Surface Water Protection Program (SWPP):
- Protects WOTUS using Clean Water Act tools
- Provides additional authorities to ADEQ to protect certain non-WOTUS surface waters.
Santa Fe Reservoir, Williams
- Drinking water source for City of Williams
- Popular for fishing
- Currently has consumption advisory for mercury in fish tissue based on WOTUS water quality standards

Roper Lake, Safford
- Arizona State Park
- Popular lake for camping, fishing, and recreation
Watson Lake, Prescott
- Popular recreation site – fishing, boating, camping, hiking
- Currently listed as impaired

Woods Canyon Lake, near Payson
- Managed trout fishery
- Popular recreation site – fishing, boating, camping
PURPOSE OF SWPP / HB 2691

Many wet waters in AZ are isolated, or their jurisdiction under the CWA is severed or unclear due to separation from known WOTUS waters by long dry stream reaches.

The SWPP provides certainty that wet waters that are used as drinking water sources or where people recreate will ALWAYS receive proactive regulation to ensure that those uses are protected, regardless of federal changes.
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.
How a Water Becomes “Protected”

The Initial List

Draft list online at: https://azdeq.gov/woaz

- 8 Major Rivers
- Total Perennial & Intermittent Waters: 768
- 84% Appendix B Waters

Appendix B
Initial DRAFT Map

Draft interactive map online at: https://azdeq.gov/woaz
<table>
<thead>
<tr>
<th>Authorities for Protecting Surface Waters</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WOTUS Surface Waters</strong></td>
</tr>
<tr>
<td>Set Standards</td>
</tr>
<tr>
<td>Regulate Discharges via Permits</td>
</tr>
<tr>
<td>Regulate Dredge and Fill Impacts</td>
</tr>
<tr>
<td>Enforce Against Standards Violations</td>
</tr>
<tr>
<td>Impairment Determination/TMDL</td>
</tr>
<tr>
<td><strong>Non-WOTUS Surface Waters</strong></td>
</tr>
<tr>
<td>Existing Authority</td>
</tr>
<tr>
<td>Existing Authority</td>
</tr>
<tr>
<td>Existing Authority</td>
</tr>
<tr>
<td><strong>Protected Non-WOTUS Surface Waters</strong></td>
</tr>
<tr>
<td>Extends current WOTUS standards, deadline for new standards</td>
</tr>
<tr>
<td>Creates authority to require BMPs for discharges to these waters</td>
</tr>
</tbody>
</table>

*Italics = authorities proposed in HB 2169*
Next Steps

Legislation

- Current status of HB 2691
- Next steps

Rulemakings

- Water Quality Standards for Non-WOTUS Protected Surface Waters
- Protected Surface Waters List
- BMPs for Activities within the OHW of Protected Surface Waters
- Prepare a list of Non-WOTUS Protected Surface Waters that are impaired
Why is this important NOW?

Many wet waters in AZ are isolated, or their jurisdiction under the CWA is severed or unclear due to separation from known WOTUS waters by long dry stream reaches.

Without the authorities granted by SWPP, ADEQ cannot proactively regulate what is discharged into these waters.

The SWPP provides certainty that wet waters that are used as drinking water sources or where people recreate will ALWAYS receive proactive regulation to ensure that those uses are protected, regardless of federal changes.
Questions?

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