

Presented below are water quality standards that are in effect for Clean Water Act purposes.

EPA is posting these standards as a convenience to users and has made a reasonable effort to assure their accuracy. Additionally, EPA has made a reasonable effort to identify parts of the standards that are not approved, disapproved, or are otherwise not in effect for Clean Water Act purposes.

January 9, 2025

Regulation No. 36 - Classifications and Numeric Standards for Rio Grande Basin

Effective November 25, 2024

The following provisions are in effect for Clean Water Act purposes with these few exceptions:

EPA has **taken no action** on:

- All segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold water aquatic life classification (0.11 mg/L TP) or a warm water aquatic life classification (0.17 mg/L TP).
- Changes to indicate the TP standards as “TVS” instead of “0.11” on segments with a cold aquatic life use, and as “TVS” instead of “0.17” on segments with a warm aquatic life use.



DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Water Quality Control Commission

REGULATION NO. 36 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR RIO GRANDE BASIN

5 CCR 1002-36

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

36.1 AUTHORITY

These regulations are promulgated pursuant to section 25-8-101 et seq. C.R.S., as amended, and in particular, 25-8-203 and 25-8-204.

36.2 PURPOSE

These regulations establish classifications and numeric standards for the Rio Grande Basin, including all tributaries and standing bodies of water as indicated in section 36.6. The classifications identify the actual beneficial uses of the water. The numeric standards are assigned to determine the allowable concentrations of various parameters. Discharge permits will be issued by the Water Quality Control Division to comply with basic, narrative, and numeric standards and control regulations so that all discharges to waters of the state protect the classified uses. It is intended that these and all other stream classifications and numeric standards be used in conjunction with and be an integral part of Regulation No. 31 Basic Standards and Methodologies for Surface Water.

36.3 INTRODUCTION

These regulations and tables present the classifications and numeric standards assigned to stream segments listed in the attached tables (See Appendix 36-1). As additional stream segments are classified and numeric standards for designated parameters are assigned for this drainage system, they will be added to or replace the numeric standards in the tables in Appendix 36-1. Any additions or revisions of classifications or numeric standards can be accomplished only after public hearing by the Commission and proper consideration of evidence and testimony as specified by the statute and the "basic regulations".

36.4 DEFINITIONS

See the Colorado Water Quality Control Act and the codified water quality regulations for definitions.

36.5 BASIC STANDARDS

(1) Temperature

All waters of the Rio Grande Basin are subject to the following standard for temperature. (Discharges regulated by permits, which are within the permit limitations, shall not be subject to enforcement proceedings under this standard.) Temperature shall maintain a normal pattern of diurnal and seasonal fluctuations with no abrupt changes and shall have no increase in temperature of a magnitude, rate, and duration deemed deleterious to the resident aquatic life. This standard shall not be interpreted or applied in a manner inconsistent with section 25-8-104, C.R.S.

(2) Qualifiers

See Basic Standards and Methodologies for Surface Water for a listing of organic standards at 31.11 Table B and metal standards found at 31.16 Table III. The column in the tables headed "Water + Fish" are presumptively applied to all aquatic life class 1 streams which also have a water supply classification, and are applied to aquatic life class 2 streams which also have a water supply classification, on a case-by-case basis as shown in Appendix 36-1. The column in the tables at 31.11 and 31.16 Table III headed "Fish Ingestion" is presumptively applied to all aquatic life class 1 streams which do not have a water supply classification, and are applied to aquatic life class 2 streams which do not have a water supply classification, on a case-by-case basis as shown in Appendix 36-1.

(3) Uranium

- (a) All waters of the Rio Grande Basin are subject to the following basic standard for uranium, unless otherwise specified by a water quality standard applicable to a particular segment. However, discharges of uranium regulated by permits which are within these permit limitations shall not be a basis for enforcement proceedings under this basic standard.
- (b) Uranium level in surface waters shall be maintained at the lowest practicable level.
- (c) In no case shall uranium levels in waters assigned a water supply classification be increased by any cause attributable to municipal, industrial, or agricultural discharges so as to exceed 16.8-30 µg/L or naturally-occurring concentrations (as determined by the State of Colorado), whichever is greater.
 - (i) The first number in the 16.8-30 µg/L range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

(4) Nutrients

See Basic Standards and Methodologies for Surface Water at 31.17 for a listing of chlorophyll a, total nitrogen, and total phosphorus standards for lakes and reservoirs (Table V) and rivers and streams (Table VI). As described in 31.17(2), total nitrogen and total phosphorus standards will be considered for adoption in phases.

Prior to December 31, 2027, total nitrogen and total phosphorus values will be considered for adoption only in the limited circumstances defined at 31.17(2)(a)(i), (ii), and (iii). For lakes and reservoirs, for both total nitrogen and total phosphorus, these circumstances include waterbodies upstream of certain domestic and non-domestic wastewater treatment facilities (31.17(2)(a)(i)(A)); in addition, for total phosphorus, other special circumstances as determined by the Commission (31.17(2)(a)(i)(B)). For rivers and streams, for total phosphorus only, these circumstances include waterbodies upstream of certain domestic and non-domestic wastewater treatment facilities (31.17(2)(a)(ii)(A)) and other special circumstances as determined by the Commission (31.17(2)(a)(ii)(B)). For lakes, reservoirs, rivers, and streams where total nitrogen and total phosphorus standards have not yet been adopted, 31.17(2)(a)(iii) allows the commission to adopt standards as needed in additional circumstances.

Pursuant to 31.17(2)(a)(i)(A) and 31.17(2)(a)(ii)(A), the following is a list of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, cooling tower discharges, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012 in the Rio Grande Basin:

Segment	Permittee	Facility name	Permit No.
CORGRG02	Mountain Views at Rivers Edge RV	Mtn Views At Rvrs Edge Rv Rst	COG588069
CORGRG04b	South Fork Water and Sanitation District	South Fork Water and San Dist WWTF	COG588039
CORGRG04c	Monte Vista City of	Veterans Center WWTF	CO0036927
CORGRG04c ;CORGRG15	Monte Vista City of	Henderson Lagoon Facility	CO0023132
CORGRG04b ;CORGRG18	Del Norte Town of	Del Norte WWTF	CO0020281
CORGRG07	Creede City of	Creede WWTF	CO0040533
CORGRG09b	Fun Valley Resort	Fun Valley Resort	COG588018
CORGRG09a	Wolf Creek Ski Corp	Wolf Creek Ski Corp WWTF	CO0041785
CORGRG12	Alamosa City of	Alamosa Regional WWTF	CO0044458
CORGRG15	San Luis Water and Sanitation District	San Luis Water and San Dist WWTF	COG589082
CORGRG31	Costilla County Water and Sanitation System	Costilla County Water & San Dist WWTF	CO0036528
CORGAL12	La Jara Town of	La Jara WWTF	CO0020150
CORGAL15	Manassa Town of	Manassa WWTF	CO0042935
CORGAL18	Antonito Town of	Antonito WWTF	CO0040975
CORGCB06	Baca Grande Water and Sanitation District	Aspen Institute	CO0046914

Prior to December 31, 2027:

- For segments located entirely above these facilities, total nitrogen and total phosphorus standards apply to the entire segment.
- For segments with portions downstream of these facilities, total nitrogen and total phosphorus standards only apply above these facilities. A note was added to the total phosphorus and total nitrogen standards in these segments. The note references the table of qualified facilities at 36.5(4).
- For segments located entirely below these facilities, total nitrogen and total phosphorus standards do not apply.

- Additionally, for segments with portions downstream of these facilities or for segments located entirely below these facilities, total phosphorus standards may apply where special circumstances have been identified by the Commission (31.17(2)(a)(i)(B) and 31.17(2)(a)(ii)(B)).

36.6 TABLES

(1) Introduction

The numeric standards for various parameters in this regulation and in the tables in Appendix 36-1 were assigned by the Commission after a careful analysis of the data presented on actual stream conditions and on actual and potential water uses. For each parameter listed in the tables in Appendix 36-1, only the most stringent standard is shown. Additional, less stringent standards may apply to protect additional uses and can be found in the tables in Regulation No. 31.

Numeric standards are not assigned for all parameters listed in the tables in Regulation No. 31. If additional numeric standards are found to be needed during future periodic reviews, they can be assigned by following the proper hearing procedures.

(2) Abbreviations

- (a) The following abbreviations are used in this regulation and the tables in Appendix 36-1:

ac	=	acute (1-day)
AEL	=	alternative effluent limit
°C	=	degrees Celsius
ch	=	chronic (30-day)
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
DM	=	daily maximum temperature
D.O.	=	dissolved oxygen
DUWS	=	direct use water supply
<i>E. coli</i>	=	<i>Escherichia coli</i>
mg/L	=	milligrams per liter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
sp	=	spawning
SSE	=	site-specific equation
T	=	total recoverable
t	=	total
tr	=	trout
TVS	=	table value standard
µg/L	=	micrograms per liter
UP	=	use-protected
WL	=	warm lake temperature tier
WS	=	water supply
WS-I	=	warm stream temperature tier one
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three

- (b) In addition, the following abbreviations are used:

Iron (chronic)	=	WS
Manganese (chronic)	=	WS
Sulfate (chronic)	=	WS

These abbreviations mean: For all surface waters with an actual water supply use, the less restrictive of the following two options shall apply as numerical standards, as specified in the Basic Standards and Methodologies at 31.11(6);

- (i) existing quality as of January 1, 2000; or
- (ii)
- | | | |
|-----------|---|----------------------|
| Iron | = | 300 µg/L (dissolved) |
| Manganese | = | 50 µg/L (dissolved) |
| Sulfate | = | 250 mg/L (dissolved) |

For all surface waters with a “water supply” classification that are not in actual use as a water supply, no water supply standards are applied for iron, manganese or sulfate, unless the Commission determines as the result of a site-specific rulemaking hearing that such standards are appropriate.

- (c) Temporary Modification for Water + Fish Chronic Arsenic Standard

- (i) The temporary modification for chronic arsenic standards applied to segments with an arsenic standard of 0.02 µg/L that has been set to protect the Water + Fish qualifier is listed in the Other column in Appendix 36-1 tables as As(ch)=hybrid.
- (ii) For discharges existing on or before 6/1/2013, the temporary modification is: As(ch)=current condition, expiring on 12/31/2029. Where a permit for an existing discharge is reissued or modified while the temporary modification is in effect, the division will include additional permit Terms and Conditions, which may include requirements for additional monitoring, source identification, and characterization of source control and treatment options for reducing arsenic concentrations in effluent. Where a permit for an existing discharge is reissued or modified while the temporary modification is in effect, and the permit previously included the additional permit Terms and Conditions, the division may include low cost activities to control sources of arsenic as an additional element of the permit Terms and Conditions.
- (iii) For new or increased discharges commencing on or after 6/1/2013, the temporary modification is: As(ch)=0.02-3.0 µg/L (total recoverable), expiring on 12/31/2029.
- (a) The first number in the range is the health-based water quality standard previously adopted by the Commission for the segment.
- (b) The second number in the range is a technology-based value established by the Commission for the purpose of this temporary modification.

- (c) Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an “end-of-pipe” discharge level more restrictive than the second number in the range.

(3) Table Value Standards

In certain instances in the tables in Appendix 36-1, the designation “TVS” is used to indicate that for a particular parameter a “table value standard” has been adopted. This designation refers to numerical criteria set forth in the Basic Standards and Methodologies for Surface Water. The criteria for which the TVS are applicable are on the following table.

TABLE VALUE STANDARDS
(Concentrations in µg/L unless noted)

PARAMETER ⁽¹⁾	TABLE VALUE STANDARDS ⁽²⁾⁽³⁾
Aluminum(T)	<p>Acute = $e^{(1.3695 \ln(\text{hardness}) + 1.8308)}$ pH equal to or greater than 7.0 Chronic = $e^{(1.3695 \ln(\text{hardness}) - 0.1158)}$ pH less than 7.0 Chronic = $e^{(1.3695 \ln(\text{hardness}) - 0.1158)}$ or 87, whichever is more stringent</p>
Ammonia ⁽⁴⁾	<p>Cold Water = (mg/L as N) Total</p> $acute = \frac{0.275}{1 + 10^{7.204 - pH}} + \frac{39.0}{1 + 10^{pH - 7.204}}$ $chronic = \left(\frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$ <p>Warm Water = (mg/L as N) Total</p> $acute = \frac{0.411}{1 + 10^{7.204 - pH}} + \frac{58.4}{1 + 10^{pH - 7.204}}$ $chronic (Apr1 - Aug31) = \left(\frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * MIN(2.85, 1.45 * 10^{0.028(25 - T)})$ $chronic (Sep1 - Mar31) = \left(\frac{0.0577}{1 + 10^{7.688 - pH}} + \frac{2.487}{1 + 10^{pH - 7.688}} \right) * 1.45 * 10^{0.028(25 - MAX(T, 7))}$
Cadmium	<p>Acute(warm)⁽⁵⁾ = $(1.136672 - (\ln(\text{hardness}) * 0.041838)) * e^{(0.9789 \ln(\text{hardness}) - 3.443)}$ Acute(cold)⁽⁵⁾ = $(1.136672 - (\ln(\text{hardness}) * 0.041838)) * e^{(0.9789 \ln(\text{hardness}) - 3.866)}$ Chronic = $(1.101672 - (\ln(\text{hardness}) * 0.041838)) * e^{(0.7977 \ln(\text{hardness}) - 3.909)}$</p>
Chlorophyll a ⁽⁶⁾	See 31.17 TVS for Aquatic Life and/or Recreation and Direct Use Water Supply (DUWS).
Chromium III ⁽⁷⁾	<p>Acute = $e^{(0.819 \ln(\text{hardness}) + 2.5736)}$ Chronic = $e^{(0.819 \ln(\text{hardness}) + 0.5340)}$</p>
Chromium VI ⁽⁷⁾	<p>Acute = 16 Chronic = 11</p>
Copper	<p>Acute = $e^{(0.9422 \ln(\text{hardness}) - 1.7408)}$ Chronic = $e^{(0.8545 \ln(\text{hardness}) - 1.7428)}$</p>
Lead	<p>Acute = $(1.46203 - (\ln(\text{hardness}) * 0.145712)) * e^{(1.273 \ln(\text{hardness}) - 1.46)}$ Chronic = $(1.46203 - (\ln(\text{hardness}) * 0.145712)) * e^{(1.273 \ln(\text{hardness}) - 4.705)}$</p>
Manganese	<p>Acute = $e^{(0.3331 \ln(\text{hardness}) + 6.4676)}$ Chronic = $e^{(0.3331 \ln(\text{hardness}) + 5.8743)}$</p>
Nickel	<p>Acute = $e^{(0.846 \ln(\text{hardness}) + 2.253)}$ Chronic = $e^{(0.846 \ln(\text{hardness}) + 0.0554)}$</p>
Nitrogen ⁽⁶⁾	See 31.17 TVS for Aquatic Life and/or Recreation.
Phosphorus ⁽⁶⁾	See 31.17 TVS for Aquatic Life and/or Recreation.
Selenium ⁽⁸⁾	<p>Acute = 18.4 Chronic = 4.6</p>
Silver	<p>Acute = $0.5 * e^{(1.72 \ln(\text{hardness}) - 6.52)}$ Chronic = $e^{(1.72 \ln(\text{hardness}) - 9.06)}$ Chronic(Trout) = $e^{(1.72 \ln(\text{hardness}) - 10.51)}$</p>

PARAMETER ⁽¹⁾	TABLE VALUE STANDARDS ⁽²⁾⁽³⁾					
Temperature	TEMPERATURE TIER	TIER CODE	SPECIES EXPECTED TO BE PRESENT	APPLICABLE MONTHS	TEMPERATURE STANDARD (°C)	
					MWAT	DM
	Cold Stream Tier I	CS-I	brook trout, cutthroat trout	June – Sept.	17.0	21.7
				Oct. – May	9.0	13.0
	Cold Stream Tier II	CS-II	Other cold-water species	April – Oct.	18.3	24.3
				Nov. – March	9.0	13.0
	Cold Lake	CL	brook trout, brown trout, cutthroat trout, lake trout, rainbow trout, Arctic grayling, sockeye salmon	April – Dec.	17.0	21.2
				Jan. – March	9.0	13.0
	Cold Large Lakes (>100 acres surface area)	CLL	rainbow trout, brown trout, lake trout	April – Dec.	18.3	24.2
				Jan. – March	9.0	13.0
	Warm Stream Tier I	WS-I	common shiner, Johnny darter, orangethroat darter, stonecat	March – Nov.	24.2	29.0
				Dec. – Feb.	12.1	24.6
	Warm Stream Tier II	WS-II	brook stickleback, central stoneroller, creek chub, longnose dace, northern redbelly dace, finescale dace, razorback sucker, white sucker, mountain sucker	March – Nov.	27.5	28.6
				Dec. – Feb.	13.8	25.2
Warm Stream Tier III	WS-III	all other warm-water species	March – Nov.	28.7	31.8	
			Dec. – Feb.	14.3	24.9	
Warm Lakes	WL	black crappie, bluegill, common carp, gizzard shad, golden shiner, largemouth bass, northern pike, pumpkinseed, sauger, smallmouth bass, spottail shiner, stonecat, striped bass, tiger muskellunge, walleye, wiper, white bass, white crappie, yellow perch	April – Dec.	26.2	29.3	
			Jan. – March	13.1	24.1	
Uranium	Acute = e ^{(1.1021*ln(hardness)+2.7088)} Chronic = e ^{(1.1021*ln(hardness)+2.2382)}					
Zinc	Acute = 0.978*e ^{(0.9094*ln(hardness)+0.9095)} Chronic = 0.986*e ^{(0.9094*ln(hardness)+0.6235)}					

TABLE VALUE STANDARDS - FOOTNOTES

- (1) Metals are stated as dissolved unless otherwise specified. Nitrogen and phosphorus standards are based upon the concentration of total nitrogen and total phosphorus.
- (2) Hardness values to be used in equations are in mg/L as calcium carbonate and shall be no greater than 400 mg/L, except for aluminum for which hardness shall be no greater than 220 mg/L. The hardness values used in calculating the appropriate metal standard should be based on the lower 95 per cent confidence limit of the mean hardness value at the periodic low flow criteria as determined from a regression analysis of site-specific data. Where insufficient site-specific data exists to define the mean hardness value at the periodic low flow criteria, representative regional data shall be used to perform the regression analysis. Where a regression analysis is not appropriate, a site-specific method should be used. In calculating a hardness value, regression analyses should not be extrapolated past the point that data exist.
- (3) Both acute and chronic numbers adopted as stream standards are levels not to be exceeded more than once every three years on the average.

- (4) For acute conditions the default assumption is that salmonids could be present in cold water segments and should be protected, and that salmonids do not need to be protected in warm water segments. For chronic conditions, the default assumptions are that early life stages could be present all year in cold water segments and should be protected. In warm water segments the default assumption is that early life stages are present and should be protected only from April 1 through August 31. These assumptions can be modified by the commission on a site-specific basis where appropriate evidence is submitted. The "T" in the chronic equations stands for temperature.
- (5) The acute(warm) cadmium equation applies to segments classified as Aquatic Life Warm Class 1 or 2. The acute(cold) cadmium equation applies to segments classified as Aquatic Life Cold Class 1 or 2.
- (6) For lakes and reservoirs, the chlorophyll a, total nitrogen, and total phosphorus standards for Aquatic Life and Recreation apply only to lakes and reservoirs greater than 25 acres in surface area. The chlorophyll a standard for Direct Use Water Supply (DUWS) applies to lakes and reservoirs of any size.
- (7) Unless the stable forms of chromium in a waterbody have been characterized and shown not to be predominantly chromium VI, data reported as the measurement of all valence states of chromium combined should be treated as chromium VI. In addition, in no case can the sum of the concentrations of chromium III and chromium VI or data reported as the measurement of all valence states of chromium combined exceed the water supply standards of 50 µg/L chromium in those waters classified for domestic water use.
- (8) Selenium is a bioaccumulative metal and subject to a range of toxicity values depending upon numerous site-specific variables.

(4) Site-specific Standards, Assessment Locations, and Assessment Criteria

- (a) Seasonal Aluminum Standards for Alamosa River/La Jara Creek/Conejos River Segment 8, Terrace Reservoir:

5/1-6/30 Near Surface:

Aluminum(chronic)=873(T) µg/L
Aluminum(acute)=TVS(T) µg/L
Aluminum(chronic)=59 µg/L
Aluminum(acute)=159 µg/L

5/1-6/30 Near Bottom:

Aluminum(chronic)=1,542(T) µg/L
Aluminum(acute)=5,583(T) µg/L
Aluminum(chronic)=41 µg/L
Aluminum(acute)=65 µg/L

7/1-4/30 Near Surface:

Aluminum(chronic)=102(T) µg/L
Aluminum(acute)=TVS(T) µg/L
Aluminum(chronic)=9 µg/L
Aluminum(acute)=15 µg/L

7/1-4/30 Near Bottom:

Aluminum(chronic)=227(T) µg/L
Aluminum(acute)= TVS(T) µg/L
Aluminum(chronic)=9 µg/L
Aluminum(acute)=12 µg/L

- (b) Site-specific standards and assessment locations for Rio Grande Segment 4a:

Standards effective through 12/31/2028

Low flow (August 1-March 31):

Cadmium(chronic)=0.50 µg/L
Zinc(acute/chronic)=257 / 164 µg/L

High flow (April 1-July 31):

Cadmium(chronic)=0.42 µg/L
Zinc(acute/chronic)=115 / 88 µg/L

Tier 1 standards effective 1/1/2029 through 12/31/2030

Low flow (August 1-March 31):

Cadmium(chronic)=TVS

Zinc(acute/chronic)=253 / 162 µg/L

High flow (April 1-July 31):

Cadmium(chronic)=0.42 µg/L

Zinc(acute/chronic)=115 / 88 µg/L

Tier 2 standards effective from 1/1/2031

Low flow (August 1-March 31):

Cadmium(chronic)=TVS

Zinc(acute/chronic)=142 / 64 µg/L

High flow (April 1-July 31):

Cadmium(chronic)=TVS

Zinc(acute/chronic)=51 µg/L / TVS

Assessment Locations: For assessing the standards on Segment 4a, data from the following three locations will be combined:

- Station RG-4 (a/k/a 8104K): Rio Grande downstream of Highway 149 bridge near Wason Ranch (37.821943, -106.889589)
- Station RG-8 (a/k/a 8104E): Rio Grande upstream of Highway 149 bridge near La Garita Ranch Drive (37.777672, -106.836631)
- Station RG-9 (a/k/a 000135): Rio Grande downstream of 4 UR/Goose Creek Road bridge (37.765798, -106.830305)

(c) Site-specific standards and assessment locations for Rio Grande Segment 7:

Standards effective through 12/31/2028

West Willow

Low flow (August 1-March 31):

Cadmium(acute/chronic)=32.6 / 27.4 µg/L

Copper(acute/chronic)=TVS / TVS

Lead(acute/chronic)=108 / 102 µg/L

Manganese(acute/chronic)=3,320 / 2,425 µg/L

Zinc(acute/chronic)=11,960 / 9,360 µg/L

High flow (April 1-July 31):

Cadmium(acute/chronic)=22.5 / 15.5 µg/L

Copper(acute/chronic)=34.3 / 28.0 µg/L

Lead(acute/chronic)=TVS / 23.5 µg/L

Manganese(acute/chronic)=TVS / TVS

Zinc(acute/chronic)=4,001 / 3,765 µg/L

Windy Gulch

Low flow (August 1-March 31):

Cadmium(acute/chronic)=13.3 / 13.3 µg/L

Copper(acute/chronic)=TVS / TVS

Lead(acute/chronic)=TVS / TVS

Manganese(acute/chronic)=TVS / TVS

Zinc(acute/chronic)=3,584 / 3,492 µg/L

High flow (April 1-July 31):

Cadmium(acute/chronic)=7.1 / 5.9 µg/L

Copper(acute/chronic)=TVS / TVS

Lead(acute/chronic)=TVS / 1.68 µg/L

Manganese(acute/chronic)=TVS / TVS

Zinc(acute/chronic)=1,940 / 1,558 µg/L

Willow Creek

Low flow (August 1-March 31):

Cadmium(acute/chronic)=20.9 / 16.9 µg/L

Copper(acute/chronic)=TVS / TVS

Lead(acute/chronic)=TVS / 24.4 µg/L

Manganese(acute/chronic)=TVS / TVS

Zinc(acute/chronic)=5,861 / 5,427 µg/L

High flow (April 1-July 31):

Cadmium(acute/chronic)=10.9 / 8.5 µg/L

Copper(acute/chronic)=11.2 / 8.2 µg/L

Lead(acute/chronic)=TVS / 14.2 µg/L

Manganese(acute/chronic)=TVS / TVS

Zinc(acute/chronic)=2,667 / 1,873 µg/L

Tier 1 standards effective 1/1/2029 through 12/31/2030

West Willow

Low flow (August 1-March 31):

Cadmium(acute/chronic)=32.6 / 27.4 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=108 / 102 µg/L
Manganese(acute/chronic)=3,320 / 2,425 µg/L
Zinc(acute/chronic)=11,960 / 9,360 µg/L

High flow (April 1-July 31):

Cadmium(acute/chronic)=22.5 / 15.5 µg/L
Copper(acute/chronic)=34.3 / 28.0 µg/L
Lead(acute/chronic)=TVS / 23.5 µg/L
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=4,001 / 3,765 µg/L

Windy Gulch

Low flow (August 1-March 31):

Cadmium(acute/chronic)=13.3 / 13.3 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=TVS / TVS
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=3,584 / 3,492 µg/L

High flow (April 1-July 31):

Cadmium(acute/chronic)=7.1 / 5.9 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=TVS / 1.68 µg/L
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=1,940 / 1,558 µg/L

Willow Creek

Low flow (August 1-March 31):

Cadmium(acute/chronic)=14.4 / 11.6 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=TVS / 17.0 µg/L
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=4,041 / 3,743 µg/L

High flow (April 1-July 31):

Cadmium(acute/chronic)=9.5 / 7.4 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=TVS / 12.5 µg/L
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=2,324 / 1,635 µg/L

Tier 2 standards effective from 1/1/2031

West Willow

Low flow (August 1-March 31):

Cadmium(acute/chronic)=19.1 / 13.0 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=68.2 / 61.2 µg/L
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=6,055 / 3,011 µg/L

High flow (April 1-July 31):

Cadmium(acute/chronic)=14.9 / 7.7 µg/L
Copper(acute/chronic)=27.0 / 20.5 µg/L
Lead(acute/chronic)=TVS / 9.5 µg/L
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=2,498 / 2,254 µg/L

Windy Gulch

Low flow (August 1-March 31):

Cadmium(acute/chronic)=13.3 / 13.3 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=TVS / TVS
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=3,584 / 3,492 µg/L

High flow (April 1-July 31):

Cadmium(acute/chronic)=7.1 / 5.9 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=TVS / 1.68 µg/L
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=1,940 / 1,558 µg/L

Willow Creek

Low flow (August 1-March 31):

Cadmium(acute/chronic)=14.9 / 11.1 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=TVS / 7.7 µg/L
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=3,521 / 3,106 µg/L

High flow (April 1-July 31):

Cadmium(acute/chronic)=6.3 / 4.0 µg/L
Copper(acute/chronic)=TVS / TVS
Lead(acute/chronic)=TVS / 6.0 µg/L
Manganese(acute/chronic)=TVS / TVS
Zinc(acute/chronic)=1,758 / 974 µg/L

Assessment Locations:

West Willow

- Station WW-A (a/k/a WW-1): West Willow just above East Willow Confluence (37.864431, -106.925529)

Windy Gulch

- Station WNG-A (a/k/a WG-L): Windy Gulch at mouth (37.856498, -106.928140)

Willow Creek

- Station W-C (a/k/a W-Flume and 8105D): Willow Creek at Flume above Creede (37.855873, -106.927282)
- (d) Site-specific temperature assessment location for Closed Basin-San Luis Valley River Basin Segment 12b:
- Saguache Creek above Ford Creek (38.163367, -106.290418)

(5) Stream Classifications and Water Quality Standards Tables

The stream classifications and water quality standards tables in Appendix 36-1 are incorporated herein by reference.

The following is information regarding duration and measured form of standards in Appendix 36-1:

- (a) *E. coli* criteria and resulting standards for individual water segments are established as indicators of the potential presence of pathogenic organisms. Standards for *E. coli* are expressed as a two-month geometric mean. Site-specific or seasonal standards are also two-month geometric means unless otherwise specified.
- (b) The pH standards of 6.5 (or 5.0) and 9.0 are an instantaneous minimum and maximum, respectively to be applied as effluent limits. In determining instream attainment of water quality standards for pH, appropriate averaging periods may be applied, provided that beneficial uses will be fully protected.
- (c) All mercury standards apply to the total recoverable fraction of all forms, both organic and inorganic, of mercury in water.
- (d) All ammonia, nitrate, and nitrite standards are based upon the concentration reported as nitrogen.

(6) Discharger-specific Variances

- (a) Alamosa River/La Jara Creek/Conejos River Segment 12 (CORGal12):

Discharger-specific Variance, Town of La Jara (CO0020150), Adopted 6/13/2022.

Nitrate (acute), implemented as Total Inorganic Nitrogen (TIN) (acute): Initial AEL=23 mg/L, Final AEL=14.5 mg/L.

Includes a Pollutant Minimization Program. (see 36.51(B))

Expiration date: 12/31/2025.

36.7 - 36.9 RESERVED

36.10 STATEMENT OF BASIS AND PURPOSE

I. Introduction

These stream classifications and water quality standards for State Waters of the Rio Grande River Basin including San Luis Creek and all tributaries and standing bodies of water in all or parts of Alamosa, Conejos, Costilla, Mineral, Rio Grande, and Saguache Counties implement requirements of the Colorado Water Quality Control Act C.R.S. 1973, 25-8-101 *et seq.* (Cum. Supp. 1981). They also represent the implementation of the Commission's Regulations Establishing Basic Standards and an Antidegradation Standard and Establishing a System for Classifying State Waters, for Assigning Standards, and for Granting Temporary Modifications (the "Basic Regulations")

The Basic Regulations establish a system for the classification of State Waters according to the beneficial uses for which they are suitable or are to become suitable, and for assigning specific numerical water quality standards according to such classifications. Because these stream classifications and standards implement the Basic Regulations, the statement of basis and purpose (Section 3.1.16) of those regulations must be referred to for a complete understanding of the basis and purpose of the regulations adopted herein. Therefore, Section 3.1.16 of the Basic Regulations is incorporated by reference. The focus of this statement of basis and purpose is on the scientific and technological rationale for the specific classifications and standards in the Rio Grande River Basin.

Public participation was a significant factor in the development of these regulations. A lengthy record was built through public hearings held on April 14, and 15, 1981. A total of 9 entities requested and were granted party status by the Commission in accordance with C.R.S. 1973, 24-4-101 *et seq.* (Cum. Supp. 1980). A supplementary public rulemaking hearing was held September 15, 1981, restricted to those issues raised by the changes in the Act contained in Senate Bill 10 (1981). Such issues included but were not limited to: "The economic reasonableness" evaluation required by 25-8-102(5), the effect on water rights as required by 25-8-104; and the new considerations for the adoption of water quality standards required by 25-8-204 C.R.S. 1973, as amended. The record established in these hearings forms the basis for the classifications and standards adopted.

II. General Considerations

1. These regulations are not adopted as control regulations. Stream classifications and water quality standards are specifically distinguished from control regulations in the Water Quality Control Act, and they need not be adopted as control regulations pursuant to the statutory scheme.
2. The Commission has been requested in public hearings to rule on the applicability of these and other regulations to the operation of water diversion facilities, dams, transport systems, and the consequent withdrawal, impoundment, non-release and release of water for the exercise of water rights. The Commission has determined that any such broad ruling is inappropriate in the context of the present regulations. The request does not raise specific questions as to proposed classifications and standards. However, the Commission has taken into account the fact that some issues are unresolved in adopting classifications and standards. On January 5, 1981, the Commission adopted a policy statement on quality/quantity issues that addresses a number of these concerns. Finally, the Commission has adopted these regulations in compliance with the requirements of the Water Quality Control Act as amended by S.B.10 in 1981 that have bearing on these issues (See e.g.) sections 102, 104, and 503(5).

III. Definition of Stream Segments

1. For purposes of adopting classifications and water quality standards, the streams and water bodies are identified according to river basin and specific water segments.

2. Within each river basin, specific water segments are defined, for which use classifications and numeric water quality standards, if appropriate are adopted. These segments may constitute a specified stretch of a river mainstem, a specific tributary, a specific lake or reservoir, or a generally defined grouping of waters within the basin (e.g., a specific mainstem segment and all tributaries flowing into that mainstem segment).
3. Segments are generally defined according to the points at which the use, water quality, or other stream characteristics change significantly enough to require a change in use classification and/or water quality standards. In many cases, such transition points can be specifically identified from available data. In other cases the delineation of segments is based upon best judgements of the points where instream changes in uses, water quality, or other stream characteristics occur.

IV. Use Classifications — Generally

1. Initially, recommendations for stream segmentation and use classifications are a result of input from 208 plans, water quality data and reports, the Division of Wildlife, and personal knowledge. After a basic outline of stream segments and use classifications was prepared, water quality data from a variety of sources was compared against the “table value” for the proposed use “table value” refers to the four tables attached to the “Basic Regulations”. In general, if the mean plus one standard deviation ($\bar{x} + s$) of the available data for the segment indicated that a particular parameter did not exceed the “table value” for that recommended use, the “table value” was listed as the recommended standard for the parameter. If the $\bar{x} + s$ commutation indicated that the instream concentrations of the parameter exceeded the “table value” and yet the use to be protected by that parameter was in place, then the $\bar{x} + s$ value was recommended as the standard for that parameter.

Conversely, if the ambient quality ($\bar{x} + s$) for a certain parameter exceeded the “table value” for the protection of a use, and there is information that the use is not in place, the use classification was modified or temporary modification to the parameters were established. Ambient quality is generally defined as the quality attributable to natural conditions and/or uncontrollable non-point sources.

One exception to the procedure just described is for whole body contact recreation (class 1). If an active domestic waste discharge was located on the segment in question, class 1 recreation was not recommended regardless of the ambient quality, unless there was information to show that the segment was actually used for swimming. This policy was established by the WQCC in order to avoid penalizing a discharger for protecting a use which is not in place and to limit possible harm to aquatic life due to chlorine residuals.

2. The use classifications have been established in accordance with the provisions of Section 203 of the Water Quality Control Act and Section 3.1.6 and 3.1.13 of the Basic Regulations.
3. In all cases the basic regulation has been followed, in that an upstream use cannot threaten or degrade a downstream use. Accordingly, upstream segments of a stream are generally the same as, or higher in classification than, downstream segments. In a few cases, tributaries are classified at lower classifications than mainstems, where flow from tributaries does not threaten the quality of mainstem waters and where the evidence indicates that lower classifications for the tributaries is appropriate.
4. There have been no “High Quality Class 1” designations assigned in this basin.

5. The Commission has determined that it has the authority to assign the classification "High Quality Waters - Class 1" and High Quality Waters - Class 2" where the evidence indicates that the requirements of Sections 3.1.13(1)(e) of the basic regulations are met. The appropriateness of this classification has been determined on a case-by-case basis. Streams have in some cases been classified "High Quality - Class 2" for one or more of the following reasons:
 - (a) to facilitate the enjoyment and use of the scenic and natural resources of the State in accordance with the Legislative Declaration of the Colorado Water Quality Control Act (25-8-102(1) C.R.S. 1973, as amended in 1981.
 - (b) to provide a high degree of protection deserving of wilderness areas which are a resource providing a unique experience.
 - (c) they contain threatened species or apply to wild and scenic river study areas or wilderness areas.
 - (d) the concern of the USFS that High Quality 2 classification will unduly burden their management of multiple use areas is not well founded. This is because those historical activities on Forest Service land, i.e. grazing, mineral exploration, trail and road maintenance, are considered as a part of existing ambient water quality conditions and are non point sources which are presently not subject to any Water Quality Control Commission regulations.
 - (e) a question exists as to whether existing diversion structures can be maintained consistent with a "High Quality - Class 1" designation. Because of the questions regarding authority to regulate diversions, the Class 1 designation was deemed potentially too rigid. The Commission recognizes its authority to upgrade these segments if and when it is appropriate to do so.
6. In accordance with 25-8-104, C.R.S. 1973, the Commission intends that no provision of this regulation shall be interpreted so as to supercede, abrogate, or impair rights to divert water and apply water to beneficial uses.

7. Qualifiers — Seasonal and Intermittant

These qualifiers have been used to more fully describe characteristics of certain stream segments.

8. Recreation — Class 1 and Class 2

In addition to the significant distinction between Recreation - Class 1 and Recreation - Class 2 as defined in Section 3.1.13(1) of the Basic Regulations, the difference between the two classifications in terms of water quality standards is the fecal coliform parameter.

Recreation - Class 1 generally has a standard of 200 fecal coliform per 100 ml;
Recreation - Class 2 generally has a standard of 2000 fecal coliform per 100 ml.

In accordance with S.B.10 the Commission has decided to classify as "Recreation - Class 2" those stream segments where primary contact recreation does not exist and cannot be reasonably expected to exist in the future, regardless of water quality. The Commission has decided to classify as "Recreation - Class 1" only those stream segments where primary contact recreation actually exists, or could reasonably be expected to occur. The reasons for the application of Recreation Class 2 are as follows:

- (a) The mountain streams in this region are generally unsuitable for primary contact recreation because of water temperature and stream flows.
- (b) Fecal coliform is an indicator organism. Its presence does not always indicate the presence of pathogens. This depends on the source of the fecal coliform. If the source is agricultural runoff as opposed to human sewage, there may be no health hazard and therefore no significant need to reduce the presence of fecal coliform to the 200 per 100 ml. level. Also, control of nonpoint sources is very difficult.
- (c) Treating sewage to meet the 200 per 100 ml. level generally means the treatment plant must heavily chlorinate its effluent to meet the limitation. The presence of chlorine in the effluent can be significantly detrimental to aquatic life. Post-treatment of effluent to meet the residual chlorine standard is expensive and often results in the addition of more chemicals which have a negative effect on water quality and can be detrimental to aquatic life. Therefore, reducing the need for chlorine is beneficial to aquatic life.
- (d) Even where a treatment plant in this region might treat its effluent to attain the standard of 200 per 100 ml., agricultural runoff and irrigation return flows below the plant may result in the rapid increase of fecal coliform levels. Therefore, the benefits of further treatment are questionable.
- (e) The fecal coliform standard of 2000 per 100 ml. has been established to provide general public health protection. There is no significant impact on domestic drinking water treatment plants because they provide complete disinfection. The standard of 200 per 100 ml. is not intended to protect the water supply classification.

9. Water Supply Classification

The Commission finds that Colorado is a water short state and that it is experiencing considerable growth which places additional burdens on already scarce water supplies. These considerations mitigate in favor of a conservative approach to protecting future water supplies. Where existing water quality is adequate to protect this use, and in the absence of dischargers to these segments or testimony in opposition to such classification, the water supply use has been assigned because it is reasonable to expect that it may exist in the future in such cases. For stream segments that flow through, or in the vicinity of, municipalities, this conclusion is further justified, since there is a reasonable probability that the use exists or will exist. Where the water supply classification has been opposed, the Commission has evaluated the evidence on a site specific basis, and in many cases the classification has been removed.

V. Water Quality Standards — Generally

- 1. The water quality standards for classified stream segments are defined as numeric values for specific water quality parameters. These numeric standards are adopted as the limits for chemical constituents and other parameters necessary to protect adequately the classified uses in all stream segments.
- 2. Not all of the parameters listed in the "Tables" appended to the Basic Regulations are assigned as water quality standards. This complies with Section 3.1.7(c) of the Basic Regulations.

Numeric standards have been assigned for the full range of parameters to a number of segments where little or no data existed specific to the segment. In these cases, there was reason to believe that the classified uses were in place or could be reasonably expected, and that the ambient water quality was as good as or better than the numeric standards assigned.

3. A numeric standard for the temperature parameter has been adopted as a basic standard applicable to all waters of the region in the same manner as the basic standards in Section 3.1.11 of the Basic Regulations.

The standard of a 3°C temperature increase above ambient water temperature as defined is generally valid based on the data regarding that temperature necessary to support an "Aquatic Life - Class 1" fishery. The standard takes into account daily and seasonal fluctuations; however, it is also recognized that the 3°C limitation as defined is only appropriate as a guideline and cannot be rigidly applied if the intention is to protect aquatic life. In winter, for example, warm water discharges may be beneficial to aquatic life. It is the intention of the Commission in adopting the standard to prevent radical temperature changes in short periods of time which are detrimental to aquatic life.

The Commission finds that the Closed Basin Project will be likely to have a beneficial effect on aquatic habitat and any resulting temperature fluctuation is not in violation of this regulation.

4. Numeric standards for nineteen organic parameters have been adopted as a basic standards applicable to all waters of the region in the same manner as the basic standards in Section 3.1.11 of the Basic Regulations. These standards are essential to a program designed to protect the waters of the State regardless of specific use classifications because they describe the fundamental conditions that all waters must meet to be suitable for any use.

It is the decision of the Commission to adopt these standards as basic standards because the presence of the organic parameters is not generally suspected. Also, the values assigned for these standards are not detectable using routine methodology and there is some concern regarding the potential for monitoring requirements if the standards are placed on specific streams. This concern should be alleviated by Section 3.1.14(5) of the Basic Regulations but there is uncertainty regarding the interpretation of those numbers by other entities. Regardless of these concerns, because these constituents are highly toxic, there is a need for regulating their presence in State waters. Because the Commission has determined that they have uniform applicability here, their inclusion as basic standards for the region accomplishes this purpose.

5. In many cases, the numeric water quality standards are taken from the "Tables" appended to the Basic Regulations. These table values are used where actual ambient water quality data in a segment indicates that the existing quality is substantially equivalent to, or better than, the corresponding table values. This has been done because the table values are adequate to protect the classified uses.

Consistent with the Basic Regulations, the Commission has not assumed that the table values have presumptive validity of applicability. This accounts for the extensive data in the record on ambient water quality. However, the Commission has found that the table values are generally sufficient to protect the use classifications. Therefore, they have been applied in the situations outlined in the preceeding paragraph as well as in those cases where there is insufficient data in the record to justify the establishment of different standards. The documentary evidence forming the basis for the table values is included in the record.

6. In many cases, instream ambient water quality provides the basis for the water quality standards (See 7 below). In those cases where the classified uses presently exist or have a reasonable potential to exist despite the fact that instream data reflects ambient conditions of lower water quality than the table values, instream values have been used. In these cases, the evidence indicates that instream values are adequate to protect the uses. In those cases where temporary modifications are appropriate, instream values are generally reflected in the temporary modification and table values are reflected in the corresponding water quality standard. (Goals are established for the appropriate classification affected by the parameter).

Cases in which water quality standards reflect these instream values usually involve the metal parameters. On many stream segments elevated levels of metals are present due to natural or unknown causes, as well as mine seepage from inactive or abandoned mines. These sources are difficult to identify and impractical or impossible to control. The classified aquatic life uses may be impacted and/or may have adjusted to the condition. In either case, the water quality standards are deemed sufficient to protect the uses that are present.

7. The Commission rejected the proposal to assign only "temporary" standards pending additional data collection to verify or modify values assigned. Concerned parties concurred that triannual review will lead to updating of standards as necessary. Furthermore, limited financial resources will be focused upon streams with permitted discharges.
8. In those cases where there was no data for a particular segment, or where the data consists of only a few samples for a limited range of parameters, "table values" were generally recommended. Data at the nearest downstream point was used to support this conclusion. In some cases, where the limited data indicated a problem existed, additional data was collected to expand the data base. Additionally, where there may not be existing data on present stream quality, the Commission anticipates that if necessary additional data will be collected prior to a hearing required by C.R.S. 1973, 25-8-204(3), as amended.
9. Responding to the request not to average data from various reporting stations within a segment, the Commission found that it would be more accurate to consider whether there were problems in specific segments where resegmentation might be appropriate if there were extreme values in the data recorded.
10. In most cases in establishing standards based on instream ambient water quality, a calculation is made based upon the mean (average) plus one standard deviation ($\bar{x} + s$) for all sampling points on a particular stream segment. Since a standard deviation is not added to the water quality standard for purposes of determining the compliance with the standard, this is a fair method as applied to discharges.

Levels that were determined to be below the detectable limits of the sampling methodology employed were averaged in as zero rather than at the detectable limit. This moves the mean down but since zero is also used when calculating wasteload allocations, this method is not unfair to dischargers.

Metals present in water samples may be tied up in suspended solids when the water is present in the stream. In this form they are not "available" to fish and may not be detrimental to aquatic life. Because the data of record does not distinguish as to availability, some deviation from table values, as well as the use of $\bar{x} + s$, is further justified because it is unlikely that the total value in all samples analyzed is in available form.

A number of different statistical methodologies could have been used where ambient water quality data dictates the standards. All of them have both advantages and disadvantages. It is recognized that the $\bar{x} + s$ methodology also has weaknesses, in that the standard may not reflect natural conditions in a stream 100 per cent of the time, even though the use of $\bar{x} + s$ already allows for some seasonal variability. However the use of this methodology is nevertheless justified since it provides the most meaningful index of stream quality of all methodologies proposed for setting stream standards.

Finally, the fairness and consistency of the use of any methodology in setting standards must turn on the manner in which the standards are implemented and enforced. It is essential that there be consistency between standard setting and the manner in which attainment or non-attainment of the standards is established based on future stream monitoring data. In addition the Division must take this methodology into account in writing and enforcing discharge permits.

11. No water quality standards are set below detectable limits for any parameter, although certain parameters may not be detectable at the limit of the standards using routine methodology. However, it must be noted that stream monitoring, as opposed to effluent monitoring, is generally not the responsibility of the dischargers but of the State. Furthermore, the purpose of the standards is to protect the classified uses and some inconvenience and expense as to monitoring is therefore justifiable.

Section 3.1.15(5) of the Basic Regulations states that "dischargers will not be required to regularly monitor for any parameters that are not identified by the Division as being of concern". Generally, there is no requirement for monitoring unless a parameter is in the effluent guidelines for the relevant industry, or is deemed to be a problem as to a specific discharge.

12. The dissolved oxygen standard is intended to apply to the epilimnion and metalimnion strata of lakes and reservoirs. Respiration by aerobic micro-organisms as organic matter is consumed is the primary cause of a natural decrease in dissolved oxygen and anaerobic conditions in the hypolimnion. Therefore, this stratum is exempt from the dissolved oxygen standard.
13. Where numeric standards are established based on historic instream water quality data at the level of $\bar{x} + s$, it is recognized by the Commission that measured instream parameter levels might exceed the standard approximately 15 percent of the time.
14. It is the Commission's intention that the Division implement and enforce all water quality standards consistent with the manner in which they have been established.

15. Hardness/Alkalinity

Where hardness and alkalinity numbers differed, the Commission elected to use alkalinity as the controlling parameter, in order to be consistent with other river basins and because testimony from the Division staff indicated that in most cases alkalinity has a greater effect on toxic form of metals than does hardness.

VI. Water Quality Standards for Unionized Ammonia

On some Class 2 Warm Water Aquatic Life streams containing similar aquatic communities to those found in the plain streams of the South Platte & Arkansas Basins, .1 mg/l unionized ammonia was selected as being appropriate to protect those species.

These streams generally contain both lesser numbers and types of species than those inhabiting class 1 streams due to physical habitat characteristics, flow or irreversible water quality characteristics. The Commission felt that the incremental expense to meet a 0.06 mg/l unionized ammonia standard for present or potential discharges along these streams cannot be justified. Flow in these segments is often intermittent or highly impacted by diversions.

Specifically, the Commission has relaxed unionized ammonia standards to .1 mg/l or greater on such stream for the following reasons:

1. limited nature of the aquatic life present;
2. limited recreational value of species present;
3. habitat limitations, primarily flow and streambed characteristics, that impose significant limitations on the nature of aquatic life, even if ammonia reductions were attained;
4. rapid dissipation of ammonia in streams, reducing the impact of such discharges downstream; and

5. economic costs of ammonia removal, especially where such costs would fall primarily on publicly-owned treatment works, and while the availability of construction grant funds is questionable.
6. Biosurveys with support from a bioassay conducted on fathead minnows performed in the Cache la Poudre River show that a .1 mg/l standard is appropriate to protect existing biota in that stream. The results of these studies may be reasonably extrapolated to similar plains streams; i.e., those streams that demonstrate similar chemical, physical, and biological characteristics.

Not all warmwater streams are comparable in terms of flow habitat, and types and numbers of species of aquatic life. Therefore, some variations in an appropriate ammonia standard must be tolerated, with the objective of protecting existing aquatic life. The Commission found this approach preferable to totally removing the aquatic life classification from impacted or marginal aquatic life streams.

VII. Water Quality Standards for Cyanide

Given the threat that radioactivity from uranium may pose to human health, it is advisable to limit uranium concentrations in streams to the maximum extent practicable. The Commission has adopted a standard of 40 pCi/l or natural background where higher, for the following reasons:

1. 40 pCi/l generally reflects background concentrations of uranium that may be found in streams in Colorado and therefore this amount approximates routine human exposure.
2. The statistical risk of human health hazards is small at 40 pCi/l.
3. 40 pCi/l is an interim level, established now pending the outcome of further studies currently underway.

VIII. Water Quality Standards for Cyanide

The Commission acknowledges that total cyanide is to be used in State Discharge permits until a method is authorized by EPA for measuring free cyanide, even though free cyanide is the parameter of concern. While cyanide has received special treatment in cases discussed in the segment - by - segment section which follows, a free cyanide standard based on Table Values has been established for most segments.

IX. Linkage of classifications and Standards

The Commission holds that the classifications which it adopts and the standards it assigns to them are linked. Disapproval by EPA of the standards may require reexamination by the Commission of the appropriateness of its original classification.

The reason for the linkage is that the Commission recognizes that there is a wide variability in the types of aquatic life in Colorado streams which require different levels of protection. Therefore, the numbers were chosen in some cases on a site specific basis to protect the species existing in that segment. If any reclassification is deemed a downgrading, then it will be based upon the grounds that the original classification was in error.

X. Economic Reasonableness

The Commission finds that these use classifications and water quality standards are economically reasonable. The Commission solicited and considered evidence of the economic impacts of these regulations. This evaluation necessarily involved a case-by-case consideration of such impacts, and reference is made to the fiscal impact statement for this analysis. Generally, a judgement was made as to whether the benefits in terms of improving water quality justified the costs of increased treatment. In the absence of evidence on economic impacts for a specific segment, the Commission concluded that the regulations would impose no additional economic burdens and would therefore be reasonable.

XI. Classifications and Standards - Special Cases

1. Page 1, Segment 2(a) and 2(b), Rio Grande River (proposed as page 1, segment 2)

The Rio Grande and Santa Maria Reservoirs were resegmented as 2(b) because of fluctuating water levels which precluded their use as a class 1 cold water habitat. On Segment 2(b) the water supply classification was removed as there is no water supply in place nor is it reasonably expected in the foreseeable future as testified to by the Rio Grande Water Users Association. These changes were made in recognition of conditions caused by the exercise of agricultural water rights.

2. Page 1, Segment 3

On the basis of testimony received from the Colorado Water Quality Control Division and the Rio Grande Water Conservancy District, the Commission concluded that the metals values proposed by the Division were appropriate. Notwithstanding the impact of diversions on stream flows, the stream segment as a whole has suitable aquatic life habitat to support the class 1 designation.

Examination of the data supported the Division's approach of pooling the data from the three reporting stations to describe existing quality in this segment.

3. Page 2, Segment 5(a), & 5(b) (proposed as page 1, segment 5)

The Commission accepted the resegmentation stipulated to by all the parties to better describe differences in water quality and habitat.

Segment 5(a) was changed to recreation class 2 consistent with the reasoning expressed in the general provisions of this basis and purpose. In adopting the class 1, cold water, aquatic life classification it was found that the habitat is sufficient to support a variety of aquatic life. Water supply and agriculture were removed. The uses are not in place and not reasonably expected.

For segment 5(b) the benthic surveys support the class 1 aquatic life designation. Standards for copper and silver were changed from proposed values due to inclusion of Chevron data.

4. Page 1, Segment 6(a) and 6(b) (proposed as page 1, segment 6)

Controversy over metals standards in testimony concerning segment 6(b) was resolved with respect to cadmium and zinc after the Commission evaluated additional data presented to it by the Chevron Corporation during the hearing. The values were changed from those proposed by the Division.

5. Page 2, Segment 7

There was controversy over the issue on segment 7 protecting the mainstem of the Rio Grande from degradation by this segment. The testimony went to whether a goal of aquatic life class 2 with a temporary modification of ambient conditions should be adopted. The Commission resolved against such a goal. Cleaning up the mine tailing debris and stream bed is not likely to occur within 20 years. The technology may be available, but no single party or government agency appeared to be likely to take on the task. Furthermore, improvement of not only the water quality but also the stream bed to achieve an aquatic life goal makes attainment of the goal uncertain. An agricultural use is in place and is apparently not impaired by metals in excess of table values.

6. Page 2, Segment 9

Evidence was presented that there was a wastewater discharge to the segment. No evidence was presented on behalf of that discharger. The Commission concluded that it was unlikely that there would be an impact on this discharger from the standards established due to minimum daily flow of 10 CFS in the stream.

7. Page 3, Segment 12

Aquatic class 1, warm water rather than aquatic life class 2, warm water or cold water was assigned in recognition of reduced flows for 1/4 mile downstream of the Excelsior Ditch. However, the stream in this segment is a perennial stream with increases in flow expected in the future as a result of the anticipated Closed Basin discharge downstream of Alamosa. A seasonal qualifier was adopted to reflect that flows and water quality will vary with the irrigation season. However, no adverse impact upon Alamosa's wastewater discharge is anticipated because of the existing dilution to discharge ratio and the presence of an obviously excellent fishery through Alamosa.

8. Page 3, Segment 13

This segment was classified cold water class 1, aquatic life, despite the fact that segment 12 was designated warm water class 1, aquatic life. This was because there is no impact of the Closed Basin discharge upon this segment 13 according to the testimony of Mr. Thomas of the Bureau of Reclamation. Furthermore, segment 13 contains canyons where cooling occurs. In classifying this segment, the Commission recognized that this segment feeds a prime fishery immediately downstream in New Mexico.

9. Page 3, Segment 15(a) and 15(b) (proposed as page 3, segment 15)

At issue for 15(a) was whether the aquatic life classification should be retained as proposed, deleted, or whether the segment should be classified for any uses at all. The Commission concluded that these streams are dry for long periods of time and therefore do not warrant an aquatic life classification. There was testimony that waters from this segment were used for agriculture. A potential discharger would be restricted to protect the agricultural use. Additionally recreation class 2 was retained as a public health consideration.

15(b) Was separated in order to give protection to the Monte Vista and Alamos National Wildlife Refuge.

10. Page 5, Segment 21

An interrupted flow qualifier was added by the Commission at the request of the Rio Grande Water Conservancy District on the basis of the irregular draining of Terrace Reservoir.

11. Page 5, Segment 22

An interrupted flow qualifier was added by the Commission at the request of the Rio Grande Water Conservancy District due to their testimony on the impact of filling Terrace Reservoir.

12. Page 5, Segment 23

Aquatic life was removed by the Commission from the proposed classification due to the Division's rationale that the segment is dry for much of the year.

13. Page 5, Segment 24

The Water Supply Classification was removed by the Commission since it is a use not in place, nor reasonably expected in the future. The action was based on a recommendation contained in the 208 Plan and the Division's rationale.

14. Page 6, Segment 29

Due to testimony on the existence of sensitive warm water species in this segment .06 mg/l unionized ammonia was assigned to protect these species while not adversely affecting the Magnesia wastewater treatment facility.

15. Page 6, Segment 31(b) (proposed as page 3, segment 14)

For 31(b), testimony by Trout Unlimited indicated this segment contained the only native population on public land in Colorado of the Rio Grande Cut Throat Trout, which is deserving of the higher protection provided by a classification of high quality class 2, which the Commission assigned.

16. Page 9, Segment 6

The Commission felt that evidence indicated that carp were present in the segment and they would be adequately protected by assigning an ammonia standard of .1 mg/l.

17. Page 10, Segment 9

The Commission found that no aquatic life can survive in the segment due to elevated levels of heavy metals coming from the drainage from abandoned mines.

18. Page 10, Segment 13

.1 unionized ammonia was chosen to avoid imposing the likely high cost of treatment beyond secondary upon Saguache, a severely economically depressed town (as noted by administrative notice of the Commission), and since there was no testimony nor evidence concerning sensitive species in this segment, and because the stream to which Saguache discharges disappears before reaching San Luis Creek.

36.11 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY, AND PURPOSE:

June, 1988 Hearing on Segments 2a and 3

The provisions of 25-8-202(1)(b) and (2); 25-8-204; and 25-8-207 C.R.S. provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted, in compliance with 24-4-103(4), and 24-4-103(8)(d), C.R.S., the following statements of basis and purpose and fiscal impact.

BASIS AND PURPOSE:

The standards for cadmium, copper, lead, mercury, and zinc were reviewed in response to a petition by Homestake Mining Company submitted in 1987. Based on additional and more detailed water-quality data for these reaches, it was determined that the standards established in 1981 were inconsistent with the available water-quality data. Changes were therefore made for all parameters except mercury and except for copper in Segment 3. Because available data represented actual instream conditions, no impacts on classified uses were anticipated.

FISCAL IMPACT STATEMENT:

A fiscal analysis indicates that the costs associated with the changes will be limited to the costs for conducting the standards-setting hearing and of making the administrative changes in the rules. No substantial additional costs are thought to accrue due to treatment requirements. Precise evaluation of treatment costs will depend on low-flow rates and concentrations encountered by dischargers. No costs will accrue due to changes in classified uses of the segments.

Parties to the hearing:

Homestake Mining Company

**36.12 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY, AND PURPOSE; MAY, 1989
HEARING ON MULTIPLE SEGMENTS:**

The provisions of 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402 C.R.S. provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted, in compliance with 24-4-103(4), C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE:

First, the Commission has adopted new introductory language for the tables, in section 3.6.6(2). The purpose of this language is to explain the new references to "table value standards" (TVS) that are contained in the Tables. The other changes considered and adopted are addressed below by segment.

A. Aquatic Life Class 1 with Table Values; New High Quality 2 Designations

Rio Grande, segments, 4, 5a, 6a, 8, 9, 10, 14, 16, 17, 24, 27, 28, 30, 31a, 32, 34, 36, 38, 39, 41
Closed Basin, segments 2, 4, 12

Numerical standards for metals for these segments have in most instances previously been based on table values contained in Table III of the Basic Standards and Methodologies for Surface Water. Table III has been substantially revised, effective September 30, 1988. From the information available, it appears that the existing quality of these segments meets or exceeds the quality specified by the revised criteria in Table III, and new acute and chronic table value standards based thereon have therefore been adopted. There are also some of these segments whose previous standards were adopted. There are also some of these segments whose previous standards were based in part on ambient quality, since their quality did not meet old table values based on alkalinity ranges. However, these segments generally have much higher hardness than alkalinity, and the new table values (based on hardness-dependent equations) are now appropriate as standards.

Second, in addition to these standards changes, the use classifications have been revised where necessary so that each of these segments has the following classifications:

Recreation - Class 1
Cold Water Aquatic Life - Class 1
Water Supply
Agriculture

These classifications are appropriate because the existing quality is adequate to protect these uses.

Third, a High Quality 2 designation has been established for each of these segments. The best available information in each case indicates that the existing quality for dissolved oxygen, pH, fecal coliform, cadmium, copper, iron, lead, manganese, mercury, selenium, silver and zinc is better than that specified in Tables I, II, and III of the Basic Standards and Methodologies for Surface Water, for the protection of aquatic life class 1 and recreation class 1 uses.

Finally, in addition to these generally applicable changes, certain specific changes were made for some segments in this group. The description of segment 10 has been revised to change the dividing line between segments 10 and 11, since the previous reference point is no longer in existence. The description of segment 14 has been revised, to correct a typographical error and make this segmentation compatible with segment 4. Segment 27 has been consolidated into segment 26 to simplify the tables, due to similarities in uses and quality, and is no longer listed as a separate segment. Segment 31a has been consolidated with segment 31b (together now designated as segment 31) to simplify the tables, due to similarities in uses and quality.

B. Existing High Quality 2 Segments; New Classifications and Standards

Rio Grande, segments 1, 26, 31b
Closed Basin, segment 1

These segments were already described as High Quality Class 2, and available information indicates that the parallel new High Quality 2 designation continues to be appropriate for each. Rio Grande segment 1 and Closed Basin segment 1 are waters in Wilderness areas, Rio Grande segment 26 is proposed for wild and scenic river designation, and Rio Grande segment 31b is the only native habitat on public lands in Colorado for the Rio Grande cutthroat trout.

In addition, the following use classifications, and associated table value standards, have been adopted for these segments:

Recreation - Class 1
Cold Water Aquatic Life - Class 1
Water Supply
Agriculture

These classifications and standards are appropriate based on the best available information regarding existing quality. These provisions would apply in the event that degradation is determined to be necessary following an activity-specific antidegradation review.

Finally, in addition to these generally applicable changes, the description of segment 26 has been revised to consolidate former segment 27 into this segment, and segment 31b has been consolidated with segment 31a, into new segment 31. These changes simplify the tables, due to similarities in uses and quality.

c. New Use-Protected Designations: No Change in Numeric Standards

Rio Grande, segments 15a, 15b, 19, 20, 23, 25
Closed Basin, segments 3, 9

These segments all qualify for a Use-Protected designation based on their present classifications. Specifically, Rio Grande segments 15a, 19, and 23, and Closed Basin segment 9 have no aquatic life classification. Rio Grande segments 15b and 25 and Closed Basin segment 3 have warm water class 2 classifications. Rio Grande segment 20 has a cold water class 2 classification. The existing standards are recommended to be retained because the segments have no metals standards or in the case of Rio Grande segment 20 have high ambient standards for some metals, exceeding table values, based on total recoverable metals data, and no dissolved metals data is available at this time.

In addition to these generally applicable changes, the description of segment 15a has been revised to correct a typographical error and make this segmentation compatible with segment 4. Also, as discussed further below, segment 19 has been divided into segments 19a and 19b.

D. New Use-Protected Designations; Revised Numeric Standards

Rio Grande, segments 2b, 11, 13, 21, 29, 33, 35, 37, 40
Closed Basin, segments 5, 6, new 7

These segments all qualify for a Use-Protected designation. Specifically, Rio Grande segments 2b, 11, 29, 33, 35, 37 and 40, and Closed Basin segments 5 and 6 and new segment 7 qualify as Use-Protected because they are classified aquatic life cold or warm water class 2. Rio Grande segment 13 is Use-Protected because existing quality for lead, mercury and silver is worse than that specified in Table III of the Basic Standards and Methodologies for Surface Water. Rio Grande segment 21 (Terrace Reservoir) is designated Use-Protected because it was identified in the 1988 Section 305(b) Report as being impacted by a combination of metals loading and fluctuating reservoir levels.

The description of segment 11 has been revised to change the dividing line between segments 10 and 11, since the previous reference point is no longer in existence.

Numerical standards for metals for Rio Grande segments 2b, 11, 21, 29, 33, 35, 37 and 40 have in most instances previously been based on table values contained in Table III of the Basic Standards and Methodologies for Surface Water. Table III has been substantially revised, effective September 30, 1988. From the information available, it appears that the existing quality of these segments meets or exceeds the quality specified by the revised criteria in table III, and new acute and chronic table value standards based thereon have therefore been adopted. There are also some of these segments whose previous standards were based in part on ambient quality, since their quality did not meet old table values based on alkalinity ranges. However, these segments generally have much higher hardness than alkalinity, and the new table values (based on hardness-dependent equations) are now appropriate as standards.

For Rio Grande segment 13, acute and chronic table value standards have been adopted except for lead, mercury, and silver. For lead and silver, ambient-quality-based standards are adopted based on the 85th percentile of available dissolved metals data. For mercury, a one-year temporary modification is established based on existing ambient quality, with an underlying standard based on the "final residual value" established in Table III of the Basic Standards and Methodologies for Surface Water, to protect human health from fish consumption. The temporary modification should allow time for collection and analyses of fish tissue for mercury. Should such analyses show no problems with mercury, the Commission will reconsider the appropriateness of the underlying standard in a subsequent hearing. Otherwise, the underlying standard will go into effect when the temporary modification expires. Also for segment 13, the recreation classification has been changed from class 2 to class 1, with a corresponding change in the fecal coliform standard, based on new information regarding existing quality.

For Closed Basin segment 5, acute and chronic table value standards have been adopted except for copper, iron, lead, mercury, silver, and zinc. For all except mercury, ambient quality-based standards have been adopted. These standards are based on the 85th percentile of available data, except for zinc which is based on the highest non-runoff value since there are only four data points. For mercury, a one-year temporary modification based on existing ambient quality and an underlying standard based on the "final residual value" have been established, in the same manner as described above for Rio Grande segment 13.

For Closed Basin segment 6, Head Lake has been removed and designated as a new segment 7. For segment 6, acute and chronic table value standards have been adopted except for iron, manganese, mercury, and selenium. For all except mercury, ambient quality-based standards have been adopted based on the 85th percentile of available data. For mercury, a one-year temporary modification based on existing ambient quality and an underlying standard based on the "final residual value" have been established, in the same manner as described above for Rio Grande segment 13.

For new Closed Basin segment 7, acute and chronic table value standards have been adopted except for iron, lead, and mercury. For all except mercury, ambient quality-based standards have been adopted based on the 85th percentile of available data. For mercury, a one-year temporary modification based on existing ambient quality and an underlying standard based on the "final residual value" have been established, in the same manner as described above for Rio Grande segment 13.

E. Other Revisions

1. Rio Grande, segment 12:

The recreation classification for this segment has been changed from class 2 to class 1, with a corresponding change in the fecal coliform standard, based on new information regarding existing quality and an existing use of this segment for swimming. In addition, acute and chronic table value standards have been adopted for this segment except for lead and mercury. For lead, an ambient quality-based standard has been adopted based on the 85th percentile of available data. For mercury, a one-year temporary modification based on existing ambient quality and an underlying standard based on the "final residual value" have been established, in the same manner as described above for Rio Grande segment 13. Based on current information, no water quality-based designation is being adopted for this segment at this time.

2. Rio Grande, segment 19:

This segment has been divided into segments 19a and 19b. Segment 19a is the same as the previous segment 19, with no change in classifications or standards, except that the upper portion of Wightman Fork has been removed from the segment. New segment 19b consists of the upper portion of the Wightman Fork, which is of better quality than the waters in segment 19a. Reproducing brook and cutthroat trout populations are present in segment 19b. A cold water aquatic life class 1 classification and corresponding acute and chronic table value standards have been added to this segment.

3. Closed Basin, new segment 10:

This new segment has been established for Sand Creek, in order to apply appropriate classifications and standards to these waters. The classifications for the new segment are the same as for Closed Basin segment 2, which previously included the upper portion of Sand Creek. Sand Creek supports trout populations throughout its entire length. Appropriate table value standards for applicable classifications have also been adopted.

Parties to the May, 1989 Hearing:

Colorado Division of Wildlife
Summitville Consolidated Mining Company, Inc.
Rio Grande Water Conservation District

36.13 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: MARCH 1, 1993 HEARING:

The provisions of 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402 C.R.S. provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4), C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE:

The changes to the designation column eliminating the old High Quality 1 and 2 (HQ1, HQ2) designations, and replacing HQ1 with Outstanding Waters (OW) designation were made to reflect the new mandates of section 25-8-209 of the Colorado Water Quality Act which was amended by HB 92-1200. The Commission believes that the immediate adoption of these changes and the proposals contained in the hearing notice is preferable to the alternative of waiting to adopt them in the individual basin hearings over the next three years. Adoption now should remove any potential for misinterpretation of the classifications and standards in the interim.

In addition, the Commission made the following minor revisions to all basin segments to conform them to the most recent regulatory changes:

1. The glossary of abbreviations and symbols were out of date and have been replaced by an updated version in section 3.6.6(2).
2. The organic standards in the Basic Standards were amended in October, 1991, which was subsequent to the basin hearings. The existing table was based on pre-1991 organic standards and are out of date and no longer relevant. Deleting the existing table and referencing the Basic Standards will eliminate any confusion as to which standards are applicable.
3. The table value for ammonia and zinc in the Basic Standards was revised in October, 1991. The change to the latest table value will bring a consistency between the tables in the basin standards and Basic Standards.
4. The addition of acute un-ionized ammonia is meant to bring a consistency with all other standards that have both the acute and chronic values listed. The change in the chlorine standard is based on the adoption of new acute and chronic chlorine criteria in the Basic Standards in October, 1991.

Finally, the Commission confirms that in no case will any of the minor update changes described above change or override any segment-specific water quality standards.

36.14 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE, SEPTEMBER 7, 1993:

The provisions of 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402 C.R.S. provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4), C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE:

On November 30, 1991, revisions to "The Basic Standards and Methodologies for Surface Water", . 3.1.0 (5 CCR 1002-8), became effective. As part of the revisions, the averaging period for the selenium criterion to be applied as a standard to a drinking water supply classification was changed from a 1-day to a 30-day duration. The site-specific standards for selenium on drinking water supply segments were to be changed at the time of rulemaking for the particular basin. Only one river basin, the South Platte, has gone through basin-wide rulemaking since these revisions to the "Basic Standards". Through an oversight, the selenium standards was not addressed in the rulemaking for this basin and has since become an issue in a wasteload allocation being developed for segments 15 and 16 of the South Platte. Agreement on the wasteloads for selenium is dependent upon a 30-day averaging period for selenium limits in the effected parties permits. Therefore, the parties requested that a rulemaking hearing be held for the South Platte Basin to address changing the designation of the 10 ug/l selenium standard on all water supply segments from a 1-day to a 30-day standard. The Water Quality Control Division, foreseeing the possibility of a selenium issue arising elsewhere in the state, made a counter proposal to have one hearing to change the designation for the selenium standard on all water supply segments statewide. The Commission and the parties concerned with South Platte segments 15 and 16 agreed that this would be the most judicious way to address the issue.

The change in the averaging period may cause a slight increase in selenium loads to those segments which have CPDS permits regulating selenium on the basis of a water supply standard. However, these segments are only five in number and the use will still be fully protected on the basis that the selenium criterion is based on 1975 national interim primary drinking water regulations which assumed selenium to be a potential carcinogen. It has since been categorized as a non-carcinogen and new national primary drinking water regulations were promulgated in 1991 that raised the standard to 50 ug/l.

The Commission also corrected a type error in the TVS for Silver by changing the sign on the exponent for the chronic standard for Trout from + 10.51 to - 10.51.

36.15 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: NOVEMBER 1, 1993 HEARING

The provisions of 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402 C.R.S. provide the specific statutory authority for the adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE:

The revisions to the Classifications and Numeric Standards for Rio Grande River Basin (3.6.0) resulting from the November, 1993, rulemaking hearing represent the first comprehensive examination of the basin's water quality since the standards were first adopted in May, 1982. This comprehensive review was facilitated by the basin monitoring program of the Water Quality Control Division, the Rio Grande Basin being the first basin to be studied by the Division. The following is the basis and purpose for the changes made organized according to topics. The specific rationale for each segment change is contained in the Water Quality Control Division's Exhibit 2 introduced at the hearing.

A. Resegmentation, Renaming, and Consolidation of Segments.

The Basin was previously divided into two sub-basins, the Rio Grande and the Closed Basin. Because of the relatively large size of the Rio Grande sub-basin and the size and number of segments in the Conejos and Alamosa/La Jara sub-basins, the Division recommended creating an Alamosa/La Jara/Conejos sub-basin and renumbering the segments within them. The Commission noted that this recommendation would result in the separation of segment 15a, which is a very large segment representing a diverse geographic area and several different types of streams. The Commission felt that resegmentation of the large sub-basin would result in a more precise application of classifications and be more understandable by the casual reader. Similarly, the Commission considered the consolidation of segments proposed by the Division to be good housekeeping and better reflective of the nature of basin waters. The Commission was supportive of the deletion of the English term "River" when used with Spanish named streams, and consequently revised the title of the regulation to RIO GRANDE BASIN, 3.6.0, making similar changes in the segment descriptions for the Rio Grande and Rio San Antonio.

Alamosa Segments 2 and 3. Based on the evidence presented at the hearing, the Commission has adopted two changes to the definition of these segments of the Alamosa River. One change adopted is the expansion of segment 2 of the Alamosa to include the reach of existing segment 3 between Iron Creek and Alum Creek. Data collected by the USGS in 1993 indicates that the water quality of this reach is more similar to that found in segment 2 than to the water quality of segment 3 and is likely to meet the table value standards applicable to segment 2 at least 85% of the time. The inclusion of this reach in segment 2 will also provide additional protection to a fishery which, according to the Division of Wildlife, the reach currently supports.

The other change adopted by the Commission is the split of existing segment 3 into segments 3a and 3b immediately above the confluence of Wightman Fork. This split is logical given the presence of the Summitville mine site and its loading contribution to new segment 3b via the Wightman Fork. While the existing classifications for segment 3 will be retained in both newly created segments, temporary modifications for segment 3b must be adopted to reflect the segment's conditions while the Summitville site clean up proceeds. In addition, due to the past and ongoing treatment at the Summitville site, the hardness in the two segments is different, further justifying a split of the segment.

B. Creation of New Segments

As a complement to the resegmentation discussed above, it was necessary to establish several new segments in order to provide complete geographic coverage of the Basin. In addition, the Basin Wide Initiative identified several streams that are sufficiently different with regard to potential uses that they should be identified by their own segment descriptions. They are the mainstem of Cat Creek, the mainstem of the Rio San Antonio from Highway 285 to the Conejos River, and the mainstem of Hot Creek (a tributary to the La Jara Creek). The Division proposed separating the segment descriptions for the Alamosa and Monte Vista National Wildlife refuges because of their geographic separation and because the source of water to each is significantly different. The Commission concluded that all the Division recommendations related to the creation of new segments were justified and were necessary to provide complete geographic coverage of basin streams.

C. Incorporation of Wetlands into Segment Descriptions

With the adoption of revisions to 3.1.0, Basic Standards for Surface Water, incorporating wetlands into the classification and standards structure it became necessary to reflect those provisions in this first triennial rulemaking since 3.1.0 was revised. The Division proposed adding "wetlands" to every segment description where formerly the description read "tributaries, lakes, and reservoirs". The Division also proposed creating new segments solely for tributary wetlands where the existing "all tributaries" classification and standards were insufficient to protect wetlands. The Commission adopted these Division recommendations because they correctly implemented the recent changes to the Basic Standards. The Commission noted that it was appropriate to consider all tributary wetlands in the flood plain of a mainstem classified segment as having the segment's classifications and standards even though the description did not specifically include the term "wetland".

D. Revision of Classifications to meet Fishable/Swimmable Goals of the Clean Water Act

Several segments within the Rio Grande basin did not have use classifications which met the fishable/swimmable goals of the Clean Water Act. The Commission, Division, and EPA Region VIII have been working on a strategy to address this problem, particularly on streams that have a recreation 2 classification and fecal coliform standards of 2000/100ml. Consistent with the approach recently adopted by the Commission, three segments were proposed for reclassification from recreation 2 to recreation 1. These changes were based on actual use of the segment. A change in the fecal coliform standard from 2000/100ml to 200/100ml was also recommended on recreation 2 segments that do not have point source discharges, or if there are dischargers to the segment, no adverse impact from the more restrictive standard is expected.

The Division also identified several segments where it was appropriate to modify the aquatic life classification. These modifications include adding an aquatic life classification to a segment that formerly had no aquatic life classification, changing the classification from class 2 to class 1, or changing the classification from warm to cold water. In each case, the Division recommended that appropriate numeric standards accompany each change in classification.

The Commission felt that the Division recommendations were appropriate and consistent with the Basic Standards for Surface Water, and consequently, adopted the recommendations.

E. Application of Numeric Standards for Organics to Class 2 Aquatic Life Segments where Fishing is a Significant Activity

Human health based organic standards (Basic Standards for Organic Chemicals, 3.1.11 (3) of the Basic Standards and Methodologies) apply to all segments which are classified aquatic life 1 and/or water supply. Human health based organic standards are also appropriate for class 2 aquatic life segments where fishing is a significant activity. The Division recommended that human health based organic standards be adopted for the following class 2 aquatic life segments:

La Jara Creek	Segment 12
Conejos River	Segment 15, 16
Rio San Antonio	Segment 18

The Division testified that although these segments were appropriately classified Class 2 Aquatic Life, there was sufficient evidence that fishing is a significant activity of these segments to warrant the application of the "water and fish" organic standards. The Commission concurred with the Division position and adopted the recommendations by including the notation "water and fish organics" in the Qualifiers column.

F. Application of Numeric Standards for Inorganics for Certain Class 2 Aquatic Life Segments

Several aquatic life class 2 segments of the Rio Grande Basin lacked numeric standards for parameters contained in Tables II and III of the Basic Standards and Methodologies (3.1.16). These standards, or ambient based standards where appropriate, were recommended for application to all aquatic life class 2 segments which lacked those standards in the previous rule. The Commission agreed with the recommendation and adopted those standards as proposed by the Division.

G. Retention of Non-aquatic Life Classification for Several Basin Segments

Several segments in the Rio Grande Basin have not been classified for aquatic life. These include portions of Willow Creek, Kerber Creek, streams in the Summitville area, and tributaries to the Rio Grande in the lower, drier southern portion of the basin. The Division acquired information for this hearing indicating that most of those segments continue to fail to meet the criteria for an aquatic life classification. Exceptions include Cat Creek Hot Creek, lower Rio San Antonio, and wetlands in the lower basin, segments now recommended for an aquatic life classification. The Commission considered the data presented by the Division as the equivalent of a use attainability study for each segment, and, as a consequence, did not adopt the aquatic life classification for the segments listed because the use was currently non-existent and unlikely to be attainable within a twenty-year time frame.

H. Agriculture Classifications

At the hearing, Climax Molybdenum raised an issue regarding the appropriateness of an "agriculture" use classification for Rio Grande segments 7 and 9; Alamosa segments 3, 5, 6, 7 and 20; and Closed Basin segments 7 and 11, based on information introduced into the record indicating that existing agricultural uses may not be in place on these segments. The Commission notes that classifications may be established based on (1) existing uses, (2) adequate quality and reasonably expected future uses, or (3) uses for which water is to become suitable as a goal. All of the segments listed have an existing agricultural use classification, and no change in those classifications was proposed in this hearing. Therefore, the basis for the existing classifications was not specifically reviewed for these segments in this hearing. If a future issue should arise regarding the appropriateness of an agriculture classification for one or more of these segments, the Commission can review the available information to determine whether a classification should be deleted at that time.

I. Revisions to Water Quality Standards for Specific Segments

The Division presented extensive information on the chemical quality of basin streams gathered during the prior year of intensive basin monitoring or available from earlier monitoring. The net result of that information was a showing that the vast majority of Rio Grande basin streams meet Table Value Standards (TVS) for all parameters. For those segments that were exceptions to the general rule, the Division recommended either ambient based standards, site-specific standards, or temporary modifications with underlying TVS. Ambient standards were recommended for the Alamosa River (iron), and Wightman Fork (cadmium and zinc). Site-specific standards for metals were recommended for portions of willow creek near Creede, and temporary modifications for the Alamosa River below Wightman Fork and Kerber Creek. The Commission concluded that the Division recommendations for revised standards were appropriate and consistent with the Basic Standards, and adopted them as proposed.

Alamosa River Segments 3a and 3b. For the newly created segments 3a and 3b, the Commission has adopted table value standards for all metals except iron, copper and aluminum. Ambient standards for iron were adopted for segments 3a and 3b, based on historic and recent data which indicates the presence of naturally elevated levels of these pollutants. The adopted ambient values for both segments are based on data obtained in segment 3a because the ambient conditions in segments 3b have been impacted by the Summitville site. Under the Basic Standards, the Commission may adopt ambient standards only where the ambient conditions are naturally-occurring or are the result of irreversible human impacts. At this point in time, it is too early to determine whether the Summitville site has irreversibly impacted segment 3b of the Alamosa River. Therefore, the iron ambient standard adopted for segment 3b is the same as applicable to segment 3a.

The Commission has also adopted an ambient standard for copper but only for segment 3b. A chronic, ambient standard for copper for segment 3a would be inappropriate because, given the low hardness of this segment, the chronic, ambient standard based on the 85th percentile of the copper data for segment 3a would exceed the acute table value standard for that parameter. This result is precluded by the Basic Standards. The Commission also adopted a temporary modification to the acute TVS for copper for segment 3b, effective for three years, which is based on preventing acute toxicity to brook trout.

Finally, evidence introduced at the hearing indicates that while no standard for aluminum is currently in place for existing segment 3, aluminum is a substantial problem in that segment. The 1993 USGS data introduced by the Division indicates that nonpoint source contributions of aluminum to segment 3a are extremely elevated during low flow conditions and when pH levels are below 5.0. To reflect these conditions, the Commission has adopted acute and chronic TVS standards for both segments but specified the chronic TVS would not be applicable between October 1 and April 30.

Alamosa River Segments 5 and 8. The noticed proposal recommended ambient standards for iron and zinc for segment 5 of the Alamosa River, based on recent data from that segment. The Division of Wildlife presented evidence which indicates that this segment met table value standards for these parameters in 1987. The evidence also shows that in 1987, there was an abundance of brook trout in the segment. The evidence indicates that the higher levels of zinc and iron and subsequent disappearance of the brook trout population is due to the dumping of waste work into or near the stream by Summitville's activities. Since the higher levels of those parameters are not naturally occurring but human induced, the Division has recommended and the Commission is adopting table value standards for zinc and iron with temporary modifications to reflect the segments' conditions while clean up continues.

The noticed proposal also recommends the adoption of a class 1 aquatic life classification for Segment 8 of the Alamosa. The Division subsequently recommended to withhold upgrading at this time pending the results of additional studies scheduled to be conducted in the reservoir, to determine its suitability for upgrade. Following the Division's recommendation, the Commission is not adopting the class 1 aquatic life classification for segment 8 at this time.

Kerber Creek - Closed Basin Segments 8, 9, and 11. Given the ongoing studies and voluntary clean up plans by ASARCO and the Colorado Department of Health for the Bonanza mining district, the Division and ASARCO jointly requested the Commission to segregate these segments for consideration in a separate rulemaking hearing. A joint stipulation was submitted to the Commission to this effect. The Commission has granted the Division and ASARCO stipulation. A rulemaking hearing to consider these segments of the Closed Basin sub-basin has been scheduled for June of 1994.

PARTIES TO RULEMAKING HEARING NOVEMBER, 1993

1. Colorado Division of Wildlife
2. Metro Wastewater Reclamation District
3. Division of Minerals and Geology, Colorado Department of Natural Resources
4. ASARCO Inc.

36.16 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE, JUNE 6, 1994 HEARING:

The provisions of 25-8-202(1)(a), (b), and (2); 25-8-203; 25-8-204; and 25-8-402 C.R.S. provide the specific statutory authority for adoption of these regulatory amendments.

The Division proposes the following revisions to the segmentation, classification, and standard for segments 8, 9, and 11 of the Closed Basin (Kerber Creek and its tributaries). The Division proposes to revise the segment descriptions for segment 8, to divide segment 9 into segments 9a and 9b, and to amend the description for segment 11. Water quality standards based on dissolved criteria are proposed for segment 8. Water supply and agricultural use classifications and corresponding standards are added as goals for segment 9a. Cold water aquatic life class 1, water supply, and agriculture are proposed to be added as goals for segment 9b together with the corresponding standards. Temporary modifications based on the existing quality of segments 9a and 9b are proposed through June 30, 1997. Fecal coliform standards based on the 200/100ml criterion are proposed for segments 8, 9a, and 9b. The specific changes to the segment descriptions, use classifications, and water quality standards are shown in Table 1.

BASIS AND PURPOSE

The mainstem and tributaries to Kerber Creek in the Closed Basin portion of the Rio Grande Basin, including all or portions of segments 3, 8, 9, and 11 were withdrawn from consideration at the hearing for amendments to the water quality classifications and standards for the Rio Grande Basin, 3.6.0 (5 CCR 1002-8) held on November 1, 1993 in Alamosa Colorado. The Water Quality Control Division (Division) and ASARCO Incorporated (ASARCO) jointly stipulated to setting aside these segments for a later site-specific hearing because of efforts already underway by the Hazardous Materials and Waste Management Division (HMWMD) and ASARCO to collect additional samples which would better describe the water quality of Kerber Creek and several of its tributaries.

The description of segment 8, which formerly included the headwaters of Kerber Creek and Squirrel Creek, was modified to include all of the small streams, most of which are on National Forest land, that are unimpacted by the mining that has occurred in the Kerber Creek watershed. Water quality samples collected from several of these streams between 1990 and 1993 indicate that the quality is better than TVS for the existing classified uses.

The Division proposes to split segment 9, which includes the impacted mainstems of Kerber Creek, Squirrel Creek, Copper Gulch and Rawley Gulch, into two segments. Proposed segment 9a includes the portions of Squirrel Creek, Rawley Gulch, and Kerber Creek and their tributaries that have been impacted by mining. Major sources of metals and acid are from Squirrel Creek which includes mill tailings and adit drainage from the Rawley #12 mine, and from Rawley Gulch. Water supply and agricultural classifications and corresponding numeric standards were added as goals. Temporary modifications, which are based on the existing quality for cadmium, copper, lead, iron, manganese, and zinc, have been adopted for the period that remediation activities are expected to occur. Segment 9a currently does not have an aquatic life use classification, and as a result of a use attainability analysis performed by the Division, one is not proposed. Human-caused conditions and sources of pollution likely prevent the attainment of an aquatic life use within a twenty year period.

The numeric standards adopted reflect the water supply classification and are intended to protect shallow wells drilled in the alluvium along Kerber Creek which may be used as a domestic source by residents of the community of Bonanza. Water from Kerber Creek is also used to water livestock. A site-specific standard for manganese (water supply) was adopted because it is unlikely than a 50 ug/l standard can be achieved; moreover, the manganese criterion is based on aesthetics and not human health. The Commission adopted a copper standard of 1,000 ug/l to protect drinking water, since no specific scientific support could be identified for the 500 ug/l standard proposed for livestock watering.

Proposed segment 9b begins at Brewery Creek, which is the largest tributary unimpacted by metals, and extends to the confluence with San Luis Creek. The upper end of segment 9b is seriously impacted by 9a and from several large piles of tailings deposited along Kerber Creek downstream of Brewery Creek. Cold water aquatic life 1, water supply and agricultural classifications were added as goals with corresponding numerical standards. Temporary modifications, based on the existing quality for cadmium, copper, lead, iron, manganese, and zinc, were adopted for the period that remediation activities are expected to occur. Numeric standards adopted will avoid chronic toxicity to brook trout.

The water hardness of segment 9b increases in a downstream direction and metal concentrations decrease. Dilution from Brewery Creek further reduces the metal concentrations. The Colorado Nonpoint Source program found that some aquatic life is already present in the lower reach of the segment, mainly between Little Kerber Creek and San Luis Creek. This 10 mile reach of Kerber Creek will significantly benefit from remediation activities undertaken in segment 9a and the upper portion of 9b. Because of the increasing hardness and precipitation of metals the lower end of the segment should support brown trout. Monitoring of San Luis Creek by the Division in 1992 found both brook and brown trout below the confluence of Kerber Creek. Water from this segment of Kerber Creek is used for watering livestock and irrigation.

It is recognized that segment 9b of Kerber Creek, which is more particularly described as the mainstem of Kerber Creek, from the confluence with Brewery Creek to the confluence with San Luis Creek, could not currently meet a cold water aquatic life class 1 classification. In addition to water quality, currently physical characteristics, such as stream bank erosion, sparse vegetation, and broad shallow morphology in some areas, may inhibit aquatic habitat. These have been caused by past and present land use practices. Therefore, this classification is placed on this segment as a goal qualifier. It is recognized that ASARCO will direct all remediation that effects segment 9b of Kerber Creek to the attainability of a classification of cold water aquatic life class 1. However, full aquatic life class 1 use on segment 9b may require additional efforts to improve the physical conditions of the stream by persons who are not parties to this rulemaking and on property over which ASARCO has no control. This classification is intended to encourage such efforts.

Waters in new segment 11 were contained in segment 2 prior to the November 1, 1993 rulemaking hearing and included all tributaries in the Closed Basin which are in the Rio Grande National Forest. Several streams in new segments 8 and 9a were in the former segment 2. New segment 11 is mostly comprised of streams from the east side of the Closed Basin that drain the Sangre de Cristo Range. Many are within the newly designated Sangre de Cristo Wilderness Area. No changes to the classifications are proposed, and TVS based on dissolved metals are already in place.

PARTIES TO THE RULEMAKING HEARING

1. Colorado Department of Health
2. ASARCO, Inc.

36.17 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE (1995 Silver hearing)

The provisions of C.R.S. 25-8-202(1)(b), (2) and 25-8-204; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The changes described below are being adopted simultaneously for surface water in all Colorado river basins.

This action implements revisions to the Basic Standards and Methodologies for Surface Water adopted by the Commission in January, 1995. As part of a July, 1994 rulemaking hearing, the Commission considered the proposal of various parties to delete the chronic and chronic (trout) table values for silver in Table III of the Basic Standards. As a result of that hearing, the Commission found that the evidence demonstrated that ionic silver causes chronic toxicity to fish at levels below that established by the acute table values. It was undisputed that silver is present in Colorado streams and in the effluent of municipal and industrial dischargers in Colorado. The evidence also demonstrated that the removal of silver from wastewater can be costly. However, there was strongly conflicting scientific evidence regarding the degree to which silver does, or could in the absence of chronic standards, result in actual toxicity to aquatic life in Colorado surface waters. In particular, there was conflicting evidence regarding the degree to which the toxic effects of free silver are mitigated by reaction with soluble ligands to form less toxic compounds and by adsorption to particulates and sediments.

The Commission concluded that there is a need for additional analysis of the potential chronic toxicity of silver in streams in Colorado. The Commission encouraged the participants in that hearing, and any other interested parties, to work together to develop additional information that will help resolve the differences in scientific opinions that were presented in the hearing. The Commission believes that it should be possible to develop such information within the next three years.

In the meantime, the Commission decided as a matter of policy to take two actions. First, the chronic and chronic (trout) table values for silver have been repealed for the next three years. The Commission is now implementing this action by also repealing for the next three years, in this separate rulemaking hearing, all current chronic table value standards for silver previously established on surface waters in Colorado. Any acute silver standards and any site-specific silver standards not based on the chronic table values will remain in effect. The Commission intends that any discharge permits issued or renewed during this period will not include effluent limitations based on chronic table value standards, since such standards will not currently be in effect. In addition, at the request of any discharger, any such effluent limitations currently in permits should be deleted.

The second action taken by the Commission was the readoption of the chronic and chronic (trout) table values for silver, with a delayed effective date of three years from the effective date of final action. The Commission also is implementing this action by readopting chronic silver standards with a corresponding delayed effective date at the same time that such standards are deleted from the individual basins. The Commission has determined that this is an appropriate policy choice to encourage efforts to reduce or eliminate the current scientific uncertainty regarding in-stream silver toxicity, and to assure that Colorado aquatic life are protected from chronic silver toxicity if additional scientific information is not developed. If the current scientific uncertainty persists after three years, the Commission believes that it should be resolved by assuring protection of aquatic life.

In summary, in balancing the policy considerations resulting from the facts presented in the July 1994 rulemaking hearing and in this hearing, the Commission has chosen to provide relief for dischargers from the potential cost of treatment to meet chronic silver standards during the next three years, while also providing that such standards will again become effective after three years if additional scientific information does not shed further light on the need, or lack of need, for such standards.

Finally, the Division notes that arsenic is listed as a TVS standard in all cases where the Water Supply classification is not present. This is misleading since Table III in the Basic Standards lists an acute aquatic life criterion of 360 ug/l and a chronic criterion of 150 ug/l for arsenic, but a more restrictive agriculture criterion of 100 ug/l. It would be clearer to the reader of the basin standards if, for each instance where the standard "As(ac/ch)=TVS" appears, the standard "As=100(Trec)" is being inserted as a replacement. This change should make it clear that the agriculture protection standard would prevail in those instances where the more restrictive water supply use protective standard (50 ug/l) was not appropriate because that classification was absent.

The chemical symbol for antimony (Sb) was inadvertently left out of the "Tables" section which precedes the list of segments in each set of basin standards. The correction of this oversight will aid the reader in understanding the content of the segment standards. Also preceding the list of segment standards in each basin is a table showing the Table Value Standards for aquatic life protection which are then referred to as "TVS" in the segment listings. For cadmium, two equations for an acute table value standard should be shown, one for all aquatic life, and one where trout are present. A third equation for chronic table value should also be listed. The order of these three equations should be revised to first list the acute equation, next the acute (trout) equation, followed by the chronic equation. This change will also aid the reader in understanding the intent of the Table Value Standards.

36.18 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; MAY 12, 1997 RULEMAKING

The provisions of sections 25-8-202 and 25-8-401, C.R.S., provide the specific statutory authority for adoption of the attached regulatory amendments. The Commission also adopted, in compliance with section 24-4-103(4) C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE

The following revisions to the standards for segments 9a and 9b of the Closed Basin. (Kerber Creek and its tributaries) were made. Changes to the water quality standards for cadmium and selenium in 9a are reflective of the changes to the Basic Standards made in 1994 (cadmium and 1995 (selenium). In addition, a change to the standard for sulfide in 9a was made because the existing standard was erroneously listed as the value for an aquatic life use which is not an adopted use for segment 9a. The expiration date for temporary modifications in both 9a and 9b were extended to June 30, 2000. In segment 9b the standards for selenium were also changed to reflect the 1995 changes to the Basic Standards and numeric temporary modifications for cadmium, copper, manganese and zinc were adopted along with a new expiration date. The numeric values for the temporary modifications were based on data collected during low flow in 1994, 95 and 96 by the Group at their station KC-6. The numeric values are intended to represent the existing quality in segment 9b as measured at one point (KC-6) in the segment. The numeric values at monitoring point KC-6 are based only on single measurements made during individual high-flow and low-flow sampling events during the years 1994, 1995 and 1996, and thus do not fully represent the range of metals concentrations that may be observed. Additional data will be collected in 1997 on a more frequent basis at KC-6 to further assess existing quality at KC-6 under a wider range of flow conditions. The expiration date was extended to allow the Group to continue their voluntary cleanup efforts in segments 9a and 9b which began in 1994 and are not expected to be completed until 2000.

It is recognized that the Bonanza Mining District Group (the Group) will direct remedial efforts toward attainment of long-term classification and numeric standard goals. However, attainment of long-term goals may require additional efforts by others to improve physical conditions of the stream and/or address metals loading sources on property over which the Group has no control or responsibility. Long-term classification goals are intended to encourage such efforts.

36.19 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JULY, 1997 RULEMAKING

The provisions of sections 25-8-202 and 25-8-401, C.R.S., provide the specific statutory authority for adoption of the attached regulatory amendments. The Commission also adopted, in compliance with section 24-4-103(4) C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission has adopted a revised numbering system for this regulation, as a part of an overall renumbering of all Water Quality Control Commission rules and regulations. The goals of the renumbering are: (1) to achieve a more logical organization and numbering of the regulations, with a system that provides flexibility for future modifications, and (2) to make the Commission's internal numbering system and that of the Colorado Code of Regulations (CCR) consistent. The CCR references for the regulations will also be revised as a result of this hearing.

36.20 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JUNE, 1998 HEARING

The provisions of 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402 C.R.S. provide the specific statutory authority for the adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE:

A. Overview

As part of the CERCLA activities at the Summitville Mine site, the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (HMWMD) was tasked by EPA to perform a Use Attainability Assessment (UAA) on the Alamosa River system. The HMWMD entered into a contractual arrangement with the Colorado Department of Natural Resources, Division of Minerals and Geology (DMG) and Division of Wildlife (DOW) for services to perform the UAA with the goal to determine the ambient conditions of the river system for two periods: 1) the period preceding Galactic Resources Limited's activities (approximately pre-1984), and; 2) the pre-mining period (approximately pre-1870). For this assessment, DMG and DOW were to use the EPA UAA protocols as guidance. Information developed in the UAA provides the primary scientific and technical basis for the revised water quality classifications and standards adopted by the Commission in this rulemaking.

The notice for this rulemaking included several proposals by the HMWMD and DMG that were later withdrawn from consideration. In particular, proposals for less stringent water quality classifications, standards and temporary modifications for several segments downstream of the Wightman Fork were withdrawn pending further analysis and discussion of the Summitville cleanup options. In this rulemaking, the Alamosa River Joint Objectors Group requested that the Commission take formal action to direct that a cooperative partnership be established for the future evaluation of issues related to water quality classifications and standards for the Alamosa River. While the Commission does not believe that it is necessary or appropriate for it to take formal action in this regard as a result of this rulemaking, the Commission does wish to encourage an open and inclusive public process for the further assessment of future water quality conditions in the Alamosa River basin. Such cooperative efforts can hopefully include data sharing and an opportunity for public input into the evaluation of Summitville cleanup alternatives. Interested parties are encouraged to request an opportunity to brief the Commission on the progress of these future efforts at appropriate intervals, perhaps annually. The Commission also is encouraged that the Governor's Office has established a task force of state, federal and local interests to address broader Alamosa River watershed initiatives.

Finally, the Commission notes that during this proceeding parties raised potential revisions to water quality classifications and standards for Alamosa River segments 6 and 7. However, it was determined that revisions to the water quality classifications and standards for these segments were not within the scope of the notice for this rulemaking, and therefore could not be considered in this proceeding. Any proposed revisions to these segments can be raised in the next triennial review of Rio Grande classifications and standards.

B. Segment 3a

During this rulemaking it became apparent that there were errors in the water quality classifications and standards currently published in the Colorado Code of Regulations for Alamosa River segment 3a. Segment 3a was first established in its current configuration as the result of a November, 1993 rulemaking hearing. At that time, a class 1 aquatic life classification was adopted for this segment, along with a combination of table value and ambient quality-based numerical standards. That version of the classifications and standards for segment 3a carried through copies of the Rio Grande Basin classifications and standards regulation that reflected revisions adopted in 1995. However, it appears that when this regulation was refiled in 1997 as a part of an overall renumbering of Water Quality Control Commission regulations, an incorrect version of classifications and standards for segment 3a was included.

As a result of the current rulemaking, the Commission has decided to adopt a class 2 aquatic life classification for segment 3a. This classification is based on biological and chemical data indicating that this segment is not capable of sustaining a wide variety of cold water biota, including sensitive species, due to uncorrectable water quality conditions. The UAA indicates that prior to any mining in this area, the natural water quality for a number of pollutants would have exceeded concentrations needed to fully support an aquatic life class 1 use, due to the erosion of naturally exposed, mineralized rock and aggregate. There was very limited mining in the segment 3a watershed, which is upstream of any significant influence of the Summitville Mine. The biological assessment conducted as part of the UAA indicates that the aquatic life present in segment 3a consists only of limited numbers of macroinvertebrate taxa.

The Commission does not believe that the Alamosa River Joint Objectors Group proposal to adopt a seasonal class 1 aquatic life classification for this segment is appropriate. Even though water quality generally improves for the summer months, due to water quality conditions in other months this segment is not "capable of sustaining a wide variety of cold water biota."

Data collected for the UAA were sufficient to determine the 85th percentile value of in-stream water quality levels for each of the four seasons of the year. The chemical analysis indicates that the pre-mining 85th percentile concentration for aluminum is chronically and acutely toxic to trout in each of the seasons. Therefore, the Commission has retained the $Al(ac) = 750$ standard for all seasons. The lower 15th percentile for pH ranges from 3.52 in the winter to a pH of 4.73 in the summer. The Commission has adopted seasonal pH standards reflecting the current data. Finally, revised manganese standards have been adopted ($Mn(ac/ch) = TVS$) based on revised aquatic life table values for manganese adopted in the Basic Standards and Methodologies for Surface Water in a November, 1997 rulemaking hearing.

C. New Segments 3b and 3c

Observational data collected in the 1970s and presented in the UAA indicates that a reproducing fish population may have been present in the portion of the Alamosa River below Fern Creek to the inlet of Terrace Reservoir. Based on this information and other data presented in the UAA, the Commission has split segment 3b into two segments, an upstream segment 3b and a downstream segment 3c. Segment 3b includes the Alamosa River reach between Wightman Fork and Fern Creek. Segment 3c includes the Alamosa River from a point just above the confluence with Fern Creek to the inlet of Terrace Reservoir. It is expected that improved water quality following the Summitville cleanup will again support a fishery, and a reestablished, reproducing fishery is the remediation goal for segment 3c.

In view of the HMWMD and DMG withdrawal of their proposal for a revised classification for segment 3b, and considering the input from other parties and interested persons, the Commission has not made any changes to the water quality classifications for this segment. The numerical water quality standards for segment 3b are also being left unchanged at this time, with two exceptions. The Commission has adopted Mn(ac/ch) = TVS standards, based on the aquatic life table value criteria for manganese recently adopted in the Basic Standards, as noted above. In addition, corrections were made to the arsenic standards for segment 3b, to reflect the fact that no water supply classification exists for this segment.

The Commission has also retained the existing aquatic life class 1 use for the new segment 3c. This classification is supported by the UAA's chemical data and geochemical modeling of pre-mining (pre-1870) conditions. These data and the modeling indicate that, with the exception of iron, the long-term water quality in segment 3c will be better than table value standards. Therefore, the Commission has adopted table value standards for this new segment, with the exception of iron, for which the previous 12000 ug/l standard has been retained. The information presented in this hearing does not demonstrate that the 1000 ug/l table value for iron is attainable in this segment.

Finally, the Commission was not persuaded by the Alamosa River Joint Objectors Group argument that a 200 ug/l manganese standard should be adopted for segments 3b and 3c, since the downstream agricultural use is protected by the manganese standards in effect for segments 8, 9 and 10.

D. New Segments 4a and 4b

The Commission has adopted the proposed resegmentation of segment 4 into two segments, 4a and 4b. With the exception of segment 4b described below, the remaining parts of the previous segment 4 are renamed as segment 4a and will retain the current water quality classifications and standards. The Commission was not persuaded by the Alamosa River Group Objectors Group argument that numerical standards for metals and more restrictive pH standards should be adopted for segment 4a, since this segment is not classified to support aquatic life.

The new segment 4b consist of that portion of Iron Creek from its source to immediately above the confluence with Tributary G. The Commission has adopted an aquatic life class 1 use for this new segment with table value standards. The classification and standards are based on the UAA biological and chemical assessment, which demonstrates that the upper reaches of Iron Creek supported a reproducing fishery.

E. Segments 8, 9 and 10

The Commission has retained the existing water quality classifications for segments 8, 9 and 10. The Commission declined to adopt the Alamosa River Joint Objectors Group proposal to upgrade segment 8 (Terrace Reservoir) to aquatic life class 1. There was insufficient evidence submitted that a class 1 use is attainable for Terrace Reservoir, in view of fluctuations in the reservoir level due to irrigation use.

Only limited revisions to the numerical standards for these segments have been adopted by the Commission. Corrections were made to the arsenic standards for segments 8 and 10, to reflect the fact that no water supply classification exists for those segments. In addition, acute and chronic table value standards for aluminum were adopted for these segments, based on chemical and modeling information indicating that they should be attainable following Summitville cleanup.

F. Other Issues

The Alamosa River Joint Objectors Group also proposed in this rulemaking that the Commission take action to direct completion Alamosa River total maximum daily loads (TMDLs) by a specified date. Issues concerning priorities for and timing of completion of TMDLs are beyond the scope of this rulemaking, and the Commission is therefore taking no formal action with respect to TMDLs at this time. However, in view of the obvious importance of these issues to the downstream community, the Commission encourages the completion of Alamosa River TMDLs by those agencies involved with Alamosa River cleanup and water quality standards attainment issues.

Finally, in this hearing the Commission has corrected typographical errors in the chemical symbols for NH₃, Cl₂, NO₂, NO₃, and SO₄ in the tables for segments throughout the basin.

PARTIES/MAILING LIST STATUS FOR THE JUNE 10, 1998 RULEMAKING HEARING

1. Hazardous Materials and Waste Management Division and Division of Minerals and Geology
2. Alamosa River Joint Objectors Group: Summitville TAG Group, Rio Grande Water Conservation District, Alamosa/LaJara Water Conservancy District, Alamosa River Water Shed Project, Capulin Community Center (Valle de sol), Restore Our Alamosa River Group, SLV Chapter of Trout Unlimited, Citizen's for San Luis Valley Water and the Conejos County Commissioners
3. San Juan-Rio Grande National Forest Service
4. US Fish & Wildlife Service
5. A.O. Smith Corporation
6. Colorado Mining Association
7. Colorado Geological Survey
8. US EPA Region VIII

36.21 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; NOVEMBER, 1998 RULEMAKING

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission has recently approved a new schedule for triennial reviews of water quality classifications and standards for all river basins in Colorado. In this hearing the Commission has extended the expiration dates of temporary modifications [and, for the Animas Basin, the effective dates of underlying standards] without substantive review, so that the next substantive review of the temporary modifications can occur as part of the overall triennial review of water quality standards for the particular watershed. This will avoid the need for multiple individual hearings that would take staff resources away from implementation of the new triennial review schedule.

For segments 9a and 9b of the Closed Basin (Kerber Creek) the Commission has readopted water quality standards revisions approved as a result of a May, 1997 rulemaking hearing, along with its Statement of Basis, Specific Statutory Authority and Purpose, that were inadvertently excluded from the current published version of this regulation.

36.22 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; MAY, 2001 RULEMAKING

The provisions of sections 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402, C.R.S., provide the specific statutory authority for adoption of the attached regulatory amendments. The Commission also adopted, in compliance with section 24-4-103(4), C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE

As a result of a July, 2000 rulemaking hearing the Commission adopted numerous revisions to the Basic Standards and Methodologies for Surface Water, Regulation #31 (5 CCR 1002-31). These revisions included revisions to the table values in Tables II and III, which are intended to apply to site-specific waters in the various river basins wherever the Commission has adopted "table value standards". In this current rulemaking, the Commission adopted revisions to section 36.6(3) of this regulation to conform with the revisions to the Basic Standards.

36.23 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE, DECEMBER, 2001 RULEMAKING

The provisions of sections 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402, C.R.S., provide the specific statutory authority for adoption of the attached regulatory amendments. The Commission also adopted, in compliance with section 24-4-103(4), C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE

In the spring of 2001, the Commission established a new schedule for major rulemaking hearings for each of its water quality classifications and standards regulations, as part of the triennial review process. As part of the transition to this new schedule, in order to facilitate an efficient and coordinated review of all water quality standards issues in this basin, in this hearing the Commission decided to extend the existing temporary modifications of water quality standards previously adopted for segments in this basin, so that such temporary modifications will not expire prior to the next scheduled major rulemaking hearing for this basin.

36.24 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JULY, 2002 RULEMAKING

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

A. Resegmentation

Some renumbering and/or creation of new segments was made in the basin due to information which showed that: a) the original reasons for segmentation no longer applied; b) new water quality data showed that streams should be resegmented based on changes in their water quality; c) certain segments could be grouped together in one segment because they had similar quality and uses; and/or d) segment description wording was changed for clarification. The following changes were made:

Rio Grande segment 7: The upper end of East Willow Creek in the segment was moved to Whited Creek, because the Town of Creede no longer has a diversion on Willow Creek.

Rio Grande segment 15: The segment description wording was changed for clarification to read; All tributaries to the Rio Grande from State Highway 112 bridge in Del Norte to the CO-NM state line, except for specific listings in 16 through 30.

Rio Grande segment 30: The segment description was amended to include the mainstem of East Fork Costilla Creek and West Fork Costilla Creek from 7 Road to the Colorado/New Mexico border.

Alamosa River segment 3c: The segment description was changed to read; the Alamosa River from Fern Creek to Ranger Creek.

Alamosa segment 3d: This new segment, formerly part of segment 3c, is the Alamosa River from Ranger Creek to Terrace Reservoir.

Alamosa segments 11 and 12: The demarcation point between the two segments was moved downstream to the confluence with Hot Creek for clarification.

Alamosa segment 21: The segment description wording was changed for clarification to read; All tributaries to the Alamosa River, La Jara Creek, and the Conejos River from the confluence with Fox Creek to the Rio Grande except for specific listings in segments 22.

Closed Basin segment 4: The reference to segment 9 was changed to 9a and 9b to reflect changes in the regulation made a previous rulemaking hearing.

B. Outstanding Waters Designations

The following segments, which already included wilderness areas in their description, were designated outstanding waters (OW). The water quality of the following segments met the 12 parameter test and other requirements of 31.8(2)(a):

Rio Grande segment 1
Alamosa segment 1
Closed Basin segment 1

C. Recreation Classifications/Fecal Coliform and E. Coli Standards

The biological standards were updated to include the dual standards for E. coli and fecal coliform, which were adopted by the Commission in the 2000 revisions to the Basic Standards. As stated in the statement of basis for the Basic Standards revisions, the Commission intends that dischargers will have the option of either parameter being used in establishing effluent limitations in discharge permits. In making section 303(d) listing decisions, in the event of a conflict between fecal coliform and E. coli data, the E. coli data will govern. The Commission believes that these provisions will help ease the transition from fecal coliform to E. coli standards.

In a continuation of the Commission's efforts to comply with the requirements contained in the federal Clean Water Act that all waters of the nation should be suitable for recreation in and on the water (known as the "swimmable" goal), the Commission reviewed all Recreation Class 2 segments. In Colorado, the "swimmable" goal translates into Recreation Class 1a, with the 200/100 ml fecal coliform and 126/100 ml E. Coli standard, and Class 1b with the 325/100 ml fecal coliform and 205/100 ml E. coli standard. Class 1a indicates waters where primary contact uses have been documented or are presumed to be present. Class 1b indicates waters where no use attainability analysis has been performed demonstrating that a recreation class 2 classification is appropriate. To maintain the existing Recreation Class 2 with the 2000/100 ml standard on a segment, it must be shown that there is minimal chance that a Recreation Class 1 activity could exist (e.g. ephemeral or small streams that have insufficient depth to support any type of Recreation Class 1 use or very restricted access).

A recreation class 1a classification of a segment is not intended to imply that the owner or operator of a property surrounding a waterbody in a segment would allow access for primary contact recreation. The application of recreation classifications to state waters pursuant to these provisions does not create any rights of access on or across private property for the purposes of recreation in or on such waters. A recreation class 1a classification is intended to only affect the use classification and water quality standards of a segment, and does not imply public or recreational access to waters with restricted access within a segment.

For segments changing to recreation Class 1a because no information was available about actual recreational uses, the last paragraph of section 31.6(2)(b) will apply to future changes to the recreation classification where a proper showing is made through a use attainability analysis that a recreation Class 2 classification is appropriate, without application of the other downgrading criteria in this section. Moreover, the Commission is relying in part on the testimony from EPA that completion of a use attainability analysis showing that a lower recreation classification is appropriate satisfies applicable downgrading criteria. Based on these factors, the Commission intends that in a future rulemaking hearing, the test for adopting a recreation Class 2 classification would be the same as if it had been considered in this hearing.

The following segments with existing Recreation Class 1 classifications were changed to Class 1a:

Rio Grande segments 1, 2, 4, 5, 8, 9, 10, 11, 12, 13, 19, 21, 23, 25, 27, 28, and 30
Alamosa segments 11, 14, 15, 17, and 19
Closed Basin segments 1, 2, 4, 6, 11, 12

Based on the information received that showed Recreation Class 1a uses are in place or are presumed to be present in at least a portion of the segment, the Commission changed the following segments from Class 2 to Class 1a with a 200/100 ml fecal coliform and 126/100 ml E. coli standard:

Rio Grande segments 3, 6, 7, 14, 16, 17, 18, 20, 22, 24, 26, and 29
Alamosa segments 1, 2, 3a, 3b, 3c, 4a, 4b, 5, 6, 7, 8, 9, 10, 12, 13, 16, 18, 20 and 22
Closed Basin segments 3, 5, 7, 8, 9a, 9b, 10, 13, and 14

The following segments retained their Recreation Class 2 classification with 2,000/100mL fecal coliform and 630/100 ml E. coli standard after sufficient evidence was received that a Recreation Class 1a or 1b use was unattainable.

Rio Grande segment 15
Alamosa segment 21

D. Ambient Quality-Based Standards

There are several segments in the Rio Grande Basin that contain ambient standards. Ambient standards are adopted where natural or irreversible man-induced conditions result in water quality levels higher than table value standards. EPA had requested that the Commission review the information that is the basis for these standards as well as any new information that would indicate whether they are still appropriate, need to be modified, or should be dropped.

The Division reviewed the information about ambient water quality levels and provided testimony that justified retaining or revising the following ambient standards:

Alamosa segment 3a: Fe, pH
Alamosa segment 3b: Cu, Fe

Alamosa segments 3c and 3d: Fe
Alamosa segment 7: Ag, Cd, Cu, Fe, Mn, Ni, Pb, and Zn

Ambient standards were replaced by TVS in the following segment, due to new data and/or changes to the basic standards which indicated ambient standards were no longer appropriate:

Closed Basin segment 7: Cu(ac/ch)

E. Temporary Modifications

There were several segments where temporary modifications that reflect current ambient conditions were adopted. Temporary modifications were set to expire on 12/31/07 to coincide with the next triennial review. The segments are:

Rio Grande segment 7
Closed Basin segments 9a and 9b

F. Organic Standards

The organic standards were updated to include changes adopted by the Commission in the 2000 revisions to the Basic Standards (see 31.11 in Regulation No. 31). "Water + Fish" organic standards are presumptively applied to all Aquatic Life Class 1 streams which also have a Water Supply classification, and are applied to Aquatic Life Class 2 streams which also have a Water Supply classification, on a case-by-case basis. The "Fish Ingestion" organic standards are presumptively applied to all Aquatic Life Class 1 streams which do not have a Water Supply classification, and are applied to aquatic life class 2 streams which do not have a Water Supply classification, on a case-by-case basis.

Information was reviewed regarding Aquatic Life Class 2 segments that have fish that are presently being taken for human consumption or have fisheries that would indicate the potential for human consumption, along with the segments water supply classification. The following segments were changed from Water + Fish to Fish Ingestion:

Rio Grande segments 3 and 18
Alamosa segments 12, 15, 17 and 18

G. Water Supply Classification

Water Supply classification and associated water supply standards were added to Closed Basin segment 3.

H. Modification of Water Supply Standards

Water supply standards were modified to conform to changes made by the Commission in the 2000 revisions to the Basic Standards (see Regulation No. 31 at 31.11(6)). The Commission modified the water supply standards for iron, manganese, and sulfate that are based on secondary drinking water standards (based on esthetics as opposed to human-health risks). The numeric values in the tables were changed to: Fe(ch) = WS (dis), Mn(ch) = WS (dis), and SO4 = WS. These abbreviations mean that for all surface waters with an actual water supply use, the less restrictive of the following two options shall apply as numerical standards, as discussed in the Basic Standards and Methodologies at 31.11(6): either (i) existing quality as of January 1 2000; or (ii) Iron = 300 (g/L (dissolved); Manganese = 50 (g/L (dissolved); Sulfate = 250 mg/L (dissolved). For all surface waters with a "Water Supply" classification that are not in actual use as a water supply, no water supply standards are applied for iron, manganese or sulfate, unless the Commission determined as the result of a site-specific rulemaking hearing that such standards are appropriate.

I. Agriculture Standards

Numeric Standards to protect Agricultural Uses were adopted for the following segments:

Rio Grande segments 15 and 20
Alamosa segment 21
Closed Basin segment 3

J. Other Site-Specific Revisions

The Commission corrected several typographical and spelling errors, and clarified segment descriptions. In addition, the following site-specific revisions were made:

Rio Grande segment 6: The Use Protected designation was removed from this aquatic life class 1 water.

Closed Basin segment 9a: The site-specific standard for Cd was changed to the value to protect the water supply use; the secondary drinking water standards for iron, manganese and sulfate were changed to read WS.

Closed Basin segment 9b: The secondary drinking water standards for iron, manganese and sulfate were changed to read WS.

PARTIES/MAILING LIST STATUS FOR THE JULY, 2002 RULEMAKING HEARING

1. Willow Creek Reclamation Committee
2. Alamosa Riverkeeper
3. ASARCO Incorporated
4. Sierra Club and Mineral Policy Center
5. U.S. EPA Region VIII

36.25 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: January 2007 Rulemaking Hearing; Final Action February 12, 2007; Revisions effective July 1, 2007

The provisions of section 25-8-202(1)(b), 25-8-204; 25-8-402, C.R.S., provide the specific statutory authority for adoption. The Commission also adopted, in compliance with section 24-4-103(4) C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE:

The Commission revised the basin-wide temperature standards as part of the 2007 rulemaking hearing. These changes clarify the numeric temperature standards that will be in effect until the basin-wide rulemaking hearing in June of 2012. At that time, the Commission intends to consider segment specific temperature standards for all segments with aquatic life uses.

The Commission applied 17°C as an interim chronic standard for small, high elevation streams that are likely to be habitat for brook trout and cutthroat trout. First, second and third order streams are defined at section 31.5 in the Basic Standards.

The Commission also applied 18.2°C as an interim chronic standard to waters designated by the Colorado Wildlife Commission as "Gold Medal Fisheries". The Commission agrees that it is important to protect these fisheries that provide important recreational and tourism opportunities in the headwaters of Colorado. This standard is based on a criterion to protect rainbow trout. The Colorado Division of Wildlife presented evidence that rainbow trout thrive in Gold Medal fisheries because they are provided the necessary forage base and thermal conditions to maximize their consumption and growth. Because these thermal conditions also represent the upper temperature tolerance range for this species, it was determined that an interim standard of 20°C would not be adequate to protect these fisheries.

For the remainder of the cold water segments, the Commission left the current 20°C in place as an interim standard with the clarification that it is a chronic standard. The existing 30°C criterion for warm water segments was left in place as an interim standard with the clarification that it is also to be applied as a chronic standard.

PARTIES TO THE RULEMAKING HEARING

1. The Temperature Group (City of Aurora, City of Boulder, Colorado Springs Utilities, Littleton/Englewood Wastewater Treatment, The Metro Wastewater Reclamation District, Colorado Mining Association, Colorado Rock Products Association, Tri-State Generation & Transmission Assn., Xcel Energy, Denver Water, Northern Colorado Water Conservancy District, Southeastern Colorado Water Conservancy District)
2. City of Grand Junction
3. City of Loveland
4. City of Pueblo
5. Metro Wastewater Reclamation District
6. City of Aurora
7. City of Boulder
8. Colorado River Water Conservation District
9. Colorado Wastewater Utility Council
10. Bear Creek Watershed Association
11. Chatfield Watershed Authority
12. Mountain Coal Company, L.L.C.
13. Northern Colorado Water Conservancy District
14. Colorado Rock Products Association
15. Littleton/Englewood Wastewater Treatment Plant
16. Northwest Colorado Council of Governments
17. Southeastern Colorado Water Conservancy District
18. Colorado Mining Association
19. Colorado Division of Wildlife
20. South Platte Coalition for Urban River Evaluation
21. City and County of Denver
22. City of Colorado Springs and Colorado Springs Utilities
23. City of Westminster
24. Board of Water Works of Pueblo
25. Coors Brewing Company

26. City and County of Broomfield
27. Centennial Water and Sanitation District
28. Plum Creek Wastewater Authority
29. Climax Molybdenum Company
30. Cripple Creek & Victor Gold Mining Company
31. Tri-State Generation and Transmission Association
32. Xcel Energy
33. Sky Ranch Metropolitan District No. 2
34. Parker Water and Sanitation District
35. CAM-Colorado and CAM Mining LLC
36. Aggregate Industries – WCR, Inc.
37. Grand County Water and Sanitation District #1, Winter Park Water and Sanitation District, Winter Park West Water and Sanitation District and Fraser Sanitation District
38. Trout Unlimited and Colorado Trout Unlimited
39. Colorado Contractors Association
40. United States Environmental Protection Agency, Region 8
41. Hot Springs Lodge and Pool
42. Denver Regional Council of Governments

**36.26 STATEMENT OF BASIN SPECIFIC STATUTORY AUTHORITY AND PURPOSE MARCH 2007
RULEMAKING REGARDING AMMONIA STANDARDS, EFFECTIVE DATE OF SEPTEMBER 1, 2007**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE:

At the June 2005 Basic Standards rulemaking, the Commission adopted the 1999 Update of Ambient Water Quality Criteria for Ammonia (US EPA, Office of Water, EPA-822-R-99-014, December 1999) as the numeric ammonia criteria for Colorado. These new criteria are in the form of total ammonia rather than un-ionized ammonia. The Commission modified the ammonia equations in 35.6(3) and footnotes to conform to Regulation # 31.

Consistent with the approach outlined in the Basic Standards statement of basis and purpose, the Commission provided flexibility for dischargers faced with the possibility of new, more stringent effluent limits.

Temporary modifications were generally set to expire on 12/31/11. This date is set far enough in the future to allow facilities to consider their specific circumstances and to develop a plan regarding how to proceed, yet soon enough to assure that facilities are making progress in developing facility plans. For those that feel the underlying standards are inappropriate, time is allowed to study the receiving water and develop a proposal for an alternate standard. For those that need time to plan, finance or construct new facilities, time is allowed to develop that facility improvement plan.

The intent of the Commission is that in general, the permits for dischargers to warm water segments, that need time to achieve compliance, will contain schedules of compliance in the next renewal. The Commission understands that such a compliance schedule may include time to complete necessary sub-tasks or milestones. For example, this might include time to do facility planning, make financing arrangements, pre-design, design, construction, startup and commissioning.

There are several opportunities to revisit the duration of the temporary modifications before they expire on 12/31/2011. For those segments in the Upper and Lower Colorado Basins (Regulations # 33 and 37), persons can come forward at the Issues Formulation hearing in November 2007 with their intent to seek a site-specific adjustment in the June 2008 hearing. For those segments in the South Platte Basin (Regulation # 38), persons can come forward at the Issues Formulation hearing in November 2008 with their intent to seek a site-specific adjustment in the June 2009 hearing. In addition, all of these temporary modifications will be subject to the Annual Temporary Review process which will have hearings in December 2009 and 2010.

The Commission intends that the temporary modifications adopted in this rulemaking are "type i" temporary modifications.

The issues raised in this rulemaking hearing have highlighted the need to clarify the relationship between the temporary modification tool and the compliance schedule tool in Colorado's water quality management program. The Commission requests that the Division consider this issue further, with input from interested stakeholders, and bring forth any suggested revisions/clarifications for the 2010 Basic Standards rulemaking.

In the meantime, because of the Commission's previously expressed concerns regarding the unique and widespread challenges associated with compliance with the new ammonia standards, the Commission's intent with respect to temporary modifications and compliance schedules regarding these new ammonia standards is as follows:

- Where a demonstration has been made that a period of time longer than the end of 2011 will be required for compliance with the new ammonia standards, the Commission has approved an appropriate site-specific temporary modification expiration date.
- For segments where the 12/31/11 expiration date applies, and for which discharge permit renewals may be issued prior to that date, it is the Commission's intent, consistent with section 31.14(15)(a), that the Division have the authority to issue compliance schedules that may not result in full attainment of the ammonia standard prior to expiration of the renewal permit. Such compliance schedules should be issued only where the Division determines that a specific demonstration has been made that additional time is needed to attain the standard. In such cases, the Commission anticipates that permits would include milestones that assure reasonable progress toward attainment of the standard.

PARTIES TO THE RULEMAKING

1. Boxelder Sanitation District
2. Estes Park Sanitation District
3. City of Pueblo
4. The City of Boulder
5. The Metro Wastewater Reclamation District
6. The Colorado Wastewater Utility Council
7. The Paint Brush Hills Metropolitan District
8. The Grand County Water & Sanitation District #1, the Winter Park West Water & Sanitation District, the Fraser Sanitation District and the Winter Park Water & Sanitation District
9. Mountain Water & Sanitation District
10. The Town of Gypsum
11. The City of Grand Junction
12. City and County of Broomfield
13. Centennial Water & Sanitation District
14. Town of Erie
15. The City of Fort Collins
16. Plum Creek Wastewater Authority
17. The City of Sterling

18. Eastern Adams County Metropolitan District
19. The City of Littleton
20. Two River Metro District
21. H Lazy F Mobile Home Park
22. Rock Gardens Mobile Home
23. Blue Creek Ranch
24. The City of Greeley
25. US EPA

36.27 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; (JUNE 2007 RULEMAKING; ADOPTED AUGUST 13, 2007; EFFECTIVE 12/31/07)

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE:

A. Waterbody Segmentation

Some renumbering and/or creation of new segments in the basin was made due to information which showed that the original reason for segmentation no longer applied. The following changes were made:

Closed Basin-San Luis Valley segment 13b: This segment was created for the North Branch of Saguache Creek and its tributaries. This segment was formerly included in Closed Basin-San Luis Valley segment 3 (All tributaries to the Closed Basin except for segment 2, segments 4-13). The Town of Saguache WWTF discharges to the North Branch of Saguache Creek, and intends to propose site-specific standards for this segment.

Closed Basin-San Luis Valley segment 13a: Segment 13 was changed to segment 13a to reflect the creation of segment 13b.

B. Revised Aquatic Life Use Classifications

The Commission reviewed information regarding existing aquatic communities, and made the following change.

Rio Grande River Basin segment 20: The Aquatic Life Use classification was changed from Cold 2 to Cold 1 based on the presence of Rio Grande cutthroat trout, a DOW species of special concern. Appropriate Aquatic-Life based standards were adopted to reflect the change in Use Classification.

C. Recreation Classifications and Standards

As part of the Basic Standards hearing of 2005, recreation classifications were revised into four new classifications. The Commission reviewed the previous classifications (1a, 1b and 2) and determined the appropriate new classifications based on criteria presented as part of the Basic Standards Hearing, use attainability analyses or other basis. In addition, during the 2005 Basic Standards Hearing, the transition from the use of the fecal coliform standard to *E.coli* standard was completed. Fecal coliform criteria were deleted from the numeric standards.

Based on the information that showed existing primary contact recreation use is in place in at least a portion of the segment, the Commission converted the following segments from Recreation Class 1a to Recreation Class E with a 126/100 ml *E.coli* standard:

Rio Grande segments: 1-14, and 16-30.

Alamosa River/La Jara Creek/Conejos River segments: 1-2, 3a-3d, 4a-4b, 5-20, and 22.

Closed Basin- San Luis Valley segments: 1-8, 9a-9b, and 10-14.

Based on review of existing Use Attainability Analyses showing that primary contact recreation is not attainable, the following segments were converted to Recreation Class N classification with 630/100 ml E. coli standard:

Rio Grande segment: 15.

Alamosa River/La Jara Creek/Conejos River segment: 21.

D. Addition of Water Supply Use Classification and Standards

Based on review of information regarding the location of public water supplies, no additional WS classifications and standards were added to Regulation No. 36.

E. Changes to Antidegradation Designation

Outstanding Waters Designation: Based on evidence that shows the water quality meets the requirements of 31.8(2)a, the OW designation was added to Closed Basin-San Luis Valley segment 10, which includes Sand and Medano Creeks located in the Great Sand Dunes National Park and Preserve. Outstanding waters designation was supported by the National Park Service.

Decoupling Cold 2 and UP: As part of the Basic Standards hearing of 2005, the Commission eliminated the direct linkage between cold-water Aquatic Life Class 2 and the Use-Protected designation. Therefore, all cold-water Aquatic Life Class 2 segments that are Use-Protected were reviewed to determine if that designation is still warranted. The following segments are now Reviewable:

Rio Grande segments: 3, 20, 22, 24, 26, and 29.

Alamosa River/La Jara Creek/Conejos River segment: 15.

Closed Basin - San Luis Valley segments: 5 and 7.

Decoupling Aquatic Life Warm 2 and UP Also as part of the Basic Standards hearing of 2005, the Commission decided that the presence of a warm-water Aquatic Life Class 2 classification would still be a presumptive basis for applying a Use-Protected designation; however, that presumption can be overcome if there is data showing that the water is of high quality. Therefore, the Commission reviewed all warm water class 2 segments to determine if the use protected designation is still warranted. The following segment(s) are now Reviewable:

Alamosa River/La Jara Creek/Conejos River segments: 12 and 18

F. Ambient Quality-Based Standards

There are several segments in the Rio Grande Basin that are assigned ambient standards. Ambient standards are adopted where natural or irreversible man-induced conditions result in exceedances of table value standards. The Commission reviewed the information that is the basis for these standards as well as any new information that would indicate whether they are still appropriate, need to be modified, or should be dropped. The Commission did not adopt any changes to the ambient quality-based standards. The following segments have ambient based standards:

Alamosa segment 3a: pH and Fe

Alamosa segment 3b: Cu and Fe

Alamosa segment 3c: Fe

Alamosa segment 3d: Fe
Alamosa segment 7: Ag, Cd, Cu, Fe, Mn, Ni, Pb, and Zn

G. Aquatic Life Metals Standards

New Table Value Standards: As part of the Basic Standards hearing of 2005, new zinc and cadmium table values were adopted. The acute and chronic zinc and cadmium equations in 36.6(3) were modified to conform to Regulation No. 31.

H. Arsenic Standards

For arsenic, each use (except recreation) has a different arsenic ("As") value, including Fish Ingestion (FI) and Water Plus Fish (W+F). In different combinations of uses, different values become the most limiting. In order to eliminate the confusion, the Commission added the operative value to the individual segments. The following matrix displays the most limiting arsenic criteria.

**Most Limiting Arsenic Criteria
Depending on the Possible Combinations of Uses and Qualifiers**

If the Use Classifications were:	These Arsenic Standards were Applied (dissolved unless otherwise noted)
Class 1 aquatic life, water supply	As(ac) = 340, As(ch) = 0.02(Trec)
Class 2 aquatic life (water + fish standards), water supply	As(ac) = 340, As(ch) = 0.02(Trec)
Class 2 aquatic life (no fish ingestion standards), water supply	As(ac) = 340, As(ch) = 0.02 - 10(Trec)
Class 1 aquatic life	As(ac) = 340, As(ch) = 7.6(Trec)
Class 2 aquatic life (fish ingestion standards)	As(ac) = 340, As(ch) = 7.6(Trec)
Class 2 aquatic life (no fish ingestion standards), agriculture	As(ac) = 340, As(ch) = 100(Trec)
Agriculture only	As(ch) = 100 (Trec)
Water supply only	As(ch) = 0.02 - 10(Trec)

I. Uranium Standards

At the 2005 Basic Standards rulemaking hearing, the Commission changed the drinking water supply table value for uranium from 40 pCi/L to 30 µg/L.

J. Temporary Modifications

Language was added to subsection 32.6(2) [or 36.6(2)] to explain the terms "type i" and "type iii" temporary modifications.

All temporary modifications were re-examined to determine whether to delete the temporary modification or to extend them, either as existing or with modifications of the numeric standards. Because of the June 2005 changes to Regulation No. 31, temporary modifications were not automatically extended if non-attainment persisted.

The following segment had temporary modifications removed because current ambient conditions meet the underlying standards:

Rio Grande segment 7

The following segments had temporary modifications removed because there are no permitted discharges on this segment:

Closed Basin-San Luis Valley segments 9a and 9b

The following segments have new or extended temporary modifications. As specified in 61.8(2)(c)(iii) (the Permit Rules, Regulation No 61), where a temporary modification has been adopted, limits in permits are to be set based on the temporary modification and the provision strictly limiting the loading from the facility does not apply. These temporary modifications will be subject to review and rulemaking for the two years before their scheduled expiration in order to track progress towards the full attainment of water body standards and uses.

Rio Grande segment 4: As(ch)=existing quality, Cd(ch)=existing quality, Cu(ch)=existing quality, Pb(ch)=existing quality, Zn(ch)=existing quality, expiration date of 12/31/2012. Exceedances of the arsenic, cadmium, copper, lead and zinc standards were measured in this segment. A type iii Temporary Modification was adopted based on section 31.7(3)(a)(iii) which states that the Commission may grant a temporary modification "where there is significant uncertainty regarding the appropriate long-term underlying standard - e.g. due to the need for additional information regarding the extent to which existing quality is the result of natural or irreversible human-induced conditions or regarding the level of water quality necessary to protect current and/or future uses - and the adoption of a temporary modification recognizes current conditions while providing an opportunity to resolve the uncertainty". The Willow Creek Reclamation Committee has ongoing projects to reduce metal pollution from Willow Creek to the Rio Grande, and the final effect of these projects is currently unknown. Natural sources also need to be identified and characterized before appropriate underlying standards can be determined. The need for this temporary modification will be reviewed in 2010 and 2011. Where temporary modifications are in effect, the Division is to include effluent limits and (potentially) compliance schedules in discharge permits, consistent with Section 31.14(15).

Alamosa/La Jara/Conejos segment 3b: Se(ch)=existing quality, expiration date of 12/31/2012. Until a revised national criteria is promulgated for selenium, these Temporary Modifications should be based on section 31.7(3)(a)(iii). The need for this temporary modification will be reviewed in 2010 and 2011. Where temporary modifications are in effect, the Division is to include effluent limits and (potentially) compliance schedules in discharge permits, consistent with Section 31.14(15).

Closed Basin-San Luis Valley segment 13b: NH₃ (ac/ch)=existing quality, expiration date of 12/31/2011. There is uncertainty as to what the appropriate underlying standard for ammonia should be in this segment, because the North Branch is frequently dry, and the extent that this segment supports aquatic life is unknown. A type iii Temporary Modification was adopted based on section 31.7(3)(a)(iii). This Temporary Modification has been adopted to allow the Town of Saguache adequate time to determine the appropriate ammonia standards for this segment by completing an aquatic life survey particularly for the presence of fish and early life stages. The need for this temporary modification will be reviewed in 2010 and 2011. Where temporary modifications are in effect, the Division is to include effluent limits and (potentially) compliance schedules in discharge permits, consistent with Section 31.14(15).

K. Other Site-Specific Revisions

Rio Grande segment 16: The Mn=WS was removed because there is no Water Supply use classification for this segment. Mn(ac/ch)=TVS was added to reflect the Aquatic Life use classification for this segment.

Alamosa River/La Jara Creek/Conejos River segment 5: The pH=6.0-9.0 standard was changed to pH=6.5-9.0 to reflect the Aquatic Life use classification. D.O.=6.0 mg/l and D.O.(sp)=7.0 mg/L were added to reflect the Aquatic Life use classification.

Alamosa River/La Jara Creek/Conejos River segment 12: The E. coli=630/100ml was changed to E. coli=126/100ml to reflect the Recreation 1a use classification.

Alamosa River/La Jara Creek/Conejos River segment 18: The E. coli=630/100ml was changed to E. coli=126/100ml to reflect the Recreation 1a use classification.

L. Other changes

The Commission corrected several typographical and spelling errors, and clarified segment descriptions.

The reference to "Water+Fish *Organics*" was corrected to "Water+Fish *Standards*" to incorporate the appropriate standards from both the organics table and the metal parameter table in Regulation No. 31.

Rio Grande segment 18: The segment description was amended to reference segment 30 instead of segment 31. There is currently no segment designated as 31.

Rio Grande segment 30: The segment description was amended to correct an inaccurate reference to Road 7 which crosses the mainstem of Costilla Creek instead of West Fork Costilla Creek. The reference to the New Mexico/Colorado border was removed since this creek crosses the state-line three times, and was reworded to include only those portions within Colorado.

Alamosa River/La Jara Creek/Conejos River segment 4b: In the site description, the reference to Tributary G was changed to South Mountain Creek, because the name Tributary G does not appear on USGS or commercial maps readily available to the public.

Alamosa River/La Jara Creek/Conejos River segment 3c: In the site description, the reference to the confluence with Ranger Creek was changed to "*below* the confluence with Ranger Creek" so that the segment description is consistent with the segment description of Alamosa segment 3d.

Alamosa River/La Jara Creek/Conejos River segments 8-12: The Mn(ch)=200 standard was changed to Mn(ch)=200(Trec) to clarify that the standard refers to total recoverable manganese.

Alamosa River/La Jara Creek/Conejos River segment 19: A typographical error was corrected such that NO₂ = 0.0 was changed to NO₂ = 0.05.

M. Proposal by Hazardous Materials and Waste Management Division

HMWMD prepared a Use Attainability Assessment (UAA, updated from the 1998 UAA) on the Alamosa River system, specifically assessing the aluminum sources and resulting levels in segments 3a, 3b, 3c, 3d and 8. The goal of the updated UAA was to evaluate the current and attainable conditions of the river system with respect to aluminum for snowmelt and non-snow-melt periods from 1999 to 2006. This time frame was chosen because it exhibits improved water quality, compared to the preceding years. The improved conditions are attributable to a significant decline in metal concentrations in Wightman Fork due to stability of the chemistry and the effectiveness of remedial activities at the Summitville Mine Superfund Site ("SMSS").

The 2007 UAA Update identified the natural, irreversible man-induced and reversible sources of aluminum. Three conditions were modeled that differ by the amount of human-induced sources that are removed in the calculation. In addition, three remedial scenarios were then modeled which investigated the resulting aluminum concentrations based on water treatment scenarios at the SMSS.

The Commission agrees with the conclusions of the 2007 UAA Update that even if all reversible and irreversible human-induced aluminum sources were completely removed from the Alamosa River basin (Updated Condition 2), attainment of the current aluminum standards in the Alamosa River would not be achieved (2007 UAA Update Table 28). Loading from natural sources located in the Stunner, Summitville and Jasper Hydrothermal Altered Areas is of a large enough magnitude to result in elevated aluminum concentrations in the Alamosa River segments considered in this UAA. These natural aluminum loading sources have existed since well before mining in the basin and will continue to negatively impact the Alamosa River in the foreseeable future (i.e., longer than 20 years).

Based on review of the UAA and other information in the record, the Commission agrees that the only feasible reduction in aluminum that can be expected in the next 20 years will result from elimination of the loading from legacy mines identified in the UAA as reversible, control of the SMSS SDI seepage and construction of a new single stage plant at the SMSS. Consequently, the Commission has adopted site-specific standards.

Dissolved and Total Recoverable Aluminum Standards

In ambient waters, aluminum can exist in different forms and particle size as a function of pH. In addition, the aquatic toxicology of aluminum is complex. It is likely that total recoverable versus the dissolved forms of aluminum have dissimilar potentials to adversely affect aquatic life. In this situation where attainability-based standards have been adopted, the Commission established standards in both the dissolved and total recoverable form. These dual standards more completely characterize the different forms and particle size in which aluminum currently exists in the Alamosa River. This dual standard will be useful in maintaining and protecting the existing condition while also mandating controls that are feasible to achieve. The Commission has adopted the following site-specific changes:

Segment 3a Alamosa River above Wightman Fork: The Commission has adopted a seasonal aluminum ambient-based standard for segment 3a, which is above the influence of the SMSS. The 85th percentile ambient standards for Al(Trec) = 3,100 µg/L(5/1 to 6/30) and 6,200 µg/L (7/1 to 4/30) and 95th percentile ambient standards for Al(Trec) = 4,000 µg/L(5/1 to 6/30) and 19,900 µg/L (7/1 to 4/30). The 85th percentile ambient standards for Al(Dis) = 98 µg/L(5/1 to 6/30) and 903 µg/L (7/1 to 4/30) and 95th percentile ambient standards for Al(Dis) = 161 µg/L(5/1 to 6/30) and 6,005 µg/L (7/1 to 4/30). These standards were derived from the 85th and 95th percentile concentration of aluminum (Trec and Dis), chronic and acute respectively, of the data collected from 1981 through 2006.

Segment 3b Alamosa River from Wightman Fork to Fern Creek: The Commission adopted a seasonal aluminum technology-based standard for segment 3b. This is derived from monitoring and modeling of chemical data. The 85th percentile 1999-2006 conditions indicate that aluminum, due to naturally occurring conditions, will exceed the existing aluminum acute standard. The Commission has adopted 85th percentile seasonal technology-based standards for Al(Trec) = 3,000 µg/L(5/1 to 6/30) and 3,000 µg/L (7/1 to 4/30) and 95th percentile seasonal technology-based standards for Al(Trec) = 4,300 µg/L(5/1 to 6/30) and 3,100 µg/L (7/1 to 4/30). The 85th percentile seasonal technology-based standards for Al(Dis) = 41 µg/L(5/1 to 6/30) and 317 µg/L (7/1 to 4/30) and 95th percentile seasonal technology-based for Al(Dis) = 41 µg/L(5/1 to 6/30) and 756 µg/L (7/1 to 4/30). These standards represent the expected 85th and 95th percentile concentration of aluminum (Trec and Dis), chronic and acute respectively, once the new single stage plant is installed and operating at the SMSS.

Segment 3c Alamosa River from Fern Creek to Ranger Creek: The Commission has adopted a seasonal aluminum technology-based standard for segment 3c. This is derived from monitoring and modeling of chemical data. The 85th percentile 1999-2006 conditions indicate that aluminum, due to naturally occurring conditions, will exceed the existing aluminum acute standard. The Commission has adopted 85th percentile seasonal technology-based standards for Al(Trec) = 4,600 µg/L(5/1 to 6/30) and 3,700 µg/L (7/1 to 4/30) and 95th percentile seasonal technology-based standards for Al(Trec) = 6,200 µg/L(5/1 to 6/30) and 6,700 µg/L (7/1 to 4/30). The 85th percentile seasonal technology-based standards for Al(Dis) = 42 µg/L(5/1 to 6/30) and 137 µg/L (7/1 to 4/30) and 95th percentile seasonal technology-based standards for Al(Dis) = 87 µg/L(5/1 to 6/30) and 645 µg/L (7/1 to 4/30). These standards represent the expected 85th and 95th percentile concentration of aluminum (Trec and Dis), chronic and acute respectively, once the new single stage plant is installed and operating at the SMSS.

Segment 3d Alamosa River from Ranger Creek to Terrace Reservoir: The Commission has adopted a seasonal aluminum technology-based standard for segment 3d. This is derived from monitoring and modeling of chemical data. The 85th percentile 1999-2006 conditions indicate that aluminum, due to naturally occurring conditions, will exceed the existing aluminum acute standard. The Commission has adopted 85th percentile seasonal technology-based standards for Al(Trec) = 3,500 µg/L(5/1 to 6/30) and 3,100 µg/L (7/1 to 4/30) and 95th percentile seasonal technology-based standards for Al(Trec) = 5,200 µg/L(5/1 to 6/30) and 3,700 µg/L (7/1 to 4/30). The 85th percentile seasonal technology-based standards for Al(Dis) = 87 µg/L(5/1 to 6/30) and 56 µg/L (7/1 to 4/30) and 95th percentile seasonal technology-based standards for Al(Dis) = 90 µg/L(5/1 to 6/30) and 559 µg/L (7/1 to 4/30). These standards represent the expected 85th and 95th percentile concentration of aluminum (Trec and Dis), chronic and acute respectively, once the new single stage plant is installed and operating at the SMSS.

Segment 8 Terrace Reservoir: The Commission has adopted a seasonal aluminum technology-based standard for segment 8. This is derived from monitoring and modeling of chemical data. The 85th percentile 1999-2006 conditions indicate that aluminum, due to naturally occurring conditions, will exceed the existing aluminum acute standard. The Commission has adopted 85th percentile seasonal technology-based standards near surface/near bottom for Al(Trec) = 1,800/4,800 µg/L (5/1 to 6/30) and 200/400 µg/L (7/1 to 4/30) and 95th percentile seasonal technology-based standards for Al(Trec) = 1,800/5,600 µg/L(5/1 to 6/30) and 200/600 µg/L (7/1 to 4/30). The Commission has adopted 85th percentile technology-based standards for Al(Dis) = 28 µg/L and 95th percentile technology-based standards for Al(Dis) = 77 µg/L. These standards represent the expected 85th and 95th percentile concentration of aluminum (Trec and Dis), chronic and acute respectively, once the new single stage plant is installed and operating at the SMSS.

The “near surface” layer represents that part of the reservoir that is well mixed by wind action and can be expected to have relatively homogenous physical and chemical conditions. Prior to sample collection, a vertical thermal profile is gathered from the reservoir. When the reservoir is thermally stratified during the summer months, the “near surface” layer corresponds to the epilimnion and the “near bottom” corresponds to the hypolimnion. When the reservoir is unstratified, the “near surface” of Terrace Reservoir is defined as the upper 10 feet of the water column and the “near bottom” is defined as lower 20 feet of the water column. Because the Terrace Reservoir serves as a settling basin for particulates, and thus there is a gradient from near surface to near bottom, the stratified sampling technique will be used to collect total recoverable aluminum data. A single standard for the entire reservoir is proposed for dissolved aluminum because based on current data, there is no such stratification of dissolved aluminum concentrations.

Future Monitoring and Review of the Standards

The Alamosa Riverkeeper, Colorado Trout Unlimited, the Water Quality Control Division and EPA expressed concern regarding the size of the water quality dataset for aluminum and whether it accurately characterizes existing conditions from which the attainable conditions are calculated. Therefore, it is the intent of the Commission that these proposed 85th and 95th percentile standards shall be reassessed for each segment during each triennial review for the Rio Grande Basin, Regulation 36. The monitoring data that has been collected in the interim will be used to recalculate the standards for segments 3a, 3b, 3c, 3d and 8 as the database increases in size. In this way, the attainability - based numeric standards for aluminum can be refined.

The HMWMD has agreed to be responsible for collecting and analyzing samples during the snowmelt (generally May of each year) and non-snowmelt (generally September of each year) periods at the currently established monitoring stations for Alamosa River segments 3a, 3b, 3c, 3d and 8. In addition, the Alamosa Riverkeepers, community based groups, or other entities may collect and analyze additional samples data (in accordance with the Field Sampling Plan and Quality Assurance Project Plan for the Summitville Mine Superfund Site, prepared by Tetra Tech RMC and dated May 2003) for the accessible monitoring stations during other portions of the year such as mid-summer and mid-winter. These data shall become part of the master database and will be evaluated during future WQCC hearings on Regulation 36.

In the 2012 hearing, the calculations for the 2007 UAA conditions and remedial scenarios will be updated for the purpose of reviewing the aluminum concentrations that are feasible to achieve in each segment using the 1999 through 2011 data. The 85th and 95th percentile standards will be re-calculated for both the total recoverable and dissolved forms of aluminum. If it is determined that revisions to the standards adopted in this rulemaking are appropriate; that is, there are changes from the current values, then the Commission expects that a proposal shall be presented for inclusion in the public notice for the 2012 rulemaking hearing and a revision to Regulation 36, Alamosa River segment 3a, 3b, 3c, 3d and 8.

PARTIES TO THE RULEMAKING

1. Hazardous Materials and Waste Management Division
2. Hazardous Materials and Waste Management Division
3. State of Kansas
4. City of Pueblo
5. Tri-Lakes Wastewater Treatment Facility
6. Cripple Creek and Victor Gold Mining Company
7. Climax Molybdenum Company
8. Security Sanitation District
9. Pueblo West Metro District
10. The Paint Brush Hill Metropolitan District
11. Colorado Trout Unlimited
12. Homestake Mining Company of California
13. City of Cripple Creek Water/Wastewater Department
14. Colorado Wild
15. The National Park Service at Great Sand Dunes National Park and Preserve
16. Park Center Water District
17. Xcel Energy
18. Alamosa Riverkeeper
19. The City of La Junta
20. Corrections Corporation of America
21. Rocky Mountain Steel Mills.
22. Colorado Division of Wildlife
23. The City of Colorado Springs
24. The Board of Water Works of Pueblo, Colorado
25. U.S. Environmental Protection Agency

26. Pikes Peak Area Council of Governments

36.28 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 2009 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; FINAL ACTION FEBRUARY 8, 2010; EFFECTIVE DATE JUNE 30, 2010

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Ammonia: Temporary modifications of ammonia standards on five segments were reviewed.

Deleted: Ammonia temporary modifications were deleted on the following segments because in most cases permits had recently been reissued for dischargers on the segments. Compliance schedules in the permits are adequate to address any necessary treatment plant upgrade issues. In other cases, no permits now discharge to this segment.

Rio Grande segment 12
Alamosa River segment 18
Closed Basin segments 13b and 14

Detail added: The chronic ammonia temporary modification for Closed Basin segment 3 was modified to clarify that the chronic standard's value is 0.06 mg/l, rather than just "TVS old."

This temporary modification will expire 12/31/2011 and will be reviewed again in the December 2010 Temporary Modification hearing.

PARTIES TO THE RULEMAKING

1. City of Grand Junction
2. City of Colorado Springs and Colorado Springs Utilities
3. Tri-Lakes, Upper Monument, Security and Fountain Wastewater Treatment Facilities
4. Paint Brush Hills Metropolitan District
5. Pueblo West Metropolitan District
6. City of La Junta
7. Seneca Coal Company
8. Tri-State Generation and Transmission Association
9. Plum Creek Wastewater Authority
10. Centennial Water and Sanitation District
11. City and County of Broomfield
12. City of Fort Collins
13. Metro Wastewater Reclamation District
14. City of Black Hawk and the Black Hawk/Central City Sanitation District
15. Colorado Division of Wildlife
16. U.S. Environmental Protection Agency

**36.29 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE JULY 2010
RULEMAKING REGARDING TEMPORARY MODIFICATIONS; EFFECTIVE DATE NOVEMBER 30,
2010**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission has decided to delay the basin-wide review of water quality classifications and standards for this basin until June 2013, to accommodate an issue-specific rulemaking for nutrient criteria in June 2011. Consistent with that decision, the expiration dates of the temporary modifications on the following segments that are currently scheduled to expire on 12/31/2012 are extended to 12/31/2013. These will be reviewed again in a Temporary Modification hearing prior to the June 2013 basin-wide hearing.

Rio Grande 4
Alamosa 3b.

The Commission would like to emphasize that its intent and expectation is that the issues that necessitated adoption of these temporary modification should be resolved as soon as possible and in a manner that takes full advantage of the opportunities provided by the December 2011 review of temporary modifications. The Commission recognizes that it is important to resolve uncertainty regarding the underlying standards so that temporary modifications can be eliminated and any needed pollution controls can be put in place in a timely manner.

PARTIES TO THE RULEMAKING HEARING

1. Town of Avon
2. City of Black Hawk and Black Hawk/Central City Sanitation District
3. Northern Colorado Water Conservancy District and the Municipal Subdistrict, Northern Colorado Water Conservancy District
4. City of La Junta
5. XTO Energy, Inc.
6. City of Pueblo
7. City of Colorado Springs and Colorado Springs Utilities
8. U.S. Environmental Protection Agency

**36.30 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER
2010 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; FINAL ACTION JANUARY 10,
2011; EFFECTIVE DATE JUNE 30, 2011**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

The type i temporary modification of ammonia standard on Closed Basin segment 3 was reviewed. The Commission took no action on this temporary modification, it will expire on 12/31/2011.

PARTIES TO THE RULEMAKING HEARING

1. Paint Brush Hills Metropolitan District
2. Tri-State Generation and Transmission Association
3. Seneca Coal Company
4. Mountain Water and Sanitation District
5. City of Grand Junction
6. Colorado Division of Wildlife
7. City of Boulder
8. U. S. Environmental Protection Agency
9. City of Colorado Springs and Colorado Springs Utilities

36.31 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE JUNE 13, 2011 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; EFFECTIVE DATE JANUARY 1, 2012

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission's decision to delay consideration of nutrient criteria until March 2012 resulted in cancellation of the December 2011 review of temporary modifications. Accordingly, the Commission considered the expiration dates of all the temporary modifications expiring on or before December 31, 2012 in a written comment rulemaking. The following temporary modification was deleted because it will have expired as of the effective date of this revision:

Closed Basin segment 3 (NH₃).

36.32 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013 EFFECTIVE DATE JUNE 30, 2013

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of Temporary Modifications scheduled to expire before December 31, 2014, to determine whether the Temporary Modification should be modified, eliminated or extended.

Temporary Modifications of standards on two segments were reviewed. The Basic Standards Statement of Basis for the 2010 hearing records the Commission's intent regarding temporary modifications. (see 31.48 at I.A)

Since temporary modifications have no impact on other aspects of Colorado's water quality management program such as the 303(d) list, the Non-point Source Program or the Total Maximum Daily Load (TMDL) Program, it is fitting that temporary modifications only be used where there are permitted discharges that would face unreasonable consequences in the absence of a temporary modification (e.g., a permit compliance schedule to meet a standard that is significantly uncertain).

Deleted: The Temporary Modification on Alamosa segment 3b was deleted because there are no currently identified discharge permits on this segment.

No action: The Commission took no action on the Temporary Modification on Rio Grande segment 4, which is the receiving water for several CDPS permits. The Temporary Modifications for standards on this segment will expire 12/31/2013. The basin-wide review hearing is scheduled for June 2013 and it is anticipated that the remaining issues will be resolved in that hearing process.

PARTIES TO THE RULEMAKING HEARING

1. City of Pueblo
2. Seneca Coal Company
3. Tri-State Generation and Transmission Association
4. Eagle River Water and Sanitation District
5. Board of County Commissioners for the County of Gunnison, Colorado
6. Colorado Parks and Wildlife
7. High Country Citizens' Alliance
8. Bill Thiebaut, DA for 10th Judicial District and the Office of the DA for the 10th Judicial District
9. City of Colorado Springs
10. Town of Crested Butte
11. Upper Gunnison River Water Conservancy District
12. U.S. Energy Corp.
13. Gunnison County Stockgrowers Association, Inc.
14. Environmental Protection Agency
15. Cherokee Metropolitan District
16. Fountain Sanitation District
17. Lower Fountain Metropolitan Sewage Disposal District
18. Monument Sanitation District
19. Palmer Lake Sanitation District
20. Town of Monument
21. Academy Water and Sanitation District
22. Tri-Lakes Wastewater Treatment Facility
23. Town of Palmer Lake
24. Woodmoor Water and Sanitation District No. 1
25. Upper Monument Creek Regional Wastewater Treatment Facility

36.33 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE APRIL 8, 2013 RULEMAKING; FINAL ACTION MAY 13, 2013 EFFECTIVE DATE SEPTEMBER 30, 2013

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

In August of 2005, the Commission adopted revisions to the Basic Standards and Methodologies for Surface Waters (Regulation #31) to add a Water + Fish (W+F) table value standard for chronic arsenic of 0.02 micrograms per liter (µg/L). W+F standards are numeric human health-based water quality standards that are calculated protective values that take into account the combined exposure from the pollutant in drinking water and the pollutant accumulated in fish flesh. This criterion automatically went into effect for Aquatic Life Class 1 waters which also have a Domestic Water Supply use, when the changes to the Basic Standards became effective. It was also adopted on a segment by segment basis for Aquatic Life class 2 waters with Domestic Water Supply where the Commission determined there are fish of a catchable size of species that are normally consumed. Because of the complicated nature of the arsenic standards, specific values were added to the basin tables in the basin hearings between 2006 and 2009.

In this hearing, the Commission adopted temporary modifications for W+F chronic arsenic where a permitted discharger with a water quality–based effluent limit compliance problem exists. The adopted temporary modification is listed in the regulation tables as “As(ch)=hybrid”. An explanation of the temporary modification and its expected implementation into control requirements, such as Colorado Discharge Permit System (CDPS) effluent limitations, is described in 36.6(2)(d). The temporary modification was established by the Commission to allow for a temporarily less stringent application of the chronic arsenic standard in control requirements for both existing discharges and new or increased discharges.

For discharges existing on or before 6/1/2013, the temporary modification adopted for W+F chronic arsenic is “current condition”, expiring on 12/31/2021. The Commission intends that, when implementing the temporary modification of “current condition” in a CDPS permit, the Division will assess the current effluent quality, recognizing that it changes over time due to variability in treatment facility removal efficiency and influent loading from natural or anthropogenic sources, and due to changes in the influent flow and concentration over time. Maintaining the current condition will include maintaining permitted total arsenic loading to a treatment facility from arsenic contributors at the levels existing on the effective date of the temporary modification, while expressly allowing for variability in such loading due to changes in effluent quality as described above and due to changes in the influent flow and concentration over time within the permitted design flow of that facility. The Commission understands that the Division's past practice implementing this requirement in permits has been through reporting regarding the arsenic loading to the facility, and not through numeric effluent limitations. The Commission intends that the Division will continue this practice. For facilities that lack enough representative data to quantify arsenic loading, the permittee may satisfy reporting requirements through narrative descriptions of potential sources of arsenic. No permit action shall be approved that allows an increase in permitted total arsenic loading to a treatment facility. The expiration date of the temporary modification was set at 12/31/21 to allow for CDPS permits that are issued prior to the effective date of anticipated changes to the chronic arsenic standard in the 2016 Basic Standards Rulemaking to not have the temporary modification expire within the term of a permit. The Commission adopted this temporary modification to allow time for the Division, dischargers and stakeholders to continue a workgroup process to resolve the uncertainty regarding the appropriateness of the W+F chronic arsenic standard of 0.02 µg/L with respect to a technologically feasible level of treatment.

For new or increased discharges that commence on or after 6/1/2013, the temporary modification adopted is As(ch) = 0.02–3.0 µg/L (Trec), expiring on 12/31/2021. The Commission decided that since the technologically achievable arsenic level is less stringent than the calculated W+F criterion, the temporary modification for new or increased discharges will be a range of 0.02-3.0 µg/L. The first number in the range is the health-based value, based on the Commission's established methodology for human health-based standards that protect against the combined exposure of drinking water and eating fish. The second number in the range is the Commission's initial determination of a technologically achievable value for arsenic, set at 3.0 µg/L. Control requirements, such as discharge permits effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an “end of pipe” discharge level more restrictive than the second number in the range during the effective period for this temporary modification. The expiration date of the temporary modification was set at 12/31/21 to allow for CDPS permits that are issued prior to the effective date of anticipated changes to the chronic arsenic standard in the 2016 Basic Standards Rulemaking to not have the temporary modification expire within the term of a permit. The Commission adopted this temporary modification to allow time for the Division, dischargers and stakeholders to continue a workgroup process to resolve the uncertainty regarding the appropriateness of the W+F chronic arsenic standard of 0.02 µg/L with respect to a technologically feasible level of treatment.

The technologically feasible level of 3.0 µg/L for arsenic is based upon testimony heard by the Commission at the December 13, 2011 Emergency Revisions to Regulation #38. At the December 13, 2011 hearing, the Commission determined, as a practical manner, that 3.0 µg/L is the lowest level that is technologically achievable for common types of water treatment facilities. At the April 8, 2013 Rulemaking, the Commission heard testimony that concurred with the finding from December 13, 2011 that an initial reasonable lower limit of treatment technology for arsenic is 3.0 µg/L, pending further investigation by the Division, dischargers and stakeholders. The Division intends to address the uncertainty of the W+F chronic arsenic standard with respect to a technologically feasible level of treatment through a continued workgroup process, and propose a revised W+F chronic arsenic standards as part of the 2016 Basic Standards Rulemaking Hearing

Temporary modifications were adopted on the following segments. The segments identified have the previously adopted W+F chronic arsenic standard of 0.02 µg/L and an identified CDPS permit or permits that discharge immediately to or directly above the identified segment.

Rio Grande 1
Rio Grande 2
Rio Grande 4
Rio Grande 5
Rio Grande 9
Rio Grande 11
Rio Grande 14
Rio Grande 19
Rio Grande 21
Rio Grande 28
Rio Grande 30
Alamosa River, La Jara Creek, Conejos River 13
Alamosa River, La Jara Creek, Conejos River 14
Alamosa River, La Jara Creek, Conejos River 15
Alamosa River, La Jara Creek, Conejos River 17
Alamosa River, La Jara Creek, Conejos River 20
Closed Basin – San Luis Valley 4
Closed Basin – San Luis Valley 9b
Closed Basin – San Luis Valley 11
Closed Basin – San Luis Valley 12

PARTIES TO THE RULEMAKING HEARING

1. Colorado Mining Association
2. Union Gold, Inc.
3. Colorado Department of Transportation
4. City of Colorado Springs and Colorado Springs Utilities
5. Town of Crested Butte
6. Mountain Coal Company
7. Centennial Water and Sanitation District
8. MillerCoors, LLC
9. Plum Creek Wastewater Authority
10. Tri-State Generation & Transmission Association
11. Climax Molybdenum Company
12. Littleton/Englewood Wastewater Treatment Plant
13. Eagle River Water and Sanitation District
14. City of Boulder
15. City and County of Denver
16. Parker Water and Sanitation District
17. U.S. Energy Corp.
18. U.S. Environmental Protection Agency

19. City of Greeley

36.34 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JUNE 10, 2013 RULEMAKING; FINAL ACTION AUGUST, 2013; EFFECTIVE DATE DECEMBER 31, 2013

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE:

A. Waterbody Segmentation

The Commission split lakes and reservoirs from segments that also contained streams, so that new temperature and nutrients standards could be adopted. Lakes and reservoirs were deleted from the following segments that previously encompassed both streams, and lakes and reservoirs:

Rio Grande segments: 1- 3, 5, 9-11, 14, 18, 19, 21, 23, 25, 28 and 30
Alamosa River/La Jara Creek/Conejos River segments: 1, 2, 11, 14, 17, 19, 20 and 22
Closed Basin – San Luis Valley segments: 1, 2, 4, 8 and 12

The following segments were created for lakes and reservoirs:

Rio Grande segments: 32-38
Alamosa River/La Jara Creek/Conejos River segments: 23-30
Closed Basin – San Luis Valley segments: 15-20

The following segments were deleted when the constituent waterbodies were moved or merged with other segments:

Rio Grande segment: 27
Closed Basin – San Luis Valley segments: 6, 7 and 13b

Some renumbering and/or creation of new segments was made based on information that showed: a) the original reason for segmentation no longer applied; b) differences in water-quality; and/or c) certain segments could be merged into one segment because they had similar quality and uses. In particular, segmentation was changed to facilitate the adoption of new temperature and nutrients standards into individual segments. The following changes were made:

Rio Grande segment 1: The lakes and reservoirs within the Weminuche Wilderness Area were moved to a new segment 32. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 2: Lakes and reservoirs tributary to the Rio Grande from the source to Willow Creek were moved to a new segment 33, with the exception of Continental Reservoir, Upper Brown Lake, and Road Canyon Reservoir, which were moved to a new segment 38 with other coldwater lakes and reservoirs larger than 100 acres surface area. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 3: Rio Grande Reservoir and Santa Maria Reservoir were moved from this segment to a new segment 38 with other coldwater lakes and reservoirs larger than 100 acres surface area. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segments 4a-c: Segment 4, which previously encompassed the mainstem of the Rio Grande from Willow Creek to the Rio Grande/Alamosa County Line, was split into three segments to recognize changes in water quality, aquatic life, and to facilitate the adoption of appropriate temperature standards. Segment 4a now encompasses the mainstem of the Rio Grande from the confluence with Willow Creek to the confluence with South Fork Rio Grande. Segment 4b encompasses the Rio Grande from the confluence with South Fork Rio Grande to the Highway 285 crossing near Monte Vista. Segment 4c encompasses the Rio Grande from the Highway 285 crossing near Monte Vista to the Rio Grande/Alamosa County line. This segment was split at the confluence with South Fork Rio Grande to recognize an improvement in water quality, and was split at Highway 285 to recognize a change in the Aquatic Life use from Cold 1 to Warm 1.

Rio Grande segment 5: Lakes and reservoirs tributary to the Rio Grande from Willow Creek to the Highway 112 bridge near Del Norte were moved to a new segment 33. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segments 6 and 7: The East Fork of Willow Creek from the confluence with Whited Creek to the confluence with West Willow Creek was moved from segment 7 to segment 6. Macroinvertebrate data showed that the Aquatic Life use in the East Fork of Willow Creek was much better than West Willow Creek or Willow Creek in segment 7. Segment 6 has an Aquatic Life Cold 1 use classification and standards, which now apply to the East Fork of Willow Creek, which previously had no Aquatic Life use classification or standards.

Rio Grande segment 9: Lakes and reservoirs tributary to the South Fork Rio Grande were moved to a new segment 33, with the exception of Big Meadows Reservoir and Beaver Creek Reservoir, which were moved to segment 38 with other coldwater lakes and reservoirs larger than 100 acres surface area. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 10: Lakes and reservoirs tributary to Pinos Creek were moved to a new segment 33. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 11: The segment description was clarified by specifying that Spring Branch is included in the segment. The lakes and reservoirs tributary to San Francisco Creek were moved to a new segment 33. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 14: The existing segment description referenced all tributaries to the Rio Grande from the Highway 112 bridge near Del Norte to the confluence with Rock Creek, and within the Rio Grande National Forest. Rock Creek breaks into multiple channels when it reaches the San Luis Valley floor, and most of the water is intercepted by the Monte Vista Canal. The Commission adopted a new segment description that encompasses the portions of Dry Pole Creek, Limekiln Creek, Nicomodes Gulch, Raton Creek and Dry Creek within the boundaries of the Rio Grande National Forest, which more clearly describe the tributaries in the original segment description. The lakes and reservoirs tributary to these streams, and within Rio Grande National Forest boundaries, were moved to a new segment 34. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 15: Segments 11, 14 and 31 were added to the list of waters specifically excluded from this segment. The wetlands and tributaries to Cat Creek from the source to the Rio Grande National Forest boundary were moved from this segment to segment 20a. Upper Cat Creek has a historic population of cutthroat trout. By moving these wetlands and tributaries to segment 20a, an Aquatic Life use and standards were added to these waters.

Rio Grande segment 16: Lakes and reservoirs within the Alamosa National Wildlife Refuge were moved to a new segment 35. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 17: Lakes and reservoirs within the Monte Vista National Wildlife Refuge were moved to a new segment 35. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 18: Lakes and reservoirs tributary to the Rio Grande from Highway 112 bridge near Del Norte to the Colorado/New Mexico border were moved to a new segment 35. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards. The list of waters specifically excluded from this segment was updated to only include those segments that have wetlands, and segments 16 and 19 were added to this list.

Rio Grande segment 19: Lakes and reservoirs tributary to Rock Creek were moved to a new segment 34. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segments 20a-b: Cat Creek was split at the Rio Grande National Forest boundary to facilitate the adoption of appropriate temperature standards and Aquatic Life use classification. Segment 20a encompasses Cat Creek, including all tributaries and wetlands, from the source to the Rio Grande National Forest boundary. The tributaries and wetlands to upper Cat Creek were moved to segment 20a from segment 15, which has no Aquatic Life use, since upper Cat Creek has a historic population of Rio Grande cutthroat trout. Segment 20b encompasses Cat Creek from the Rio Grande National Forest boundary to the Terrace Main Canal. The lower portion of Cat Creek is dewatered by two diversions near the Forest Service boundary, and was downgraded from Aquatic Life Cold 1 to Aquatic Life Cold 2.

Rio Grande segments 21a-b: Ute Creek was split at latitude 37.50°N to facilitate the adoption of appropriate temperature standards. Segment 21a encompasses Ute Creek including all tributaries and wetlands, from the source to 37.50°N latitude. Segment 21b encompasses Ute Creek from 37.50°N latitude to Highway 160. Lakes and reservoirs tributary to Ute Creek from the source to Highway 160 were moved to a new segment 36. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 23a-b: Sangre de Cristo Creek was split to facilitate the adoption of appropriate temperature and nutrients standards. Segment 23a encompasses Sangre de Cristo Creek, including all tributaries and wetlands, from the source to Highway 159, excluding the mainstem from Placer Creek to Highway 159. Segment 23b encompasses the mainstem of Sangre de Cristo Creek from Placer Creek to Highway 159. Lakes and reservoirs tributary to Sangre de Cristo Creek from the source to Highway 159 were moved to a new segment 36. These waters were split into different segments to facilitate the adoption of appropriate temperature standards.

Rio Grande segment 25: Lakes and reservoirs tributary to Trinchera Creek from the source to Mountain Home Reservoir were moved to a new segment 36, with the exception of Mountain Home Reservoir, which was moved to a new segment 38 with other coldwater lakes and reservoirs larger than 100 acres surface area. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 26: The exclusion of segment 27 was deleted since the segment description did not overlap with Smith Reservoir.

Rio Grande segment 27: Smith Reservoir was moved from this segment to a new segment 38 with other coldwater lakes and reservoirs larger than 100 acres surface area.

Rio Grande segment 28: Lakes and reservoirs tributary to Rito Seco from the source to the outlet of Salzar Reservoir were moved to a new segment 36. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segments 30-31: The tributaries to Culebra Creek were split to facilitate the adoption of appropriate temperature and nutrients standards. The mainstem of Ventero Creek was moved to a new segment 31 to facilitate the adoption of appropriate temperature and nutrients standards. Additionally, Costilla Creek, including all tributaries and wetlands within Colorado, but excluding the East Fork and West Fork, were moved to segment 31 to facilitate appropriate temperature and nutrients standards. The lakes and reservoirs tributary to Culebra Creek from the source to State Highway 159 were moved to a new segment 36, with the exception of Sanchez Reservoir. Sanchez Reservoir was moved to a new segment 37, and downgraded from Aquatic Life Cold 1 to Aquatic Life Warm 1. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards and Aquatic Life use classification.

Rio Grande segment 32: This segment was created to encompass the lakes and reservoirs within the Weminuche Wilderness Area. The lakes and reservoirs in this segment were previously in segment 1. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 33: This segment was created to encompass the lakes and reservoirs tributary to the Rio Grande River from the source to the Highway 112 bridge near Del Norte, and all lakes and reservoirs tributary to San Francisco Creek from the source to Spring Branch. This segment excludes lakes and reservoirs in the Weminuche Wilderness Area, and coldwater lakes larger than 100 acres surface area. The lakes and reservoirs in this segment were previously in segments 2, 5, 9, 10 and 11. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 34: This segment was created to encompass the lakes and reservoirs tributary to Dry Pole Creek, Limekiln Creek, Nicomodes Gulch, Raton Creek, or Dry Creek, and within the Rio Grande National Forest boundaries. This segment also includes all lakes and reservoirs tributary to Rock Creek from the source to the Monte Vista Canal. The lakes and reservoirs in this segment were previously in segments 14 and 19. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 35: This segment was created to encompass the lakes and reservoirs tributary to the Rio Grande River from the Highway 112 bridge near Del Norte to the Colorado/New Mexico border, excluding lakes and reservoirs within the boundaries of the Rio Grande National Forest, and excluding lakes and reservoirs tributary to portions of Rock Creek, Ute Creek, Sangre de Cristo Creek, Trinchera Creek, Rito Seco, Culebra Creek and Costilla Creek. The lakes and reservoirs in this segment were previously in segments 16, 17 and 18. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 36: This segment was created to encompass lakes and reservoirs tributary to portions of Ute Creek, Sangre de Cristo Creek, Trinchera Creek, Rito Seco, Culebra Creek, and Costilla Creek. The lakes and reservoirs in this segment were previously in segments 21, 23, 25, 28 and 30. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Rio Grande segment 37: This segment was created to encompass Sanchez Reservoir, which was previously in segment 30. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards, and Aquatic Life use classification. Sanchez Reservoir was downgraded from Aquatic Life Cold 1 to Aquatic Life Warm 1.

Rio Grande segment 38: This segment was created to encompass cold lakes and reservoirs larger than 100 acres in surface area. The lakes and reservoirs in this segment were previously in segments 2, 3, 9, 25 and 27. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 1: Lakes and reservoirs within the South San Juan Wilderness Area were moved to a new segment 23. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards. The segment description was clarified by replacing the reference to the Rio Grande River with the Alamosa River and Conejos Creek.

Alamosa River/La Jara Creek/Conejos River segment 2: Lakes and reservoirs tributary to the Alamosa River from the source to Alum Creek were moved to a new segment 24. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards. Segments 4a and 4b were added as specific exclusions to this segment.

Alamosa River/La Jara Creek/Conejos River segment 3c: The description of the upper segment boundary was changed from immediately below Fern Creek to immediately above Fern Creek to match the lower segment boundary described in segment 3b.

Alamosa River/La Jara Creek/Conejos River segment 4a: Tributaries and wetlands to Iron Creek, Alum Creek, Bitter Creek and Burnt Creek were added to this segment. These tributaries were added to the mainstem listings since they have similarly poor water-quality as the mainstems listed in this segment.

Alamosa River/La Jara Creek/Conejos River segment 4b: Tributaries and wetlands to Iron Creek above the confluence with South Mountain Creek were moved to this segment from segment 2 to clarify that the tributaries to upper Iron Creek were not also being moved to segment 4a. The Water Supply use classification and standards were removed from these tributaries.

Alamosa River/La Jara Creek/Conejos River segment 11a-b: Lakes and reservoirs tributary to La Jara Creek from the source to Hot Creek were moved to a new segment 25. Although La Jara Reservoir is large enough to qualify the Cold Large Lake temperature tier, brook trout and cutthroat trout are present, and would not be adequately protected by that standard. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards. La Jara Creek was split into two segments to facilitate the adoption of appropriate temperature standards and Water Supply use classification. Segment 11a encompasses all tributaries to La Jara Reservoir, and La Jara Creek tributaries and wetlands from the outlet of La Jara Reservoir to Jarosa Creek. Segment 11b encompasses the mainstem of La Jara Creek from the outlet of La Jara Reservoir to Hot Creek, and the tributaries to La Jara Creek from Jarosa Creek to Hot Creek. A Water Supply use classification and standards were added to new segment 11b.

Alamosa River/La Jara Creek/Conejos River segment 14a-b: Lakes and reservoirs tributary to the Conejos River from the source to Fox Creek were moved to a new segment 26, with the exception of Platoro Reservoir, which was moved to segment 30. The mainstem of Conejos Creek from Elk Creek to Fox Creek, including all tributaries and wetlands, were moved to a new segment 14b. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 17a-b: Lakes and reservoirs tributary to Rio de Los Pinos from the source to the Colorado/New Mexico border were moved to a new segment 27. The Rio San Antonio from the Colorado/New Mexico border to Highway 285 was moved to a new segment 17b. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 19: Lakes and reservoirs tributary to the Rio Chama from the source to the Colorado/New Mexico border were moved to a new segment 27. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 20: Lakes and reservoirs tributary to the Alamosa River, La Jara Creek, or the Conejos River from their sources to their confluences with the Rio Grande, within the boundaries of the Rio Grande National Forest, and not within another segment, were moved to a new segment 28. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards. The segment description was clarified by replacing the reference to tributaries to the Rio Grande with tributaries to the Alamosa River, La Jara Creek, and the Conejos River. The list of waters specifically excluded from this segment was updated to reflect segment splits for segments 11, 14, and 17.

Alamosa River/La Jara Creek/Conejos River segment 21: The segment description was clarified by replacing the reference to tributaries to the Alamosa River, La Jara Creek, and the Conejos River, to tributaries to the Conejos River only. The segment references Fox Creek, which is a tributary to the Conejos River. The exclusion for the listings in segment 22 was removed.

Alamosa River/La Jara Creek/Conejos River segment 22: The segment description was clarified by replacing the reference to tributaries to the Rio Grande with tributaries to the Alamosa River and La Jara Creek. Many of the tributaries to the Alamosa River and La Jara Creek were previously unclassified (it appears they were intended to be included in segment 21), and were added to this segment. Segment 21 was added to the list of exclusions. The lakes and reservoirs tributary to the Alamosa River or La Jara Creek and not listed elsewhere, were moved to a new segment 29. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 23: This segment was created to encompass the lakes and reservoirs tributary to Alamosa River or Conejos Creek, and with the South San Juan Wilderness Area. The lakes and reservoirs in this segment were previously in segment 1. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 24: This segment was created to encompass the lakes and reservoirs tributary to Alamosa River from the source to Alum Creek, excluding lakes and reservoirs in the South San Juan Wilderness Area. The lakes and reservoirs in this segment were previously in segment 2. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 25: This segment was created to encompass the lakes and reservoirs tributary to La Jara Creek from the source to Hot Creek. The lakes and reservoirs in this segment were previously in segment 11. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 26: This segment was created to encompass the lakes and reservoirs tributary to the Conejos River from the source to Fox Creek, excluding lakes and reservoirs in the South San Juan Wilderness Area and Platoro Reservoir. The lakes and reservoirs in this segment were previously in segment 14. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 27: This segment was created to encompass the lakes and reservoirs tributary to the Rio de Los Pinos and Rio Chama, excluding lakes and reservoirs in the South San Juan Wilderness Area. The lakes and reservoirs in this segment were previously in segments 17 and 19. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 28: This segment was created to encompass the lakes and reservoirs tributary to the Alamosa River, La Jara Creek, or the Conejos River, and with the Rio Grande National Forest, and not listed in another segment. The lakes and reservoirs in this segment were previously in segment 20. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 29: This segment was created to encompass the lakes and reservoirs tributary to the Alamosa River, La Jara Creek, or the Conejos River, and not listed in another segment. The lakes and reservoirs in this segment were previously in segment 20. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Alamosa River/La Jara Creek/Conejos River segment 30: This segment was created to encompass coldwater lakes and reservoirs larger than 100 acres in surface area, and that have no brook or cutthroat trout. The reservoir in this segment was previously in segments 14. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Closed Basin – San Luis Valley segment 1: Lakes and reservoirs tributary to the Closed Basin and within the La Garita Wilderness Area were moved to a new segment 15. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Closed Basin – San Luis Valley segment 2a-c: Lakes and reservoirs tributary to La Garita Creek and Camero Creek were moved to a new segment 16. Segment 2, which previously encompassed La Garita Creek and Camero Creek was split into three segments to facilitate the adoption of appropriate temperature standards. Segment 2a now encompasses La Garita Creek from the source to Geronimo Creek, and the North, Middle, and South Forks of Camero Creek from their sources to their confluence. Segment 2b encompasses La Garita Creek from Geronimo Creek to 38 Road, and all tributaries to the mainstem of Camero Creek from its inception at the confluence of the North, Middle and South Forks of Camero Creek to 42 Road. Segment 2c encompasses the mainstem of Camero Creek from its inception at the confluence of the North, Middle and South Forks to 42 Road.

Closed Basin – San Luis Valley segment 3: The specific exclusions from this segment were updated to reflect changes in segmentation.

Closed Basin – San Luis Valley segment 4: Lakes and reservoirs tributary to San Luis Creek from the source to Piney Creek were moved to a new segment 16. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Closed Basin – San Luis Valley segment 6: San Luis Lake was deleted from this segment and moved to a new segment 19. This segment was moved to group lake segments together.

Closed Basin – San Luis Valley segment 7: Head Lake was deleted from this segment and moved to a new segment 20. This segment was moved to group lake segments together.

Closed Basin – San Luis Valley segment 8: Lakes and reservoirs tributary to Kerber Creek from the source to the Cocomongo Mill were moved to a new segment 16. These waters were split into different segments to facilitate the adoption of appropriate temperature and nutrients standards.

Closed Basin – San Luis Valley segment 9b: The segment description was clarified by specifying that the segment begins at a point immediately above Brewery Creek, which matches the lower boundary of segment 9a.

Closed Basin – San Luis Valley segment 11: The specific exclusions from this segment were updated to reflect changes in segmentation.

Closed Basin – San Luis Valley segment 12a-b: Lakes and reservoirs tributary to Saguache Creek from the source to Highway 285 were moved to a new segment 16. Segment 12 was split to facilitate the adoption of appropriate temperature and nutrients standards. Segment 12a encompasses Saguache Creek, including all tributaries and wetlands, from the source to Ford Creek, excluding the listings in the La Garita Wilderness Area. Segment 12b encompasses the mainstem of Saguache Creek, including all tributaries and wetlands, from Ford Creek to Highway 285. The tributaries and wetlands to Saguache Creek in segment 12a were moved to this segment from segments 11 and 3. The tributaries and wetlands to Saguache Creek in segment 12b were moved to this segment from segment 3. The tributaries from segment 3 were upgraded from Aquatic Life Warm 2 to Aquatic Life Cold 1 and have a “Reviewable” instead of Use Protected antidegradation designation. The tributaries and wetlands to the portion of Saguache Creek in segment 12a and 12b are expected to have coldwater fish species.

Closed Basin – San Luis Valley segment 13: Segments 13a and 13b were combined. The North Branch of Saguache Creek was split to segment 13b in the last basin hearing in preparation for a site-specific proposal. Since that proposal is no longer being pursued, all of Saguache Creek below Highway 285 was re-combined into segment 13.

Closed Basin – San Luis Valley segment 15: This segment was created to encompass the lakes and reservoirs within the La Garita Wilderness Area. The lakes and reservoirs in this segment were previously in segment 1. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Closed Basin – San Luis Valley segment 16: This segment was created to encompass the lakes and reservoirs tributary to portions of La Garita Creek, Carnero Creek, San Luis Creek, Kerber Creek and Saguache Creek. The lakes and reservoirs in this segment were previously in segments 2, 4, 8 and 12. This segment was created to facilitate the adoption of appropriate temperature and nutrients standards.

Closed Basin – San Luis Valley segment 17: This segment was created to encompass the lakes and reservoirs within the Rio Grande National Forest boundaries, excluding lakes and reservoirs tributary to portions of La Garita Creek, Carnero Creek, San Luis Creek, Kerber Creek, Saguache Creek, or within the La Garita Wilderness Area. The lakes and reservoirs in this segment were not previously identified by the Commission in any segment descriptions.

Closed Basin – San Luis Valley segment 18: This segment was created to encompass the lakes and reservoirs within the Closed Basin, excluding lakes and reservoirs within the Rio Grande National Forest boundaries, or tributary to portions of La Garita Creek, Carnero Creek, San Luis Creek or Saguache Creek. The lakes and reservoirs in this segment were not previously identified by the Commission in any segment descriptions.

Closed Basin – San Luis Valley segment 19: This segment was created to encompass San Luis Lake, which was previously in segment 6. This segment was created to group lake and reservoir segments together.

Closed Basin – San Luis Valley segment 20: This segment was created to encompass Head Lake, which was previously in segment 7. This segment was created to group lake and reservoir segments together.

The following segment descriptions were edited to improve clarity, improve consistency, correct typographical errors, and/or correct spelling errors:

Rio Grande segments: 1- 3, 5, 8-11, 15, 16, 18, 19, 21a, 22, 23a, 24, 25, 28 and 30
Alamosa River/La Jara Creek/Conejos River segments: 1- 3a, 3d, 4a- 7, 9, 10, 13, 14a, 15, 17a, 18, 19, 20, 21 and 22
Closed Basin – San Luis Valley segments: 1, 2a, 3, 4, 8, 9a-10, 13 and 14

B. Revised Aquatic-Life Use Classifications

The Commission reviewed information regarding the existing aquatic communities. Class 2 segments with exceptionally high MMI scores or a wide variety of fish species, were upgraded from Class 2 to Class 1.

The following segments were upgraded from Warm 2 to Warm 1.

Closed Basin – San Luis Valley segment: 3
Alamosa River/La Jara Creek/Conejos River segment: 16

The following segments were upgraded from Cold 2 to Cold 1:

Rio Grande segment: 38
Alamosa River/La Jara Creek/Conejos River segment: 15

Fish Ingestion qualifiers were deleted for the following segment that was upgraded from Class 2 to Class 1, since fish ingestion is presumed for all Class 1 waters:

Rio Grande segment: 38
Alamosa River/La Jara Creek/Conejos River segments: 15 and 16

A fish ingestion qualifier was added to the following segment since Terrace Reservoir is now open for fishing:

Alamosa River/La Jara Creek/Conejos River segment: 8

The following segment previously had no Aquatic Life use classification, but was upgraded to Cold 2:

Rio Grande segment: 7

A portion of the following segment, which previously had no Aquatic Life use classification, was moved to Rio Grande segment 20a and upgraded to Cold 1:

Rio Grande segment: 15

The lakes and reservoirs in the following segment were not previously identified by the Commission in any segment descriptions. This segment is now classified Cold 1:

Closed Basin – San Luis Valley segment: 17

The lakes and reservoirs in the following segment were not previously identified by the Commission in any segment descriptions. This segment is now classified Warm 2:

Closed Basin – San Luis Valley segment: 18

A portion of the following segment previously had no Aquatic Life use classification, but was upgraded to Cold 1:

Rio Grande segment: 6

A Use Attainability Analysis was prepared to downgrade the following segments, or portions of these segments, from Cold 1 to Warm 1.

Rio Grande segments: 4c, 13 and 37

A Use Attainability Analysis was prepared to downgrade the following segment from Cold 1 to Cold 2.

Rio Grande segment: 20b

A Use Attainability Analysis was prepared to remove the Aquatic Life use classification for portions of the following segment, which were moved to segment 4a:

Alamosa River/La Jara Creek/Conejos River segment: 2

During the hearing, public comment was offered questioning the appropriateness of Aquatic Life use classifications for Rio Grande segments 24, 26 and 29. The Commission does not believe that removal of the Aquatic Life use classifications would be appropriate based upon the limited information received in this hearing.

C. Recreation Classifications and Standards

Newly created segments were given the same Recreation use classification as the segment from which they were split, unless there was insufficient evidence to support keeping that classification, or evidence to show that the existing use classification was inappropriate.

All segments with a Recreation N use classification were reviewed. No new information was found to support a change in classification.

D. Water Supply Use Classification and Standards

The Commission added a Water Supply use classification and standards where the evidence demonstrated a reasonable potential for a hydrological connection between surface water and alluvial wells used for drinking water. The Water Supply use classification and standards were added to the following segments:

Rio Grande segments: 15 and 20b

Alamosa River/La Jara Creek/Conejos River segments: 11b and 21

A Water Supply use classification and standards were added to some lakes and reservoirs when they were split from stream segments and combined with similar lakes and reservoirs that previously had that use:

Rio Grande segment: 38

Alamosa River/La Jara Creek/Conejos River segment: 30

Closed Basin – San Luis Valley segment: 16

The following segments did not have a Water Supply use classification, but had a chromium III standard associated with that use. The acute total recoverable chromium III standard of 50 ug/l was deleted from the following segments:

Rio Grande segments: 6, 20a, 20b, 23a, 23b, 24 and 26

Alamosa River/La Jara Creek/Conejos River segments: 3a-3d, 4b, 5, 8-10 and 11a

E. Agriculture Standards

Chromium III: A review of the standards associated with the Agriculture use classification showed that many segments were missing a chronic chromium III standard to protect the use. The chronic chromium III standard to protect the Aquatic Life use classification may be not be protective of the Agriculture use in some high hardness situations. A chromium III standard of $\text{CrIII}(\text{ch})=100(\text{Trec})$, was added to the following segments classified for Agriculture use, but not for Water Supply, which has a more restrictive chromium III standard:

Rio Grande segments: 3, 16-18, 20a, 23a-24, 26 and 35

Alamosa River/La Jara Creek/Conejos River segments: 3a-3d, 4b, 5, 8-11a, 12, 16, 18, 22, 25 and 29

Closed Basin – San Luis Valley segments: 5, 8, 14, 19 and 20

Molybdenum: In 2010, the Commission adopted a new standard for molybdenum to protect cattle from the effects of molybdenosis. The table value adopted at that time was 300 ug/l, but included an assumption of 48 mg/day of copper supplementation to ameliorate the effects of molybdenosis. State and local experts on cattle nutrition indicated that copper supplementation in region is common, but is not universal. Therefore, the copper supplementation assumption was removed from the equation, which yields a standard of 160 ug/l. The Commission expects that this value may be revised when data on the copper and molybdenum content of local forage becomes available. The Commission also notes that in view of EPA's disapproval of the 300 ug/l table value in the Basic Standards and Methodologies for Surface Water, the Commission intends to review this value during the next Basic Standards triennial review.

The Agriculture table value assumes that the safe copper:molybdenum ratio is 4:1. Food and water intake is based on a 273 kg (600 lb) feeder steer consuming 6.8 kg/day of dry matter and 20% of its body weight in water per day. Total copper and molybdenum intakes are calculated from the following equations:

$\text{Cu intake mg/day} = [([\text{Cu}] \text{ forage, mg/kg}) \times (\text{forage intake, kg/day})] + [([\text{Cu}] \text{ water, mg/l}) \times (\text{water intake, L/day})] + (\text{Cu supplementation, mg/day})$

$\text{Mo intake mg/day} = [([\text{Mo}] \text{ forage, mg/kg}) \times (\text{forage intake, kg/day})] + [([\text{Mo}] \text{ water, mg/l}) \times (\text{water intake, L/day})] + (\text{Mo supplementation, mg/day})$

The assumed values for these equations are as follows:

$[\text{Cu}] \text{ forage} = 7 \text{ mg/kg}$, $[\text{Mo}] \text{ forage} = 0.5 \text{ mg/kg}$, $\text{forage intake} = 6.8 \text{ kg/day}$, $[\text{Cu}] \text{ water} = 0.008 \text{ mg/L}$, $[\text{Mo}] \text{ water} = 0.375 \text{ mg/L}$, $\text{water intake} = 54.6 \text{ L/day}$, $\text{Cu supplementation} = 0 \text{ mg/day}$, $\text{Mo supplementation} = 0 \text{ mg/day}$.

A molybdenum standard of 160 ug/l was adopted for the following segments in Regulation 36 that have an Agriculture use classification and standards, and where livestock or irrigated forage are present or expected to be present.

Rio Grande segments: 1-5 and 7-38

Alamosa River/La Jara Creek/Conejos River segments: 1-3d, 4b, 5 and 7-30

Closed Basin – San Luis Valley segments: 1-5, 8-9b and 11-20

The following segments have an Agriculture use classification, but neither livestock nor irrigated forage are present, nor are they expected to be present. A molybdenum standard of 210 ug/L was applied to these segments to protect the Water Supply use classification:

Closed Basin – San Luis Valley segment: 10

Nitrate: A review of the standards associated with the Agriculture use classification showed that many segments were missing a nitrate standard to protect the use. A nitrate standard of $\text{NO}_3 = 100$, was added to the following segments with an Agriculture use and standards, but no Water Supply use, which has a more restrictive nitrate standard:

Rio Grande segments: 3, 12, 13, 16-18, 20a, 23a-24, 26 and 35

Alamosa River/La Jara Creek/Conejos River segments: 3a-3d, 4b, 5, 7, 8, 9-11a, 12, 16, 18 and 22

Closed Basin – San Luis Valley segments: 5, 8, 14, 19 and 20

F. Changes to Antidegradation Designation

Decoupling Cold 2 and Use-Protected designations: As part of the Basic Standards hearing of 2005, the Commission eliminated the direct linkage between Cold Water Aquatic Life Class 2 and the Use-Protected designation. The Commission reviewed all Cold 2 segments that were Use-Protected to determine if that designation was still warranted. No Aquatic Life Cold 2 segments were changed to Reviewable.

Decoupling Aquatic Life Warm 2 and Use-Protected designations: As part of the Basic Standards hearing of 2005, the Commission decided that the presence of a Warm Water Class 2 classification would still be a presumptive basis for applying a Use-Protected designation; however, that presumption can be overcome if there is data showing that the water is of high quality. The Commission reviewed all Warm 2 segments to determine if the Use-Protected designation is still warranted. No Aquatic Life Warm 2 segments were changed to Reviewable.

The Use Protected designation was removed from the following segments that were upgraded from Aquatic Life Class 2 to Class 1. The following segments are now Reviewable:

Alamosa River/La Jara Creek/Conejos River segment: 16

Closed Basin – San Luis Valley segment: 3

Rio Grande segment 4a: The Commission decided to retain the “Reviewable” designation for Rio Grande segment 4a based on the exceptional recreational significance of its fishery, despite the fact that existing concentrations of chronic cadmium, lead and zinc are higher than those specified in Table III for the protection of Aquatic Life Class I (31.8(2)(b)(i)).

G. Ambient Standards

Ambient standards are adopted where natural or irreversible man-induced conditions result in exceedances of table value standards. The Commission reviewed the information that is the basis for these standards, as well as any new information that would indicate whether they are still appropriate, need to be modified, or should be dropped. In some cases, new ambient standards were adopted. The following segments have ambient-based standards:

Rio Grande segments: 20a, 21b and 23b

Alamosa River/La Jara Creek/Conejos River segments: 3a-4a, 7, 8 and 16

Closed Basin – San Luis Valley segments: 2c and 19

H. Aquatic Life Ammonia and Metals Standards

New Table Value Standards: The zinc, zinc sculpin, and aluminum table values were revised in the 2010 Basic Standards hearing. The acute and chronic zinc, zinc sculpin, and aluminum equations in 36.6(3) were modified to conform to Regulation No. 31. The footnotes to the table values in 36.6(3) were renumbered to match the appropriate references. Footnote (4 old) was deleted, and footnotes 5 through 7 were renumbered 4 through 6.

Aluminum: The following segments had old numeric TVS values that were replaced with "TVS(Trec)" to reflect the new hardness and pH based standards:

Alamosa River/La Jara Creek/Conejos River segments: 9 and 10

Seasonal TVS aluminum standards were added to the following segments:

Alamosa River/La Jara Creek/Conejos River segments: 3b-3d and 8

Chromium III standards: A review of chromium III standards showed that the standard associated with the Water Supply use classification is not protective of aquatic life where the average hardness is low (less than 61 mg/l). A chromium III standard, CrIII(ch)=TVS was added to following segments with Aquatic Life and Water Supply use classifications that did not previously include this standard:

Rio Grande segments: 1, 2, 4a-4c, 8-10, 19, 21a-22, 25, 28-34 and 36-38

Alamosa River/La Jara Creek/Conejos River segments: 1-2, 13-15, 17a-17b, 19, 20, 23, 24, 26-28 and 30

Closed Basin: San Luis Valley segments: 1-4, 9b-13 and 15-18

Some segments had an acute chromium III standard of 50 ug/l associated with the Water Supply use, but did not have a Water Supply use classification. The Water Supply standard was deleted and replaced with acute and/or acute and chronic chromium III TVS for the following segments:

Rio Grande segments: 6, 14, 20a, 23a, 23b, 24 and 26

Alamosa River/La Jara Creek/Conejos River segments: 3a-3d, 4b, 5, 8-11a and 22

Chromium VI standards: An extra parenthesis was removed from the chromium VI standards in the following segments:

Rio Grande segments: 2, 6, 11, 22, 25, 28, 29, 30 and 31

Alamosa River/La Jara Creek/Conejos River segments: 1, 2, 3a-3d, 8-10, 14a and 17a

Closed Basin: San Luis Valley segments: 11 and 13

I. Uranium Standards

At the 2010 Basic Standards rulemaking hearing, the Commission changed the Water Supply table value for uranium from 30 ug/L to a hyphenated standard of 16.8-30 ug/L. The Commission revised the language in 36.5(3)(c) to reflect the change to the basin-wide standard. A new section 36.5(3)(c)(i) was added to explain the hyphenated standard. Subsection 36.5(3)(d) was deleted because it was redundant with 36.5(3)(c).

J. Temporary Modifications

All existing Temporary Modifications were examined to determine if they should be allowed to expire or to extend them. Temporary Modifications were not automatically extended if non-attainment persisted due to revisions made to the Temporary Modification provisions in 2005 and 2010.

The following segments had Temporary Modifications for one or more parameters that were not renewed:

Rio Grande segments: 4a, 4b and 4c

In some cases, the Commission adopted Temporary Modifications with a narrative value of “current conditions”. It is the Commission’s intent to preserve the status quo during the term of the Temporary Modification. Existing discharges shall continue to be authorized to discharge parameters with a “current conditions” Temporary Modification at their current permitted concentration and flow levels, including a “report only” value. Implementation of the underlying standard into existing permits is to take place as soon as feasible after the standard becomes effective in accordance with the Basic Standards and Methodologies for Surface Water. Temporary Modifications were adopted or extended for the segments below.

Rio Grande segment 4a: The Commission extended the existing Temporary Modifications for chronic cadmium, lead, and zinc in segment 4a to June 30, 2015. The existing copper temporary modification was allowed to expire. The arsenic temporary modification adopted in April 2013 was left unchanged. The Temporary Modification narrative value of “existing quality” for cadmium, lead and zinc was changed to “current conditions.” The Temporary Modifications meet condition B of Regulation 31.7(3)(a)(ii), since there is significant uncertainty as to whether existing quality is the result of natural or irreversible human induced conditions. Rio Grande Silver, Inc. submitted evidence of natural and human-induced sources of cadmium and zinc in segment 4a as well as potentially irreversible human induced conditions for arsenic, cadmium, lead, and zinc. Rio Grande Silver, Inc. demonstrated that Willow Creek, Rio Grande segment 7, contributes heavy metals loads to segment 4a. EPA has initiated a Remedial Investigation (RI) and Feasibility Study (FS) concerning these metal loads under CERCLA for the Nelson Tunnel/Commodore Waste Rock Pile Superfund Site. The RI identified major sources of metal loading to the Rio Grande, but did not include a detailed study of loading sources below the confluence of East and West Willow Creek. Further, as noted above, the EPA FS is investigating potential remedial actions to address major metals sources attributable to the Nelson Tunnel/Commodore Waste Rock Pile, the primary source of the metal loads in segment 4a. Rio Grande Silver submitted a Plan for Site Specific Standards Analysis for Willow Creek Segment 7 and Rio Grande Segment 4a to resolve the uncertainty with the underlying Table Value Standards to use all available data of acceptable quality from EPA and other sources to determine the extent to which water quality is the result of natural and human induced sources, and the extent to which the human included sources are reversible. The progress on resolving the uncertainty concerning the cadmium, lead, and zinc standards will be reviewed at the annual temporary modification hearing held in December 2013.

Rio Grande segment 7: The Commission adopted Type B Temporary Modifications for, acute and chronic cadmium, acute and chronic copper, acute and chronic lead, acute silver, and acute and chronic zinc with expiration dates of June 30, 2015. The Temporary Modifications are based on ambient conditions that were calculated as the 85th percentile (chronic) or 95th percentile (acute) of a dataset that had been de-biased by calculating the median of all samples taken within a 7-day period. Numeric values were calculated for three different portions of segment 7, which have very different water quality: West Willow Creek, Windy Gulch, and mainstem Willow Creek. Rio Grande Silver submitted a plan to use all available data of acceptable quality from EPA and other sources to determine the extent to which water quality is the result of natural and human induced sources, and the extent to which the human induced sources are reversible. The progress on resolving the uncertainty concerning the cadmium, copper, lead, silver and zinc standards will be reviewed at the annual Temporary Modification hearing held in December 2013. The Commission decided not to adopt a temporary modification for ammonia because there was no evidence of a water-quality based effluent-limit compliance problem.

K. Temperature

New table values were adopted for temperature in the 2007 Basic Standards hearing, and revised in the 2010 Basic Standards hearing. Temperature standards were applied to individual segments based upon the fish species expected to be present as provided by Parks and Wildlife, temperature data, and other available evidence.

The following segments have a Cold Stream Tier I temperature standard (CS-I):

Rio Grande segments: 1-3, 5, 6, 8-11, 19, 21a, 23a, 25 and 30
Alamosa River/La Jara Creek/Conejos River segments: 1, 2, 3a-3d, 4b, 5, 7, 11a, 14a, 17a, 19 and 20
Closed Basin – San Luis Valley segments: 1, 2a, 4, 8 and 9b-12a

The following segments have a Cold Stream Tier II temperature standard (CS-II):

Rio Grande segments: 4a, 4b, 7, 14, 20b, 22, 24, 26, 28, 29 and 31
Alamosa River/La Jara Creek/Conejos River segments: 9, 10, 11b, 13, 14b, 15 and 17b
Closed Basin – San Luis Valley segments: 2b, 5 and 12b

The following segments have a Warm Stream Tier II temperature standard (WS-II):

Rio Grande segments: 4c, 12, 13, 17 and 18
Alamosa River/La Jara Creek/Conejos River segments: 12, 16 and 18
Closed Basin – San Luis Valley segments: 3, 13 and 14

The following segments have a Warm Stream Tier III temperature standard (WS-III):

Rio Grande segment: 16
Alamosa River/La Jara Creek/Conejos River segment: 22

The following segments have a Cold Lakes temperature standard (CL):

Rio Grande segments: 32-34 and 36
Alamosa River/La Jara Creek/Conejos River segments: 23-28
Closed Basin – San Luis Valley segments: 15-17

The following segments have a Large Cold Lakes (greater than 100 acres surface area) temperature standard (CLL):

Rio Grande segment: 38
Alamosa River/La Jara Creek/Conejos River segments: 8 and 30
Closed Basin – San Luis Valley segment: 20

The following segments have a Warm Lakes temperature standard (WL):

Rio Grande segments: 35 and 37
Alamosa River/La Jara Creek/Conejos River segment: 29
Closed Basin – San Luis Valley segment: 18

A temperature standard was not adopted for the following segments, which do not have an Aquatic Life use classification:

Rio Grande segment: 15
Alamosa River/La Jara Creek/Conejos River segments: 4a, 6 and 21
Closed Basin – San Luis Valley segment: 9a

The following segments have ambient-based temperature standards:

Rio Grande segments: 20a, 21b and 23b
Closed Basin – San Luis Valley segments: 2c and 19

The Commission recognizes that in some cases there is uncertainty about the temperature standards adopted in this hearing. The uncertainty stems from a lack of data about temperature, the aquatic community, or where the lines of evidence conflict. It is the Commission's intent that the Division and interested parties work to resolve the uncertainty for the following segments:

Rio Grande segment: 23a
Alamosa River/La Jara Creek/Conejos River segments: 9, 10 and 16
Closed Basin – San Luis Valley segment: 2a

L. Nutrients

In March 2012, the Commission adopted interim nutrient values in the Basic Standards (Regulation 31) and created a new statewide control regulation (Regulation 85) to address nutrients in Colorado. Regulation 31.17 includes interim nutrient values for total phosphorus, total nitrogen, and chlorophyll *a* for both lakes and reservoirs, and rivers and streams. Due to the phased implementation approach adopted with these criteria (31.17(e)), the Commission adopted only total phosphorus and chlorophyll *a* standards at this time. Nitrogen standards were not considered as part of this rulemaking hearing, but will be considered in the next triennial review, currently scheduled for June, 2018.

Total phosphorus and chlorophyll *a* standards were adopted for waters upstream of all permitted domestic wastewater treatment facilities discharging prior to May 31, 2012 or with preliminary effluent limits requested prior to May 31, 2012, and any non-domestic facilities subject to Regulation 85 effluent limits and discharging prior to May 31, 2012. A new section (4) was added at 36.5 describing implementation of the interim nutrient values into the tables at 36.6, and includes a table which lists these facilities and the segment to which they discharge.

- For segments located entirely above these facilities, nutrient standards apply to the entire segment.
- For segments with portions downstream of these facilities, *nutrient standards only apply above these facilities*. A footnote "C" was added to the total phosphorus and chlorophyll *a* standards in these segments. The footnote references the table of qualified facilities at 36.5(4).
- For segments located entirely below these facilities, nutrient standards do not apply.

For rivers and streams segments, total phosphorus standards were adopted for segments with an Aquatic Life use. Chlorophyll *a* standards were adopted for segments with either an E or P Recreation use classification.

The Commission decided not to adopt nutrients standards at this time for Rio Grande segment 18 and Closed Basin segment 14. These two segments consist solely of wetlands. The Commission believes that further consideration of the appropriateness of the interim nutrients values for the protection of uses in wetlands-only segments is needed, and does not intend that this decision set precedent in other basins but rather that the issue be further explored.

For lakes and reservoirs segments, a footnote "B" was added to total phosphorus and chlorophyll *a* standards adopted for lakes in the tables at 36.6, as these standards only apply to lakes larger than 25 acres.

31.17(e)(iii) also allows the Commission to adopt numeric nutrient standards for Direct Use Water Supply (DUWS) lakes and reservoirs. No proposals were made to adopt standards based on this provision in this rulemaking.

31.17(e)(iii) also allows the Commission to adopt numeric nutrient standards for circumstances where the provisions of Regulation 85 are not adequate to protect waters from existing or potential nutrient pollution. No proposals were made to adopt standards based on this provision in this rulemaking.

Chlorophyll a standards were adopted for the following segments:

Rio Grande segments: 1-3, 5-11, 14, 16-26 and 28-38
Alamosa River/La Jara Creek/Conejos River segments: 1-15, 17a-20 and 22-30
Closed Basin – San Luis Valley segments: 1-5 and 8-20

Total phosphorus standards were adopted for the following segments:

Rio Grande segments: 1-3, 5-11, 14, 16-26 and 28-38
Alamosa River/La Jara Creek/Conejos River segments: 1-3d, 4b-5, 7-15, 17a-20 and 22-30
Closed Basin – San Luis Valley segments: 1-5, 8 and 9b-18

M. Direct Use Water Supply Sub-classification

Also in the March 2012 rulemaking hearing, the Commission adopted a sub-classification of the Domestic Water Supply Use called “Direct Use Water Supply Lakes and Reservoirs Sub-classification (Regulation #31, at 31.13(1)(d)(i)). This sub-classification is for water supply lakes and reservoirs where there is a plant intake location in the lake or reservoir, or a man-made conveyance from the lake or reservoir that is used regularly to provide raw-water directly to a water treatment plant that treats and disinfects raw water. The Commission did not adopt the DUWS sub-classification for any lakes in Regulation 36, because no lakes were identified with a direct water supply use.

N. Other Site-Specific Revisions

Rio Grande segment 15: This segment did not have an Aquatic Life use classification, but had a dissolved oxygen standard of 5.0 mg/l, which is associated with that use. The dissolved oxygen standard was changed to 3.0 mg/l to protect Water Supply and Agriculture uses on this segment.

Alamosa River/La Jara Creek/Conejos River segment 8: This segment did not have a Water Supply use classification, but had chromium III, chloride, nitrate and sulfate standards associated with that use. The chromium III, chloride, and sulfate Water Supply standards were deleted from this segment. The nitrate standard was changed from 10 to 100 to protect the Agriculture use.

Alamosa River/La Jara Creek/Conejos River segment 10: An extra parenthesis was removed from the selenium standard.

Alamosa River/La Jara Creek/Conejos River segment 11a: This segment did not have a Water Supply use classification, but had a dissolved iron standard associated with that use. The dissolved iron Water Supply standard was deleted from this segment.

Alamosa River/La Jara Creek/Conejos River segment 12: The trout qualifier for the chronic silver standard was deleted since this is a warmwater segment.

Alamosa River/La Jara Creek/Conejos River segment 16: The trout qualifier for the chronic silver standard was deleted since this is a warmwater segment.

Alamosa River/La Jara Creek/Conejos River segment 18: The mercury standard of “TVS” was changed to 0.01. The trout qualifier for the chronic silver standard was deleted since this is a warmwater segment.

Alamosa River/La Jara Creek/Conejos River segment 21: The nitrate and nitrite standards were flipped. The nitrite standard was changed from 100 to 10. The nitrate standard was changed from 10 to 100.

Alamosa River/La Jara Creek/Conejos River segment 22: The trout qualifier for the acute cadmium and chronic silver standards were deleted since this is a warmwater segment.

Closed Basin – San Luis Valley segment 9a: A dissolved qualifier was added to the acute arsenic standard.

Closed Basin – San Luis Valley segment 9b: A dissolved qualifier was added to the following standards to protect the Aquatic Life use: acute arsenic, chromium VI, copper, lead, manganese, nickel, selenium, silver, and zinc.

Closed Basin – San Luis Valley segment 13: The trout qualifier for the acute cadmium and chronic silver standards were deleted since this is a warmwater segment.

Closed Basin – San Luis Valley segment 14: A parenthesis was added to the manganese standards.

O. Other Issues

Alamosa River/La Jara Creek/Conejos River segments 3a, 3b, 3c, 3d and 8:

The Commission adopted revised site-specific aluminum standards for segments in the vicinity of the Summitville Mine Superfund Site (SMSS). These standards were originally developed by the Hazardous Materials and Waste Management Division (HMWMD) based on a Use Attainability Analysis (UAA) update for the upper Alamosa River as part of the 2007 Rio Grande Basin Rulemaking.

The data and modeling results presented in the 2007 UAA update indicated that even if all reversible and irreversible human-caused aluminum sources were completely removed from the Alamosa River basin, attainment of the then applicable aluminum standards in the Alamosa River would not be achieved.

Aluminum loading from natural sources located in the Stunner, Summitville and Jasper Altered Areas results in elevated aluminum concentrations in Alamosa River Segments 3a, 3b, 3c, 3d and 8. These natural sources of aluminum have existed since well before the advent of mining in the basin and will continue to negatively impact the Alamosa River for the foreseeable future (i.e., longer than 20 years).

The HMWMD has completed the implementation of remedial actions at SMSS since 2007 and these actions have led to an increase in the HMWMD's overall ability to manage water at the SMSS. The HMWMD and other entities have collected additional water-quality data since 2007, and have located and used additional data collected before 2007.

HMWMD revised the models developed for the 2007 UAA update to reflect a larger dataset describing background conditions, and advances in water collection, storage and treatment at the SMSS. Additionally, the revised total recoverable aluminum standards were based on the 50th percentile of available data, which is the standard practice for total recoverable metals, rather than the 85th percentile which was used in 2007. The HMWMD used the models to recalculate the attainable aluminum concentrations in the Alamosa River watershed based on the inclusion of additional data collected through 2011.

Segment 3a: Segment 3a aluminum concentrations are naturally elevated and would only be slightly reduced if remediation of abandoned mines occurred. Based on data collected from 1993 through 2012, and assuming 3.6% reduction in aluminum loading from reversible anthropogenic sources, the Commission adopted revised seasonal site-specific standards for total recoverable and dissolved aluminum for segment 3a.

Segment 3b: Segment 3b aluminum concentrations are influenced by loads originating in segment 3a, loads from natural sources and abandoned mines in the Summitville Altered Area, and activities at the SMSS. The existing aluminum concentrations in segment 3b will be reduced through the future operation of the new SDI seepage capture system, the new 1,600 gpm water treatment plant, and optimized water management at the SMSS. Aluminum concentrations could be further reduced by remediation of additional abandoned mines, and this scenario was included in the calculation of the adopted site-specific standards. The Commission adopted seasonal site-specific standards for total recoverable and dissolved aluminum, and acute TVS for total recoverable aluminum in the non-snowmelt period for segment 3b. The segment 3b standards were derived from data collected from 1999 through 2011.

Segment 3c: The aluminum concentrations in segment 3c are influenced by loads from segments 3a and 3b, and from natural sources and abandoned mines in the Jasper Altered Area. The existing aluminum concentrations in segment 3c will be reduced through remedial actions at the SMSS. Aluminum concentrations could be further reduced by remediation of additional abandoned mines, and this reduction was included in the calculation of the adopted site-specific standards. The Commission adopted seasonal site-specific standards for total recoverable and dissolved aluminum, and acute TVS for total recoverable aluminum in the non-snowmelt period for segment 3c. The segment 3c standards were derived from data collected from 1999 through 2011.

Segment 3d: The aluminum concentrations in segment 3d are influenced by loads from segments 3a, 3b and 3c. The existing aluminum concentrations in segment 3d will be reduced through remedial actions at the SMSS. Aluminum concentrations could be further reduced by remediation of additional abandoned mines, and this scenario was included in the calculation of the adopted site-specific standards. The Commission adopted seasonal site-specific standards for total recoverable and dissolved aluminum, and acute TVS for total recoverable aluminum in the snowmelt period for segment 3d. The segment 3d standards were derived from data collected from 1999 through 2011.

Segment 8: The aluminum concentrations in Terrace Reservoir (segment 8) are influenced by loads from segments 3a, 3b and 3c. The existing aluminum concentrations in segment 8 will be reduced through remedial actions at the SMSS. Aluminum concentrations could be further reduced by remediation of additional abandoned mines, and this scenario was included in the calculation of the adopted site-specific standards. The Commission adopted seasonal site-specific standards for total recoverable and dissolved aluminum, and acute TVS for total recoverable aluminum for non-snowmelt in the lower portion and for snowmelt and non-snowmelt in the upper portion of Terrace Reservoir (segment 8). These standards were derived from data collected in Terrace Reservoir from 1999 through 2011.

PARTIES TO THE RULEMAKING HEARING

1. Pueblo West Metropolitan District
2. Cherokee Metropolitan District
3. Board of Water Works of Pueblo, Colorado
4. Kansas Department of Health and Environment
5. XTO Energy and Pioneer Natural Resources
6. Tri-Lakes Wastewater Treatment Facility
7. Cripple Creek and Victor Gold Mining Company
8. Public Service Company of Colorado
9. Rio Grande Silver, Inc.
10. Hazardous Materials and Waste Management Division
11. City of Pueblo
12. Climax Molybdenum Company
13. Pikes Peak Area Council of Governments
14. U.S. Air Force Academy
15. Fountain Sanitation District
16. Lower Fountain Metropolitan Sewage Disposal District
17. Security Sanitation District
18. Upper Monument Creek Regional Wastewater Treatment Facility

19. Resurrection Mining Company
20. City of Colorado Springs and Colorado Springs Utilities
21. City of La Junta
22. Arkansas and Fountain Coalition for Urban/Rural River Evaluation
23. Colorado Monitoring Framework
24. Alamosa Riverkeeper
25. County of Pueblo
26. Colorado Parks and Wildlife
27. City of Creede
28. EVRAZ Rocky Mountain Steele
29. U.S. Environmental Protection Agency
30. Southeastern Colorado Water Conservancy District
31. U.S. Bureau of Reclamation, Eastern Colorado Area Office
32. Southwest Kansas Groundwater Management District No. 3
33. City of Lakin
34. Finney County
35. Hamilton County Economic Development
36. City of Garden City

36.35 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 9, 2013 RULEMAKING; FINAL ACTION MARCH 11, 2014 EFFECTIVE DATE JUNE 30, 2014

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission considered a proposal for feasibility-based site-specific standards for Rio Grande segments 4a (mainstem of Rio Grande River) and 7 (Willow Creek) to replace the existing temporary modifications of "Current Condition" for cadmium, lead and zinc in segment 4a, and the ambient based numeric temporary modifications for cadmium, copper, lead, silver and zinc in segment 7.

The Commission extended the existing Temporary Modifications for Rio Grande segment 4a and Rio Grande segment 7 from 6/30/2015 to 12/31/2016. The Commission also adopted two tiers of site-specific standards for those segments based on the feasibility of reversing historic man-induced sources of metals. The Commission adopted Tier 1 standards which are effective from 1/1/2017 through 12/31/2018. These standards represent predicted improvements in water quality due to the dilution effect of treated effluent from the Bulldog Mine. The Commission also adopted Tier 2 standards, which are effective after 1/1/2019. The Tier 2 standards reflect the further water-quality improvement predicted by a 90% reduction in flow and metal load from the Nelson Tunnel, and a predicted 50% reduction in metal load from the Solomon Mine, in addition to dilution from treated effluent from the Bulldog Mine. The adopted site-specific standards are intended to set water-quality goals for both segments that reflect the lowest ambient concentrations that are feasible to achieve. The Commission expects revisions will be made to the tiered underlying standards as new information become available.

The Commission adopted the proposed extension of the existing Temporary Modifications with the expectation that Rio Grande Silver will propose a sampling plan for the December 2014 Temporary Modification Hearing. The Commission expects the plan to address key areas of uncertainty that need to be better quantified during high flow and low flow conditions such as:

1. Lead and manganese load attenuation below the Nelson Tunnel.
2. Achievable manganese concentrations in the Bulldog Mine effluent.

3. Groundwater interactions in the Willow Creek floodplain between Creede and the Rio Grande River.
4. Groundwater influx in West Willow Creek below the Nelson Tunnel.
5. Groundwater influx from the Rio Grande Seep near Wagon Wheel Gap.

PARTIES TO THE RULEMAKING HEARING

1. Rio Grande Silver, Inc.
2. Black Hawk/Central City Sanitation District and City of Black Hawk
3. Centennial Water & Sanitation District, City of Littleton, City of Englewood
4. Colorado Parks and Wildlife
5. Homestake Mining Company of California
6. Metro Wastewater Reclamation District
7. South Platte Coalition for Urban River Evaluation (SP CURE)
8. City of Boulder
9. Seneca Coal
10. Tri-State Generation and Transmission Association
11. City of Fort Collins
12. MillerCoors, LLC
13. Environmental Protection Agency
14. Barr Lake and Milton Reservoir Watershed Association
15. Plum Creek Water Reclamation Authority

36.36 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 8, 2014 RULEMAKING; FINAL ACTION JANUARY 12, 2015; EFFECTIVE DATE JUNE 30, 2015

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2016, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on one segment were reviewed.

No Action: The Commission took no action on the temporary modifications of the metals (Type B) standards on Rio Grande segment 4a. Rio Grande Silver provided evidence that it is making progress on resolving uncertainty regarding the underlying chronic cadmium, lead and zinc standards on the mainstem of the Rio Grande below the confluence with Willow Creeek. The Commission made no change to the expiration date of 12/31/2016 as the original time allotment was deemed adequate.

PARTIES TO THE RULEMAKING HEARING

1. Pioneer Natural Resources USA, Inc. and XTO Energy, Inc.
2. U.S. Energy Corp.
3. Plum Creek Water Reclamation Authority
4. Upper Clear Creek Watershed Association
5. Upper Thompson Sanitation District
6. Colorado Parks and Wildlife
7. U.S. Environmental Protection Agency
8. High Country Conservation Advocates

9. Metro Wastewater Reclamation District
10. Climax Molybdenum Company
11. Rio Grande Silver, Inc.
12. City of Pueblo
13. Tri-State Generation and Transmission, Inc.
14. Centennial Water and Sanitation District
15. Xcel Energy
16. MillerCoors
17. Seneca Coal Company
18. Peabody-Sage Creek Mining, LLC
19. City of Boulder

36.37 STATEMENT OF BASIS AND PURPOSE REGARDING THE ADOPTION OF NON-SUBSTANTIVE CHANGES TO THE CLASSIFICATION AND NUCLEAR STANDARDS FOR RIO GRANDE BASIN, JANUARY 11, 2016 RULEMAKING; EFFECTIVE DATE MARCH 1, 2016

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission, in a public rulemaking hearing adopted extensive changes to the format of this regulation. The Commission does not intend to change any existing designations, use classifications or standards, or the implementation of any standards as the results of changing the format.

This rulemaking was in response to longstanding issues with managing the information contained in the standards tables. The changes made in this hearing reflect a change from storing the information in word processing documents to storing the information in a relational database. This change in platform will provide better consistency, facilitate error checking as well as a more readable format for the standards tables. Storing the information in a database allows it to be used more efficiently by other programs in the Division.

While it was the Commission's intent not to change the substantive meaning of the regulations in this rulemaking, in cases where there was ambiguity the revised regulation reflects the Commission's interpretation of the previous format based on Regulation #31 (the Basic Standards and Methodologies for Surface Water) and the experience of the Commission and its staff.

Overall format changes: The new format displays parameters by name, rather than by period table element abbreviations. The section formerly titled "Temporary Modifications and Qualifiers" does not appear in the new format. Instead, there is a separate section for qualifiers, and an "Other" section. Temporary modifications, variances and other footnotes are displayed in the "Other" section. Many items that were formerly in the "Temporary Modifications and Qualifiers" column will be displayed in the "Other" column and will have a different appearance or modified wording, although the information is substantively the same. Each footnote in the "Other" section is preceded by a heading that indicates where the footnote applies:

- Footnotes regarding a use classification will begin with the heading "Classification..."
- Footnotes regarding the antidegradation designation begin with the heading "Designation..."
- Footnotes that relate to a particular standard begin with the name of the parameter, for example "Selenium(chronic)= ..."

Also, since there is more room for information within each segment, footnotes “B” and “C” were replaced with the full text in each segment where these footnotes were applied. Footnote “A” was maintained because the text is too long to be displayed in the “Other” section for each segment where it applies.

Constraints of the new format: Some adjustments were made to the way that data is displayed in order to be compatible with the functions of the Standards Database. Database organization requires that information which relates to multiple standards must be attached to each individual parameter. For example, a segment with a temporary modification listed for “all parameters” in the old format will have a temporary modification listed for each individual parameter in the new format. There are also spacing constraints in the new format, which require some information to be moved either to the “other” box on the new format, or moved out of the segment entirely and into another location in the regulation.

Clarification of changes: The shift to a database organizational structure required consistency in the way each data element is addressed. To insure that data is stored and displayed correctly, the following changes were made

- The “type” of temporary modification is no longer displayed in the segment tables, since they have no regulatory effect and have been inconsistently displayed.
- In the old format, waters that had a reviewable antidegradation designation were identified by the absence of either “UP” or “OW” in the designation column. These segments now display the word “reviewable” under the designation heading. There needed to be a value in the designation column for every segment.
- Dissolved standards are not specifically noted as dissolved in the new format. All metals standards are dissolved unless noted with a “T” or a “t”. For example, a manganese standard in the old format of “WS(dis)” is displayed as “WS” in the new format.
- A new footnote 7 was added to clarify that although E. coli is listed in the “chronic” column, the standard is a two-month geometric mean rather than a 30-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 7.
- A new footnote 8 was added to indicate that all phosphorus standards are based upon the concentration of total phosphorus. In the old format, individual phosphorus standards were noted as “total” in some basins and not others.
- A new footnote 9 was added to clarify that although pH is listed in the “acute” column, the standard is not applied as a 1-day average. The language of footnote 7 was taken from Regulation 31, Table 1, footnote 3.
- Physical and Biological Parameters: Some parameters are not specifically identified in the old format segment tables as acute or chronic. The new format requires that each parameter is placed in either the acute or chronic column. Specifically, these parameters and the basis for being identified as acute or chronic are as follows:
 - pH (acute) – Regulation #31, Table 1, footnote 3
 - E. Coli (chronic) – Regulation #31, Table 1, footnote 7
 - D.O. (chronic) – Regulation #31, Table 1, footnote 1
 - cyanide (acute) – Regulation #31, Table 2
 - sulfide (chronic) - Regulation #31, Table 2

- nitrate (acute) - Regulation #31, Table 2
- nitrite (chronic) – not specified in Regulation #31. Nitrite has been implemented as a 30-day average standard in permits and assessments.
- chloride (chronic) Regulation #31, Table 2
- boron (chronic) - Regulation #31, Table 2
- sulfate (chronic) Regulation #31, Table 2
- Some site-specific standards had too much information to be contained in the new table, so it was moved to 36.6(4) (Alamosa River/La Jara Creek/Conejos River Segment 8 and Rio Grande Segments 4a and 7).

36.38 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(i) and 25-8-401(2) provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. In addition, other standards actions were taken.

Rio Grande segments 4a and 7: Metals, revised standards effective dates and temporary modifications expiration dates.

At the December 2013 Temporary Modification hearing the Commission adopted site specific standards with delayed effective dates and temporary modifications in Rio Grande segments 4a and 7. These standards represent predicted improvements in water quality due to the dilution effect of treated effluent from the Bulldog Mine in Tier 1 and water-quality improvement predicted by a 90% reduction in flow and metal load from the Nelson Tunnel, and a predicted 50% reduction in metal load from the Solomon Mine, in addition to dilution from treated effluent from the Bulldog Mine in Tier 2. The adopted site-specific standards are intended to set water-quality goals for both segments that reflect the lowest ambient concentrations that are feasible to achieve with the 2013 schedule for redevelopment activities. However, Rio Grande Silver presented evidence that implementation of the Rio Grande Silver Bulldog Mine redevelopment project has been delayed two years. As a result, the Commission extended all of the effective dates and expiration dates by two years.

Rio Grande segments 4a and 7: Ammonia.

The Division and the Town of Creede presented evidence that its wastewater treatment facility has a predicted compliance problem with ammonia effluent limits based on water quality standards in segments 7 and 4a and there is uncertainty regarding the feasibility of meeting the ammonia limits. Creede has submitted a plan to resolve the uncertainty. Based on that plan the Commission adopted a “current conditions” temporary modification to the ammonia standard with an expiration date of 12/31/2018.

PARTIES TO THE RULEMAKING HEARING

1. City of Delta
2. Resurrection Mining Company
3. U.S. Energy Corp.
4. City of Pueblo
5. Peabody Sage Creek Mining and Seneca Coal Company
6. Climax Molybdenum Company
7. Rio Grande Silver
8. City of Colorado Springs and Colorado Springs Utilities
9. Tri-State Generation and Transmission Association, Inc.
10. High Country Conservation Advocates
11. U.S. Environmental Protection Agency
12. Colorado Parks and Wildlife
13. Town of Crested Butte and Coal Creek Watershed Coalition
14. Public Service Company of Colorado

36.39 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 12, 2016 RULEMAKING; FINAL ACTION JANUARY 9, 2017; EFFECTIVE DATE JUNE 30, 2017

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the commission reviewed the status of temporary modifications scheduled to expire before December 31, 2018, to determine whether the temporary modification should be modified, eliminated or extended.

Temporary modifications of standards on Rio Grande Segment 4a and Segment 7 which expire 12/31/2018, were reviewed. The commission took no action on the temporary modifications on these two segments impacted by the historic Creede mining district. Both the Town of Creede and Rio Grande Silver continue to make progress on resolving the uncertainty.

New Temporary Modifications of the Arsenic Standard, Closed Basin segment 3. Consistent with the actions taken in 2013, the commission adopted a temporary modification of the arsenic standard on this segment with an expiration date of 12/31/2021. At the April 8, 2013 rulemaking, the commission heard testimony that concurred with the finding from a December 13, 2011 hearing that an initial reasonable lower limit of treatment technology for arsenic is 3.0 µg/L, pending further investigation by the division, dischargers and stakeholders. The temporary modification was established by the commission to allow for a temporarily less stringent application of the chronic arsenic standard in control requirements for both existing discharges and new or increased discharges.

Closed Basin Segment 3

PARTIES TO THE RULEMAKING HEARING

1. Colorado Parks and Wildlife
2. Resurrection Mining Company
3. Public Service Company of Colorado
4. City of Pueblo

5. Peabody Sage Creek Mining Company and Seneca Coal Company
6. Tri-State Generation and Transmission Association, Inc.
7. Climax Molybdenum Company
8. Rio Grande Silver, Inc.
9. Mt. Emmons Mining Company
10. Plum Creek Water Reclamation Authority
11. Environmental Protection Agency
12. Raytheon Company
13. City of Boulder Open Space and Mountain Parks
14. High Country Conservation Advocates
15. City of Colorado Springs and Colorado Springs Utilities
16. City of Black Hawk and Black Hawk/Central City Sanitation District
17. Town of Crested Butte and Coal Creek Watershed Coalition
18. Parker Water and Sanitation District

36.40 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 11, 2017 RULEMAKING; FINAL ACTION DECEMBER 11, 2017; EFFECTIVE DATE JANUARY 31, 2018

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted, in compliance with 24-4-103(4) C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE

In this hearing, the commission made corrections to Regulation No. 36. Several errors have been identified which do not reflect the commission's intended decisions from recent hearings.

A. Section 36.6(4)(c)

The commission corrected a series of typos in Section 36.6(4)(c). Several of the lead values were erroneously written "acute/chromium"; the commission replaced the word "chromium" with the word "chronic".

B. Alamosa Segment 28

The commission made corrections to the description of Alamosa Segment 28. A typo was corrected and Alamosa Segment 30 was added as an exception.

C. Alamosa Segment 29

The commission made a correction to the description of Alamosa Segment 29. Alamosa Segment 8 was added as an exception.

D. Closed Basin Segment 3

The commission made a correction to the description of Closed Basin Segment 3. Closed Basin Segment 1 was added as an exception.

E. Closed Basin Segment 9a

The commission made corrections to the description of Closed Basin Segment 9a. The extra "tributaries and wetlands" was removed. In addition, the description of the start of the segment was corrected to "a point immediately above the Cocomongo Mill site" instead of "the source".

36.41 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 11, 2017 RULEMAKING; FINAL ACTION JANUARY 8, 2018; EFFECTIVE DATE JUNE 30, 2018

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the commission reviewed the status of temporary modifications scheduled to expire before December 31, 2019 to determine whether the temporary modification should be modified, eliminated, or extended.

No action: The commission took no action on the temporary modifications on the following segments:

Rio Grande Segments 4a and 7: temporary modifications of the standards on Rio Grande Segment 4a (cadmium, lead, zinc, and ammonia) and Segment 7 (cadmium, copper, lead, silver, zinc, ammonia); expire 12/31/2018. Both the Town of Creede and Rio Grande Silver presented evidence that they are making progress on the plan for eliminating the need for the temporary modifications. The commission took no action on the temporary modifications on these two segments as the original time allotment was deemed adequate to resolve the uncertainty.

PARTIES TO THE RULEMAKING HEARING

1. Peabody Sage Creek Mining Company, Seneca Coal Company and Twentymile Coal, LLC
2. Tri-State Generation and Transmission Association, Inc.
3. Colorado Parks and Wildlife
4. Environmental Protection Agency
5. City of Black Hawk and Black Hawk/Central City Sanitation District
6. Rio Grande Silver, Inc. 7. MillerCoors LLC
8. Plum Creek Water Reclamation Authority
9. Public Service Company of Colorado
10. City of Pueblo

36.42 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JUNE 11, 2018 RULEMAKING; FINAL ACTION AUGUST 6, 2018; EFFECTIVE DATE DECEMBER 31, 2018

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

A. Water Body Segmentation

Some segments were renumbered, combined, or new segments were created to facilitate appropriate organization of water bodies in this regulation. Renumbering and/or creation of new segments was made based on information that showed: a) the original reason for segmentation no longer applied; b) significant differences in uses, water quality and/or physical characteristics warrant a change in standards on only a portion of the existing segment; and/or c) certain segments could be merged into one segment because they had similar water quality and uses. The following changes were made:

Rio Grande segments 5a and 5b: Segment 5 was divided into segments 5a and 5b as part of changes to temperature standards. The following streams were moved to new Segment 5b: the mainstem of Alder Creek; mainstem of East Alder Creek, including all tributaries and wetlands, from the source to the confluence with Alder Creek; mainstem of Agua Ramon Creek, including all tributaries and wetlands, from the source to the confluence with the Rio Grande; and the mainstem of Embargo Creek, including all tributaries and wetlands, from immediately above the confluence with Dyers Creek to the confluence with the Rio Grande. The remaining Segment 5 streams were included in Segment 5a. Segment 5a retained CS-I temperature standards and new Segment 5b was assigned CS-II temperature standards.

Rio Grande segments 9a and 9b: Segment 9 was divided into segments 9a and 9b as part of changes to temperature standards. The following streams were moved to new Segment 9b: the mainstem of the South Fork Rio Grande, including all tributaries and wetlands, below Decker Creek. Beaver Creek and its tributaries from the source to Beaver Creek Reservoir remained in Segment 9a, as did the mainstem of the South Fork Rio Grande, including all tributaries and wetlands, from the source to just below Decker Creek. Segment 9a retained CS-I temperature standards and new Segment 9b was assigned CS-II temperature standards.

Rio Grande Segment 11: To facilitate adoption of an Aquatic Life use and standards for the lower portion of San Francisco Creek, Segment 11 was amended to include the portion of San Francisco Creek below Spring Branch, previously included in Segment 15

Alamosa River/La Jara Creek/Conejos River segments 2 and 20: Tributaries to the Alamosa River from a point immediately below the confluence of Bitter Creek to the inlet of Terrace Reservoir, except for listings in segments 4a, 5, 6, and 7, were moved from Segment 20 to Segment 2 to facilitate a change in temperature standards and the Aquatic Life use. Segment 2 retained a Cold 1 Aquatic Life use classification with CS-I temperature standards. Segment 20 was reclassified as Cold 2 Aquatic Life use with CS-II temperature standards.

Closed Basin – San Luis Valley River Basin segments 3 and 6: The mainstem of South Crestone Creek from a point just below the Spanish Creek Trail road crossing (37.981612, -105.713237) to its confluence with Crestone Creek, as well as the mainstem of Crestone Creek from its source at the confluence of North Crestone Creek and South Crestone Creek to the mouth, were moved from Segment 3 to Segment 6 to facilitate removal of the Water Supply use from Segment 6.

Closed Basin – San Luis Valley River Basin segments 12a, 12b, and 12c: Existing Segment 12b was moved to new Segment 12c and retained a Cold 1 Aquatic Life use classification with CS-II temperature standards. The mainstem of Saguache Creek from a point just below the confluence of Fourmile Creek to a point just below the confluence with Ford Creek was moved from Segment 12a to Segment 12b to facilitate a change in temperature standards. Segment 12a retained CS-I temperature standards. Segment 12b was assigned CS-II standards with an ambient-based summer MWAT to be assessed at the location described at 36.6(4).

Segment descriptions were also edited to improve clarity, correct typographical errors, and correct spelling errors. These changes are listed in Section M.

B. Aquatic Life Use Classifications and Standards

Some segments assigned an Aquatic Life use classification were missing a standard to protect that use. The commission adopted the missing standards for the following segments:

Rio Grande: 7 (acute chlorine), 20b (acute chlorine, acute and chronic manganese)

Alamosa River/La Jara Creek/Conejos River: 16 (acute and chronic manganese), 18 (acute and chronic manganese)

The commission reviewed information regarding the existing aquatic communities. For segments where the existing aquatic communities are not aligned with the Aquatic Life use, the following segments were downgraded from Cold 1 to Cold 2:

Alamosa River/La Jara Creek/Conejos River: 20

The commission reviewed all Class 2 segments that have fish that are “of a catchable size and which are normally consumed and where there is evidence that fishing takes places on a recurring basis.” Water + Fish standards were applied to the following segments:

Closed Basin – San Luis Valley River Basin: 13, 18

C. Recreation Use Classifications and Standards

The commission reviewed information regarding the current Recreation use classifications and evidence pertaining to actual or potential primary contact recreation, and no changes were adopted at this time. In addition, newly created segments were given the same Recreation use classification as the segment from which they were split, unless there was insufficient evidence to support keeping that classification, or evidence to show that the existing use classification was inappropriate.

D. Water Supply Use Classification and Standards

The commission added a Water Supply use classification and standards where the evidence demonstrated a reasonable potential for a hydrological connection between surface water and alluvial wells used for drinking water. The Water Supply use classification and standards were added to the following segments:

Rio Grande: 12, 20a, 23b, 26

Alamosa River/La Jara Creek/Conejos River: 9, 10, 12, 18

The commission removed the Water Supply use classification and standards where the evidence demonstrated that a Water Supply use does not currently exist due to flow or other conditions, and that such a use is not reasonably expected in the future due to water rights, source water options, or other conditions. The Water Supply standard for chloride was retained for these segments, given concerns regarding the protection of aquatic life by the existing Water Supply standards. The Water Supply use classification and standards, except for chloride, were removed from the following segments:

Closed Basin – San Luis Valley River Basin: 6

For the segments where the Water Supply use classification and standards were removed, the commission adopted the division’s proposal to retain the 250 mg/L chronic (30-day average) standards for chloride as an interim step, based on evidence presented demonstrating the toxic effects of chloride on aquatic life. Retaining the current chloride standard is necessary to protect the assigned Aquatic Life uses and to ensure that these waters are free from substances toxic to aquatic life in accordance with 31.11(1)(a)(iv). The commission retained the numeric standard for chloride because narrative standards have often proved challenging to implement, and interim numeric standards will provide implementable interim standards while allowing time for development of robust replacement criteria based on the latest scientific information.

The commission recognizes that there is scientific uncertainty about the appropriate standards for chloride and/or sulfate to protect the Aquatic Life use, and that appropriate standards may need to recognize that toxicity is affected by site water characteristics (similar to the influence of hardness on the toxicity of dissolved metals). The commission's intention is that future revisions to the numeric standards assigned to these segments, and also to Regulation No. 31 (i.e., aquatic life-based table values chloride and/or sulfate), can be considered if: (1) EPA issues new or updated CWA § 304(a) Aquatic Life criteria recommendations, (2) another state adopts new or revised Aquatic Life criteria and EPA approves, or (3) protective criteria otherwise become available that incorporate the latest scientific information on the risks to aquatic life posed by these pollutants.

E. Agriculture Use Classification and Standards

The commission reviewed the single segment lacking an Agriculture use. Based on an evaluation of the available data and information, no changes were adopted at this time.

F. Other Standards to Protect Agriculture, Aquatic Life, and Water Supply Uses

1. **Molybdenum:** In 2010, the commission adopted a new standard for molybdenum to protect cattle from the effects of molybdenosis. The table value adopted at that time was 300 µg/L, but included an assumption of 48 mg/day of copper supplementation to ameliorate the effects of molybdenosis. State and local experts on cattle nutrition indicated that copper supplementation in the region is common, but is not universal. Therefore, the copper supplementation assumption was removed from the equation, which then yielded a standard of 160 µg/L. That standard was applied in recent basin reviews.

In the 2015 Regulation No. 38 hearing, the commission adopted a standard of 150 µg/L, based on an improved understanding of the dietary- and water-intake rates for various life-stages of cattle. This standard is protective of all life-stages of cattle (including lactating cows and growing heifers, steers and bulls) at all times of year.

The Agriculture table value assumes that the safe copper:molybdenum ratio is 4:1. Food and water intake is based on growing heifers, steers, and bulls consuming 6.7 kg/day of dry matter and 56.8 liters of water per day. Molybdenum supplementation is assumed to be zero. The table value standard (TVS), which considers total copper and molybdenum intakes, is calculated from the following equation:

$$\text{Mo TVS} = \frac{(\text{Cu}_{\text{forage}} \times \text{Forage}_{\text{intake}}) + (\text{Cu}_{\text{water}} \times \text{Water}_{\text{intake}}) + \text{Cu}_{\text{supp}}}{\text{Cu:Mo Safe Ratio}} - (\text{Mo}_{\text{forage}} \times \text{Forage}_{\text{intake}}) / \text{Water}_{\text{intake}}$$

The assumed values for these equations are as follows:

$\text{Cu}_{\text{forage}} = 7 \text{ mg/kg}$, $\text{Forage}_{\text{intake}} = 6.7 \text{ kg/day}$, $\text{Cu}_{\text{water}} = 0.008 \text{ mg/L}$, $\text{Water}_{\text{intake}} = 56.8 \text{ L/day}$, $\text{Cu}_{\text{supplementation}} = 0 \text{ mg/day}$, $\text{Cu:Mo Safe Ratio} = 4:1$, $\text{Mo}_{\text{forage}} = 0.5 \text{ mg/kg}$.

In 2010, the commission also adopted a new standard for molybdenum to protect the Water Supply use that was calculated in accordance with Policy 96-2.

A molybdenum standard of 150 µg/L was adopted for all segments in Regulation No. 36 that have an Agriculture use classification, and where livestock or irrigated forage are present or expected to be present.

The following segments (or portions of segments) have an Agriculture use classification and a Water Supply use, but livestock watering does not occur. A molybdenum standard of 210 µg/L was retained on these segments to protect the Water Supply use:

Closed Basin – San Luis Valley River Basin: 10

2. **Cadmium for Aquatic Life:** The commission adopted updated hardness-based cadmium Aquatic Life standards on a targeted, site-specific basis in cold waters to reflect the most up-to-date science. The new standards, released by the U.S. Environmental Protection Agency (EPA) in March 2016, are protective of sensitive cold water aquatic life (i.e., trout). The cadmium criteria recommended by EPA and adopted by the commission are as follows:

$$\text{Acute} = e^{(0.9789 \cdot \ln(\text{hardness}) - 3.866)} \cdot (1.136672 - (\ln(\text{hardness}) \cdot 0.041838))$$

$$\text{Chronic} = e^{(0.7977 \cdot \ln(\text{hardness}) - 3.909)} \cdot (1.101672 - (\ln(\text{hardness}) \cdot 0.041838))$$

EPA's updated cadmium criteria are less stringent than Colorado's current cadmium standards when water hardness is greater than 45 mg/L CaCO₃. Although the criteria are less stringent, they were developed using the latest science and are protective of aquatic life, and it is expected that Colorado's state-wide cadmium standards will likely be updated using the 2016 EPA cadmium criteria at a later date. Therefore, the commission determined it was appropriate to adopt the new criteria for waters known to be impaired for cadmium to ensure forthcoming clean-up goal development and Total Maximum Daily Load (TMDL) evaluations are based on the most relevant water quality standards available. The updated cadmium standards were adopted for the following segments:

Rio Grande: 4b, 5a, 6

Alamosa River/La Jara Creek/Conejos River: 3a, 3c, 20

Closed Basin – San Luis Valley River Basin: 8, 12a

3. **Cadmium, Nickel, and Lead for Water Supply:** A review of the cadmium, nickel, and lead standards showed that uses were not always adequately protected by the standards currently in the tables. Depending on hardness, the Aquatic Life standards for cadmium, lead, and nickel were not protective of the Water Supply use. The division reviewed all segments in Regulation No. 36 to determine if the current standards applied to each segment are fully protective of the assigned uses, and revised or added standards where appropriate.

The cadmium Water Supply standard was added because the acute Aquatic Life standard is not protective when the hardness was greater than 200 mg/L in non-trout streams and 345 mg/L in trout streams; the lead Water Supply standard was added because the acute Aquatic Life standard is not protective when hardness is greater than 79 mg/L; and the nickel Water Supply standard was added because the chronic Aquatic Life standard is not protective when hardness is greater than 216 mg/L. Cadmium, lead, and nickel Water Supply standards were added to the following segments:

Rio Grande: 1, 2, 4a, 4b, 4c, 5a, 5b, 8, 9a, 9b, 10, 11, 12, 14, 19, 20a, 21a, 21b, 22, 23b, 25, 26, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38

Alamosa River/La Jara Creek/Conejos River: 1, 2, 9, 10, 11b, 12, 13, 14a, 14b, 15, 17a, 17b, 18, 19, 20, 23, 24, 26, 27, 28, 30

Closed Basin – San Luis Valley River Basin: 1, 2a, 2b, 2c, 3, 4, 9a, 9b, 10, 11, 12a, 12b, 12c, 13, 15, 16, 17, 18

4. **Aquatic Life Criteria for Selenium and Ammonia:** The commission declined to adopt EPA's revised 304(a) Aquatic Life criteria for selenium and ammonia at this time; however, the division is committed to evaluating these new criteria. Studies are currently underway for each parameter to improve understanding of these criteria in the context of water quality conditions in Colorado and how these criteria may be adopted and implemented in Colorado in the future.

G. Antidegradation Designations

The commission reviewed all segments designated Use Protected to determine if the Use Protected designation was still warranted. Based upon available water quality data that meet the criteria of 31.8(2)b, the Use Protected designation was removed from the following segments:

Alamosa River/La Jara Creek/Conejos River: 9, 10

The commission reviewed all Reviewable segments to determine if this Antidegradation designation was still warranted. Based upon available water quality data that fails to meet the criteria of 31.8(2)b, the Reviewable designation was not removed from any segments.

H. Site-Specific Ambient Quality-Based and Criteria-Based Standards

Ambient quality-based standards are adopted where a comprehensive analysis has been conducted demonstrating that elevated existing water quality levels are the result of natural conditions or are infeasible to reverse, but are adequate to protect the highest attainable use.

All existing site-specific standards were reviewed, and where appropriate were revised or deleted based on new information. Site-specific standards were deleted from the following segments:

Alamosa River/La Jara Creek/Conejos River: 16 (manganese), 18 (manganese)

Site-specific standards were revised for the following segments:

Rio Grande: 4a, 7

I. Temporary Modifications

All existing Temporary Modifications were examined to determine if they should be allowed to expire or if they should be extended, either unchanged or with changes to the numeric limits.

The commission allowed to expire on 12/31/2018 temporary modifications on the following segments:

Rio Grande: 4a, 7

The commission deleted temporary modifications on the following segments:

Alamosa River/La Jara Creek/Conejos River: 20

To remain consistent with the commission's decisions regarding arsenic in 36.33, all existing temporary modifications for arsenic of "As(ch)=hybrid" (expiration date of 12/31/21) were retained. In addition, for the following segments, an arsenic temporary modification was adopted for the 0.02 µg/L Water + Fish numeric standard in recognition of the uncertainty regarding "the water quality standard necessary to protect current and/or future uses" (31.7(3)). For arsenic, a known human carcinogen, the uncertainty is multi-faceted. For example, there are unresolved questions about existing water quality conditions (including spatial and temporal variation), the sources and causes of any numeric standard exceedances, and to what extent existing conditions may be a result of natural or irreversible sources. Likewise, with reference to the equations used to calculate the Water + Fish, Water Supply, and Fish Ingestion table value standards for arsenic (Policy 96-2), there are unresolved questions about the cancer slope, the bioconcentration or bioaccumulation factor, and the percentage of total arsenic in fish tissue that is inorganic. The commission recognizes the need to resolve the uncertainty in the arsenic standards and ensure that human health is adequately protected. Temporary modifications for arsenic were added to the following segments:

Rio Grande: 12

Alamosa River/La Jara Creek/Conejos River: 18

J. Temperature Standards for Rivers and Streams

The commission revised temperature criteria in Regulation No. 31 in 2007, and again in 2010, based on the development of the Colorado Temperature Database and a lengthy stakeholder process. In 2013, the new temperature standards were adopted for all segments with an Aquatic Life use classification in Regulation No. 36. In June 2016, temperature criteria in Regulation No. 31 were further revised, including changes to the temperature table value standards, revision of warm water winter acute standards, and the addition of footnotes to protect lake trout and mountain whitefish.

1. **Colorado Temperature Database Update:** The Colorado Temperature Database was updated in 2016 to reflect the most recent research regarding the thermal requirements of Colorado's fishes, which allowed for adoption of an overall update of the cold and warm water acute and chronic temperature table value standards. In this hearing, the commission adopted revisions at 36.6(3) to bring this regulation into conformity with the revised table value standards found in Table I of Regulation No. 31.
2. **Warm Water Winter Acute Table Values:** The 2016 updates to the temperature database also allowed for the adoption of revisions to the warm water winter acute table values. When seasonal numeric temperature standards were first adopted in 2007, warm water winter acute and chronic standards were simply set at half the summer season table values, recognizing a pattern seen in cold waters. In 2016, the acute winter table values for warm water fish were revised based on lethal temperature thresholds established in laboratory experiments for fish acclimated to "winter" temperatures. Standards derived using this new method more accurately protect warm water fish from acute thermal effects in winter. In this hearing, the commission adopted revisions at 36.6(3) to bring this regulation into conformity with the revised warm water winter acute temperature table value standards found in Table I of Regulation No. 31.

3. **Mountain Whitefish and Lake Trout Footnotes:** In 2016, the commission adopted two footnotes to Table I of Regulation No. 31 to allow for additional thermal protection of mountain whitefish and lake trout where appropriate. These species were given special standards due to their thermal sensitivity and limited distributions. Lake trout occur in only a small number of lakes and reservoirs, and thermally-sensitive spawning and early life stages of mountain whitefish are known to occur only in certain cold water tributaries. In Regulation No. 36, there are no water bodies where lake trout are expected to occur, or where thermally-sensitive spawning and early life stages of mountain whitefish are known to occur, based upon information provided by Colorado Parks and Wildlife. No changes were adopted at this time to protect mountain whitefish or lake trout.
4. **Refinement of Temperature Standards:** Since temperature criteria were revised in Regulation No. 31 in 2007, the division and others have worked to ensure that appropriate temperature standards were adopted for segments throughout the state. At times, this effort to assign temperature standards has also included reevaluation of the existing Aquatic Life use classifications, and use revisions have been proposed and adopted where appropriate. Incremental progress continues as temperature standards are refined based on the experience and data gains that have occurred since initial adoption of temperature standards.

In the 2016 Regulation No. 31 hearing, the commission declined to adopt the division's proposal for statewide solutions for temperature transition zones and shoulder seasons, in favor of a basin-by-basin consideration of temperature standards on a site-specific basis. The basin-by-basin approach was selected as it allows for consideration of temperature attainability and ambient quality-based site-specific temperature standards issues in the context of multiple lines of evidence and site-specific contravening evidence. The sections below describe the considerations and methods used to develop and support the site-specific temperature standards revisions adopted in this basin hearing.

- i. **Existing Uncertainty:** While a great deal of progress has been made regarding the development and implementation of temperature standards, uncertainty still remains for some segments due to the lack of site-specific temperature or aquatic community information or conflicts between the lines of evidence. This uncertainty was highlighted in the statement of basis and purpose language for the 2013 Regulation No. 36 Rulemaking Hearing at 36.34.K. To address this uncertainty, these segments were targeted for additional data collection where possible, and all new information collected for these segments was evaluated as part of this basin review.
- ii. **Attainability:** Following the commission's 2016 direction to consider attainability issues using a basin-by-basin approach, the division reviewed all available information to identify segments where attainability issues may exist based upon available instream temperature data and expected in-stream summer maximum weekly average temperatures (MWATs). Expected MWATs were determined using regression analysis of temperature and elevation and the NorWeST Stream Temperature Regional Database and Model. This screening found that many segments, or portions of segments, were not expected to attain the summer or winter chronic temperature standards. These waters were targeted for additional review, as were waters listed as impaired for temperature on the 2016 303(d) List.

- iii. Aquatic Life Use: For these selected segments, the division conducted a comprehensive, site-specific review of the existing use classification and temperature standards. Fishery data provided by Colorado Parks and Wildlife (CPW) was evaluated to identify fish species expected to occur, whether reproduction is expected (i.e., stocked, transient, or resident species), age class structures, and any other relevant information regarding aquatic life communities. For segments where little or no information on fish species expected to occur existed, fish population data from adjacent and representative water bodies was utilized when possible.
- iv. Thermal Drivers: In cases where temperature standards to protect the highest attainable use were determined, but the temperature standards were not attainable, site-specific factors that influence in-stream temperature were evaluated to identify any correctable anthropogenic thermal sources. All available data on temperature, hydrology, hydro-modification, canopy cover, groundwater influence, point and non-point thermal sources, and other relevant information was reviewed.

Based upon information regarding the species expected to occur, temperature data, physical habitat, land cover/use, groundwater inputs, flow conditions, and all other available information regarding thermal drivers, the commission adopted revisions of temperature standards for the segments listed below where water quality is not feasible to improve or where the thermal regime is the result of natural conditions, but is sufficient to protect the highest attainable use.

The following segments were changed from CS-I to CS-II:

Rio Grande: 5b, 9b
Alamosa River/La Jara Creek/Conejos River: 20
Closed Basin – San Luis Valley River Basin: 12b

Ambient temperature standards were adopted where a use attainability analysis was conducted demonstrating that elevated ambient temperatures are the result of natural conditions or are not feasible to improve to the level required by the current numeric standard, but are adequate to protect the highest attainable use. New ambient temperature standards were adopted for the following segment:

Closed Basin – San Luis Valley River Basin: 12b

Adequate data or resources were not always available to support a revision of the use classification or a temperature standards change. In these cases, no change was proposed. It is the commission's intent that the division and interested parties work to resolve the uncertainty. There is uncertainty regarding the appropriate use classifications and temperature standards to protect the highest attainable use still exist for the following segments:

Rio Grande: 4b, 10, 12
Alamosa River/La Jara Creek/Conejos River: 9, 10, 11b, 13, 14a, 15, 17b
Closed Basin – San Luis Valley River Basin: 9b, 12c

Moving forward with this site-specific approach, the commission encourages the division to consider whether any additional information would be appropriate to be included in the use attainability analyses.

K. Other/Site-Specific Revisions

Rio Grande segments 4a and 7: The commission adopted additional changes to Rio Grande Segment 4a and Segment 7 temporary modifications and site-specific feasibility-based standards that it adopted in December 2013, and modified in December 2015. See Section 36.35.

The commission allowed the Segment 4a temporary modifications for chronic cadmium, lead, and zinc, and the Segment 7 temporary modifications for acute and chronic cadmium, copper, lead, and zinc, and acute silver, to expire on 12/31/2018.

Site-specific feasibility-based standards for Segment 4a for acute and chronic cadmium, chronic lead, chronic manganese, and acute and chronic zinc, and for Segment 7 for acute and chronic cadmium, copper, lead, manganese, and zinc, and acute silver, were first adopted in December 2013 with two tiers. See Section 36.35. These tiered feasibility-based standards were based on improvements in water quality tied to future reopening of the Bulldog Mine. Tier 1 was to be effective 1/1/2017–12/31/2018. Tier 2 was to be effective 1/1/2019. In December 2015, these dates were delayed by two years, resulting in Tier 1 becoming effective 1/1/2019–12/31/2020, and Tier 2 on 1/1/2021.

Due to a delay in the reopening of the Bulldog Mine, the commission delayed the effective dates for the tiered feasibility-based standards to allow time for the activities in Section 36.35 to take place. The new effective dates for Tier 1 is 1/1/2022–12/31/2023. Tier 2 becomes effective 1/1/2024. The commission also adopted Rio Grande Silver, Inc.'s (RGS) proposed updated Tier 1 and Tier 2 values that are based on 2012–2017 data and improved modeling assumptions that more accurately predict Tier 1 and Tier 2 water quality. See RGS Exhibits 10 and 12. For Segment 4a, Tier 2 cadmium concentrations are predicted to attain the 2016 EPA cadmium criteria, which the commission will consider for state-wide application at a hearing in December 2019.

In addition, because existing water quality does not attain table value standards for several metals, but represents the highest attainable conditions in the absence of Nelson Tunnel remediation or restart of the Bulldog Mine, the commission adopted interim, ambient-based site-specific standards for several metals for segments 4a and 7. See Section 36.6(4)(b)–(c). The ambient-based standards will be effective from 1/1/2019 to 12/31/2021, or until Tier 1 feasibility-based standards become effective. The commission also adopted assessment locations for the ambient and tiered standards in Section 36.6(4)(b)–(c).

RGS will update the commission regarding the status of the Bulldog Mine operations and tiered standards at future commission rulemakings, including the December 2020 Temporary Modifications rulemaking. Decisions made in the current hearing are subject to future review as additional information, such as water quality data, metals treatment, or other opportunities for load reductions, becomes available. In addition, to ensure it will be possible to review and determine the need to update the ambient and tiered feasibility-based site-specific standards, continued data collection at the adopted assessment locations will be necessary.

L. Standards Corrections and Clarifications

1. **Duration of Nitrite Standard:** The commission corrected the duration of the nitrite standard from chronic to acute on all segments. When the commission adopted the new format for tables in 2016, all nitrite standards were incorrectly included in the “chronic” standards column.
2. **Uranium:** To improve the clarity of the regulation, the commission included references to the basin-wide uranium standards at 36.5(3) in the Appendix 36-1 tables. For the acute and chronic uranium standards for all segments, the commission included a reference to 36.5(3) to clarify that the basic standard at 36.5(3) applies to all waters in Regulation No. 36. Because these standards already applied basin-wide, there is no practical effect of this change.

3. **Mercury:** To improve the clarity of the regulation, the commission added Total Recoverable notation (T) to the mercury Aquatic Life and Water Supply standards. The standards apply to the total recoverable fraction of all forms, both organic and inorganic, of mercury in water. Multiple forms of mercury exist in the environment and these forms differ dramatically in both their potential to cause toxic effects and their availability for uptake by organisms. Certain aquatic conditions can lead to the conversion to the highly bioaccumulative, toxic, organic form (methylmercury). The mercury standards are designed to provide protection from the accumulation of those toxic forms and therefore, the standards address all forms of mercury. The addition of the Total Recoverable notation does not represent a change in current Colorado policy or procedures.

M. Correction of Typographical and Other Errors and Segmentation Clarification

The following edits were made to segment descriptions to improve clarity and correct typographical errors:

- The formatting of the tables in Appendix 36-1 was modified to include only parameters that have been adopted in a majority of segments. The tables include rows for physical and biological, inorganic and metals for all parameters which the commission commonly adopts into segments. In segments where there is no numeric standard for a commonly adopted parameter, a blank row for that parameter is included to show the commission's site-specific decision not to adopt a numeric standard for that parameter. The commission removed beryllium and aluminum from all segments where no standard has been adopted, because these parameters have only been adopted on a site-specific basis, rather than basin-wide.
- Existing site-specific temperature standards for Rio Grande segments 20a, 21b, and 23b, and Closed Basin segments 2c and 19 were reformatted in the tables to provide clarity and consistency.
- Existing site-specific metals standards for Rio Grande segments 4a and 7 and Alamosa River/La Jara Creek/Conejos River Segment 8 were reformatted in 36.6(4) to improve readability.
- Rio Grande Segment 3: The reference to Seepage Creek was removed from the segment description, as this stream is not located at the outlet of Santa Maria Reservoir, but rather on the south side of Santa Maria Pass. As a result of this change, Seepage Creek will reside in Rio Grande Segment 2.
- Rio Grande Segment 5a: The word "the" was added before "Hwy 122 bridge" to improve clarity.
- Rio Grande segments 6 and 7: Coordinates for the Park Regent Mine Dump were added.
- Rio Grande Segment 7: Commas were modified for clarity.
- Rio Grande segments 12 and 13: Coordinates for the county road crossing were added. Reference to the "Old State Bridge east of Lobatos" was removed.
- Rio Grande Segment 15: Commas and spacing were modified for clarity. The duration of the cadmium and mercury standards were corrected from chronic to acute.
- Rio Grande Segment 17: Wetlands were included in the description twice, so one was removed.

- Rio Grande Segment 18: The Fish Ingestion qualifier was removed from this segment, as it was originally added in error in a past rulemaking.
- Rio Grande segments 19 and 34: Coordinates for the Monte Vista Canal were added.
- Rio Grande Segment 20a: The dates for the site-specific temperature standards were corrected to include the month of October.
- Rio Grande Segment 20b: This segment does not have a Water Supply use, so the manganese Water Supply standard was deleted.
- Rio Grande segments 21a and 21b: Replaced the latitude line with coordinates.
- Rio Grande Segment 21b: The dates for the site-specific temperature standards were corrected to include the months of October and June.
- Rio Grande Segment 23b: The dates for the site-specific temperature standards were corrected to include the month of October.
- Rio Grande Segment 25: Commas were modified for clarity.
- Rio Grande segments 28 and 29: Replaced the segment boundary of “the outlet of Salzar Reservoir” with coordinates for a road crossing next to the reservoir. Salzar Reservoir does not appear to have an outlet to Rito Seco.
- Rio Grande Segment 31: Corrected typos to improve consistency and clarity.
- Rio Grande Segment 36: Commas were modified for clarity.
- Rio Grande Segment 38: Replaced the comma at the end of the description with a period.
- Alamosa River/La Jara Creek/Conejos River Segment 3b: Deleted the word “the” from before “Wightman Fork” to improve clarity.
- Alamosa River/La Jara Creek/Conejos River segments 4b and 5: Moved tributaries and wetlands language to improve consistency and clarity.
- Alamosa River/La Jara Creek/Conejos River segments 5 and 6: Coordinates for the township description were added.
- Alamosa River/La Jara Creek/Conejos River Segment 7: Unused standards were deleted from the table.
- Alamosa River/La Jara Creek/Conejos River Segment 11a: Rephrased to improve clarity.
- Alamosa River/La Jara Creek/Conejos River Segment 11b: Corrected typos and rephrased to improve clarity.
- Alamosa River/La Jara Creek/Conejos River segments 15 and 16: Changed “San Antonio River” to “Rio San Antonio”.
- Alamosa River/La Jara Creek/Conejos River Segment 16: Replaced the mercury standard of “TVS” with “0.01”.

- Alamosa River/La Jara Creek/Conejos River Segment 20: Commas and spacing were modified for clarity.
- Alamosa River/La Jara Creek/Conejos River Segment 21: Added Segment 20 as an exception to this segment. The duration of the cadmium and mercury standards were corrected from chronic to acute.
- Closed Basin – San Luis Valley River Basin Segment 4: Corrected a typo and added a comma for clarity.
- Closed Basin – San Luis Valley River Basin Segment 8: Added a comma and clarified the segment description.
- Closed Basin – San Luis Valley River Basin Segment 9a: The duration of the mercury standard was corrected from chronic to acute. Unused standards were deleted from the table.
- Closed Basin – San Luis Valley River Basin Segment 11: Rephrased language regarding exceptions to improve consistency and clarity.
- Closed Basin – San Luis Valley River Basin Segment 12a: Added “with” before “Ford Creek”.
- Closed Basin – San Luis Valley River Basin Segment 13: Corrected a typo and clarified the segment description.
- Closed Basin – San Luis Valley River Basin Segment 18: Added a space between “16” and “17”.
- Closed Basin – San Luis Valley River Basin Segment 19: The temperature standards for this segment were corrected. CLL temperature standards were applied to replace the missing DM values. The site-specific summer MWAT of 21.2°C was inadvertently deleted during a previous rulemaking, and was replaced. In addition, the dates for the summer temperature standards were corrected from “1/1-3/31” to “4/1-12/31”.

PARTIES TO THE RULEMAKING HEARING

1. Arkansas Fountain Coalition for Urban River Evaluation
2. City of Las Animas
3. Public Service Company of Colorado
4. City of Pueblo
5. Pueblo West Metropolitan District
6. Resurrection Mining Company
7. Rio Grande Silver, Inc.
8. Cherokee Metropolitan District
9. Colorado Parks and Wildlife
10. Colorado Springs Utilities
11. Cripple Creek and Victor Gold Mining Company
12. Evraz Inc. NA
13. Northern Colorado Water Conservancy District
14. Tri-Lakes Wastewater Treatment Facility
15. U.S. Environmental Protection Agency

36.43 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 10, 2018 RULEMAKING; FINAL ACTION JANUARY 14, 2019; EFFECTIVE DATE JUNE 30, 2019

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the commission reviewed the status of temporary modifications scheduled to expire before December 31, 2020 to determine whether the temporary modifications should be modified, eliminated, or extended.

The commission took no action on temporary modifications that were set to expire on or before the effective date of this hearing. The commission deleted the following temporary modifications, which were allowed to expire:

Rio Grande segments 4a and 7 (CORGRG04a and CORGRG07, respectively) - acute and chronic ammonia

36.44 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 9, 2019 RULEMAKING; FINAL ACTION JANUARY 13, 2020; EFFECTIVE DATE JUNE 30, 2020

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the commission reviewed the status of temporary modifications scheduled to expire before December 31, 2021 to determine whether the temporary modifications should be modified, eliminated, or extended.

For the temporary modifications set to expire after the effective date of this hearing, the commission reviewed progress toward resolving the uncertainty in the underlying standard and/or the extent to which conditions are a result of natural or anthropogenic conditions, and evaluated whether the temporary modifications were still necessary.

Temporary Modifications for Arsenic

The temporary modification of the chronic arsenic standard, which applies to numerous segments with a standard of 0.02 µg/l to protect the Water + Fish use, was extended from 12/31/2021 to 12/31/2024. No changes were made to the temporary modification operative values at 36.6(2)(c). For discharges existing on or before 6/1/2013, the temporary modification remains at As(ch)=current condition and numeric effluent limits will be developed by the division using the division's implementation method (WQCD Exhibit L). For new or increased discharges that commence on or after 6/1/2013, the temporary modification remains at 0.02–3.0 µg/L (total recoverable). The extension provides time to resolve the uncertainty in the underlying standard for arsenic to protect human health. Significant uncertainty remains regarding the appropriate standard to protect the use and the extent to which ambient levels of arsenic are the result of natural or irreversible conditions. In addition, there is widespread instream non-attainment of the underlying standard and predicted or demonstrated compliance problems with permit limits based on the underlying standard, as demonstrated in the division's Prehearing Statement.

It is anticipated that the uncertainty regarding the appropriate underlying standard for arsenic to protect human health will be resolved by June 2024, with the adoption of new statewide arsenic use-based

standards. The division presented (WQCD Exhibit E) a detailed plan to resolve the multifaceted uncertainty for arsenic. The plan includes conducting a field study to investigate the proportion of inorganic (versus total) arsenic in the tissue of fish collected from Colorado waters, deriving a bioaccumulation or bioconcentration factor for arsenic, appropriate for use in Colorado, and characterizing ambient levels of arsenic in surface waters and groundwater statewide. As discussed below, the division will also be gathering, through permit requirements, targeted data from facilities benefiting from the arsenic temporary modification (WQCD Exhibit D). These data will help the division to better understand the contribution of arsenic in effluent from permitted facilities to ambient levels of arsenic in Colorado waters and will inform the extent to which ambient levels of arsenic are the result of natural or irreversible conditions.

Effluent arsenic concentration data from facilities throughout the state demonstrate that many facilities will likely have issues meeting effluent limits based on the anticipated revised arsenic water quality standard to protect human health. As a result, there is a widespread need to make progress to understand sources of arsenic and options for source control and treatment. To ensure such progress is made, when implementing the “current condition” temporary modification in permits, the division will include additional permit Terms and Conditions, which may include requirements for additional monitoring, source identification, and characterization of source control and treatment options for reducing arsenic concentrations in effluent (WQCD Exhibit D). Under the duration of the temporary modification, facilities would not be required to implement facility improvements to meet a specified effluent limit; however, facilities may be required to evaluate arsenic source control and treatment options for their facility. For purposes of evaluating options to reduce arsenic concentrations in effluent, the arsenic treatment removal recognized in the 2013 Arsenic Rulemaking (3 µg/L) can be used as a point of reference until the uncertainty in the underlying standard is resolved. Implementation guidance for these requirements was included in WQCD Exhibit D. These requirements are reasonable and would not cause undue economic burden for facilities, but will ensure that progress is being made toward future attainment of the underlying standards and protection of the classified uses. Implementation of these requirements would function to increase the amount of time facilities would have for long-term planning and encourage data collection that would facilitate implementation of the most appropriate source reduction and treatment options and selection of the most appropriate regulatory pathways once the new underlying standard is adopted for arsenic.

C. Implementation of Current Condition Temporary Modifications into Permits

Several parties to the hearing raised concerns regarding the implementation of current condition temporary modifications into permits, as described in WQCD Exhibit L. The commission was persuaded that the division has existing legal authority to proceed with implementation of these temporary modifications in the absence of a rule or policy addressing this specifically. However, the commission believes it would be beneficial to develop a policy, and therefore requested that the division work toward developing a division policy about how the division will proceed with implementing current condition temporary modifications into permits. The commission requested that the division report back to the commission next year, potentially as part of the division’s annual update to the commission regarding the 10-Year Water Quality Roadmap, regarding what the division believes is a reasonable timeline and process for developing such a policy. The commission encouraged the division to continue with its current efforts at transparency and implementation of current condition temporary modifications consistent with the evidence presented in the rulemaking, including Exhibit L, into permits prior to the development of a policy.

36.45 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 9, 2019 RULEMAKING; FINAL ACTION JANUARY 13, 2020; EFFECTIVE DATE JUNE 30, 2020

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

A. Aquatic Life Standards for Cadmium

Cadmium is a naturally-occurring element frequently found alongside other metals, and numerous treatment techniques are available to remove cadmium from wastewater. Cadmium has both acute and chronic effects on aquatic life, and can negatively impact survival, growth, reproduction, immune and endocrine systems, development, and behavior.

The commission revised the hardness-based cadmium table value standards to protect the Aquatic Life use. The updated standards incorporate toxicity data that have become available since the cadmium standards were last updated in the 2005 Regulation No. 31 rulemaking hearing. The updated standards are based on the United States Environmental Protection Agency's (EPA) "Aquatic Life Ambient Water Quality Criteria – 2016" and toxicity data that have become available since EPA's recommended criteria were released in 2016.

The updated standards include two acute equations (acute(cold) and acute(warm)) and one chronic equation. The acute(cold) and chronic equations are the same as the acute and chronic criteria recommended by EPA in 2016. The acute(cold) equation, which is lowered to protect trout, is protective of trout and other sensitive cold water species and applies in segments classified as Aquatic Life Cold Class 1 or 2. The acute(warm) equation, which is not lowered to protect trout, is protective of warm water species and applies in segments classified as Aquatic Life Warm Class 1 or 2. The chronic equation is protective of both cold and warm water aquatic life and applies in segments classified as either Aquatic Life Cold Class 1 or 2 or Aquatic Life Warm Class 1 or 2.

Compared to the previous cadmium table value standards, the updated standards are generally less stringent. The acute(cold) standard is less stringent than the previous acute(trout) standard when water hardness is greater than 45 mg/L CaCO₃. The acute(warm) equation is less stringent than the previous acute standard when water hardness is greater than 101 mg/L CaCO₃. The updated chronic equation is less stringent than the previous chronic standard at all water hardness values.

In the past, Colorado has had separate acute equations for waters with trout and waters without trout. The updated standards include separate acute equations for cold waters (both with and without trout) and warm waters. This change in approach is due to the addition of toxicity data showing that sculpin, which inhabit cold waters, are also sensitive to cadmium. To ensure protection of sculpin and other sensitive cold water aquatic life in waters where trout are absent, the acute(cold) equation applies to all cold waters. As a result, the acute trout (tr) qualifier for cadmium is no longer needed on select cold water segments and was deleted from all segments where it had applied.

During the 2018 basin review, the commission adopted EPA's 2016 recommended criteria as site-specific standards in select cold water segments. The updated table value standards for cold waters are the same as EPA's 2016 recommended criteria. Therefore, to reflect the commission's state-wide adoption of the updated table value standards, the cadmium "SSE" were replaced with "TVS" on the following segments:

Rio Grande: 4b, 5a, 6
Alamosa River/La Jara Creek/Conejos River: 3a, 3c, 20
Closed Basin – San Luis Valley River Basin: 8, 12a

B. Clarifications to Appendix 36-1

To improve the clarity and usability of the tables, an acronym list was added to the front of Appendix 36-1 and the footnote referencing Section 36.6 was also simplified.

36.46 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2020 RULEMAKING; FINAL ACTION FEBRUARY 8, 2021; EFFECTIVE DATE JUNE 30, 2021

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Rio Grande segments 4a and 7 (CORGRG04a and CORGRG07): The commission adopted a two year delay for the effective dates of the Tier 1 and Tier 2 feasibility-based standards on segments 4a and 7.

In the 2018 Rio Grande Basin rulemaking hearing, the commission adopted ambient-based site-specific standards for multiple metals on segments 4a and 7 (36.42(K)). The commission also revised the existing tiered feasibility-based standards based on improvements in water quality tied to future reopening of the Bulldog Mine. The ambient-based standards were to be effective until 12/31/2021, when the Tier 1 feasibility-based standards became effective. Tier 1 standards were to be effective for two years (2022-2023), and then Tier 2 would become effective (1/1/2024).

In the 2018 hearing, the commission directed Rio Grande Silver, Inc. (RGS) to provide an update to the commission in December 2020 regarding the status of the Bulldog Mine operations and tiered standards (36.42(K)). RGS provided an update in this hearing, and based on the water quality data and projected timing of reopening of the Bulldog Mine, proposed to delay the effective date of the tiered feasibility-based standards by two years because reopening the mine is still not economically viable. RGS also presented a longevity plan for ongoing collection of data from all assessment locations (36.6(4)(b) and (c)) to ensure the site-specific standards can be reviewed and updated as needed during future reviews. The data collection effort will be a collaboration between local non-profit groups, CDPHE, and RGS. Understanding that local non-profit groups and CDPHE may not be able to sample all sites in all years due to funding or staffing limitations, RGS has committed to contributing additional sampling effort as needed to maintain a continuous dataset.

The commission adopted this proposal based on the data, information, and longevity plan presented by RGS. The ambient-based site-specific standards adopted in 2018 will continue to apply on segments 4a and 7 until the new expiration date of 12/31/2023. The Tier 1 feasibility-based standards will become effective on 1/1/2024 and expire 12/31/2025, and the Tier 2 standards will become effective on 1/1/2026. No changes were made to the ambient or feasibility-based standards, as they continue to represent the highest attainable ambient quality and feasibility-based quality upon mine reopening, respectively.

The commission will reevaluate these standards at the 2023 Rio Grande Basin rulemaking hearing.

36.47 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JUNE 14-15, 2021 RULEMAKING; FINAL ACTION AUGUST 9, 2021; EFFECTIVE DATE DECEMBER 31, 2021

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

I. CLEANUP, CORRECTIONS, AND CLARIFICATIONS

A. Sulfate

36.6(2)(b)(ii) was edited to clarify that the sulfate standard applies to dissolved sulfate concentrations. As an ion, sulfate is found in water only in the dissolved state; therefore, either unfiltered or filtered samples may be used to determine sulfate concentrations.

B. Reformat Hardness-based Equations

The following changes were made to the hardness-based table value standard equations at 36.6(3) to improve compatibility with Excel and align with corrections made to Regulation No. 31:

- Acute and chronic aluminum, chromium III, copper, lead, manganese, nickel, silver, uranium, and zinc: the first bracket was replaced with the symbol * and the second bracket was deleted from the equation.
- Acute and chronic cadmium: extra spaces were removed.
- Acute and chronic lead: the brackets were deleted and a parenthesis was moved within the conversion factor.
- Acute silver: $\frac{1}{2}$ was replaced with 0.5* in the equation.

C. Chromium Footnote

The commission revised Footnote 6 of the Table Value Standards table to improve the clarity of the footnote, which directs the implementation of the trivalent (III) and hexavalent (VI) chromium standards when data for the individual valence states are unavailable. Chromium data are infrequently reported for chromium III and chromium VI individually. Instead, data are typically reported as the total of all valence states of chromium present in the sample. This is primarily due to the difficulty of accurately measuring chromium III concentrations and the instability of chromium when the sample is acidified for analysis of the total recoverable fraction. While chromium III and chromium VI are the valence states most often found in natural waters, chromium is unstable and can convert between forms in water and in the bodies of humans and aquatic life. However, chromium VI is more water soluble and a known carcinogen. Depending on the classified use, the chromium VI standards are the same as or more stringent than the chromium III standards (Table III). Therefore, when data for individual chromium species are unavailable, the use of the chromium VI standards to assess data reported as total chromium (i.e., the total of all valence states of chromium) will ensure protection of human health and aquatic life. In addition, Footnote 6 was modified to clarify that neither the sum of the concentrations of chromium III and chromium VI (when reported individually) nor the total chromium concentration (i.e., the total of all valence states of chromium) should exceed the Water Supply standards of 50 µg/L for chromium III and chromium VI in water bodies with a Water Supply use classification.

D. Duration of Nitrite Aquatic Life Standard

The commission corrected the duration of all nitrite standards with a value of 0.05 or 0.5 mg/L from acute to chronic on all segments. The nitrite standards in this basin pre-date the nitrite standards in Regulation No. 31 (chloride-based equations). There has been confusion in recent years regarding the correct duration for these standards. There is no record available that explains the basis for these standards or the intended duration (acute or chronic). Based upon a comparison with the nitrite standards in Regulation No. 31, nitrite values of 0.05 and 0.5 mg/L are more consistent with the chronic values calculated using the chloride-based equations. Also, the study that the commission relied upon when adopting the nitrite standards in Regulation No. 31 indicates that these values are protective as chronic standards (1986 Nitrogen Cycle Committee of the Basic Standards Review Task Force Proposed Nitrogenous Water Quality Standards for the State of Colorado). In order to resolve the inconsistencies in the duration of the nitrite standards currently adopted in Regulation Nos. 32-38, the commission determined that these nitrite values should be consistently listed as chronic standards. Over time, the commission expects that these nitrite standards may be replaced with the more recent and well-documented chloride equation-based standards in Regulation No. 31.

E. Housekeeping

The following edits were made to improve clarity, correct typographical errors, and improve consistency across the basin regulations (Regulation Nos. 32-38) and with Regulation No. 31:

- All variations of *E. coli* were edited to display a consistent format in the regulation and appendix tables.
- At 36.5(2) 'Table B' was added to the reference to organic standards at 31.11 to align with changes to Regulation No. 31.
- At 36.6(1), text was added to clarify that the tables in Appendix 36-1 only show the most stringent standards, and that additional, less stringent standards may be found in Regulation No. 31.
- The reference to the 'temporary modification and qualifiers' column at 36.6(2)(c)(i) was replaced with 'Other' to align with a previous change to the appendix tables.
- References to "Trec" were replaced with "total recoverable" or "T".
- Footnote 4 of the Table Value Standards table was modified to clarify that the "T" in the chronic ammonia equations stands for temperature.
- Information was added at 36.6(5) specifying that the ammonia, nitrate, and nitrite standards are to be reported as nitrogen. This is consistent with the description of the standards as they are included in Table II of Regulation No. 31. This change brings the regulation into alignment with Regulation Nos. 33, 37, and 38; the commission made this change in those regulations during triennial reviews in 2019 through 2020.
- Other minor edits were made to improve clarity and consistency.

36.48 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JUNE 13-14, 2022 RULEMAKING; FINAL ACTION AUGUST 8, 2022; EFFECTIVE DATE SEPTEMBER 30, 2022

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

A. Temporary Modifications

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the commission reviewed the status of all temporary modifications to determine whether the temporary modifications should be modified, eliminated, or extended.

1. Temporary Modifications for Standards Other than Arsenic

There are currently no temporary modifications for standards other than arsenic.

2. Temporary Modifications for Arsenic

To remain consistent with the commission's decisions regarding arsenic in section 36.44, all existing temporary modifications for arsenic of "As(ch)=hybrid" (expiration date of 12/31/24) were retained.

The division submitted a plan to resolve uncertainty in the 2019 Temporary Modifications rulemaking. The division plans to propose revised standards for arsenic as soon as possible following updated toxicological information from EPA's Integrated Risk Information System (IRIS) and completion of ongoing studies to better understand arsenic conditions in Colorado. Furthermore, per the conditions of the revised and extended temporary modification at 36.6(2)(c) (effective 6/30/2020 and expires 12/31/2024), and based on the widespread need to make progress to understand sources of arsenic and set forth processes for lowering arsenic in discharges, additional permit Terms and Conditions (T&Cs) are being implemented for facilities benefitting from the "current condition" temporary modification. These T&Cs may include requirements for additional monitoring, source identification, and characterization of source control and treatment options for reducing arsenic concentrations in effluent. The commission recognizes the need to resolve the uncertainty in the arsenic standards and ensure that human health is adequately protected.

B. Discharger-specific Variances (DSVs)

The commission's provisions at Regulation 31.7(4) allow adoption of a discharger-specific variance (DSV), which is a temporary standard that represents the highest feasible degree of protection of a classified use, while temporarily authorizing alternative effluent limits (AELs) for a specific pollutant and specific point source discharge where compliance with the water quality-based effluent limits (WQBELs) is not feasible. An initial AEL ensures the protection of currently attained ambient water quality from the onset of the variance, and a final AEL represents the highest attainable condition that is feasible to achieve during the term of the variance.

Alamosa River/La Jara Creek/Conejos River Segment 12 (CORCAL12): The commission adopted a DSV for Alamosa River/La Jara Creek/Conejos River Segment 12 (CORCAL12) for total inorganic nitrogen (TIN) that represents the highest degree of protection of the classified use that is economically feasible for the Town of La Jara (CO0020150). The initial AEL shall not be more restrictive than 23 mg/L and the final AEL shall not be more restrictive than 14.5 mg/L prior to the expiration of the DSV on 12/31/2025. The commission ensures that the discharge will not contribute to any lowering of the currently attained ambient water quality by adopting an initial AEL that, at a minimum, represents the level currently achieved, as stated by its rule at 31.7(4)(b)(i)(C). This DSV also includes a Pollutant Minimization Program (PMP) that is described in the division's Rebuttal Revised Exhibit H (pages 23-24). There is currently significant seasonal variability in influent flows to the wastewater treatment plant that is believed to be due to groundwater inflow to the Town of La Jara's collection system. In addition, the Town of La Jara's wastewater treatment facility has sludge accumulation that is affecting its organics (TSS and BOD₅) removal. During the term of this variance, the Town of La Jara will take steps to reduce groundwater inflow, which will reduce influent volume. The planned collection system lining and treatment facility rehabilitation actions will help provide the necessary conditions to achieve basic secondary standards and potentially reduce TIN concentrations in the discharge. These actions will also help establish a path forward to implementing additional TIN removal technologies in the future, if necessary.

A comprehensive alternatives analysis (division Rebuttal Revised Exhibit H Appendix H-4) demonstrated that there are currently no economically feasible alternatives that would allow the Town of La Jara to meet its TIN WQBELs and compliance with these WQBELs would cause substantial and widespread adverse social and economic impacts to the community. The Town of La Jara is identified as a disadvantaged community by the Department of Local Affairs (DOLA). Due to the limited number of ratepayers, the community's low median household income, high unemployment rate, and declining population, it is not feasible for the Town of La Jara to make the capital investment that would be required to meet the TIN WQBELs at this time. Based on the information in the division's Rebuttal Revised Exhibit H Appendix H-1, the commission determined that any alternative that would result in user fees exceeding 1.7% of median household income for the Town of La Jara's residents was economically infeasible at this time.

The commission adopted a DSV with an initial AEL to protect the ambient water quality in the receiving stream and a final AEL that is based upon the expected TIN effluent quality that will be achieved through feasible improvements to the lagoon. Because there is uncertainty in the final effluent quality that will be achieved, the Town of La Jara will collect additional data to characterize the effectiveness of the improvements, which the commission will review upon reevaluation of the DSV. The commission expects that the Town of La Jara will submit annual reports to the division describing the progress made on PMP implementation in November of each year until the end of the DSV. If, at the end of the DSV, it remains infeasible for the Town of La Jara to achieve TIN WQBELs, a subsequent DSV may be appropriate.

In addition, the acronym "AEL" was defined at 36.6(2)(a).

36.49 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; APRIL 10, 2023 RULEMAKING; FINAL ACTION APRIL 12, 2023; EFFECTIVE DATE JUNE 14, 2023

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

- A. Revision of Total Nitrogen and Total Phosphorus Table Value Standards for Lakes and Reservoirs at 31.17**

In March 2012, the commission adopted interim numerical nutrient table value standards for chlorophyll *a* to protect the Aquatic Life, Recreation, and Direct Use Water Supply (DUWS) uses and table value standards for total nitrogen and total phosphorus to protect the Aquatic Life and Recreation uses (31.50) in lakes, reservoirs, rivers, and streams. In its July 2016 action letter for the March 2012 rulemaking hearing, EPA approved with recommendations the numeric values for total nitrogen and total phosphorus for lakes and reservoirs. For Warm lakes, EPA recommended that the commission should apply the total nitrogen and total phosphorus table value standards only where a site-specific analysis demonstrated that uses would be protected. For Warm and Cold lakes, EPA recommended evaluation of options for developing more protective table value standards, to ensure that numeric standards for total nitrogen and total phosphorus could be assigned to individual segments with confidence that uses would be protected. EPA also suggested a classification analysis for lakes and reservoirs to account for the variability between lakes (e.g., Cold and Warm lakes), evaluating confounding factors in the stressor-response relationship between nutrients and chlorophyll *a*, and evaluating whether the standards are protective of lakes with a high chlorophyll *a* yield per unit of nutrient.

In this hearing, the commission adopted revised total nitrogen and total phosphorus table value standards for lakes and reservoirs to address EPA's 2016 recommendations and ensure protective table value standards are available for protection of lakes and reservoirs with Aquatic Life and/or Recreation uses (31.17 Table V). The numeric nutrient standards for total nitrogen and total phosphorus represent growing season (July through September) average concentrations with an allowable exceedance frequency of once in five years, and apply to lakes and reservoirs greater than 25 acres in size and with a residence time of at least 14 days. The commission adopted these standards into Regulation No. 31 and the basin regulations (Regulation Nos. 32-38) in this rulemaking; additional details about the revised total nitrogen and total phosphorus standards for lakes and reservoirs are included in 31.60.

B. Implementation of Nutrients Table Value Standards

The commission revised 36.5(4) to reflect the current status of the phased implementation framework for nutrients standards and remove information regarding implementation that concluded December 31, 2022. These revisions included removing language regarding phased implementation of chlorophyll *a* standards for lakes, reservoirs, rivers, and streams, as these standards now apply to all waterbodies with Aquatic Life, Recreation, and/or DUWS uses in Colorado. The information regarding the specific circumstances where nitrogen and phosphorus standards will apply before December 31, 2027 was clarified and includes additional references to 31.17. Also, to be consistent with past practice and the commission's intent in 31.55, the word "headwaters" was replaced with "waterbodies upstream of certain domestic and non-domestic wastewater treatment facilities". Finally, references to new Tables V (nutrients standards for lakes and reservoirs) and VI (nutrients standards for rivers and streams) in 31.17 were also added.

The commission revised the Table Value Standards table in 36.6(3) to include chlorophyll *a*, total nitrogen, and total phosphorus. Instead of replicating the numerical values for these table value standards, the table references 31.17, as 31.17 contains the numeric standards (in Tables V and VI), implementation information, and additional details regarding the phased implementation framework. As part of this change, the commission revised Footnote 1 to specify that the nitrogen and phosphorus standards are based upon the total concentration; this information was previously contained in 36.6(5)(b), which was deleted. Additionally, the commission adopted a new Footnote 6 that clarifies that, with the exception of the chlorophyll *a* standard to protect the DUWS sub-classification, the chlorophyll *a*, total nitrogen, and total phosphorus standards apply only to lakes and reservoirs larger than 25 acres surface area. The chlorophyll *a* standard to protect DUWS lakes and reservoirs applies to lakes and reservoirs of all sizes. This information was previously included in the segment tables in Appendix 36-1, but was moved to Footnote 6 for clarity.

1. Nitrogen and Phosphorus Standards for Lakes, Reservoirs, Rivers, and Streams

a. Lakes and Reservoirs

Adoption of total phosphorus standards was previously limited to specific segments or portions of segments, as outlined in 31.50(IV)(A) (i.e., waterbodies above certain discharge facilities and site-specific situations where numeric standards were needed to protect uses). Prior to this rulemaking hearing, total nitrogen standards had not been adopted on any waterbodies. In this rulemaking hearing, the commission adopted total nitrogen standards on the same set of waterbodies (i.e., waterbodies above certain discharge facilities). Consistent with 31.17, the total phosphorus and total nitrogen standards apply only to lakes and reservoirs greater than 25 acres.

The phased implementation strategy developed in 2012 (31.50(IV)(A)) and revised in 2017 (31.55) also included plans for adoption of total nitrogen and total phosphorus standards on other high priority waters, including DUWS reservoirs and lakes and reservoirs with public swim beaches (defined as waterbodies with a natural swimming area per C.R.S § 25-5-801, including having a fee-based cordoned off swim area) in this rulemaking hearing. The commission previously considered the adoption of the DUWS sub-classification and notation in the Appendix 36-1 tables in previous rulemaking hearings and did not identify any DUWS. Public swim beaches were identified in the current rulemaking (see division rebuttal revised Exhibit S), but none were identified in this regulation. Additionally, the commission did not adopt total nitrogen and total phosphorus standards for these categories of waterbodies at this time, and decided to delay adoption of standards for these waterbodies until 2027 (see 31.60(III)(D)(2) and (3)).

b. Rivers and Streams

In rivers and streams, the commission did not adopt total phosphorus standards on any additional river or stream waterbodies or total nitrogen table value standards on any waterbodies, consistent with the phased implementation timeline outlined in 31.17 and 36.5(4).

c. Formatting of Nitrogen and Phosphorus Standards in Appendix 36-1

The commission changed how previously-adopted total phosphorus table value standards were presented in the segment tables in Appendix 36-1. Specifically, the table value standards were previously shown as numeric values; these were replaced with "TVS". Similarly, any total nitrogen or total phosphorus standards adopted in this rulemaking hearing were adopted into the Appendix 36-1 tables as "TVS". This approach allows the regulation to point directly to 31.17, which has a complete record of information regarding these table value standards.

2. Chlorophyll a Standards for Lakes, Reservoirs, Rivers, and Streams

The commission made no changes to the chlorophyll a table value standards to protect Aquatic Life, Recreation, and/or DUWS uses in lakes, reservoirs, rivers, or streams. In addition, the commission made no changes to existing site-specific chlorophyll a standards.

Adoption of chlorophyll a standards on individual waterbodies was previously limited to specific segments or portions of segments, as outlined in 31.50(IV)(A) (i.e., waterbodies above certain discharge facilities and site-specific situations where numeric standards were needed to protect uses). However, consistent with the phased implementation strategy developed in 2012 (31.50(IV)(A)) and 2017 (31.55), the commission expanded the adoption of chlorophyll a standards to all segments with Aquatic Life, Recreation, and/or DUWS uses.

Specifically, in this rulemaking hearing, the commission adopted the chlorophyll *a* table value standard of 8 µg/L for all cold water lakes or reservoirs (larger than 25 acres) with Aquatic Life or Recreation E, U, or P uses; 20 µg/L for all warm water lakes or reservoirs (larger than 25 acres) with Aquatic Life or Recreation E, U, or P uses; and 150 mg/m² for all cold or warm water streams with a Recreation E, U, or P use. In the segment tables in Appendix 36-1, these table value standards were adopted as “TVS” and any previously-adopted table value standards shown as numeric values were changed to “TVS”. This approach allows the regulation to point directly to 31.17, which has a complete record of information regarding these table value standards.

In addition, the commission adopted the table value standard of 5 µg/L for all lakes or reservoirs (of any size) with DUWS; however, there are no DUWS waterbodies in Regulation No. 36. Consistent with the approach used in 2012, the chlorophyll *a* table value standards for Aquatic Life and/or Recreation are only applied in lakes and reservoirs that have a residence time of at least 14 days. The phased implementation of the chlorophyll *a* standards adoption is now complete.

36.50 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; OCTOBER 10, 2023 RULEMAKING; FINAL ACTION OCTOBER 10, 2023; EFFECTIVE DATE DECEMBER 31, 2023

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE:

A. Site-specific Standards

Rio Grande segments 4a and 7 (CORGRG04a and CORGRG07): The commission continued the application of the current ambient quality-based site-specific standards (which are based on irreversibility) through December 31, 2028; delayed the effective dates of the Tier 1 and Tier 2 feasibility-based site-specific standards by five years; and replaced two Tier 1 feasibility-based site-specific standards on Segment 4a with the table value standards (TVS). The site-specific standards, assessment locations, and effective dates are included in Section 36.6(4)(b)-(c).

BACKGROUND

In the 2013 Temporary Modifications Hearing, the commission adopted the proposal of Rio Grande Silver, Inc. (RGS) to add two tiers of feasibility-based site-specific standards to segments 4a and 7 based on the feasibility of reversing historical sources of metals. See Section 36.35. These tiered feasibility-based site-specific standards would have delayed-effective dates and were based on improvements in water quality tied to future reopening of the Bulldog Mine. The Tier 1 standards represented predicted improvements in water quality in the Rio Grande and Willow Creek mainstem due to discharge of treated water from the Bulldog Mine during dewatering of the lower mine pool, and once effective the Tier 1 standards would be in place for two years. The Tier 2 standards reflected further water quality improvements predicted by a 90% reduction in flow and metals load from the Nelson Tunnel, after RGS had drawn down water levels in the Bulldog Mine to support operations, and would be pumping at a lower rate.

In the 2018 Rio Grande Basin Hearing, the commission replaced temporary modifications for multiple metals on segments 4a and 7 with interim ambient-quality based site-specific standards (based on irreversibility), which were to apply until the effective dates of the feasibility-based site-specific standards. See Section 36.42(K). Existing water quality did not attain TVS for several metals, but represented the highest attainable condition for the near future because no improvement is feasible in the absence of Nelson Tunnel remediation or the potential restart of the Bulldog Mine. Therefore, interim ambient-quality based site-specific standards were calculated using water quality data from 2012-2017. The commission also updated the Tier 1 and Tier 2 feasibility-based site-specific standards that are based on improvements in water quality contingent on the reopening of the Bulldog Mine, dewatering of the lower mine workings, and construction of a water treatment plant to treat this water.

REVISIONS TO SITE-SPECIFIC STANDARDS

In this 2023 Hearing, the commission adopted the proposal of RGS to: a) replace the Segment 4a Tier 1 feasibility-based site-specific standards for low flow chronic cadmium and low flow chronic manganese with the underlying TVS; b) delay the effective dates of the tiered feasibility-based site-specific standards by five years; and c) extend the effective dates of the interim ambient-quality based site-specific standards by five years:

- a) **Changes to Segment 4a Tier 1 feasibility-based site-specific standards:** Based on a review of recent water quality data, treatment feasibility investigations, modeling assumptions, and the commission's 2019 changes to the cadmium table value standards (Section 36.45), which result in slightly less stringent chronic cadmium standard at the water hardness in Segment 4a, water quality during Tier 1 is now anticipated to result in attainment of the numeric TVS applicable to

Segment 4a for chronic cadmium and chronic manganese during low flow conditions. The commission replaced the Segment 4a Tier 1 low flow chronic cadmium feasibility-based site-specific standard with the TVS, which the commission revised statewide in 2019 based on updated scientific information about the protection of aquatic life. See Regulation 31, Section 31.57. The commission replaced the Segment 4a Tier 1 low flow chronic manganese feasibility-based site-specific standard with the Water Supply (WS) standard based on the treatability study demonstrating this standard was feasible to meet. No other changes were made to the tiered feasibility-based site-specific standards.

- b) **Delay of feasibility-based site-specific standards on segments 4a and 7:** Delaying the effective dates of the remaining Tier 1 and Tier 2 feasibility-based site-specific standards is appropriate because the underlying assumptions of these standards (i.e., dewatering of the lower mine workings, construction of a mine water treatment plant, and reopening of the Bulldog Mine) will not occur for several more years. RGS is actively exploring the potential for reopening of the Bulldog Mine, and additional time is needed to continue exploring the viability of the resource (including dewatering of the upper mine pool). The commission delayed the effective dates of the tiered standards by five years: the remaining Tier 1 feasibility-based site-specific standards will be effective from January 1, 2029, to December 31, 2030, and the Tier 2 feasibility-based site-specific standards will be effective starting January 1, 2031.

- c) **Extension of ambient quality-based site-specific standards on segments 4a and 7:** Continuing the application of the interim ambient-quality based site-specific standards is appropriate. As previously described, existing water quality conditions are irreversible in the absence of Nelson Tunnel remediation or the potential restart of the Bulldog Mine. In addition, RGS compiled all recent water quality data collected from the assessment locations for segments 4a and 7 (See Section 36.6(4)(b)-(c)) and confirmed that existing water quality still does not attain TVS for several metals. Water quality data collected from 2018-2023 show that metals concentrations continue to vary seasonally and annually, and are comparable to concentrations observed in the 2012-2017 dataset used to calculate the standards. This is expected, as no activities impacting water quality have occurred in the watershed since the standards were adopted in 2018. In addition, the 2018-2023 dataset is less robust than the 2012-2017 dataset due to inconsistencies and changes in water quality sampling and flow monitoring; RGS's longevity plan outlines its strategy for ensuring a robust dataset will be available for the commission's next review of these site-specific standards. Therefore, no changes were made to the interim ambient-quality based site-specific standards at this time. The commission determined that the interim ambient-quality based site-specific standards continue to be justified unless and until RGS progresses with dewatering of the lower mine workings, construction of a water treatment plant, and reopening of the Bulldog Mine, or until the Nelson Tunnel is remediated. The commission extended the application of the interim ambient quality-based site-specific standards by five years, through December 31, 2028. The commission also revised Section 36.6(4)(b)-(c) to include alternative site names for the assessment locations used to implement the site-specific standards.

RGS' proposal was supported by a longevity plan, updated treatability review, manganese treatability study, and data collected from assessment locations by the division, RGS, and local non-profit organizations.

The commission will reevaluate the basis of and information used to develop these standards in or before 2028, before the Tier 1 feasibility-based site-specific standards go into effect January 1, 2029. The commission will not reevaluate these standards during the June 2024 Regulation No. 36 rulemaking hearing.

B. Temporary Modifications

In April 2013 (36.33) and subsequent rulemaking hearings (36.39 and 36.42), the commission has adopted and extended temporary modifications for arsenic of "As(ch)=hybrid" (expiration date of 12/31/24) on many segments with the 0.02 µg/L Water + Fish numeric arsenic standard. The arsenic temporary modification recognizes existing and predicted compliance issues, instream nonattainment, and the uncertainty regarding the water quality standard necessary to protect current and/or future uses and the extent to which ambient concentrations of arsenic are natural or irreversible (31.7(3)). The division submitted a plan to resolve uncertainty in the 2019 Temporary Modifications rulemaking (36.44).

The division plans to propose revised standards for arsenic as soon as possible following updated toxicological information from EPA's Integrated Risk Information System (IRIS) and completion of ongoing studies to better understand arsenic conditions in Colorado. Furthermore, per the conditions of the revised and extended temporary modification at 36.6(2)(c) (effective 6/30/2020 and expires 12/31/2024), and based on the widespread need to make progress to understand sources of arsenic and set forth processes for lowering arsenic in discharges, additional permit Terms and Conditions (T&Cs) are being implemented for facilities benefitting from the "current condition" temporary modification. These T&Cs may include requirements for additional monitoring, source identification, and characterization of source control and treatment options for reducing arsenic concentrations in effluent. The commission recognizes the need to resolve the uncertainty in the arsenic standards and ensure that human health is adequately protected.

The commission identified segments where an arsenic temporary modification had previously been inadvertently omitted. The commission adopted arsenic temporary modifications on the following segments:

Alamosa River/La Jara Creek/Conejos River: 12 (CORGAL12)
Closed Basin-San Luis Valley River Basin: 13 (CORGCB13)

To remain consistent with the commission's decisions regarding arsenic in section 36.33, all existing temporary modifications for arsenic of "As(ch)=hybrid" (expiration date of 12/31/24), with the exception of those listed below, were retained.

Where evidence indicated the requirements to qualify for a temporary modification were not met, temporary modifications were deleted. The commission deleted chronic arsenic temporary modifications (expiring 12/31/2024) on several segments due to a lack of evidence of a demonstrated or predicted water quality-based effluent limit compliance problem for these segments. These segments have all been designated as Outstanding Waters, have no CDPS permitted dischargers with WQBELs for arsenic, and are without dischargers on upstream segments who may receive WQBELs based on protection of downstream uses. Temporary modifications for arsenic were deleted from the following segments:

Rio Grande: 1 (CORGRG01)

36.51 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JUNE 11, 2024 RULEMAKING; FINAL ACTION AUGUST 21, 2024; EFFECTIVE DATE DECEMBER 31, 2024

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

A. Temporary Modifications

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the commission conducted its biennial review of the status of all temporary modifications to determine whether the temporary modifications should be modified, eliminated, or extended.

1. Temporary Modifications for Standards Other than Arsenic

There are currently no temporary modifications for standards other than arsenic.

2. Temporary Modifications for Arsenic

The Water Quality Control Division (division) provided an update to the commission on progress being made in implementing its plan to resolve uncertainty for the chronic arsenic temporary modification. This temporary modification applies to segments with an arsenic standard of 0.02 µg/L (to protect the Water + Fish use) and dischargers with demonstrated or predicted water quality-based effluent limit (WQBEL) compliance problems. The temporary modification was first adopted in 2011 (38.79), adopted more broadly throughout the state in 2013 (36.33), and extended in 2019 (36.44) to expire 12/31/2024.

Based on evidence that met the 31.7(3) requirements to support extension of temporary modifications, the commission extended the temporary modification by five years, to expire 12/31/2029. No changes were made to the temporary modification operative values at 36.6(2)(c). Therefore, for discharges existing on or before 6/1/2013, the temporary modification remains at As(ch)=current condition and numeric effluent limits will be implemented by the division using the division's Clean Water Policy 13, *Permit Implementation Method for Narrative (Current Condition) Temporary Modifications*. For new or increased discharges that commence(d) on or after 6/1/2013, the temporary modification remains at 0.02-3.0 µg/L (total recoverable).

To support this extension, the division demonstrated continued instream non-attainment of the underlying standard and demonstrated or predicted WQBEL compliance problems with permit limits based on the underlying standard. The division also demonstrated the need for additional time to resolve the remaining uncertainty regarding the appropriate arsenic standard to protect the use and the extent to which existing quality is the result of natural or irreversible human-induced conditions.

The division provided a revised, multifaceted plan to resolve uncertainty (division Prehearing Statement Exhibit F-5) that included details regarding ongoing investigations and information needed to resolve the uncertainty and derive a revised standard by 12/31/2029. The plan includes: evaluating results from the division's 2020-2023 field study to investigate the proportion of inorganic (versus total) arsenic in the tissue of fish collected from Colorado waters; deriving a Colorado-relevant bioaccumulation or bioconcentration factor for arsenic; characterizing ambient levels of arsenic statewide; gathering facility data for permittees discharging to temporary modification segments and collection of additional arsenic effluent data to better understand the extent of arsenic compliance issues throughout the state; conducting outreach regarding progress on standards revisions; and awaiting the finalization of EPA's Integrated Risk Information System (IRIS) toxicological assessment for arsenic.

Consistent with the requirements of 31.7(3), the division will also provide annual updates on progress related to the temporary modification and the commission will review this progress as part of the biennial reviews of the temporary modification and include efforts from other states. Additionally, the division will pursue avenues of outreach to engage relevant stakeholders, including, but not limited to, the division's Water Quality Roadmap Workgroup quarterly meetings, Feasibility and Implementation subgroup meetings, Technical Advisory Committee meetings, permit webinars, or other relevant stakeholder meetings as needed. In addition, the division will consult with the department's Toxicology and Environmental Epidemiology Office to ensure consideration of impacts to human health statewide is thoroughly evaluated. Additionally, input from potentially impacted Coloradans is essential, especially when considering the disproportionate impacts in some communities from arsenic along with other environmental stressors.

The division will continue implementing permit requirements to gather targeted data from facilities benefiting from the arsenic temporary modification. Effluent arsenic concentration data from facilities throughout the state demonstrate that many facilities will likely have issues meeting effluent limits based on the anticipated revised arsenic water quality standard to protect human health. As a result, there continues to be a widespread need to make progress in understanding sources of arsenic and options for source control and treatment. To ensure such progress is made, when implementing the "current condition" temporary modification in permits, the division will continue to include additional permit Terms and Conditions (T&Cs; division Consolidated Proposal Exhibit F-6 (FINAL)), which may include requirements for additional monitoring, source identification, characterization of source control and treatment options for reducing arsenic concentrations in effluent, and implementation of reasonably achievable effluent quality improvements to control sources of arsenic or reduce arsenic effluent concentrations. Although not required per 36.6(2)(c), new or expanding dischargers are also encouraged to implement the T&Cs.

In 2013, a value of 3 µg/L was identified by the commission as a “reasonable technologically achievable value for arsenic” that could be used as a point of reference until the uncertainty in the underlying standard is resolved. This value is also used as the temporary modification operative value for new or expanding facilities and as a value to categorize facilities for implementation of permit T&Cs. However, it is important to note that arsenic treatment feasibility can vary from facility to facility and is a topic that requires further investigation by the division, dischargers, and stakeholders. In addition, the future revised arsenic standard is anticipated to be at least as stringent as the current standard of 0.02 µg/L. Therefore, when evaluating arsenic treatment options, facilities are encouraged to investigate options that will reduce arsenic as low as possible and not assume 3 µg/L is the limit of technology in all cases. The commission recognizes that various factors, such as influent concentration, financial capacity, and influent competing ions, affect the effluent quality that is feasible for individual facilities to achieve.

The commission recognizes that, while arsenic occurs naturally in soil, sediment, and groundwater, there are also man-made sources of arsenic and anthropogenic activities can increase concentrations in the environment. Additionally, arsenic conditions may vary from watershed to watershed, and the relative contributions of point and nonpoint sources may be an area of further study to determine if conditions can be improved by means other than treatment, including source identification and controls. An additional practical consideration is the challenge related to laboratory analysis of arsenic at very low concentrations; specifically, sufficiently sensitive analytical methods to detect arsenic at very low levels such as 0.02 µg/L are not currently available. Thus, the certainty we have when identifying sources of arsenic is limited by the sensitivity of current analytical methods and arsenic may be not detected in water even though the standard has been exceeded. The division will routinely evaluate whether any advances in analytical capabilities have been made, and will provide updates to the commission as information becomes available.

Since 2020, T&Cs have been implemented in some permits that were reissued or modified. To ensure progress continues, when permits that already have the T&Cs are next reissued or modified, additional T&Cs may be added, such as implementation of reasonably achievable effluent quality improvements to control sources of arsenic or reduce arsenic effluent concentrations. Ultimately, the additional T&Cs will benefit facilities by requiring initial steps towards arsenic reduction during the temporary modification. By beginning preliminary investigations while the temporary modification is in place, facilities will have more time to plan for future permit limits, data to inform selection of source reduction and/or treatment options, evidence to identify appropriate future regulatory pathways, and data to assist the division and facilities in resolving the uncertainty for arsenic per 31.7(3)(a)(iii)(B). The additional T&Cs are consistent with the commission’s rule at 31.9(4)(a)(iii), are reasonable, and will not cause undue economic burden for facilities. These requirements will ensure that progress is being made toward future attainment of the underlying standards and protection of the classified uses.

Arsenic is a known human carcinogen (e.g., of the bladder, lung, skin, liver, and colon) that is present at levels of concern in many Colorado waterbodies that are classified as water supplies. Despite the human health risks posed by arsenic, the commission has adopted arsenic temporary modifications since 2011 (38.79) to allow for feasible discharge permit requirements while the uncertainty regarding the standard necessary to protect the Water + Fish use and the extent to which arsenic levels are irreversible is resolved.

However, the commission's intent is for temporary modifications to be temporary; in 2021, the commission adopted rule changes at 31.7(3) and 31.9 to "better ensure that temporary modifications are adopted only when necessary and eliminated in a timely manner" (31.59(VII)). For example, the changes require a detailed, site-specific approach expected to result in sufficient information to resolve each type of uncertainty within the term of the temporary modification. Accordingly, the commission's intent is that the division and dischargers prepare for implementation of WQBELs following expiration of the temporary modifications on 12/31/2029. It is important for facilities to determine the degree to which effluent quality can be improved and on what timeline the improvements can be achieved.

The commission is determined that Colorado's temporary modification program will be a tool that encourages and facilitates progress, and not an impediment to achieving water quality improvements. Successful and timely implementation of all components of the Clean Water program is required by state and federal laws, and is necessary to assure continued EPA approval of Colorado temporary modifications.

B. Discharger-specific Variances (DSVs)

The commission reviewed the basis, available information, and progress toward achieving the alternative effluent limits (AELs) and implementing Pollutant Minimization Program (PMP) for the discharger-specific variance (DSV) in Regulation No. 36.

The commission also adopted non-substantive revisions to the format of this DSV in Section 36.6(6) to provide clarity.

Alamosa River/La Jara Creek/Conejos River Segment 12 (COR GAL 12): There is currently a DSV for acute nitrate, which is implemented as acute total inorganic nitrogen (TIN), and applies to the Town of La Jara (CO0020150; DSV expires 12/31/2025). See section 36.48(B). The commission reviewed La Jara's progress toward achieving the AELs, La Jara's most recent economic feasibility data, and alternatives analysis from 2022. The commission determined that the AELs continue to represent the highest attainable water quality that is feasible for La Jara to achieve. Therefore, the commission determined that the DSV is still appropriate and does not require revision at this time.

La Jara will continue to implement its DSV and revised pollutant minimization program (PMP) (division 2024 Prehearing Statement Exhibit H-4). The revised PMP includes improvements to the collection system, conducting an alternative analysis for TIN treatment, and monitoring treatment progress through regular progress reports. The commission will next review and reevaluate the DSV prior to its expiration on December 31, 2025. The commission expects that La Jara will submit annual reports to the division describing the progress made on DSV implementation until the end of the DSV and engage with the division and interested stakeholders in the years leading up to the expiration of the DSV regarding whether compliance with WQBELs (calculated from the underlying standards) are feasible for the city, or if the city plans to propose a subsequent DSV.

C. Site-specific Standards

Site-specific criteria-based standards are adopted where alternate criteria are shown to be protective of the classified uses. Site-specific ambient-based standards are adopted where natural or irreversible human-induced conditions result in pollutant concentrations that exceed table value standards. Feasibility-based ambient standards are adopted where water quality can be improved, but not to the level required by the current numeric standard. Information is currently being gathered to better understand the basis of all existing site-specific standards and determine what information is needed to review each standard in future basin reviews. The commission made no revisions to any site-specific standards at this time.

D. Classified Uses and Standards to Protect the Classified Uses

The commission reviewed the Aquatic Life, Recreation, Water Supply, and/or Agriculture use classifications and standards applied to each segment to determine if the appropriate use classification(s) and full suite of standards necessary to protect each use applies. The commission did not adopt any changes at this time.

E. Other Standards to Protect Aquatic Life and Recreation Uses

As part of the triennial review process, the commission must decide whether to adopt EPA's Clean Water Act 304(a) criteria recommendations (division Prehearing Statement Exhibit A). The commission declined to adopt EPA's revised 304(a) Aquatic Life criteria for selenium, ammonia, and aluminum at this time; however, the division is committed to evaluating these new criteria. Studies are currently underway for each parameter to improve understanding of these criteria in the context of water quality conditions in Colorado and how these criteria may be adopted and implemented in Colorado in the future.

EPA has also released updated criteria or guidance for several other parameters, including copper (Aquatic Life), *E. coli* (Recreation), cyanotoxins (Recreation), and the human health risk exposure assumptions. However, the division does not recommend adopting EPA's recommendations for these parameters at this time, as these items are not included on the division's 10-year water quality roadmap.

F. Clarifications and Correction of Segmentation, Typographical, and Other Errors

The following edits were made to the regulation and Appendix 36-1 to improve clarity and correct typographical errors:

- The segment descriptions in Appendix 36-1 were reviewed and minor revisions were made to several segments to correct grammar, punctuation, and typos, improve sentence structure, and add details to increase accuracy of the description.

Rio Grande: 4b, 15, 18, 20b, 21a, 21b, 30, 31, 35
Alamosa River/La Jara Creek/Conejos River: 2, 9, 10, 21
Closed Basin – San Luis Valley River Basin: 2b, 11

- The segment description of Rio Grande Segment 16 (CORGRG16) was revised to remove the statement “excluding the specific listing in segment 12”. This exclusion is unnecessary, as CORGRG16 contains tributaries to the Rio Grande, while CORGRG12 contains a portion of the mainstem of the Rio Grande.

- To be consistent with other segment descriptions, wetlands were added to the descriptions of the following segments:

Rio Grande: 7
Alamosa River/La Jara Creek/Conejos River: 2, 21
Closed Basin – San Luis Valley River Basin: 2b, 11

- Existing site-specific temperature standards were reformatted in the Appendix 36-1 tables to provide clarity and consistency for the following segments:

Rio Grande: 21b
Closed Basin – San Luis Valley River Basin: 12b, 19

- The aluminum standards for CORGAL03a, CORGAL03b, CORGAL03c, CORGAL03d, and CORGAL08 were clarified to show they are total recoverable “Aluminum(T)”. These aluminum standards are site-specific standards and are based on the total recoverable fraction.

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL COMMISSION**

5 CCR 1002-36

**REGULATION NO. 36
CLASSIFICATIONS AND NUMERIC STANDARDS
FOR
RIO GRANDE BASIN**

**APPENDIX 36-1
Stream Classifications and Water Quality Standards Tables**

Effective 12/31/2024

Abbreviations and Acronyms

Aq	=	Aquatic
°C	=	degrees Celsius
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
D.O.	=	dissolved oxygen
DM	=	daily maximum temperature
DUWS	=	direct use water supply
E. coli	=	<i>Escherichia coli</i>
EQ	=	existing quality
mg/L	=	milligrams per liter
mg/m ²	=	milligrams per square meter
mL	=	milliliter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
SSE	=	site-specific equation
T	=	total recoverable
t	=	total
tr	=	trout
TVS	=	table value standard
µg/L	=	micrograms per liter
UP	=	use-protected
WS	=	water supply
WS-I	=	warm stream temperature tier one
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three
WL	=	warm lake temperature tier

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

1. All tributaries to the Rio Grande, including all wetlands, within the Weminuche Wilderness Area.							
CORGRG01	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
<div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div> <div>*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div>		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS*	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS
		2. Mainstem of the Rio Grande, including all tributaries and wetlands, from the source to a point immediately above the confluence with Willow Creek, excluding the listings in segments 1 and 3.					
CORGRG02	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
<div>Temporary Modification(s):</div> <div>Arsenic(chronic) = hybrid</div> <div>Expiration Date of 12/31/2029</div> <div>*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div>		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS*	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

3. Mainstem of North Clear Creek from the outlet of Continental Reservoir to a point immediately above the confluence with Rito Hondo Creek.							
CORGRG03	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	7.6
Qualifiers:		D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Fish Ingestion Standards Apply		D.O. (spawning)	---	7.0	Chromium III	TVS	TVS
Other:		pH	6.5 - 9.0	---	Chromium III(T)	---	100
		chlorophyll a (mg/m²)	---	TVS	Chromium VI	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Copper	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.					Iron(T)	---	1000
		Inorganic (mg/L)			Lead	TVS	TVS
			acute	chronic	Manganese	TVS	TVS
		Ammonia	TVS	TVS	Mercury(T)	---	0.01
		Boron	---	0.75	Molybdenum(T)	---	150
		Chloride	---	---	Nickel	TVS	TVS
		Chlorine	0.019	0.011	Selenium	TVS	TVS
		Cyanide	0.005	---	Silver	TVS	TVS(tr)
		Nitrate	100	---	Uranium	varies*	varies*
		Nitrite	---	0.05	Zinc	TVS	TVS
		Phosphorus	---	TVS			
		Sulfate	---	---			
		Sulfide	---	0.002			

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

*Uranium(acute) = See 36.5(3) for details.
*Uranium(chronic) = See 36.5(3) for details.

4a. Mainstem of the Rio Grande from a point immediately above the confluence with Willow Creek to a point immediately above the confluence with the South Fork Rio Grande.							
CORGRG04A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	varies*
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Cadmium(chronic) = See 36.6(4) for site-specific standards and assessment locations.		Inorganic (mg/L)			Iron	---	WS
*Uranium(acute) = See 36.5(3) for details.			acute	chronic	Iron(T)	---	1000
*Uranium(chronic) = See 36.5(3) for details.		Ammonia	TVS	TVS	Lead	TVS	TVS
*Zinc(acute) = See 36.6(4) for site-specific standards and assessment locations.		Boron	---	0.75	Lead(T)	50	---
*Zinc(chronic) = See 36.6(4) for site-specific standards and assessment locations.		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	---	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	varies*	varies*

4a. Mainstem of the Rio Grande from a point immediately above the confluence with Willow Creek to a point immediately above the confluence with the South Fork Rio Grande.									
CORGRG04A		Classifications			Physical and Biological		Metals (ug/L)		
Designation	Agriculture		DM	MWAT				acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic		340	---	
	Recreation E		acute	chronic	Arsenic(T)		---	0.02	
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium		TVS	varies*	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)		5.0	---	
Other:		pH	6.5 - 9.0	---	Chromium III		---	TVS	
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)		50	---	
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI		TVS	TVS	
Expiration Date of 12/31/2029					Copper		TVS	TVS	
*Cadmium(chronic) = See 36.6(4) for site-specific standards and assessment locations.		Inorganic (mg/L)			Iron		---	WS	
*Uranium(acute) = See 36.5(3) for details.			acute	chronic	Iron(T)		---	1000	
*Uranium(chronic) = See 36.5(3) for details.		Ammonia	TVS	TVS	Lead		TVS	TVS	
*Zinc(acute) = See 36.6(4) for site-specific standards and assessment locations.		Boron	---	0.75	Lead(T)		50	---	
*Zinc(chronic) = See 36.6(4) for site-specific standards and assessment locations.		Chloride	---	250	Manganese		TVS	TVS/WS	
		Chlorine	0.019	0.011	Mercury(T)		---	0.01	
		Cyanide	0.005	---	Molybdenum(T)		---	150	
		Nitrate	10	---	Nickel		TVS	TVS	
		Nitrite	---	0.05	Nickel(T)		---	100	
		Phosphorus	---	---	Selenium		TVS	TVS	
		Sulfate	---	WS	Silver		TVS	TVS(tr)	
		Sulfide	---	0.002	Uranium		varies*	varies*	
					Zinc		varies*	varies*	

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

4b. Mainstem of the Rio Grande from a point immediately above the confluence with the South Fork Rio Grande to the Hwy 285 crossing.							
CORGRG04B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
*Uranium(acute) = See 36.5(3) for details.		Ammonia	TVS	TVS	Lead	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	---	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

4c. Mainstem of the Rio Grande from the Hwy 285 crossing to the Rio Grande/Alamosa County line.							
CORGRG04C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium(T)	5.0	---
Other:		chlorophyll a (mg/m²)	---	TVS	Chromium III	---	TVS
Temporary Modification(s):		E. coli (per 100 mL)	---	126	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		Inorganic (mg/L)			Chromium VI	TVS	TVS
Expiration Date of 12/31/2029			acute	chronic	Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Ammonia	TVS	TVS	Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.		Boron	---	0.75	Iron(T)	---	1000
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead(T)	50	---
		Cyanide	0.005	---	Manganese	TVS	TVS/WS
		Nitrate	10	---	Mercury(T)	---	0.01
		Nitrite	---	0.05	Molybdenum(T)	---	150
		Phosphorus	---	---	Nickel	TVS	TVS
		Sulfate	---	WS	Nickel(T)	---	100
		Sulfide	---	0.002	Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

5a. All tributaries to the Rio Grande, including all wetlands, from immediately above the confluence with Willow Creek to the Hwy 112 bridge near Del Norte, excluding the listings in segments 5b through 10.

CORGRG05A Classifications		Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2029 *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. <div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div>		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

5b. Mainstem of Alder Creek. Mainstem of East Alder Creek, including all tributaries and wetlands, from the source to the confluence with Alder Creek. Mainstem of Agua Ramon Creek, including all tributaries and wetlands, from the source to the confluence with the Rio Grande. Mainstem of Embargo Creek, including all tributaries and wetlands, from immediately above the confluence with Dyers Creek to the confluence with the Rio Grande.

CORGRG05B Classifications		Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	Arsenic	340	---	
	Recreation E			Arsenic(T)	---	0.02	
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

6. Mainstem of West Willow Creek from immediately above Deerhorn Creek to the Park Regent Mine dump (37.890445, -106.936868). East Willow Creek from the confluence with Whited Creek to the confluence with West Willow Creek.						
CORGRG06	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Aq Life Cold 1	DM		MWAT	acute	chronic
Reviewable	Recreation E	CS-I		CS-I	Arsenic	340
Qualifiers:		acute	chronic		Arsenic(T)	7.6
Other:		D.O. (mg/L)	6.0		Cadmium	TVS
*Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		D.O. (spawning)	7.0		Chromium III	TVS
		pH	6.5 - 9.0		Chromium VI	TVS
		chlorophyll a (mg/m ²)	TVS		Copper	TVS
		E. coli (per 100 mL)	126		Iron(T)	1000
					Lead	TVS
		Inorganic (mg/L)			Manganese	TVS
		acute	chronic		Mercury(T)	0.01
		Ammonia	TVS		Molybdenum(T)	---
		Boron	---		Nickel	TVS
		Chloride	---		Selenium	TVS
		Chlorine	0.019	0.011	Silver	TVS(tr)
		Cyanide	0.005	---	Uranium	varies*
		Nitrate	---	---	Zinc	TVS
		Nitrite	---	0.05		
		Phosphorus	---	TVS		
		Sulfate	---	---		
		Sulfide	---	0.002		

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

7. Mainstem of West Willow Creek from the Park Regent Mine dump (37.890445, -106.936868) to the confluence with East Willow Creek. Mainstem of Willow Creek, including all tributaries and wetlands, from the confluence of East and West Willow Creeks to the confluence with the Rio Grande.						
CORGRG07	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM		MWAT	acute	chronic
UP	Aq Life Cold 2 Recreation E	CS-II		CS-II	Arsenic	340
Qualifiers:		acute	chronic		Arsenic(T)	100
Other:		D.O. (mg/L)	6.0		Cadmium	varies*
*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4). *Cadmium(acute) = See 36.6(4) for site-specific standards and assessment locations. *Cadmium(chronic) = See 36.6(4) for site-specific standards and assessment locations. *Copper(acute) = See 36.6(4) for site-specific standards and assessment locations. *Copper(chronic) = See 36.6(4) for site-specific standards and assessment locations. *Lead(acute) = See 36.6(4) for site-specific standards and assessment locations. *Lead(chronic) = See 36.6(4) for site-specific standards and assessment locations. *Manganese(acute) = See 36.6(4) for site-specific standards and assessment locations. *Manganese(chronic) = See 36.6(4) for site-specific standards and assessment locations. *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. *Zinc(acute) = See 36.6(4) for site-specific standards and assessment locations. *Zinc(chronic) = See 36.6(4) for site-specific standards and assessment locations.		D.O. (spawning)	7.0		Chromium III	TVS
		pH	6.5 - 9.0		Chromium III(T)	100
		chlorophyll a (mg/m ²)	TVS		Chromium VI	TVS
		E. coli (per 100 mL)	126		Copper	varies*
					Iron(T)	1000
		Inorganic (mg/L)			Lead	varies*
		acute	chronic		Manganese	varies*
		Ammonia	TVS		Mercury(T)	0.01
		Boron	---	0.75	Molybdenum(T)	150
		Chloride	---	---	Nickel	TVS
		Chlorine	0.019	0.011	Selenium	TVS
		Cyanide	0.005	---	Silver	TVS
		Nitrate	100	---	Uranium	varies*
		Nitrite	10	---	Zinc	varies*
		Phosphorus	---	TVS*		
		Sulfate	---	---		
		Sulfide	---	0.002		

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

8. Mainstem of Goose Creek, including all tributaries and wetlands, from the source to the confluence with the Rio Grande, excluding the specific listings in segment 1.							
CORGRG08	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
<div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div>		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS
		9a. Mainstem of the South Fork Rio Grande, including all tributaries and wetlands, from the source to a point just below the confluence with Decker Creek, excluding the specific listings in segment 1. Mainstem of Beaver Creek, including all tributaries and wetlands, from the source to the inlet of Beaver Creek Reservoir.					
CORGRG09A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
<div>Temporary Modification(s):</div> <div>Arsenic(chronic) = hybrid</div> <div>Expiration Date of 12/31/2029</div> <div>*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div>		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS*	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
 T = total recoverable
 t = total
 tr = trout

D.O. = dissolved oxygen
 DM = daily maximum
 MWAT = maximum weekly average temperature
 See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

9b. Mainstem of the South Fork Rio Grande, including all tributaries and wetlands, from a point just below the confluence with Decker Creek to the confluence with the Rio Grande, excluding the specific listings in segment 9a.

CORGRG09B Classifications		Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		Inorganic (mg/L)			Iron	---	WS
*Uranium(acute) = See 36.5(3) for details.			acute	chronic	Iron(T)	---	1000
*Uranium(chronic) = See 36.5(3) for details.		Ammonia	TVS	TVS	Lead	TVS	TVS
EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS*	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

10. Mainstem of Pinos Creek, including all tributaries and wetlands, from the source to the confluence with the Rio Grande.

CORGRG10	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

11. Mainstem of San Francisco Creek (Rio Grande County), including all tributaries and wetlands, from the source to the confluence with the Rio Grande.							
CORGRG11	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Inorganic (mg/L)			Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.			acute	chronic	Iron(T)	---	1000
EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS
12. Mainstem of the Rio Grande from the Rio Grande/Alamosa County line to Conejos County Road G (37.07831, -105.75665).							
CORGRG12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Water Supply		acute	chronic	Arsenic(T)	---	0.02
	Recreation E	D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium(T)	5.0	---
Other:		chlorophyll a (mg/m²)	---	TVS	Chromium III	---	TVS
Temporary Modification(s):		E. coli (per 100 mL)	---	126	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		Inorganic (mg/L)			Chromium VI	TVS	TVS
Expiration Date of 12/31/2029			acute	chronic	Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Ammonia	TVS	TVS	Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.		Boron	---	0.75	Iron(T)	---	1000
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead(T)	50	---
		Cyanide	0.005	---	Manganese	TVS	TVS/WS
		Nitrate	10	---	Mercury(T)	---	0.01
		Nitrite	---	0.5	Molybdenum(T)	---	150
		Phosphorus	---	---	Nickel	TVS	TVS
		Sulfate	---	WS	Nickel(T)	---	100
		Sulfide	---	0.002	Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

13. Mainstem of the Rio Grande from Conejos County Road G (37.07831, -105.75665) to the Colorado/New Mexico border.

CORGRG13	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	7.6
Qualifiers:		D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium VI	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Copper	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Iron(T)	---	1000
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury(T)	---	0.01
		Chloride	---	---	Molybdenum(T)	---	150
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS
		Nitrite	---	0.05	Uranium	varies*	varies*
		Phosphorus	---	---	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

14. Mainstems of Dry Pole Creek, Limekiln Creek, Nicomodes Gulch, Raton Creek, and Dry Creek, including all tributaries and wetlands, within the boundaries of the Rio Grande National Forest.

CORGRG14	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron	---	WS
*Uranium(acute) = See 36.5(3) for details.		Ammonia	TVS	TVS	Iron(T)	---	1000
*Uranium(chronic) = See 36.5(3) for details.		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

15. All tributaries to the Rio Grande from the Hwy 112 bridge near Del Norte to the Colorado/New Mexico border, excluding the waterbodies in segments 11, 14, and 16 through 31, and waterbodies in the Alamosa River/La Jara Creek/Conejos River sub-basin.

CORGRG15	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Recreation N			Arsenic(T)	0.02-10 ^A
	Water Supply	acute	chronic	Beryllium(T)	4.0
Qualifiers:		D.O. (mg/L)	3.0	Cadmium(T)	5.0
Other:		pH	6.5 - 9.0	Chromium III(T)	50
		chlorophyll a (mg/m ²)	---	Chromium VI	---
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	630	Chromium VI(T)	50
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)		Copper(T)	200
		acute	chronic	Iron	WS
		Ammonia	---	Lead(T)	50
		Boron	0.75	Manganese	WS
		Chloride	250	Mercury(T)	2.0
		Chlorine	---	Molybdenum(T)	150
		Cyanide	0.2	Nickel(T)	100
		Nitrate	10	Selenium(T)	20
		Nitrite	1.0	Silver(T)	100
		Phosphorus	---	Uranium	varies*
		Sulfate	WS	Zinc(T)	2000
		Sulfide	0.05		

16. All tributaries to the Rio Grande, including wetlands, within the Alamosa National Wildlife Refuge.

CORGRG16	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Aq Life Warm 2	Temperature °C	WS-III	Arsenic	340
	Recreation E	acute	chronic	Arsenic(T)	100
Qualifiers:		D.O. (mg/L)	5.0	Cadmium	TVS
Other:		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (mg/m ²)	TVS	Chromium III(T)	100
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	126	Chromium VI	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron(T)	1000
		Ammonia	TVS	Lead	TVS
		Boron	0.75	Manganese	TVS
		Chloride	---	Mercury(T)	0.01
		Chlorine	0.019	Molybdenum(T)	150
		Cyanide	0.005	Nickel	TVS
		Nitrate	100	Selenium	TVS
		Nitrite	0.05	Silver	TVS
		Phosphorus	---	Uranium	varies*
		Sulfate	---	Zinc	TVS
		Sulfide	0.002		

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

17. All tributaries to the Rio Grande, including wetlands, within the Monte Vista National Wildlife Refuge.

CORGRG17	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	100
Qualifiers:		D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	---	100
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	---	Mercury(T)	---	0.01
		Chlorine	0.019	0.011	Molybdenum(T)	---	150
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	100	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS
		Phosphorus	---	TVS	Uranium	varies*	varies*
		Sulfate	---	---	Zinc	TVS	TVS
		Sulfide	---	0.002			

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

18. All wetlands tributary to the Rio Grande from the Hwy 112 bridge near Del Norte to the Colorado/New Mexico border, excluding the waterbodies in segments 16, 17, 19, 20a, 21a, 21b, 23a, 25, 28, 30, and 31, and waterbodies in the Alamosa River/La Jara Creek/Conejos River sub-basin.

CORGRG18	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	100
Qualifiers:		D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	---	100
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	---	Mercury(T)	---	0.01
		Chlorine	0.019	0.011	Molybdenum(T)	---	150
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	100	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS
		Phosphorus	---	---	Uranium	varies*	varies*
		Sulfate	---	---	Zinc	TVS	TVS
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

19. Mainstem of Rock Creek, including all tributaries and wetlands, from the source to the Monte Vista Canal (37.52773, -106.16826).						
CORGRG19	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340
	Recreation E	acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0
Other:		pH	6.5 - 9.0	---	Chromium III	---
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS
Expiration Date of 12/31/2019		Inorganic (mg/L)		Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		acute	chronic	Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.		Ammonia	TVS	TVS	Iron(T)	---
<div style="border: 1px solid red; padding: 5px; color: red;"> EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS). </div>		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Lead(T)	50
		Chlorine	0.019	0.011	Manganese	TVS
		Cyanide	0.005	---	Mercury(T)	---
		Nitrate	10	---	Molybdenum(T)	---
		Nitrite	---	0.05	Nickel	TVS
		Phosphorus	---	TVS	Nickel(T)	---
		Sulfate	---	WS	Selenium	TVS
		Sulfide	---	0.002	Silver	TVS
					Uranium	varies*
					Zinc	TVS
						TVS

20a. Mainstem of Cat Creek, including all tributaries and wetlands, from the source to the Rio Grande National Forest boundary.						
CORGRG20A	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	varies*	varies*	Arsenic	340
	Water Supply	acute	chronic	Arsenic(T)	---	0.02
	Recreation E	D.O. (mg/L)	---	6.0	Beryllium(T)	---
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium	TVS
Other:		pH	6.5 - 9.0	---	Cadmium(T)	5.0
*Uranium(acute) = See 36.5(3) for details.		chlorophyll a (mg/m ²)	---	TVS	Chromium III	---
*Uranium(chronic) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium III(T)	50
*Temperature =		Inorganic (mg/L)		Chromium VI	TVS	TVS
DM and MWAT=CS-I from 10/1-4/30		acute	chronic	Copper	TVS	TVS
DM and MWAT=CS-I from 5/1-9/30		Ammonia	TVS	TVS	Iron	---
		Boron	---	0.75	Iron(T)	---
		Chloride	---	250	Lead	TVS
		Chlorine	0.019	0.011	Lead(T)	50
		Cyanide	0.005	---	Manganese	TVS
		Nitrate	10	---	Mercury(T)	---
		Nitrite	---	0.05	Molybdenum(T)	---
		Phosphorus	---	TVS	Nickel	TVS
		Sulfate	---	WS	Nickel(T)	---
		Sulfide	---	0.002	Selenium	TVS
					Silver	TVS
					Uranium	varies*
					Zinc	TVS
						TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

20b. Mainstem of Cat Creek from the Rio Grande National Forest boundary to the Terrace Main Canal (37.415852, -106.167155).						
CORGRG20B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2 Recreation E	Temperature °C	CS-II CS-II	Arsenic	340 ---	
Qualifiers:		acute	chronic	Arsenic(T)	7.6	
Other:	D.O. (mg/L) --- 6.0 D.O. (spawning) --- 7.0 pH 6.5 - 9.0 --- chlorophyll a (mg/m²) --- TVS E. coli (per 100 mL) --- 126 Inorganic (mg/L) acute chronic Ammonia TVS TVS Boron --- 0.75 Chloride --- --- Chlorine 0.019 0.011 Cyanide 0.005 --- Nitrate 100 --- Nitrite --- 0.05 Phosphorus --- TVS Sulfate --- --- Sulfide --- 0.002			Beryllium(T)	100	
				Cadmium	TVS	TVS
				Chromium III	TVS	TVS
				Chromium III(T)	---	100
				Chromium VI	TVS	TVS
				Copper	TVS	TVS
				Iron(T)	---	1000
				Lead	TVS	TVS
				Manganese	TVS	TVS
				Mercury(T)	---	0.01
				Molybdenum(T)	---	150
				Nickel	TVS	TVS
				Selenium	TVS	TVS
				Silver	TVS	TVS(tr)
				Uranium	varies*	varies*
				Zinc	TVS	TVS
21a. Mainstem of Ute Creek, including all tributaries and wetlands, from the source to 37.5000, -105.39643.						
CORGRG21A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1 Recreation E Water Supply	Temperature °C	CS-I CS-I	Arsenic	340 ---	
Qualifiers:		acute	chronic	Arsenic(T)	0.02	
Other:	D.O. (mg/L) --- 6.0 D.O. (spawning) --- 7.0 pH 6.5 - 9.0 --- chlorophyll a (mg/m²) --- TVS E. coli (per 100 mL) --- 126 Inorganic (mg/L) acute chronic Ammonia TVS TVS Boron --- 0.75 Chloride --- 250 Chlorine 0.019 0.011 Cyanide 0.005 --- Nitrate 10 --- Nitrite --- 0.05 Phosphorus --- TVS Sulfate --- WS Sulfide --- 0.002			Cadmium	TVS	TVS
				Cadmium(T)	5.0	---
				Chromium III	---	TVS
				Chromium III(T)	50	---
				Chromium VI	TVS	TVS
				Copper	TVS	TVS
				Iron	---	WS
				Iron(T)	---	1000
				Lead	TVS	TVS
				Lead(T)	50	---
				Manganese	TVS	TVS/WS
				Mercury(T)	---	0.01
				Molybdenum(T)	---	150
				Nickel	TVS	TVS
				Nickel(T)	---	100
				Selenium	TVS	TVS
		Silver	TVS	TVS(tr)		
		Uranium	varies*	varies*		
		Zinc	TVS	TVS		

21a. Mainstem of Ute Creek, including all tributaries and wetlands, from the source to 37.5000, -105.39643.									
CORGRG21A	Classifications	Physical and Biological			Metals (ug/L)				
Designation	Agriculture		DM	MWAT		acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---		
	Recreation E		acute	chronic	Arsenic(T)	---	0.02		
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---		
Other: Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2029 *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		pH	6.5 - 9.0	---	Chromium III	---	TVS		
		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---		
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS		
					Copper	TVS	TVS		
					Inorganic (mg/L)		Iron	---	WS
					acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS		
		Boron	---	0.75	Lead(T)	50	---		
		Chloride	---	250	Manganese	TVS	TVS/WS		
		Chlorine	0.019	0.011	Mercury(T)	---	0.01		
		Cyanide	0.005	---	Molybdenum(T)	---	150		
		Nitrate	10	---	Nickel	TVS	TVS		
		Nitrite	---	0.05	Nickel(T)	---	100		
		Phosphorus	---	TVS	Selenium	TVS	TVS		
		Sulfate	---	WS	Silver	TVS	TVS(tr)		
		Sulfide	---	0.002	Uranium	varies*	varies*		
					Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

21b. Mainstem of Ute Creek, including all tributaries and wetlands, from 37.5000, -105.39643 to Hwy 160.						
CORGRG21B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	varies*		Arsenic	340
	Recreation E				Arsenic(T)	0.02
	Water Supply				Cadmium	TVS
Qualifiers: Other: Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2019 *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. *Temperature = DM and MWAT=CS-I from 10/1-5/31 DM=22.3 and MWAT=CS-I from 6/1-9/30 <div style="border: 1px solid red; padding: 5px; color: red;"> EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS). </div>		acute	chronic			
		D.O. (mg/L)	6.0		Cadmium(T)	5.0
		D.O. (spawning)	7.0		Cadmium(T)	5.0
		pH	6.5 - 9.0		Chromium III	TVS
		chlorophyll a (mg/m ²)	TVS		Chromium III(T)	50
		E. coli (per 100 mL)	126		Chromium VI	TVS
					Copper	TVS
					Iron	WS
					Iron(T)	1000
					Lead	TVS
					Lead(T)	50
					Manganese	TVS
					Mercury(T)	0.01
					Molybdenum(T)	150
					Nickel	TVS
					Nickel(T)	100
					Selenium	TVS
					Silver	TVS
					Uranium	varies*
					Zinc	TVS
22. Mainstem of Ute Creek from Hwy 160 to the confluence with Sangre de Cristo Creek.						
CORGRG22	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II		Arsenic	340
	Recreation E				Arsenic(T)	0.02-10 ^A
	Water Supply				Cadmium	TVS
Qualifiers: Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		acute	chronic			
		D.O. (mg/L)	6.0		Cadmium(T)	5.0
		D.O. (spawning)	7.0		Cadmium(T)	5.0
		pH	6.5 - 9.0		Chromium III	TVS
		chlorophyll a (mg/m ²)	TVS		Chromium III(T)	50
		E. coli (per 100 mL)	126		Chromium VI	TVS
					Copper	TVS
					Iron	WS
					Iron(T)	1000
					Lead	TVS
					Lead(T)	50
					Manganese	TVS
					Mercury(T)	0.01
					Molybdenum(T)	150
					Nickel	TVS
					Nickel(T)	100
					Selenium	TVS
					Silver	TVS
					Uranium	varies*
					Zinc	TVS

All metals are dissolved unless otherwise noted.
 T = total recoverable
 t = total
 tr = trout

D.O. = dissolved oxygen
 DM = daily maximum
 MWAT = maximum weekly average temperature
 See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

23a. Mainstem of Sangre de Cristo Creek, including all tributaries and wetlands, from the source to Hwy 159, excluding the specific listings in segment 23b.								
CORGRG23A	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---	
	Recreation E		acute	chronic	Arsenic(T)	---	7.6	
Qualifiers:		D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS	
Other:	*Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).	D.O. (spawning)	---	7.0	Chromium III	TVS	TVS	
		pH	6.5 - 9.0	---	Chromium III(T)	---	100	
		chlorophyll a (mg/m²)	---	TVS	Chromium VI	TVS	TVS	
		E. coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron(T)	---	1000	
			Inorganic (mg/L)		Lead	TVS	TVS	
				acute	chronic	Manganese	TVS	TVS
		Ammonia	TVS	TVS	Mercury(T)	---	0.01	
		Boron	---	0.75	Molybdenum(T)	---	150	
		Chloride	---	---	Nickel	TVS	TVS	
		Chlorine	0.019	0.011	Selenium	TVS	TVS	
		Cyanide	0.005	---	Silver	TVS	TVS(tr)	
		Nitrate	100	---	Uranium	varies*	varies*	
		Nitrite	---	0.05	Zinc	TVS	TVS	
Phosphorus	---	TVS						
Sulfate	---	---						
Sulfide	---	0.002						

23b. Mainstem of Sangre de Cristo Creek from a point immediately below the confluence with Placer Creek to Hwy 159.								
CORGRG23B	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	varies*	varies*	Arsenic	340	---	
	Water Supply		acute	chronic	Arsenic(T)	---	0.02	
	Recreation E	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---	
Other:	*Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. *Temperature = DM=14.7 and MWAT=9 from 10/1-4/30 DM=25.3 and MWAT=19 from 5/1-9/30	pH	6.5 - 9.0	---	Chromium III	---	TVS	
		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---	
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	
			Inorganic (mg/L)		Iron	---	WS	
				acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS	
		Boron	---	0.75	Lead(T)	50	---	
		Chloride	---	250	Manganese	TVS	TVS/WS	
		Chlorine	0.019	0.011	Mercury(T)	---	0.01	
		Cyanide	0.005	---	Molybdenum(T)	---	150	
		Nitrate	10	---	Nickel	TVS	TVS	
		Nitrite	---	0.05	Nickel(T)	---	100	
		Phosphorus	---	TVS	Selenium	TVS	TVS	
Sulfate	---	WS	Silver	TVS	TVS(tr)			
Sulfide	---	0.002	Uranium	varies*	varies*			
			Zinc	TVS	TVS			

All metals are dissolved unless otherwise noted.
 T = total recoverable
 t = total
 tr = trout

D.O. = dissolved oxygen
 DM = daily maximum
 MWAT = maximum weekly average temperature
 See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

24. Mainstem of Sangre de Cristo Creek from Hwy 159 to the inlet of Smith Reservoir.

CORGRG24	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 2 Recreation E	Temperature °C	CS-II	CS-II	Arsenic	340	---
Qualifiers:		acute	chronic		Arsenic(T)	---	100
		D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Other:	*Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. <div style="border: 1px solid red; padding: 5px; color: red;"> EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS). </div>	D.O. (spawning)	---	7.0	Chromium III	TVS	TVS
		pH	6.5 - 9.0	---	Chromium III(T)	---	100
		chlorophyll a (mg/m ²)	---	TVS	Chromium VI	TVS	TVS
		E. coli (per 100 mL)	---	126	Copper	TVS	TVS
		Inorganic (mg/L)			Iron(T)	---	1000
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury(T)	---	0.01
		Chloride	---	---	Molybdenum(T)	---	150
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	varies*	varies*
		Phosphorus	---	TVS	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

25. Mainstem of Trinchera Creek, including all tributaries and wetlands, from the source to the inlet of Mountain Home Reservoir.

CORGRG25	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1 Recreation E Water Supply	Temperature °C	CS-I	CS-I	Arsenic	340	---
Qualifiers:		acute	chronic		Arsenic(T)	---	0.02
		D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Other:	*Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.	D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

26. Mainstem of Trinchera Creek from the outlet of Mountain Home Reservoir to the Rio Grande.							
CORGRG26	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Water Supply		acute	chronic	Arsenic(T)	---	0.02-10 ^A
	Recreation E	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
<div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div>		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
			Zinc	TVS	TVS		

27. Deleted.							
CORGRG27	Classifications	Physical and Biological			Metals (ug/L)		
Designation			DM	MWAT		acute	chronic
Qualifiers:			acute	chronic			
Other:							
		Inorganic (mg/L)					
			acute	chronic			

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

27. Deleted.						
CORGRG27	Classifications	Physical and Biological			Metals (ug/L)	
Designation		DM	MWAT		acute	chronic
		acute	chronic			
Qualifiers:						
Other:		Inorganic (mg/L)				
		acute	chronic			

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

28. Mainstem of Rito Seco, including all tributaries and wetlands, from the source to the road crossing at 37.218809, -105.411762.							
CORGRG28	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Inorganic (mg/L)			Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.			acute	chronic	Iron(T)	---	1000
EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

29. Mainstem of Rito Seco from the road crossing at 37.218809, -105.411762 to the confluence with Culebra Creek.							
CORGRG29	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02-10 A
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
*Uranium(acute) = See 36.5(3) for details.		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
*Uranium(chronic) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

29. Mainstem of Rito Seco from the road crossing at 37.218809, -105.411762 to the confluence with Culebra Creek.							
CORGRG29	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02-10 ^A
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

30. Mainstem of Culebra Creek, including all tributaries and wetlands, from the source to the Culebra Sanchez Canal diversion (37.168166, -105.344714), excluding the waterbodies in segment 31. East Fork and West Fork of Costilla Creek, including all tributaries and wetlands, within Colorado.							
CORGRG30	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic	Arsenic(T)	---	0.02	
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Inorganic (mg/L)			Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.		acute	chronic	Iron(T)	---	1000	
EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
		Zinc	TVS	TVS			

31. Mainstem of Culebra Creek from the Sanchez Canal diversion (37.168166, -105.344714) to Hwy 159. Mainstem of Ventero Creek from the Colorado/New Mexico border to the confluence with Culebra Creek. Mainstem of Costilla Creek, including all tributaries and wetlands within Colorado, excluding the listings for the East and West Forks in segment 30.							
CORGRG31	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E	acute	chronic	Arsenic(T)	---	0.02	
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		Inorganic (mg/L)			Iron	---	WS
*Uranium(acute) = See 36.5(3) for details.		acute	chronic	Iron(T)	---	1000	
*Uranium(chronic) = See 36.5(3) for details.		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS*	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

32. All lakes and reservoirs tributary to the Rio Grande, and within the Weminuche Wilderness Area.							
CORGRG32		Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT		acute	chronic
OW	Aq Life Cold 1	Temperature °C	CL	CL	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
<div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div>		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Nitrogen	---	TVS	Selenium	TVS	TVS
		Phosphorus	---	TVS	Silver	TVS	TVS(tr)
		Sulfate	---	WS	Uranium	varies*	varies*
		Sulfide	---	0.002	Zinc	TVS	TVS
		33. All lakes and reservoirs tributary to the Rio Grande from the source to the Hwy 112 bridge near Del Norte, excluding the specific listings in segments 32 and 38. All lakes and reservoirs tributary to San Francisco Creek from the source to a point immediately below the confluence with Spring Branch.					
CORGRG33		Classifications		Physical and Biological		Metals (ug/L)	
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
<div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div>		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Nitrogen	---	TVS	Selenium	TVS	TVS
		Phosphorus	---	TVS	Silver	TVS	TVS(tr)
		Sulfate	---	WS	Uranium	varies*	varies*
		Sulfide	---	0.002	Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

33. All lakes and reservoirs tributary to the Rio Grande from the source to the Hwy 112 bridge near Del Norte, excluding the specific listings in segments 32 and 38. All lakes and reservoirs tributary to San Francisco Creek from the source to a point immediately below the confluence with Spring Branch.							
CORGRG33	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Qualifiers:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Nitrogen	---	TVS	Selenium	TVS	TVS
		Phosphorus	---	TVS	Silver	TVS	TVS(tr)
		Sulfate	---	WS	Uranium	varies*	varies*
		Sulfide	---	0.002	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

34. All lakes and reservoirs tributary to Dry Pole Creek, Limekiln Creek, Nicomodes Gulch, Ratonee Creek, or Dry Creek, and within the boundaries of the Rio Grande National Forest. All lakes and reservoirs tributary to Rock Creek from the source to the Monte Vista Canal (37.52773, -106.16826).									
CORGRG34		Classifications		Physical and Biological		Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CL	CL	Arsenic	340	---		
	Recreation E		acute	chronic	Arsenic(T)	---	0.02		
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS		
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---		
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. <div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div>		pH	6.5 - 9.0	---	Chromium III	---	TVS		
		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	50	---		
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS		
		Inorganic (mg/L)			Copper	TVS	TVS		
			acute	chronic	Iron	---	WS		
		Ammonia	TVS	TVS	Iron(T)	---	1000		
		Boron	---	0.75	Lead	TVS	TVS		
		Chloride	---	250	Lead(T)	50	---		
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS		
		Cyanide	0.005	---	Mercury(T)	---	0.01		
		Nitrate	10	---	Molybdenum(T)	---	150		
		Nitrite	---	0.05	Nickel	TVS	TVS		
		Nitrogen	---	TVS	Nickel(T)	---	100		
		Phosphorus	---	TVS	Selenium	TVS	TVS		
		Sulfate	---	WS	Silver	TVS	TVS(tr)		
		Sulfide	---	0.002	Uranium	varies*	varies*		
					Zinc	TVS	TVS		
		35. All lakes and reservoirs tributary to the Rio Grande from the Hwy 112 bridge near Del Norte to the Colorado/New Mexico border, excluding the waterbodies in segments 34, 36, 37, and 38, and waterbodies in the Alamosa River/La Jara Creek/Conejos River sub-basin.							
		CORGRG35		Classifications		Physical and Biological		Metals (ug/L)	
		Designation	Agriculture		DM	MWAT		acute	chronic
UP	Aq Life Warm 2	Temperature °C	WL	WL	Arsenic	340	---		
	Recreation E		acute	chronic	Arsenic(T)	---	7.6		
Qualifiers:		D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS		
Fish Ingestion Standards Apply		pH	6.5 - 9.0	---	Chromium III	TVS	TVS		
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	---	100		
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS		
		Inorganic (mg/L)			Copper	TVS	TVS		
			acute	chronic	Iron(T)	---	1000		
		Ammonia	TVS	TVS	Lead	TVS	TVS		
		Boron	---	0.75	Manganese	TVS	TVS		
		Chloride	---	---	Mercury(T)	---	0.01		
		Chlorine	0.019	0.011	Molybdenum(T)	---	150		
		Cyanide	0.005	---	Nickel	TVS	TVS		
		Nitrate	100	---	Selenium	TVS	TVS		
		Nitrite	---	0.05	Silver	TVS	TVS		
		Nitrogen	---	TVS	Uranium	varies*	varies*		
		Phosphorus	---	TVS	Zinc	TVS	TVS		
		Sulfate	---	---					
		Sulfide	---	0.002					

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

36. All lakes and reservoirs tributary to Ute Creek, from the source to Hwy 160. All lakes and reservoirs tributary to Sangre de Cristo Creek, from the source to Hwy 159. All lakes and reservoirs tributary to Trinchera Creek, from the source to the inlet of Mountain Home Reservoir. All lakes and reservoirs tributary to Rito Seco, from the source to Salzar Reservoir. All lakes and reservoirs tributary to Culebra Creek, from the source to Hwy 159, excluding the specific listing in segment 37. All lakes and reservoirs tributary to Costilla Creek, and within Colorado.

CORGRG36	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Arsenic	340
	Recreation E	acute	chronic	Arsenic(T)	0.02
	Water Supply	D.O. (mg/L)	6.0	Cadmium	TVS
Qualifiers:		D.O. (spawning)	7.0	Cadmium(T)	5.0
Other:		pH	6.5 - 9.0	Chromium III	TVS
		chlorophyll a (ug/L)	TVS	Chromium III(T)	50
		E. coli (per 100 mL)	126	Chromium VI	TVS
		Inorganic (mg/L)		Copper	TVS
		acute	chronic	Iron	WS
		Ammonia	TVS	Iron(T)	1000
		Boron	0.75	Lead	TVS
		Chloride	250	Lead(T)	50
		Chlorine	0.019	Manganese	TVS
		Cyanide	0.005	Mercury(T)	0.01
		Nitrate	10	Molybdenum(T)	150
		Nitrite	0.05	Nickel	TVS
		Nitrogen	TVS	Nickel(T)	100
		Phosphorus	TVS	Selenium	TVS
		Sulfate	WS	Silver	TVS(tr)
		Sulfide	0.002	Uranium	varies*
				Zinc	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

37. Sanchez Reservoir.

CORGRG37	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Warm 1	WL	WL	Arsenic	340
	Recreation E	acute	chronic	Arsenic(T)	0.02
	Water Supply	D.O. (mg/L)	5.0	Cadmium	TVS
Qualifiers:		pH	6.5 - 9.0	Cadmium(T)	5.0
Other:		chlorophyll a (ug/L)	TVS	Chromium III	TVS
		E. coli (per 100 mL)	126	Chromium III(T)	50
		Inorganic (mg/L)		Chromium VI	TVS
		acute	chronic	Copper	TVS
		Ammonia	TVS	Iron	WS
		Boron	0.75	Iron(T)	1000
		Chloride	250	Lead	TVS
		Chlorine	0.019	Lead(T)	50
		Cyanide	0.005	Manganese	TVS
		Nitrate	10	Mercury(T)	0.01
		Nitrite	0.05	Molybdenum(T)	150
		Nitrogen	TVS	Nickel	TVS
		Phosphorus	TVS	Nickel(T)	100
		Sulfate	WS	Selenium	TVS
		Sulfide	0.002	Silver	TVS
				Uranium	varies*
				Zinc	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Rio Grande Basin

38. Continental Reservoir, Upper Brown Lake, Santa Maria Reservoir, Road Canyon Reservoir, Rio Grande Reservoir, Big Meadows Reservoir, Beaver Creek Reservoir, Smith Reservoir, Mountain Home Reservoir.

CORGRG38	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	CLL	CLL	Temperature °C	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
			acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Nitrogen	---	TVS	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

1. All tributaries to the Alamosa River or Conejos River, including all wetlands, within the South San Juan Wilderness area.

CORGAL01	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. <div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div>		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	varies*	varies*
					Zinc	TVS	TVS

2. Mainstem of the Alamosa River, including all tributaries and wetlands, from the source to immediately above the confluence with Alum Creek, except for specific listings in segments 1, 4a, and 4b. Tributaries to the Alamosa River, including wetlands, from a point immediately below the confluence of Bitter Creek to the inlet of Terrace Reservoir, except for waterbodies in segments 4a, 5, 6, and 7.

CORGAL02	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Alamosa River/La Jara Creek/Conejos River Basins

3a. Mainstem of the Alamosa River from immediately above the confluence with Alum Creek to immediately above the confluence of Wightman Fork.						
CORGAL03A	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Aluminum(T)	varies*
	Recreation E	acute	chronic		Aluminum(T)	varies*
Qualifiers:		D.O. (mg/L)	---	6.0	Arsenic	340
Other:		D.O. (spawning)	---	7.0	Arsenic(T)	100
		pH	varies*	---	Cadmium	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III	TVS
		E. coli (per 100 mL)	---	126	Chromium III(T)	100
					Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron(T)	12000
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	---	Mercury(T)	0.01
		Chlorine	0.019	0.011	Molybdenum(T)	150
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	TVS	Uranium	varies*
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

*Aluminum(acute) = 280 ug/L and 3,886(T) from 5/1-6/30
5,666 ug/L and 21,036(T) from 7/1-4/30
*Aluminum(chronic) = 95 ug/L and 1,157(T) from 5/1-6/30
4,073 ug/L and 3,026(T) from 7/1-4/30
*Uranium(acute) = See 36.5(3) for details.
*Uranium(chronic) = See 36.5(3) for details.
*pH(acute) = 4.0-9.0 from 3/1-5/31
4.73-9.0 from 6/1 - 8/31
3.94-9.0 from 9/1-11/31
3.52 - 9.0 from 12/1-2/29

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

3b. Mainstem of the Alamosa River from immediately above the confluence with Wightman Fork to immediately above the confluence with Fern Creek.						
CORGAL03B	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum(T)	varies*
	Recreation E	acute	chronic		Aluminum(T)	varies*
Qualifiers:		D.O. (mg/L)	---	6.0	Arsenic	340
Other:		D.O. (spawning)	---	7.0	Arsenic(T)	7.6
		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III	TVS
		E. coli (per 100 mL)	---	126	Chromium III(T)	100
					Chromium VI	TVS
		Inorganic (mg/L)			Copper	TVS
		acute	chronic		Iron(T)	12000
		Ammonia	TVS	TVS	Lead	TVS
		Boron	---	0.75	Manganese	TVS
		Chloride	---	---	Mercury(T)	0.01
		Chlorine	0.019	0.011	Molybdenum(T)	150
		Cyanide	0.005	---	Nickel	TVS
		Nitrate	100	---	Selenium	TVS
		Nitrite	---	0.05	Silver	TVS(tr)
		Phosphorus	---	TVS	Uranium	varies*
		Sulfate	---	---	Zinc	TVS
		Sulfide	---	0.002		

*Aluminum(acute) = 59 ug/L and 4,556(T) from 5/1-6/30
741 ug/L and TVS(T) from 7/1-4/30
*Aluminum(chronic) = 41 ug/L and 1,246(T) from 5/1-6/30
382 ug/L and 2,661(T) from 7/1-4/30
*Uranium(acute) = See 36.5(3) for details.
*Uranium(chronic) = See 36.5(3) for details.

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Alamosa River/La Jara Creek/Conejos River Basins

3c. Mainstem of the Alamosa River from immediately above the confluence with Fern Creek to immediately below the confluence with Ranger Creek.						
CORGAL03C	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
UP	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum(T)	varies*
	Recreation E	acute	chronic		Aluminum(T)	varies*
Qualifiers:		D.O. (mg/L)	---	6.0	Arsenic	340
Other:		D.O. (spawning)	---	7.0	Arsenic(T)	7.6
<p>*Aluminum(acute) = 365 ug/L and 6,729(T) from 5/1-6/30 558 ug/L and TVS(T) from 7/1-4/30 *Aluminum(chronic) = 63 ug/L and 1,973(T) from 5/1-6/30 296 ug/L and 2,232(T) from 7/1-4/30 *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.</p> <div style="border: 1px solid red; padding: 5px; margin-top: 10px;"> <p>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</p> </div>		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III	TVS
		E. coli (per 100 mL)	---	126	Chromium III(T)	100
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron(T)	12000
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury(T)	0.01
		Cyanide	0.005	---	Molybdenum(T)	150
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	TVS	Silver	TVS(tr)
		Sulfate	---	---	Uranium	varies*
		Sulfide	---	0.002	Zinc	TVS
3d. Mainstem of the Alamosa River from immediately below the confluence with Ranger Creek to the inlet of Terrace Reservoir.						
CORGAL03D	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Aluminum(T)	varies*
	Recreation E	acute	chronic		Aluminum(T)	varies*
Qualifiers:		D.O. (mg/L)	---	6.0	Arsenic	340
Other:		D.O. (spawning)	---	7.0	Arsenic(T)	7.6
<p>*Aluminum(acute) = 77 ug/L and 6,907(T) from 5/1-6/30 84 ug/L and TVS(T) from 7/1-4/30 *Aluminum(chronic) = 74 ug/L and 1,721(T) from 5/1-6/30 60 ug/L and 1,554(T) from 7/1-4/30 *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.</p>		pH	6.5 - 9.0	---	Cadmium	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III	TVS
		E. coli (per 100 mL)	---	126	Chromium III(T)	100
		Inorganic (mg/L)			Chromium VI	TVS
		acute	chronic		Copper	TVS
		Ammonia	TVS	TVS	Iron(T)	12000
		Boron	---	0.75	Lead	TVS
		Chloride	---	---	Manganese	TVS
		Chlorine	0.019	0.011	Mercury(T)	0.01
		Cyanide	0.005	---	Molybdenum(T)	150
		Nitrate	100	---	Nickel	TVS
		Nitrite	---	0.05	Selenium	TVS
		Phosphorus	---	TVS	Silver	TVS(tr)
		Sulfate	---	---	Uranium	varies*
		Sulfide	---	0.002	Zinc	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Alamosa River/La Jara Creek/Conejos River Basins

4a. Mainstems of Iron Creek, Alum Creek, Bitter Creek, and Burnt Creek, including all tributaries and wetlands, from their sources to their confluences with the Alamosa River, excluding the listings in segment 4b.

CORGAL04A	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
UP	Recreation E			Arsenic	---
Qualifiers:		acute	chronic	Cadmium	---
Other:		D.O. (mg/L)	---	Chromium III	---
		pH	2.5-9.0	Chromium VI	---
		chlorophyll a (mg/m ²)	TVS	Copper	---
		E. coli (per 100 mL)	126	Iron	---
		Inorganic (mg/L)		Lead	---
		acute	chronic	Manganese	---
		Ammonia	---	Mercury(T)	---
		Boron	---	Molybdenum(T)	---
		Chloride	---	Nickel	---
		Chlorine	---	Selenium	---
		Cyanide	---	Silver	---
		Nitrate	---	Uranium	varies*
		Nitrite	---	Zinc	---
		Phosphorus	---		
		Sulfate	---		
		Sulfide	---		

4b. Mainstem of Iron Creek, including all tributaries and wetlands, from the source to immediately above the confluence with South Mountain Creek.

CORGAL04B	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	Arsenic	340
	Recreation E			Arsenic(T)	7.6
Qualifiers:		acute	chronic	Cadmium	TVS
Other:		D.O. (mg/L)	6.0	Chromium III	TVS
		D.O. (spawning)	7.0	Chromium III(T)	100
		pH	6.5 - 9.0	Chromium VI	TVS
		chlorophyll a (mg/m ²)	TVS	Copper	TVS
		E. coli (per 100 mL)	126	Iron(T)	1000
		Inorganic (mg/L)		Lead	TVS
		acute	chronic	Manganese	TVS
		Ammonia	TVS	Mercury(T)	0.01
		Boron	0.75	Molybdenum(T)	150
		Chloride	---	Nickel	TVS
		Chlorine	0.019	Selenium	TVS
		Cyanide	0.005	Silver	TVS(tr)
		Nitrate	100	Uranium	varies*
		Nitrite	0.05	Zinc	TVS
		Phosphorus	TVS		
		Sulfate	---		
		Sulfide	0.002		

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Alamosa River/La Jara Creek/Conejos River Basins

5. Mainstem of Wightman Fork, including all tributaries and wetlands, from the source to the west line of S30, T37N, R4E (37.43127, -106.60325).								
CORGAL05	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
Reviewable	Recreation E	Temperature °C	CS-I	CS-I	Arsenic	340	---	
	Aq Life Cold 1	acute	chronic	Arsenic(T)	---	7.6		
Qualifiers:		D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS	
<div>Other:</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div> <div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div>		D.O. (spawning)	---	7.0	Chromium III	TVS	TVS	
		pH	6.5 - 9.0	---	Chromium III(T)	---	100	
		chlorophyll a (mg/m²)	---	TVS	Chromium VI	TVS	TVS	
		E. coli (per 100 mL)	---	126	Copper	TVS	TVS	
					Iron(T)	---	1000	
		Inorganic (mg/L)			Lead	TVS	TVS	
		acute			chronic	Manganese	TVS	TVS
		Ammonia	TVS	TVS	Mercury(T)	---	0.01	
		Boron	---	0.75	Molybdenum(T)	---	150	
		Chloride	---	---	Nickel	TVS	TVS	
		Chlorine	0.019	0.011	Selenium	TVS	TVS	
		Cyanide	0.005	---	Silver	TVS	TVS(tr)	
		Nitrate	100	---	Uranium	varies*	varies*	
		Nitrite	---	0.05	Zinc	TVS	TVS	
		Phosphorus	---	TVS				
		Sulfate	---	---				
		Sulfide	---	0.002				
6. Mainstem of Wightman Fork from the west line of S30, T37N, R4E (37.43127, -106.60325) to the confluence with the Alamosa River.								
CORGAL06	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic			
UP	Recreation E				Arsenic	---	---	
Qualifiers:		acute	chronic	Cadmium	---	---		
<div>Other:</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div>		D.O. (mg/L)	---	---	Chromium III	---	---	
		pH	---	---	Chromium VI	---	---	
		chlorophyll a (mg/m²)	---	TVS	Copper	---	---	
		E. coli (per 100 mL)	---	126	Iron	---	---	
		Inorganic (mg/L)			Lead	---	---	
		acute			chronic	Manganese	---	---
		Ammonia	---	---	Mercury(T)	---	---	
		Boron	---	---	Molybdenum(T)	---	---	
		Chloride	---	---	Nickel	---	---	
		Chlorine	---	---	Selenium	---	---	
		Cyanide	---	---	Silver	---	---	
		Nitrate	---	---	Uranium	varies*	varies*	
		Nitrite	---	---	Zinc	---	---	
		Phosphorus	---	---				
		Sulfate	---	---				
		Sulfide	---	---				

6. Mainstem of Wightman Fork from the west line of S30, T37N, R4E (37.43127, -106.60325) to the confluence with the Alamosa River.							
CORGAL06	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM		MWAT	acute		chronic
UP	Recreation E				Arsenic	---	---
Qualifiers:		acute	chronic		Cadmium	---	---
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		D.O. (mg/L)	---	---	Chromium III	---	---
		pH	---	---	Chromium VI	---	---
		chlorophyll a (mg/m ²)	---	TVS	Copper	---	---
		E. coli (per 100 mL)	---	126	Iron	---	---
		Inorganic (mg/L)			Lead	---	---
		acute	chronic	Manganese	---	---	
		Ammonia	---	---	Mercury(T)	---	---
		Boron	---	---	Molybdenum(T)	---	---
		Chloride	---	---	Nickel	---	---
		Chlorine	---	---	Selenium	---	---
		Cyanide	---	---	Silver	---	---
		Nitrate	---	---	Uranium	varies*	varies*
		Nitrite	---	---	Zinc	---	---
		Phosphorus	---	---			
		Sulfate	---	---			
		Sulfide	---	---			

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

7. Jasper Creek, including all tributaries and wetlands, from the source to the confluence with the Alamosa River.								
CORGAL07	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CS-I	CS-I	Arsenic	340	---	
	Recreation E		acute	chronic	Arsenic(T)	---	100	
Qualifiers:		D.O. (mg/L)	---	6.0	Cadmium(T)	---	1	
<div>Other:</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div> <div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div>		D.O. (spawning)	---	7.0	Chromium III(T)	---	100	
		pH	5.5-9.0	---	Chromium VI(T)	---	25	
		chlorophyll a (mg/m²)	---	TVS	Copper(T)	---	90	
		E. coli (per 100 mL)	---	126	Iron(T)	---	3400	
					Lead(T)	---	4	
			Inorganic (mg/L)		Manganese(T)	---	1000	
				acute	chronic	Mercury(T)	---	0.05
		Ammonia	TVS	TVS	Molybdenum(T)	---	150	
		Boron	---	0.75	Nickel(T)	---	5	
		Chloride	---	---	Selenium(T)	---	20	
		Chlorine	0.019	0.011	Silver(T)	---	0.1	
		Cyanide	0.005	---	Uranium	varies*	varies*	
		Nitrate	100	---	Zinc(T)	---	170	
		Nitrite	---	0.05				
		Phosphorus	---	TVS				
		Sulfate	---	---				
		Sulfide	---	0.002				
8. Terrace Reservoir.								
CORGAL08	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CLL	CLL	Aluminum(T)	varies*	varies*	
	Recreation E		acute	chronic	Arsenic	340	---	
Qualifiers:		D.O. (mg/L)	---	6.0	Arsenic(T)	---	7.6	
Fish Ingestion Standards Apply		D.O. (spawning)	---	7.0	Cadmium	TVS	TVS	
<div>Other:</div> <div>*Aluminum(acute) = See 36.6(4) for site-specific standards and assessment locations.</div> <div>*Aluminum(chronic) = See 36.6(4) for site-specific standards and assessment locations.</div> <div>*Uranium(acute) = See 36.5(3) for details.</div> <div>*Uranium(chronic) = See 36.5(3) for details.</div>		pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	---	100	
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	
			Inorganic (mg/L)		Iron(T)	---	1000	
				acute	chronic	Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese(T)	---	200	
		Chloride	---	---	Mercury(T)	---	0.01	
		Chlorine	0.019	0.011	Molybdenum(T)	---	150	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	100	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Nitrogen	---	TVS	Uranium	varies*	varies*	
		Phosphorus	---	TVS	Zinc	TVS	TVS	
		Sulfate	---	---				
		Sulfide	---	0.002				

8. Terrace Reservoir.								
CORGAL08	Classifications	Physical and Biological			Metals (ug/L)			
Designation	Agriculture		DM	MWAT		acute	chronic	
UP	Aq Life Cold 2	Temperature °C	CLL	CLL	Aluminum(T)	varies*	varies*	
	Recreation E		acute	chronic	Arsenic	340	---	
Qualifiers:		D.O. (mg/L)	---	6.0	Arsenic(T)	---	7.6	
Fish Ingestion Standards Apply		D.O. (spawning)	---	7.0	Cadmium	TVS	TVS	
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS	
*Aluminum(acute) = See 36.6(4) for site-specific standards and assessment locations. *Aluminum(chronic) = See 36.6(4) for site-specific standards and assessment locations. *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	---	100	
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	
		Inorganic (mg/L)			Iron(T)	---	1000	
			acute	chronic	Lead	TVS	TVS	
		Ammonia	TVS	TVS	Manganese	TVS	TVS	
		Boron	---	0.75	Manganese(T)	---	200	
		Chloride	---	---	Mercury(T)	---	0.01	
		Chlorine	0.019	0.011	Molybdenum(T)	---	150	
		Cyanide	0.005	---	Nickel	TVS	TVS	
		Nitrate	100	---	Selenium	TVS	TVS	
		Nitrite	---	0.05	Silver	TVS	TVS(tr)	
		Nitrogen	---	TVS	Uranium	varies*	varies*	
		Phosphorus	---	TVS	Zinc	TVS	TVS	
		Sulfate	---	---				
		Sulfide	---	0.002				

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

9. Mainstem of the Alamosa River from the outlet of Terrace Reservoir to Hwy 15 (Gunbarrel Road).						
CORGAL09	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Aluminum(T)	TVS
	Water Supply	acute	chronic	Arsenic	340	---
Qualifiers:	Recreation E	D.O. (mg/L)	---	6.0	Arsenic(T)	---
		D.O. (spawning)	---	7.0	Cadmium	TVS
Other:		pH	6.5 - 9.0	---	Cadmium(T)	5.0
		chlorophyll a (mg/m ²)	---	TVS	Chromium III	---
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium III(T)	50
					Chromium VI	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Copper	TVS
		acute	chronic	Iron	---	WS
EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).		Ammonia	TVS	TVS	Iron(T)	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Lead(T)	50
		Chlorine	0.019	0.011	Manganese	TVS
		Cyanide	0.005	---	Manganese(T)	---
		Nitrate	10	---	Mercury(T)	---
		Nitrite	---	0.05	Molybdenum(T)	---
		Phosphorus	---	TVS	Nickel	TVS
		Sulfate	---	WS	Nickel(T)	---
		Sulfide	---	0.002	Selenium	TVS
					Silver	TVS
					Uranium	varies*
					Zinc	TVS
						TVS
10. Mainstem of the Alamosa River from Hwy 15 (Gunbarrel Road) to its point of final diversion (37.398484, -105.838986).						
CORGAL10	Classifications	Physical and Biological		Metals (ug/L)		
Designation	Agriculture	DM	MWAT	acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Aluminum(T)	TVS
	Water Supply	acute	chronic	Arsenic	340	---
Qualifiers:	Recreation E	D.O. (mg/L)	---	6.0	Arsenic(T)	---
		D.O. (spawning)	---	7.0	Cadmium	TVS
Other:		pH	6.5 - 9.0	---	Cadmium(T)	5.0
		chlorophyll a (mg/m ²)	---	TVS	Chromium III	---
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium III(T)	50
					Chromium VI	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Copper	TVS
		acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---
		Boron	---	0.75	Lead	TVS
		Chloride	---	250	Lead(T)	50
		Chlorine	0.019	0.011	Manganese	TVS
		Cyanide	0.005	---	Manganese(T)	---
		Nitrate	10	---	Mercury(T)	---
		Nitrite	---	0.05	Molybdenum(T)	---
		Phosphorus	---	TVS	Nickel	TVS
		Sulfate	---	WS	Nickel(T)	---
		Sulfide	---	0.002	Selenium	TVS
					Silver	TVS
					Uranium	varies*
					Zinc	TVS
						TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

11a. All tributaries and wetlands to La Jara Reservoir. All tributaries and wetlands to La Jara Creek from the outlet of La Jara Reservoir to a point immediately below the confluence with Jarosa Creek, excluding the listings in segment 11b.

CORGAL11A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	CS-I	CS-I	Temperature °C	340	---	---
	Recreation E	acute	chronic				
Qualifiers:		D.O. (mg/L)	6.0		Arsenic(T)	---	7.6
Other:		D.O. (spawning)	7.0		Cadmium	TVS	TVS
		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m ²)	TVS	---	Chromium III(T)	---	100
		E. coli (per 100 mL)	126	---	Chromium VI	TVS	TVS
				---	Copper	TVS	TVS
				---	Iron(T)	---	1000
		Inorganic (mg/L)			Lead	TVS	TVS
		acute	chronic		Manganese	TVS	TVS
		Ammonia	TVS	TVS	Manganese(T)	---	200
		Boron	---	0.75	Mercury(T)	---	0.01
		Chloride	---	---	Molybdenum(T)	---	150
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS(tr)
		Nitrite	---	0.05	Uranium	varies*	varies*
		Phosphorus	---	TVS	Zinc	TVS	TVS
		Sulfate	---	---			
		Sulfide	---	0.002			

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

11b. Mainstem of La Jara Creek from the outlet of La Jara Reservoir to a point immediately above the confluence with Hot Creek. All tributaries and wetlands to La Jara Creek from a point immediately below the confluence with Jarosa Creek to a point immediately above the confluence with Hot Creek.

CORGAL11B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	CS-II	CS-II	Temperature °C	340	---	---
	Recreation E	acute	chronic				
	Water Supply	D.O. (mg/L)	6.0		Arsenic(T)	---	0.02
Qualifiers:		D.O. (spawning)	7.0		Cadmium	TVS	TVS
Other:		pH	6.5 - 9.0	---	Cadmium(T)	5.0	---
		chlorophyll a (mg/m ²)	TVS	---	Chromium III	---	TVS
		E. coli (per 100 mL)	126	---	Chromium III(T)	50	---
				---	Chromium VI	TVS	TVS
				---	Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	300
		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS
		Chlorine	0.019	0.011	Manganese(T)	---	200
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
				---	Uranium	varies*	varies*
				---	Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

12. Mainstem of La Jara Creek from immediately above the confluence with Hot Creek to the confluence with the Rio Grande.

CORGAL12	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Water Supply	acute	chronic		Arsenic(T)	---	0.02
	Recreation E	D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium(T)	5.0	---
Water + Fish Standards Apply		chlorophyll a (mg/m ²)	---	TVS	Chromium III	---	TVS
Other:		E. coli (per 100 mL)	---	126	Chromium III(T)	50	---
Temporary Modification(s):		Inorganic (mg/L)			Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		acute	chronic		Copper	TVS	TVS
Expiration Date of 12/31/2029		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron(T)	---	1000
Discharger Specific Variance(s):		Chloride	---	250	Lead	TVS	TVS
Nitrate(acute) = See Section 36.6(6)		Chlorine	0.019	0.011	Lead(T)	50	---
for details on the variance for the Town		Cyanide	0.005	---	Manganese	TVS	TVS/WS
of La Jara.		Nitrate	10	---	Manganese(T)	---	200
Expiration Date of 12/31/2025		Nitrite	---	0.05	Mercury(T)	---	0.01
Phosphorus(chronic) = applies only above the		Phosphorus	---	TVS	Molybdenum(T)	---	150
facilities listed at 36.5(4).		Sulfate	---	WS	Nickel	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Sulfide	---	0.002	Nickel(T)	---	100
*Uranium(chronic) = See 36.5(3) for details.					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

13. Mainstem of Hot Creek from the source to the confluence with La Jara Creek.

CORGAL13	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Phosphorus(chronic) = applies only above the		Inorganic (mg/L)			Iron	---	WS
facilities listed at 36.5(4).		acute	chronic		Iron(T)	---	1000
*Uranium(acute) = See 36.5(3) for details.		Ammonia	TVS	TVS	Lead	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS*	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Alamosa River/La Jara Creek/Conejos River Basins

14a. Mainstem of the Conejos River, including all tributaries and wetlands, from the source to immediately below the confluence with Elk Creek, excluding the specific listings in segment 1.

CORGAL14A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Inorganic (mg/L)			Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.		acute	chronic		Iron(T)	---	1000
EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

14b. Mainstem of the Conejos River, including all tributaries and wetlands, from a point immediately below the confluence with Elk Creek to a point immediately above the confluence with Fox Creek.

CORGAL14B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Inorganic (mg/L)			Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

15. Mainstem of the Conejos River from a point immediately above the confluence with Fox Creek to the confluence with the Rio San Antonio.

CORGAL15	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).					Iron	---	WS
*Uranium(acute) = See 36.5(3) for details.					Iron(T)	---	1000
*Uranium(chronic) = See 36.5(3) for details.					Lead	TVS	TVS
					Lead(T)	50	---
					Manganese	TVS	TVS/WS
					Mercury(T)	---	0.01
					Molybdenum(T)	---	150
					Nickel	TVS	TVS
					Nickel(T)	---	100
					Selenium	TVS	TVS
					Silver	TVS	TVS(tr)
					Uranium	varies*	varies*
					Zinc	TVS	TVS

16. Mainstem of the Conejos River from the confluence with the Rio San Antonio to the confluence with the Rio Grande.

CORGAL16	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	7.6
Qualifiers:		D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	---	100
*Uranium(chronic) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
					Iron(T)	---	1000
					Lead	TVS	TVS
					Manganese	TVS	TVS
					Mercury(T)	---	0.01
					Molybdenum(T)	---	150
					Nickel	TVS	TVS
					Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Alamosa River/La Jara Creek/Conejos River Basins

17a. Mainstem of Rio de Los Pinos, including all tributaries and wetlands within Colorado, excluding the specific listings in segment 1.

CORGAL17A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
*Uranium(acute) = See 36.5(3) for details.			acute	chronic	Iron(T)	---	1000
*Uranium(chronic) = See 36.5(3) for details.		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

17b. Mainstem of the Rio San Antonio from the Colorado/New Mexico border to Hwy 285.

CORGAL17B	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Alamosa River/La Jara Creek/Conejos River Basins

18. Mainstem of the Rio San Antonio from Hwy 285 to the confluence with the Conejos River.

CORGAL18	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Water Supply	acute	chronic		Arsenic(T)	---	0.02
	Recreation E	D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium(T)	5.0	---
Water + Fish Standards Apply		chlorophyll a (mg/m ²)	---	TVS	Chromium III	---	TVS
Other:		E. coli (per 100 mL)	---	126	Chromium III(T)	50	---
Temporary Modification(s):		Inorganic (mg/L)			Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid		acute	chronic		Copper	TVS	TVS
Expiration Date of 12/31/2029		Ammonia	TVS	TVS	Iron	---	WS
*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).		Boron	---	0.75	Iron(T)	---	1000
*Uranium(acute) = See 36.5(3) for details.		Chloride	---	250	Lead	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Chlorine	0.019	0.011	Lead(T)	50	---
		Cyanide	0.005	---	Manganese	TVS	TVS/WS
		Nitrate	10	---	Mercury(T)	---	0.01
		Nitrite	---	0.05	Molybdenum(T)	---	150
		Phosphorus	---	TVS*	Nickel	TVS	TVS
		Sulfate	---	WS	Nickel(T)	---	100
		Sulfide	---	0.002	Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

19. Mainstem of the Rio Chama, including all tributaries and wetlands within Colorado, excluding the specific listings in segment 1.

CORGAL19	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

20. All tributaries and wetlands to the Alamosa River, La Jara Creek, or the Conejos River within the boundaries of the Rio Grande National Forest, excluding the specific listings in segments 1 through 7, 11a, 11b, 13, 14a, 14b, 17a, 17b, and 18.

CORGAL20	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 2	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02-10 ^A
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

21. All tributaries to the Conejos River, including wetlands, from a point immediately above the confluence with Fox Creek to the Rio Grande, excluding the waterbodies in Segment 20.

CORGAL21	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Recreation N				Arsenic(T)	---	0.02-10 ^A
	Water Supply	acute	chronic		Beryllium(T)	---	4.0
Qualifiers:		D.O. (mg/L)	---	3.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III(T)	50	---
		chlorophyll a (mg/m ²)	---	---	Chromium VI(T)	50	---
		E. coli (per 100 mL)	---	630	Copper(T)	---	200
		Inorganic (mg/L)			Iron	---	WS
		acute	chronic		Lead(T)	50	---
		Ammonia	---	---	Manganese	---	WS
		Boron	---	0.75	Manganese(T)	---	200
		Chloride	---	250	Mercury(T)	2.0	---
		Chlorine	---	---	Molybdenum(T)	---	150
		Cyanide	0.2	---	Nickel(T)	---	100
		Nitrate	10	---	Selenium(T)	---	20
		Nitrite	1.0	---	Silver(T)	100	---
		Phosphorus	---	---	Uranium	varies*	varies*
		Sulfate	---	WS	Zinc(T)	---	2000
		Sulfide	---	0.05			

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Alamosa River/La Jara Creek/Conejos River Basins

22. All tributaries, including wetlands, to the Alamosa River or La Jara Creek, excluding the specific listings in segments 1 through 21.

CORGAL22	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-III	WS-III	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	100
Qualifiers:		D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	---	100
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	---	Mercury(T)	---	0.01
		Chlorine	0.019	0.011	Molybdenum(T)	---	150
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	100	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS
		Phosphorus	---	TVS	Uranium	varies*	varies*
		Sulfate	---	---	Zinc	TVS	TVS
		Sulfide	---	0.002			

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

23. All lakes and reservoirs tributary to the Alamosa River or the Conejos River, and within the South San Juan Wilderness area.

CORGAL23	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CL	CL	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	50	---
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Nitrogen	---	TVS	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

24. All lakes and reservoirs tributary to the Alamosa River from the source to a point immediately above the confluence with Alum Creek, excluding the specific listings in segment 23.						
CORGAL24	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Temperature °C	Arsenic	340
	Recreation E	acute	chronic		Arsenic(T)	0.02
	Water Supply			D.O. (mg/L)	Cadmium	TVS
Qualifiers:				D.O. (spawning)	Cadmium(T)	5.0
Other:				pH	Chromium III	TVS
				chlorophyll a (ug/L)	Chromium III(T)	50
*Uranium(acute) = See 36.5(3) for details.				E. coli (per 100 mL)	Chromium VI	TVS
*Uranium(chronic) = See 36.5(3) for details.					Copper	TVS
				Inorganic (mg/L)	Iron	WS
		acute	chronic		Iron(T)	1000
		TVS	TVS	Ammonia	Lead	TVS
			0.75	Boron	Lead(T)	50
			250	Chloride	Manganese	TVS/WS
		0.019	0.011	Chlorine	Mercury(T)	0.01
		0.005		Cyanide	Molybdenum(T)	150
		10		Nitrate	Nickel	TVS
			0.05	Nitrite	Nickel(T)	100
			TVS	Nitrogen	Selenium	TVS
			TVS	Phosphorus	Silver	TVS(tr)
			WS	Sulfate	Uranium	varies*
			0.002	Sulfide	Zinc	TVS

25. All lakes and reservoirs tributary to La Jara Creek from the source to a point immediately above the confluence with Hot Creek.						
CORGAL25	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CL	CL	Temperature °C	Arsenic	340
	Recreation E	acute	chronic		Arsenic(T)	7.6
Qualifiers:				D.O. (mg/L)	Cadmium	TVS
Other:				D.O. (spawning)	Chromium III	TVS
				pH	Chromium III(T)	100
				chlorophyll a (ug/L)	Chromium VI	TVS
*Uranium(acute) = See 36.5(3) for details.				E. coli (per 100 mL)	Copper	TVS
*Uranium(chronic) = See 36.5(3) for details.					Iron	
				Inorganic (mg/L)	Iron(T)	1000
		acute	chronic		Lead	TVS
		TVS	TVS	Ammonia	Manganese	TVS
			0.75	Boron	Manganese(T)	200
				Chloride	Mercury(T)	0.01
		0.019	0.011	Chlorine	Molybdenum(T)	150
		0.005		Cyanide	Nickel	TVS
		100		Nitrate	Selenium	TVS
			0.05	Nitrite	Silver	TVS
			TVS	Nitrogen	Uranium	varies*
			TVS	Phosphorus	Zinc	TVS
				Sulfate		
			0.002	Sulfide		

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

26. All lakes and reservoirs tributary to the Conejos River from the source to a point immediately above the confluence with Fox Creek, excluding the specific listings in segments 23 and 30.

CORGAL26	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Temperature °C	340	---	---
	Recreation E	acute	chronic				
	Water Supply	---	6.0	D.O. (mg/L)	TVS	TVS	
Qualifiers:		---	7.0	D.O. (spawning)	5.0	---	
Other:		6.5 - 9.0	---	pH	---	TVS	
		---	TVS	chlorophyll a (ug/L)	50	---	
		---	126	E. coli (per 100 mL)	TVS	TVS	
		Inorganic (mg/L)					
		acute	chronic				
		TVS	TVS	Ammonia	TVS	TVS	
		---	0.75	Boron	50	---	
		---	250	Chloride	TVS	TVS/WS	
		0.019	0.011	Chlorine	---	0.01	
		0.005	---	Cyanide	---	150	
		10	---	Nitrate	TVS	TVS	
		---	0.05	Nitrite	---	100	
		---	TVS	Nitrogen	TVS	TVS	
		---	TVS	Phosphorus	TVS	TVS(tr)	
		---	WS	Sulfate	varies*	varies*	
		---	0.002	Sulfide	TVS	TVS	

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

27. All lakes and reservoirs tributary to the Rio de Los Pinos and within Colorado, excluding the specific listings in segment 23. All lakes and reservoirs tributary to the Rio Chama and within Colorado, excluding the specific listings in segment 23.

CORGAL27	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Temperature °C	340	---	---
	Recreation E	acute	chronic				
	Water Supply	---	6.0	D.O. (mg/L)	TVS	TVS	
Qualifiers:		---	7.0	D.O. (spawning)	5.0	---	
Other:		6.5 - 9.0	---	pH	---	TVS	
		---	TVS	chlorophyll a (ug/L)	50	---	
		---	126	E. coli (per 100 mL)	TVS	TVS	
		Inorganic (mg/L)					
		acute	chronic				
		TVS	TVS	Ammonia	TVS	TVS	
		---	0.75	Boron	50	---	
		---	250	Chloride	TVS	TVS/WS	
		0.019	0.011	Chlorine	---	0.01	
		0.005	---	Cyanide	---	150	
		10	---	Nitrate	TVS	TVS	
		---	0.05	Nitrite	---	100	
		---	TVS	Nitrogen	TVS	TVS	
		---	TVS	Phosphorus	TVS	TVS(tr)	
		---	WS	Sulfate	varies*	varies*	
		---	0.002	Sulfide	TVS	TVS	

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Alamosa River/La Jara Creek/Conejos River Basins

28. All lakes and reservoir tributary to the Alamosa River, La Jara Creek, or Conejos River, and within the boundaries of the Rio Grande National Forest, excluding the specific listings in segments 23 through 27, and 30.

CORGAL28	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	CL	CL	Temperature °C	340	---	---
	Recreation E	acute	chronic				
	Water Supply	---	6.0	D.O. (mg/L)	TVS	TVS	
Qualifiers:		---	7.0	D.O. (spawning)	5.0	---	
Other:		6.5 - 9.0	---	pH	---	TVS	
		---	TVS	chlorophyll a (ug/L)	50	---	
		---	126	E. coli (per 100 mL)	TVS	TVS	
		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron	---	WS
		TVS	TVS	Ammonia	Iron(T)	---	1000
		---	0.75	Boron	Lead	TVS	TVS
		---	250	Chloride	Lead(T)	50	---
		0.019	0.011	Chlorine	Manganese	TVS	TVS/WS
		0.005	---	Cyanide	Mercury(T)	---	0.01
		10	---	Nitrate	Molybdenum(T)	---	150
		---	0.05	Nitrite	Nickel	TVS	TVS
		---	TVS	Nitrogen	Nickel(T)	---	100
		---	TVS	Phosphorus	Selenium	TVS	TVS
		---	WS	Sulfate	Silver	TVS	TVS(tr)
		---	0.002	Sulfide	Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

29. All lakes and reservoirs tributary to the Alamosa River, La Jara Creek, or Conejos River, excluding the specific listings in segments 8, 23 through 28, and 30.

CORGAL29	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Warm 2	WL	WL	Temperature °C	340	---	---
	Recreation E	acute	chronic				
Qualifiers:		---	5.0	D.O. (mg/L)	TVS	TVS	
Other:		6.5 - 9.0	---	pH	TVS	TVS	
		---	TVS	chlorophyll a (ug/L)	---	100	
		---	126	E. coli (per 100 mL)	TVS	TVS	
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic		Copper	TVS	TVS
		TVS	TVS	Ammonia	Iron(T)	---	1000
		---	0.75	Boron	Lead	TVS	TVS
		---	---	Chloride	Manganese	TVS	TVS
		0.019	0.011	Chlorine	Mercury(T)	---	0.01
		0.005	---	Cyanide	Molybdenum(T)	---	150
		100	---	Nitrate	Nickel	TVS	TVS
		---	0.05	Nitrite	Selenium	TVS	TVS
		---	TVS	Nitrogen	Silver	TVS	TVS(tr)
		---	TVS	Phosphorus	Uranium	varies*	varies*
		---	TVS	Sulfate	Zinc	TVS	TVS
		---	---	Sulfide			
		---	0.002				

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS Alamosa River/La Jara Creek/Conejos River Basins

30. Platoro Reservoir.						
CORGAL30	Classifications	Physical and Biological			Metals (ug/L)	
Designation	Agriculture	DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	CLL	CLL	Temperature °C	Arsenic	340
	Recreation E	acute	chronic		Arsenic(T)	0.02
	Water Supply			D.O. (mg/L)	Cadmium	TVS
				D.O. (spawning)	Cadmium(T)	5.0
Qualifiers:				pH	Chromium III	TVS
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. <div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div>				chlorophyll a (ug/L)	Chromium III(T)	50
				E. coli (per 100 mL)	Chromium VI	TVS
					Copper	TVS
					Iron	WS
				Inorganic (mg/L)	Iron(T)	1000
		acute	chronic		Lead	TVS
		Ammonia	TVS		Lead(T)	50
		Boron	0.75		Manganese	TVS/WS
		Chloride	250		Mercury(T)	0.01
		Chlorine	0.019	0.011	Molybdenum(T)	150
		Cyanide	0.005		Nickel	TVS
		Nitrate	10		Nickel(T)	100
		Nitrite	0.05		Selenium	TVS
		Nitrogen	TVS		Silver	TVS(tr)
		Phosphorus	TVS		Uranium	varies*
		Sulfate	WS		Zinc	TVS
		Sulfide	0.002			

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

1. All tributaries to the Closed Basin, including all wetlands, within the La Garita Wilderness Area.

CORGCB01	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. <div style="border: 1px solid red; padding: 5px; color: red; font-size: small;">EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div>		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
					Iron	---	WS
		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

2a. Mainstem of La Garita Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with Geronimo Creek. The North, Middle, and South Forks of Camero Creek, including all tributaries and wetlands, from their sources to their confluences at the inception of the mainstem of Camero Creek.

CORGCB02A	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
					Iron	---	WS
		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

2b. Mainstem of La Garita Creek, including all tributaries and wetlands, from a point immediately below the confluence with Geronimo Creek to 38 Road. All tributaries, including wetlands, to the mainstem of Carnero Creek from its inception at the confluence of the North, Middle, and South Forks to 42 Road, excluding the waterbodies in Segment 2a.

CORGCB02B Classifications		Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
<div>EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div> <p>*Uranium(acute) = See 36.5(3) for details.</p> <p>*Uranium(chronic) = See 36.5(3) for details.</p>		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)		Copper	TVS	TVS	
			acute	chronic	Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	varies*	varies*
					Zinc	TVS	TVS

2c. Mainstem of Carnero Creek from its inception at the confluence of the North, Middle, and South Forks to 42 Road.

CORGCB02C		Classifications		Physical and Biological		Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	varies*	varies*	Arsenic	340	---	
	Recreation E		acute	chronic	Arsenic(T)	---	0.02	
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS	
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---	
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. *Temperature = DM and MWAT=CS-II from 11/1-3/31 DM=26.5 and MWAT=20 from 4/1-10/31		pH	6.5 - 9.0	---	Chromium III	---	TVS	
		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---	
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS	
					Copper	TVS	TVS	
		Inorganic (mg/L)			Iron	---	WS	
			acute	chronic	Iron(T)	---	1000	
		Ammonia	TVS	TVS	Lead	TVS	TVS	
		Boron	---	0.75	Lead(T)	50	---	
		Chloride	---	250	Manganese	TVS	TVS/WS	
		Chlorine	0.019	0.011	Mercury(T)	---	0.01	
		Cyanide	0.005	---	Molybdenum(T)	---	150	
		Nitrate	10	---	Nickel	TVS	TVS	
		Nitrite	---	0.05	Nickel(T)	---	100	
		Phosphorus	---	TVS	Selenium	TVS	TVS	
		Sulfate	---	WS	Silver	TVS	TVS(tr)	
		Sulfide	---	0.002	Uranium	varies*	varies*	
					Zinc	TVS	TVS	

All metals are dissolved unless otherwise noted.
 T = total recoverable
 t = total
 tr = trout

D.O. = dissolved oxygen
 DM = daily maximum
 MWAT = maximum weekly average temperature
 See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

3. All tributaries to the Closed Basin excluding the listings in segments 1, 2a, 2b, 2c, and 4 through 13.

CORGC03	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 1	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium(T)	5.0	---
Other:		chlorophyll a (mg/m ²)	---	TVS	Chromium III	---	TVS
Temporary Modification(s):		E. coli (per 100 mL)	---	126	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		Inorganic (mg/L)			Chromium VI	TVS	TVS
Expiration Date of 12/31/2029		acute	chronic		Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Ammonia	TVS	TVS	Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.		Boron	---	0.75	Iron(T)	---	1000
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead(T)	50	---
		Cyanide	0.005	---	Manganese	TVS	TVS/WS
		Nitrate	10	---	Mercury(T)	---	0.01
		Nitrite	---	0.05	Molybdenum(T)	---	150
		Phosphorus	---	TVS	Nickel	TVS	TVS
		Sulfate	---	WS	Nickel(T)	---	100
		Sulfide	---	0.002	Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

4. Mainstem of San Luis Creek, including all tributaries and wetlands, from the source to a point immediately below the confluence with Piney Creek, excluding the specific listings in segments 8, 9a, and 9b. Garner Creek, including all tributaries and wetlands, from the Rio Grande Forest Boundary to the mouth.

CORGC04	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029		Inorganic (mg/L)			Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		acute	chronic		Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS(tr)
					Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

5. Mainstem of San Luis Creek from a point immediately below the confluence with Piney Creek to the inlet to San Luis Lake.

CORGCB05	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 2 Recreation E	Temperature °C	CS-II	CS-II	Arsenic	340	---
		acute	chronic		Arsenic(T)	---	100
Qualifiers:		D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Other:		D.O. (spawning)	---	7.0	Chromium III	TVS	TVS
		pH	6.5 - 9.0	---	Chromium III(T)	---	100
		chlorophyll a (mg/m ²)	---	TVS	Chromium VI	TVS	TVS
		E. coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron(T)	---	1000
		Inorganic (mg/L)			Lead	TVS	TVS
		acute	chronic		Manganese	TVS	TVS
		Ammonia	TVS	TVS	Mercury(T)	---	0.01
		Boron	---	0.75	Molybdenum(T)	---	150
		Chloride	---	---	Nickel	TVS	TVS
		Chlorine	0.019	0.011	Selenium	TVS	TVS
		Cyanide	0.005	---	Silver	TVS	TVS(tr)
		Nitrate	100	---	Uranium	varies*	varies*
		Nitrite	---	0.05	Zinc	TVS	TVS
		Phosphorus	---	TVS			
		Sulfate	---	---			
		Sulfide	---	0.002			

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

6. Mainstem of South Crestone Creek from a point just below the Spanish Creek Trail road crossing (37.981612, -105.713237) to its confluence with Crestone Creek. Mainstem of Crestone Creek from its source at the confluence of North Crestone Creek and South Crestone Creek to the mouth.

CORGCB06	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 1 Recreation E	Temperature °C	WS-II	WS-II	Arsenic	340	---
		acute	chronic		Arsenic(T)	---	7.6
Qualifiers:		D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	---	100
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	250	Mercury(T)	---	0.01
		Chlorine	0.019	0.011	Molybdenum(T)	---	150
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	100	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS
		Phosphorus	---	TVS*	Uranium	varies*	varies*
		Sulfate	---	---	Zinc	TVS	TVS
		Sulfide	---	0.002			

*Phosphorus(chronic) = applies only above the facilities listed at 36.5(4).

*Uranium(acute) = See 36.5(3) for details.

*Uranium(chronic) = See 36.5(3) for details.

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

7. Deleted.								
CORGCB07		Classifications		Physical and Biological		Metals (ug/L)		
Designation			DM	MWAT		acute	chronic	
Qualifiers:			acute	chronic				
Other:								
			Inorganic (mg/L)					
			acute	chronic				
8. Mainstem of Kerber Creek, including all tributaries and wetlands, from the source to a point immediately above the Cocomongo Mill site. Mainstem of Squirrel Creek from the source to immediately above Bear Creek, Brewery Creek from the source to Kerber Creek, and Elkhorn Gulch from the source to Kerber Creek.								
CORGCB08		Classifications		Physical and Biological		Metals (ug/L)		
Designation		Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C		CS-I	CS-I	Arsenic	340	---
	Recreation E		acute	chronic		Arsenic(T)	---	7.6
Qualifiers:		D.O. (mg/L)		---	6.0	Cadmium	TVS	TVS
Other:		D.O. (spawning)		---	7.0	Chromium III	TVS	TVS
		pH		6.5 - 9.0	---	Chromium III(T)	---	100
		chlorophyll a (mg/m²)		---	TVS	Chromium VI	TVS	TVS
		E. coli (per 100 mL)		---	126	Copper	TVS	TVS
						Iron(T)	---	1000
				Inorganic (mg/L)		Lead	TVS	TVS
			acute	chronic		Manganese	TVS	TVS
		Ammonia		TVS	TVS	Mercury(T)	---	0.01
		Boron		---	0.75	Molybdenum(T)	---	150
		Chloride		---	---	Nickel	TVS	TVS
		Chlorine		0.019	0.011	Selenium	TVS	TVS
		Cyanide		0.005	---	Silver	TVS	TVS(tr)
		Nitrate		100	---	Uranium	varies*	varies*
		Nitrite		---	0.05	Zinc	TVS	TVS
		Phosphorus		---	TVS			
		Sulfate		---	---			
		Sulfide		---	0.002			

*Uranium(acute) = See 36.5(3) for details.

*Uranium(chronic) = See 36.5(3) for details.

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

*Uranium(acute) = See 36.5(3) for details.

*Uranium(chronic) = See 36.5(3) for details.

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

9a. Mainstem of Kerber Creek, including all tributaries and wetlands, from a point immediately above the Cocomongo Mill site to immediately above the confluence of Brewery Creek, excluding the specific listings in segment 8.					
CORGC09A	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
UP	Agriculture			Arsenic	340
	Recreation E			Arsenic(T)	0.02-10 ^A
	Water Supply			Arsenic(T)	---
Qualifiers:		acute	chronic		
Goal Qualifier for Agriculture and Water Supply Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.	D.O. (mg/L)	---	3.0	Cadmium(T)	5.0
	pH	6.5 - 9.0	---	Chromium III(T)	50
	chlorophyll a (mg/m ²)	---	TVS	Chromium VI(T)	50
	E. coli (per 100 mL)	---	126	Copper(T)	1000
	Inorganic (mg/L)			Iron	WS
		acute	chronic	Lead(T)	50
	Ammonia	---	---	Manganese	WS
	Boron	---	0.75	Mercury(T)	2.0
	Chloride	---	250	Molybdenum(T)	150
	Chlorine	---	---	Nickel(T)	100
	Cyanide	---	---	Selenium(T)	20
	Nitrate	10	---	Silver(T)	50
	Nitrite	1.0	---	Uranium	varies*
	Phosphorus	---	---	Zinc(T)	5000
	Sulfate	---	WS		
	Sulfide	---	0.002		
9b. Mainstem of Kerber Creek from a point immediately above the confluence with Brewery Creek to the confluence with San Luis Creek.					
CORGC09B	Classifications	Physical and Biological		Metals (ug/L)	
Designation		DM	MWAT	acute	chronic
UP	Agriculture			Arsenic	340
	Aq Life Cold 1			Arsenic(T)	0.02
	Recreation E			Arsenic(T)	---
UP	Water Supply			Cadmium	SSE*
				Cadmium	---
				Cadmium(T)	5.0
Qualifiers:		acute	chronic		
Goal Qualifier for Agriculture and Water Supply Other: Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2029 *Cadmium(acute) = $e^{(0.7852\ln[\text{hard}]-1.545)}$ *Cadmium(chronic) = $e^{(0.7852\ln[\text{hard}]-2.906)}$ *Copper(acute) = $e^{(0.8889\ln[\text{hard}]+0.53)}$ *Copper(chronic) = $e^{(0.8889\ln[\text{hard}]-1.519)}$ *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. *Zinc(acute) = $e^{(0.8179\ln[\text{hard}]+3.757)}$ *Zinc(chronic) = $e^{(0.8179\ln[\text{hard}]+2.907)}$	D.O. (mg/L)	---	6.0	Chromium III	TVS
	D.O. (spawning)	---	7.0	Chromium III(T)	50
	pH	6.5 - 9.0	---	Chromium VI	TVS
	chlorophyll a (mg/m ²)	---	TVS	Copper	TVS
	E. coli (per 100 mL)	---	126	Copper	---
	Inorganic (mg/L)			Copper	SSE*
		acute	chronic	Copper	TVS
	Ammonia	TVS	TVS	Iron	300
	Boron	---	0.75	Iron(T)	1000
	Chloride	---	250	Lead	TVS
	Chlorine	0.019	0.011	Lead(T)	50
	Cyanide	0.005	---	Manganese	TVS
	Nitrate	10	---	Mercury(T)	0.01
	Nitrite	---	0.05	Molybdenum(T)	150
	Phosphorus	---	TVS	Nickel	TVS
	Sulfate	---	WS	Nickel(T)	100
	Sulfide	---	0.002	Selenium	TVS
				Silver	TVS
				Uranium	varies*
				Zinc	---
				Zinc	SSE*
				Zinc	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

10. Mainstem of Sand Creek, including all tributaries and wetlands, from the source to the mouth. Mainstem of Medano Creek, including all tributaries and wetlands, from the source to the mouth.

CORGCB10	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. <div style="border: 1px solid red; padding: 5px; color: red; width: fit-content;">EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div>		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
					Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	210
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

11. All tributaries, including wetlands, to the Closed Basin within the Rio Grande National Forest boundaries excluding the waterbodies in segments 1, 2a, 2b, 2c, 4, 9a, 9b, 10, 12a, 12b, and 12c.

CORGCB11	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other: Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2029 *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
		Inorganic (mg/L)			Copper	TVS	TVS
					Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

12a. Mainstem of Saguache Creek, including all tributaries and wetlands, from the boundary of the La Garita Wilderness Area to a point just below the confluence with Ford Creek, excluding the specific listings in segments 1 and 12b.

CORGCB12A Classifications		Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-I	CS-I	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Inorganic (mg/L)			Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.		acute	chronic		Iron(T)	---	1000
EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

12b. Mainstem of Saguache Creek from a point just below the confluence of Fourmile Creek to a point just below the confluence with Ford Creek.

CORGCB12B Classifications		Physical and Biological		Metals (ug/L)			
Designation	Agriculture	DM	MWAT	acute	chronic		
Reviewable	Aq Life Cold 1	Temperature °C	varies*	Arsenic	340	---	
	Recreation E			Arsenic(T)	---	0.02	
	Water Supply			Cadmium	TVS	TVS	
Qualifiers:		D.O. (spawning)	---	Cadmium(T)	5.0	---	
Other: Temporary Modification(s): Arsenic(chronic) = hybrid Expiration Date of 12/31/2029 *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. *Temperature = DM and MWAT=CS-II from 11/1-3/31 DM=CS-II and MWAT=18.6 from 4/1-10/31 See temperature assessment locations at 36.6(4).		pH	6.5 - 9.0	Chromium III	---	TVS	
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
					Copper	TVS	TVS
		Inorganic (mg/L)			Iron	---	WS
			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
Sulfide	---	0.002	Uranium	varies*	varies*		
			Zinc	TVS	TVS		

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

12c. Mainstem of Saguache Creek, including all tributaries and wetlands, from a point just below the confluence with Ford Creek to Hwy 285.

CORGCB12C	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	CS-II	CS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
Temporary Modification(s):		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	50	---
Arsenic(chronic) = hybrid		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
Expiration Date of 12/31/2029					Copper	TVS	TVS
*Uranium(acute) = See 36.5(3) for details.		Inorganic (mg/L)			Iron	---	WS
*Uranium(chronic) = See 36.5(3) for details.			acute	chronic	Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Lead(T)	50	---
		Chloride	---	250	Manganese	TVS	TVS/WS
		Chlorine	0.019	0.011	Mercury(T)	---	0.01
		Cyanide	0.005	---	Molybdenum(T)	---	150
		Nitrate	10	---	Nickel	TVS	TVS
		Nitrite	---	0.05	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

13. Mainstem of Saguache Creek from Hwy 285 to the confluence with San Luis Creek. Mainstem of Russell Creek from its source at Russell Springs to the confluence with La Garita Creek. Mainstem of Cottonwood Creek downstream of the Rio Grande National Forest Boundary.

CORGCB13	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium(T)	5.0	---
Water + Fish Standards Apply		chlorophyll a (mg/m ²)	---	TVS	Chromium III	---	TVS
Other:		E. coli (per 100 mL)	---	126	Chromium III(T)	50	---
Temporary Modification(s):		Inorganic (mg/L)			Chromium VI	TVS	TVS
Arsenic(chronic) = hybrid			acute	chronic	Copper	TVS	TVS
Expiration Date of 12/31/2029		Ammonia	TVS	TVS	Iron	---	WS
*Uranium(acute) = See 36.5(3) for details.		Boron	---	0.75	Iron(T)	---	1000
*Uranium(chronic) = See 36.5(3) for details.		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead(T)	50	---
		Cyanide	0.005	---	Manganese	TVS	TVS/WS
		Nitrate	10	---	Mercury(T)	---	0.01
		Nitrite	---	0.5	Molybdenum(T)	---	150
		Phosphorus	---	TVS	Nickel	TVS	TVS
		Sulfate	---	WS	Nickel(T)	---	100
		Sulfide	---	0.002	Selenium	TVS	TVS
					Silver	TVS	TVS
					Uranium	varies*	varies*
					Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

14. All wetlands tributary to the Closed Basin, excluding the specific listings in segments 1 through 13.

CORGCB14	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
UP	Aq Life Warm 2	Temperature °C	WS-II	WS-II	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	100
Qualifiers:		D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Other:		pH	6.5 - 9.0	---	Chromium III	TVS	TVS
		chlorophyll a (mg/m ²)	---	TVS	Chromium III(T)	---	100
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron(T)	---	1000
		Ammonia	TVS	TVS	Lead	TVS	TVS
		Boron	---	0.75	Manganese	TVS	TVS
		Chloride	---	---	Mercury(T)	---	0.01
		Chlorine	0.019	0.011	Molybdenum(T)	---	150
		Cyanide	0.005	---	Nickel	TVS	TVS
		Nitrate	100	---	Selenium	TVS	TVS
		Nitrite	---	0.05	Silver	TVS	TVS
		Phosphorus	---	---	Uranium	varies*	varies*
		Sulfate	---	---	Zinc	TVS	TVS
		Sulfide	---	0.002			

15. All lakes and reservoirs tributary to the Closed Basin, and within the La Garita Wilderness Area.

CORGCB15	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
OW	Aq Life Cold 1	Temperature °C	CL	CL	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Qualifiers:		D.O. (spawning)	---	7.0	Cadmium(T)	5.0	---
Other:		pH	6.5 - 9.0	---	Chromium III	---	TVS
		chlorophyll a (ug/L)	---	TVS	Chromium III(T)	50	---
*Uranium(acute) = See 36.5(3) for details.		E. coli (per 100 mL)	---	126	Chromium VI	TVS	TVS
*Uranium(chronic) = See 36.5(3) for details.		Inorganic (mg/L)			Copper	TVS	TVS
		acute	chronic		Iron	---	WS
		Ammonia	TVS	TVS	Iron(T)	---	1000
		Boron	---	0.75	Lead	TVS	TVS
		Chloride	---	250	Lead(T)	50	---
		Chlorine	0.019	0.011	Manganese	TVS	TVS/WS
		Cyanide	0.005	---	Mercury(T)	---	0.01
		Nitrate	10	---	Molybdenum(T)	---	150
		Nitrite	---	0.05	Nickel	TVS	TVS
		Nitrogen	---	TVS	Nickel(T)	---	100
		Phosphorus	---	TVS	Selenium	TVS	TVS
		Sulfate	---	WS	Silver	TVS	TVS(tr)
		Sulfide	---	0.002	Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

16. All lakes and reservoirs tributary to La Garita Creek from the source to 38 Road. All lakes and reservoirs tributary to Carnero Creek from the source to 42 Road. All lakes and reservoirs tributary to Kerber Creek from the source to a point immediately above the Cocomongo Mill site. All lakes and reservoirs tributary to San Luis Creek, from the source to a point immediately below the confluence with Piney Creek. All lakes and reservoirs tributary to Saguache Creek from the boundary of the La Garita Wilderness Area to Hwy 285.

CORGC16	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL	Arsenic	340
	Recreation E			Arsenic(T)	0.02
	Water Supply			Cadmium	TVS
Qualifiers: Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details. <div style="border: 1px solid red; padding: 5px; color: red;">EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).</div>		D.O. (mg/L)	6.0	Cadmium(T)	5.0
		D.O. (spawning)	7.0	Chromium III	TVS
		pH	6.5 - 9.0	Chromium III(T)	50
		chlorophyll a (ug/L)	TVS	Chromium VI	TVS
		E. coli (per 100 mL)	126	Copper	TVS
		Inorganic (mg/L)		Iron	WS
				Iron(T)	1000
				Lead	TVS
				Lead(T)	50
				Manganese	TVS
				Mercury(T)	0.01
				Molybdenum(T)	150
				Nickel	TVS
				Nickel(T)	100
				Selenium	TVS
				Silver	TVS
				Uranium	varies*
				Zinc	TVS

17. All lakes and reservoirs within the Closed Basin and within the Rio Grande National Forest boundaries, excluding the specific listings in segments 15 and 16.

CORGC17	Classifications	Physical and Biological		Metals (ug/L)	
Designation	Agriculture	DM	MWAT	acute	chronic
Reviewable	Aq Life Cold 1	Temperature °C	CL	Arsenic	340
	Recreation E			Arsenic(T)	0.02
	Water Supply			Cadmium	TVS
Qualifiers: Other: *Uranium(acute) = See 36.5(3) for details. *Uranium(chronic) = See 36.5(3) for details.		D.O. (mg/L)	6.0	Cadmium(T)	5.0
		D.O. (spawning)	7.0	Chromium III	TVS
		pH	6.5 - 9.0	Chromium III(T)	50
		chlorophyll a (ug/L)	TVS	Chromium VI	TVS
		E. coli (per 100 mL)	126	Copper	TVS
		Inorganic (mg/L)		Iron	WS
				Iron(T)	1000
				Lead	TVS
				Lead(T)	50
				Manganese	TVS
				Mercury(T)	0.01
				Molybdenum(T)	150
				Nickel	TVS
				Nickel(T)	100
				Selenium	TVS
				Silver	TVS
				Uranium	varies*
				Zinc	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

18. All lakes and reservoirs within the Closed Basin, excluding the specific listings in segments 16, 17, 19 and 20.

CORGC18	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Warm 2	Temperature °C	WL	WL	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	0.02
	Water Supply	D.O. (mg/L)	---	5.0	Cadmium	TVS	TVS
Qualifiers:		pH	6.5 - 9.0	---	Cadmium(T)	5.0	---
Water + Fish Standards Apply		chlorophyll a (ug/L)	---	TVS	Chromium III	---	TVS
Other:		E. coli (per 100 mL)	---	126	Chromium III(T)	50	---
		Inorganic (mg/L)			Chromium VI	TVS	TVS
		acute	chronic		Copper	TVS	TVS
		Ammonia	TVS	TVS	Iron	---	WS
		Boron	---	0.75	Iron(T)	---	1000
		Chloride	---	250	Lead	TVS	TVS
		Chlorine	0.019	0.011	Lead(T)	50	---
		Cyanide	0.005	---	Manganese	TVS	TVS/WS
		Nitrate	10	---	Mercury(T)	---	0.01
		Nitrite	---	0.05	Molybdenum(T)	---	150
		Nitrogen	---	TVS	Nickel	TVS	TVS
		Phosphorus	---	TVS	Nickel(T)	---	100
		Sulfate	---	WS	Selenium	TVS	TVS
		Sulfide	---	0.002	Silver	TVS	TVS
					Uranium	varies*	varies*
					Zinc	TVS	TVS

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

19. San Luis Lake.

CORGC19	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture	DM	MWAT		acute	chronic	
Reviewable	Aq Life Cold 1	Temperature °C	varies*	varies*	Arsenic	340	---
	Recreation E	acute	chronic		Arsenic(T)	---	7.6
Qualifiers:		D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Other:		D.O. (spawning)	---	7.0	Chromium III	TVS	TVS
		pH	6.5 - 9.0	---	Chromium III(T)	---	100
		chlorophyll a (ug/L)	---	TVS	Chromium VI	TVS	TVS
		E. coli (per 100 mL)	---	126	Copper	TVS	TVS
		Inorganic (mg/L)			Iron(T)	---	1000
		acute	chronic		Lead	TVS	TVS
		Ammonia	TVS	TVS	Manganese	TVS	TVS
		Boron	---	0.75	Mercury(T)	---	0.01
		Chloride	---	---	Molybdenum(T)	---	150
		Chlorine	0.019	0.011	Nickel	TVS	TVS
		Cyanide	0.005	---	Selenium	TVS	TVS
		Nitrate	100	---	Silver	TVS	TVS
		Nitrite	---	0.05	Uranium	varies*	varies*
		Nitrogen	---	TVS	Zinc	TVS	TVS
		Phosphorus	---	TVS			
		Sulfate	---	---			
		Sulfide	---	0.002			

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

REGULATION #36 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

Closed Basin-San Luis Valley River Basin

20. Head Lake.							
CORGCB20	Classifications	Physical and Biological			Metals (ug/L)		
Designation	Agriculture		DM	MWAT		acute	chronic
Reviewable	Aq Life Cold 2	Temperature °C	CLL	CLL	Arsenic	340	---
	Recreation E		acute	chronic	Arsenic(T)	---	100
Qualifiers:		D.O. (mg/L)	---	6.0	Cadmium	TVS	TVS
Other:		D.O. (spawning)	---	7.0	Chromium III	TVS	TVS
		pH	6.5 - 9.0	---	Chromium III(T)	---	100
		chlorophyll a (ug/L)	---	TVS	Chromium VI	TVS	TVS
		E. coli (per 100 mL)	---	126	Copper	TVS	TVS
					Iron(T)	---	1000
		Inorganic (mg/L)			Lead	TVS	TVS
			acute	chronic	Manganese	TVS	TVS
		Ammonia	TVS	TVS	Mercury(T)	---	0.01
		Boron	---	0.75	Molybdenum(T)	---	150
		Chloride	---	---	Nickel	TVS	TVS
		Chlorine	0.019	0.011	Selenium	TVS	TVS
		Cyanide	0.005	---	Silver	TVS	TVS
		Nitrate	100	---	Uranium	varies*	varies*
		Nitrite	---	0.05	Zinc	TVS	TVS
		Nitrogen	---	TVS			
		Phosphorus	---	TVS			
		Sulfate	---	---			
		Sulfide	---	0.002			

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

EPA has not acted on segment-specific total phosphorus (TP) numeric standards based on the interim value for river/stream segments with a cold or warm water aquatic life classification (TVS).

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr = trout

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 36.6 for further details on applied standards.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS – FOOTNOTES

- (A) Whenever a range of standards is listed and referenced to this footnote, the first number in the range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.
- (B) Reserved.
- (C) For certain site-specific temperature standards, the temperature excursions listed in Table I - Footnote 5(c) of 31.16 do not apply. Assessment of ambient-based temperature standards should be conducted in a way that represents similar conditions to those under which the criteria were developed (i.e., air, low flow, and warming event excursions should not apply). Similarly, where site-specific adjustments to the winter shoulder season have been adopted, the winter shoulder season excursion does not apply.

Editor's Notes

History

Rules 36.5, 36.25 eff. 07/01/2007.

Rules 36.6, 36.26 eff. 09/01/2007.

Rules 36.1-36.6, 36.27 eff. 12/31/2007.

Rules 36.6 (Tables 1-12), 36.28 eff. 06/30/2010.

Rules 36.6 (Tables 1-12), 36.29 eff. 11/30/2010.

Rule 36.30 eff. 06/30/2011.

Rules 36.6 (Table pg. 10), 36.31 eff. 01/01/2012.

Rules 36.6 (Table pg. 5), 36.32 eff. 06/30/2013.

Rules 36.6(2)(d), 36.6 (Tables pgs. 1-4, 8-11), 36.33 eff. 09/30/2013.

Rules 36.1-36.6, 36.6(3), 36.6 (Tables pgs. 1-19), 36.34 eff. 12/31/2013.

Rules 36.6 Rio Grande segments 4a, 7, 36.35 eff. 06/30/2014.

Rule 36.36 eff. 06/30/2015.

Rules 36.5, 36.6, 36.37, Appendix 36-1 eff. 03/01/2016.

Rules 36.6(4), 36.38, Appendix 36-1 eff. 06/30/2016.

Rules 36.39, Appendix 36-1 eff. 06/30/2017.

Rules 36.6(4)(c), 36.40, Appendix 36-1 Alamosa Segments 28, 29, Closed Basin segments 3, 9a eff. 01/31/2018.

Rule 36.41 eff. 06/30/2018.

Rules 36.2-36.6, 36.42, Appendix 36-1 eff. 12/31/2018.

Rule 36.43, Appendix 36-1 eff. 06/30/2019.

Rules 36.6, 36.44, 36.45, Appendix 36-1 eff. 06/30/2020.

Rules 36.6(4)(b)-(c), 36.46, Appendix 36-1 eff. 06/30/2021.

Rules 36.5-36.6, 36.47, Appendix 36-1 eff. 12/31/2021.

Rules 36.6(2)(6), 36.48, Appendix 36-1 eff. 09/30/2022.

Rules 36.5(4), 36.6(3), 36.49, Appendix 36-1 eff. 06/14/2023.

Rules 36.6(4)(b)-(c), 36.50, Appendix 36-1 eff. 12/31/2023.

Rules 36.6(2)(c), 36.6(6)(a), Appendix 36-1 eff. 12/31/2024.