

DRAFT MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
WATER QUALITY ADVISORY COMMITTEE MEETING

Wednesday, January 19, 2005
MAG Office Building
Phoenix, Arizona

MEMBERS ATTENDING

Roger Klingler, Scottsdale, Chair	Surprise: Rich Williams Sr.
Avondale: Greg Stack	*Tempe: David McNeil
#Chandler: Jacqueline Strong	Maricopa County: Dale Bodiya for John Power
El Mirage: Lucky Roberts	Pinnacle West Capital: John Boyer
#Gilbert: Lonnie Frost	*Salt River Project: Ray Hedrick
Glendale: Chris Ochs	U of A Cooperative Extension: Patrick Clay
Goodyear: Barry Hess	*Citizen Representative: Eugene Jensen
#Mesa: Bill Haney	
#Peoria: Steven Bontrager	
Phoenix: Robert Hollander	

*Those members neither present nor represented by proxy.

#Attended by telephone conference call.

OTHERS PRESENT

City of El Mirage: Mayor Fred Waterman	Maracay Homes: Tim Goodrich
RT Engineers: Raj Thakur	RBF Consulting: Jared Carr
Carollo Engineers: George Shirley	RBF Consulting: Brandon Squire
RT Engineers: Kevin Elverum	Kennedy/Jenks: Fred Goldman
City of Glendale: Ken Reedy	Maricopa Association of Governments: Julie Hoffman
City of Glendale: Glenn Compton	Maricopa Association of Governments: Stephen Gross
City of El Mirage: B.J. Cornwall	Maricopa Association of Governments: Brenda Day
City of El Mirage: Joanne Garrett	
Town of Buckeye: Chris Young	
City of Glendale: Roger Baily	
Glennie Reporting: Dawna J. Boswell	

1. Call to Order

A meeting of the MAG Water Quality Advisory Committee was conducted on Wednesday, January 19, 2005 at 4:00 p.m. Roger Klingler, Chair, City of Scottsdale, called the meeting to order.

2. Agenda Announcements

Chair Klingler provided an opportunity for member agencies to report on activities of interest in their agencies.

3. Call to the Audience

Chair Klingler provided an opportunity for members of the public to address the Committee on items not scheduled on the agenda that fall under the jurisdiction of MAG or items on the agenda for discussion but not for action. No members of the public indicated that they wished to address the Committee.

4. Approval of the November 30, 2004 Meeting Minutes

The Committee reviewed the draft minutes from the November 30, 2004 meeting. Robert Hollander, City of Phoenix, inquired whether Rich Williams's intended message had been accurately captured in the page four text reading, "Mr. Williams indicated that a wash goes through the site, although it is not a Water of the United States." Rich Williams, City of Surprise, indicated that his intent was that to indicate that, according to the Army Corps of Engineers, the wash does not include Waters of the United States and a 404 permit is not required. Barry Hess, City of Goodyear, moved and Chris Ochs, City of Glendale, seconded, and it was unanimously carried to approve the November 30, 2004 meeting minutes.

5. Public Hearing - Draft MAG 208 Water Quality Management Plan Amendments for the City of Surprise Special Planning Area Three Regional Wastewater Treatment Facility, Town of Buckeye Palo Verde Road Wastewater Treatment Facility, and City of Glendale Temporary Sewer Service Agreement and Future Water Reclamation Plant Correction

Chair Klingler opened the Public Hearing on the Draft 208 Plan Amendments for the City of Surprise Special Planning Area Three Regional Wastewater Treatment Facility, Town of Buckeye Palo Verde Road Wastewater Treatment Facility, and City of Glendale Temporary Sewer Service Agreement and Future Water Reclamation Plant Correction. He indicated that the hearing would begin with a briefing on each project, followed by an opportunity for hearing participants to make comments on the draft 208 amendments for the public record. He indicated that a Court Reporter was present to provide an official record of the hearing and written comments were also welcome. Chair Klingler invited members of the public wishing to provide comment to fill out a yellow card and submit it to MAG staff.

Mr. Williams indicated that the City of Surprise is partnering with a developer on the Draft MAG 208 Water Quality Management Plan Amendment for the City of Surprise Special Planning Area Three Regional Wastewater Treatment Facility, although the project is driven by the City. He introduced Raj Thakur, RT Engineers, to provide a briefing on the project.

Mr. Thakur indicated that the City of Surprise is requesting that the MAG 208 Plan be amended to include the Surprise Special Planning Area Three Regional Wastewater Treatment Facility with an ultimate capacity of 30 million gallons per day (mgd). The Surprise Municipal Planning Area has been divided into six special planning areas for wastewater planning purposes through the Surprise Integrated Water Master Plan and the Surprise General Plan 2020. The City hired a consultant to prepare a technology evaluation report.

Mr. Thakur indicated that the Austin Ranch Development is the driving force for Phase One of the Special Planning Area Three Regional Plant, and the City reached a Memorandum of Understanding with Rio Rancho Development. Figures depicting the plant and planning area locations and recharge site, and were displayed. Phase One will be constructed by the

Developer in three sub-phases of 600,000 gallons per day (gpd) each. The Phase One facility would produce Class A+ effluent for disposal through onsite recharge basins. The required facility permits were discussed, including an Arizona Pollutant Discharge Elimination System (AZPDES) permit. Upon completion of the Developer Phase One, the City would own and operate the facility, and the City would hold all facility permits. The City would finance facility design, construction and operation through development impact fees in conjunction with capital improvement bonds and sewer development fees.

Brandon Squire, RBF Consulting, provided an overview of the Draft MAG 208 Water Quality Management Plan Amendment for the Town of Buckeye Palo Verde Road Wastewater Treatment Facility. He indicated that the Town of Buckeye is requesting that the MAG 208 Plan be amended to include the Palo Verde Road Wastewater Treatment Plant with an ultimate capacity of 10.5 mgd. The plant would service the proposed Westwind and Silver Rock Developments and other Buckeye developments. The Westwind Master Plan includes approximately 650 acres with a flow of 1.1 mgd. Silver Rock Development would be comprised of about 1,340 acres with a flow of 2.2 mgd.

Chair Klingler inquired whether the Silver Rock Development would be twice as dense as Westwind.

Mr. Squire indicated that Silver Rock would have a higher density than Westwind. He indicated that the Town of Buckeye would own the facility and hold all facility permits, and the permitting process has been initiated. He introduced Fred Goldman, Kennedy Jenks, to provide technical details regarding each plant phase.

Mr. Goldman discussed technical details of the plant and indicated that each phase would include odor control and produce Class A+ effluent which would be disposed through recharge and possible reuse. The required facility permits would include an AZPDES permit. The facility would produce Class B sludge for land application or landfilling.

Chair Klingler provided an opportunity for Committee questions regarding the projects.

George Shirley, Carollo Engineers, provided an overview of the Draft MAG 208 Water Quality Management Plan Amendment for the City of Glendale Temporary Sewer Service Agreement and Future Water Reclamation Plant Correction. Mr. Shirley indicated that the draft amendment is composed of two parts. First, the amendment defines an area within the Glendale Municipal Planning Area (MPA) where temporary sewer service will be provided by the City of Surprise. Second, the amendment includes a correction to the 208 Plan to delete a future Arizona American Water Company Water Reclamation Plant with an ultimate capacity of 8.0 mgd and sewer service area within the western portion of the Glendale MPA.

Mr. Shirley stated that an InterGovernmental Agreement between the City of Glendale and the City of Surprise has been executed that allows the Cortessa and White Tanks Foothills developments, within the Glendale MPA, to receive sewer service from Surprise. He added that Surprise has issued a "Will Serve" letter indicating that the City will provide sanitary sewer service to the specified developments. Mr. Shirley showed the location of the two developments in relation to the Glendale MPA and Surprise MPA. Mr. Shirley added that the

City of Glendale is currently reviewing their options for the strip annexed portion of the Glendale Municipal Planning Area.

Mr. Shirley stated that a question was raised at the November 30, 2004 MAG Water Quality Advisory Committee meeting regarding the maintenance and operation of the sewer collection system associated with the Cortessa and White Tank Foothills developments. He mentioned that a memo included in the amendment has been replaced and corrected to clarify that the sewer collection system will be maintained and operated by the City of Surprise. The memo was distributed to the Committee.

Mr. Shirley discussed the correction to the 208 Plan to delete a future water reclamation plant with an ultimate capacity of 8.0 mgd and sewer service area within the western portion of the Glendale MPA. He indicated that the plant was proposed by the Arizona American Water Company in late 2001; however, it was not considered by the City of Glendale. Mr. Shirley mentioned the text to be deleted from the 208 Plan as a result of the correction.

Mr. Shirley stated that the Town of Buckeye, City of Surprise, and unincorporated Maricopa County are within three miles of the amendment item that addresses the temporary sewer service agreement and do not object to the proposed amendment. In addition, the Town of Buckeye, City of Goodyear, Litchfield Park, and Luke Air Force Base are within three miles of the future water reclamation plant correction amendment item and have all indicated that they do not object to the proposed amendment.

Chair Klingler provided another opportunity for Committee questions regarding the projects. He provided a reminder that members of the public wishing to speak should fill out a card and submit it to MAG staff. He inquired whether any members of the public had submitted a card requesting to provide public comment on any of the draft MAG 208 amendments for the record.

Brenda Day, MAG staff, indicated that no public comment request cards had been received.

Chair Klingler closed the public hearing and requested that the Court Reporter end the transcription.

6. Draft MAG 208 Water Quality Management Plan Amendment for the City of Surprise Special Planning Area Three Regional Wastewater Treatment Facility

Chair Klingler provided an opportunity for questions from the Committee and indicated that the Committee is requested to recommend approval of the Draft MAG 208 Plan Amendment for the City of Surprise Special Planning Area Three Regional Wastewater Treatment Facility. Mr. Hollander moved to recommend approval of the Draft Surprise 208 Amendment. Greg Stack, City of Avondale, seconded and it was unanimously passed through a roll call vote by the Committee.

7. Draft MAG 208 Water Quality Management Plan Amendment for the Town of Buckeye Palo Verde Road Wastewater Treatment Facility

Chair Klingler provided an opportunity for questions from the Committee and indicated that the

Committee is requested to recommend approval of the Draft MAG 208 Plan Amendment for the Town of Buckeye Palo Road Wastewater Treatment Facility. Chris Ochs, City of Glendale, moved to recommend approval of the Draft Buckeye 208 Amendment. Barry Hess, City of Goodyear, seconded and it was unanimously passed through a roll call vote by the Committee.

8. Draft MAG 208 Water Quality Management Plan Amendment for the City of Glendale Temporary Sewer Service Agreement and Future Water Reclamation Plant Correction

Chair Klingler indicated that agenda item number eight was for possible recommendation to approve the Draft MAG 208 Plan Amendment for the City of Glendale Temporary Sewer Service Agreement and Future Water Reclamation Plant Correction. Chair Klingler indicated that the Committee was requested to consider any public comments received and bring forward any questions or discussions on the draft amendment.

Lucky Roberts, City of El Mirage, stated, "On behalf of the City of El Mirage I would like to formally state that I do not object to this amendment going through at this time, however, the members of the Water Quality Advisory Committee should be on notice that this action should NOT be used as a precedent for future amendments that might affect these areas, specifically the area near the Loop 303. Further, the City of El Mirage may want to participate in the providing of sewer services to the aforementioned area."

Mr. Williams moved to recommend approval of the Draft MAG 208 Plan Amendment for the City of Glendale Temporary Sewer Service Agreement and Future Water Reclamation Plant Correction. The motion was seconded by Mr. Hollander. Through a roll call vote, the motion carried with Ms. Roberts abstaining.

9. Small Plant Review and Approval Process of the MAG 208 Water Quality Management Plan

Ms. Day provided a briefing on the Small Plant Review and Approval Process of the MAG 208 Water Quality Management Plan. The briefing was provided at the request of Chair Klingler as a refresher for long time Committee members and to assist newer members. The role of the Committee is to make recommendations on water quality issues affecting the region to the MAG Management Committee, to participate in development of the MAG 208 Plan, and to review amendments and small plant proposals.

Ms. Day indicated that a small plant is defined by the MAG 208 Plan as a small reclamation plant with an ultimate capacity of 2.0 mgd or less with no AZPDES discharge. The Small Plant Process was developed during the 1982 Update of the Point Source Plan. During the 2002 Revision of the MAG 208 Plan, the Committee added a requirement for small plant expansions to be reviewed through the Small Plant Process, even when the ultimate capacity would still be 2.0 mgd or less. The Ruth Fisher School Wastewater Treatment Plant was an example of a small plant expansion proposal reviewed by the Committee through the Small Plant Process.

Ms. Day indicated that there are three areas of responsibility in the Small Plant Process. In the Municipal Small Plant Planning Area, the city or town is responsible for first review and approval of the proposed plant. In the County Planning Area, the County is responsible for review and approval. In the portion of the County Planning Area falling within three miles of a Municipal

Planning Area, the County considers comments from the city or town when conducting its review and approval. She indicated that guidelines for review of small plant proposals are included in Tables 4.52 and 4.53 of the MAG 208 Plan, and a copy of each table was distributed to the Committee.

Chair Klingler indicated that the tables contained helpful guidelines and technical details for the Committee when reviewing small plant proposals.

Ms. Day indicated that the jurisdiction where the plant would be located initiates the request to begin the Small Plant Process through an official letter of request, and it is recommended that the jurisdiction obtain a letter of no objection from jurisdictions within three miles. With the letters and a complete Small Plant feasibility summary document, the small plant proposal is brought to the Committee for review. The Committee evaluates the proposal and makes a recommendation to the MAG Management Committee.

Ms. Day indicated that a written summary of the project is provided to the Management Committee, and an example summary was distributed to the Committee. If the Management Committee concurs with the Water Quality Advisory Committee recommendation, a similar summary of the project is provided to the MAG Regional Council. The Regional Council takes official action to approve the small plant review and approval as part of the MAG 208 Plan. MAG sends a letter and a copy of the feasibility document to the Arizona Department of Environmental Quality (ADEQ). ADEQ sends a letter confirming conformance with the MAG 208 Plan to Maricopa County. The County reviews the proposed small plant based on Bulletin 11 and issues the Approval to Construct.

Dale Bodiya, Maricopa County, indicated that ADEQ has published a Notice of Proposed Rulemaking to revise the Aquifer Protection Permit (APP) Rule which includes a change affecting the 208 planning process. He indicated that, under the current APP Rule, the 208 conformance requirement falls toward the middle of the APP application process. He indicated that, under the Proposed APP Rule, the applicant would be required to demonstrate 208 conformance at the beginning of the APP application process as a component of the application.

Chair Klingler indicated that such a rule change would likely result in applicants coming to the Committee asking when their 208 conformance would be complete. He inquired when ADEQ plans to adopt the proposed rule.

Mr. Bodiya indicated that the Secretary of State is anticipated to sign the proposed rule in April 2005 and the rule may be final by June 2005.

Chair Klingler thanked the Committee for participating and called for adjournment of the meeting.