

TWG: PERMIT PROCESS

Meeting: #11 **Date:** Feb. 7, 2019 **Time:** 9 a.m.-12 p.m.

Attendees (Conference call participants):

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| <input checked="" type="checkbox"/> Sandy Bahr, Sierra Club - Grand Canyon Chapter | <input type="checkbox"/> Betsi Phoebus, Jacobs |
| <input checked="" type="checkbox"/> Tricia Balluff, TWG Chair, City of Phoenix | <input checked="" type="checkbox"/> Karla Reeve-Wise, PDEQ |
| <input checked="" type="checkbox"/> Rion Bowers, Bowers Environmental Consulting | <input type="checkbox"/> Suzanne Shields, Pima County Regional Flood Control District |
| <input type="checkbox"/> Mike Cabrera, Pima County Flood Control | <input checked="" type="checkbox"/> Jennifer Simpkins, Kimley-Horn |
| <input checked="" type="checkbox"/> Tom Klimas, WestLand Resources, Inc. | <input type="checkbox"/> James Stewart, ASARCO |
| <input type="checkbox"/> Theresa Knoblock, Tierra Right of Way Services | <input checked="" type="checkbox"/> Laura Stewart, ACS (Archaeological Consulting Services, Ltd.) |
| <input type="checkbox"/> Sheila Logan, HILGARTWILSON, LLC | <input checked="" type="checkbox"/> Scott Thomas, Fennemore Craig |
| <input type="checkbox"/> Amanda McGennis, Arizona Chapter Associated General Contractors | <input type="checkbox"/> Marc Wicke, SRP |
| <input type="checkbox"/> David McIntyre, McIntyre Environmental LLC | <input checked="" type="checkbox"/> Duane Yantorno, TWG Vice-Chair, ASARCO |
| <input checked="" type="checkbox"/> Marinela Papa-Konomi, MCDOT | |

Staff Support:

- Andy Koester, ADEQ Jill Hankins, ADEQ Mark Joyner, ADEQ Kelly Cairo, GCI

Discussion Items:

Welcome and Administration

- Tricia incorporated the executive summary into the document on Feb. 2. She asked the group to consider missing elements that should be included.

Discuss Comments in Draft Paper

In addition to comments noted on the live document, highlights of discussion included:

- Duane noted that his suggestions appear as “anonymous” on the Google document under review.
- Duane recommended that the executive summary provide enough information for a high-level overview without consulting the appendix. The group agreed to move the recommendation summary table to the executive summary.
- The group discussed the NEPA benefits and drawbacks as found in the permit transition summary table. The group agreed to leave this in but move it to the Permit Types section.
- The group discussed the inclusion of ADEQ’s environmental role versus streamlining, and added information to Section 2.2.
- Tricia reminded the group about her conversation with the Corps regarding discretion in issuing permits controversial in nature. The group agreed to add language regarding the conversation and that this is a practice identified by the Corps Phoenix office rather than regulatory requirement.
- The group discussed the lead-in sentence “...developing a state-specific public interest review.” The concept of a “modified” version was agreed upon.

- In section 3.2.9, the group noted that EPA sets the exemptions and the TWG cannot suggest changes to federal rule in the white paper.
- Action item: Tricia to check with Julia Manfredi regarding whether the ADOT contract includes WRDA, and update the document as necessary.
- Tricia asked the group to consider the definitions of administrative completeness, substantive completeness, and completeness appropriate for public review. The group agreed that ADEQ should define Administrative Completeness specifically for a 404 permit.
 - Action item: Tricia will draft text for the TWG to review prior to the next TWG meeting.
- In section 4.2.8, the group agreed that there is a gap in that ADEQ does not have the authority to stop the clock to coordinate with other state and federal agencies. ADEQ should review whether a statutory change is required.

Next Steps

Tricia asked the group if they would rather extend the current meeting or add a meeting to complete comment review. The group agreed to finalize comments through Section 4.

- Action item: Kelly to poll the group about an additional Webex meeting time option in approximately one week. If there is not a workable option, document review will continue at the Feb. 21 meeting as previously scheduled. (Done.)

Assignments and Action Items:

- (1/24) Scott to redline citizen suit information in 4.1.3 for additional TWG discussion. (Done.)
- (2/7) Tricia to check with Julia Manfredi regarding whether the ADOT contract includes WRDA, and update the document as necessary.
- (2/7) Tricia to draft administrative completeness recommendation text and email to all for review prior to the next TWG.

Potential Future Discussion:

- (12/13) May want to recommend ADEQ consider the timing of the public process in the white paper. (Completed as part of the “completeness” discussion.)