

Secretary of State  
Filing Data

**For Filing Administrative  
Regulations**

For Emergency  
Regulations Only

Effective Date

Expiration Date

Governor's Signature

### State Environmental Commission

Classification  Proposed  Adopted By Agency  Temporary  Emergency  Permanent

**R129-10: Water Quality Standards for Class D Waters & Removal of Legal References for Certain Tribal Waters:** This regulation makes changes to Water Quality Standards for Class D waters and removes Nevada Administrative Code references to Tribal waters on the Fort McDermitt Indian Reservation. When the Nevada Division of Environmental Protection (NDEP) updated the Class Waters to the E. Coli bacteria standard in 2008, EPA required Nevada to perform an assessment of the Class D waters, which do not have contact recreation as a beneficial use, to determine if the waters would now meet the fishable/swimmable goal of the Clean Water Act. Accordingly, this regulation adds contact recreation and the associated bacterial water quality standard to four segments of the Class D waters.

The State of Nevada water quality regulations are not applicable to waterbodies on tribal lands. As a sovereign nation, the Fort McDermitt Paiute and Shoshone Tribes are responsible for regulating the water quality of the river within the boundaries of their land. This regulation changes the NAC to remove the segments of these reaches that are on tribal lands.

**Authority citation other than 233B:** §§1-14, NRS 445A.425 and 445A.520

**Notice date:** November 05, 2010

**Hearing date:** December 07, 2010