MARICOPA ASSOCIATION of GOVERNMENTS

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September 6, 2007

TO: Members of the MAG Water Quality Advisory Committee

FROM: Roger Klingler, City of Scottsdale, Chair

SUBJECT: MEETING NOTICE AND TRANSMITTAL OF TENTATIVE AGENDA

Monday, September 17, 2007 - 4:00 p.m.
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

Please park in the garage underneath the building. Bring your ticket to the meeting; parking will be validated. For those using transit, the 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.

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.

Members of the MAG Water Quality Advisory Committee may attend 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.

Please be advised that under procedures approved by the MAG Regional Council, all MAG committees need to have a quorum to conduct the meeting. A quorum is a simple majority of the membership. If you are unable to attend the meeting, please make arrangements for a proxy from your entity to represent you.

TENTATIVE AGENDA

	COMMITTEE ACTION REQUESTED
1. Call to Order	
2. Agenda Announcements	2. For information.
3. 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. For information.
4. Approval of the August 7, 2007 Meeting Minutes	4. Review and approve the August 7, 2007 meeting minutes.
5. Draft Small Plant Review and Approval for the Proposed City of Peoria Scorpion Bay Wastewater Treatment Plant On July 3, 2007, the City of Peoria sent a letter to MAG requesting that MAG review the proposed Scorpion Bay Wastewater Treatment Plant through the Small Plant Review and Approval Process of the MAG 208 Water Quality Management Plan. The proposed facility would have an ultimate capacity of 35,000 gallons per day and reclaimed water would be disposed of through on-site irrigation reuse at the Scorpion Bay Marina. The project is located within the Peoria Municipal Planning Area and Lake Pleasant Regional Park that is managed by Maricopa County. The right to use the land	5. Review and recommend approval of the Draft 208 Small Plant Review and Approval for the proposed City of Peoria Scorpion Bay Wastewater Treatment Plant as part of the MAG 208 Plan.

for the Scorpion Bay Marina has been granted through an agreement with the Maricopa County Parks and Recreation Department. Maricopa County has also provided a letter indicating that they do not object to the proposed wastewater treatment plant. In addition, Yavapai County is within three miles of the project and have indicated no objections.

The Committee will be requested to make a recommendation to the MAG Management Committee on the Draft 208 Small Plant Review and Approval for the proposed City of Peoria Scorpion Bay Wastewater Treatment Plant as part of the MAG 208 Plan. Please refer to the enclosed material.

6. Triennial Review of Surface Water Quality Standards

The Clean Water Act requires that each State at least once every three year period hold public hearings for the purpose of reviewing applicable water quality standards and, as appropriate, modifying and adopting standards. The Arizona Department of Environmental Quality is currently in the process of the Triennial Review of Surface Water Quality Standards. A presentation will be provided by the Department staff.

6. For information and discussion.

7. Call for Future Agenda Items

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

7. For information and discussion.

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

Tuesday, August 7, 2007
MAG Office Building
Phoenix, Arizona

MEMBERS ATTENDING

Roger Klingler, Scottsdale, Chair
Marilyn DeRosa, Avondale
Steve Borst for Lucky Roberts, Buckeye
Jacqueline Strong, Chandler
Greg Stack, El Mirage
*Lonnie Frost, Gilbert
Chris Ochs, Glendale
David Iwanski, Goodyear
Bill Haney, Mesa
Stephen Bontrager, Peoria
Robert Hollander, Phoenix
Rich Williams Sr., Surprise
David McNeil, Tempe
David Bodiya for Kevin Chadwick, Maricopa County
John Boyer, Pinnacle West Capital
Jim Kudlinski for Ray Hedrick, Salt River Project
Erin Taylor, U of A Cooperative Extension

*Those members neither present nor represented by proxy.
#Attended by telephone conference call.

OTHERS PRESENT
David Wilcox, Town of Buckeye
Scott Lowe, Town of Buckeye
Neil Rosenkrans, Town of Buckeye
Garry Hays, Henderson Law Firm
Trevor Hill, Global Water
Doris Heisler, Tonopah Valley Association and Tonopah Resident
Daryl Manhart, Burch & Cracchiolo
John Teixeira, Tonopah Fire
Dan Evans, DSE and Associates
Caryl Maniscalco, Tonopah Resident
Mary Widner, Tonopah Resident
Steve Brittle, Don't Waste AZ and AZ Nuclear Energy Watch
Wayne Nelson, Del Monte Missionary Baptist Church
Robin Bain, Global Water/Hassayampa Utility Company
Rod Jarvis, Henderson Law Firm/Hassayampa Ranch
Lloyd Rogers, Tonopah Resident
Janet Hauck, Glennie Reporting Services
Jack Arend, Tonopah Resident
Paul Gilbert, Beus Gilbert
Felipe Zubia, Beus Gilbert
Bob Hathaway, Tonopah Resident
Ron Bonz, Tonopah Resident
Vivian Tyk, Tonopah Resident
Ed Tyk, Tonopah Resident
Edwina Vogan, Arizona Department of Environmental Quality
Linda Taunt, Arizona Department of Environmental Quality
Graham Symmonds, Global Water
Ron Fleming, Global Water
Rebecca Allen, West Valley View
Paul Roetto, Tonopah Resident
Kevin Bright, Arizona Game and Fish
Julie Hoffman, Maricopa Association of Governments
Patrisia Navarro, Maricopa Association of Governments
Kelly Taft, Maricopa Association of Governments
John Power, Maricopa County Environmental Services Department

1. Call to Order

A meeting of the MAG Water Quality Advisory Committee was conducted on Tuesday, August 7, 2007. Roger Klingler, City of Scottsdale, Chair, called the meeting to order at approximately 4:06 p.m. Stephen Bontrager, City of Peoria, attended the meeting via telephone conference call. Chair Klingler noted that written comments for the Public Hearing, agenda item five, are at each place.

2. Agenda Announcements

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

3. Call to the Audience

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

4. Approval of the June 6, 2007 Meeting Minutes

The Committee reviewed the minutes from the June 6, 2007 meeting. Chris Ochs, City of Glendale, moved and Robert Hollander, City of Phoenix, seconded, and the motion to approve the June 6, 2007 meeting minutes carried unanimously.

5. Public Hearing - Draft MAG 208 Water Quality Management Plan Amendments for the Hassayampa Utility Company Northeast Service Area and Hassayampa Utility Company Southwest Service Area

Chair Klingler opened the Public Hearing on the Draft MAG 208 Water Quality Management Plan Amendments for the Hassayampa Utility Company Northeast Service Area and Hassayampa Utility Company Southwest Service Area. He indicated that the hearing would begin with a briefing on the projects, followed by an opportunity for hearing participants to make comments on the draft 208 plan amendments for the public record. He added that a Court Reporter was present to provide an official record of the hearing and written comments were also welcome. Chair Klingler invited members of the public wishing to provide comments to fill out a yellow card and submit it to MAG staff. Chair Klingler asked Paul Gilbert, Beus Gilbert, and Trevor Hill, Global Water, to provide a briefing on the Northeast 208 Plan.

Mr. Gilbert indicated that he represents Global Water and the Hassayampa Utility Company. He introduced Trevor Hill, the President and CEO of Global, as well as Ron Flemming, the General Manager, and Robin Bain and Graham Symmonds, Engineers of Global. He stated that he is present to represent both Global and Belmont, which is a large 25,000 acre approved development master plan (DMP) project in the County. He indicated that Belmont is dependant on the 208 Amendment. The 25,000 acre project, which involves State land, cannot go forward until the 208 Amendment is processed. Also dependant on this 208 Amendment going through in a timely manner are Hassayampa Ranches, consisting of 2,000 acres, and Anderson Farms of 3,000 acres. These developments are in the service area and are unable to go forward in the County even though the DMPs have been approved. Mr. Gilbert mentioned the policy adopted by the County regarding the process of moving forward beyond the DMP. The County has adopted a rule that one cannot take the case forward in the County for zoning or preliminary plat approval until the 208 Amendment Process has been completed. He stated that there are three projects in the service area that are dependant on the 208 Amendment. He indicated that this is why continuance of this matter would have such a devastating effect on these projects which are ready to go forward but for this 208 Amendment.

Mr. Gilbert mentioned that several technical issues were raised at the meeting conducted in June 6, 2007 in which they were then and are now fully prepared to address. He stated that one major

concern raised by at least one Committee member was the need for time to review the document. He referred to the letter that was handed to him from the Town of Buckeye requesting an additional 120 days to further review this matter. He pointed out that Buckeye has had since June 6, 2007, the last meeting, to review the application. Mr. Gilbert stated that Global has called the Town of Buckeye and has offered to meet with them to discuss the case further and answer any questions. He added that to their knowledge the Town of Buckeye did not deem it necessary to meet with Global to discuss the case further prior to the hearing. Mr. Gilbert mentioned that if Buckeye really wanted to meet with Global to work something out, there should have been some dialogue between June 6, 2007 and the public hearing. He stated that Global was ready, willing, and able and offered to meet before the hearing; however, none of the overtures or offers were taken up by the Town of Buckeye.

Mr. Gilbert stated that Global believes and maintains that a sufficient amount of time has now elapsed since the June meeting in order to allow this matter to be thoroughly reviewed and the time has come to go further and have a hearing on the merits of this case. He indicated that the sole purpose of the hearing today is to determine one, that there is a need and whether Global complies with the checklist requirements for the proposed 208 Amendment. He mentioned that water issues raised at the June 6, 2007 meeting fall within the jurisdiction of the Arizona Department of Water Resources (ADWR) and are not within the purview of what should be decided in this meeting by this body. Mr. Gilbert stated that the two things to address are: is there a need and does Global comply with the checklist. He stated that first the need is rather self evident. There are several key master planned communities in this area that total almost 30,000 acres that are ready to go forward and have been approved by the County. However, with the County's policies requiring processing of the 208 Amendment first, they cannot go forward until the process is reviewed and completed. He indicated that he represents Belmont which is a 25,000 acre project and has been working on that project for 15 plus years, and are now in a position to go forward. He stated that the Belmont DMP has been approved, the amended DMP has been approved, and are now ready to file the zoning case. He indicated that all that remains in order to move forward is for the 208 Amendment to be processed. Mr. Gilbert added that it would be a significant hardship for Belmont to continue this case any further. He stated that the other developers are in a very analogous position and are stuck as Belmont is and cannot go forward as the Committee will hear. He mentioned that Global already holds the water and the sewer Certificate of Convenience and Necessity (CC&N) in the 208 area for Hassayampa Ranches.

Mr. Gilbert indicated that the Arizona Department of Environmental Quality (ADEQ) had some controversy recently between some applicants in connection with the 208 Amendment. He added that ADEQ made it very clear that the determining factor in deciding who gets to serve the area is not the 208 Amendment that generates from MAG, but it is the one who holds the CC&N. Mr. Gilbert stated that Global holds the CC&N for the Hassayampa Ranches; therefore, Global is the only one that can serve Hassayampa Ranches and no one else has that authority. The CC&N has been granted and there is no need to go any further to allow some possibility of another jurisdiction to serve Hassayampa Ranches, Belmont, Anderson Springs Development or any other development in the area when there is no possibility for another entity to provide the service that will be provided by Global in connection with the 208 Amendment. Mr. Gilbert stated that another crucial point is that there is not one parcel of property that is located anywhere in the jurisdiction of this 208 Amendment that is in a municipal planning area. It has been processed to be developed in the County and the

only entity available to develop this is Global, the applicant that is before the Committee. He mentioned that Maricopa County, in their legislative capacity, has reviewed and approved the projects. The projects have been contemplated and are now contemplated to be developed in the County. Mr Gilbert indicated that the Hassayampa Utility Company is going through the required process in order to provide the necessary water and sewer infrastructure.

Mr. Gilbert stated that Global has met the requirements of the 208 Amendment checklist and the County is the sponsor and has reviewed the application. He referred to comments made at the last meeting about giving deference to a MAG member. He mentioned that the County is also a member and are representing to the Committee that they have reviewed the checklist and all of the requirements have been met. Mr. Gilbert stated that there is no reason not to approve this case. Global can perform all the functions that need to be performed to comply with the 208 Amendment checklist. He stated that one item on the checklist is the requirement that the Hassayampa Utility Company can perform the functions of a Designated Management Agency (DMA). He added that he is very familiar with the requirements of a DMA and Global can perform those functions. He mentioned that a representative from ADEQ is in attendance and can verify and discuss this in more detail with the Committee, if necessary. Mr. Gilbert stated that another issue in the checklist is pretreatment requirements. He mentioned that Global Water has a comprehensive set of requirements for pretreatment and has prohibited restrictive waste and penalties attendant thereto. Mr. Gilbert discussed that Global Water Resources is a well capitalized large organization and Mr. Hill will mention other Global projects and demonstrate that Global has the capital equivalent to and in some instances more than some municipalities. He summarized his points that Global has met the checklist requirements and that there is a need for the amendment. He added that these reasons here are compelling arguments to not continue this case but to make a recommendation of approval.

Chair Klingler asked if Global has the CC&N for the water and sewer for Belmont like it has for Hassayampa Ranches. Mr. Gilbert replied no. Chair Klingler inquired about the situation for Belmont and Anderson Springs. Mr. Gilbert stated that he could not speak for Anderson Springs but Global is in the process with the full cooperation of Belmont to apply for that CC&N. He added that every single developer in the 208 area is here in support of this 208 Amendment moving forward.

Mr. Hill presented a brief overview of the Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area. He mentioned that Hassayampa Utility Company is a wholly-owned subsidiary of Global Water. Mr. Hill addressed Chair Klingler on the status of the CC&N. He stated that Global owns the CC&N for Hassayampa Utility Company and that is already in place for Hassayampa Ranch. He indicated that the Water Utility of Greater Tonopah (WUGT) which is owned by Global is the water component that is also in place for the Hassayampa Ranch. He added that Global is waiting for the public hearing for both of those applications for expansion onto Belmont to reach sufficiency, which is expected later this month. He added that WUGT has about 64 square miles in other areas of Tonopah.

Mr. Hill outlined that he will be speaking on the service area technical 208 elements. He stated that he will talk about the location of the proposed Water Reclamation Facilities (WRF) and dispel sentiments that he read with respect to discharge and reuse and what that means. Mr. Hill mentioned that Global has had near term fresh experience with the DMA issue. He stated that Global Water Resources is a company designed to acquire the small or undercapitalized private utilities, integrate

the water and wastewater companies together, and bring Global's water reclamation reuse vision into those companies and provide a total water management plan. He added that Global has acquired sixteen regulated water or wastewater companies in the state and is probably the third largest private utility company in the state. He mentioned that Global was started with the vision for water conservation. He stated that he will discuss how far Global has gone with respect to recharge and reuse activities and how much time was spent deploying capital in places like Maricopa and Casa Grande region where they have very significant utilities with a lot of customers and very low water consumption based on Global's conservation mandates.

Mr. Hill discussed the Global Water staff and stated that the company was designed to tackle the private water company dilema in the state. He mentioned that all Global utilities are regulated by the Arizona Corporation Commission (ACC). He added that Global has approved and existing CC&N's that are issued by the ACC inside of the 208 application and both CC&N's are in the process of being expanded and have been found sufficient by the ACC. Mr. Hill stated that one of the beliefs is that water and wastewater utilities need to be integrated in order to allow the opportunity for recycling, reusing, reclaiming, and recharging water. He added that Global has attempted to button water and wastewater utilities together to the extent possible to provide total water management plans in the areas Global serves. In addition, the plans allow consolidation of smaller and undercapitalized utilities that did not have the resources to plan the region. Mr. Hill noted that in this master plan for water, wastewater and recycled water, Global is planning to bring renewable surface supplies into the region that are beyond the 208.

Mr. Hill displayed a map of the boundaries of the northeast 208 planning area. He stated that one of the things the Committee will appreciate is that there has been a trend under the direction of ADEQ and Maricopa County Environmental Services to do regional planning. In the last several years ADEQ and Maricopa County have been very unequivocal on building regional plans beyond the scope of individual developments. He added that Global has attempted to build a regional plan that caters to all the planning for the area and to include all the development that is intended to occur in that area under the same total water management plan concept. Mr. Hill presented a map of the existing and pending CC&N applications for water and wastewater. He stated that this application includes approximately 63 square miles and Global has located four water reclamation facilities to maximize the use of recycled water and to provide local regional treatment. He added that Global wants to build a system that is designed to have the recycled water production facility close to where the actual need of that recycled water will be in the future. Mr. Hill stated that these facilities are about ten million gallons a day (mgd) which is a nice size for the redistribution of recycled water for both recharge and reuse. He mentioned that it reduces the cost for the end users and is an efficient, effective way of developing. He noted that the total flow for the region is 44.6 mgd.

Mr. Hill presented a 20 year plan, how the facilities will develop over time and the number of units the facilities are intended to serve over the next 20 years. He showed a description of the four water reclamation campuses that are suggested in the 208 Amendment and the locations of the facilities. Mr. Hill mentioned that recharge is a significant part of the overall plan. A philosophy used by Global is that they reuse the water to the extent possible for beneficial reuses while its being produced, but seasonally, the demand for recycled water ebbs. In those periods you either recharge the excesses or recover the deficit according to the seasonal demand and that is a philosophy embodied in this plan. He noted that recharge activities will happen at the WRF sites, but also the plan does not limit Global to have recharge facilities in other areas. Mr. Hill stated that Global owns

the largest private water recharge facility in the state at the top of the Hassayampa River where the river crosses the CAP Canal. He stated that Global has a 25,000 acre foot per year recharge facility that is currently in operation. Mr. Hill added that Global has a permit to build and operate an additional 25,000 acre foot per year recharge facility. He mentioned that Global is completely committed to recharge and is already recharging in this area.

Mr. Hill stated that the total water management plan is comprised of several components and this proceeding focuses on the wastewater side. Global is using both groundwater and surface water in the plan. He mentioned that Global's plan is to minimize to the extent possible the use of groundwater and reuse is a big part of this overall plan. Mr. Hill mentioned that one of the areas that Global serves, Maricopa, has a very significant reuse plan underway, probably the largest private water reuse program in the state. He stated that as a result of those planning attributes, the City uses approximately sixty percent of the water that other communities use. Mr. Hill indicated that Global has already had a dramatic decrease in overall water consumption in the communities it serves. He stated that by reusing beneficially water that is treated to Class A+ standard and used immediately, you could actually save from withdrawing that amount of water from the groundwater. Reuse is a very efficient way of minimizing groundwater use in the area and to that extent, Global has a massive water reclamation reuse, recharge plan in place in a master plan for the region. Mr. Hill mentioned that reuse and recharge stretch the water supply, and protect and enhance the groundwater. He noted that reuse has less of an impact on total dissolved solids (TDS) for example in the groundwater. He added that one reason to limit recharge is to minimize increasing salt impacts on groundwater.

Mr. Hill stated that this plan also has Arizona Pollutant Discharge Elimination System (AZPDES) discharges which are permits for discharge to Waters of the United States. These discharges are designed to be emergency only. He indicated that Global tries to reuse and recharge 100 percent of the water. He added that this is a zero discharge plan; however, you always want to have a safety belt in the event of massive rain for instance. For those few days, the amendment calls for a limited number of AZPDES discharge points.

Mr. Hill discussed the financial capacity of Global. He stated that Global was designed to infuse capital into small water and wastewater utilities. Global has deployed about $200 million of capital to the Town of Maricopa. Mr. Hill added that Maricopa would not have been able to deploy that level of capital to their regional total water management plan. He mentioned that sometimes it can be shown that a private company can actually have better access to capital and better ability to deploy infrastructure than the small towns or undercapitalized municipalities. He added that this is the case here. Mr. Hill stated that Global continues to be very well capitalized and they also issue Industrial Development Authority (IDA) notes on a regular basis. He added that these IDA notes are issued on a tax exempt basis. Global will fund the initial phases of these facilities with equity and that is an opportunity that often times municipalities do not have. He mentioned that this will allow for a very high quality of infrastructure and not relying on developers to put up the money for the initial phase of the infrastructure. Mr. Hill stated that Global is regulated by the ACC, which means that the rate payers in the area will always have the protection of the ACC. Mr. Hill stated that Class A+ reclaimed water is distributed and sold within the system and/or recharged with tariffs that are set by the ACC. Global has already had to meet the financial capacity required by Maricopa County Environmental Services as to HUC's ability to meet the financial tests with respect to the first phases of development.

Mr. Hill stated that the Environmental Protection Agency (EPA) required in the last 208 submission by Global in Pinal County to demonstrate that a private company has the ability to emulate a DMA. He added that Global had to build the proof that private utilities in unincorporated and incorporated areas had, through the various regulatory bodies, including the ACC, those requirements that allow these private water and wastewater utilities to emulate the DMA. Mr. Hill provided the steps relating to Global's control over significant industrial users.

Mr. Hill discussed the environmental impacts and benefits. He mentioned that there is a need and that the developers are ready to move. Mr. Hill noted that when having a total water management plan from the beginning and capitalizing it correctly, there are tremendous conservation benefits. He stated that he thinks there will be a 40 percent reduction in typical water withdrawal from the area on the basis of the plan. Mr. Hill indicated that DWR is promoting this very heavily and ADEQ has already written the regulations for advanced water reclamation reuse as well as a significant recharge program for the region. He noted that it goes to the preservation of groundwater. He indicated that as he walked in the meeting he was handed a letter about this particular development having a negative impact on groundwater withdrawal, and that is simply not the case. Mr. Hill stated that the plan will reduce groundwater to the extent technically feasible. He indicated that there are no regulations in the State that require conservation; however, many cities and Global have voluntarily capitalized and built massive reuse projects. The developers have agreed to underwrite to some extent a very aggressive water reuse plan. This reduces the reliance on groundwater and gives more opportunity to recharge the aquifer.

Steve Borst, Town of Buckeye, referred to the letter from the ACC provided to the Committee. He asked if the statement that HUC currently holds CC&N s that covers the application area was correct. Mr. Hill responded that he did not write the letter and does not have the letter in front of him. Mr. Borst asked if Global currently holds a CC&N for the application area. Mr. Hill responded that the 208 is not a service area nor a licensing tool. He added that it is a planning area for managing discharges to Waters of the United States and Global does hold the CC&N area for the Hassayampa Utility Company. Mr. Hill showed the regional planning area on a map.

Mr. Borst asked if Global has a CC&N for the 64 sections. Mr. Hill responded that Global does not. Mr. Borst inquired if Global has a CC&N for Hassayampa Ranch. Mr. Hill replied yes. Mr. Borst asked if the CC&N is conditioned or preliminary based on the MAG approval. Mr. Hill responded that all CC&Ns issued by the ACC are conditioned with numerous conditions. Mr. Borst asked if the CC&N being granted is conditioned upon the approval of MAG. Mr. Hill stated that he would not say it is conditional. He referred to "order preliminary" which is a truly conditional CC&N. He stated that in this case, the CC&N has been issued and its in full force and effect, but there are conditions on water and wastewater, many other things that they have to meet within a certain period of time. Mr. Borst asked if the CC&N would expire if Global did not meet those conditions. Mr. Hill responded that in his experience the ACC does not revoke or cancel a CC&N but rather gives extensions for extenuating circumstances.

Mr. Borst inquired about Belmont being in the process for 15 years with Maricopa County. Mr. Gilbert responded that is correct. Mr. Borst asked for an explanation of the water quality referenced in the presentation called A+ and asked for clarification how that water quality criteria is related to water quality under the Clean Water Act Section 208. Mr. Hill stated that A+ designates the highest order that ADEQ currently regulates to in the State, "A" represents a less than 10 biochemical

oxygen demand/total suspended solids (BOD/TSS) constituent loading, and "+" designates that the facility is capable of removing nitrate to a level of also less than 10 milligrams per liter. He added that is the highest standard for the State and it is also the standard that is called out for reuse applications for a wide range of beneficial uses. Mr. Borst asked if it was a State water quality requirement. Mr. Hill responded that it was an ADEQ discharge requirement, as in reuse. Mr. Borst inquired if it was related to discharge to Water of the U.S. or National Pollutant Discharge Elimination System (NPDES) permit. Mr. Hill replied that it was not specifically. Mr. Borst asked which water quality Global is intending to have for release under a Clean Water Act NPDES permit, relating to the designated uses. Mr. Hill responded that the concepts are slightly unrelated. The EPA and the AZPDES permit stand on their own merits and the ADEQ A+ standard is a State regulation for reuse. He added that Global will achieve A+ or better and that will be the recycled water. Mr. Hill stated that those same standards would be the standards for the water that was going to be recharging to the environment be met. Mr. Borst asked if the water quality parameters are State water quality parameters, A+. Mr. Hill responded yes.

Mr. Borst inquired about Global Utilities CAP allocations for recharge. Mr. Hill replied that Global does not have any CAP allocations for recharge. Mr. Borst asked what access would Global have to the water Mr. Hill was claiming that Global was recharging. Mr. Hill responded that there are two programs available in the State, one is Excess M & I Water which is water that is allocated to other parties but currently they cannot or do not use it. He stated that you can buy that water and recharge it. He added that there is also a project called Recharge Incentive Water, incentive generated by CAP for private and public users to recharge waters as vigorously as they can and Global is part of that program. He stated that this particular water is recharged incentive water and Global buys as much of it as possible. Mr. Borst commented that if Global does not own the surface water that they are recharging than the assumption would be that Global will be primarily relying on groundwater. Mr. Hill replied that it is a safe yield basin. He added that this is the Phoenix Active Management Area (AMA). He indicated that this is a water related question and a water answer, but in Phoenix, this particular water designation would likely be a member service area of the Central Arizona Groundwater Replenishment District (CAGRD) and they will have the legal requirement to recharge on a one for one basis to achieve a safe yield for every gallon of water that is withdrawn from the basin. He added that Global will supplement that and reduce their reliance on CAGRD as many cities have by infusing Global's own recharge activities and reducing through Global's total water management practices, the amount of water that Global withdrew out of groundwater from that area.

Rich Williams, City of Surprise, stated that the Committee received a letter from a Tonopah resident expressing some concerns and asked for clarification where the Tonopah community is in relationship to the proposed service area. Mr. Hill responded that it is all County land. He added that the Tonopah Community is at 411th Avenue, although the community association is represented by people who live anywhere west of the Hassayampa River. Mr. Williams inquired if Global has engaged that community in preparation of the 208 proposal or interacted with any of the adjacent County residents in that area. Mr. Hill replied that Global has been in the West Valley over the last several years, and he makes it a practice to be in the community that is served by Global. Mr. Williams asked if there is any specific information or documentation, group meetings or casual meetings one on one. Mr. Hill responded that to his knowledge he has done two public presentations in that region. Mr. Gilbert stated that he represents Belmont and they have held over 20 neighborhood meetings in connection with that application and in every application have indicated

that they were going to pursue a 208 Amendment with Global being the proposed user. He added that there are also representatives present from that area who can verify that there have been numerous meetings. He stated that it was thoroughly discussed with them and some of those meetings were attended by as many as 100 to 150 people.

Mr. Hill gave a brief overview of the Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Southwest Service Area. Mr. Hill mentioned that this is a similar presentation with the same companies involved, same capital structures, and same total water management plan for the region. Mr. Hill presented a map of the service area, located south of I-10, where the facility would be located and the WUGT CC&N existing areas. He showed the location of the expansion of the Hassayampa Utility Company wastewater CC&N application, to bring the integrated water and wastewater utility concept together. Mr. Hill mentioned that the 208 is not a service area or a licensing tool. He added that the ACC requires that a developer request service from a utility, and it is often the case that a 208 is larger and regional, and CC&N's are granted on a need basis. Mr. Hill stated that this will create a need for regional planning and overall planning but you can only make the CC&N applications when the developers are ready to final plat.

Chair Klingler inquired about the East, West, and South boundaries of the service area. Mr. Hill replied that the far western extremity is about 460th Avenue and that it bounds the other 208 application directly and contiguously. Chair Klingler stated that it is about 363rd Avenue then on the East. Mr. Hill showed the location of the Salome Highway and Palo Verde Nuclear Reactor in relation to the service area.

Mr. Hill mentioned that the plan is to serve about 91,000 ultimate units which is considered full density in every section of land. He added that this is not likely in light of the properties that are there now, but the 208 process calls for a comprehensive look at maximum density so regional planning can be done at that level. Mr. Hill mentioned that this equates to nearly 32 million gallons a day per the Maricopa County standard, which is very conservative. He added that 350 gallons per unit per day is a very high number and that Global sees about 150 gallons per unit per day. He noted that this is a planning number that inflates the magnitude of these particular facilities.

Mr. Hill presented the proposed buildout of the site over the 20 year proposed planning period. He stated that it will probably take longer in real terms to get to those types of densities, but is a look at what the actual total buildout could be at maximum density of the region. Mr. Hill showed the extent of the wastewater CC&N's that are pending. He added that the ACC has been driving toward integrating utilities and regional planning as well as consolidating small undercapitalized utilities. He presented the location of HUC noncontiguous, but same CC&N under the same corporate umbrella. Mr. Hill displayed the location of the one water reclamation facility that is also an advanced Class A+ facility that will serve the needs of the entire area. He stated that the standards are the same, same premise, same total water management plan proposed as well as the financial capability as the first presentation. He mentioned that the DMA capability proof and environmental impacts and benefits were exactly the same for this plan as the first presentation. He stated that this is a plan where the facilities and treatment process are all ones that have undergone the scrutiny of ADEQ already from an APP perspective and Global's reuse activities, recharge, etc., since it is what Global has done in other parts of the State.

Chair Klingler provided an opportunity for Committee questions regarding the projects. He stated that at this time public comments are invited. Chair Klingler requested that the speakers please adhere to the three minute time limit.

Chair Klingler recognized public comment from David Wilcox, Town of Buckeye Town Manager, 1101 E. Ash Avenue, Buckeye, Arizona. Mr. Wilcox stated that he appreciated the opportunity to speak with the Committee. He referred to the written comments that were provided to the Committee by the Town of Buckeye and would like to point to those comments as raising objections to the requested 208 Amendment. Mr. Wilcox stated that Buckeye would like to stand by those comments. He mentioned that after hearing the presentation he would like to add just a couple of observations. He stated that apparently the Town of Buckeye and Global Water have a failure to communicate. Mr. Wilcox mentioned that Mr. Gilbert stood before the Committee and said that representatives of Global Water have called the Town of Buckeye and Mr. Gilbert had indicated on numerous occasions, making overtures to speak with Buckeye since the June 6th meeting. He stated he is not sure who those calls were made to but they were not made to him. Mr. Wilcox indicated that the Town of Buckeye in its comments is indicating to the Committee that it would like more time to talk to Global Water about the amendment and to be sure that they can work together to take care to make decisions in the interest of the region of the Hassayampa Valley and in the interest of the environmental and water quality and sustainability in that area. He mentioned that this has not occurred. He stated that the reason for mentioning failure to communicate is because during that June/July period of time, he emailed Mr. Hill of Global Water and indicated to him that he would like to talk about many issues and would stand by the position that Buckeye is holding that this decision should be delayed until they have a discussion. Mr. Wilcox indicated that and he did not receive a reply to that email. Chair Klingler thanked Mr. Wilcox for his comments.

Chair Klingler recognized public comment from Paul Roetto, 3708 N. 339th Avenue, Tonopah, Arizona. Mr. Roetto stated that he was speaking as a community member although he is the president of Tonopah Valley Community Council (TVCC) and is involved in several other community organizations. He stated that he supports Global Water's regional comprehensive water plan and is requesting that the Committee approve the amendment based on other programs that they have in effect. Mr. Roetto indicated that he feels Global is more than qualified to provide services to the Tonopah area. He mentioned that as president of TVCC, Global Water came to speak with them approximately 18 months ago and he met with Trevor Hill several weeks ago and the similar plan that they presented when they first bought the Greater Tonopah Utility Company. Chair Klingler thanked Mr. Roetto for his comments.

Chair Klingler recognized public comment from Steve Brittle, president of Don't Waste Arizona and a member of the Arizona Nuclear Energy Watch. He stated that he saw in the minutes that were approved his comments so he will not be redundant. Mr. Brittle mentioned that he brought some material for the record that he will leave with the Court Reporter. The material is from the Nuclear Regulatory Commission (NRC), and is a record of the year 2004 radioactive effluent release, basically, his concerns about the radioactive emissions from the facility, so it is quantified here for the Committee to review. He added that he also brought an article that points out the relationship between the proximity to nuclear plants and infant mortality rates. He added that the article regards a study that showed that when five different nuclear reactors were closed, the infant death rates under 40 miles from these nuclear plants fell 15 to 20 percent from previous years, and this continued for seven more years. He indicated that there were also plunges in the rates of newly diagnosed

leukemia and cancer cases and birth defect deaths in children under five years of age. Mr. Brittle commented that if the Committee allows these projects so close to Palo Verde people will move there. He indicated that he has already expressed the concerns about the ability to evacuate people from the area. There is a ten mile radius of evacuation in case of a nuclear incident. Mr. Brittle mentioned that Palo Verde is a troubled facility. He referred to people rebuilding near volcanoes that wiped out previous population. He indicated that someone in the government has to be responsible and take a look at that. Mr. Brittle stated that it would have a been a better idea if the public hearing was in the vicinity of the community that is affected. Chair Klingler thanked Mr. Brittle for his comments.

Chair Klingler recognized public comment from Doris Heisler, Tonopah Valley Association, 3002 N. 423rd Avenue, Tonopah, Arizona. Ms. Heisler stated that she was the projects director of the Landowners Association, Tonopah Valley Association, and a resident of Tonopah. She stated that she has met and been in attendance at meetings with Global Water Resources and has seen Powerpoint presentations of the water and wastewater systems that Global provided to the towns of Casa Grander and Maricopa, AZ. She mentioned that the information was impressive with the statistics and graphs Global has shown as well as the infrastructure pictures and diagrams of systems Global has provided to the residents of the towns of Casa Grande and Maricopa. She added that Global has separate lines running to the homes for potable water, nonpotable water and sewer. Ms. Heisler stated that Global feels recharge is important and have expressed that they intend to recharge in several designated areas. She added that Global is interested in recycling and reusing the water more times than is customarily done, so that more use and less waste is derived from the water, thereby requiring that less water be pumped from ground wells. She mentioned that Global is serious about groundwater conservation. She added that the Tonopah Valley Association feels that Global is technically capable of providing good wastewater treatment needs for the various developments proposing to locate in the Tonopah Valley. Ms. Heisler stated that Global is a well capitalized company and can afford to put in the infrastructure as well as various components and plants necessary for the proper delivery, treatment, distribution and recharge of the water and wastewater for the area. She indicated that Global has already made major investments in the systems installed in Casa Grande and Maricopa, as well as in their own facilities, and have indicated the desire to make the necessary investments in the Tonopah Valley to insure successful operating systems. She added that Global has a large staff of engineers and other professional people to construct, operate, and maintain good regional systems for the Tonopah Valley which may eventually allow hookups of current and future businesses and residences to take them off septic systems.

Ms. Heisler stated that the Tonopah Valley Association feels that Global is financially able to provide the services. She mentioned that Global bought the Water Utilities of Greater Tonopah in order to provide water service to the local developments and make it available to other businesses and residences in the future. The Tonopah Valley Association understands that Global is in the process of upgrading and improving the condition of the water systems that were purchased to make them more reliable and efficient. Ms. Heisler stated that it is understood that the Town of Buckeye, as a municipality, feels that it can provide wastewater services to the proposed developments West of the Hassayampa River better than a private company. She added that they are concerned that if Buckeye is allowed to provide those services to the developments in Tonopah Valley that it could result in those developments having to annex into Buckeye in order to receive those municipal services. Chair Klingler asked Ms. Heisler to sum up her comments since her three minutes have

elapsed. Ms. Heisler stated that the Tonopah Valley Association has been concerned for many years about the desire of Buckeye to annex part of Tonopah Valley and have blocked attempts of them to do so several times in the past. She mentioned that they want to retain their own identity as Tonopah and not be part of Buckeye. Ms. Heisler stated that Tonopah Valley Association does not want the developers to annex into Buckeye in order to get their municipal waters. She indicated that they feel that Global Water Resources has a proven track record. She added that the Tonopah Valley Association is requesting that MAG please approve Maricopa County's sponsorship of the 208 and allow Global Water Resources to provide the needed regional wastewater services for the proposed developments. She indicated that a lot of people form Tonopah are present in support. Chair Klingler asked that those in support stand so the Committee is aware. Ms. Heisler stated that Global has made several presentation to Tonopah residents and have met with them individually as well. Chair Klingler thanked Ms. Heisler for her comments.

Chair Klingler recognized public comment from Garry Hays, Henderson Law Firm, on behalf of Harvard Investments which is the owner and developer of Hassayampa Ranch. Mr. Hays stated that Global, Belmont, and Hassayampa Ranch have met with the residents of Tonopah. He added that Harvard Investments has worked on this project over two years and his partner, Rod Jarvis, has gone out to Tonopah several times over the last two years to meet with people to address some of the issues presented before the Committee. Mr. Hays stated that Tonopah residents like what is being proposed to this Committee. Mr. Hays mentioned that a year ago he stood before the Committee when Balterra was up and the County was sponsoring it with another utility company and there were landowners, some that he represented, who were opposed to the 208 going forward. Mr. Hays stated that this is a similar situation today except a municipality is the one that is opposed to it going forward. The gest of the meeting from last year was that there were no technical issues and the Committee will move forward. There was no reason for delay and that was the outcome of the meeting that was held a year ago on the same matter and that has to be the outcome of this meeting today. He mentioned that there are no technical reasons to delay this matter from moving forward. Mr. Hays added that Maricopa County, a member of MAG, is sponsoring this amendment. He stated that Mr. Bodiya who works on 208 has said that it is technically correct and John Power, Director of Maricopa County Environmental Services is here so it must be technically correct. Mr. Hays stated that there are no reasons for delay, we must move this forward. He indicated that one other difference between this year and last year, as Mr. Gilbert put it, there is no property that is within a municipal planning area. Last year there were property owners that did not want to be in the 208 and this Committee said it does not matter, there are no technical issues. This year, to his knowledge, all the property owners want to be in the 208. He stated that the Committee is in the same position as last year with Maricopa County being the sponsoring entity. The Committee said the sponsoring entity is present, there are no technical issues and the Committee will move it forward. Mr. Hays stated that he thinks the Committee has to do the same today.

Chair Klingler stated that the Committee appreciates the public comments and that the Committee will be considering them. He provided an opportunity for the Committee to discuss or ask any questions of the HUC representatives while the public hearing was open. Hearing none, he then closed the public hearing and requested that the Court Reporter end the transcription.

6. Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area.

Chair Klingler indicated that the Committee is requested to recommend approval of the Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area. He provided an opportunity for discussion and consideration of public comments received.

Mr. Borst indicated that the Town of Buckeye wished to make a motion which is consistent with the letter that was provided from Buckeye. He indicated that the Town of Buckeye respectfully requests that the Water Quality Advisory Committee extend the public notice period for an additional 120 days to allow time to accomplish three objectives: 1) allow adequate time for the applicant to work cooperatively with the Town on this application and to address the concerns that the Town has on the effect of water quality and sustainability of the Hassayampa Lower Sub-Basin watershed and aquifer; 2) improve the delineation of the boundaries of the service areas, particularly the Northeast Service Area, requested for the sewage treatment facilities, the siting of these facilities, and the disposition of effluent with respect to the comprehensive management of water resources and assurance of water quality in this area; 3) inclusion of the proposed sewage treatment facilities into the effluent management strategy that the Town of Buckeye is currently heavily invested into for the Hassayampa Lower Sub-Basing model. Mr. Williams seconded the motion. Chair Klingler asked if there were any question or comments from the Committee on the motion.

Mr. Hollander stated that he has heard a lot of compelling arguments on this issue and water resource issues are an area of great emotion, especially in desert regions of the State. He indicated that he sees a restrictive look at this issue to the 208 Plan in that its just related to wastewater management and regional wastewater management and he does not think that those water supply quantity issues are germane to this process.

Bill Haney, City of Mesa, stated that he understands and sympathizes with Buckeye's concerns and position, but the Committee is deliberating a 208 process which is a surface water quality standard issue. He indicated that it goes back to the Clean Water Act 1972, Public Law 92-500. He stated that 208 at that point in time addressed surface water quality standards and regional planning to achieve surface water quality standards. Those rules over the years through the federal registers essentially have gone unchanged. Mr. Haney stated that our charge is the same as it was back then which is specifically the impact of surface water quality, not groundwater, drinking water, or recharge. He added that the Committee needs to restrict the deliberations to the impact of regional planning on surface water quality standards in the State of Arizona.

David Iwanski, City of Goodyear, stated that he was interested in Mr. Wilcox's comments. He indicated that he thinks it is incumbent upon everyone whether a municipality or a private utility, to improve communication skills. He indicated that this is an emotional, volatile, important issue. Mr. Iwanski discussed establishing protocols when a private utility has an issue to have each member of the Committee be the designated point of contact for their municipality to work with the private utility on the issue. He added that the private utilities should also have a designated person for their particular company to work with the municipalities on these kind of issues. He stressed that everyone should be improving on their communication skills.

David McNeil, City of Tempe, stated that he has heard several objections to approving this amendment. He indicated that one is the location, extent of recharge and whether the location and extent of recharge is consistent with strategic and adequate recharge plans for the region. He stated that based on written and verbal comments, there is an issue whether well pumping may have an adverse impact on the Town of Buckeye wells and whether reuse rather than recharge approach may not support the overall sustainability of the Sub-Basin aquifer. Mr. McNeil stated that all these objections are related to the responsibility of the Department of Water Resources, to protect water rights and groundwater pumping rights, and there are approval processes for all of those issues. He noted that there are approval processes for recharge as well. Mr. McNeil mentioned that he thinks the Committee would be over stepping their bounds to hold back on approving a Plan Amendment based on concerns that should be and are being addressed through the DWR procedures.

Marilyn DeRosa, City of Avondale, stated that she believes that in 1972 the authors of the Clean Water Act Section 208 lived in a different political environment and probably never dreamed that we would be sitting here today in Phoenix, Arizona talking about surface water impairment from discharges from treatment plants. She discussed the different environment in the arid Southwest. She added that not only is the environment different that we live in but there is a different political climate 35 years later. Ms. DeRosa stated that the Hassayampa River corridor and the disposition of the effluent is clearly important and for the Committee to not consider those issues would be like sticking our heads in the sand. She mentioned that she believes that the authors of the Groundwater Management Act in 1980 pretended that there was not a linkage between surface water and groundwater and today we know that it is not going to work to talk in those terms. She stated that she does not think it is unreasonable to provide some additional time to the Town of Buckeye to take a comprehensive look at the plan and work more directly and more cooperatively with the applicant.

Mr. Williams stated that it is very complex issue, and that the motion on the floor is not to deny the application but is simply to allow more time. He acknowledged that time is money in the private and public worlds. Mr. Williams mentioned that if there is a chance that communication has not been what it should be, the Committee owes the process the fact that it has the time to make those intelligent interactions.

Mr. Borst stated that to say that the Hassayampa River, Hassayampa Watershed, and the Lower Hassayampa Sub-Basin are disconnected is not logical. He added that the Hassayampa River is a surface water in Wickenberg that disappears and appears again at bedrock and then comes into the Lower Hassayampa Sub-Basin and disappears again. The name Hassayampa River means disappearing water in native terms. Mr. Borst stated that when Buckeye was looking at the application initially, it was primarily for the Hassayampa Ranches and then it was expanded much beyond the current boundaries that are planned by Maricopa County. He mentioned that the service area has a boundary of Buckeye's western municipal planning area. Mr. Borst indicated that it includes State land and he does not believe that the State land has signed up on this with Global. He added that there is a lot of land that is not currently planned by Maricopa County, where Global does not have CC&N's.

Mr. Borst stated that Buckeye looked at what was within the purview of 208, and did not see anything in the application that related to surface water discharges. He mentioned that there was no denotion of designated uses or water quality as relating to surface water discharge. He stated that it was primarily related to a water quality that specifies what types of uses you can reuse that water

for and it is a State water quality criteria that you find in this application. It is not a Federal Clean Water Act NPDES discharge criteria. He indicated that Buckeye also looked at the different documentation that they were referred to by MAG staff and Arizona Administrative Code which makes references to DWR and comprehensive water quality management. Buckeye also looked at the Continuing Planning Process of 1993 and that document also makes reference to comprehensive water management. Mr. Borst stated that he thinks its reasonable to look at the watershed in total and for the Committee to consider it within their jurisdiction.

John Boyer, Pinnacle West Capital, stated that he has looked at the model from the Town of Buckeye. He mentioned that he did not see anything different in the plan from what he has seen on every wastewater treatment plant that has came through the Committee including those that are in the Buckeye area, which is that they are going to reuse water to the extent possible on landscaping in the area, to recharge and, as an emergency, will have a discharge. Mr. Boyer stated that the issues that are being discussed have to do with water use and that is the purview of DWR. He mentioned that DWR will be reviewing Buckeye's model and he is sure that with the Buckeye model you can work on the details such as where the recharge is going to occur and where the pumping can occur. He added that even the Buckeye model has not established were recharge is going to be within their own area and have given a number of solutions that show a percentage of recharge, a grade of recharge that has to be reached in order to support the development. Mr. Boyer stated that it does not say technically how that recharge is actually going to fit. He mentioned the considerable amount of development planned for the Northern Buckeye area, and when looking at the model, he is not sure Buckeye can support what they have planned. Mr. Boyer stated that with DWR looking at the water quality aspects as far as groundwater is concerned, he thinks it can be handled there.

Mr. Borst stated that Buckeye did not mention that the municipality, in service to its residences versus investors, has the ability to control land use intensity density, which deals a lot with the consumpted use of water. He indicated that when talking about conservation it does not work in the full equation if you do not consider reducing consumpted uses. He mentioned that the Town of Buckeye has the ability and has shown the effort in planning and also in passing ordinances to control and mandate recharge to provide sustainability of the aquifer that will be shared as proposed with a private utility. He stated that a private utility is mandated to serve by the ACC; however the land use density intensity is specified by the Maricopa County Board of Supervisors. He mentioned that the difference is that there will be two different types of control in the watershed, both will be looking at where to find the groundwater and how is it going to be sustainable. Mr. Borst indicated that they need to work together. He added that this is a very large service area and it deserves a very close look. In addition, it is a very important aquifer to the Town and an important watershed. Mr. Borst stated that the Town is committed and has gone through intensive planning and have also put in place ordinances that mandate the path for the future. He added that Buckeye is looking for something that compels the private utility to do the same.

Chair Klingler inquired about the inclusion of effluent management strategy in the Hassayampa Lower Sub-Basin model and asked about the timing involved. He asked if there is anything quicker than 120 days to do that. He inquired about which of the three items that are referenced in the letter received from the Town of Buckeye is going to take 120 days. Mr. Borst responded the inclusion of data into a model. He added that the model has been one year in the making by the Town and represents a $750,000 investment between developers and the Town. He stated that Buckeye has retained a consultant to maintain this model in perpetuity and would like to understand the locations

for siting of the sewage facilities. Mr. Borst mentioned that Global says they are going to recharge were the facilities are and the facilities are located with regard to reuse. He added that Buckeye would like to know what quantity of effluent Global is going to recharge and how it will work with the model to see whether the locations are right or should they be different. Mr. Borst stated that effort is not small and thinks that it would take at least three months to get the data in the model and have everything incorporated. He stated that Buckeye thinks and 120 days is reasonable.

Dale Bodiya, Maricopa County, stated that the project is supported by the Maricopa County Board of Supervisors. He added that it is the water quality management planning activity stage of the process and there is a lot more to come down the road before a home is built and the facility is built. Mr. Bodiya mentioned other permit regulations, review processes that take place, DWR and ADEQ, and the processing of the permits for the discharge, reuse, recharge. He indicated that planning and development and zoning issues still need to be resolved with the County department and need to take place once any project goes through the Committee in an unincorporated area as it would in a municipal area. Mr. Bodiya stated that the Belmont project, in its initial conception, was included in the latest version of the MAG 208 Water Quality Management Plan. He mentioned that it is not a new project, but it has been restructured to include other projects.

Greg Stack, City of El Mirage, stated that his concern with the motion for an additional 120 days to look at the process is that 45 days have passed since the amendment has gone to public comment and he thinks that perhaps something could have been done during that time. He asked what guarantee does the Committee have that Buckeye and Global will get together and commit to some dialogue and working out the water model if it is the sticking point. Mr. Stack asked what guarantee will the Committee have that this will occur. Mr. Borst responded that he does not know if he could give a guarantee that anything other than Buckeye's good intentions would apply during this 120 days. Mr. Borst stated that he does not know the outcome at the end of it, but would be hopeful that there would be some method by which they could work out an agreement for sustainability of this watershed and Sub-Basin. He added that when Buckeye first looked at the application it was limited to Hassayampa Ranch. Now it has been expanded beyond Hassayampa Ranch, beyond Belmont, beyond any development in Maricopa County and includes lands, State lands and borders the Buckeye MPA. He stated that it takes a while for any municipality to understand the scope of a very large application and to understand how it is going to address it. Mr. Borst stated that since June the Town of Buckeye has been trying to understand what is in the application, what is not, and what are Buckeye's concerns. He indicated that Buckeye did have significant concerns with the sustainability of the Sub-Basin and watershed. He added that Buckeye respectfully asks the Committee to allow the time to work with the private utility with the three objectives stated in the letter.

Mr. McNeil stated that he is concerned about the suggestion of this Committee whether it decides to move forward or not to move forward a recommendation for the Amendment on a basis that a governing entity has the authority to pass ordinance to essentially determine what another entity does with its reclaimed water. He mentioned that the Town of Buckeye distributed a position statement and on one section referred to Section 101 of the Clean Water Act which clearly states that it is the policy of Congress that nothing in this chapter shall be construed to supersede or abrogate rights to quantities of water which have been established by any state. He added that in the State of Arizona the right to reclaimed water, the right to effluent, lies with the entity that generates that reclaimed water. He indicated that he is concerned that the Committee might choose not to move forward an

amendment based on the fact that an entity should have the right to determine the disposition of reclaimed water.

Chair Klingler called for a vote on the motion to request that the Water Quality Advisory Committee extend the public notice period for an additional 120 days to allow time to accomplish three objectives: 1) allow adequate time for the applicant to work cooperatively with the Town on this application and to address the concerns that the Town has on the effect of water quality and sustainability of the Hassayampa Lower Sub-Basin watershed and aquifer; 2) improve the delineation of the boundaries of the service area requested for the sewage treatment facilities, the site of these facilities, and the disposition of effluent with respect to the comprehensive management of water resources and assurance of water quality; 3) inclusion of the proposed sewage facility effluent management strategy into the Hassayampa Lower Sub-Basing model. The motion failed through a roll call vote with Stephen Bontrager, City of Peoria; Jim Kudlinski, Salt River Project; Mr. Borst; Mr. Williams; Chair Klingler; Erin Taylor, U of A Cooperative Extension; and Ms. DeRosa voting yes.

Mr. Ochs moved that the Committee recommend approval of the Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Northeast Service Area. Mr. Hollander seconded and, with no further discussion, the motion passed through a roll call vote with Mr. Kudlinski; Mr. Borst; Mr. Williams; Ms. Taylor; and Ms. DeRosa voting no.

7. Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Southwest Service Area.

Chair Klingler indicated that the Committee is requested to recommend approval of the Draft MAG 208 Water Quality Management Plan Amendment for the Hassayampa Utility Company Southwest Service Area. He provided an opportunity for discussion and consideration of public comments received. Hearing none, Mr. Hollander moved that the Committee recommend approval of the Draft 208 Plan Amendment. Mr. McNeil seconded and, with no further discussion, the motion passed through a roll call vote with Mr. Kudlinski; Mr. Williams; Ms. Taylor; and Ms. DeRosa voting no and Mr. Borst abstaining.

8. Call for Future Agenda Items

Chair Klingler asked for any suggestions for future agenda items. With no further comments, Chair Klingler thanked the Committee for participating and called for adjournment of the meeting.

MARICOPA ASSOCIATION of GOVERNMENTS

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September 6, 2007

TO: Members of the MAG Water Quality Advisory Committee

FROM: Julie A. Hoffman, Environmental Planner

SUBJECT: DRAFT SMALL PLANT REVIEW AND APPROVAL FOR THE PROPOSED CITY OF PEORIA SCORPION BAY WASTEWATER TREATMENT PLANT

On July 3, 2007, the City of Peoria sent a letter to MAG requesting that MAG review the proposed Scorpion Bay Wastewater Treatment Plant through the Small Plant Review and Approval Process of the MAG 208 Water Quality Management Plan. The proposed facility would have an ultimate capacity of 35,000 gallons per day and effluent would be disposed of through on-site irrigation reuse. Reclaimed water would be used to run a drip irrigation system for the landscaping at the Scorpion Bay Marina that would be located on the west shore of Lake Pleasant.

The project is located within the Peoria Municipal Planning Area and Lake Pleasant Regional Park that is managed by Maricopa County. The right to use the land for the Scorpion Bay Marina has been granted through an agreement with the Maricopa County Parks and Recreation Department. Maricopa County has also provided a letter indicating that they do not object to the proposed wastewater treatment plant. In addition, Yavapai County is within three miles of the project and have indicated no objections.

As described in the Draft 208 Plan Small Plant Review document, the proposed facility would be located within Section 7 of Township 6 North, Range 1 East. The facility would accept flows from three main sources at the Scorpion Bay Marina: sewage flows pumped from boats docked at the marina slips, boats in rack storage and marina facilities. Phase I of the facility would have a capacity of 19,500 gallons per day.

The proposed facility would consist of an influent pump station to transfer sewage from individual boats to the wastewater treatment plant, aeration chamber and anoxic zones, clarifier, tablet type chlorinator and dechlorination, aeration using mechanical blowers, chemical coagulation system, and external filters. Reclaimed water would meet Arizona Title 18 Class A+ Effluent Standards. Due to low flows and small footprint, sludge treatment on site would be impractical. Sewage would be temporarily stored on site in a sludge holding tank equipped with aeration. At a predetermined frequency, sludge would be hauled to an existing wastewater treatment facility for additional treatment.

Phase I of the proposed facility would be financed by Lake Pleasant Marina Partners, LLC. As the owner of the facility, Lake Pleasant Marina Partners, LLC would administer the collection of fees from Marina users in order to finance the operations and expansion. A copy of the draft 208 small plant review document for the project has been provided. If there are any questions, please contact me at (602) 254-6300.

cc: MAG Intergovernmental Coordinators