PROPOSED REGULATION OF THE

STATE ENVIRONMENTAL COMMISSION

LCB File No. R115-22

July 25, 2022

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[~~omitted material~~]** is material to be omitted.

AUTHORITY: §§ 1 and 2, NRS 445A.425 and 445A.520.

A REGULATION relating to water quality; establishing water quality standards for channels tributary to the Las Vegas Wash; designating the beneficial uses for such channels; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Environmental Commission to adopt regulations establishing the standards of water quality and amounts of waste which may be discharged into the waters of this State. (NRS 445A.425) Each standard adopted by the Commission must ensure a continuation of the designated beneficial use or uses applicable to the body of water to which the standard applies. (NRS 445A.520)

Section 1 of this regulation establishes the water quality standards for channels tributary to the Las Vegas Wash. **Section 1** provides which bodies of water make up these channels and further provides that these channels are located in Clark County. **Section 2** of this regulation makes a conforming change by providing that the designated beneficial uses for such channels are noncontact use and wildlife use.

Section 1. Chapter 445A of NAC is hereby amended by adding thereto a new section to read as follows:

The limits of this table apply to the channels tributary to the Las Vegas Wash, including the bodies of water known as:

1. Flamingo Wash from its origin to the confluence with the Las Vegas Wash;

2. Sloan Channel from North Las Vegas Boulevard to the confluence with the Las Vegas Wash;

3. Duck Creek from its origin to the confluence with the Las Vegas Wash;

4. Las Vegas Creek from its origin to the confluence with the Las Vegas Wash;

5. Pittman Wash from its origin to the confluence with Duck Creek;

6. Tropicana Wash from its origin to the confluence with the Flamingo Wash; and

7. Upper Las Vegas Wash from its origin to the confluence with Sloan Channel.

➥ *These channels tributary to the Las Vegas Wash are located in Clark County.*

STANDARDS OF WATER QUALITY

Channels tributary to the Las Vegas Wash

PARAMETER	*REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY*	*WATER QUALITY CRITERIA TO PROTECT BENEFICIAL USES*	*Beneficial Uses*[a]										
			Livestock	*Irrigation*	*Aquatic*	*Contact*	*Noncontact*	*Municipal*	*Industrial*	*Wildlife*	*Aesthetic*	*Enhance*	*Marsh*
Beneficial Uses							X			X			
Aquatic Life Species of Concern			*None*										
pH - SU		*S.V. 5.5 - 9.2*					*			*			
Dissolved Oxygen - mg/L		*S.V.≥ 2.0*					*			*			
Nitrate (as N) - mg/L		*S.V. ≤ 100*[b]								*			
Nitrite (as N) - mg/L		*S.V. ≤ 10*[c]								*			
Total Dissolved Solids - mg/L		*S.V.≤ 5,000*[c]								*			
E. coli - cfu/100 mL		*A.G.M. ≤ 630*					*						
Toxic Materials		[d]											

** = The most restrictive beneficial use.*
X = Beneficial use.

[a] *Refer to NAC 445A.122 and 445A.2142 for beneficial use terminology.*

[b] *Value from Miranda A. Meehan, Gerald Stokka and Michelle Mostrom, Livestock Water Quality, North Dakota State University (Feb. 2021), https://www.ag.ndsu.edu/publications/livestock/livestock-water-quality.*

[c] *Value from National Academy of Sciences and National Academy of Engineering, Water Quality Criteria - A Report of the Committee on Water Quality Criteria (1972); National Research Council, Nutrients and Toxic Substances in Water for Livestock and Poultry (1974); Adam Sigler, Marley Manoukian and Megan Van Emon, "Water Quality for Livestock," Montana State University (May 2022), https://store.msuextension.org/publications/AgandNaturalResources/MT202209AG.pdf.*

[d] *Toxic Materials standards specified in NAC 445A.1236 apply only to the beneficial uses of aquatic life, municipal or domestic supply, irrigation, and watering of livestock. None of those beneficial uses are applicable for these channels, which consist predominantly of concrete-lined channels constructed for stormwater flow. Accidental organisms, such as dumped aquarium organisms may occur sporadically, but these are not considered to be established, propagating organisms. Monsoon floods periodically scour and flush out the largely concrete-lined channels and detention basins.*

Sec. 2. NAC 445A.2142 is hereby amended to read as follows:

445A.2142 The designated beneficial uses for select bodies of water within the Colorado Region are prescribed in this section:

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Colorado River below Davis Dam	Colorado River, from Davis Dam to the California-Nevada state line, except for the length of the river within the exterior borders of the Fort Mojave Indian Reservation.	X	X	X	X	X	X	X	X				Adult cold-water fishery	NAC 445A.2146
Lake Mohave	The entire lake.	X	X	X	X	X	X	X	X				Adult cold-water fishery	NAC 445A.2147
Colorado River below Hoover Dam	From Hoover Dam to Willow Beach.	X	X	X	X	X	X	X	X				Adult cold-water fishery	NAC 445A.2148
Lake Mead	Lake Mead, excluding the area covered by NAC 445A.2154, Inner Las Vegas Bay.	X	X	X	X	X	X	X	X				Warm-water fishery	NAC 445A.2152
Inner Las Vegas Bay	Lake Mead from the confluence of the Las Vegas Wash with Lake Mead to 1.2 miles into Las Vegas Bay.	X	X	X		X		X	X				Warm-water fishery	NAC 445A.2154
Las Vegas Wash at the Historic Lateral	From the confluence of Sloan Channel and Las Vegas Wash to the Historic Lateral. This segment encompasses the discharge from Clark County wastewater treatment plant, the City of Las Vegas wastewater treatment plant and the City of Henderson wastewater treatment plant.	X	X	X		X			X			X	Warm-water fish.	NAC 445A.2156
Las Vegas Wash at Lake Mead	From the Historic Lateral to its confluence with Lake Mead.	X	X	X		X			X			X	Warm-water fish.	NAC 445A.2158
Channels tributary to the Las Vegas Wash	***Flamingo Wash, Sloan Channel, Duck Creek and Las Vegas Creek from the applicable origin to the confluence with the Las Vegas Wash. Pittman Wash from its origin to the confluence with Duck Creek. Tropicana Wash from its origin to the confluence with Flamingo Wash. Upper Las Vegas Wash from its origin to the confluence with Sloan Channel.***					***X***			***X***					***Section 1 of this regulation***
Lake Las Vegas	The entire lake.		X	X	X	X			X				Warm-water fishery.	NAC 445A.2161
Virgin River at the state line	At the Arizona-Nevada state line, near Littlefield, Arizona.	X	X	X		X		X	X					NAC 445A.2162
Virgin River at Mesquite	From the Arizona-Nevada state line to Mesquite.	X	X	X		X		X	X					NAC 445A.2164
Virgin River at Lake Mead	From Mesquite to the river mouth at Lake Mead.	X	X	X		X		X	X					NAC 445A.2166

Water Body Name	Segment Description	Beneficial Uses											Aquatic Life Species of Concern	Water Quality Standard NAC Reference
		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Muddy River at the Glendale Bridge	From the river source to the Glendale Bridge, except for the length of the river within the exterior borders of the Moapa Indian Reservation.	X	X	X	X	X	X	X	X					NAC 445A.2168
Muddy River at the Wells Siding Diversion	From the Glendale Bridge to the Wells Siding Diversion.	X	X	X	X	X		X	X					NAC 445A.2172
Muddy River at Lake Mead	From the Wells Siding Diversion to the river mouth at Lake Mead.	X	X	X	X	X		X	X					NAC 445A.2174
Meadow Valley Wash	From the bridge above Rox to its confluence with the Muddy River.	X	X	X		X		X	X					NAC 445A.2176
Beaver Dam Wash	Above Schroeder Reservoir.	X	X	X	X	X	X	X	X					NAC 445A.2178
Schroeder Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X				Trout	NAC 445A.2182
White River at the national forest boundary	From its origin to the national forest boundary.	X	X	X	X	X	X		X					NAC 445A.2184
White River at Ellison Creek	From the national forest boundary to its confluence with Ellison Creek.	X	X	X	X	X	X	X	X				Trout	NAC 445A.2186
Dacey Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X					NAC 445A.2188
Sunnyside Creek	From its origin to Adams McGill Reservoir.	X	X	X	X	X	X	X	X					NAC 445A.2192
Adams McGill Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X					NAC 445A.2194
Hay Meadow Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X				Trout	NAC 445A.2196
Nesbitt Lake	The entire lake.	X	X	X	X	X	X	X	X					NAC 445A.2198
Pahranagat Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X					NAC 445A.2202
Bowman Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X					NAC 445A.2204
Eagle Valley Creek	From its headwaters to Eagle Valley Reservoir.	X	X	X	X	X	X	X	X				Trout	NAC 445A.2206
Eagle Valley Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X				Trout	NAC 445A.2208
Echo Canyon Reservoir	The entire reservoir.	X	X	X	X	X	X	X	X				Trout	NAC 445A.2212
Clover Creek	From its origin to the point where it crosses the east range line of T. 4 S., R. 67 E., M.D.B. & M.	X	X	X	X	X	X	X	X				Trout	NAC 445A.2214

Irrigation	Irrigation
Livestock	Watering of livestock
Contact	Recreation involving contact with the water
Noncontact	Recreation not involving contact with the water
Industrial	Industrial supply
Municipal	Municipal or domestic supply, or both
Wildlife	Propagation of wildlife
Aquatic	Propagation of aquatic life
Aesthetic	Waters of extraordinary ecological or aesthetic value
Enhance	Enhancement of water quality

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		Livestock	Irrigation	Aquatic	Contact	Noncontact	Municipal	Industrial	Wildlife	Aesthetic	Enhance	Marsh		
Marsh	Maintenance of a freshwater marsh													