



Bureau of Water Quality Planning

Changes to the Nevada Administrative Code revising the Nevada water quality regulations for former “Class Waters” located in the Upper Humboldt River Basin

Fact Sheet June 2014

Introduction

Nevada state law (NRS 445A.520) requires the state to establish water quality standards at a level necessary to protect beneficial uses of the surface waters of the state. Additionally, Section 303 of the Clean Water Act and 40 Code of Federal Regulations (40CFR) Part 131 require that States and authorized tribes routinely review and, as appropriate, modify surface water quality standards that protect the designated uses of a water body and provide a basis for controlling discharges or releases of pollutants. Water quality standards are composed of three parts: designated beneficial uses, water quality criteria to protect the uses, and antidegradation considerations. This Fact Sheet summarizes the revisions proposed by the Nevada Division of Environmental Protection (NDEP), Bureau of Water Quality Planning (BWQP) to the water quality regulations associated with waters located in the Upper Humboldt River Basin (NAC 445A.1432 – 1578).

Background

NDEP has completed a review and an evaluation of the water quality standards for waterbodies located in the Upper Humboldt River Basin (UHRB) in Elko, Eureka, and White Pine Counties. For this review, the UHRB includes the headwaters, tributaries, and main stem of the Humboldt River downstream to Palisade, Nevada. Changes are proposed to the Nevada Administrative Code (NAC) revising the Nevada water quality regulations for the former “Class Waters” located in the UHRB. The specific waterbodies addressed in this petition are shown in Table 1 below. Table 1 also indicates whether the waterbody is classified as a Trout or Non-Trout water. The designation influences the proposed numeric criteria for nitrite, total suspended solids and turbidity.

In 2008, the State Environmental Commission adopted revisions to the NAC which eliminated the Class structure and designated specific water quality standards for each waterbody. No changes were made in 2008 to the existing beneficial uses and no changes were made to numeric criteria except that criteria for E. coli and total ammonia were added.

Summary of Proposed Revisions

NDEP is now proposing to update the beneficial uses and numeric criteria for specific waters in the UHRB for consistency with other similar types of waters throughout Nevada.

- ❖ Add Industrial Supply as a beneficial use to the waters that were formerly categorized as Class A.
- ❖ Correct naming error for Toyn and Green Mountain Creeks in the Ruby Mountains southeast of Jiggs as shown below.
 - 445A.1548 - Green Mountain Creek at ~~the national forest boundary~~ *Toyn Creek*
From its origin ~~to the national forest boundary~~ *to its confluence with Toyn Creek.*

- 445A.1554 Toyn Creek *at Green Mountain Creek*
From its origin to ~~the national forest boundary~~ *its confluence with Green Mountain Creek*
- 445A.1552~~5~~ ~~Green Mountain Creek~~ *Toyn Creek* at Corral Creek
From ~~the national forest boundary~~ *its confluence with Green Mountain Creek* to its confluence with Corral Creek

❖ Add numeric criteria to the UHRB waters for the following parameters:
If Trout or Non-Trout waters are not designated standard would apply to both.

- Nitrate criterion of “S.V. ≤ 10.0 mg/l”
- Nitrite criterion of “S.V. ≤ 0.06 mg/l” for Trout Waters
Nitrite criterion of “S.V. ≤ 1.0 mg/l” for Non-Trout Waters
- Chloride criterion of “1-hour avg. ≤ 230 mg/l; 96-hour avg. ≤ 860 mg/l”
- Sulfate criterion of “S.V. ≤ 250 mg/l”
- Alkalinity criterion of “S.V. ≥ 20 mg/l”
- TSS criterion of “S.V. ≤ 25 mg/l” for Trout Waters
TSS criterion of “S.V. ≤ 80 mg/l” for Non-Trout Waters
- Turbidity criterion of “S.V. ≤ 10 NTU” for Trout Waters
Turbidity criterion of “S.V. ≤ 50 NTU” for Non-Trout Waters
- Color criterion of “S.V. ≤ 75 PCU”

Table 1. Waters in the Upper Humboldt River Basin and Trout/Non-Trout Designation

Water Body Name	Segment Description	Water Quality Standard NAC Reference	Former Class and Trout or Non-Trout designation
Humboldt River, North Fork and tributaries at the national forest boundary	From their origin in the Independence Mountain Range to the national forest boundary.	445A.1456	A - Trout
Humboldt River, North Fork at Beaver Creek	From the national forest boundary to its confluence with Beaver Creek.	445A.1458	B - Trout
Humboldt River, North Fork at the Humboldt River	From its confluence with Beaver Creek to its confluence with the Humboldt River.	445A.1462	B - Non-Trout
Humboldt River, South Fork and tributaries at Lee.	From their origin to Lee, except for the lengths of the river and tributaries within the exterior borders of the South Fork Indian Reservation.	445A.1464	A – Trout
Humboldt River, South Fork at the Humboldt River	From Lee to its confluence with the Humboldt River, except for the lengths of the river and tributaries within the exterior borders of the South Fork Indian Reservation.	445A.1466	B – Trout
Marys River, upper	From its origin to the point where the river crosses the east line of T. 42 N., R. 59 E., M.D.B. & M.	445A.1482	A – Trout
Marys River at the Humboldt River	From the east line of T. 42 N., R. 59 E., M.D.B. & M., to its confluence with the Humboldt River.	445A.1484	B – Trout
Tabor Creek	From its origin to the east line of T. 40 N., R. 60 E., M.D.B. & M.	445A.1486	A – Trout
Maggie Creek Tributaries	From their origin to the point where they become Maggie Creek or the point of their confluence with Maggie Creek.	445A.1488	A – Trout
Maggie Creek at Jack Creek	From where it is formed by the Maggie Creek tributaries to its confluence with Jack Creek.	445A.1492	B – Trout

Water Body Name	Segment Description	Water Quality Standard NAC Reference	Former Class and Trout or Non-Trout designation
Maggie Creek at Soap Creek	From its confluence with Jack Creek to its confluence with Soap Creek.	445A.1494	C – Trout
Maggie Creek at the Humboldt River	From its confluence with Soap Creek to its confluence with the Humboldt River.	445A.1496	C – Non-Trout
Secret Creek at the national forest boundary	From its origin to the national forest boundary.	445A.1498	A – Trout
Secret Creek at the Humboldt River	From the national forest boundary to its confluence with the Humboldt River.	445A.1502	B – Trout
Lamoille Creek at the gaging station	From its origin to gaging station number 10-316500, located in the NE 1/4 of section 6, T. 32 N., R. 58 E., M.D.B. & M.	445A.1504	A – Trout
Lamoille Creek at the Humboldt River	From gaging station number 10-316500, located in the NE 1/4 of section 6, T. 32 N., R. 58 E., M.D.B. & M., to its confluence with the Humboldt River.	445A.1506	B – Non-Trout
J.D. Ponds	The entire area.	445A.1508	C - Non-Trout
Denay Creek at Tonkin Reservoir	From its origin to Tonkin Reservoir.	445A.1512	A – Trout
Tonkin Reservoir	The entire reservoir.	445A.1514	A – Trout
Denay Creek below Tonkin Reservoir	Below Tonkin Reservoir.	445A.1516	B – Non-Trout
Huntington Creek at the White Pine-Elko county line	From its origin to the White Pine-Elko county line.	445A.1542	A – Trout
Huntington Creek at Smith Creek	From the White Pine-Elko county line to its confluence with Smith Creek.	445A.1544	B – Trout
Huntington Creek at the South Fork of the Humboldt River	From its confluence with Smith Creek to its confluence with the South Fork of the Humboldt River.	445A.1546	B – Non-Trout
Green Mountain Creek at the national forest boundary <i>Toyn Creek</i>	From its origin to the national forest boundary <i>to its confluence with Toyn Creek.</i>	445A.1548	A – Trout
Toyn Creek <i>at Green Mountain Creek</i>	From its origin to the national forest boundary <i>its confluence with Green Mountain Creek.</i>	445A.1554	A – Trout
Green Mountain Creek <i>Toyn Creek</i> at Corral Creek	From the national forest boundary <i>its confluence with Green Mountain Creek</i> to its confluence with Corral Creek.	445A.1552 5	B – Trout
Starr Creek	From the confluence of Ackler and Herder Creeks to its confluence with the Humboldt River.	445A.1578	B – Trout

The rationale document and the draft petition are available online at <http://ndep.nv.gov/admin/public.htm> under Water Quality Planning.

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