TWG: JURISDICTION DETERMINATION

Meeting: #1  Date: August 28, 2018  Time: 9:00-10:38 am

Attendees:
☒ Michael Bryce, Graham County, AZ
☒ Mike Cabrera, Pima County Flood Control
☒ Linda Cheney, El Dorado Holdings, Inc.
☒ Tricia Gerrodette, Friends of the Sonoran Desert
☒ Ned Hall, Freeport-McMoRan Inc.
☒ Adam Hawkins, Global External Relations
☒ Jill Himes, Himes Consulting, LLC
☒ Spencer Kamps, Home Builders Association of Central Arizona
☒ Theresa Knoblock, Tierra Right of Way Services
☒ Dennis Krahn, Eldorado Holdings
☒ Brian Lindenlaub, Westland Resources, Inc.
☒ Sheila Logan, Hilgart Wilson
☒ Robert Lynch, Robert S. Lynch & Associates
☒ Roger McManus,
☒ Jack Moody, Slater Hanifan Group
☐ Mark Murphy, NV5, Inc.
☒ Leigh Padgitt, City of Phoenix
☒ Marinela Papa_Konomi, MCDOT
☒ Betsi Phoebus, Jacobs
☒ Jessica Rybczynski, Aztec
☒ Jennifer Simpkins, Kimley-Horn
☒ Scott Thomas, Fennemore Craig

Staff Support:
☒ David Lelsz, ADEQ
☒ Theresa Gunn, GCI

Discussion Items:
• Work Group Charter Comments:
  o The three options may change as the federal decisions regarding WOTUS evolve. Consider a contingency to change work group recommendation after December 20 if needed.
  o Because of the unknowns, we should focus on solutions based on what is known now and if needed can change later.
• Group discussed making decisions by majority and will note strong dissenting opinions in deliverable; vote will be called if no clear majority; members can ask for a vote
• Group prefers to meet every other week preferably in the afternoon at ADEQ. Fennemore Craig, Kimley Horn and Hilgart Wilson can host if needed.
• Need a process flow chart of the current state. Need to have someone make a presentation on the process and data requirements at the next meeting.
• Is there a file system we can use to upload and view and comment on documents?

Decisions:
• If no clear agreement, decisions will be made by a vote requiring a motion and a second.
• Next meeting will be Sept 12 and continue every other Wednesday, 1:00-2:30 pm, at ADEQ (Sept 27 instead of Sept 26; Nov 20 instead of Nov 21)
• Scott Thomas was selected as Vice-Chair

Future Discussion Needed:
• Need a dialogue about what is the Corps process and what we would like to see fixed as a state program; need to add clarity, predictability, and repeatability
• Does a new process pre-determine the JD decisions?
• Time frames for determinations
• Do we need to discuss the reserved waters as defined in the Corps memo?
• Need to determine AJD process as included in SB1493 (49256.01(D)). What is the process of determining when an applicant does not need to do a JD?

**Action Items:**
• Send parking map to members.
• All members should review the current state and email to Jack a list of pros, cons and gaps by September 11.
• Jack will update a PPT on the current process and send Jill Himes, Sheila Logan, Jennifer Simpkins, Mike Cabrera for review and additions and will email to the group before next meeting

**Next Meeting Agenda**
• Review PPT of the current state
• Discuss ideal state
• Discuss gaps

The group will need a projector, screen and laptop for the next meeting.