



State of Utah

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Department of
Environmental Quality

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

Draft 401 Water Quality Certification for March 5, 2014 Public Notice. The findings, determinations and assertions contained in this document are not final and subject to change following the public comment period.

Patricia McQueary, Project Manager
US Army Corps of Engineers, Sacramento District
196 E. Tabernacle Street Room #30
Saint George, Utah 84770

Dear Ms. McQueary:

Re: DRAFT Approval of a Blanket 401 Water Quality Certification with Conditions.

Water Quality Certification No.: SPK 2004-50130 for Regional General Permit 6 (RGP 6) Renewal.
USACE 404 Permit No.: SPK 2004-50130 –RGP 6.

Applicant: U.S. National Park Service.

Project: Blanket 401 Water Quality Certification for routine maintenance activities.

Purpose: SPK 2004-50130 for RGP 6 list 27 activities that are covered under this Certification They include: routine maintenance on structures including sanitary sewer pump-out stations; installation of wells, comfort stations and pit toilets in areas of existing use and in developed areas, such as established marina facilities; repair launch ramps, culvert replacements. For a complete list of Regional General Permit 6 activities please go on-line to:
<http://www.spk.usace.army.mil/Media/RegulatoryPublicNotices/tabid/1035/Article/18425/spk-2004-50130-rgp-6-proposal.aspx>

Location: The Glen Canyon Recreational Area encompasses over 1.2 million acres which stretches for hundreds of mile from Lees Ferry in Arizona to the Orange Cliffs of southern Utah.

Watercourse: Lake Powell Reservoir and all associated surface tributary systems including wetlands that are within boundaries of Glen Canyon National Recreation Area (Lake Powell).

Public Comment Period: 3/5/2014 – 3/19/2014. Public Notice comment period was less than the normal 30 day period because the proposed permitted activities will cause only minimal individual and cumulative water quality impacts as listed in SPK 2004-50130, RGP 6.

Public Comments Received:

Pursuant to Section 401 of the Federal Water Pollution Control Act, commonly known as the Clean Water Act (CWA), the Utah Department of Environmental Quality, Division of Water Quality (DWQ) certifies it has reasonable assurances that any discharge associated with Regional General Permit 6 activities found in SPK 2004-50130 will not violate surface water quality standards, or cause additional degradation in surface waters not presently meeting water quality standards. In accordance with Section 401(a)(1) of the CWA [33 U.S.C. Sec. 1341(a)(1)], DWQ hereby issues this Blanket 401 Water Quality Certification provided the conditions outlined below are met and included in the USACE SPK 2004-50130, RGP 6 permit issued to U.S. National Park Service.

Lake Powell has the following beneficial use classifications: 1C (protected for domestic drinking water); 2A (protected for frequent primary contact recreation); 3B (protected warm water fishery and aquatic life); and 4 (protected for agricultural uses including irrigation of crops and stock watering). This reservoir is not impaired and meets all assessed water quality standards.

Therefore, as a condition of Water Quality Certification for this project, the DWQ has requested that the USACE include the following conditions in the SPK 2004-50130, RGP 6 permit issued to U. S. National Park Service:

1. The Utah Division of Water Quality may require submission of a formal application for an Individual Certification for any project if the project has been determined to likely have a significant adverse effect upon water quality or degrade the waters of the Utah.
2. All activities conducted in the waters of state must implement and maintain best management practices (BMPs) to fully protect the assigned beneficial uses. If during project implementation there are indications that water quality standards are not being met, then, the BMPs must immediately be modified as necessary to ensure compliance with water quality standards.
3. The applicant cannot cause water turbidity in Lake Powell Reservoir and associated tributaries to increase an additional 10 NTU's or any visible increase in turbidity, if these conditions are violated the applicant shall immediately notify the DWQ contact listed below.
4. Refueling equipment and storage of lubricants and fuels will occur at designated staging areas and in state approved containers. The storage and refueling areas will be at least 500 feet from the edge of the nearest water body (including wetlands), at least 200 feet from the nearest private water supply well, and at least 100 feet from the nearest municipal water supply well.
5. Utah Code Annotated 19-5-114 requires that any spill or discharge of oil or other substances which may cause pollution to the waters of the State, i.e. adjacent wetlands, must be immediately reported to the Utah DWQ contact listed below.
6. The applicant shall protect any potentially affected fish spawning areas.
7. All disturbed areas will be revegetated with native species or nonnative species that are not invasive and that are both woody (trees and shrubs) and herbaceous species. Planting the riparian zone should be done as work proceeds or at the latest, immediately upon completion of stream construction activities. The applicant will implement integrated BMPs to help ensure restoration efforts are successful, including managing disturbed areas of Lake Powell related to project construction for a period of five years.
8. The applicant shall not use any fill material which may leach organic chemicals (e.g., discarded asphalt) or nutrients (e.g., phosphate rock) immediately adjacent or into Lake Powell Reservoir.
9. The applicant shall obtain the following permits from the DWQ prior to the construction phase of the project:
 - Dewatering activities, if necessary during the construction, may require coverage under the UPDES General Permit for Construction Dewatering, Permit No. UTG070000. A fact sheet describing the permit application procedures are located on our web site at: <https://secure.utah.gov/stormwater/main.html>. The

permit requires water quality monitoring every two weeks to ensure that the pumped water is meeting permit effluent limitations, unless the water is managed on the construction site.

- Construction activities that disturb one acre or more are required to obtain coverage under the Utah Pollutant Discharge Elimination System (UPDES) Storm Water General Permit for Construction Activities, Permit No. UTR300000. The permit requires the development of a storm water pollution prevention plan (SWPPP) to be implemented and updated from the commencement of any soil disturbing activities at the site until final stabilization of the project. A fact sheet describing the permit application procedures are located on our web site at: <https://secure.utah.gov/stormwater/main.html>

Please contact Mr. Bill Damery at (801) 536-4354, wdamery@utah.gov with any questions you may have concerning this 401 Water Quality Certification with Conditions.

Sincerely,

Walter L. Baker, P.E.
Director

WLB:wd:mc

cc: Brady Bradford, Southeastern Utah District Health Department
Robert Beers, Southwest Utah Public Health Department

File: SPK 2004-50130-RGP 6
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