



Environmental Planning Committee

April 14, 2021 Meeting Minutes

DATE: April 14, 2021
TIME: 10:00 a.m.
LOCATION: Zoom Webinar

MEMBERS PRESENT:

Darron Anglin - *Chair*
(SMCFD No. 1)

Jake Garrett
(Gila County)

Atul Shah
(Pinal County)

Terry McKeon
(Casa Grande)

Christopher Salas
(Florence)

Darren Farar
(Queen Creek)

Micah Gaudet
(Miami)

Tanner Henry
(Payson)

Edwina Vogan
(ADEQ – Ex Officio)

MEMBERS ABSENT:

VACANT
(Star Valley)

VACANT
(Hayden)

VACANT
(Mammoth)

VACANT
(Kearny)

Keith Brown
(Eloy)

VACANT
(Superior)

VACANT
(Winkelman)

Matt Rencher
(Coolidge)

Chris Jones
(U of A Coop. Extension))

Steven Dean
(Marana)

Rodolfo Lopez
(Maricopa)

Robert Jacques
(Tri-City Sanitary District)

Jerry Barnes
(Globe)

GUESTS PRESENT:

Keith DeVore
(Queen Creek)

John Calkin
(EPCOR)

John Matta
(Water Works Engineers)

Rob Bryant
(Water Works Engineers)

CAG Staff:

Travis Ashbaugh
(Transportation Planning Manager)

Alan Urban
(Community Development Manager)

I. Call to Order

Chair Anglin called the meeting to order at 10:05 AM.

II. Pledge of Allegiance

Chair Anglin led the Committee in the Pledge of Allegiance.

III. Roll Call & Introductions of Guests

Roll call was taken. Eight (8) voting members were present, constituting a quorum as established by the CAG EPC Bylaws.

IV. Call to the Public

Mr. Urban took this time to pass along the sad news of the recent passing of Christian Collins, who represented the Town of Florence within this committee. Many expressed their gratitude towards the many projects that he contributed to the region.

V. Consent Agenda

A. Approval of Minutes – (March 17, 2021)

Chair Anglin asked if there were any corrections needed to be made to the March 17, 2021 draft meeting minutes. No corrections were brought forward. Mr. Gaudet made the motion to approve the March 17, 2021 minutes as presented. Mr. Garrett seconded the motion. The motion passed unanimously.

VI. New Business

A. New Members

Mr. Urban stated that there are three (3) requests for updated membership on the committee that will need committee action. The Town of Marana is requesting that Mike Osborne replace Scott Schladweiler as the alternate as Mr. Schladweiler has accepted another position. The Town of Queen Creek is requesting that Keith DeVore replace Darren Farar as the primary as Mr. Farar has accepted another position. Gila County is requesting that Alex Kendrick be listed as the alternate.

Mr. Garrett made the motion to approve the proposed membership changes as presented. Mr. Shah seconded the motion. The motion passed unanimously.

Chair Anglin thanked those who are moving on from the committee for their dedication and hard work over the years that went into the discussions of this committee, as well as welcomed the new members that are replacing them.

B. EPCOR Pecan & San Tan WRP 208 Plan Amendment

Mr. Ashbaugh provided a brief history of the amendment and where it is currently at within the CAG 208 Plan Amendment process. He stated that CAG was approached by EPCOR, representing Johnson Utilities as the Interim Manager and scheduled the Pre-Application Meeting in October 2019. Upon first draft, a stakeholder's meeting that included Pinal County, Town of Queen Creek, and the Arizona State Land Department (ASLD), was then held in April 2020. The Town of Queen Creek had some concerns and initially wrote a letter of objection to the amendment, which triggered the Appeals Process. Throughout summer months of 2020, an agreement was made between EPCOR and the Town of Queen Creek to address the concerns that the Town had. After a revised draft was submitted in September 2020, the parallel Consistency Review among CAG and ADEQ began. Mr. Ashbaugh stated that there were approximately three (3) iterations of the draft based on upon comments from the Consistency Review and is now being brought before the committee to seek approve for the Draft Plan Amendment to go out for public consumption for the 45-day Public Hearing notice. He also stated that since the Pre-Application meeting, the Amendment will now be under EPCOR as they bought out Johnson Utilities while in the middle of this process.

Mr. Calkins then proceeded to run through a PowerPoint presentation discussing the details of the Amendment. He started out discussing the ownership changes of how EPCOR was first appointed by the Arizona Corporate Commission to be the Interim Manager for Johnson Utilities in August 2018, in which EPCOR more recently acquired Johnson Utilities on January 29, 2021. Mr. Calkins then followed up with details of the Pecan and San Tan Wastewater Reclamation Plants (WRPs) and that the purpose of the amendment is due to a few reasons: 1) To allow surface discharge to the Queen Creek Wash for emergency purposes only,

from the Pecan WRP, during a specified time throughout the year; and 2) To allow a deconsolidation of the 2006 Johnson Utilities Consolidation Plan (JUC Plan). The reason for the Pecan and the San Tan WRPs remaining under one plan is because flows may be diverted back and forth to one another and would need to remain together. Mr. Calkins clarified that there are no changes being proposed with the San Tan WRP but rather the information is carrying forward from the JUC Plan with updated population projections and flow calculations. The PowerPoint presentation is available upon request.

After the presentation, Mr. Shah asked if the surface discharge points into the Queen Creek Wash were within Pinal County or Maricopa County. Mr. Calkins replied Pinal County.

Mr. Garrett asked if there was a reason why the sub-surface leach field has not been removed since the HOA (property owner), does not allow for the facility to trespass on their land that was based on a lawsuit many years ago. Mr. Calkins replied that he is not familiar with the entire outcome of the lawsuit that had transpired before EPCOR bought out Johnson Utilities, but does not recall language that requires the removal of the sub-surface leach field. He stated that the leach field was not part of the assets when EPCOR acquired Johnson Utilities and therefore remains in place and on HOA property. Mr. Garrett followed up by asking if there are any intentions to using the sub-surface discharge point in the future. Mr. Calkins replied that at this current point that would be a negative. The decision is based upon the many abilities and expanded options with the beneficial end users and permitted onsite recharge basins. He also stated the fact that the HOA has no desire to turn the leach field back into operation limits EPCOR's ability to investigate that option moving forward.

Mr. Garrett asked the committee if they decided to approve the surface discharge points, would it be consistent with all other amendments that have been approved in the past under the CAG EPC. Chair Anglin responded that as a facility operator, he relies on an AZPDES outfall permit to discharge effluent. He stated that it is not their intention to use it but that it is in place for emergency purposes. He concluded that since it is a last resort in the hierarchy in which EPCOR will expel the effluent, it appears to be consistent to the CAG 208 Water Quality Management Plan.

Chair Anglin wanted to verify the complete transition of ownership from Johnson Utilities to EPCOR has been completed. Mr. Calkins confirmed that as of January 29, 2021, EPCOR is 100 percent the owner of what use to be Johnson Utilities. Chair Anglin also asked that since part of the hierarchy of the effluent disposal is for the Town of Queen Creek to accept raw sewage within their connection system, would the Town of Queen Creek need to come back and amend their 208 Plan regarding the additional sewage. Mr. Ashbaugh stated that the Town of Queen Creek would have to come back and amend their 208 Plan to include that language. He also stated that during the Appeals Process this was discussed and understands that the Town would be opening the amendment again for a few other changes that they were not able to capture during the last amendment process. He said he expects this to take place within the next year or so but would need to discuss further with them on those details.

Chair Anglin also asked if the CC&N maps within the Draft Amendment were the most current. Mr. Ashbaugh stated that the latest draft, with a few iterations since then, was in September 2020 and believes it is most current at this time. He also stated that another individual from EPCOR contacted him regarding expanding the CC&N to include a development within the Pecan WRP. Mr. Ashbaugh told the individual that EPCOR would have to open the amendment again after the current one that is being processed has been completed, since it was too far into the process at this point.

Mr. Garrett asked for clarification regarding the 160 square mile boundary versus the 20 plus square mile boundary being discussed within the amendment. He asked since a private utility, as specified within the CAG Water Quality Management Plan, cannot have authority over a “planning boundary” such as a Designated Management Agency (DMA) can. Mr. Ashbaugh clarified that the 160 square mile boundary is the entire CC&N that Johnson Utilities (now owned by EPCOR) for the entire collection system of all the facilities within the region. The reference to the 20 plus square mile CC&N boundary was simply referring to the Pecan and San Tan WRP service areas.

Ms. Vogan stated since EPCOR is a private utility and cannot become a DMA, they would essentially be a Wastewater Management Utility (WMU), by definition, in the CAG 208 Water Quality Management Plan. She requested that the term WMU be added to the glossary as well as adding language that clarifies the transfer of the WMU status of Johnson Utilities to EPCOR due to the buyout. Mr. Ashbaugh stated that unless there is a formal process that ADEQ requires, CAG sees this amendment as a former WMU (Johnson Utilities) being bought out by EPCOR, in which, by definition, is a WMU due to that they have a private utility status.

Mr. Ashbaugh summarized the discussion that took place and stated that he has identified three (3) minor issues that would need to be addressed before taking the draft out for the 45-public hearing notice:

1. Add the acronym “WMU,” (Wastewater Management Utility) to the glossary;
2. Add clarifying language regarding the WMU status whether it was transferred or considered as a new WMU;
3. Add clarifying language regarding the ownership of the sub-surface discharge points and its current functionality and how it relates to the overall effluent hierarchy.

Mr. Garrett made a motion to move the plan forward with the contingency that the three (3) identified issues as discussed be addressed prior to the 45-day Public Hearing notice. Mr. Shah seconded the motion. The motion passed unanimously.

C. Other

Mr. Ashbaugh stated that CAG has completed a Septic Study in Gila County that essentially locates and dates the age of the septic systems throughout the county. The locations were then analyzed at a very high level with tested wells and their nitrate levels to see if there may be a correlation between the two. He stated he can present the details of the study at the next EPC meeting. Mr. Urban stated that Pinal County is expected to be next to be analyzed for this upcoming fiscal year pending approval by ADEQ.

VII. Date, Time, & Location of Next Meeting

After discussion of upcoming actions needed by the EPC, the next meeting will tentatively be scheduled for Thursday, May 27, 2021 at 10:00 AM.

VIII. Adjournment

Chair Anglin asked for a motion to adjourn. Mr. Garrett made a motion to adjourn. Mr. Shah seconded the motion. The motion passed unanimously. The meeting was adjourned at 11:33 AM.