



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

NOV 20 2012

Butch Tongate
Chairman
Water Quality Control Commission
Harold Runnels Building
1190 Saint Francis Drive
Santa Fe, NM 87502

Dear Mr. Tongate:

I am pleased to inform you that the Environmental Protection Agency (EPA) has completed its review of the interim amendments to New Mexico's ***Standards for Interstate and Intrastate Surface Waters 20.6.4. NMAC***. These interim revisions were adopted by the Commission and became effective as state law on July 10, 2012. The amendments were certified by the Assistant Attorney General and were submitted to EPA as required under federal regulations at 40 CFR 131.20(c). EPA received these amendments via letter from Butch Tongate dated July 12, 2012. I appreciate the efforts of both the New Mexico Water Quality Control Commission and particularly the New Mexico Environment Department in the development of these interim revisions.

In these interim revisions, the Commission established 19 new classified regulatory segments for 62 lakes that were previously either classified within an existing stream segment or were unclassified waters located within six different river basins: the Rio Grande, Pecos, Canadian, Gila, San Juan and Little Colorado basins. In addition, the Commission adopted amendments to 20.6.4.702 NMAC which refined the designated aquatic life use and criteria applicable to the lower Dry Cimarron River supported by a use attainability analysis as required by 40 CFR 131.10(j)(2). In today's action, EPA is approving these new and revised amendments to 20.6.4.702 NMAC. The enclosed Technical Support Document (TSD) explains the basis for EPA's actions.

In approving these new/revised segment and use designations, EPA is completing its CWA Section 303(c) responsibilities. EPA's approval of a state's water quality standards is considered a federal action which may be subject to the Section 7(a)(2) consultation requirements of the Endangered Species Act (ESA). EPA has not yet made a determination concerning these amendments.

I appreciate the Surface Water Quality Bureau's cooperative efforts to develop and coordinate on documentation for these interim revisions. If you need additional detail concerning this letter and

TSD, please call me at (214) 665-7101, or have your staff contact Russell Nelson at (214) 665-6646.

Sincerely,



William K. Honker, P.E.

Director

Water Quality Protection Division

Enclosure

cc: James Hogan
Acting Chief
Surface Water Quality Bureau
P.O. Box 5469
New Mexico Environment Department

Wally Murphy
Field Supervisor
Ecological Services Office
USFWS
2105 Osuna Road NE
Albuquerque, NM 87113-1001

Lynn Wellman
Regional Water Quality Coordinator
USFWS
Box 1306
Albuquerque, NM 87103