Surface Water Protection Program

Stakeholder Advisory Group

December 1, 2020
Google Meets
Today’s Agenda

Major Elements of the Proposed Program

Initial Protected Waters List

SAG Feedback: Revised Draft Legislation

SAG Input: How to protect water quality from discharges?
PROPOSED PROGRAM: MAJOR ELEMENTS

- **Applies Current Programs**
  - AZPDES Permits
  - Impaired Waters and TMDLs
  - Water Quality Standards

- **Protected Surface Waters List**
  - Defined Listing Criteria
  - Initial List & Map
  - Public Listing Process
The “Shall List” Waters
The 8 major rivers, drinking water sources, public waters used for recreation and fish consumption, etc.

The “Shall Not List” Waters
Swimming pools, stock tanks, stormwater control features, groundwater, ephemeral waters, etc.

The “May List” Waters
Any other state waters when the benefits outweigh the costs.
The Initial List

Draft Proposal Section 20

8 Major Rivers
802 Reaches of Perennial or Intermittent Streams, and Rivers
11 Drinking water canals
82% Appendix B Reaches Included
Initial DRAFT Map
## Listing and Delisting Waters: A Public Process

### Draft Proposal Section 3

<table>
<thead>
<tr>
<th>Listing &amp; Delisting Decisions</th>
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<tbody>
<tr>
<td>Appealable agency actions, not rules</td>
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<tr>
<td>The “Shalls” are mandatory</td>
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<tr>
<td>“May List” waters are discretionary</td>
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<table>
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<tr>
<th>Nominations</th>
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<tbody>
<tr>
<td>Any person may nominate</td>
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<td>Public notice required</td>
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Current water quality standards will apply

Can be changed through rule

Will follow the requirements of A.R.S. 49-221.
• AZPDES program will apply to protected surface waters
• This includes all elements of the AZPDES program
• Will not create federal oversight into this program
Current rules will apply without needing a rulemaking.

Can be changed in the future through rulemaking.

Current rules will not apply if impracticable.
Impaired Waters and TMDLs

- Impaired waters and TMDL programs will apply to protected surface waters
- Will not create federal oversight into this program
Regulation of pollutants exposed through dredging, or added through fill
Input on Legislation

Tracked changes document of the word/grammar changes
NEXT STEPS

Post revised legislation draft

Stakeholder Meeting: Dec 15

All comment due: Dec 22

Final revisions to draft legislation by end of year