



Arizona Department of Environmental Quality

Waters of Arizona Tribal Listening Sessions

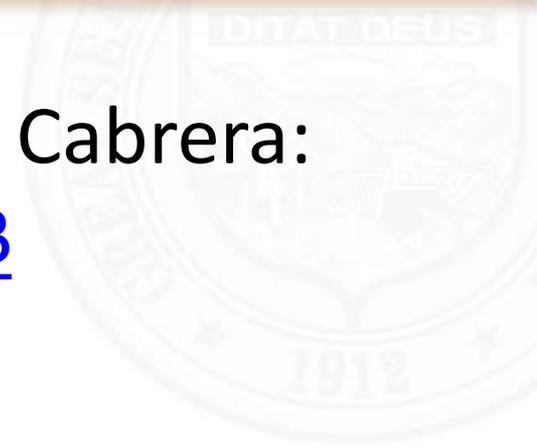
November 7th : Flagstaff

November 12th : Phoenix

November 14th : Tucson



- Welcome video by Director Misael Cabrera:
[youtube.com/watch?v=qPHMxe1Bqus&feature=youtu.be](https://www.youtube.com/watch?v=qPHMxe1Bqus&feature=youtu.be)





RESTROOMS, PHONES, BREAKS



IDENTIFY QUESTION/ISSUES



LISTEN TO OTHERS



WORK TOGETHER



1. Information on upcoming change to WOTUS rule



2. Discuss how this change will affect Arizona waters

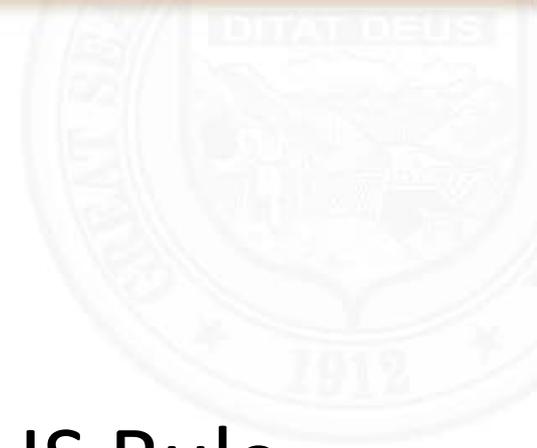


3. Listen to your input on how Arizona should move forward





- Welcome
- Introductions
- Overview of the WOTUS Rule Change
- Listening Session
- Next Steps





OVERVIEW

Trevor Baggione, ADEQ Water Quality Division Director

Overview Clean Water Act and the AZ Law



1972



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

1987



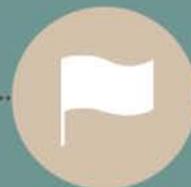
AZ State Legislature created Arizona Department of Environmental Quality (ADEQ) as the state's cabinet-level environmental agency

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

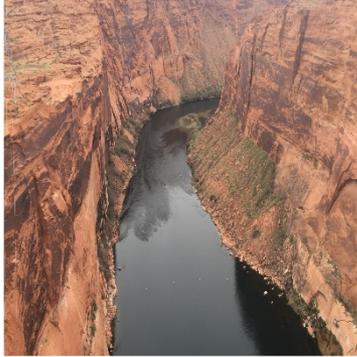


ADEQ receives primacy from EPA on all AZPDES permits

2019



Proposed WOTUS changes projected to go into effect, reducing Arizona's jurisdictional waters by 93%



Traditional Navigable
Waters and Adjacent
Wetlands

Perennial and
Intermittent Tributaries
and Certain Wetlands

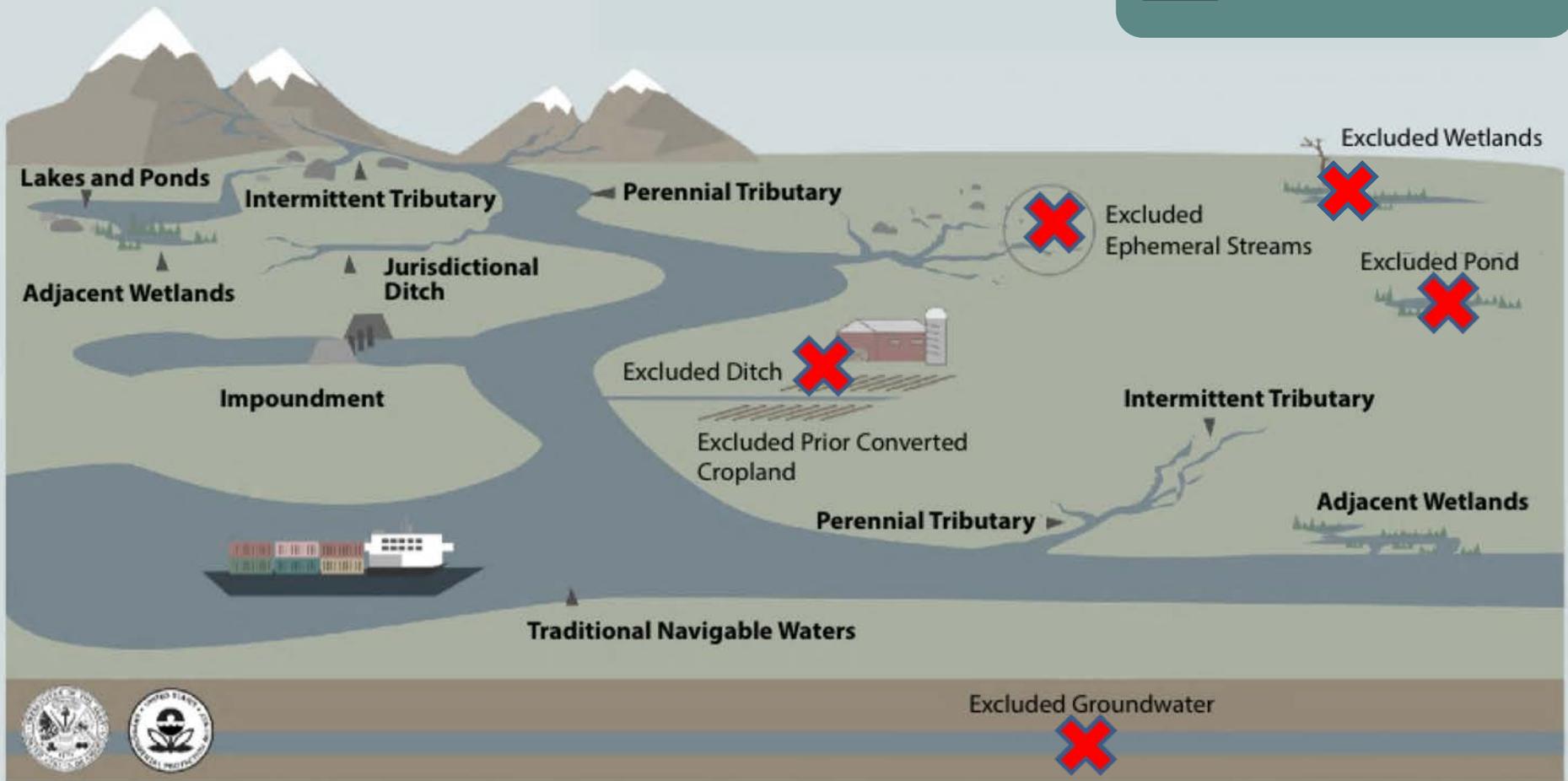


Ephemeral Tributaries
and Wetlands with a
Significant Nexus

Proposed WOTUS Rule Definition



WOTUS changes effective
spring 2020



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

Excluded Waters Under Proposed WOTUS Rule

93% Stream Miles Non-Jurisdictional



59% Perennial/ Intermittent Streams

- ~3,600 River Miles



100% Ephemeral Streams

- ~28,800 River Miles



99% Lakes

- ~ 2000 Lakes
- All Urban Lakes



98% All AZPDES Permits Types

- Stormwater, General and Individual permit types

*Indicated values are based on best available information, and are subject to change as additional and/or more accurate information becomes available to ADEQ.

Arizona Examples

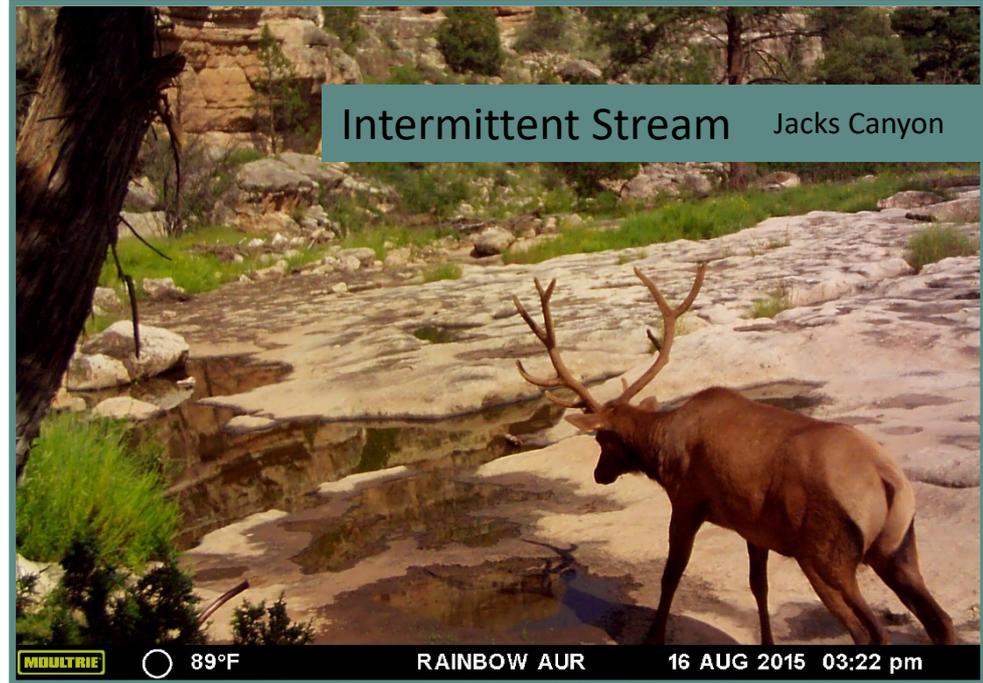


Urban Lake Red Mountain Park

Photo courtesy of AZGFD



Canal AZ Falls



Intermittent Stream Jacks Canyon

MOULTRE 89°F RAINBOW AUR 16 AUG 2015 03:22 pm

Current Water Quality Protection in Arizona

	Point Source Permits	Set Water Quality Standards	Enforce Standards	TMDLs*	Dredge and Fill Permits	Nonpoint Source Grants	Standards Certs. for Federal Permits
WOTUS	Yes	Yes	Yes	Yes	Yes**	Yes	Yes
Non-WOTUS	No	Yes	Yes	No	No	No	No

* Total Maximum Daily Loads for waterbodies

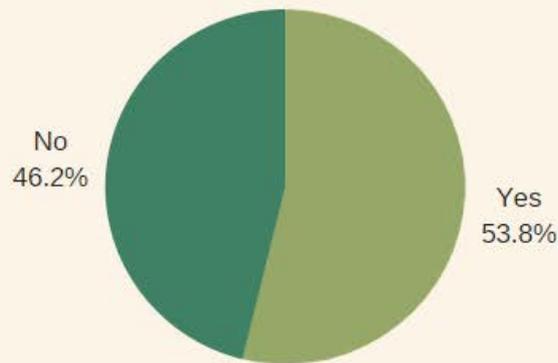
** Currently administered by the U.S. Army Corps of Engineers

“In regard to a reduced scope of federal regulation under the CWA, Arizona recognizes and welcomes the need to protect non-WOTUS state surface waters.”

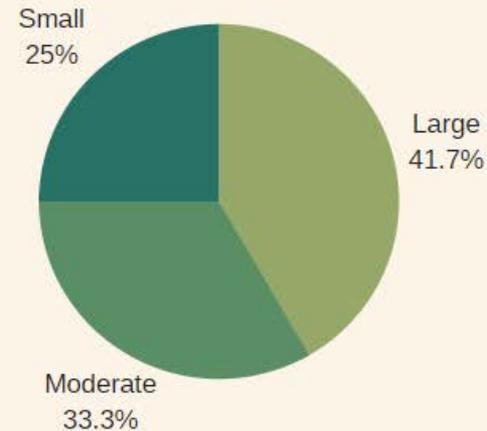
Governor Doug Ducey
Letter to EPA
June 16, 2017



1. Does your state regulate non-WOTUS waters of the state under different or additional authorities than those used to regulate WOTUS?



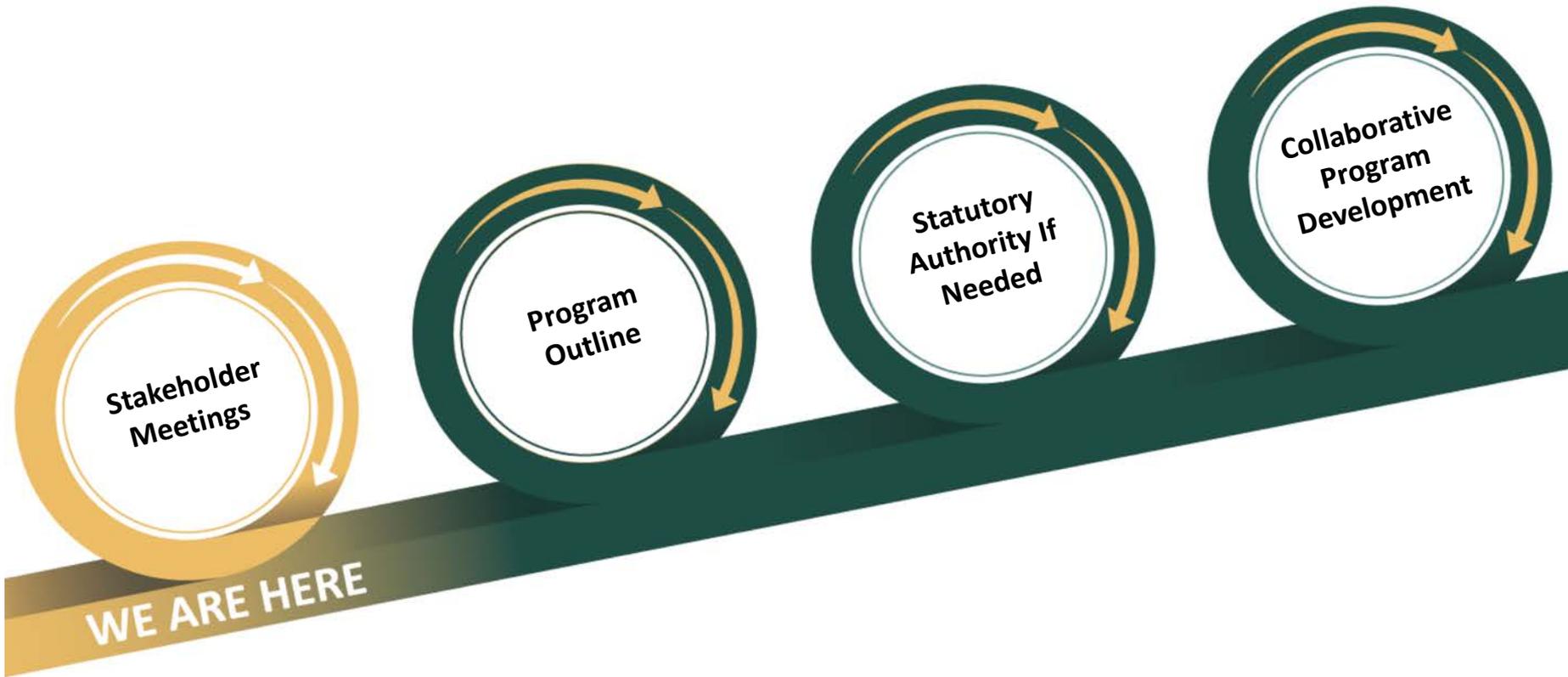
2. Will the EPA's proposed WOTUS rule have a large, moderate, or small impact on your state's percentage of WOTUS waters?



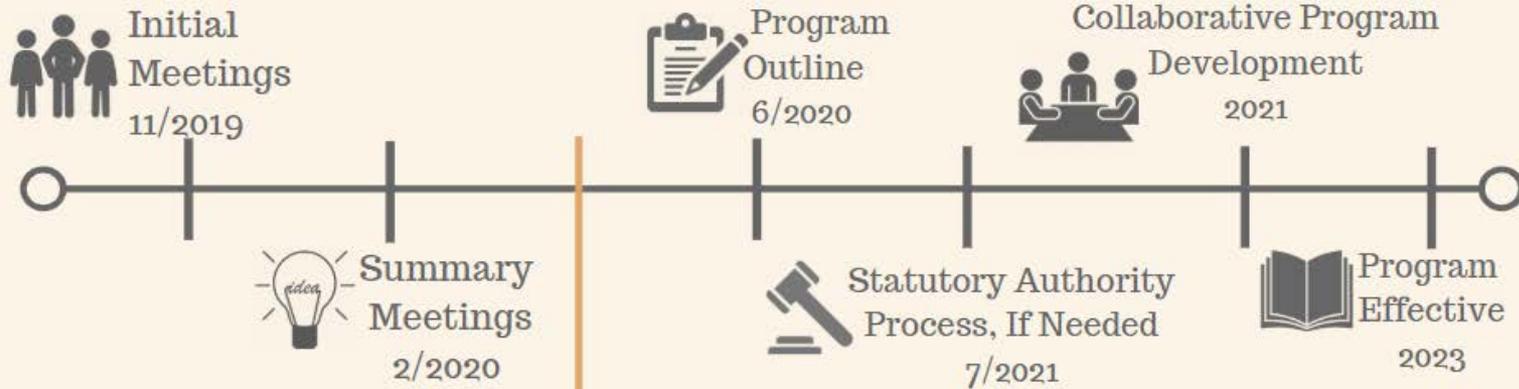


WATERS OF ARIZONA

Waters of Arizona Process



Robust Waters of Arizona Stakeholder Process



WOTUS Changes Effective
Late Spring/2020

- **Email:**
watersofarizona@azdeq.gov
- **ADEQ Waters of Arizona Website:**
<https://azdeq.gov/woaz>

