

Topic #4 – Tributary Rule: How can ADEQ clarify the Tributary Rule (R18-11-105) to clearly define when a stream segment should have designated uses and subsequent surface water quality standards applied to it?

Background: The Appendix B Workgroup was tasked with reviewing the water quality standards and designated uses applicable to surface waters not listed under Appendix B but that are tributaries to waters listed in Appendix B. The Tributary Rule can be found in [R18-11-105](#). The workgroup discussed the background, history, and current status of the federal definition of Waters of the U.S. (WOTUS). Currently, the federal government is undertaking changes to the definitions of WOTUS under the Clean Water Act. As currently understood by the workgroup, proposed changes to the definitions won't affect the Tributary Rule nor applicability of it in Arizona. The workgroup recognized that channels are considered tributaries if they have a bed, banks, and indications of an ordinary high water mark. The Workgroup also recognized that certain agricultural practices are exempted from water quality standards under current definitions for WOTUS.

Recommendation: The workgroup came to a consensus that ADEQ should add streams to Appendix B when there are designated uses to that stream that are distinct from those designated uses that would be attributable under the Tributary Rule, and that the Tributary Rule language did not need modification at this time.

