



NAVAJO NATION ENVIRONMENTAL PROTECTION AGENCY
Water Quality/NNPDES Program
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Russell Begaye
PRESIDENT

Jonathan Nez
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September 9, 2016

James Harris
Utah Division of Water Quality
P.O. Box 144870
Salt Lake City, Utah, 84114-4870

Re: Comments on Draft 2016 Integrated Report

Mr. Harris,

Thank you for the opportunity to comment on Utah's Draft 2016 Integrated Report (IR). The detailed presentation on how the assessments were completed and the impairments determined was beneficial. The information provided in the IR will be a useful reference as the Navajo Nation also evaluates whether or not to list the San Juan River and tributaries as impaired.

The following comments from the Navajo Nation EPA Water Quality/NPDES Program (NNEPA WQP) focus on the assessment units either adjacent to or on the Navajo Nation:

AU UT14080203-007 (Montezuma Creek from San Juan River to Verdure Creek)

Beginning at the San Juan River confluence, the first 16.5 miles of Montezuma Creek flows entirely on the Navajo Nation. In addition, the creek crosses on and off the Navajo nation for 2.5 of the next 4.5 miles upstream. Although NNEPA WQP has granted Utah Division of Water Quality (DWQ) permission to sample on the Navajo Nation and use the data collected to make impairment decisions, it has not granted permission to list Navajo Nation waters as impaired. Please remove all reaches of Montezuma Creek that flow through the Navajo Nation from the proposed 303(d) list. NNEPA WQP has sampled Montezuma Creek approximately 4.5 miles upstream from the confluence and is willing to share these data with DWQ upon request to assist in making impairment decisions.

AU UT14080205-001 (San Juan River from Lake Powell to confluence with Chinle Creek)

NNEPA WQP supports DWQ's proposed listing of the San Juan River as impaired for the warm water aquatic life use in this assessment unit (AU). Note that the Navajo Nation boundary is at mid-channel from elevation 3720' upstream to the AU boundary. Please indicate that the impairment listing only applies to that part of the San Juan River that is outside of Navajo Nation jurisdiction. NNEPA WQP has conducted limited monitoring of the San Juan River in this AU just upstream from the bridge at Mexican Hat. These data are available upon request to assist DWQ in making impairment decisions.

AU UT14080205-003 (San Juan River from Lake Powell to confluence with Chinle Creek—tributaries)

The explanation for listing these tributaries as impaired was unclear. The only explanation for listing a water body for total dissolved solids (TDS) fell under the Assessment of Lakes and Reservoirs section. Please clarify why these tributaries were proposed for listing as impaired. Also, note that all tributaries flowing into the San Juan River from the south and above the 3720' elevation are entirely on the Navajo Nation. Please indicate that the impairment listing only applies to those tributaries or parts of tributaries

to the San Juan River that are outside of Navajo Nation jurisdiction.

AU UT14080201-009 (San Juan River from the confluence with Chinle Creek to the Confluence with Montezuma Creek)

NNEPA WQP supports DWQ's proposed listing of the San Juan River as impaired for the warm water aquatic life use in this AU. Note that the Navajo Nation boundary is at mid-channel for the entire length of this AU. Please indicate that the impairment listing only applies to that part of the San Juan River that is outside of Navajo Nation jurisdiction. NNEPA WQP has conducted monitoring of the San Juan River in this AU at the US 191 bridge near Bluff. Monitoring has also occurred just downstream from the Phillips Camp Road bridge in Montezuma Creek, UT. These data are available upon request to assist DWQ in making impairment decisions.

AU UT14080204-001 (Chinle Creek and tributaries from confluence with San Juan River to headwaters)
This entire AU is on the Navajo Nation. Please remove it from the IR.

AU UT14030005-006 (McElmo Creek and tributaries from the confluence with San Juan River to Utah-Colorado state line)

McElmo Creek flows entirely on the Navajo Nation within Utah. Most tributaries in Utah are also entirely on the Navajo Nation. Please remove those waterbodies within Navajo Nation jurisdiction from this AU.

AU UT14080201-005 (Recapture Creek and tributaries from confluence with San Juan River to USFS boundary, except Johnson Creek)

There is about a three mile stretch of Recapture Creek where the Navajo Nation boundary is at mid-channel. This begins at the north boundary of Section 36, T39S, R22E, and ends at the north boundary of Section 19, T39S, R23E. Please remove the portion of this creek and any tributaries or portions thereof that fall within Navajo Nation jurisdiction from your assessment unit.

If you have any questions regarding these comments, please contact me at 505-368-1037 or nnepawq@frontiernet.net. You may also contact me for any data requests related to these waterbodies. We look forward to working closely with DWQ to protect these important and shared resources.

Sincerely,



Stephen A. Austin
Senior Hydrologist
Navajo EPA Water Quality/NPDES Program

Cc: R. Ben, NNEPA S&GWPD
P. Antonio, NNEPA WQP
H. Karr, NNDOJ