

Pyramid Lake Paiute Tribe

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RECEIVED

DEC 31 2018

ENVIRONMENTAL PROTECTION

December 28, 2018

Bureau of Water Quality Planning
Nevada Division of Environmental Protection
901 S. Stewart Street
Suite 4001
Carson City, NV 89701

RE: Comments for the Nevada Triennial Review of Water Quality Standards

To Whom It May Concern:

The Pyramid Lake Paiute Tribe (PLPT, Tribe) appreciates the opportunity to provide comments regarding the proposed changes to the Nevada State Water Standards and Nevada Division of Environmental Protection's (NDEP) efforts to provide transparency throughout this process.

The Pyramid Lake Paiute Reservation (hereinafter, Reservation) is the largest Native American reservation in Nevada and contains a number of waterbodies. Pyramid Lake is a large desert terminal lake that receives most of its water from the lower Truckee River, which begins in North Lake Tahoe and flows 140 miles through urban and industrial areas of Reno/Sparks and terminates in Pyramid Lake. The Paiute people have successfully thrived in the region utilizing the native fish populations in Pyramid Lake as the mainstay of their diet, economy and culture. The lower Truckee River is vital spawning habitat for two Federally-listed species: the Federally-endangered cui-ui and threatened Lahontan cutthroat trout (LCT). With the Tribe being the lowermost user of the Truckee River, revisions to water quality criteria upstream has the potential to impact Tribe downstream.

On behalf of the Tribe, I would like to submit the following comments and questions regarding the proposed Nevada Triennial Review:

1. In February of 2011, the "Third Parties" (Reno, Sparks and Washoe County) submitted a letter requesting the review of Total Phosphorus (TP) and Total Nitrogen (TN) water quality standards on the Truckee River. NDEP agreed that a review was warranted, which initiated a Third Parties review of water quality standards. The Third Parties contracted LimnoTech in 2014 to analyze TN and TP effects on dissolved oxygen in the lower Truckee River. The report found that revisions to increase the State's TP and TN water quality standards and Total Maximum Daily Load (TMDL) would adversely impact dissolved oxygen levels in the lower Truckee River. The report also found that dissolved oxygen would be affected if the TMWRF facility does not increase effluent capacity and the region continues to grow. Upon completion of the LimnoTech Report, it was decommissioned by the funding body, as it provided unsatisfactory results to TMDLs being adjusted. Knowing that Washoe

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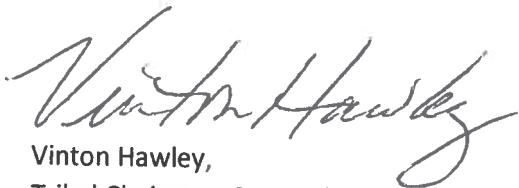
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County's population will continue growing an estimated 100,000 people by 2030 and effluent will continue to increase, there is a need to review water quality standards in the lower Truckee River.

2. NDEP is currently evaluating whether it is appropriate to adopt new EPA recommended criteria for ammonia. The Tribe supports adoption of a stricter ammonia standard for protection of aquatic life in the lower Truckee River.
3. NDEP is also evaluating whether to adopt EPA's recommended criterion for cadmium and how or when to adopt into state water quality standards. Because cadmium's toxicity is dependent on water hardness, will NDEP consider water hardness data collected from the lower Truckee River?
4. Carbaryl is a popular pesticide that has been found to be the second most frequently detected insecticide in waters in the United States. Water temperature, pH and hardness are factors potentially affecting the toxicity carbaryl in the aquatic environment. The EPA has found that carbaryl's toxicity increases with temperature and hardness for various species of trout. Because the lower Truckee River is impaired for temperature, will NDEP analyze lower Truckee River data when considering adoption of the EPA-recommended carbaryl criteria?
5. Because the public comment period falls within a time of numerous holidays, the Tribe would like to request additional time to review the NDEP's proposed changes to the State's water quality standards.

The Pyramid Lake Paiute Tribe would like to thank NDEP for the opportunity provide comments regarding the State's Triennial Review. If you have any questions regarding this matter, please feel free to contact myself or Kameron Morgan, Water Quality Manager, at (775) 574-0101 ext. 19.

Sincerely,



Vinton Hawley,
Tribal Chairman, Pyramid Lake Paiute Tribe