

December 17, 2025

Via Electronic Mail

Aaron O. Allen, PhD
Chief, Regulatory Division
U.S. Army Corps of Engineers
Los Angeles District

Re: Clean Water Act §401 Water Quality Certification for the Reissuance of the 2026 Nationwide Permits

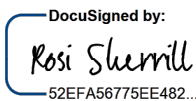
Dear Mr. Allen:

On June 18, 2025, The Arizona Department of Environmental Quality (ADEQ) received your application for a Clean Water Act (CWA) § 401 Water Quality Certification (WQC) for the reissuance of the U.S. Army Corps of Engineers (USACE) Nationwide Permits, in March 2026. This application was submitted in accordance with §401(a) of the CWA (33 U.S.C. § 1251 et seq.) and Arizona Revised Statutes (ARS) § 49-202.

Enclosed please find the issued CWA § 401 WQC for the March 2026 Reissuance of the Nationwide Permits.

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

Sincerely,

DocuSigned by:

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Rosi Sherrill
Surface Water Protection

electronic copies: USACE, Regulatory Branch, Attention Jesse Rice; Antal Szijj
USEPA, Wetlands Regulatory Office

State of Arizona
Clean Water Act § 401 Water Quality Certification
U.S. Army Corps of Engineers 2026 Nationwide Permits

This State Water Quality Certification (WQC) is issued by the Arizona Department of Environmental Quality (ADEQ) under the authority of § 401(a) of the Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.) and Arizona Revised Statutes (A.R.S.) § 49-202; and Arizona Administrative Code (A.A.C.) Title 18, Chapter 11, Water Quality Standards.

Based on the information provided and identified in Section 1 below, ADEQ certifies the reissuance of the 2026 U.S. Army Corps of Engineers (USACE) Nationwide Permits (NWPs) listed in Section 2 below, with the inclusion of the 2026 Regional Conditions for the State of Arizona, with the following exceptions:

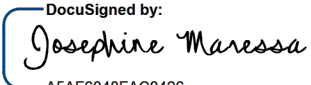
- Surface waters listed on the Clean Water Act § 303(d) list of impaired and threatened waters and lakes.
- Surface waters listed on the Clean Water Act § 303(d) list of not-attaining and threatened waters and lakes.
- Surface waters designated as Outstanding Arizona Waters in A.A.C. R18-11-112(G).

Activities within the waters listed above require an individual § 401 Water Quality Certification from ADEQ.

Project Proponent Information:

U.S. Army Corps of Engineers
Aaron O. Allen, Chief, Regulatory Division
915 Wilshire Blvd., Suite 1109
Los Angeles, CA 90017

Authorizing Signature

DocuSigned by:

A5AF6048FAC8426...
Josephine Maressa, Deputy Director
Water Quality Division
Arizona Department of Environmental Quality

12/16/2025

Date

1. Information Reviewed

During the development of this WQC, ADEQ received the following documents from the USACE in order to prepare this WQC; ADEQ also participated in conversations with the USACE Los Angeles (LA) District and the Phoenix Branch:

- a. Email from Spencer MacNeil, Deputy Chief, Regulator Division, Ventura Field Office received May 7, 2025, providing notification of the 2025 NWP Reissuances and the draft 2026 Nationwide Permit Regional Conditions for the State of Arizona; and requesting the 30-day pre-filing meeting to discuss the reissuance.
- b. The pre-filing notification meeting was held virtually on June 3, 2025; staff from ADEQ, USACE LA District and the Phoenix Branch.
- c. Letter and attachments from Aaron O. Allen, Chief, Regulatory Division, USACE LA District received June 18, 2025, requesting certification for the 2026 NWPs.
- d. The USACE notice of proposed rulemaking, Docket Number COE-2025-0002, Proposal to Reissue and Modify Nationwide Permits, June 18, 2025.

2. Description of Activities to be Certified

Nationwide Permits are issued by the U.S. Army Corps of Engineers to authorize categories of activities under Section 404 of the Clean Water Act, and Section 10 of the Rivers and Harbors Act of 1899, that have no more than minimal individual and cumulative adverse environmental effects. All NWPs being reissued are shown in Table 1.

NWP 1 – Aids to Navigation*	NWP 30 – Moist Soil Management for Wildlife
NWP 2 – Structures in Artificial Canals*	NWP 31 – Maintenance of Existing Flood Control Facilities
NWP 3 – Maintenance	NWP 32 – Completed Enforcement Actions
NWP 4 – Fish and Wildlife Harvesting, Enhancement, FADs	NWP 33 – Temporary Construction, Access, and Dewatering
NWP 5 – Scientific Measurement Devices	NWP 34 – Cranberry Production Activities
NWP 6 – Survey Activities	NWP 35 – Maintenance Dredging of Existing Basins
NWP 7 – Outfall Structures / Intake Structures	NWP 36 – Boat Ramps*
NWP 8 – Oil and Gas Structures / Outer Continental Shelf	NWP 37 – Emergency Watershed Protection and Rehabilitation
NWP 9 – Structures in Fleeting and Anchorage Areas*	NWP 38 – Cleanup of Hazardous and Toxic Waste
NWP 10 – Mooring Buoys*	NWP 39 – Commercial and Institutional Developments
NWP 11 – Temporary Recreational Structures*	NWP 40 – Agricultural Activities
NWP 12 – Oil or Natural Gas Pipeline Activities	NWP 41 – Reshaping Existing Drainage and Irrigation Ditches
NWP 13 – Bank Stabilization	NWP 42 – Recreational Facilities
NWP 14 – Linear Transportation Projects	NWP 43 – Stormwater Management Facilities

NWP 15 – U.S. Coast Guard Approved Bridges	NWP 44 – Mining Activities
NWP 16 – Return Water / Upland Contained Disposal Areas	NWP 45 – Repair of Uplands Damaged by Discrete Events
NWP 17 – Hydropower Projects	NWP 46 – Discharges in Ditches
NWP 18 – Minor Discharges	NWP 48 – Commercial Shellfish Mariculture Activities
NWP 19 – Minor Dredging	NWP 49 – Coal Remining Activities
NWP 20 – Response Ops for Oil or Hazardous Subst.	NWP 50 – Underground Coal Mining Activities
NWP 21 – Surface Coal Mining Activities	NWP 51 – Land-Based Renewable Energy Generation Facilities
NWP 22 – Removal of Vessels	NWP 52 – Water-Based Renew. Energy Gen. Pilot Projects
NWP 23 – Approved Categorical Exclusions	NWP 53 – Removal of Low- Head Dams
NWP 24 – Indian Tribe or State 404 Program*	NWP 54 – Living Shorelines
NWP 25 – Structural Discharges	NWP 55 – Seaweed Mariculture Activities*
NWP 27 – Aquatic Ecosystem Restoration, Enhancement	NWP 57 – Electric Utility Line and Telecommunications Activity
NWP 28 – Modifications of Existing Marinas*	NWP 59 – Water Reclamation and Reuse Facilities
NWP 29 – Residential Developments	NWP A – Activities to Improve Passage of Fish / Aquatic Life

* Indicates Nationwide permits that specifically relate to Section 10 Rivers and Harbors Act which not be feasible in Arizona.

3. Application

The CWA § 401 Water Quality Certification Application can be downloaded here: <https://azdeq.gov/cwa401>

4. Notification Provisions

For any correspondence regarding this WQC, the ADEQ mailing address is:

Arizona Department of Environmental Quality
 Attn: Rosi Sherrill
 Surface Water Permits / 401 WQCs
 1110 West Washington Street
 Phoenix, Arizona 85007

For questions or general comments please contact the § 401 Coordinator via email at 401WQC@azdeq.gov or by telephone at (602) 771-4409.

In any correspondence, please reference: § 401 WQC for the 2026 Nationwide Permits Reissuance.