

ADEQ Waters of Arizona Arizona Department of Environmental Quality **Stakeholder Advisory Group**

The U.S. Environmental Protection Agency and the Department of the Army announced a new definition of the Waters of the United States (WOTUS) in the Navigable Waters Protection Rule on January 23, 2020. The new definition narrows protection under the Clean Water Act for some Arizona waterways and ADEQ is currently reviewing the new definition in detail.

The Arizona Department of Environmental Quality Water Quality Division's intent is to collaborate with stakeholders to design an innovative, effective surface water quality program for Arizona. The Department will look to stakeholders for direct advice and innovation in formulating solutions and incorporate the advice and recommendations into the decisions to the maximum extent possible. Thus, ADEQ will form a Stakeholder Advisory Group (SAG) consisting of interested parties in surface water quality protection to provide advice to the staff and the Department on the key elements and authority needed for a new surface water quality program.

The SAG will review stakeholder input and reports from staff and the technical work group(s) and provide advice to the Department on options for an Arizona surface water quality program. Members will not be asked to represent official positions of their organizations or to make decision on behalf of the Department.

Members of the SAG will participate collaboratively to accomplish the following objectives.

- Assist staff in developing the scope of an Arizona program and identifying the need and charge for technical work groups
- Assist staff in reviewing stakeholder input and developing alternatives based on the input for review by the broader stakeholder community
- Review technical reports and provide input to the Department
- Assist in developing a program outline
- Assist in the preparation of potential legislation to authorize the program
- Review draft rule language and provide input to the Department during the informal rule making process
- Make recommendations on how to implement the program

Membership

The group will consist of approximately 10-15 leaders from education, NGO's, industry, agriculture and recreational groups. Organizations representing the stakeholder community will be asked to select a representative to participate on the SAG. Members will not be expected to speak officially on behalf of the organization they are representing nor does participation in the group bind the organization to the positions of the Department or the SAG. Organizations that have been asked to participate are listed below.

- ASU Kyle Center for Water Policy
- Arizona Chapter Associated General Contractors
- Arizona Rock Products Association
- Arizona Mining Association
- Arizona Chamber of Commerce
- Arizona Cattle Feeders' Association
- Arizona Farm Bureau
- Arizona Home Builders Association of Central Arizona
- Arizona City/County Management Association
- County Supervisors Association of Arizona
- Agribusiness and Water Council of Arizona
- The Nature Conservancy
- Arizona Manufacturers Council
- Salt River Project (SRP)
- Inter-Tribal Council of Arizona
- Environmental Defense Fund
- Waters for Arizona Coalition
- Grand Canyon Trust
- League of Arizona Cities and Towns
- Arizona Municipal Water Users Association

Group Format

The ADEQ Water Quality Director, Trevor Baggiore, will serve as the Chair of the Stakeholder Advisory Group. Meetings may be facilitated by the Chair, or the Chair may use a third-party facilitator to assist in keeping the meetings on track. This will enable the Chair to participate in technical discussions.

The Chair with input from the members is responsible for the following.

- Establishing an agenda for each meeting
- Moving the discussion forward to keep the agenda on time
- Ensuring that all sides of an issue are explored, including hidden or unpopular aspects
- Encouraging participation
- Ensuring that SAG deadlines are met

It is anticipated the group will meet monthly beginning in April 2020. Meeting dates, times and locations will be determined by the members of the group. These are working meetings and will not include an open call for public comment, or be open to the public. Meeting agendas and summary notes will be posted on the ADEQ website. In response to COVID-19, ADEQ will also prepare for a tele-conference/Webinar if needed.

Key milestones for the program development are as follows.

- High level overview of program elements for use in seeking legislative authority – Complete August 2020
- Develop additional program information pertaining to key program components – Complete November 2020

- Seek legislative authority – 2021 legislative session
- Assist staff in drafting rule language and further program development – Complete November 2022

Member Responsibilities

ADEQ recognizes and appreciates that SAG members are volunteering their valuable time. It is expected members will participate in good faith throughout the process. Members should make every effort to attend all meetings in person. Full participation is needed to ensure all affiliations and expertise are represented, and all viewpoints are voiced. Members may bring support staff or colleagues from their respective organizations to meetings, as needed. If unable to attend in person, online participation will be accommodated.

If a member is unable to attend a meeting either in person or online, they may send a proxy in their place. It is the responsibility of the member to ensure the proxy is fully briefed on the agenda topics. A proxy may not ask the group to revisit previous issues. ADEQ staff should be notified prior to the meeting if a proxy is attending.

Members are expected to treat each other with mutual courtesy, respect and dignity. Members may withdraw at any time or request their organization select another representative.

MEDIA REQUESTS

SAG members may refer any media requests regarding the group and the development of an Arizona surface water quality program to ADEQ's Public Information Officer, Caroline Oppleman, should they choose to do so. Each member agrees that if contacted by the media or any organization to answer questions or asked to speak at an event, they will not present themselves as representing ADEQ in any way. Contact information for Caroline Oppleman is as follows.

- Phone: 602-771-2215
- Email: Oppleman.Caroline@azdeq.gov