

Statewide Water Quality Management Working Group

Meeting - Tuesday, February 18th, 2020

10:00 a.m. – 12:00 p.m.

Location:

Arizona Department of Environmental Quality
Conference Room 5100B – 5th Floor
1110 W. Washington Street
Phoenix, AZ 85007
(602) 771- 4606
Parking is available in the ADEQ Visitor garage

Meeting Attendees

ADWR – Jeff Inwood
CAG – Alan Urban
PAG – Mead Mier
MAG – Julie Hoffman
Mohave County – Scott Haltry
Mohave County – Christine Ballard
SEAGO – Randy Heiss – on the phone conference call
NACOG – Jason James – on the phone conference call
Yuma County – George Amaya – on the phone conference call
ADEQ – Edwina Vogan

Agenda

1. Call to Order and Introductions

In addition to those present, some members were on the phone conference call.

2. Call to the Audience - There were no calls from the audience for an agenda item.

3. Announcements

Committee members and state agencies are invited to provide program updates. State agencies invited to contribute including the Water Infrastructure Finance Authority (WIFA), State Land Dept., Arizona Dept. of Water Resources, Arizona Game and Fish Department and Arizona Corporation Commission.

Jeff Inwood, Chief Hydrologist and Assistant Director of the **Arizona Department of Water Resources (ADWR)** discussed three projects. The first was the **Pinal Groundwater Model**. The 100-year projection was released and a stakeholder group has been formed. Also another study in Northwest Arizona was mentioned. The third project concerned the **Buckeye AZ Waterlogged Area**. In 1988, the Buckeye Waterlogged Area was established. There are three irrigation districts in the area. The area has unique hydrologic conditions that include very shallow water levels. The designation as the Buckeye Waterlogged Area was important to the irrigation districts since it provided them relief. Although water levels are declining, models predict levels will remain shallow (approximately 60 feet or less). ADWR is recommending to the Governor and Legislature to extend the waterlogged exemption to 2034.

Approval of the November 12th, 2019 Water Quality Management Work Group Meeting (WQMWG) Minutes

The revised meeting notes are attached from the November 19, 2019 WQMWG meeting. No corrections were added to the draft WQMWG minutes. A Motion to Approve the Minutes of the WQMWG was made by Alan Urban, CAG and a Second Motion to Approve by Christine Ballard, Mohave County. The Minutes were approved unanimously.

4. PAG 208 Plan Update – Action Item for Approval

Mead Mier, Sustainability Coordinator at PAG, presented the comprehensive update to the PAG Areawide Water Quality Management Plan (208 Plan). The Plan received supportive comments during the Public Hearing and has been accepted by the PAG Regional Council. Ms. Mier covered the changes made to the 2006 document and stakeholder feedback process that occurred during the plan update. PAG followed the outline of the most recently updated DPA Plans for guidance and followed ADEQ's directive to streamline the Plan to required elements and more efficient processes. During early phases of plan development, key stakeholders requested that a point of regional coordination and public notice be added back in to ensure agreements are in place. She expressed gratitude for ADEQ's reviews at each step of the process. She led the Working Group in a discussion of the unique aspects of the PAG Plan, ways it was streamlined, and commonalities to other DPAs. Randy Heiss (SEAGO) made a motion to approve the 208 amendment. Alan Urban (CAG) seconded the motion to approval. All in favor approved the 208 amendment with no revisions. The Statewide WQMWG voted to forward recommendation of approval of the PAG 208 Plan to ADEQ for review and certification. From ADEQ the PAG 208 Plan Update will be sent to EPA Region 9 for review and final approval.

The PAG 208 Plan and Appendices are located here: www.PAGregion.com/208plan

5. Status of 208 Plans and Plan Amendments

- A. **CAG** – No plan amendments. The Pecan Creek WRF needs to process an amendment for the new surface water discharges. The Tri-City Sanitary District 208 Plan Amendment in process.
- B. **La Paz County** – Not in attendance.
- C. **MAG** - No amendments at this time. Ms. Vogan asked about the growth in Buckeye. Ms. Hoffman indicated that in 2008, the Buckeye Comprehensive MAG 208 Plan Amendment was approved that included 18 wastewater treatment facilities to serve the Buckeye Municipal Planning Area.
- D. **Mohave County** – no amendments forthcoming. Mohave County has a new 208 Planner. Welcome Scott Haltry!
- E. **NACOG** – No amendment at this time.
- F. **PAG** - No amendments expected. Consistency Review portal for the 208 Review Process is in the works.
- G. **SEAGO** – no amendment at this time.

6. ADEQ Staff Report – “Waters of Arizona” presentation – Krista Osterberg – Surface Water Section Manager

Krista Osterberg was unable to attend to make the presentation. The presentation will be given at another time.

7. Call to the Audience - There were no calls to the audience.

8. Next Meeting Date/Request for Future Agenda Items

No date was suggested for the next meeting. Future agenda items mentioned were: a presentation on Green Infrastructure by Scottsdale which was funded by a 604(b) grant, the next 604(b) grant and on potable water. A motion to conclude the meeting and the meeting was ended.

Meeting Minutes **November 12, 2019**

Introductions

Karl Taylor, Mohave County 208 Staffperson since 2002 announced his retirement soon. We wished him well. He stated that Joshua Schwalde may be the next 208 staffperson for Mohave County. Joshua was on the phone as well.

Call to the Audience

No call from the audience.

Announcements

This is a place in the agenda for those agencies who attend the WQMWG meeting to discuss their agency updates. AZ Department of Water Resources (ADWR) staff were present. ADWR recently published water supply report that discusses Pinal County groundwater.

Approval of March meeting minutes 2019

Edwina asked if everyone has reviewed the March meeting minutes and are there any changes to the meeting minutes?

Randy Heiss did not receive the minutes. The minutes will be sent to Randy for review. Alan Urban of CAG reviewed the minutes and offered no changes. Karl made a Motion to Approve and Mead Mier of PAG seconded the Motion of Approval for the meeting minutes. The meeting minutes were approved without changes. Randy Heiss abstained from the vote.

In anticipation of the next agenda item, CAG suggested that the agenda be revised to discuss the approval of the Eagle Crest 208 amendment first as the Northern Gila County Sanitary District (NGCSD) representative was unable to join the meeting due to a phone connection problem. There were no objections to the change in the agenda.

Approval of CAG 208 amendments

The Eagle Crest 208 amendment was presented by Alan Urban of CAG. The purpose of the amendment was to establish a Designated Management Agency (DMA) by Pima County to provide sewer service in Pinal County. Robson Communities, a local area developer, made the proposal to provide service to property west of Eagle Crest East and to advocate for another feeder line of the Pima County collection line to that property. Robson stated there was no treatment capacity available in a nearby WWTP to serve Eagle Crest West. A representative from Saddlebrook, which has a nearby WWTP, a Ms. Crum attended the Stakeholders' meeting and offered no comments, did not attend the Public Hearing and submitted no comments later.

Pima County already serves the Eagle Crest East east of Highway I-77 and Robson proposed that Pima County serve west of the Eagle Crest East subdivision. Although service across the county lines already exists, Alan stated this was a new 208 process for CAG to have another county provide sewer service in Pinal County. There was an existing Memorandum of Understanding (MOU) between Pima and Pinal Counties because of the service to the Eagle Crest East subdivision, but the MOU was outdated. From the discussions with Pima and Pinal Counties, it was affirmed that the service arrangement between Pima and Pinal Counties should be established under the Clean Water Act (208 DMA process). Alan Urban stated the DMA between Pima and Pinal Counties could be a template for future arrangements in CAG, or other DPAs in the state. Mirella Hromatka and Bill Carroll both of Pima County were on the phone to answer amendment related questions. In addition, a MOU between the relevant DPAs (PAG and CAG) was created agreeing to make 208 consistency determinations contingent on one another's process and to involve the other DPA as key stakeholders within each DPA's process. Mead stated that since the flows would enter Pima County, PAG approved a consistency review of this project and submitted the results during the comment period. Bill Carroll said the State Lands Department (State Lands) was contacted about their planning for the area. The representative contacted had no comment on the proposal. Alan emphasized the 208 amendment process was also about the involvement of people, entities that may be affected by the proposal and to utilize the planning tool of 208 for engagement in the process. Questions followed the presentation. The steps of the formal DMA process were discussed. The DMA must be approved through the regional process, ADEQ must certify the DMA and EPA must approve the DMA. A question raised the possibility of Pima County serving other properties nearby in the future. Alan said yes and that the DMA legal arrangement is a long-term planning tool, especially as State Lands is a primary planning agency in the area. Bill Carroll said other areas were viewed for possible development, but the area directly west would be difficult to serve. The DMA boundary was drawn up to the State Lands boundaries. There is a "Big Wash" that is 12'-15' deep and to cross that wash would be difficult to take a sewer line over the wash and the topography in general is not suited to centralized service. Alan emphasized the regional planning process – he emphasized the need to look at the watershed and the drainage to reach out to those who would be affected and have their involvement in the amendment process. Karl Taylor, Mohave County made the first Motion to Approve and was seconded by Randy Heiss, SEAGO. The vote was unanimous in favor to recommend approval of the Eagle Crest 208 amendment. The amendment will proceed to ADEQ for certification of the DMA process and the service of Eagle Crest West.

Alan Urban, CAG introduced the Northern Gila County Sanitary District (NGCSD) 208 amendment. The NGCSD has been a recognized DMA in the Town of Payson (Payson). NGCSD is planning for future growth within the area and will increase the plant's capacity from 2.2 MGD to 3.5 MGD. The nearest neighbor, the Town of Starr Valley is primarily served by septic. CAG held a stakeholder meeting in Payson as part of the regional approval process. Payson is almost surrounded by the Tonto National Forest. Forest representatives were present in the meeting. The NGCSD also serves the Tonto Apache Tribe casino located south of Payson and a few other buildings on the reservation. A tribal representative did not attend the meeting, but NGCSD hopes to serve more of the reservation area in the future. Alan Urban and Edwina Vogan conducted the stakeholder meeting. They toured the facility afterwards and were impressed by the operation and the innovative methods used to provide A+ quality effluent.

Alan stated the 208 amendment became the tool to draw the boundaries of the DMA because it had not been established previously. He said there are no DMAs in the region and this is an opportunity to

establish one in the event of future growth. Alan asked if there were any questions. There are some water quality concerns in an area on septic adjacent to the NGCSD service area. The solution to the concerns was to put the area on a forcemain collection line from NGCSD.

The discussion concluded. Karl Taylor of Mohave County made a Motion to Approve the amendment. Mead Mier of PAG seconded the Motion to Approve. The amendment was approved unanimously by the meeting attendees.

ADEQ Staff Report

The first topic of discussion concerned the upcoming Waters of the U.S (WOTUS) decision in 2020. Edwina asked if any of the DPAs had attended a stakeholder meeting about WOTUS. The result of the WOTUS decision will leave a preponderance of AZ ephemeral streams unregulated. ADEQ wants to establish a Waters of AZ (WOAZ) program to protect Arizona streams. New rules and regulations are required to implement the WOAZ program under state authority. Edwina will send out information to the DPAs on WOAZ. A WOAZ program staff person was invited to attend the meeting, but could not. The DEQ website has WOAZ information and also to submit questions. Edwina asked if any of the DPAs had been contacted about their support of the WOAZ program. Mead Mier of PAG attended a WOAZ stakeholder meeting in Tucson. She asked several questions regarding WOAZ. How will the streams be protected by WOAZ? Some of the waters would still be protected by federal regulations under WOTUS? Would the 208 program be affected by WOTUS? Would 208 be applicable under WOAZ? ADEQ is working to develop the program and many questions are rising without answers at this time. Mead asked if the Verde River and the Santa Cruz River (areas with ACOE determinations) or OAWs would still be protected by regulations (including 208 regulations) under WOTUS? Karl said Mohave County would possibly oppose the WOAZ program if it were a program to place more restrictions on development and making it harder for areas to be developed.

The next staff update concerned the revised 208 guidance documents now available on the ADEQ website. As a result of continuous improvement in our procedures, there is a revised 208 Form, a list of the standard procedure for a consistency review and a flow chart to illustrate the process of consistency review. The flowchart shows all the entities involved in the consistency review process. Through a more efficient and timely consistency review, it is hoped that applicants and others who visit the website will understand more of the process, and an applicant will submit a complete 208 Form the first time.

Edwina will send out the link to the website area of the 208 information and encouraged the DPAs to view and send any comments about the information posted there. A link had been provided previously in an email but as Randy, SEAGO noted the link did not work. Randy eventually found the information. He said the documents represent an improvement to 208 information on the website. New link: <http://www.azdeq.gov/208-review>

Status of 208 Plans and Amendments

CAG - Alan said there have been some inquiries about development, but no definite proposals. The Tri- City Sanitary District 208 amendment process is still on-going. He mentioned some of the developments in that process. Miami, AZ has updated its mapping and language for the service area. A Globe amendment documenting service area or mapping did not exist. New maps are needed to clarify boundaries before the TRSD amendment can move forward to the next step in the regional process.

Edwina asked for an update on the CAG 604(b) grant. Alan said the first organizational meeting went

very well, but there have been some staff challenges that slowed the project. The comparison of septic data in Gila and Pinal Counties have been difficult due to the different formats. Staff health issues have also had an impact on moving forward. However, CAG said they are going to be on track now. Alan discussed one of the issues involved in working on the septic data gathering project is how to qualify the groundwater hazards – to know where to remediate those systems, rather than assuming that older systems are the ones to focus on first. It's important to be proactive rather than complaint driven to clean up a after a problem.

Mohave County representative Karl Taylor asked about an area outside the City of Kingman and how to seek funding for that area. He estimated that 14,000 people were on septic. The City of Kingman does not want to annex the area at this time. In the last WQMWG meeting Richard Mendolia of WIFA suggested funding options for remediation of water quality/septics. Richard said one funding option would be to have an entity financially accountable like a city, or a public entity sponsor the grant. Another possibility might be a 501(c)3 entity such as an improvement district. Karl Taylor was thankful for the discussion.

MAG – no amendments. Julie Hoffman, MAG said the 2014 MAG 208 Plan has identified a number of facilities and no new plants have been brought forward to MAG for inclusion into the plan at this time. MAG has received some inquiries where existing plants are being evaluated to utilize capacity. MAG streamlined its 208 Process and now an amendment is no longer required for service area expansions, where a facility in one municipal planning area would provide service to a development in another municipal planning area. Instead, letters are submitted to MAG from those jurisdictions within three miles agreeing to the service area expansion. Edwina asked about the new development on the west side of Phoenix. Julie Hoffman said the new development currently occurring in the West Valley is being served by wastewater treatment facilities already identified in the MAG 208 Plan. The development in Glendale along the Loop 303 would be served by the EPCOR facility, which includes commercial or industrial development, not just residential. Julie noted that as growth continues in the region, MAG may begin to see amendments for including new wastewater treatment facilities in the MAG 208 Plan.

Mohave County – No new development in Mohave County.

NACOG – Not in the meeting.

PAG – Mead briefly discussed the PAG 208 Plan Update which is going through the regional plan process. It will go to public hearing soon and it is expected the PAG Regional Council will consider the 208 Plan Update for approval in January and may come to the statewide meeting at the end of February. There are no new PAG amendments.

SEAGO – There are no new amendments at this time. Randy Heiss talked about the Villages at Vigneto project and that the proposal would require a 208 amendment. He thinks the project will be tied up in the courts before approval. SEAGO offered to switch places with NACOG for the next 604(b) grant funding cycle. He will discuss this with NACOG.

Yuma County – Not in the meeting.

Call to the Audience

No calls from the audience.

Next meeting

The next meeting could be scheduled post PAG 208 Plan Update approval to move forward for DEQ and EPA approval.

Possible agenda items suggested for the next meeting:

Review NACOG's proposal.

Update on CAG's 604(b) grant proposal.

Scottsdale's 208 Green Infrastructure Proposal progress at MAG standards and specifications committee.

WOAZ update

It was generally agreed to have the next WQMWG meeting in February.

Karl Taylor of Mohave County made the motion to close the meeting.

