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NEVADA DIVISION OF ENVIRONMENTAL PROTECTION
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STATE OF NEVADA
Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor
Leo M. Drozdoff, P.E., Director
Colleen Cripps, Ph.D., Administrator

August 3, 2011

Alexis Strauss, Director
Water Division, W-1
U.S. Environmental Protection Agency Region IX
75 Hawthorne Street
San Francisco, CA 94105

Subject: Lake Tahoe Total Maximum Daily Load for Fine Sediment Particles, Nitrogen and Phosphorus

Dear Ms. Strauss,

Pursuant to Clean Water Act section 303(d) I am pleased to submit the Lake Tahoe Total Maximum Daily Load (TMDL) for review and approval by the U.S. Environmental Protection Agency (EPA). The TMDL for fine sediment particles, nitrogen and phosphorus was developed through a collaborative effort between the Nevada Division of Environmental Protection (NDEP) and the California Regional Water Quality Control Board, Lahontan Region (Water Board).

Each state must comply with, administer and enforce its own state laws, regulations and policies which govern Lake Tahoe aesthetic water quality. Consequently, this TMDL Report, approved and submitted by NDEP, has been slightly modified from the document submitted to EPA by the Water Board. The revisions correct minor errors, clarify Nevada's regulatory structure and approach to implementation and emphasize that the proposed implementation timelines may need to be adjusted in the future. Additionally, Nevada's document does not include Chapter 16 of the Water Board's submittal as the Regulatory Analysis required under the California Environmental Quality Act does not pertain to Nevada.

Although not subject to EPA approval, the TMDL Report includes an implementation plan. NDEP intends to implement the urban runoff component of the TMDL through Memoranda of Agreements with urban stormwater jurisdictions including Douglas and Washoe Counties and the Nevada Department of Transportation. NDEP will evaluate the need to establish similar agreements with implementing agencies for the other TMDL source categories.

As stated above, the proposed implementation timelines may need to be adjusted. NDEP and the Water Board will use the TMDL Management System to conduct periodic assessments of progress toward the interim Clarity Challenge and TMDL numeric targets and evaluate whether load allocations, milestones and/or implementation strategies and actions need to be adjusted. These decisions will be accomplished in a collaborative manner to the extent possible; however, NDEP reserves the right and authority to make independent decisions if it deems necessary.

The enclosed compact disc contains the Final TMDL Report, a Track Change version (indicating changes from the Water Board's submittal), errata sheet that summarizes the changes to assist in EPA's review, and NDEP's response to comments on draft document.

Please contact Dave Gaskin of my staff at (775-687-9302 or dgaskin@ndep.nv.gov) if you have questions.

Sincerely,

Colleen Cripps, Ph.D.
Administrator

Enclosure

Cc: Leo Drozdoff, P.E., Director, Department of Conservation and Natural Resources
David Gaskin, P.E., Deputy Administrator, NDEP
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