



# New Mexico Environment Department

## 2020-2022 State of New Mexico Clean Water Act §303(d)/§305(b) Integrated Report and List

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December 9, 2020





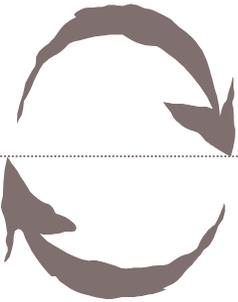
# Clean Water Act (CWA) Framework

Develop Water Quality Standards (20.6.4 NMAC)

Monitor and Assess Waterbodies

Problem Identification

***CWA 303(d)/305(b) Integrated Report and List***



Problem Solving

Develop TMDLs or  
Alternatives for Impaired  
Waters

Issue/Revise Point Source  
Permits  
(NPDES)

Minimize Non-point Sources  
(Best Management Practices)



# CWA §303(d)/§305(b) Integrated Report

- Designed to satisfy the statutory requirements of §§ 303(d), 305(b), and 314 of the federal Water Pollution Control Act [33 U.S.C. 1251 et seq.], commonly known as the Clean Water Act (CWA)
- Submitted to EPA every even numbered year
- Available at: <https://www.env.nm.gov/surface-water-quality/303d-305b/>

A screenshot of the New Mexico Environment Department website. The page is titled "Surface Water Quality" and features a prominent heading for "Clean Water Act 303(d)/305(b) Integrated Report". The page includes a navigation menu with options like "Air", "Water", "Waste", "Health &amp; Safety", "Cleanups", "Permits and Licenses", "Services &amp; Assistance", "News", and "More". On the left side, there are links for "SWQB Home", "Report a Spill", "Non-emergency Environmental Notification / Complaints", "Contact Us", "Monitoring, Assessment &amp; Standards Section", "Point Source Regulation Section", "Watershed Protection Section", and "New Mexico Wetlands Program". The main content area contains a detailed description of the CWA §303(d)/305(b) Integrated Report (IR) and its purpose, along with contact information for the Assessment Coordinator. A small image of a river landscape is also visible. At the bottom, there is a call to action for public comment on the draft 2020-2022 State of New Mexico Clean Water Act (CWA) §303(d)/§305(b) Integrated List of Assessed Surface Waters (Integrated List).



# Relationship to the NM Water Quality Act and the WQCC

Under the New Mexico Water Quality Act, the WQCC is the water pollution control agency for all purposes of the Clean Water Act.

NMED is designated to provide the principal source of technical expertise to the WQCC to develop a comprehensive water quality management program.

- Under **CWA §303(d)**, states must develop and submit a list of impaired waters for EPA approval.
- Under **CWA §305(b)**, states must convey basic information on water quality and water pollution control programs to the EPA, Congress, and the general public.
- The **CWA §303(d)/§305(b) Integrated Report and List** is incorporated by reference into the New Mexico Water Quality Management Plan at Section III C.



# Integrated Report (IR) Contents

The **Integrated Report (IR)** contains:

- An assessment of water quality;
- An analysis of the extent to which the CWA §101(a)(2) goal of surface water quality -- protection and propagation of fish, shellfish, and wildlife and recreation in and on the water -- is being achieved;
- An overview of progress in water pollution control; and
- A description of the nature of nonpoint source pollution and programs for nonpoint source pollution control.



# Integrated List (IR Appendix A)

The Integrated List contains the Surface Water Quality Bureau's (SWQB) surface water quality assessment conclusions:

- Designated Use attainment status for each Assessment Unit (AU)
  - Based on most recent WQCC and EPA approved version of 20.6.4 NMAC
  - Assessed using the procedures described in current SWQB's Comprehensive Assessment and Listing Methodology (CALM)
  
- AU and Parameter IR Categories 1-5 based on SWQB's CALM and EPA's Integrated Report Guidance
  
- New Mexico's List of Impaired Waters/ CWA §303(d) list:
  - All IR Category 5 waters in Appendix A
  - **Focus of EPA Region 6's approval**



# Integrated List IR Categories

## Unimpaired or Restored (e.g., meets all monitored applicable WQ criteria):

IR Category 1

All designated uses are supported

IR Category 2

Available data and/or information indicate that some designated uses are supported, while others are “not assessed”

## Unknown (e.g., no or not enough WQ data to determine if any uses are supported):

IR Category 3

There are insufficient available data and/or information to make any designed use support determinations

3A

No data available

3B

Less than four data points available with no exceedences of any applicable water quality criterion

3C

Less than four data points available with exceedences of an applicable water quality criterion



# Integrated List IR Categories (cont.)

## Impaired

(does not meet one or more monitored water quality criteria):

### IR Category 4

4A

Impaired, but a TMDL has already been established for all pollutants

4B

Impaired, but other pollution control **requirements** are expected to result in attainment of the water quality standard

4C

Impairment caused by a "pollution" vs. pollutant

### IR Category 5 = CWA §303(d) List

5A

Impaired and TMDL scheduled

5B

Impaired but review of the water quality standard is needed before scheduling TMDL

5C

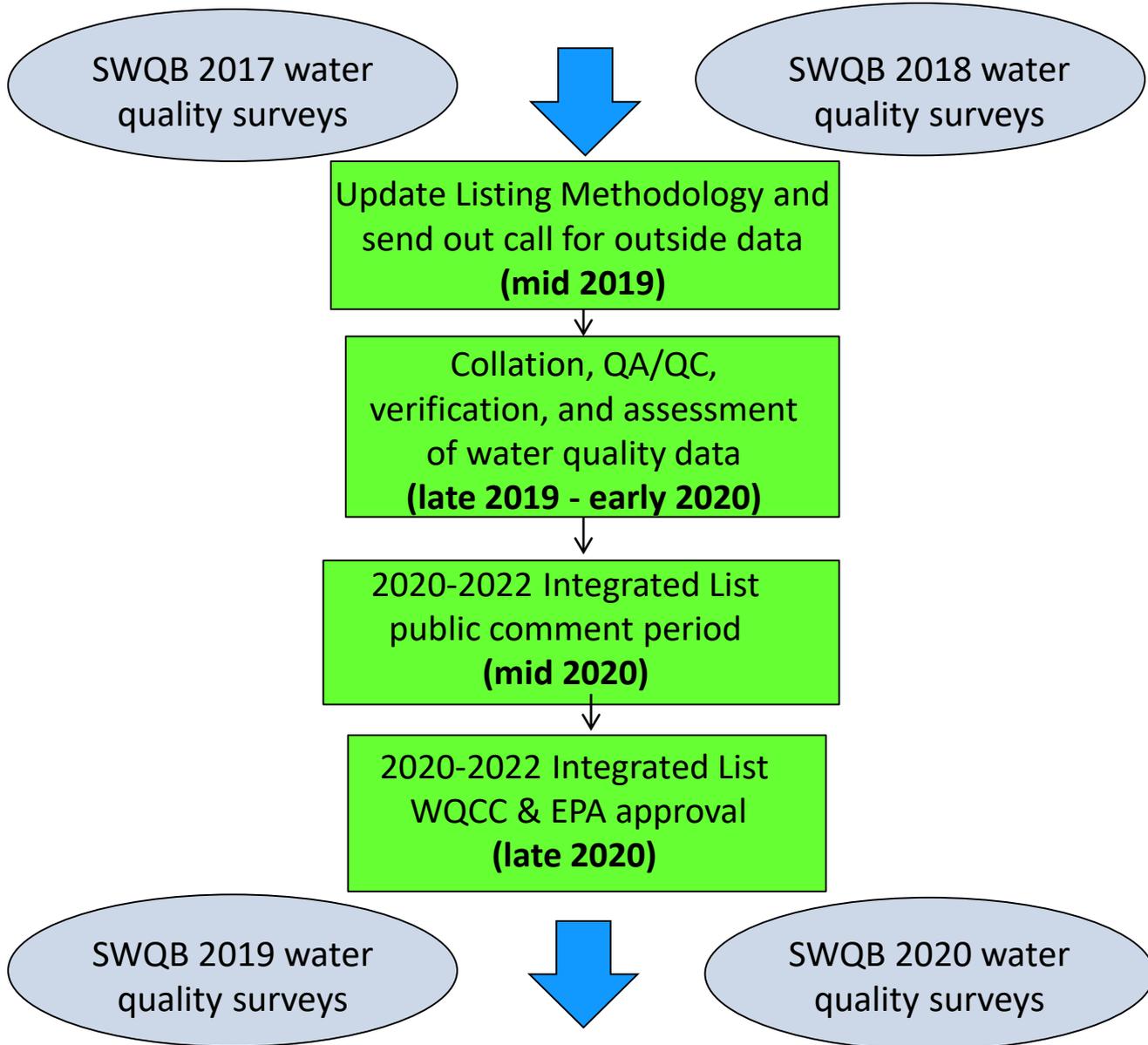
Impaired but more data are needed before scheduling TMDL

5-ALT

Impaired and an alternative restoration approach is in progress or under development



# 2020-2022 Integrated Report Schedule





# Public Participation Process

Revised **Comprehensive Assessment and Listing Methodology (CALM)** combined with Data Solicitation **30-day public comment period (June 26– July 25, 2019)**

- EPA Region 6 review

Draft 2020-2022 §303(d)/§305(b) Integrated List **45-day public comment period (July 27– September 10, 2020)**

- Additional EPA Region 6 review
- Posted to SWQB website (<https://www.env.nm.gov/surface-water-quality/303d-305b/>)
- E-mail announcement sent via GovDelivery (1,783 recipients) in both Spanish and English
- Comments received from San Juan Watershed Group, Los Alamos National Laboratory, GEI Consultants, San Juan Water Commission, Middle Rio Grande Technical Advisory Group, and Buckman Direct Diversion Board



# Changes to Public Draft Integrated List

Public Comment received and additional staff review resulted in the following notable changes to the **Integrated List** post public comment period (detailed in **Appendix C**):

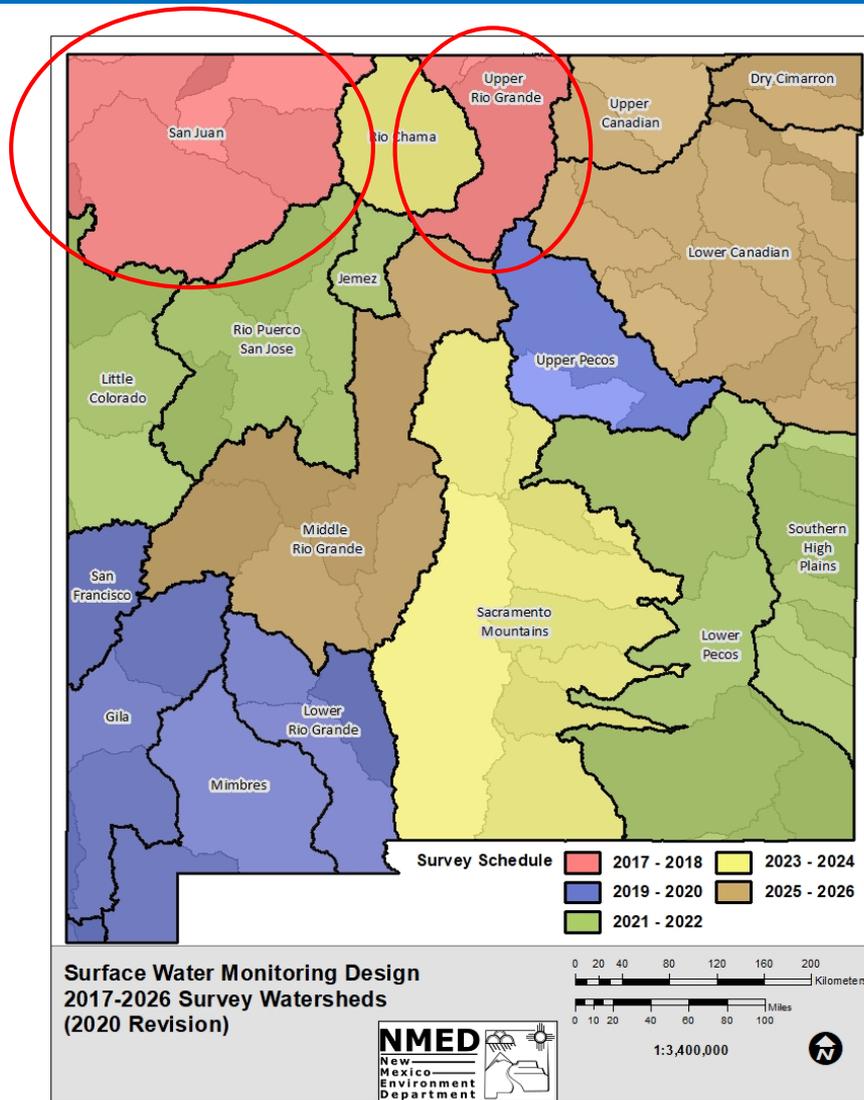
- ❑ Minor revisions/clarifications to the associated Assessment Unit (AU) Comments and Assessment Rationale (formerly known as the “ROD”)
- ❑ Removal of unassessed (IR Category 3) Assessment Unit two drainage channels that were erroneously included due to a database entry error
- ❑ Addition of **Gallegos Canyon (San Juan River to Navajo boundary)** temperature listing due to a database entry error
- ❑ Removal of **Rio Grande (Cochiti Reservoir to San Ildefonso boundary)** dissolved thallium listing due to a database entry error
- ❑ Removal of sedimentation listings for **Red River (Rio Grande to Placer Creek, Bitter Creek (Red River to headwaters), and Rio Pueblo de Taos (Arroyo del Alamo to Rio Grande del Rancho)** due to lack of Level 2 sedimentation survey data



# SWQB Rotational Water Quality Surveys

San Juan River (2017-2018)

Upper Rio Grande (2017-2018)





# 2020-2022 Primary Data Sources

San Juan River and tributaries (2017-2018)

Upper Rio Grande and tributaries (2017-2018)

Additional sources of data this listing cycle:

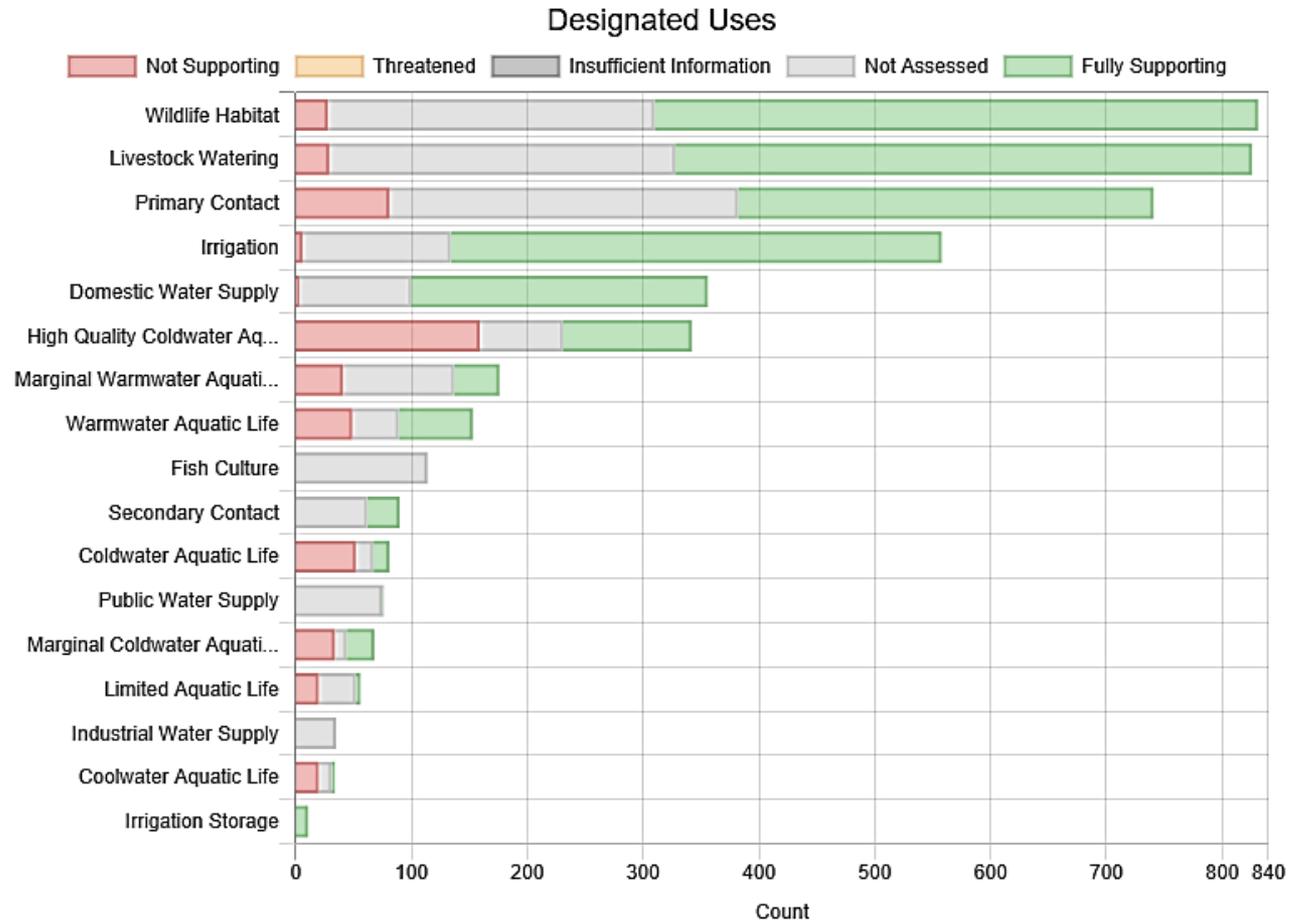
- EPA and USGS Animas and San Juan Rivers data downloaded from the Water Quality Portal (<https://www.waterqualitydata.us/>)
- Chevron Questa Mine Superfund Site **Red River (Rio Grande to Placer Creek)** data submitted by the NMED Groundwater Quality Bureau
- Ciudad Soil and Water Conservation **District Rio Grande (Isleta Pueblo to Angostura Diversion)** submitted data
- Los Alamos National Laboratory **Sandia Canyon (Sigma Canyon to NPDES outfall 001)** submitted data
- **Rio Grande (Cochiti Reservoir to San Ildefonso boundary)** data download from *Intellus New Mexico* and the Buckman Direct Diversion website
- Sentinels-Rio de Taos data for various stream reaches in and around Taos and Red River submitted by Amigos Bravos
- Upper Pecos Watershed Association in conjunction with Pathfinder Environmental, LLC., submitted data
- Middle Rio Grande Technical Advisory Committee (MRG TAG) submitted data



# Designated Use Attainment Status by AU Count

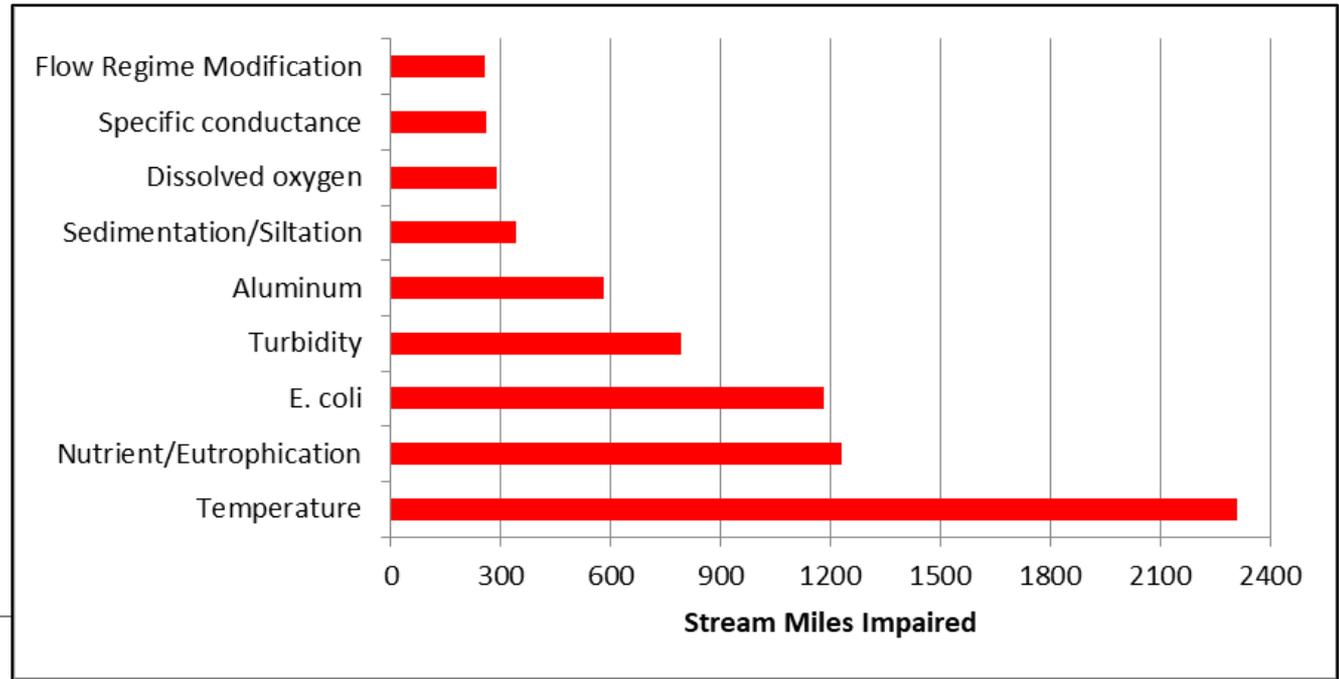
Generated in EPA's  
ATTAINS database.

NOTE: All Fish  
Culture, Public Water  
Supply, and Industrial  
Water Supply  
designated uses are  
defaulted to "Not  
Assessed" because  
no numeric criteria  
apply uniquely to  
these uses per  
20.6.4.900.A NMAC.

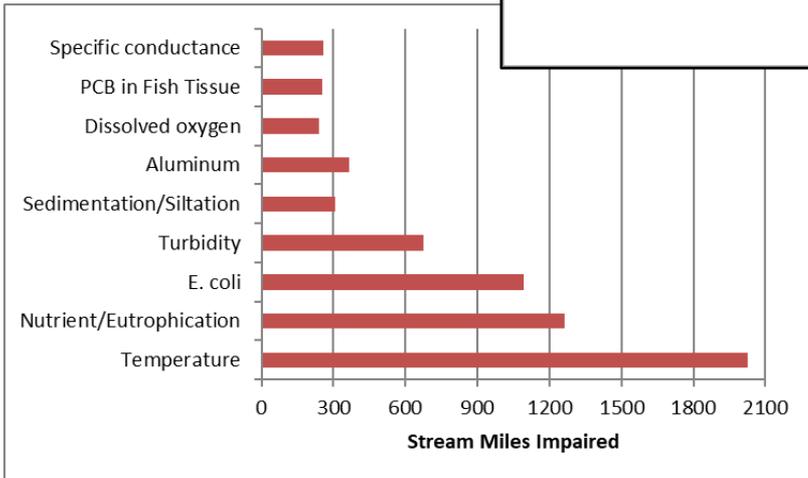




# Top Causes of Impairment in Streams/Rivers

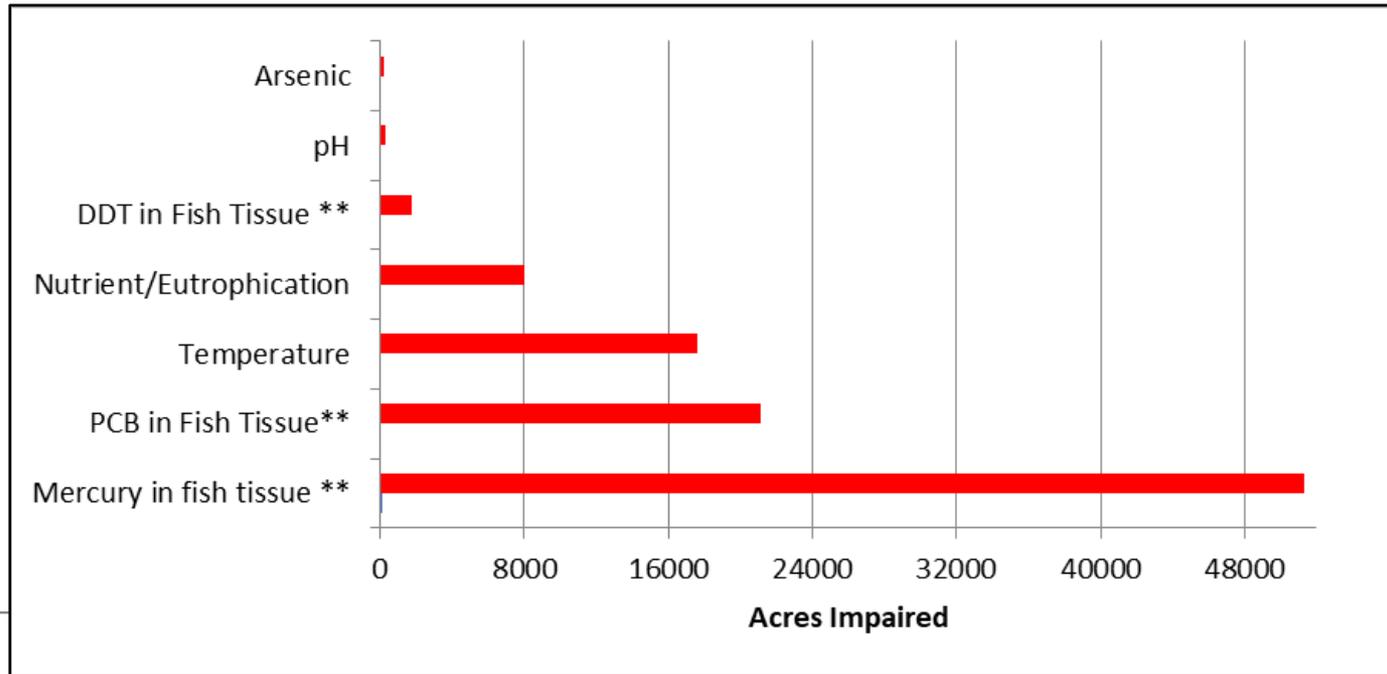


## 2018 IR:

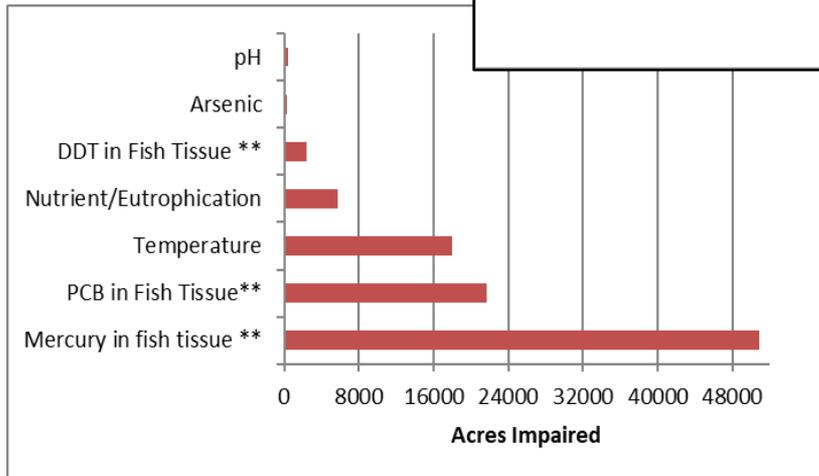




# Top Causes of Impairment in Lakes/Reservoirs



## 2018 IR:



\*\* Based on collaborative NMED, NM Dept of Health, and NM Dept of Game and Fish

*Fish Consumption Advisories*

[\(https://www.env.nm.gov/surface-water-quality/fish-consumption-advisories/\)](https://www.env.nm.gov/surface-water-quality/fish-consumption-advisories/)



# Final Draft Documents Posted

- Final draft version of the Integrated Report, appendices, and supporting documents provided to the WQCC administrator and posted to the NMED SWQB website by October 29<sup>th</sup>  
(<https://www.env.nm.gov/surface-water-quality/303d-305b/>)
- Availability of final documents also announced in “WHAT’S NEW...” box of SWQB’s main page and via email to commenters
- SWQB requests the WQCC approve and incorporate the Integrated Report and List as proposed



# Next Steps

If the WQCC approves the Integrated Report...



NMED submits WQCC-approved Integrated Report to EPA Region 6



EPA determines whether or not the Integrated List (Appendix A)  
meets the requirements of CWA §303(d)



NMED submits Integrated List (Appendix A) electronically to EPA's  
ATTAINs database



# Integrated Report Contacts

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