, the State of Nevada is required to collaborate with the other Colorado River Basin states and the federal government to implement the findings and recommendations adopted on April 27, 1972, by the Reconvened 7th Session of the Conference in the Matter of Pollution of the Interstate Waters of the Colorado River and its Tributaries.

The proposed regulation will repeal the language in NAC 445A.1233 and relocate the Colorado River salinity standards from NAC 445A.1233 to the applicable designated waters tables to improve clarity on applicability. **No changes** to the existing Colorado River salinity standards, including beneficial uses or criteria, are proposed.

*Section 1* of this regulation provides that the Commission adopts by reference the 2023 version (the most recent) of the salinity standards adopted by the Colorado River Basin Salinity Control Forum as the salinity standards for the portions of the Colorado River system in this State. *Section 10* of this regulation makes the provisions of *section 1* part of the standards for water quality for select bodies of water within the Colorado Region to clarify that these salinity standards apply to specific designated waters in the Colorado Region.

*Section 26* makes a conforming change to repeal the definition of a term made obsolete by the changes to the standards of water quality for specific portions of the Colorado Region to conform to the standards adopted by *section 1*. This term is redefined as a footnote on applicable designated waters.

## Other Proposed Changes in R146-24

This regulation removes Schroeder Reservoir from NAC 445A.2182, as Schroeder Reservoir no longer exists. The dam creating the reservoir was decommissioned in 2009 and there are no plans to rebuild the dam. Associated changes are made to the description of NAC 445A.2178 (Beaver Dam Wash) to reflect the removal of Schroeder Reservoir.

This regulation renames certain designated waters to conform with changes made by the U.S. Board on Geographic Names. Additionally, this regulation makes several typographical fixes to improve consistency and clarity of Nevada's Water Pollution Control Regulations.

## Summary

Consistent with Nevada's *Continuing Planning Process* document, NDEP proposes to adopt the salinity standards contained in the Forum's 2023 Review and locates these standards on the waterbodies for which they apply. Additional changes update Nevada's Water Pollution Control Regulations to provide clarity, fix typographical errors, and remove a no longer existing water from the NAC.

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## References

Bureau of Water Quality Planning – Current and Past Actions

<https://ndep.nv.gov/water/rivers-streams-lakes/water-quality-standards/current-and-past-actions>

Proposed Regulation of The State Environmental Commission: R146-24

<https://www.leg.state.nv.us/Register/2024Register/R146-24RP2.pdf>

Colorado River Salinity Control Forum

<https://www.coloradoriversalinity.org/>

Nevada Administrative Code: Standards for Water Quality

<https://www.leg.state.nv.us/nac/nac-445a.html#NAC445ASec11704>

Nevada Revised Statutes: Water Pollution Control

<https://www.leg.state.nv.us/nrs/nrs-445a.html>

Nevada State Parks – Beaver Dam State Park

<https://parks.nv.gov/learn/park-histories/beaver-dam-history>

U.S. Board on Geographic Names

<https://www.usgs.gov/us-board-on-geographic-names>

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