Water Quality
Standards
at
9156 foot

STANDARDS OF QUALITY FOR WATERS OF THE STATE

http://www.legis.nd.gov

Water Quality Standards Have Legal Authority

Authority

North Dakota Century Code

CHAPTER 61-28

CONTROL, PREVENTION, AND ABATEMENT OF POLLUTION OF SURFACE WATERS

The Standards Are Administrative Rules

NDCC 61-28-04

Chapter 33-16-02.1

1972 Clean Water Act Requires States & Tribes to Adopt Standards to Protect Beneficial Uses of Waters of the United States

40 CFR 131.2

Federal Statute 33 U.S.C. 1313

WHAT IS THE PURPOSE OF THE STANDARDS?

PURPOSE IS TO PROTECT:

a) Water of the State (NDCC)
"Very Broad Authority"

b) Waters of the U.S. (CFR)
"Narrower Authority"

"Waters of the state“: means all waters within the jurisdiction of this state, including all streams, lakes, ponds, impounding reservoirs, marshes, watercourses, waterways, and all other bodies or accumulations of water on or under the surface of the earth, natural or artificial, public or private, situated wholly or partly within or bordering upon the state, except those private waters that do not combine or effect a junction with natural surface or underground waters just defined.

"Waters of the United States" :

Traditional navigable waters; interstate waters, including interstate wetlands; the territorial seas; impoundments of traditional navigable waters, interstate waters, including interstate wetlands, the territorial seas, and tributaries, as defined, of such waters; tributaries, as defined, of traditional navigable waters, interstate or the territorial seas.

SUMMARY #1:

Water Quality Standards Are:

1) Rules
2) State Law
3) Federally Mandated &
4) Require Federal Approval

To Protect Waters of the State and United States

HOW DO THE STANDARDS WORK?

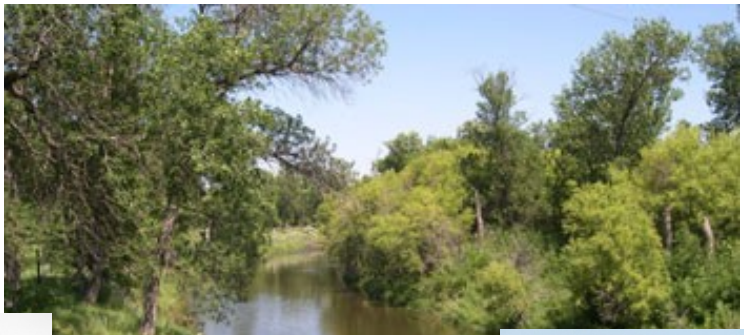
Water Quality Standards Work By Identifying **EXISTING BENEFICIAL USES**

a) Municipal & Domestic
b) Fish & Aquatic Life (fishable)
c) Recreation (swimmable)
d) Agriculture
e) Industrial

And Developing Criteria to Protect Them

Stream Classification

a) **Class I**: Missouri & Red Rivers
b) **Class IA**: Grand and Souris Rivers
c) **Class II**: Apple Creek, Green River
d) **Class III**: Rush, Park, Forest Rivers



Lake Classification

a) **Class 1**: Lake Sakakawea
b) **Class 2**: Lakes Metigoshe
c) **Class 3**: McDowell Dam
d) **Class 4**: Castle Rock Lake
e) **Class 5**: George Lake (Kidder Co)

By Identifying Criteria (STATE Limits) That Are Protective of: The Beneficial Use for each Class

1) Numeric Criteria

a) 22 ug/L Cyanide
b) 750 mg/L Sulfates
c) 5 mg/L Dissolved Oxygen

2) Narrative Criteria

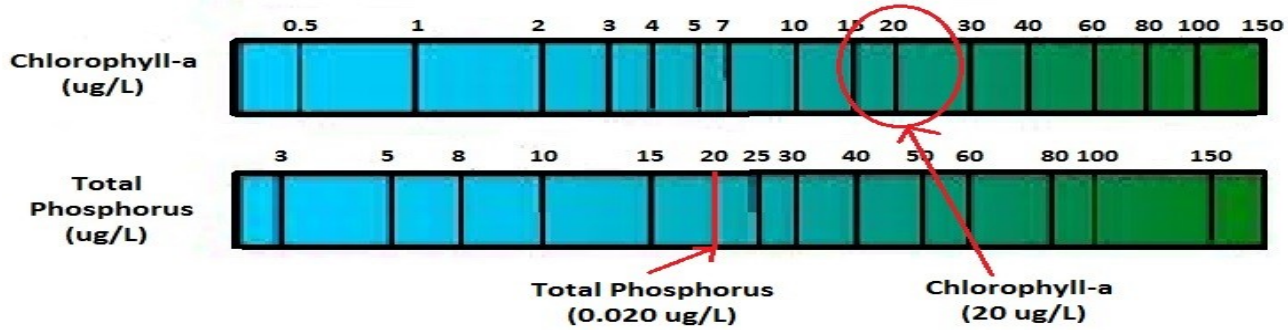
a) Free from Scum or Oil
b) Free from Rubbish
c) Free from Dead animals

3) Antidegradation Policy

4) Goals & Guidelines

a) Biological Goal

b) Lake/Reservoir Guideline



Other Useful Things In North Dakota's Standards

1) Ground Water
2) Mixing Zone Policy

FINAL SUMMARY

Water Quality Standards Are:

1) Rules
2) State Law
3) Federally Mandated &
4) Require Federal Approval

To Protect Waters of the State

Standards Work by Protecting Beneficial Uses Per Class Through:

1) Narrative Criteria
2) Numeric Criteria
3) Antidegradation Policy
4) Goals and Guidelines

QUESTIONS?