Message

From: Wirick, Holiday [wirick.holiday@epa.gov]
Sent: 4/21/2021 10:15:43 PM
To: Fish, Tonya [Fish.Tonya@epa.gov]
Subject: FW: Initiating ESA consultation on North Dakota Department of Health's revised water quality standards
Attachments: 33-16-02.1_NDDoH_Version.pdf; Amendments_to_33-16-02.1_NDDH_Strikeout_Version.pdf; AG's Opinion.pdf; 2018.WQSTD.Full.Notice.Final.pdf; 2018.WQSTD.SupportingInformation.pdf; Comments&Replys.pdf

Thanks Tonya!

From: Wirick, Holiday
Sent: Friday, August 31, 2018 10:29 AM
To: kevin_shelley@fws.gov
Cc: Jessica N. Johnson (jessica_n_johnson@fws.gov) <jessica_n_johnson@fws.gov>
Subject: Initiating ESA consultation on North Dakota Department of Health's revised water quality standards

Dear Mr. Shelley:

EPA would like to initiate ESA consultation on North Dakota's water quality standards (WQS), that were adopted on March 31, 2017, and submitted for EPA action on August 8, 2018.

North Dakota Department of Health (NDDOH) revised its water quality standards by:

- updating aquatic life chronic and acute criteria for cadmium to 1.8 and 0.72 µg/L, respectively, to reflect the most current scientific data;
- adding temperature and oxygen exemption for wetlands and class 4 lakes;
- adding narrative criteria for nutrients;
- removing the chemical compound delta-BHC (hexachlorocyclonehexane-delta); and
- correcting acute criteria for Endrin from 0.09 µg/L to 0.86 µg/L.

NDDOH's WQS also include updates to the Human Health Criteria to match the 2015 EPA ambient water quality criteria for the protection of human health for all priority pollutants and the five select non-priority pollutants, as well as several non-substantive changes.

EPA's approval of WQS revisions may be subject to the results of consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act.

Finally, please be advised that North Dakota is in the process of establishing North Dakota Department of Environmental Quality (NDDEQ) to which NDDOH's WQS authority will be transferred in January 2019. The decision that USFWS makes regarding ESA concurrence on NDDOH's WQS will apply to NDDEQ's WQS once the transfer of WQS authority has been made.

Attached FYI are NDDOH's revised WQS and rulemaking documents.

Thank you. Please feel free to call me with any questions (303-312-6238). I look forward to working with you.

Holly Wirick
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