



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

NOV 25 2013

Walt B.  
Jim B.



Ref: 8EPR-EP

Amanda Smith  
Executive Director  
Utah Department of Environmental Quality  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870

Re: Revision of the Statewide Nonpoint Source Pollution Management Plan

Dear Ms. Smith:

The U.S. Environmental Protection Agency Region 8 received the State of Utah's updated Nonpoint Source Management Plan (Plan) with your cover letter dated June 24, 2013. The EPA is pleased to inform you of its approval of the Plan submitted in accordance with Section 319 of the Clean Water Act (CWA §319). Utah has satisfied all conditions of program approval by incorporating the key components that characterize an effective and dynamic state nonpoint source program pursuant to CWA §319 and the most recently released program guidance. The EPA congratulates Utah on its efforts to successfully complete development of this comprehensive plan.

Nonpoint source pollution, caused by a wide range of activities, is the leading cause of water quality impairment in Utah. Protection and restoration of Utah's waters will depend on a wide range of regulatory and non-regulatory actions. The EPA fully supports Utah's emphasis on cooperation and local stewardship to solve nonpoint source problems. The EPA appreciates your assurance that all applicable state water programs will be used as appropriate to protect and restore water quality degraded by nonpoint source discharges. Success will ultimately rely on your ability to use these programs to foster the widespread implementation of practices that will restore and maintain the chemical, physical, and biological integrity of Utah's waters.

Your staff's effort and commitment to updating the plan is appreciated. The EPA looks forward to working closely with the state of Utah to implement pollution control measures to achieve water quality goals.

PC Document Date 11/29/2013



DWQ-2013-008195



Office of the Governor

State of Utah

GARY R. HERBERT  
*Governor*

GREG BELL  
*Lieutenant Governor*

August 16, 2011

Mr. James B. Martin  
Regional Administrator  
U.S. EPA Region 8  
80C-EISC  
1595 Wynkoop St  
Denver, CO 80202-1129

Dear Mr. Martin

**SUBJECT: Authority to Authorize Clean Water Act Provisions on Behalf of the Governor**

The purpose of this letter is to formally delegate to the Executive Director of the Department of Environmental Quality (DEQ) the authority to approve any federal Clean Water Act provisions that currently require authorization from the Governor's office, including those under §205(j) and §208. This authorization authority shall include — but is not limited to — water quality planning documents and grants. This letter serves to provide this authority from this day forward, unless retracted in writing by the Office of the Utah Governor.

I believe that the Executive Director of DEQ, as the Governor's appointee for environmental issues, is in the best position to identify specific environmental approaches and actions that serve the best interests of Utah citizens.

Your concurrence with this delegation is requested.

Sincerely,

A handwritten signature in black ink that reads "Gary R. Herbert".

Gary R. Herbert  
Governor

STATE OF UTAH  
OFFICE OF THE ATTORNEY GENERAL

Jim B.



JOHN E. SWALLOW  
ATTORNEY GENERAL

KIRK TORGENSEN  
Chief Deputy

BRIAN L. TARBET  
General Counsel

OAG-23-13

April 11, 2013



Walt Baker, Director  
Utah Department of Environmental Quality  
Division of Water Quality  
195 North 1950 West, 3<sup>rd</sup> Floor  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870

Re: **Utah Nonpoint Source Pollution Management Plan**

Dear Mr. Baker:

This letter is written in response to a request for this Office to review an update to the Utah Nonpoint Source Pollution Management Plan ("Plan"). I recently met with Mr. Jim Bowcutt to review the draft revisions to the Plan and two appendices, including the Urban and Suburban Stormwater Management Plan (Appendix "F") and the Nonpoint Source Management Plan for Hydrologic Modifications (Appendix "H"). The draft revisions are dated March 2013.

Pursuant to Mr. Bowcutt's request, I have reviewed the draft revisions to the Plan and appendices for compliance with applicable Utah law. Section 319 of the Clean Water Act (33 U.S.C.A 1329) requires states to develop a nonpoint source water pollution management plan. The Division of Water Quality ("DWQ") in the Utah Department of Environmental Quality is the lead agency for water pollution control programs. The nonpoint source management program is voluntary and no specific rules or enforcement authorities are required. The Director of the DWQ and the Utah Water Quality Board have statutory authority under Utah Code Ann., Title 19 Chapter 5 to implement programs to abate water pollution.

This letter constitutes certification by the Utah Attorney General's Office that the laws of the State of Utah provide adequate authority to implement the Plan as revised and amended. This certification is provided pursuant to Section 319 of the Federal Clean Water Act (33 U.S.C.A. 1329).

Sincerely,

A handwritten signature in black ink that reads "Craig W. Anderson".  
Craig W. Anderson, Chief  
Environment Division

CWA/srb

cc: **Jim Bowcutt**, Division of Water Quality



State of Utah

GARY R. HERBERT  
*Governor*

GREG BELL  
*Lieutenant Governor*

Department of  
Environmental Quality

Amanda Smith  
*Executive Director*

DIVISION OF WATER QUALITY  
Walter L. Baker, P.E.  
*Director*

April 17, 2013

DIVISION OF WATER QUALITY  
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

PUBLIC NOTICE OF DRAFT NONPOINT SOURCE MANAGEMENT PLAN

The Division of Water Quality presents for public comment the draft of the Utah Statewide Management Plan for Nonpoint Source Pollution. The purpose of this plan is to identify the strategy the State of Utah will use to control pollution added from nonpoint sources to the navigable waters within the State and improving and protecting the quality of such waters. The Division of Water Quality will also be accepting comments for the Storm Water Management Plan and Hydrologic Modification Plan, which will be included in the appendices of the Statewide Management Plan. These management plans will be available for public comment through May 21, 2013. A copy of the plans can be obtained by contacting Jim Bowcutt at (801) 536-4336 or on the web at <http://www.waterquality.utah.gov/PublicNotices/index.htm#gen>

Comments must be submitted in writing to:

Jim Bowcutt

Utah Division of Water Quality

P.O. Box 144870

Salt Lake City, UT 84114-4870

Or via e-mail to [jdbowcutt@utah.gov](mailto:jdbowcutt@utah.gov)