

**FORM FOR PETITIONING THE STATE ENVIRONMENTAL COMMISSION FOR ADOPTION,
FILING AMENDMENTS OR REPEAL OF COMMISSION REGULATIONS**

1. Kathy Sertic
Chief Bureau of Water Quality Planning
901 S. Stewart St., Suite 4001
Carson City, Nevada 89701
(775) 687-9455

June 29, 2010

Kathy Sertic

2. Government Agency – Nevada Division of Environmental Protection (NDEP)
3. When NDEP-BWQP updated the Class Waters to the E. Coli bacteria standard in 2008, EPA required Nevada 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. NDEP is proposing to add 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. Changes are proposed to the NAC to remove the segments of these reaches that are on tribal lands.

4. Federal regulations (40CFR 131.20) require states periodically review their water quality standards.
5. (a) The proposed revisions do not regulate business; therefore, they are not expected to have any direct economic effect on the regulated community both immediately and long term.

(b) The proposed revisions are not expected to have any economic effect on the public both immediately and long-term.

(c) Implementation of the proposed regulations is not expected to result in additional cost by the agency for enforcement.
6. There are no other state or government agency regulations which the proposed revisions duplicate.
7. The federal government has delegated the responsibility of establishing water quality standards to the state; therefore, there is no federal regulation for proposed water quality standards revisions. Revisions of the standards will be submitted to the EPA Regional Administration for review and approval.
8. The regulation does not provide for fees.