

**ADOPTED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R130-10

Effective December 16, 2010

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

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

A REGULATION relating to water quality; revising the standards for determining concentrations of total dissolved solids in certain portions of the Colorado River; and providing other matters properly relating thereto.

Section 1. NAC 445A.143 is hereby amended to read as follows:

445A.143 1. The State of Nevada will cooperate with the other Colorado River Basin states and the Federal Government to support and carry out the conclusions and recommendations adopted April 27, 1972, by the Reconvened 7th Session of the Conference in the Matter of Pollution of the Interstate Waters of the Colorado River and its Tributaries.

2. Pursuant to the ~~[“2005”]~~ **“2008** Review - Water Quality Standards for Salinity, Colorado River System,” as ~~[presented]~~ **adopted** by the Colorado River Basin Salinity Control Forum, the flow weighted annual average concentrations for the calendar year for total dissolved solids in mg/l at the three lower main stem stations of the Colorado River are as follows:

Below Hoover Dam.....	723
Below Parker Dam	747
Imperial Dam.....	879

Permanent Regulation - Filing Statement

Nevada Division of Environmental Protection Bureaus of Water Quality Planning

Legislative Review of Adopted Regulations as Required
by Administrative Procedures Act, NRS 233B.066

State Environmental Commission (SEC)

LCB File No. R130-10

SEC # P2010-09

R130-10: Administrative Updates Colorado Salinity: The Nevada Division of Environmental Protection (NDEP) has proposed administrative changes to subsection 2 in NAC 445A.143 (445A.1233) to update the reference to the Review - Water Quality Standards for Salinity, Colorado River System (review) to the 2008 Review. No changes to the salinity criteria were proposed. The proposed change to the regulation was adopted by the State Environmental Commission on October 5th 2010.

1. A description of how public comment was solicited, a summary of public response and an explanation of how other interested persons may obtain a copy of the summary.

In the spring of 2010, the NDEP held three public workshops on the above referenced regulation on May 13, May 20 and May 21 respectively. The workshops were held in Carson City, Ely and Elko Nevada. All support documentation for this regulation is available on the SEC web site at http://www.sec.nv.gov/main/hearing_1010.htm see agenda item #7.

Following the workshop, the State Environmental Commission (SEC) held a regulatory hearing on October 5th 2010. The hearing was held as a video conference in Carson City and Las Vegas. The hearing location in Carson City was the Bryan Building, 901 South Stewart Street (2nd floor, Tahoe Room). In Las Vegas the hearing was held at the Nevada Division of Environmental Protection, 2030 E. Flamingo Rd. Suite 230.

A public notice and agenda for the SEC regulatory hearing was posted at the meeting location, at the State Library in Carson City, and at the Offices of the Division of Environmental Protection in Carson City and Las Vegas. Copies of the agenda, the public notice, and the proposed permanent regulation were also made available to all public libraries throughout the state as well as to individuals on the SEC electronic and ground-based mailing lists.

The public notice was also published in the Las Vegas Review Journal and Reno Gazette Journal newspapers once a week for three consecutive weeks prior to the above referenced SEC regulatory hearing. Other information about the regulation was also made available on the SEC website at: http://www.sec.nv.gov/main/hearing_1010.htm

2. The number persons who attended the SEC Regulatory Hearing:

- (a) Attended October 05, 2010 hearing; 20 (approx.)
- (b) Testified on this Petition at the hearing: 1 (1 NDEP)
- (c) Submitted to the agency written comments: 0

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation of how other interested persons may obtain a copy of the summary.

This regulation does not directly impact any businesses.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was adopted without any changes.

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public.

The regulation does not regulate any business. There is no economic impact from the amendments on regulated fleets.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There will be no additional cost to the Division of Environmental Protection for enforcement of the amendment.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

This regulation does not duplicate any other federal, state or local regulation.

8. If the regulation includes provisions which are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.

The regulation is not more stringent than any federal regulation or guidance.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

No fees are generated by this regulation.