

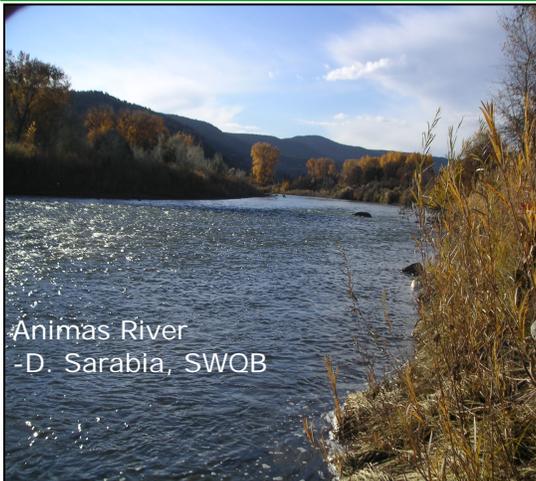


## Triennial Review of the Water Quality Standards Factsheet

### The Clean Water Act 33 U.S.C. § 1251- 1387 (1972)

"...restore and maintain the  
**chemical, physical, and  
biological** integrity of the  
Nation's waters."

"...provides for the protection  
and propagation of fish,  
shellfish, and wildlife, and  
provides for recreation in and on  
the water."



Animas River  
-D. Sarabia, SWQB

### Public Comment Periods

April 3 – May 15, 2013

April 1 – May 30, 2014

### Comment Contributors

Municipalities/Water Districts

Industrial/Trade Groups

Conservation Groups

New Mexico Department of  
Game and Fish

Citizens

### Background

The federal "Clean Water Act" (CWA), related federal code provisions in 40 C.F.R. Part 131 and the New Mexico Water Quality Act (Chapter 74, Article 6 NMSA 1978) require the State to develop, review, revise, and adopt water quality standards. Water quality standards must protect public health or welfare, enhance the quality of water, and serve the purposes of the CWA. They must also include the designated use(s) of the water body, water quality criteria necessary to protect those uses, and antidegradation provisions to protect the water quality.

The CWA at 33 U.S.C. §1313(c)(1), and the water quality standards rules at 20.6.4.10(A) NMAC, both require the State to, from time to time, review and update the Rules, every three years in a process known as the Triennial Review.

### Standards Updates - Highlights

The current Triennial Review process began in 2012, scoping was conducted during 2013 and the Discussion Draft released for public comment April 1-May 30, 2014. The NMED has considered a number of issues and priorities based on its CWA Section 305(b)/303(d) reporting, new EPA guidance, monitoring surveys, previous standards reviews, and input from citizens, the EPA, municipalities, industry, environmental groups, state agencies and water districts. Proposed changes include:

- Revisions to improve clarity of language or to correct clerical and formatting errors.
- Reclassification of certain streams as ephemeral (20.6.4.97 NMAC) pursuant to 20.6.4.15.C NMAC.
- Secondary contact recreation uses for certain streams are updated to primary contact recreation uses and criteria based on 40 CFR 131.20(a) and EPA's most recent recommendations.
- SWQB-conducted Use Attainability Analysis (UAA) for aquatic life uses in the Mimbres closed basin, southern New Mexico.
- Procedures to adopt temporary water quality criteria.
- Applicability of aluminum criteria.
- Update to 20.6.4.16 NMAC for those piscicide applications already covered under EPA NPDES permits.

### We're on the Web!

Additional information about New Mexico's water quality standards and the Triennial Review is available on NMED's website: [www.nmenv.state.nm.us/swqb/Standards/TR2013](http://www.nmenv.state.nm.us/swqb/Standards/TR2013)

July 2014