



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

APR 06 2016

Mr. John Heggeness  
Supervisor, Water Quality Standards and Monitoring  
Bureau of Water Quality Planning  
Nevada Division of Environmental Protection  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701

Dear Mr. Heggeness:

EPA has reviewed the 2014 Water Quality Integrated Report and supporting documentation submitted by the Nevada Division of Environmental Protection (NDEP) pursuant to Clean Water Act (CWA) Sections 303(d) and 305(b) which were submitted on January 6, 2016. EPA approves NDEP's list of waters requiring a Total Maximum Daily Load (TMDL) under CWA Section 303(d). In addition, EPA identified one waterbody with elevated mercury in fish tissue which meets federal listing requirements for inclusion on the 303(d) list and revision of the location of a previously added waterbody. EPA is therefore acting today to approve the State's 303(d) listing of impaired waterbodies and disapprove the NDEP's exclusion of one waterbody from its list.

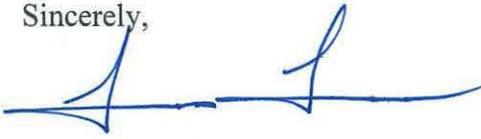
EPA carefully reviewed NDEP's 2014 listing decisions, assessment methodology, and supporting data and has determined that the list partially meets the requirements of Section 303(d) of the Clean Water Act and EPA's implementing regulations. Accordingly, pursuant to 40 CFR 130.7(d), EPA hereby approves each of the State's listings of waterbodies requiring a TMDL identified in the 2014 Integrated Report.

However, EPA's review identified a portion of the South Fork of the Humboldt River, which meets the federal listing requirements for mercury in fish tissue, which was not included in NDEP's 2014 Integrated Report. In addition, EPA is revising the location of a previously-added portion of the North Fork of the Little Humboldt River. Thus, EPA is today adding and revising the list of impaired waters requiring a TMDL pursuant to 40 CFR 130.7(d)(2), as shown in Table 1 of the enclosure. The statutory and regulatory requirements, a summary of our review of Nevada's compliance with applicable requirements, and our rationale for adding them are described in the enclosure.

The public participation process conducted by NDEP included opportunities for the public to participate and/or submit written comments and was consistent with federal requirements.

EPA will solicit public comments on its action to add to and revise waters on NDEP's 303(d) list for mercury in fish tissue impairments. EPA will develop a responsiveness summary for comments received and will advise the State if any further revision to EPA's determination is warranted.

If you have any questions concerning this determination, please call me at (415) 972-3337, or David Guiliano at (415) 947-4133.

Sincerely,  


Tomás Torres  
Director, Water Division

Enclosure

cc: Colleen Cripps, Ph.D., Administrator, NDEP  
Jennifer Carr, Deputy Administrator, NDEP  
Kathy Sertic, Chief, Bureau of Water Quality Planning, NDEP