

Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

State of Arizona
Clean Water Act § 401 Water Quality Certification
ADEQ LTF No.: 90878

1. AUTHORIZATION

This State Water Quality Certification (WQC) is issued by the Arizona Department of Environmental Quality (ADEQ) under the authority of § 401(a) of the Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.) and Arizona Revised Statutes (ARS) § 49-202.


Based on the information provided and identified in Section 3, ADEQ conditionally certifies the Reissuance of the U.S. Army Corps of Engineers Nationwide Permits (NWP) listed in Section 2, with the inclusion of the existing 2021 Regional Conditions for the state of Arizona.

As a condition of certification, ADEQ requires that a project proponent submit an application to the department for a State WQC if the proposed activity will occur within the ordinary high water mark of any of the following waters: An outstanding Arizona water; an impaired water; a water that is listed as not-attaining; or a lake. This conditional certification, authorized under A.R.S. 49-202(C), is necessary to ensure the proposed activities will not cause or contribute to an exceedance in a surface water quality standard under Arizona Administrative Code R18-11.

APPLICANT INFORMATION

Project Name: Nationwide Permit Reissuance
Applicant: U.S. Army Corps of Engineers
Kyle Dahl
918 Wilshire Blvd.
Los Angeles, CA 90017

AUTHORIZING SIGNATURE


Trevor Baggione (Oct 14, 2021 15:29 PDT)

Trevor Baggione
Water Quality Division
Arizona Department of Environmental Quality

Oct 14, 2021

Date

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1. DESCRIPTION OF ACTIVITIES TO BE CERTIFIED

Under Section 404(e) of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) can issue general permits to authorize activities that have only minimal individual and cumulative adverse environmental effects. General permits can be issued for a period of no more than five years. A nationwide permit (NWP) is a general permit that authorizes activities across the country, unless a division commander or district engineer revokes the nationwide permit in a state or other geographic region or for a specific activity.

In Arizona, the following NWPs are being reissued:

3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Associated Intake Structures
13. Bank Stabilization
14. Linear Transportation Projects
15. U.S. Coast Guard Approved Bridges
16. Return Water from Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Response Operations for Oil or Hazardous Substances
22. Removal of Vessels
23. Approved Categorical Exclusions
25. Structural Discharges
27. Aquatic Habitat Restoration, Establishment, and Enhancement Activities
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities
32. Completed Enforcement Actions
33. Temporary Construction, Access, and Dewatering
34. Cranberry Production Activities
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation
38. Cleanup of Hazardous and Toxic Waste
41. Reshaping Existing Drainage Ditches
45. Repair of Uplands Damaged by Discrete Events
46. Discharges in Ditches
49. Coal Remining Activities
53. Removal of Low-Head Dams
54. Living Shorelines
59. Water Reclamation and Reuse Facilities

Information on each NWP is available on the USACE LA District's website, <https://www.spl.usace.army.mil/Missions/Regulatory/NWP-Reissuance/>

2. INFORMATION REVIEWED

During the development of this WQC, ADEQ had access to and reviewed the following documents, which are on file with ADEQ:

On August 23, 2021, ADEQ received a letter dated August 20, 2021 from Kyle Dahl, Acting Deputy Division Chief, Regulatory Division, USACE LA District. This letter enables ADEQ to certify the reissuance of the NWP's listed in Section 2 of this certification.

3. NOTIFICATION PROVISIONS

For any correspondence regarding this project, the ADEQ mailing address is:

Arizona Department of Environmental Quality
Rosi Sherrill
Surface Water Permits / 401 WQCs
1110 West Washington Street
Phoenix, Arizona 85007

For questions or general comments:
Email: 401WQC@azdeq.gov

Voice: (602) 771-4409

In any correspondence, please reference:
USACE Nationwide Reissuance 2021
ADEQ LTF No.: 90878