

ATTACHMENT A

**Arizona Department of Environmental Quality
Clean Water Act Section 401 Certification
(July 8, 2016)**



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

July 8, 2016

Reading File: SWGP16-0121

Eric Millis
Utah Division of Water Resources
1594 W. North Temple, Suite 310
Salt Lake City, UT 84116

Re: CWA 401 Certification for the Lake Powell Pipeline

Dear Mr. Millis:

The Arizona Department of Environmental Quality (ADEQ) received the application for 401 Certification on May 17, 2016. ADEQ's review was conducted pursuant to Section 401(a) of the Federal Clean Water Act (CWA) (33 U.S.C. §1251 et seq.) and the Arizona Revised Statutes Section 49-202, which specifies that ADEQ shall process requests by applicants for 401 certification of nationwide or general permits required by Section 404 of the CWA to determine whether the effect of a discharge will comply with the Arizona's surface water quality standards for navigable waters.

ADEQ has reviewed the information in the application and determined that this project is conditionally certified pursuant to the U.S. Army Corps of Engineers Nationwide Permit No.12. Although Lake Powell is impaired for mercury in fish tissue, it is unlikely that the construction of the pipeline would increase this impairment.

Required Actions

- The applicant is responsible for complying with all general 401 conditions specified in the State of Arizona's CWA 401 Water Quality Certification of the Nationwide Permit No. 12.

Recommendations

The suggestions below are not required by State law and there are no legal consequences should you choose to disregard them; however, ADEQ appreciates your cooperation and asks you to consider the following:

- The issuance of a State 401 Water Quality Conditional Certification does not imply or suggest that requirements for other permits including, but not limited to: Aquifer Protection Permits, Arizona Pollutant Discharge Elimination System Permits, Construction General Permits, DeMinimis Permits, Pesticide General Permits, and

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Reclaimed Water permits are met or superseded. Applicant should contact ADEQ to ensure all applicable permits are obtained.

Correspondence

For any correspondence regarding this project, the ADEQ mailing address is:
Arizona Department of Environmental Quality
Rosi Sherrill
Surface Water Section / 401 Certifications / mailstop 5415A-1
1110 West Washington Street
Phoenix, Arizona 85007

For questions or general comments:
Email: ls7@azdeq.gov

Voice: (602) 771-4409

In any correspondence, reference:
Lake Powell Pipeline
USACE File No.: SPK-2008-00354
ADEQ LTF No.: 64155
Reading file: SWGP16-0121

Thank you for your efforts to comply with Arizona's environmental requirements. Should you have any comments or questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Laurie (Rosi) Sherrill
Surface Water Section
Water Quality Division

electronic copies: U.S. Army Corps of Engineers, Regulatory Branch – Attn.: Craig Brown
USEPA, Wetlands Regulatory Office