



TWG: Fees

Meeting: #2

Date: September 18, 2018

Time: 1:00 p.m.

Attendees:

- | | |
|---|--|
| <input type="checkbox"/> Sandy Bahr, Sierra Club* | <input checked="" type="checkbox"/> Amanda McGennis, Arizona Chapter Associated General Contractor |
| <input checked="" type="checkbox"/> Mason Bolitho, Haley & Aldrich | <input checked="" type="checkbox"/> Rebecca Hudson Nunez, Freeport-McMoRan |
| <input checked="" type="checkbox"/> Jeremy Browning, Gov Group | <input checked="" type="checkbox"/> Marcia Sorensen, City of Peoria |
| <input checked="" type="checkbox"/> Marina Estrella, City of Phoenix, by proxy | <input checked="" type="checkbox"/> Jerry D. Worsham II, Cavanagh Law Firm |
| <input checked="" type="checkbox"/> Adam Hawkins, Global External | <input checked="" type="checkbox"/> Duane Yantorno, Asarco |
| <input checked="" type="checkbox"/> Christopher "Kit" MacDonald, U.S. Forest Service - Coconino and Kaibab National Forests | |

**Please note: Due to inaccurate conference call information, Sandy Bahr was unable to participate.*

Staff Support:

- | | |
|---|--|
| <input checked="" type="checkbox"/> David Lelsz, ADEQ | <input type="checkbox"/> Theresa Gunn, GCI |
|---|--|

Discussion Items:

- Starting analysis of Army Corps permitting data indicate about 8 or 9 Standard/Individual permits per year.
- ADEQ will confer with Army Corp on relevant permits for assumption of the program, as soon as possible.
- Work Group presentation on Arizona Administrative Code R18-14, Water Quality Division fee authority.
- Rulemaking would be required to amend R18-14 to allow for fees for CWA Section 404 fees after assumption.
- ADOT is not exempt from CWA 404 fees after assumption.
- What do "Other Costs" in draft ADEQ budget consist of?
- Does the current draft budget include an item for JD consultant costs or will that be an FTE?
- Will a hybrid model for funding the program, fees and general fund, be acceptable?
- How will work group estimate JD costs pre- and post-Rapanos?
- What will the EPA be looking for in ADEQ proposal related to fees?

Decisions:

- ADEQ should supply a draft 5-year budget for the 404 program to Work Group.
- ADEQ should re-examine the litigation budget on proposed draft program costs; may need to be increased or possible budget requested from AG's Office.

Future Discussion Needed:

- Need information on how many Non- Standard/Individual Permits are likely per year.
- What fees are appropriate for Non- Standard/Individual Permits?

Action Items:

- A Hawkins will request CBO analysis of Arizona Army Corps' operations.

Next Meeting Agenda:

- Review ADEQ analysis of Corps Permitting time frames and numbers
- Update on "Other Costs"
- Update on JD costs
- Update on EPA expectations on fees

Next Meeting:

Tue 10/2/2018, 2pm to 4pm

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Meeting number (access code): 808 599 408

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