



Arizona Department of Environmental Quality Arizona Surface Water Protection Program

Arizona State Agencies Remote Meeting
June 22, 2020



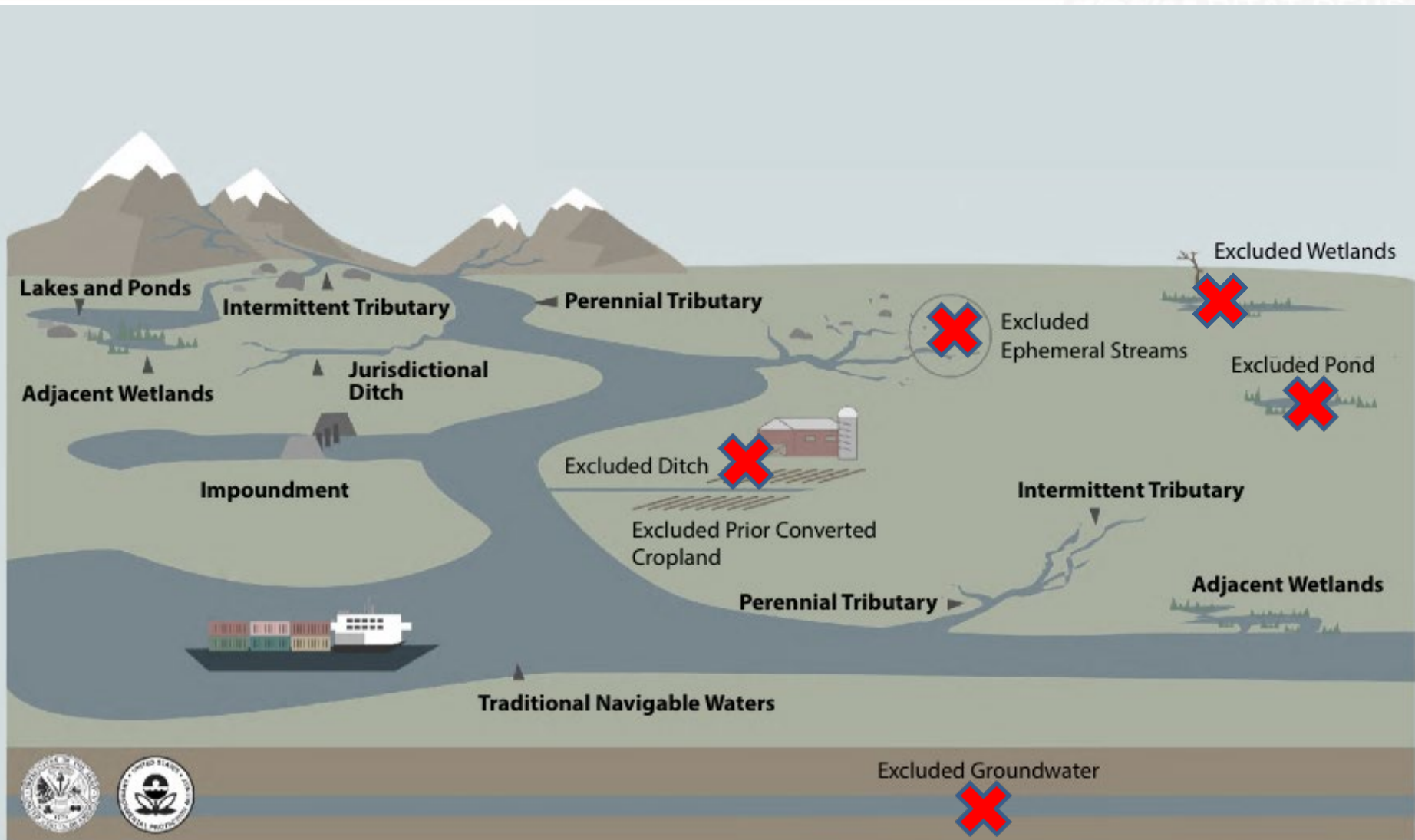


- Welcome
- Introductions
- Current Status of The Navigable Waters Protection Rule (NWPR) & Related Legal Activity
- NWPR Overview – Key Points and Next Steps
- State Program Development Update
- Discussion

- The rule goes into affect today
- Not stayed in Arizona
- Related Legal Activities

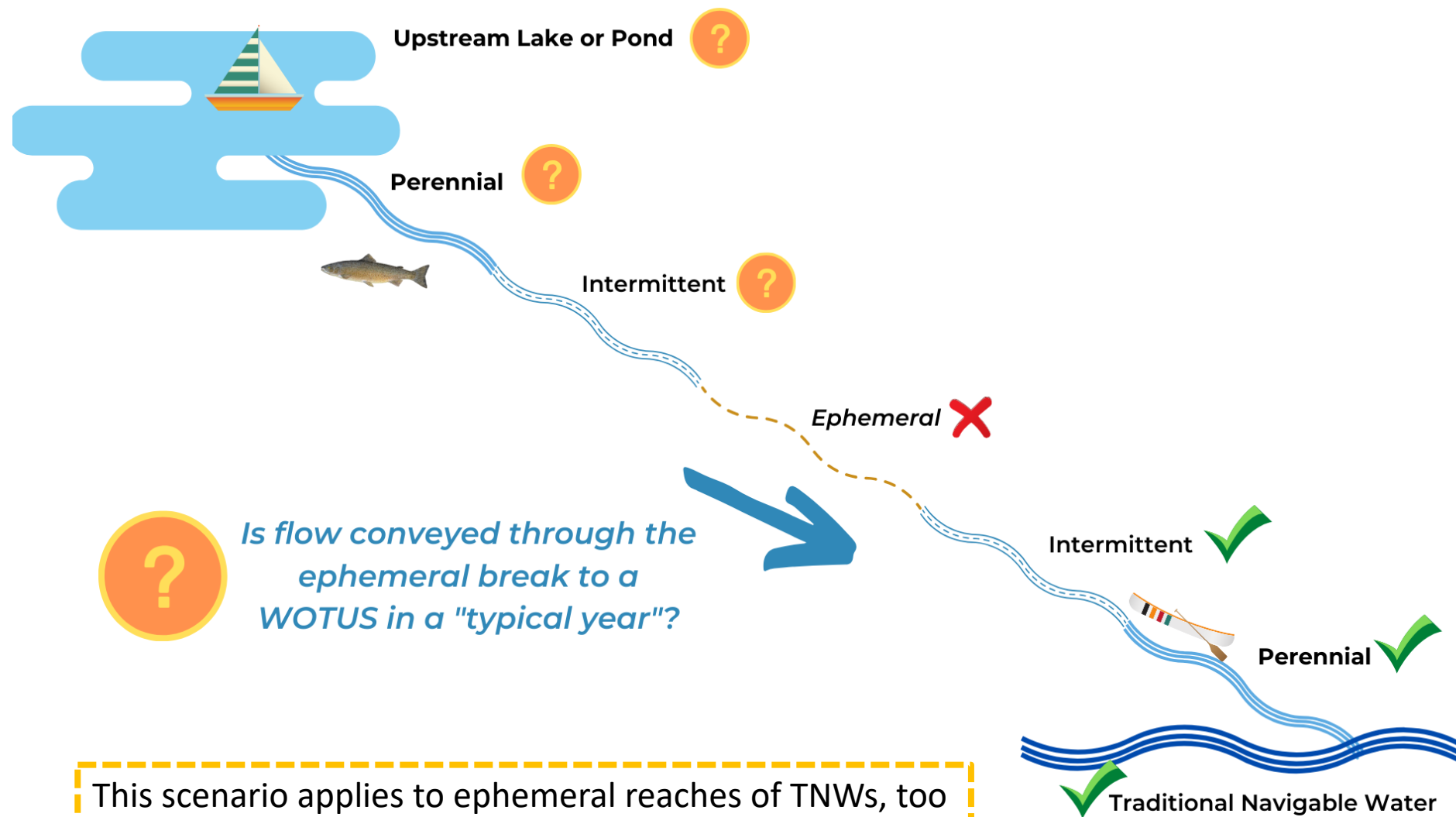


NWPR – An Overview



* For illustrative purposes only. Proposed jurisdictional waters in **bold**.

Ephemeral Breaks





State Program Development Update



Surface Water Quality Protection Program Stakeholder Advisory Group Roster

Agency	Name
Agribusiness and Water Council of Arizona	Wade Noble
Arizona Cattle Feeders' Association	Bas Aja
Arizona Chamber of Commerce and Industry	Courtney Coolidge
Arizona Chapter of Associated General Contractors	Amanda McGennis
Arizona City/County Management Association	Gina Montes
Arizona Farm Bureau	Stefanie Smallhouse
Arizona Manufacturers Council	Allison Gilbreath
Arizona Mining Association	Lee Decker
Arizona Rock Products Association	Eric Mears
Center for Water Policy	Sarah Porter
County Supervisors Association of Arizona	Michael Racy
Environmental Defense Fund	Chris Kuzdas
Grand Canyon Trust	Travis Bruner
Home Builders Association of Central Arizona	Spencer Kamps
Inter-Tribal Council of Arizona	Susan Montgomery
Salt River Project	Maribeth Klein
The Nature Conservancy	Patrick Graham
Water for Arizona Coalition	Haley Paul
Arizona Municipal Water Users Association	Warren Tenny
League of Arizona Cities & Towns	Tom Savage
Agency	Alternate
Agribusiness and Water Council of Arizona	Jason Moyes
Arizona Farm Bureau	Chelse McGuire
Arizona Mining Association	Scott Thomas
Arizona Rock Products Association	Steve Trussell
County Supervisors Association of Arizona	Craig Sullivan
The Nature Conservancy	Scott Deeny
Water for Arizona Coalition	Joan Card
Inter-Tribal Council of Arizona	Mia Hammersley
Finnemore Craig (alternate for S. Kamps)	Rob Anderson
Arizona Chamber of Commerce and Industry	Mike Ford
Arizona Department of Environmental Quality	Deborah Birutis
Environmental Defense Fund	Holly Pearen
Arizona City/County Management Association	Vince Lorefice

Stakeholder Advisory Group

- 5 meetings, April – June 2020
- Charter, roster agendas, presentations, and meeting summaries available online

Use-Based vs Definition Based

- Drinking water
- Aquatic and wildlife
- Fish Consumption
- Partial Body Contact
- Full Body Contact
- Irrigation
- Livestock watering

Impact- Based Regulatory Approach

- Permitting requirements based on level of impact to uses

Definition-Based

Clean Water Act

Is the water a
WOTUS?

Use-Based

State Program

How is the water
used?

Use-Based vs Definition-Based

Perennial



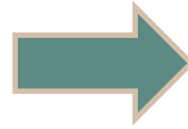
Intermittent



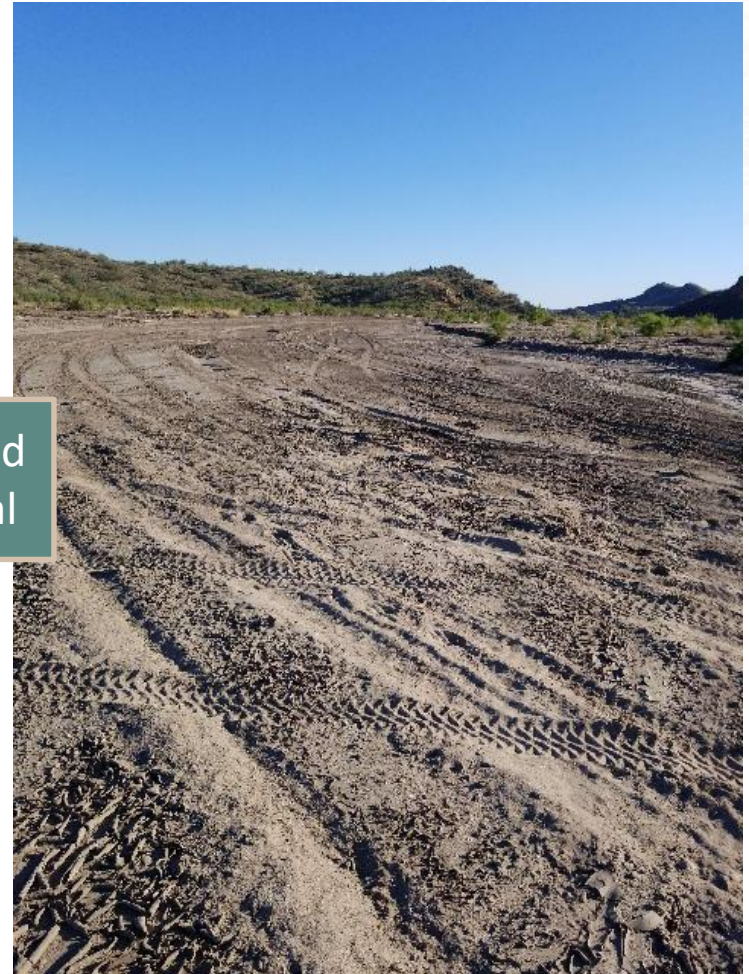
Ephemeral



Use-Based vs Definition-Based Approach



Both classified
as ephemeral



Potential Impact Based Regulatory Approach for Point Source Discharges

Will my
discharge...

Reach a
protected
use?

NO

No permit
required

YES

Are all
applicable
uses already
protected
by another
permit?

NO

Potentially
exceed
WQS?

NO

No permit
required

YES

Impair
protected
use?

NO

No permit
required

YES

PERMIT REQUIRED

YES

No permit
required

- **What are your thoughts on the program concepts presented?**
- **How might your agency support efforts to “Define the Gap”?**

GROUP DISCUSSION



THANK YOU