



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

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, 3rd Floor
P.O. Box 144870
Salt Lake City, Utah 84114-4870

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

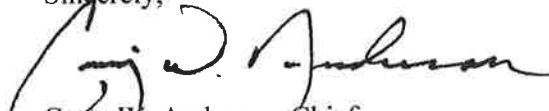
Dear Mr. Baker:

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,


Craig W. Anderson, Chief
Environment Division

CWA/srb

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