

Action: EPA approves the revisions to this Section, and assumes any nonperennial reaches or tributaries that may have been excluded from this segment are capable of supporting the uses described in CWA Section 101(a)(2).

20.6.4.124 RIO GRANDE BASIN - Perennial reaches of Sulphur creek from its headwaters to its confluence with Redondo creek.

A. Designated Uses: limited aquatic life, wildlife habitat, livestock watering and secondary contact.

B. Criteria:

(1) In any single sample: pH within the range of 2.0 to 9.0 and temperature 30°C (86°F) or less. The use-specific criteria set forth in 20.6.4.900 NMAC are applicable to the designated uses listed above in Subsection A of this section.

(2) The monthly geometric mean of E. coli bacteria 548 cfu/100 mL or less, single sample 2507 cfu/100 mL or less (see Subsection B of 20.6.4.14 NMAC).

(3) The chronic aquatic life criteria of Subsections I and J of 20.6.4.900 NMAC shall also apply.

[20.6.4.124 NMAC - N, 05-23-05]

The State has broken Sulphur Creek out of Section 20.6.4.108, establishing a new segment based on this stream's unique characteristics. Use designation(s) for Sulphur Creek, as with many of the smaller headwater streams in the State, were initially made based on very little water quality data. Historically, New Mexico assumed that waters above a certain elevation in a given watershed or drainage would essentially the same water quality and be capable of supporting the same designated uses. As a result, many higher-elevation streams in New Mexico were typically classified as a subcategory of coldwater fishery.

Both the aquatic life and contact recreation uses designated for this segment are less protective than were previously applied to Sulphur Creek. (see Section 20.6.4.108) The State has provided a UAA that indicates that the volcanic geologically in the Jemez Mountains resulted in numerous thermal springs that contribute naturally high pH water to Sulphur Creek. The UAA shows that historical and more recent data indicate that this geological influence results in naturally high pH levels that make it very unlikely that Sulphur Creek could support a support any type of fishery. The biological data shows that the stream can only support a limited aquatic community of tolerant benthic species. Based on the supporting UAA, EPA agrees that the original coldwater fishery designation is not an existing use and that the limited aquatic life, wildlife habitat, livestock watering and secondary contact uses that have been adopted are appropriate.

Action: EPA approves this new Section.