

October 14, 2014

TO: Members of the MAG Water Quality Advisory Committee

FROM: Randy Gottler, City of Phoenix, Chair

SUBJECT: MEETING NOTICE AND TRANSMITTAL OF TENTATIVE AGENDA

Tuesday, October 21, 2014 - 3:30 p.m.
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

A meeting of the MAG Water Quality Advisory Committee has been scheduled for the time and place noted above. Members of the Water Quality Advisory Committee may attend the meeting either in person, by videoconference or by telephone conference call. Those attending by videoconference must notify the MAG site three business days prior to the meeting. If you have any questions regarding the meeting, please contact Chair Gottler or Julie Hoffman at 602-254-6300.

Please park in the garage underneath the building, bring your ticket, and parking will be validated. For those using transit, Valley Metro/Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

In 1996, the Regional Council approved a simple majority quorum for all MAG advisory committees. If the MAG Water Quality Advisory Committee does not meet the quorum requirement, members who arrived at the meeting will be instructed a legal meeting cannot occur and subsequently be dismissed. Your attendance at the meeting is strongly encouraged. If you are unable to attend the meeting, please make arrangements for a proxy from your entity to represent you.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Jason Stephens at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

TENTATIVE AGENDA

COMMITTEE ACTION REQUESTED

1. Call to Order

2. Call to the Audience

An opportunity will be provided to members of the public to address the Water Quality Advisory Committee on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Members of the public will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Water Quality Advisory Committee requests an exception to this limit. Please note that those wishing to comment on action agenda items will be given an opportunity at the time the item is heard.

3. Approval of the August 21, 2014 Meeting Minutes

4. MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility

The City of Glendale and Maricopa County have requested that the MAG 208 Water Quality Management Plan be amended to include the West Valley Regional Water Reclamation Facility with an ultimate capacity of eight million gallons per day. The facility would be located in the Glendale Municipal Planning Area and serve a portion of the Glendale Municipal Planning Area that includes unincorporated areas of Maricopa County. Reclaimed water from the proposed facility would be disposed of through reuse, recharge, and a potential Arizona Pollutant Discharge Elimination System Permit discharge to Bullard Wash south of Litchfield Park via a below-ground pipeline; Roosevelt Irrigation District Canal south of Litchfield Park via a

2. For information.

3. Review and approve the August 21, 2014 meeting minutes.

4. Recommend approval of the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility.

below-ground pipeline; and/or to the Agua Fria River via existing concrete lined stormwater channels.

Once the West Valley Regional Water Reclamation Facility becomes operational, flows currently sent to the existing Russell Ranch Water Reclamation Facility, located in the Glendale Municipal Planning Area, would be redirected to the new facility. The Russell Ranch Facility would then be retired. However, if there is an unforeseen delay in the construction of the West Valley Regional Facility, short-term treatment capacity improvements may be implemented at the Russell Ranch Facility as an interim treatment solution for initial development. The capacity of the Russell Ranch Water Reclamation Facility would not exceed the 400,000 gallons per day ultimate capacity currently identified in the MAG 208 Plan.

On August 21, 2014, the MAG Water Quality Advisory Committee conducted a public hearing on the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility. Immediately following the public hearing, the Committee considered public comments received and tabled the Draft 208 Amendment. Since the August 21, 2014 public hearing, a response to the public comments provided at the public hearing has been prepared. In addition, a joint letter from EPCOR Water Arizona, Inc. and Liberty Utilities as well as a letter from Central Arizona Project have been provided to indicate issues related to the recharge projects will be addressed through permitting at the Arizona Department of Water Resources and that there are no objections to the Draft 208 Amendment. The amendment is posted on the MAG website at: http://www.azmag.gov/Documents/WQAC_2014-07-02_Draft-MAG-208-Plan-Amendment-for-the-West-Valley-Regional-WRF.pdf. Please refer to the enclosed material.

5. Arizona Water Quality Management Plan and Streamlining of the 208 Water Quality Management Plan Process

The Arizona Department of Environmental Quality (ADEQ) is working to update the Arizona Water Quality Management Plan, which was completed in 1979. ADEQ is also proposing to streamline the 208 Water Quality Management Plan Process, which is conducted by five Councils of Governments (COGs) as well as Yuma, La Paz, and Mohave Counties. ADEQ has been streamlining various processes to issue permits faster. The 208 streamlining approach currently being considered by ADEQ would result in the issuance of permits for wastewater treatment facilities without first going through the MAG 208 Process and receiving Regional Council approval. This approach would jeopardize local control over the desired wastewater treatment configuration identified in the MAG 208 Water Quality Management Plan. The proposed ADEQ 208 streamlining approach was presented to the MAG Management Committee on September 10, 2014 and the MAG Regional Council on September 24, 2014. Members of the Management Committee and Regional Council expressed concern with the streamlining approach. On October 1, 2014, MAG staff met with ADEQ to discuss these concerns. As a result of this meeting, MAG is working with ADEQ to explore possible streamlining of the MAG Process. The goal is to preserve MAG action before permits are issued. Please refer to the enclosed material.

6. Call for Future Agenda Items

The Chair will invite the Committee members to suggest future agenda items.

7. Comments from the Committee

An opportunity will be provided for Committee members to present a brief

5. For information and discussion.

6. For information and discussion.

7. For information.

summary of current events. The Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

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

Thursday, August 21, 2014
MAG Office Building
Phoenix, Arizona

MEMBERS ATTENDING

| | |
|---|---|
| Heather Finden for Randy Gottler, Phoenix, Chair | David McNeil, Tempe |
| Barbara Chappell, Avondale, Vice Chair | Reyes Medrano for Mark Berrelez, Tolleson |
| Roger Klingler for Arnold Coronado, Buckeye | Dale Bodiya for Kevin Chadwick, Maricopa County |
| # Anupa Jain, Chandler | Henry Day for John Boyer, Pinnacle West Capital/Arizona Public Service |
| Larry Dobrosky, El Mirage | # Jim Kudlinski, Salt River Project |
| * Mark Horn, Gilbert | * Summer Waters, University of Arizona Cooperative Extension |
| Javier Setovich, Glendale | Sherrie Logg for Michael Byrd, Salt River Pima-Maricopa Indian Community |
| * Mark Seamans, Goodyear | # Carole Coe Klopatek, Fort McDowell Yavapai Nation |
| * Daniel Cleavenger, Mesa | * Glenn Stark, Gila River Indian Community |
| Michael Weber, Peoria | |
| Greg Homol, Queen Creek | |
| Christine Nunez for Terry Lowe, Surprise | |
| * Suzanne Grendahl, Scottsdale | |

*Those members neither present nor represented by proxy.

#Attended by telephone conference call.

OTHERS PRESENT

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|---|--|
| Julie Hoffman, Maricopa Association of Governments | Martin Stanek, EPCOR Water |
| Kara Johnson, Maricopa Association of Governments | Frederick H. Tack, GHD Inc. |
| Lindy Bauer, Maricopa Association of Governments | Bhaskar Kolluri, Liberty Utilities |
| Frank Metzler, EPCOR Water | Matthew Garlick, Liberty Utilities |
| Troy Day, EPCOR Water | Suzanne Ticknor, Central Arizona Project |
| Rebecca Stenholm, EPCOR Water | Steve Carlson, Liberty Utilities |
| Andy Brown, EPCOR Water | Mayor Adolfo Gamez, City of Tolleson |
| Jared Carr, EPCOR Water | Chris Hagen, City of Tolleson |
| Mike Worlton, EPCOR Water | George Good, City of Tolleson |
| | John Paul Lopez, City of Tolleson |
| | Jeff Grant, Daily News-Sun |

1. Call to Order

A meeting of the MAG Water Quality Advisory Committee (WQAC) was conducted on Thursday, August 21, 2014. Barbara Chappell, City of Avondale, Acting Chair, called the meeting to order at approximately 3:30 p.m. Jim Kudlinski, Salt River Project; Anupa Jain, City of Chandler; and Carole Coe Klopatek, Fort McDowell Yavapai Nation, attended the meeting via telephone conference call.

Acting Chair Chappell introduced the City of Tolleson as a new member of the Committee. She stated that Mark Berrelez, City of Tolleson, has been appointed to the Committee. Reyes Medrano, City of Tolleson, is serving as proxy at the meeting today.

2. Call to the Audience

Acting Chair Chappell 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. According to the MAG public comment process, members of the audience who wish to speak are requested to fill out comment cards, which are available on the tables adjacent to the doorways inside the meeting room. Citizens are asked not to exceed a three minute time period for their comments. Acting Chair Chappell noted that no public comment cards had been received.

3. Approval of the May 21, 2014 Meeting Minutes

The Committee reviewed the minutes from the May 21, 2014 meeting. Michael Weber, City of Peoria, moved and Roger Klingler, City of Buckeye, seconded, and the motion to approve the May 21, 2014 meeting minutes carried unanimously.

4. Public Hearing - Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility

Acting Chair Chappell opened the public hearing on the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility (WVRWRF). She indicated that the hearing would begin with a briefing provided by Frank Metzler, EPCOR Water. Following the briefing, hearing participants are invited to make comments for the public record. A court reporter is present to provide an official record of the hearing. Written comments are also welcome. For those wishing to speak on the draft amendment for the West Valley Regional Water Reclamation Facility, please fill out a public hearing card which are available on the tables inside the meeting room.

Mr. Metzler provided an overview of the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility. He stated that he is an engineering project manager from EPCOR Water Arizona that is responsible for the planning, engineering, design, and construction of the West Valley Regional Water Reclamation Facility. Mr. Metzler noted that the briefing will include the following: location; service area; scope of the facility; design of the facility; costs associated with construction and the associated wastewater collection system; project schedule; and the Russell Ranch Water Reclamation Facility (WRF).

Mr. Metzler stated that the West Valley Regional Water Reclamation Facility service area is approximately 17 square miles. The service area is bound by Peoria Avenue on the north, Camelback Road on the south, Litchfield Road is the approximate eastern boundary, and Citrus Road on the west. Mr. Metzler indicated that the land primarily consists of agricultural property with some low density residential lands within the Glendale Municipal Planning Area and unincorporated Maricopa County. He noted that a lot of this area is currently served by the EPCOR White Tanks Water Treatment Plant. Mr. Metzler displayed a map of the proposed service area with colored areas that represent landowners who have already executed agreements with EPCOR requesting wastewater service at some point in the future. The colored areas of the map represent

approximately 3,600 acres which is composed of a mixture of residential, commercial, and industrial lands.

Mr. Metzler discussed that EPCOR Water Arizona will be the regulated water, wastewater, and recycled water service provider within the proposed service area. EPCOR Water also has a concurrent application with the Arizona Corporation Commission (ACC) to expand the Agua Fria Wastewater Certificate of Convenience and Necessity (CC&N) or create a new wastewater CC&N. Mr. Metzler indicated that this will be determined based on how ongoing discussions with the ACC unfold. Mr. Metzler reviewed that agreements have been signed with 19 landowners representing approximately 3,600 acres of land. He indicated that the existing Russell Ranch WRF would be retired once the WVRWRF is operating and a connection is established.

Mr. Metzler presented the projected population and wastewater flows. He stated that EPCOR Water and Water Works Engineers prepared a Wastewater Master Plan in Fall 2013 that assessed the projected and proposed land uses in the service area. The projected build-out of the service area is over a 30 year time period. Mr. Metzler noted that population and development projections are not a science, but more of an art form. He stated that the projections are on the higher end of the continuum of aggressive versus slow. He indicated that the projections were based on the Conceptual Land Use Plan prepared by the Loop 303 Landowner Group several years ago. Mr. Metzler added that the Land Use Plan is very consistent with the long-range General Plan for the City of Glendale. He stated that the 2045 projections include the following: approximately 23,000 residents and approximately 7,000 dwelling units, which include both new and existing housing which may or may not be tied into the wastewater service system. The long-term projected build-out wastewater flow for the service area is approximately seven million gallons per day (mgd) with a one mgd margin of safety on the design of the facility.

Mr. Metzler reported the land uses and contributions of wastewater flows across differing sectors of land use. Approximately 40 percent of the area that would produce wastewater flows are classified as residential and approximately 43 percent would be a mixture of industrial and commercial land uses. The remainder is a mixture of schools, recreational facilities, and other land uses.

Mr. Metzler reviewed the West Valley Regional Water Reclamation Facility. He indicated that the facility will be a conventional water reclamation facility with tertiary treatment. The initial capacity of the facility's first phase would be 150,000 gallons per day (gpd) in-ground concrete and steel plant. The design phase for the initial facility capacity is at 60 percent completion. The ultimate capacity of the WVRWRF is eight mgd which is expected over a 30 year planning period. The site of the facility is approximately 40 acres in size. Mr. Metzler stated that the WVRWRF will produce class A+ effluent, which is suitable for a wide range of uses, including groundwater recharge and reclaim uses for irrigation, common area irrigation, and other non-potable uses. He stated that the primary focus for reuse of the water is on-site recharge which will aid in the Luke Cone of Depression issues. In addition, the water would also be provided to users in the vicinity of the service area for non-potable uses which would reduce the demand on water resources. Mr. Metzler mentioned that EPCOR will investigate potentially teaming up with the Central Arizona Groundwater Replenishment District (CAGR) to create a long-term groundwater saving facility or recharge facility. EPCOR will also consider groundwater savings facility. In addition, EPCOR will explore the option of an Arizona Pollutant Discharge Elimination System (AZPDES) Permit in the event that flows exceed the ability for recharge and the demand for reclaimed water. Mr. Metzler indicated that EPCOR will coordinate with adjacent communities on these options. Biosolids will be dewatered and sent to the landfill.

Mr. Metzler discussed the construction of the WVRWRF. During construction, the facility will have full odor and noise control using best available demonstrated control technologies and other typical components that can be found in conventional wastewater treatment plants. Mr. Metzler indicated that the facility would have the following technologies: influent pump station; screen and grit removal; bioreactors; clarification; tertiary filtration; chlorination/dechlorination; sludge holding and dewatering; and on-site recharge basins with avian controls to address potential issues with bird strikes associated with Luke Air Force Base operations. He stated that EPCOR has been in close coordination with Luke Air Force Base. The Air Force Base has provided guidance and requirements for the design of the recharge basins which have been incorporated into the design of the facility. The site will enclose all nuisance causing components to ensure no impact to adjacent neighbors and residents.

Mr. Metzler reviewed the conceptual layout of the facility and how it will be scaled to accommodate growth in the service area. The slope in the area runs from northwest to southeast. Therefore, the facility is going to run from a north to south orientation. Mr. Metzler stated that the first phase of the facility will be the 150,000 gallon treatment train. He added that in the expansion to 500,000 treatment train, no equipment will need to be removed. EPCOR will add on to achieve the expansion to 500,000 gallon treatment capacity. As wastewater treatment needs in the area grow, the facility will expand from the east to the west. Mr. Metzler provided a 3D rendering of the facility. He stated that the initial recharge basins will be located in the southeast corner of the property. Ultimately, the recharge basins will completely surround the facility. Fencing will be placed around the treatment train and recharge basins.

Mr. Metzler reported the facility phasing. Using the growth projection in the Wastewater Master Plan, the first phase will consist of a treatment train of 150,000 gallons per day. Mr. Metzler stated that EPCOR intends to start construction on the WVRWRF next year and complete construction in approximately a one year window. The initial 150,000 gpd treatment train will cost approximately \$2.4 million. As growth creates additional capacity needs, the facility will be expanded. The next phase of expansion to a 500,000 gpd treatment train will cost approximately \$7.5 million. Mr. Metzler commented that additional treatment capacity can be added, in either: 500,000 gpd, one mgd, or any increment of 500,000 gpd. He discussed economy of scale in which costs for construction will be driven down as additional capacity is added. Mr. Metzler presented the collection system investment dollars that represent the long-range projected investment in the wastewater sewer system to deliver flows to the facility.

Mr. Metzler stated that EPCOR has received the Use Compatibility and Consistency Determination from Maricopa County Community Planning and Development Department for the West Valley Regional Water Reclamation Facility. The Use Compatibility and Consistency Determination indicates that Maricopa County and Luke Air Force Base are in agreement on the proposed plans for siting the WVRWRF at this location. Mr. Metzler added that EPCOR is at 60 percent design for the water reclamation facility. In addition, EPCOR is at 30 percent design for the sewer lines that will feed flow from Russell Ranch and Granite Vista developments to the WVRWRF. Mr. Metzler stated that it is anticipated that the design for the sewer system and the WVRWRF will be completed by December 2014. He added that EPCOR intends to obtain the military compatibility permit from Maricopa County in January or February 2015. EPCOR intends to obtain the CC&N from the Corporation Commission in early 2015. EPCOR is working toward an Approval to Construct in early 2015 with construction starting April 2015. Mr. Metzler stated that EPCOR is pushing itself to make sure it meets the needs of the partners, developers, and residents in the area.

Mr. Metzler presented the permits and approvals required to start construction on the facility. He indicated that EPCOR is on various stages of completion for all of the permits and approvals.

Mr. Metzler reported on financing. The funding for the construction of the facility and the sewer system will be a combination of Contributions in Aid of Construction and Advances in Aid of Construction with repayment windows that are specified in agreements. Additionally, the funding is tied to the development process in that as final plat approvals and building permits are obtained, there are specific milestones and associated cash contributions flowing from the developers to EPCOR to pay for the infrastructure. Mr. Metzler stated that the 40 acre site for the WVRWRF will be conveyed to EPCOR Water from the Loop 303 Landowner Group at no cost to EPCOR or its customers. He added that EPCOR Water can infuse equity into the project as necessary.

Mr. Metzler discussed the Russell Ranch Water Reclamation Facility. The Russell Ranch WRF is a small package plant located just outside the outer boundary of the WVRWRF service area. The development at build-out will be approximately 450 houses. Right now the number is approximately 210 houses. Mr. Metzler stated that the Russell Ranch WRF is currently identified in the MAG 208 Water Quality Management Plan with an ultimate capacity of 400,000 gallons per day. There is an existing 198,000 gpd Aquifer Protection Permit (APP). The current permitted flow is 60,000 gpd, however the facility has a current inflow of 35,000 gpd. EPCOR is evaluating costs and options to add additional treatment to serve Russell Ranch and potentially the Granite Vista Phase One Development if necessary. The Granite Vista Phase One Development, which consists of approximately 380 homes, would be the first development that would require additional wastewater treatment capacity in this area. Mr. Metzler mentioned that if the Granite Vista project completes Phase One before the West Valley Regional WRF is online, the Russell Ranch WRF may be used in the interim as a treatment option. The Russell Ranch WRF is not intended to be a permanent solution. Ultimately this facility would be retired and flows sent to the West Valley Regional WRF.

Acting Chair Chappell invited public comment on the Draft 208 Plan Amendment for the West Valley Regional Water Reclamation Facility. She indicated that a couple cards had been received.

Acting Chair Chappell recognized public comment from Matthew Garlick, Liberty Utilities. Mr. Garlick handed out a location map for the Liberty Utilities Recharge Project and a regional map for the Liberty Utilities Recharge Project. He stated that he is the director of operations for Liberty Utilities, which is located just south of the proposed West Valley Regional Water Reclamation Facility. He noted that there were statements made at the last meeting of the WQAC regarding Liberty Utilities and the Central Arizona Groundwater Replenishment District looking to build a facility in a nearby area to conduct recharge. He indicated that he came to today's meeting to say those statements are grossly misrepresented by the applicant. Liberty Utilities has been working on this recharge facility for a long time. Liberty Utilities, Central Arizona Project (CAP), sister organization CAGR, have been working since 2010 on completing a water recharge facility in the West Valley within the Liberty Utilities certificated area. Mr. Garlick stated that Liberty Utilities and CAP signed a 100 year agreement in February 2014 to partner for the recharge of the Litchfield Park Service Company's effluent that cannot be sold to reuse customers.

Mr. Garlick indicated that Liberty Utilities and CAP have entered into a due diligence in which an optimum water site has been selected for water recharge. Mr. Garlick noted that the land was chosen through hydrologic testing at multiple sites within the service territory. Liberty Utilities has invested over \$300,000 in hydrologic environmental feasibility tests. Mr. Garlick mentioned that Liberty Utilities is currently in escrow for the project land that is currently within 4,000 feet from the proposed West Valley Regional Water Reclamation Facility. He reported that Liberty Utilities, CAP,

and the Arizona Department of Water Resources (ADWR) have initiated the permitting process for the recharge facility that intends to recharge approximately 5,000-6,000 acre feet of effluent annually and subsequently increase over the years. Liberty Utilities currently has a 5.1 mgd facility located three miles to the south that is permitted up to 8.2 mgd while also owning land on another MAG-approved plant that is permitted for 8.2 mgd. Mr. Garlick stated that the infrastructure is currently in place and ties within 1,000 feet of the recharge project. He added that the close proximity of the Liberty Utilities project and the proposed EPCOR facility is concerning with regard to recharge. Liberty Utilities and CAP co-own the facility and the effluent distribution line. Mr. Garlick discussed that he is unsure if everyone is aware of these issues. Mr. Garlick reported that the Liberty Utilities facility is more than proposed, that it is in escrow with money down on the land, and will hopefully be in the ground in 20 months. He asked that the Committee consider how the proposed draft amendment may affect Liberty Utilities and CAP and their long-term project.

Acting Chair Chappell recognized public comment from Suzanne Ticknor, Central Arizona Project. Ms. Ticknor stated that she is an attorney for CAP and is commenting on behalf of one of the CAP authorities: the Central Arizona Groundwater Replenishment District. She indicated that CAGR provides a mechanism for new developments in the CAP service area to demonstrate an assured water supply. The CAGR is for subdivisions, water providers, and developers that do not have access to renewable supplies, such as CAP water or SRP surface supplies. They are still able, under state law, to develop and receive an assured water supply certificate and get plat approval if they can demonstrate they have access to groundwater and if they join CAGR and agree to pay CAGR assessments. She added that it is CAGR's responsibility to acquire a renewable supply of water and recharge that water to keep the aquifer whole. Ms. Ticknor indicated that this is a way of sustainable development and a vitally important water management tool. She added that it is particularly important for the West Valley. Many West Valley providers and developers serve CAGR member lands.

Ms. Ticknor commented that she was made aware today of the hearing. She thinks it is important for CAP to provide information on the Liberty Utilities partnership since the Committee is making planning decisions. She stated that the partnership is a culmination of over five years of work. She stated that in February 2014 the Central Arizona Water Conservation District (CAWCD) Board, the CAP Board, and Liberty Utilities management executed an agreement. Ms. Ticknor stated that the agreement provides the lease by Liberty of the effluent produced at its Palm Valley Wastewater Reclamation Facility. This 100 year lease of the effluent provides CAGR a water supply that can be used to replenish groundwater that is pumped by members. Ms. Ticknor reported that the agreement also provides for the joint development of an effluent recharge project to make use of the effluent that it is leasing for 100 years. She indicated that there have been two separate hydrologic feasibility studies to locate a site for a viable, cost effective effluent recharge project that was capable of storing a minimum of 5,000 acre feet of effluent per year. Ms. Ticknor noted that the CAWCD has moved forward; the agreement was executed. She added that approximately \$5 million has been deposited in escrow and that Liberty Utilities has committed over \$1 million of its funds to advance this project. Ms. Ticknor commented that they hope to close on escrow of the land in November 2014. She mentioned that the permitting process for the recharge project and underground storage facility have been initiated with the ADWR.

Ms. Ticknor stated that CAWCD is excited about this partnership with Liberty and hopes to see more of these partnerships in the future. Ms. Ticknor commented that this is an innovative partnership that is beneficial to CAWCD, the CAGR members, Liberty Utilities, and to other municipal water providers in the area. She indicated that the partnership provides a mechanism for CAGR to offset

groundwater pumping by members in the area of hydrologic impact. Ms. Ticknor reviewed that the members are located in the Liberty Utilities service area and that the groundwater pumping is going to be replenished in the same area. She noted many benefits of the partnership including: a long-term, 100 year, lease of effluent; access to critical infrastructure; necessary for replenishment obligations; and the hydrologic benefits of groundwater recharge for the entire area. Ms. Ticknor stated that other municipal providers in the area may be reliant on the groundwater for a source of water. She indicated that she wanted to make the Committee aware of the significant investment and planning that has gone into this relationship. Ms. Ticknor stated that they would be concerned about a location of another recharge facility 4,000 feet from their planned site. She noted that another facility in the area would be incompatible and inconsistent with the ability of the partnership to move forward with a recharge facility. Ms. Ticknor thanked the Committee.

Mr. McNeil asked when clarifying questions could be made. Acting Chair Chappell indicated that there are other public comments to be heard and that discussion will occur in the next agenda item, unless Mr. McNeil would like his questions to be part of the comments.

Carole Coe Klopatek, Fort McDowell Yavapai Nation, requested an opportunity to ask a clarifying question of the commentor. Acting Chair Chappell stated that she would like to get all the public comments, close the public hearing, and then have discussion. Clarification could be requested, but discussion will occur once the public hearing is closed.

Ms. Klopatek asked Ms. Ticknor how CAGRD would move forward with the Liberty Utilities recharge project if the proposed facility were approved. Ms. Ticknor replied that if the recharge component of the proposed EPCOR water reclamation facility were constructed, it would render the ability to construct the Liberty Utilities/CAP recharge project ineffective and impossible. She indicated that the Liberty Utilities partnership marries a water supply, effluent, with the necessary infrastructure to replenish it which is an underground storage facility. Ms. Ticknor stated that a nearby facility would render impossible the performance of the agreement. Ms. Klopatek inquired if it is possible to marry the two facilities. Ms. Ticknor replied that she is not in a position to answer the question.

Mr. McNeil asked if the concern is that if the proposed EPCOR facility is permitted from a recharge standpoint, that there would not be adequate capacity in the aquifer to accommodate the full permitted flows of both facilities. Ms. Ticknor responded yes. Mr. McNeil inquired if EPCOR has also submitted their recharge applications. Ms. Ticknor replied that she cannot speak to that. She clarified that Liberty Utilities and CAP have met with ADWR on several occasions and undergone pre-application meetings, however the permit application has not yet been filed.

Acting Chair Chappell recognized public comment from Troy Day, EPCOR Water. Mr. Day thanked the Committee for hearing his comments. He congratulated and thanked Liberty Utilities. Mr. Day indicated that EPCOR agrees the area being discussed is in a groundwater decline and in need of recharge. He noted that Glendale would like to keep the water in the area for this reason. Mr. Day stated that this is a very straightforward permitting issue by ADWR. He stated that this is not a MAG 208 issue. He indicated that EPCOR has had discussions with ADWR. Mr. Day responded to Ms. Klopatek's question stating that he thinks it is possible to marry the two facilities and that they do not need to be separate. He indicated that in EPCOR's discussions with ADWR there is sufficient separation. Mr. Day indicated that if there is not sufficient separation, the EPCOR facility would be permitted for less.

Acting Chair Chappell called for additional public comments. Hearing none, Acting Chair Chappell closed the public hearing and requested that the Court Reporter end the transcription.

5. Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility

Acting Chair Chappell provided an opportunity for the Committee to discuss the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility.

Mr. Klingler asked about the amendment to the CC&N for the Agua Fria district. Mr. Metzler clarified that boundaries can be amended for an existing wastewater service area with the Arizona Corporation Commission or an application can be filed for a new wastewater service area. He stated that due to the proximity of Russell Ranch, a determination was made approximately seven months ago, when the CC&N was filed, to expand the Agua Fria wastewater service area. Mr. Metzler indicated that ongoing discussions are taking place with the ACC on options for consolidation and deconsolidation based on a request from the ACC. He noted that the resolution of the ongoing discussions may determine whether the Loop 303 service area may be a stand alone area, an expansion of the Agua Fria, or part of one large wastewater service area for areas where EPCOR provides service.

Mr. Klingler inquired about the areas included in the Agua Fria district. Mr. Day replied that the CC&N application is for a new service area and not for an expansion of the Agua Fria district. Mr. Klingler noted that the draft WVRWRF amendment indicates that an expansion would be made to the Agua Fria district. Mr. Klingler asked about Russell Ranch. Mr. Metzler replied that Russell Ranch is in the Agua Fria district.

Mr. Klingler asked about financing. Mr. Metzler responded that Contributions in Aid of Construction are not eligible for refund and Advances in Aid of Construction are eligible for refund. He stated that repayment windows are defined under ACC regulations. Mr. Klingler inquired if the repayments originate from wastewater rate payers. Mr. Metzler responded that the repayment is from the revenue base. Mr. Klingler asked if the revenue comes from rate payers within the wastewater district or from customers outside the district. Mr. Day replied that when the draft 208 amendment was submitted, discussions were still taking place with the ACC on whether this is an expansion of the Agua Fria district or the creation of a new service area. Subsequent to submitting the 208 amendment, the ACC has requested and the application be filed for a new service area and not an expansion of an existing district. Mr. Klingler inquired if this has been changed in the 208 amendment. Mr. Day responded no. Mr. Metzler stated that it is not relevant to the 208 amendment. Mr. Klingler commented that this information may be relevant in how it may impact member agencies.

Reyes Medrano, City of Tolleson, asked if specific discussions occurred with the surrounding communities regarding the eight mgd water reclamation facility. Mr. Metzler responded that EPCOR followed the MAG process to obtain letters of no objection from communities within a three mile radius of the proposed WVRWRF and service area. He stated that letters informed these communities of the proposed effort and requested letters of concurrence, no objection, or support. Mr. Metzler indicated that letters of no objection were received from all of the necessary entities. Mr. Medrano stated that he has spoken to most of the surrounding communities and the majority are not aware of the proposed eight mgd facility. He mentioned Maricopa County and City of Glendale as being sole supporters of the amendment. Mr. Metzler replied that Maricopa County and the City

of Glendale are the sponsors of the draft amendment for the West Valley Regional Water Reclamation Facility due to the lands being under their jurisdiction. He indicated that he believes a copy of the draft 208 amendment was provided with the request for letters of no objection.

Mr. Medrano stated that the City of Tolleson and other communities he has spoken with were not surprised to see a MAG 208 amendment request. He added that Mr. Day has been with him on many occasions when they have approached almost every city in the room to discuss the possibility of sending flow to the City of Tolleson facility. One of the cities approached was El Mirage in combination with Luke Air Force Base. One of the concepts discussed was to bring in the 303 corridor. The only difference today between their proposal and the draft amendment is the eight mgd facility. He expressed concern that communities impacted by the plan were not made aware. Mr. Medrano commented that the proposed draft amendment is not comprehensive enough in that other options discussed in the West Valley were not considered. He stated that if the facility moves forward, it will impact the water master plans of the West Valley communities. Mr. Medrano mentioned the City of Tolleson's pursuit to fill its 9.4 mgd facility has yielded multiple options that are not mentioned. He stated that he was not unaware of the draft amendment until Monday morning. He stated nobody was surprised by the 208 amendment request. Based on previous discussion, they had thought flows would be coming to Tolleson. He stated that the draft amendment is not comprehensive which the Committee deserves.

Javier Setovich, City of Glendale, stated that the City of Glendale highly supports the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility. He indicated that one of the key elements to this concept for the City of Glendale is that physical water resources are kept in the planning area for Glendale. Mr. Setovich noted that Glendale would not support a concept in which the water resources would be taken out of Glendale.

Mr. Setovich asked Liberty Utilities and CAP how they determined that the proposed facility would render their project impossible. Ms. Ticknor replied that the partnership has two components: water supply and infrastructure. She indicated that with the infrastructure component a site needs to be selected and meet a number of criteria; one criteria being that the site would be capable of being permitted for recharge of a minimum of 5,000 acre feet of effluent per year. Ms. Ticknor noted that these criteria for selecting the site were based on the existing groundwater table, pumping, modeling, among many other conditions. She discussed that the Department of Water Resources includes operational alert levels within permits stating that operations cease if the groundwater table rises above a certain level. Ms. Ticknor mentioned mounding that occurs with recharge. She stated that the two recharge facilities cannot exist together due to the close proximity. Ms. Ticknor stated that when the ADWR reviews applications for recharge permits, the Department assesses other permitted recharge facilities in the area. A recharge permit gives rights to storage capacity within the aquifer.

Mr. Setovich inquired if ADWR has reviewed both facilities and made an assessment. Mr. Garlick indicated that an assessment could be completed by ADWR. He stated that he has been working on this project since 2008 and trying to meet the Fourth Management Plan which is to deliver the water as close as possible to the service area. Mr. Garlick discussed that this project would be interconnected to facilities that have already been approved through the MAG 208 Water Quality Management Plan Amendment Process. He noted that the two Liberty Utilities facilities have been approved and include additional capacity if needed, as well as lines going toward the service area. Mr. Garlick indicated that the 16.4 mgd of effluent, if not used by the community, could become a disposal issue. He stated that the partnership is the first of its kind in Arizona; it is a private utility with a long-term public-private partnership. Mr. Garlick mentioned that the project will be going

to the ACC to discuss final agreements. He discussed that the system in which the water is put in on the private company's behalf and the effluent is returned, which completes the cycle. Mr. Garlick stated that the West Valley has water issues. Liberty Utilities has spent time and approximately \$70,000 on modeling for this project. Mr. Garlick mentioned the possibility of room; however, discussion would have to take place to determine opportunities. Mr. Garlick commented that he wanted to make the Committee aware of the close proximity of the two sites.

Ms. Klopatek asked EPCOR if they were aware of the Liberty Utilities project. Mr. Metzler indicated that Central Arizona Project and Central Arizona Groundwater Replenishment District approached EPCOR to discuss future plans for effluent in Fall 2013. He stated that EPCOR was open and forthright about plans for the project, the location, the intended amount of water the facility would collect, and options for potential recharge or potable water use. Ms. Klopatek inquired if CAGRDR was provided the draft proposed amendment materials. Mr. Metzler replied that a map was displayed of the proposed service area and facility location. He stated that CAGRDR indicated that they were in discussion with Liberty Utilities on a recharge facility. Mr. Metzler stated that CAGRDR did not disclose a location for a recharge facility. Mr. Metzler commented that EPCOR had multiple discussions with CAGRDR on the proposed facility, as well as, discussions on the feasibility of entering into an agreement with CAGRDR, similar to Liberty Utilities, to perform groundwater recharge in that area. Ms. Klopatek asked if the draft amendment materials or presentations given at the May meeting or this meeting were provided to CAGRDR. Mr. Metzler replied that similar information was provided to CAGRDR. He could go back and check to see specifically what was provided. He mentioned that EPCOR had approached CAGRDR about recharge. CAGRDR had disclosed that discussions were occurring with Liberty Utilities, but a location of the Liberty Utilities facility was not disclosed. Mr. Metzler stated that a groundwater consultant was hired to perform modeling on the capacity of the aquifer within the vicinity of the WVRWRF that included assumptions for Liberty Utilities recharge. He indicated that the consultant results indicated that there is enough capacity in the aquifer for recharge from both the proposed EPCOR facility, as well as Liberty Utilities facility. Mr. Metzler stated that the proposed West Valley Regional Water Reclamation Facility would not preclude Liberty Utilities and CAGRDR from performing recharge operations near the facility.

Mr. McNeil commented that the concerns appear to be over space in the aquifer and about the inability of both facilities to recharge into the aquifer. He indicated that he believes the recharge process is similar to the surface water rights allocation process which operates on a first come, first serve basis. Mr. McNeil discussed that when ADWR runs the hydrologic model to evaluate capacity in the aquifer, applicants can then reserve space in the aquifer on a first come, first serve basis. He noted that with regard to EPCOR and Liberty Utilities facilities, these decisions are under the purview of ADWR who allocates aquifer space instead of the MAG Water Quality Advisory Committee. Mr. McNeil mentioned that it is not the purview of the Committee to determine which facility was first and that this is a matter for ADWR.

Larry Dobrosky, City of El Mirage, stated that it is exciting that entities are discussing the importance of recharge in the West Valley. He noted that recently the West Valley communities have energized the West Valley Central Arizona Project Subcontractors (WESTCAPS) which looks at the West Valley region. Mr. Dobrosky noted that WESTCAPS is about to undergo a basin study for approximately \$1.6 million. He added that WESTCAPS is interested in systematically designing for water and wastewater resource solutions in the West Valley region. Mr. Dobrosky indicated that WESTCAPS has developed a strategic plan that has been supported by the Mayors of West Valley communities. He indicated that there is a disconnect between the regional solution of WESTCAPS

and entities out on their own doing separate things. Mr. Dobrosky noted that they should be brought forward as part of the regional planning process being conducted by WESTCAPS. He indicated that it is not effective to have multiple local solutions being pursued when the WESTCAPS exists to promote regional solutions by working together. It sounds like there are entities unaware or who have been unable to interact with EPCOR, including Tolleson, Liberty Utilities, and WESTCAPS. Mr. Dobrosky recognized the investment in the project, however he commented that it may be premature. Mr. Metzler replied that he and Jake Lenderking, who is the Water Resources Planner for EPCOR Water, can give Mr. Dobrosky a call to discuss the planning process and WESTCAPS. Mr. Metzler stated that EPCOR Water is pro-recharge and creating sustainable solutions for water resources in the West Valley. He would be happy to speak with Mr. Dobrosky to overcome any concerns regarding regional solutions for the West Valley. Mr. Dobrosky indicated that a significant amount of resources are going into the WESTCAPS basin study and does not believe this project is even included. He commented that the amendment may be premature.

Mr. Setovich responded that the draft amendment impacts the City of Glendale primarily and that the facility supports the growth that will occur in that area. He stated that he was concerned about a comment from Tolleson. Mr. Setovich indicated that he was very involved in ensuring neighboring communities were contacted and was part of the group involved in resolving issues. He commented that the draft amendment will be beneficial for both Glendale and the surrounding communities. Mr. Setovich noted that there are valid points made with regard to the recharge issue. He stated that it is important that those water resources be kept in Glendale and that the City will not support the water leaving Glendale. Mr. Setovich thanked Mr. McNeil for his comments that these issues are not under the purview of the MAG 208 process and should be addressed at ADWR. He mentioned that studies have suggested that both facilities could recharge and some studies say they cannot. These studies and information from ADWR would be helpful in making decisions. However, Mr. Setovich stated that other wastewater options would delay plans for the Glendale community and Glendale hopes to find a solution quickly.

Mr. Medrano stated that he did not mean to imply in his initial comments that resources be taken out of Glendale. He noted that EPCOR is one of the options, however there are multiple options that can be explored. Mr. Medrano indicated that Tolleson does not need recharge. Water for Tolleson is from Salt River Project and the effluent goes to the Palo Verde Nuclear Generating Station. Mr. Medrano noted that Tolleson has a good relationship with Pinnacle West Capital who could help create a systematic regional solution for a West Valley common vision.

Mr. Metzler reported that he can provide the City of Tolleson with the documentation that was provided to the surrounding communities on the draft amendment. He stated that EPCOR performed all of the necessary coordination for the draft amendment and received the letters of no objection. Mr. Medrano noted that he spoke with City Managers.

Mr. Klingler inquired about the status of the Russell Ranch facility and the ability to use it as an interim solution. Mr. Metzler responded that there is no emergency at the Russell Ranch facility. Mr. Setovich added that the Loop 303 corridor may develop quickly and the City of Glendale would like to be ahead of the growth for water and wastewater infrastructure. He indicated that there is no emergency with regard to residential growth, however commercial growth is anyone's guess.

Mr. Metzler stated that when EPCOR Water became aware of a Liberty Utilities and CAGRDR recharge facility that would be somewhere in the vicinity of the proposed WWRWRF, EPCOR Water requested that CAGRDR provide the modeling and hydrologic analysis to determine if the EPCOR

Water facility would impact to the CAGR and Liberty Utilities recharge facility. He noted that CAGR and Liberty Utilities were unwilling to provide the requested items throughout the process.

Mr. Klingler asked if recharge was not a possibility, how would the WVRWRF dispose of effluent. Mr. Metzler replied that another permissible effluent disposal option would be chosen that best fits the long-term water resources plans for the City of Glendale.

Ms. Klopatek commented that it is part of the MAG Water Quality Advisory Committee's due diligence to look at effluent disposal methods with regard to a 208 amendment. She inquired what effluent disposal method would be chosen if recharge cannot be pursued. Mr. Metzler replied that as a former recharge coordinator for ADWR he is convinced that there is a place for this water in the aquifer. It would be in the immediate vicinity of the WVRWRF. He indicated that if recharge had to occur at a farther distance from the CAGR and Liberty Utilities project to avoid mounding, EPCOR would do it. Ms. Klopatek asked if a written statement of agreement with CAGR and Liberty Utilities could be included with the amendment as it moved forward. Mr. Metzler responded that questions regarding capacity in the aquifer, underground storage facility permits, and recharge are all under the purview of the Arizona Department of Water Resources. Mr. Klopatek replied that the 2002 MAG 208 Water Quality Management Plan indicates that the effluent disposal methods are within the Committee's purview.

Mr. Setovich clarified that alternative options were taken into consideration by Glendale, however the proposed facility is the best option for Glendale. He commented that the issue is if there is recharge capacity in the area. Mr. Setovich mentioned that there are varying opinions on if these issues fall under the MAG Water Quality Advisory Committee purview. He stated that Glendale has looked at other options and that this proposed facility is the Council approved, preferred option. Mr. Setovich noted that there are concerns about the aquifer capacity in the area. He mentioned that these issues were discussed, however Maricopa County and the City of Glendale supported the draft amendment under the assumption that the issues would be addressed through the permit process that assesses all recharge needs in the area. Mr. Setovich reiterated that the City of Glendale will not entertain any other options other than having service provided by EPCOR Water.

Mr. McNeil stated that he has been on the Committee for 15 years and there have been instances when the Committee has debated the approval of amendments until permits are approved. The Committee has concluded in the past that it would be unreasonable for a facility to not be approved until all permits are issued. Mr. McNeil noted that the Committee has approved amendments based on the understanding that permit approvals are necessary for construction.

Mr. McNeil inquired about comments made that some neighboring communities who provided letters of no objection may not be in support of the amendment and that the proposed facility interferes with wastewater plans of neighboring communities. Acting Chair Chappell clarified that the comments were some neighboring communities who provided letters of no objection were not aware of the eight mgd facility. Mr. Medrano stated that communities were not surprised by the draft 208 amendment, but that it included an eight mgd facility. He indicated that he cannot answer the question since information on the amendment has not been properly discussed by all of the communities impacted. Mr. McNeil clarified that letters of no objection were received by all surrounding communities. He noted that he is hearing there is a disconnect between City Managers and the individuals provided the letters of no objection. Mr. Metzler reviewed that letters of support are provided in the proposed draft amendment materials. Mr. Reyes indicated that not all of the letters are letters of support. Acting Chair Chappell indicated that letters of support have been provided by Maricopa County and the City of Glendale, the other letters provided are letters of no

objection. Mr. Setovich noted that the letters received meet the requirements of the MAG 208 process. Mr. Medrano indicated that political ramifications also need to be considered.

Mr. Dobrosky stated that he appreciates Mr. Setovich's role in planning for the future of Glendale. He commented that his concern is that Glendale is an active member of WESTCAPS, however they are seeking a local solution which deviates from the WESTCAPS regional goal. Mr. Dobrosky indicated that perhaps the proposed facility is the best answer for the West Valley, however it may be premature since it has not looked at the region as a whole. He discussed that the best solution would be to rule out all other options to arrive at the best option for the region and not just Glendale.

Christine Nunez, City of Surprise, discussed the EPCOR White Tanks facility that received support from WESTCAPS. She stated that similarly the region needs to discuss this amendment from a regional perspective. Ms. Nunez commented that perhaps other facilities have unused capacities of recharge or treatment that could be utilized. She mentioned that the proposed facility could be the best regional option or perhaps Liberty Utilities and EPCOR share the recharge capacity in the aquifer, however it is important that the details are discussed and planned under the WESTCAPS planning process.

Mr. Setovich agreed that there is a valid point in that recharge needs to be discussed further. However, Glendale still supports the amendment as the best option. Mr. Setovich indicated that additional dialogue on recharge may be needed outside of the MAG WQAC and brought back to MAG after more discussion.

Mr. Klingler stated that the Water Quality Advisory Committee makes recommendations to the MAG Management Committee that goes on to the MAG Regional Council. There are concerns regarding this amendment. He commented that there is no emergency for the draft amendment and the need for further discussion on some of these issues has been mentioned. He noted that one concern is the clarity of a new CC&N district. Mr. Klingler commented that perhaps the draft amendment needs to be amended. He stated that some elements do not seem to be settled yet. Mr. Klingler inquired about having this amendment undergo further dialogue. Acting Chair Chappell stated that the draft amendment item can be tabled pending further discussion.

Mr. McNeil asked about what discussion needs to take place before the item is brought back to the Committee. Mr. Setovich requested that the motion include further discussion solely on the recharge component and that a timetable be included on when the Committee would hear the amendment.

Mr. Klingler made a motion to table the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility. Ms. Klopatek seconded the motion. Mr. Setovich requested the motion be amended to include specific discussion and a time frame. The motion was not amended. The motion to table the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility passed with Mr. Weber; Mr. Setovich; Dale Bodiya, Maricopa County Environmental Services Department; Heather Finden, City of Phoenix; Mr. McNeil; and Acting Chair Chappell voting no.

6. Call for Future Agenda Items

Acting Chair Chappell asked the Committee for suggestions on future agenda items. Ms. Klopatek inquired about updating the 2002 MAG Water Quality Management Plan. Julie Hoffman, Maricopa Association of Governments, stated that at the May 21, 2014 Committee meeting, the Water Quality Advisory Committee conducted a public hearing on the MAG 208 Water Quality Management Plan

Point Source Update and recommended approval to the MAG Management Committee. She noted that the MAG Regional Council approved the MAG 208 Water Quality Management Plan Point Source Update in June 2014. Ms. Hoffman indicated that the update was transmitted to the Arizona Department of Environmental Quality in August 2014. Ms. Klopatek stated that only a portion of the MAG Water Quality Management Plan was updated. Ms. Hoffman indicated that the MAG Water Quality Management Plan could be discussed at a future meeting.

Mr. McNeil asked for clarification of when EPCOR would return to the Committee. Mr. Medrano inquired if the draft amendment be placed as an agenda item for the next meeting. Mr. Setovich inquired about what the Committee would discuss with regard to the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility. Ms. Hoffman replied that based on the public hearing, a response to comments will be prepared. The response to comments would then be provided to the Committee for its review. Ms. Hoffman stated that hopefully the parties will have an opportunity to get together before the amendment is brought back to the Committee. Mr. Setovich suggested a future meeting date within a month.

Acting Chair Chappell stated that a future agenda item will include the West Valley Regional Water Reclamation Facility 208 Plan Amendment, which would include an update on any discussions that have occurred. Mr. Metzler commented that EPCOR Water would be happy to reach out to any community that has concerns. He indicated that it would be helpful to understand what concerns need to be addressed for an approval of the draft amendment. Acting Chair Chappell responded that there is a public record of the comments and concerns expressed during the public hearing. A response to those comments would be the scope for the next meeting.

7. Comments from the Committee

Acting Chair Chappell invited comments from the Committee members. Hearing none, the meeting was adjourned at approximately 5:10 p.m.

**RESPONSE TO PUBLIC COMMENTS ON THE
DRAFT MAG 208 WATER QUALITY MANAGEMENT PLAN AMENDMENT
FOR THE WEST VALLEY REGIONAL WATER RECLAMATION FACILITY**

AUGUST 21, 2014 PUBLIC HEARING

The Maricopa Association of Governments (MAG) appreciates the comments made during the public comment period for the Draft MAG 208 Water Quality Management Plan Amendment for the West Valley Regional Water Reclamation Facility. An advertised public hearing on the draft amendment was conducted by the MAG Water Quality Advisory Committee (WQAC) on August 21, 2014. At the public hearing, three testimonies were submitted. In addition, there were questions from Committee members on the testimony provided. These comments and the responses provided during the public hearing are noted in the response to comments.

The comments provided during the August 21, 2014 public hearing were forwarded to the City of Glendale and Maricopa County for response, since they are the jurisdictions that officially requested that MAG initiate the 208 amendment process for the Draft MAG 208 Plan Amendment for the West Valley Regional Water Reclamation Facility. The response to comments is provided below.

COMMENTS FROM LIBERTY UTILITIES (Testimony from Matthew Garlick, on August 21, 2014)

Comment: We've got some handouts we're just sending out. My name is Matthew Garlick, director of operations for Liberty Utilities. We are located just south of the proposed WRF that is currently in front of you today. The reason I'm here today is on August 21st, the last meeting, there was some statements made regarding our facility, that Liberty Utilities and the Central Arizona Groundwater Replenishment District (CAGRD) were looking to build a facility in a nearby area to conduct recharge. I'm here today to inform you that we think those statements are grossly misrepresented by the applicant. Liberty is rapidly deploying and has been working on the project for quite a long time. Liberty and the Central Arizona Project (CAP), sister organization, CAGRD, have been working since 2010 on completing the water recharge facility in the West Valley within Liberty's certificated area.

Response: During the MAG Water Quality Advisory Committee meeting held on May 21st, 2014, EPCOR explained that it intends to conduct long-term surficial recharge of Class A+ effluent at the proposed plant site, and that the area has been deemed suitable for recharge activities based on observed performance of recharge basins at the EPCOR Russell Ranch Water Reclamation Facility located three miles to the west, as well as infiltration data from the proposed WVRWRF site. EPCOR also mentioned it was our understanding that Liberty Utilities and the Central Arizona Groundwater Replenishment District were also planning to construct and operate a recharge facility somewhere in the vicinity of the proposed WVRWRF. EPCOR did not know the specific location of the proposed Liberty/CAGRD recharge facility, the construction timetable, or

the proposed volumes of recharge envisioned by Liberty/CAGRDR when we made the presentation in May. On September 23, 2014, Liberty, CAGRDR, and EPCOR met to discuss the issue of the two proposed recharge facilities, and have jointly committed to work through any potential recharge permitting challenges with the Arizona Department of Water Resources. EPCOR and Liberty have signed a joint letter to this effect which will be provided to the MAG WQAC, and CAGRDR has signed a similar letter also addressed to the Chair of the WQAC.

Comment: Liberty and CAP have signed a 100-year agreement as of February 2014 of this year in which we put together a partnership and a relationship for recharging of LPSCO's effluent that cannot be sold to its reuse customers. Liberty and CAP have entered into a due diligence and selected an optimum site for water recharge. This was accomplished through hydrologic testing at multiple sites within our service territory. We've invested over \$300,000 in hydrologic environmental feasibility tests. The facility we're looking at is currently within 4,000 feet of this proposed wastewater facility that you have in front of you today.

Response: EPCOR only became aware of the proposed Liberty/CAGRDR joint recharge project in January of 2014 after we had completed a water reclamation facility siting analysis, paid for multiple real estate appraisals, coordinated with Luke Air Force Base, and initiated negotiations with the landowner for acquisition of the proposed site. The proposed site of the WVRWRF was chosen as the optimal site based on a variety of siting criteria. EPCOR was unaware of the general location of the proposed Liberty/CAGRDR facility until after concluding our siting analysis process. EPCOR looks forward to working through these issues with Liberty, CAGRDR and ADWR during the Underground Storage Facility permitting process.

Comment: We are currently in escrow on the land for this project that we're moving forward with. Liberty and CAP and the Arizona Department of Water Resources (ADWR) have already initiated a permitting process for this recharge facility. Liberty and CAP plan on recharging approximately 5 to 6,000 acre feet of effluent annually and subsequently increase over the years. Liberty currently has a 5.1 million gallon facility located three miles to the south and is permitted up to 8.2 million gallons per day (mgd), with another MAG-approved plant that we own land on further to the west on McDowell Road, which is permitted also for another 8.2. That infrastructure is currently in place today. It actually ties within 1,000 feet of that recharge project. In front of you, you will see the locations of recharge projects currently in the West Valley. You can see them kind of spattered all along. If you notice, the close proximity to Liberty and the EPCOR facility is quite concerning when it comes to recharge.

Response: EPCOR recognizes the concerns of Liberty Utilities and CAGRDR regarding the proximity of the proposed recharge projects, but we believe the two facilities as proposed will be hydrologically compatible and permittable by the Arizona Department of Water Resources (ADWR). EPCOR has requested the assistance of ADWR to facilitate a comprehensive and collaborative regional approach among all concerned parties to permit and implement groundwater recharge projects in the general vicinity of

the Luke Cone of Depression for the benefit of the West Valley. EPCOR looks forward to working through these issues with Liberty, CAGR D and ADWR during the Underground Storage Facility permitting process.

Comment: Liberty and CAP, like I said, have owned that facility, and our co-owners, CAP is co-owner of the effluent distribution line. What we're asking today is that you understand what is actually going on in the area. I'm not sure everybody's fully aware of this. That's what we're here today to communicate to you; that this is more than a proposed facility. This facility is down the road. This facility is in escrow. There is money down on the land. This facility will be in the ground hopefully within 20 months. We're asking today to really consider that when it comes to planning and how it may affect Liberty and CAP over a long-term project.

Response: EPCOR has signed agreements with the City of Glendale and eighteen landowners to provide wastewater service for approximately 3,600 acres of land in the vicinity of Luke Air Force Base. These agreements were originally executed in October of 2012, based on negotiations which began in 2010. The site of the proposed WVRWRF facility, including the associated recharge basin, was determined in close coordination with those landowners. EPCOR has committed significant capital and staff resources to move this project forward just as Liberty and CAGR D have done for their project. EPCOR anticipates having an operational water reclamation facility in early 2016 at which time we will commence recharge operations. EPCOR looks forward to working through these issues with Liberty, CAGR D and ADWR during the Underground Storage Facility permitting process.

COMMENTS FROM CENTRAL ARIZONA PROJECT (Testimony from Suzanne Ticknor, on August 21, 2014)

Comment: I'm an attorney with Central Arizona Project. I'm here today on behalf of one of CAP's authorities, which is the responsibility for operating the Central Arizona Groundwater Replenishment District, also known as the CAGR D. The CAGR D, what it does is it provides a mechanism for new developments in the CAP service area to demonstrate an assured water supply. The CAGR D really is for subdivisions, water providers, developers that do not have access to renewable supplies, such as CAP water or Salt River Project (SRP) surface supplies, they still are able under state law to develop and get an assured water supply certificate and get their plat approved, if they can demonstrate they have access to groundwater, and if they join the CAGR D and promise to pay the GRD assessments. The CAGR D's responsibility is to acquire a renewable supply of water and recharge that water, replace it, replenish it to keep the aquifer whole. It's a way of sustainable development. It's a vitally important water management tool, particularly for the West Valley. Many West Valley providers and developers serve CAGR D member lands.

Response: EPCOR enthusiastically supports the mission and efforts of CAGR D to provide an assured water supply within the District's area of responsibility. EPCOR also recognizes and embraces the critical importance of establishing a long term sustainable

water supply for areas that do not have a designation of assured water supply such as the proposed Loop 303 service area. Recharge of reclaimed effluent in areas experiencing declining water tables is recognized as direct action to address this problem, and this is one reason why EPCOR proposes to conduct recharge at this location. EPCOR looks forward to working through these issues with Liberty, CAGR D and ADWR during the Underground Storage Facility permitting process. In addition, EPCOR supports the development of a collaborative comprehensive regional effluent recharge strategy which evaluates the challenges and opportunities associated with groundwater recharge and establishes implementable strategies to optimize the use of this critically important water resource for the benefit of the region. We are committed to working with our fellow members of WESTCAPS and other relevant communities and agencies towards that end.

Comment: I was made aware of today of this hearing. I felt that it was important for CAP to come and provide its perspective and just to provide information for you all when you're making planning decisions on the important partnership that we have moved ahead with in Liberty; really innovative, amazing, great partnership. The partnership is a culmination of over five years of work. In February of this year the Central Arizona Water Conservation District (CAWCD) Board, the CAP Board, and Liberty's management executed an agreement. The agreement provides, among other things, for the lease by Liberty of effluent produced by its Palm Valley Wastewater Reclamation Facility, a 100-year use of that effluent to the CAGR D, to provide the CAGR D a water supply that it can use to replenish groundwater pumped by its members. That agreement also provided for the joint development of an effluent recharge project of the infrastructure necessary for the CAGR D to make use of the effluent that it was leasing for 100 years. To get to this point, as Mr. Garlick had previously testified, we undertook two separate hydrologic feasibility studies to locate a site for a viable, cost effective effluent recharge project that was capable of storing a minimum of 5,000 acre feet of effluent a year. CAWCD has moved forward. We executed our agreement. We deposited close to \$5 million in escrow. Liberty has committed over \$1 million of its funds as well to advance this project. We have selected a site, studied the site. As Mr. Garlick testified, that site is in escrow. We hope to close on escrow on that land in November of this year. We have initiated the permitting process for our recharge project and underground storage facility, initiated that with the Arizona Department of Water Resources.

Response: EPCOR has filed an application with ADWR for an underground storage facility permit at the proposed WVRWRF site for approximately 9,000 acre feet per day at build-out in 2045 (Application #71-223849.0000). We have committed significant funding and effort to see this project move forward, as has CAGR D and Liberty with their project. EPCOR looks forward to working through these issues with Liberty, CAGR D and ADWR during the Underground Storage Facility permitting process.

Comment: I just wanted to convey that CAWCD is really excited about this partnership with Liberty. It's an innovative, important partnership that we hope to see more of in the future. It provides significant benefit to CAWCD, its GRD members, to Liberty, and to other municipal water providers in the area. It does so by first providing a mechanism

for GRD to offset groundwater pumping by its members in the area of hydrologic impact. Our members are located in the area of Liberty's service area. That groundwater pumping is going to be replenished in the same area. That's a beautiful thing as far as we're concerned. This partnership also provides CAWCD and its members with a long-term lease of effluent, a 100-year lease, extremely valuable for the CAGR and for CAP. Access to critical infrastructure, necessary for us to perform our replenishment obligation. Finally, it provides hydrologic benefits of groundwater recharge to the entire area, to other municipal providers that are located in the area and may be reliant on groundwater for their supply.

Response: EPCOR agrees wholeheartedly that the recharge of Class A+ effluent in this area is a critically important step to help establish an assured water supply. We applaud the partnership of CAGR and Liberty to accomplish this, and we look forward to opportunities to also partner with CAGR on similar projects in the future.

Comment: In closing, I wanted to make you aware of the significant investment and planning that has gone into this partnership. We would be concerned about the location of another recharge facility 4,000 feet from our planned site and facility. It would be incompatible and inconsistent with our ability to move forward with our recharge facility.

Response: EPCOR believes the two facilities are compatible and permissible as proposed, and we look forward to working with CAGR, Liberty Utilities, and surrounding municipalities, with the assistance of ADWR, to develop a comprehensive strategy to coordinate and facilitate more groundwater recharge in this area.

COMMENTS FROM THE MAG WATER QUALITY ADVISORY COMMITTEE MEMBER FOR THE FORT MCDOWELL YAVAPAI NATION ON THE TESTIMONY PROVIDED BY SUZANNE TICKNOR, CENTRAL ARIZONA PROJECT (Comments by Carol Coe Klopatek, on August 21, 2014)

Comment: In regard to CAGR, what would CAGR do if this facility were to be approved? How would CAGR move on the facility with Liberty?

Response provided by Suzanne Ticknor, Central Arizona Project, at the public hearing: That's a very good question. If this facility was approved and the recharge component of the proposed wastewater facility was constructed, it would render really impossible and ineffective our ability to construct our planned effluent recharge project. That would undermine the critical element component of our deal. Our deal marries a water supply with effluent, which is effluent, with the necessary infrastructure to replenish it, which is our underground storage facility. So we believe that it would render impossible the performance of our agreement.

Response: EPCOR respectfully disagrees with CAGR's assertion. The technical information we have developed to date indicates the two facilities are not incompatible.

EPCOR looks forward to working through these issues with Liberty, CAGR D and ADWR during the Underground Storage Facility permitting process.

Comment: Is it possible to marry the two facilities in which the effluent discharge would actually go over to Liberty's facility, or are those discussions just premature?

Response provided by Suzanne Ticknor, Central Arizona Project, at the public hearing: I am not in a position to answer that question.

Response: Recharging the same total volume of water at one facility with a set surface area would be more challenging than recharging that same volume at two facilities with a larger total surface area which are separated horizontally by 4000'. EPCOR is willing to discuss a mutually beneficial partnership with CAGR D and Liberty to find a way to get all of this water in the ground, reduce investment in redundant infrastructure, and find ways to minimize costs. EPCOR looks forward to working through these issues with Liberty, CAGR D and ADWR during the Underground Storage Facility permitting process.

COMMENTS FROM THE MAG WATER QUALITY ADVISORY COMMITTEE MEMBER FOR THE CITY OF TEMPE ON THE TESTIMONY PROVIDED BY SUZANNE TICKNOR, CENTRAL ARIZONA PROJECT (Comments by David McNeil, on August 21, 2014)

Comment: I just want to clarify, is CAGR D's concern that if this facility is permitted from a recharge standpoint, that there would not be adequate capacity in the aquifer to accommodate the full permitted flows of both facilities?

Response provided by Suzanne Ticknor, Central Arizona Project, at the public hearing: That's correct.

Response: EPCOR respectfully disagrees with CAGR D's assertion. These facilities will be located over the Luke Cone of Depression, which is an area experiencing significant groundwater table declines and associated land subsidence, and is projected to see even greater water table declines in the coming years without direct action to rectify the situation. The aquifer in this area is an ideal location for groundwater recharge.

Comment: You've got your recharge applications into ADWR. Has the West Valley Facility also already submitted recharge applications?

Response provided by Suzanne Ticknor, Central Arizona Project, at the public hearing: I don't know. I don't think so. I can't speak for that. We have not -- we have our permits. We haven't formally filed them yet. We've met with ADWR on several occasions. We had our pre-application meetings, but our permit app itself has not yet been filed.

Response: In August 2014, EPCOR filed an application with ADWR for an underground storage facility permit at the proposed WVRWRF site for approximately 9,000 acre feet

per day at build-out in 2045 (Application #71-223849.0000). Liberty Utilities subsequently filed an application for a USF permit in late September or early October, 2014. EPCOR is committed to working with Liberty, CAGR D and ADWR to find a mutually beneficial solution to permit and operate these two facilities in a compatible manner.

COMMENTS FROM EPCOR WATER (Testimony from Troy Day, on August 21, 2014)

Comment: I wanted to address the recharge issue that was brought up, and I wanted to congratulate and thank Liberty. We agree this is an area of groundwater decline. It is an area that needs recharge. As Glendale will point out, they want to keep their water there for exactly that reason. This is a very straightforward permitting issue by the Department of Water Resources. This is not really a 208 issue. It is a Department of Water Resource issue. It's a very straightforward permitting issue. We've had the discussions with DWR as well. To the previous caller's question, I think it is possible to marry these two. They don't have to be separate. Our discussions with DWR is there is sufficient separation. If there isn't, our facility would be permitted for less. It's really fairly straightforward.

Response: On September 23, 2014, Liberty, CAGR D, and EPCOR met to discuss the issue of the two proposed recharge facilities, and have jointly committed to work through any potential recharge permitting challenges with the Arizona Department of Water Resources. EPCOR and Liberty have signed a joint letter to this effect which will be provided to the MAG WQAC, and CAGR D has signed a similar letter also addressed to the Chair of the WQAC.



October 8, 2014

Julie Hoffman
Environmental Planner
Maricopa Association of Governments
302 N. 1st Avenue, Suite 300
Phoenix, Arizona 85003

RE: MAG 208 Amendment application – MAG 208 Amendment application – EPCOR's Loop 303 West Valley Regional Water Reclamation Facility.

Dear Ms. Hoffman,

Attached are two letters provided by EPCOR Water, Liberty Utilities, and the Central Arizona Project. These letters address an agreed plan of action related to the discussion on August 21, 2014 of potential conflicts between proposed facilities in the area.

Glendale would like your office to share these letters with the Water Quality Advisory Committee members before the next scheduled meeting. We appreciate your assistance.

Sincerely,

Javier Setovich, P.E.
Deputy Director, Water Services Department
City of Glendale

Cc: Frank Metzler, EPCOR Water
Dale Bodiya, P.E, Maricopa County

Attachments: Liberty/Epcor Letter
CAP Letter



October 8, 2014

Randy Gottler, Deputy Water Services Director
City of Phoenix, Chairman
Water Quality Advisory Committee
Maricopa Association of Governments
200 W. Washington Street
Phoenix, AZ 85003

Re: City of Glendale's Proposed MAG 208 Amendment for the West Valley
Regional Water Reclamation Facility

Dear Chairman Gottler:

On August 21, 2014, the Water Quality Advisory Committee (Committee) of the Maricopa Association of Governments (MAG) held a public hearing to discuss the proposed MAG 208 Amendment for the West Valley Regional Water Reclamation Facility (WVRWRF). At the hearing, a representative from Central Arizona Project (CAP) provided comments regarding one aspect of the proposed WVRWRF, the location of planned effluent recharge basins associated with the treatment facility. Those comments advised the Committee that CAP, acting in its capacity as the Central Arizona Groundwater Replenishment District (CAGRDR), had been working for the past five years to develop and implement an important partnership with Liberty Utilities. The partnership provides for the lease of Liberty effluent to CAP and sharing of costs to develop an effluent recharge facility in Liberty's service area to recharge Liberty's effluent for the joint benefit of CAGRDR and Liberty. CAP expressed concern that the proposed effluent recharge basins associated with the WVRWRF might interfere with or undermine Liberty's ability to permit and operate the Liberty effluent recharge project. The main purpose of CAP's comments was to advise the Committee of CAP's significant investment of time and public monies (CAGRDR tax assessments) in the development of its partnership with Liberty.

The Arizona Department of Water Resources (ADWR) is the state agency having jurisdiction over the permitting of underground storage facilities (USFs), such as the proposed effluent recharge project associated with the WVRWRF and the proposed Liberty effluent recharge project. Any issues arising from the competing USF applications of EPCOR and Liberty will be resolved by ADWR pursuant to state law.

Randy Gottler, Deputy Water Services Director
October 8, 2014
Page 2

Accordingly, CAP has no objection to the City of Glendale's proposed WVRWRF
MAG 208 Amendment.

Sincerely,

for Suzanne Ticknor
Dennis Rule
Manager, CAGR

cc: Greg Sorensen, President, Liberty Utilities, Arizona
Troy Day, Vice President Arizona Operations, EPCOR Water
Suzanne Ticknor, Senior Attorney, CAWCD

October 8, 2014

Randy Gottler
Deputy Water Services Director - City of Phoenix,
Chairman, Water Quality Advisory Committee
Maricopa Association of Governments
302 North 1st Ave., Ste. 300
Phoenix, Arizona 85003

Re: EPCOR Water Arizona Inc. and Liberty Utilities (Litchfield Park Water & Sewer) Corp. MAG 208 Amendments and Proposed Effluent Recharge Projects

Dear Chairman Gottler:

On August 21, 2014, the Water Quality Advisory Committee (WQAC) of the Maricopa Association of Governments (MAG) held a public hearing to discuss the proposed MAG 208 Amendment filed by EPCOR Water Arizona, Inc. (EPCOR) for the West Valley Regional Water Reclamation Facility (WVRWRF). As you know, EPCOR's proposed WVRWRF includes an effluent recharge site. During public comments on August 21, Liberty Utilities (Litchfield Park Water & Sewer) Corp. (Liberty) and the Central Arizona Water Conservation District (CAWCD), a division of the Central Arizona Project (CAP), advised WQAC that EPCOR's proposed recharge site is located in close proximity to a joint Effluent Recharge Project between Liberty and CAWCD/CAP. During those comments, Liberty and CAWCD expressed concerns regarding the proximity of EPCOR's proposed WVRWRF effluent recharge basins to CAWCD/Liberty's joint Effluent Recharge Project. At the August 21 meeting, WQAC decided to postpone consideration of EPCOR's MAG 208 Amendment pending further discussions and clarification regarding the CAWCD/Liberty Effluent Recharge Project and EPCOR's effluent recharge site.

In addition to EPCOR's proposed MAG 208 Amendment, Liberty is in the process of preparing and filing a MAG 208 Water Quality Management Plan Amendment for a service area expansion for various developments that have requested wastewater utility service from Liberty. Those new service areas are located north of Camelback Road, east of Reems Road, west of El Mirage Road and south of Northern Avenue.

Since the August 21 meeting, Liberty and EPCOR have met and conferred regarding each party's proposed recharge projects and each party's proposed MAG 208 amendments. Liberty and EPCOR agree that any issues relating to siting of the Liberty/CAWCD Effluent Recharge Project and the EPCOR effluent recharge site will be addressed by the Arizona Department of Water Resources (ADWR) through its applicable permitting process.

By this letter, EPCOR and Liberty agree that neither party has any objection to the other party's proposed MAG 208 Amendments noted above. As such, EPCOR and Liberty jointly request that MAG and its appropriate member communities proceed with processing of Liberty's and EPCOR's respective proposed MAG 208 Amendments as quickly as possible.

We appreciate your professional courtesy and cooperation on these issues.

Sincerely,



Greg Sorenson
President
Liberty Utilities



Troy Day
Vice President of Operations
EPCOR Water Arizona, Inc.

cc: Javier Setovich
Deputy Director, Water Services (City of Glendale)
7070 W. Northern Avenue
Glendale, AZ 85303
jsetovich@glendaleaz.com



October 14, 2014

TO: Members of the MAG Water Quality Advisory Committee

FROM: Julie Hoffman, Environmental Planning Program Manager

SUBJECT: ARIZONA WATER QUALITY MANAGEMENT PLAN AND STREAMLINING OF THE 208 WATER QUALITY MANAGEMENT PLAN PROCESS

The Arizona Department of Environmental Quality (ADEQ) is working to update the Arizona Water Quality Management Plan, which was completed in 1979. ADEQ is also proposing to streamline the 208 Water Quality Management Plan Process, which is conducted by five Councils of Governments (COGs) as well as Yuma, La Paz, and Mohave Counties. ADEQ has been streamlining various processes to issue permits faster. The 208 streamlining approach currently being considered by ADEQ would result in the issuance of permits for wastewater treatment facilities without first going through the MAG 208 Process and receiving Regional Council approval. This approach would jeopardize local control over the desired wastewater treatment configuration identified in the MAG 208 Water Quality Management Plan.

In 1974, MAG was designated by the Governor to serve as the Regional Water Quality Management Planning Agency for Maricopa County. It is in this capacity that MAG prepares the 208 Water Quality Management Plan for the region. The 208 Plan consists of two major elements: the Point Source element and the Nonpoint Source element. The Point Source element describes the preferred wastewater treatment system to serve the needs of the area over a 20 year time period. The Nonpoint Source element primarily describes regional surface and groundwater quality, and federal and state program activities designed to control nonpoint source pollution.

Currently, the MAG 208 Water Quality Management Plan is the key guiding document used by ADEQ and Maricopa County in granting permits for wastewater treatment plants in the region. Consistency is necessary for permit approvals. According to 40 CFR Part 130.6 (f) Consistency, Construction grant and permit decisions must be made in accordance with certified and approved water quality management plans. Consistency with the 208 Plan is required for the Aquifer Protection Permit and Arizona Pollutant Discharge Elimination System Permit issued by ADEQ. Consistency with the 208 Plan is also required for the Approval to Construct issued by the Maricopa County Environmental Services Department. If a proposed facility is not included the MAG 208 Plan, the Plan may be modified through the 208 Amendment Process or the Small Plant Review and Approval Process.

ADEQ PROPOSED STREAMLINING

The Arizona Department of Environmental Quality has recently indicated that they do not see value added by the 208 Amendment Process and plans to ensure water quality through the permits. ADEQ plans to issue permits for proposed new wastewater treatment facilities, expansions, or surface water discharges before the Councils

of Governments/Counties decide whether or not to include them in their 208 Plans. According to ADEQ, the Councils of Governments/Counties could continue to conduct a local public process to make their region aware of new proposed wastewater treatment facilities, expansions, or surface water discharges. ADEQ is proposing a table of wastewater treatment options (see attachment). If a proposed facility falls under one of the options in the table, the proposed facility would be included in a facility inventory that would be used annually update the 208 Plans. Meanwhile, ADEQ would be issuing permits for the facilities in the inventory before the facilities become part of the 208 Plans.

In addition, ADEQ would no longer use the wastewater treatment configuration identified in the Point Source element of the 208 Plan for determining 208 consistency. Instead, ADEQ would determine consistency based on the 208 Plan goals, processes, and the proposed wastewater treatment options table. The options table was designed by ADEQ and included in other rural 208 Plans in the State that have been updated in cooperation with ADEQ. While this may work in some rural areas, there is concern with using this approach in the MAG region. Since 2002, 35 new facilities have been added to the MAG 208 Plan through the MAG 208 Amendment or Small Plant Review and Approval Process. Without the MAG 208 Process, local control in approving wastewater treatment facilities in the region would be significantly jeopardized.

In the MAG 208 Process, it is the jurisdiction in which the facility is located that brings a 208 Amendment or Small Plant Review and Approval forward to MAG. This preserves local government control over the wastewater treatment facilities that are identified in the MAG 208 Plan. The wastewater treatment plants are tied to growth and development and the permits would allow the plants to be built. The streamlining approach proposed by ADEQ would remove local control over growth and development and give it to the State.

If you have any questions, please do not hesitate to contact me at (602) 254-6300.

Attachment

TABLE 5.1 – WASTEWATER TREATMENT OPTIONS

NOTE: Selected option must meet all **current** Aquifer Protection Permit (APP), Arizona Pollutant discharge Eliminations System Permit (AZPDES), and adopted local ordinance requirements.

| | OPTION 1 | OPTION 2 | OPTION 3 | OPTION 4 | OPTION 5 |
|--|--|---|--|---|---|
| | Existing WWTP with Adequate Capacity | Expand WWTP or Collection System | New Centralized WWTP and Collection System | Individual On-site Wastewater Treatment Systems (up to 24,000 gpd) | Satellite Plants or Communal Facilities* |
| In a Service Area, Planning Area, or High Priority Area for Sewer Lines* | <p>Connecting to an existing WWTP is generally the best option if feasible.*</p> <p>If sewer lines are not yet available or WWTP capacity insufficient, see Options #2 and #3.</p> | <p>Expanding a WWTP is generally preferable to building new facilities.</p> <p>It is usually more cost effective to delay proposed development until expansion has been completed. However, if unwilling to delay development, an initial phase can be developed (see options #4 and #5.)</p> | <p>Construction of new public service facilities may be the best option, for example if the size of the plant cannot be expanded.</p> <p>New facilities must be provided by the entity assigned the Service Area (or developed under a contract with that entity).</p> <p>If in a High Priority Area, but outside of a Service Area or Planning Area, development of a sanitary district, wastewater improvement district or private utility should be <i>encouraged</i>.</p> <p>It is usually more cost-effective in the long- term to delay proposed development until new facilities are complete. However, if unwilling to delay development, an initial phase can be developed under Options #4 and #5.</p> | <p>This option includes septic systems and alternative on-site systems.</p> <p>Both new or replacement individual on-site wastewater systems should be restricted by local ordinance to:</p> <ul style="list-style-type: none"> • Lots larger than 1 acre with adequate site conditions for the individual on-site wastewater system and a replacement system • Situations where sewer lines are not available <p>If unwilling to delay development until sewer lines are available, individual on-site systems could be used in a “first phase” of development if:</p> <ul style="list-style-type: none"> • Dry sewer lines are constructed to facilitate connection to a future sewer line; and • A local ordinance requires property owners to connect to sewers when they become available, and a mechanism is in place to notify future property owners of this requirement. | <p>These privately owned facilities may be an option only when sewer lines are not yet available.</p> <p>In a Service Area, this is another alternative to delay development until sewer lines are available under a “first phase” of development if:</p> <ul style="list-style-type: none"> • There is a written agreement with the WWTP to connect to the collection system when sewer lines become available and properly decommission the treatment system. <p>(This may also require local ordinances.)</p> |
| All Other Areas | <p>If feasible,* modify the Service Area and connect to the sewer lines. This would require Public review, Consistency Review and possibly revision of the utility’s operations plan.</p> <p>(Not a likely option)</p> | <p>If feasible,* modify the Service Area and connect to the sewer lines. This would require Public review, Consistency Review and possibly revision of the utility’s operations plan.</p> | <p>If feasible,* establish a Service Area and initiate development of a new WWTP and collection system. Establishment of a Service Area may require certification as a DMA or WMU.</p> | <p>A good option on lots larger than 1 acre with no limiting site conditions for conventional systems.</p> | <p>Centralized on-site wastewater treatment facilities include “package plants” and communal septic systems which may be a good option where sewer lines are not available and limiting site conditions restrict use of conventional septic systems. Establishment of a Service Area may require certification as a DMA or WMU.</p> |