



Arizona Department of Environmental Quality Arizona Surface Water Protection Program

Stakeholder Advisory Group (SAG)



- Our goal is to have an interactive discussion
- Expand tool bar
 - Look for red arrow
- SAG members will be un-muted
- Please join the conversation
- Can also type in questions



- Welcome
- Introductions
- SAG Charter
- Current State
- Program Outline
- Future Meetings
- Homework
- Next Steps



WELCOME



Misael Cabrera, PE
ADEQ Director



INTRODUCTIONS

**Trevor Baggione, Director
ADEQ Water Quality Division**

- Role and Responsibilities
- Membership
- Format
- Media
- QUESTIONS?



OVERVIEW



Krista Osterberg

Surface Water Quality Improvement Value Stream Manager

CLEAN WATER ACT HISTORY

Brief Overview AZ and the Clean Water Act

1972



October 18, 1972 the Clean Water Act defines jurisdictional waters as "waters of the United States" (WOTUS)

1987



AZ State Legislature created Arizona Department of Environmental Quality (ADEQ) as the state's cabinet-level environmental agency

1992



ADEQ water quality standards for surface waters and designated uses applicable to WOTUS waters

1999



AZ Legislature grants ADEQ authority to set water quality standards for "Waters of the State"

2002



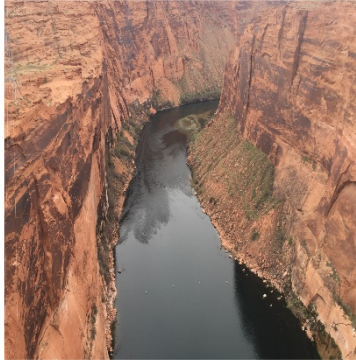
ADEQ receives primacy from EPA on all AZPDES permits

2020



Final WOTUS rule published (Navigable Waters Protection Rule)

CURRENT WOTUS RULE IN AZ



Traditional Navigable
Waters and Adjacent
Wetlands

Perennial and
Intermittent Tributaries
and Certain Wetlands



Ephemeral Tributaries
and Wetlands with a
Significant Nexus

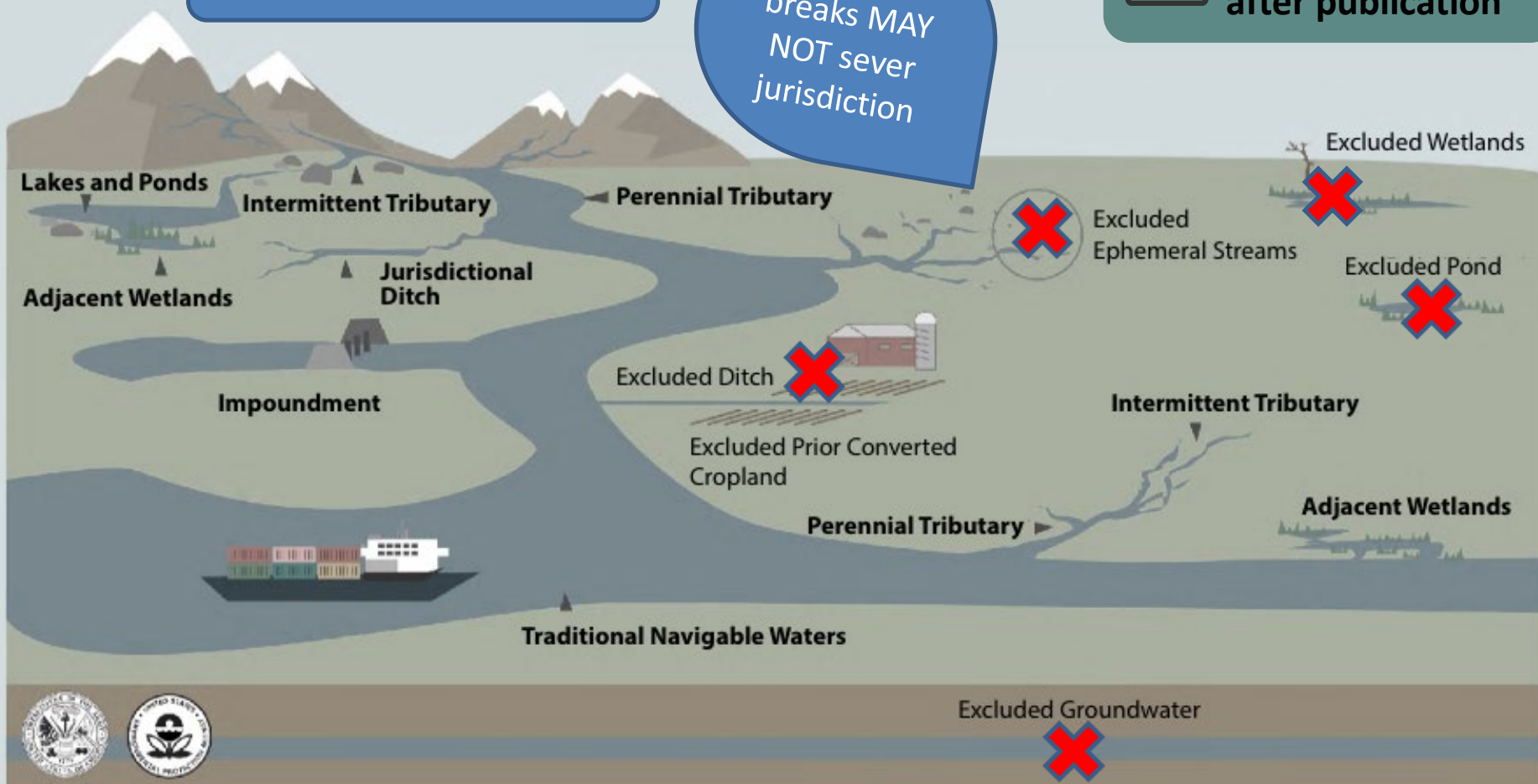
NAVIGABLE WATERS PROTECTION RULE

Analysis of Typical Year

Ephemeral
breaks MAY
NOT sever
jurisdiction

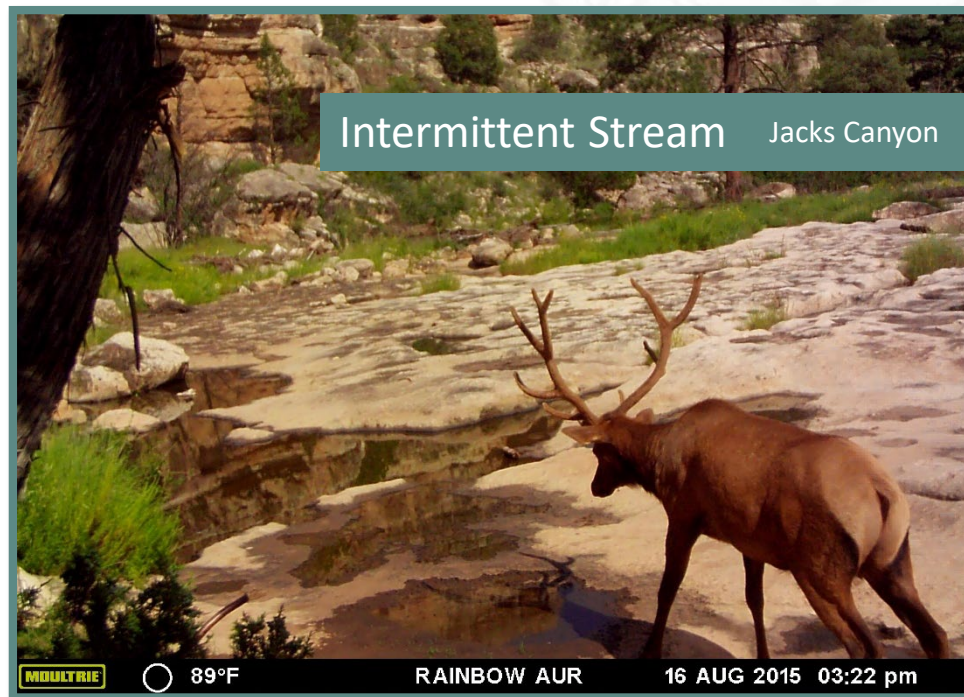
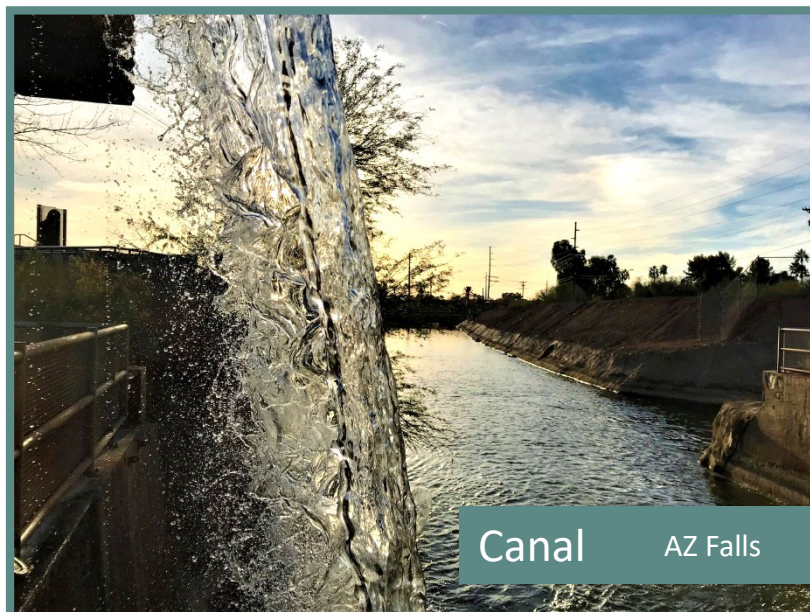


Effective: 60 days
after publication



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

Arizona Examples

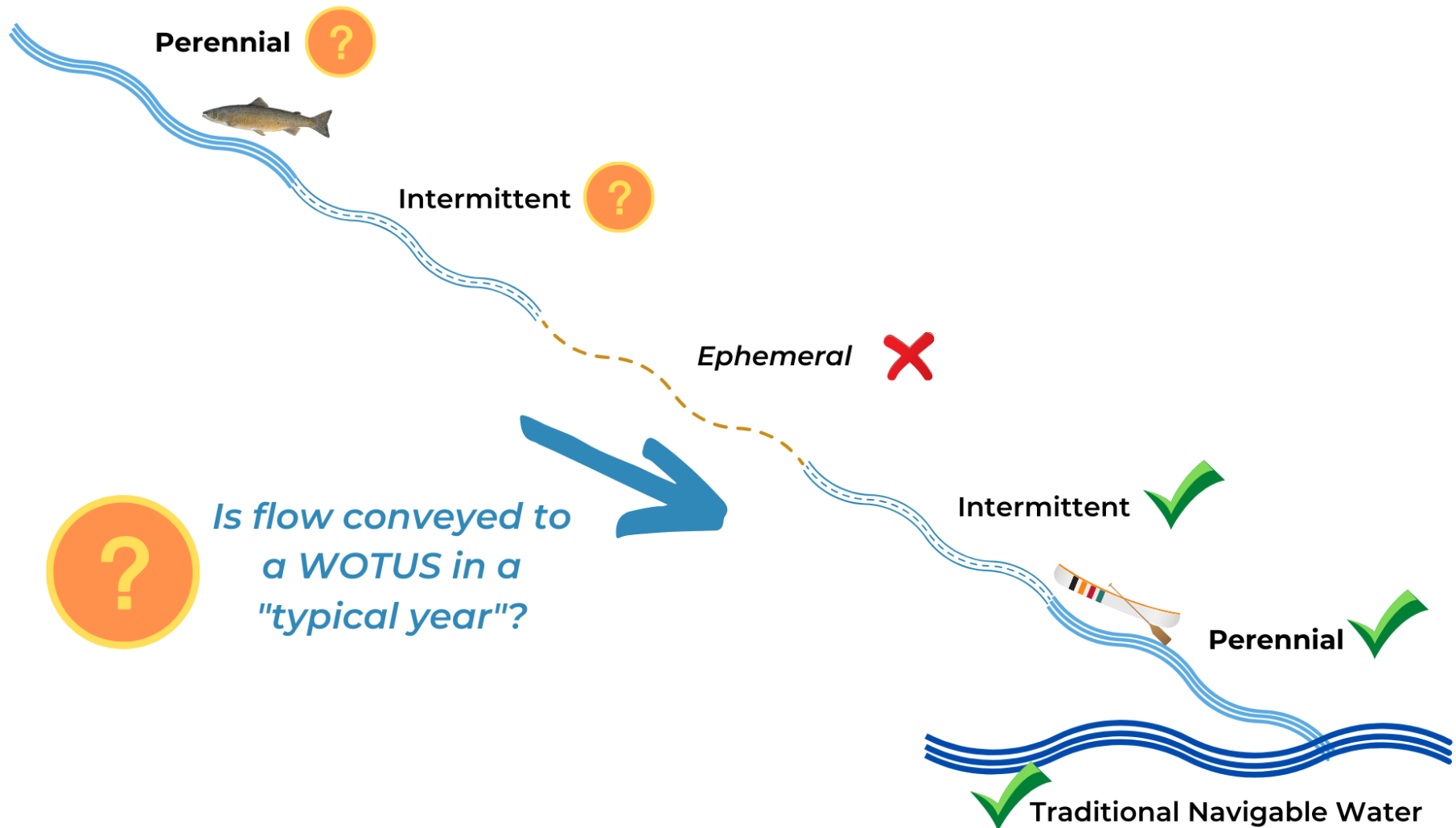


WHAT WE KNOW

DISCLAIMER: This is not a comprehensive list of all potential TNW's in AZ. – These are TNW's identified by the ACOE to date. Flow regime designations are based on most current reliable data and subject to change.



WHAT WE DON'T KNOW



Based on your understanding of the revised federal rule, how would you define (describe) the risks to Arizona surface waters?

GROUP DISCUSSION

PROGRAM OUTLINE



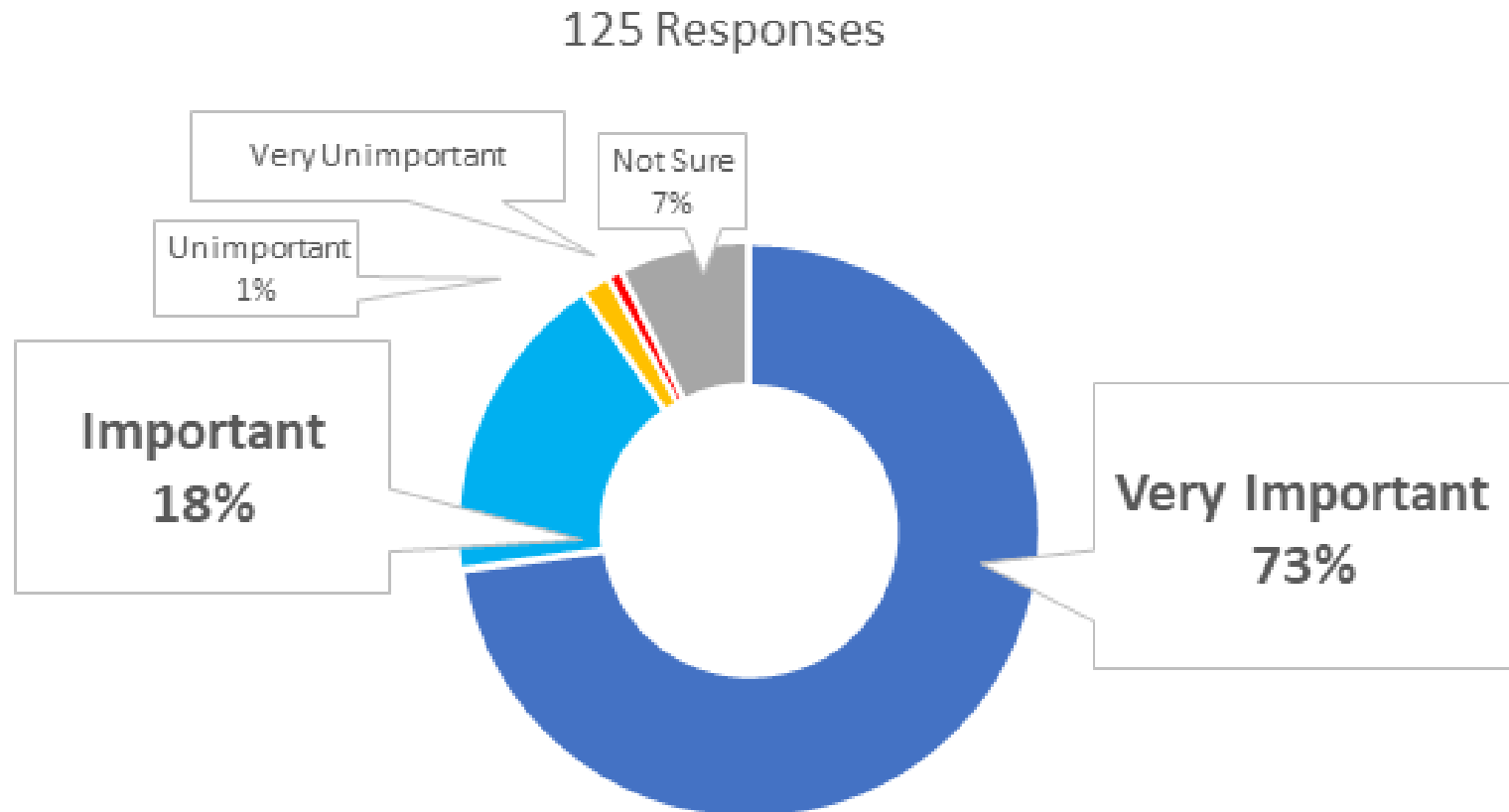
Krista Osterberg

Surface Water Quality Improvement Value Stream Manager



SURFACE WATER PROTECTION PROGRAM FOR ARIZONA

- November 2019 Stakeholder Input
 - 91% important to have a state program



WHAT IS A STATE PROGRAM?

**A UNIQUE
ENVIRONMENT...**



...A UNIQUE APPROACH

PROGRAM TIMELINE



- First deliverable due in August
- High-level description of the program
- To be used to seek additional authority if needed
- Sections
 - Goals and Guiding Principles
 - What waters will fall within scope
 - The regulatory/permitting approach
 - Standards, monitoring, assessment and other necessary components
 - Funding and fees

What are the questions you feel need to be answered by the program?

GROUP DISCUSSION

How often and when do you want to meet?

GROUP DISCUSSION

- Review the stakeholder summary documents regarding the program goal and guiding principles
- Review the goals and policy statements from peer states
- Review Arizona's Waters of the State definition located at ARS 49-201(41)

- Goal (What is the desired outcome of the program)
 - Wide range of opinions
 - What do you think is the most appropriate goal?
- Guiding Principles:
 - What do you think?
 - Is anything missing?
- Program Name
 - Separate from WOTUS and CWA
 - Suggested project names
 - Protecting Arizona Lakes and Streams (PALS)
 - Surface Water Protection Program (SWPP)
 - What are your ideas?
- Which waters should be within the scope of the program?

Other thoughts, issues, concerns?

GROUP DISCUSSION