



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: NREW DPA 10-0-0-0

HB 2369: dredge; fill; permits; clean up
Sponsor: Representative Griffin, LD 19
House Engrossed

Overview

Deletes obsolete references to specific sections of Arizona Revised Statutes to reflect the repeal of Title 49, Chapter 2, Article 3.2 relating to the Dredge and Fill Permit Program.

History

The U.S. Environmental Protection Agency (EPA) administers the Dredge and Fill Permit Program under [Section 404 of the Clean Water Act](#), which regulates discharge of dredged or fill material into waters of the United States, including wetlands.

[Laws 2018, Chapter 225](#) authorized the Director of the Arizona Department of Environmental Quality (ADEQ) to adopt a Dredge and Fill Permit Program by rule and assume responsibility, or primacy, to administer the program. The legislation outlined ADEQ's responsibilities to: 1) issue, deny, suspend or revoke discharge permits; 2) establish permit conditions to ensure compliance with the Clean Water Act; and 3) establish procedures to maintain primary enforcement responsibility.

The legislation also contained a conditional repeal date of August 1, 2023, for Title 49, Chapter 2, Article 3.2, Arizona Revised Statutes, if ADEQ's Dredge and Fill Permit Program was not approved by the EPA. The ADEQ permit program was not approved and the provisions adopted in 2018 were repealed.

Provisions

1. Deletes obsolete references to specific sections of Arizona Revised Statutes to reflect the repeal of Title 49, Chapter 2, Article 3.2 relating to the Dredge and Fill Permit Program. (Sec. 1-7)
2. Makes technical and conforming changes. (Sec. 2-4, 6)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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