



## Executive Director's Report

At the August Regional Council meeting, the process for expediting the amendments to the regional wastewater treatment plan was discussed. At MAG, this is known as the 208 Water Quality Management Plan. One of the important issues addressed was whether the private sector should be able to go to MAG directly for 208 approval, or whether they should continue to go first to the local agency to have the amendment sponsored. An insightful question was asked: How was this process developed at MAG? The answer is that the process was developed in 1974, through the MAG Management Committee. But there is more underlying the answer.

Section 208 of the Federal Clean Water Act envisioned a process to ensure local governments' involvement in planning and implementing a master plan for regional wastewater systems. As one speaker mentioned at the Regional Council meeting, the processes vary throughout the state and the nation. Why did the MAG process, established in 1974, require local sponsorship? The city managers in the MAG region were dealing with unprecedented growth. They understood that wastewater treatment systems were necessary to accommodate the needs of their growing populations.

As a major metropolitan area, MAG is unique in its governance structure. Most councils of governments in major metropolitan areas do not have a Management Committee. Arizona is unique in many aspects in that almost all cities are governed by the council/manager form of government. City/county managers advise policy makers. Due to Arizona local governments being professionally managed, when MAG was created in 1967 it made sense to have the Management Committee advise the Regional Council.

The council/manager governance system was in place in 1974, when MAG was designated as the Regional Water Quality Management Planning Agency in compliance with Section 208 of the federal Clean Water Act. The subcommittee of city managers who diligently worked on the first MAG 208 Water Quality Management Plan understood the importance of guiding how their cities developed and grew. At that time, the region consisted of just over one million people. Today, our population is more than four million, underscoring the importance of managing wastewater treatment plants.

In the recent review by the MAG stakeholder group, it was acknowledged that streamlining the amendment process is important to improving efficiency and

ensuring the region remains globally competitive. A streamlined process was developed that shortens the time frame for a 208 amendment from approximately 18-24 months to approximately nine months—a 50 to 63 percent reduction in the overall timeline.

Some members in the private sector continue to maintain that entities should be able to submit their projects directly to MAG without having a local government sponsor. However, the MAG member agencies on the Stakeholder Group believe the sponsorship requirement is important since citizens reside in the local jurisdictions and look to the elected bodies for these types of issues.

The local governments were responsible for the general plans and these plans needed to be closely coordinated with wastewater treatment systems. In addition, cities have voter-approved general plans. Elected officials are accountable to the citizens to implement the general plans. How does a city remain accountable to the voters for the general plan, if they cannot coordinate the wastewater treatment component of the plan?

MAG looks forward to implementing the improved 208 amendment process. We will continue to evaluate the streamlining efforts to ensure that they provide for a more efficient, business-friendly process.

**For more information, please contact Dennis Smith, MAG Executive Director, (602) 254-6300.**

## **Meeting Report for Wednesday, August 26, 2015**

### **Action Items**



#### **Streamlining the 208 Water Quality Management Plan Process**

As noted above, the MAG Regional Council approved a proposal to streamline the 208 Water Quality Management Plan Process. The Arizona Department of Environmental Quality (ADEQ) had proposed streamlining the process in order to issue permits faster and be more responsive to its customers, the regulated community. Recognizing the importance of a streamlined process to economic development in the region, a Stakeholder Group was formed with representatives from cities and towns, Maricopa County, private utilities, homebuilders, and ADEQ. A representative from the Governor's Office was also invited. Five meetings of the Stakeholder Group were conducted. The Stakeholder Group reviewed the entire 208 process, including the work that occurs at the local level before a 208 amendment is provided to MAG for consideration, as well as the MAG process at the regional level, and the ADEQ process from the point the approved amendment is submitted to ADEQ from MAG.

The group identified opportunities for improving efficiencies at a number of points in the process. Recommendations for the MAG member agency portion of the 208 process included establishing a 60-day deadline for the jurisdiction in which the facility would be located to determine whether the 208 amendment application is complete, and a 60-day deadline to review the amendment and submit it to MAG once it has been determined to be complete. In addition, a workshop would be conducted with jurisdictions located within three miles of the proposed amendment.

On the MAG portion of the 208 process, improvements included developing a pre-application packet to assist the applicant in navigating the streamlined amendment process. The pre-application packet includes business-friendly fact sheets on when an amendment is required or not required and a step-by-step description of the 208 amendment process, streamlined 208 amendment checklists, and links to previously approved amendments to use as an example. MAG also will no longer require amendments for service area expansions.

For the ADEQ portion of the 208 process, ADEQ indicated it could issue a conditional Aquifer Protection Permit and/or Arizona Pollutant Discharge Elimination System Permit that would allow for parallel process and concurrent reviews with the 208 process. ADEQ will also make a certification decision within 15 days. For amendments submitted to the Environmental Protection Agency, the review period was reduced from 120 to 30 days.

The efforts resulted in the 208 process being shortened from the current 18-24 month time frame to nine months—a 50-63 percent reduction in the overall timeline. Next steps include making corresponding changes to the MAG Small Plant Review and Approval Process, and conducting an annual evaluation of the streamlined process to determine if additional improvements are necessary.

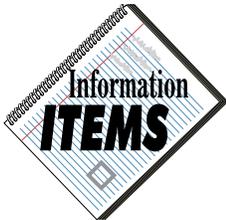
**For more information, contact Julie Hoffman, MAG Environmental Planning Program Manager, (602) 254-6300.**

### **Project Changes and Modifications to the Transportation Improvement Program, Arterial Life Cycle Program, and Regional Transportation Plan**

The MAG Regional Council voted to approve amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program (TIP), FY 2016 Arterial Life Cycle Program, and, as appropriate, the 2035 Regional Transportation Plan. In addition, as a result of delayed Congressional action to approve final amounts for federal surface transportation funding, the Regional Council also agreed to let MAG modify the TIP as necessary as soon as funding becomes available for previously approved priority ordered projects. Staff noted

that the flexibility to submit changes for Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funding was necessary to ensure that all FHWA obligation authority and FTA apportionments are utilized for Federal Fiscal Year 2015.

**For more information, contact Teri Kennedy, MAG Transportation Improvement Program Manager, (602) 254-6300.**



## Information Items

### Legislative Update

Staff provided a report on legislative issues of interest. The first item was House Bill (HB) 2617, which transfers \$3 million from MAG (\$2.5 million) and the Pima Association of Governments (\$500,000) to fund Arizona Department of Revenue (ADOR) operations. Staff noted that a working group met with the Governor's staff to discuss possible accommodations to the provisions of the bill, such as limiting the time frame for two years and working with the state to assist it through the structural deficit. Members of the MAG Regional Council had expressed concerns with transferring regional funding to the state as contrary to what voters understood regarding how Proposition 400 funds were spent, and whether HB 2617 signaled a long-term policy shift. The Governor's staff has acknowledged the issue, but staff noted that details on how it will be addressed are pending. MAG has received an invoice for \$2,582,396 for the ADOR operations.

Staff also reported on the status of federal reauthorization legislation. The former reauthorization, MAP-21, expired May 31, 2015. The legislation has been extended twice and is currently continued through the end of October. New proposed legislation, known as the DRIVE Act, has passed the Senate as a six-year bill but only three years of funding have been identified. Staff reported that one concern has been an erosion of funding to the MAG region over time, including a 12 percent decline in funding to the MAG region from the SAFETEA-LU transportation legislation (an earlier version of reauthorization) to MAP-21 (current reauthorization that is lapsing). The DRIVE Act sees additional declines to the MAG region.

Staff reported that the DRIVE Act means a loss of \$3 million (5.8 percent) in Surface Transportation Program (STP) funding to the MAG region. Staff noted that an amendment was introduced by U.S. Senator Roger Wicker and U.S. Senator Cory Booker that would increase STP funds to the MAG region by \$9.6 million per year. Staff encouraged Regional Council members to let the Arizona Congressional Delegation know about the issue to ensure that STP funding allocations for urban areas meet or exceed MAP-21 levels as proposed in the Wicker/Booker amendment. A fact sheet has been developed on the issue and is available upon request.

**For more information, please contact Nathan Pryor, MAG Government Relations Manager, (602) 254-6300.**

## **Next Meeting**

The next meeting of the MAG Regional Council will be held on Wednesday, September 30, 2015 at 11:30 a.m. at the MAG offices, 302 N. 1st Avenue, Phoenix, second floor, Saguaro Room. Agenda items are expected to include the MAG Valley Path brand and wayfinding guidelines; request for second deferral of the City of Phoenix Multiuse Path Project at Indian School Road and the Grand Canal; a resolution regarding structural issues with using special census numbers to distribute state-shared revenues; and an update on the ADOT Passenger Rail Study: Tucson to Phoenix. Additional agenda items are pending.

**For more information, please contact Dennis Smith, MAG Executive Director, (602) 254-6300.**