

Pima Association of Governments Scope of Work Task Force

Town of Marana Designated Management Agency 208 Plan Amendment

Pima Association of Governments (PAG) is the Designated Planning Agency (DPA) under Section 208 of the Clean Water Act and as such is responsible for regional wastewater treatment planning throughout Pima County, excluding Indian lands. Accordingly, PAG has developed an Areawide Water Quality Management Plan (208 Plan), which was approved by the PAG Regional Council in March 2006. This 208 Plan must be amended to include any new or significantly modified wastewater treatment facilities or to establish a new Designated Management Agency (DMA).

Task Force Formation

The Town of Marana submitted an application to PAG to be classified as a Designated Management Agency (DMA) within the Town's planning area. At the Oct. 9 meeting of the PAG Regional Council, PAG staff was directed to begin the 208 planning process for the Town of Marana's DMA 208 Plan amendment by forming a Scope of Work Task Force.

Direction from PAG's Regional Council

PAG's Regional Council adopted a motion creating the Scope of Work Task Force on Oct. 9, 2008. The adopted motion indicated that no further Regional Council action would be considered until such time as the following conditions were fulfilled:

- 1) The 208 planning process requirements are fully complied with;
- 2) The current outstanding litigation (between Pima County and the Town of Marana) is resolved; and
- 3) The questions posed by Pima County and all other Scope of Work Task Force members, and other interested parties, are adequately addressed.

Task Force Mission

The Scope of Work Task Force "...is convened to determine the scope of work for the plan amendment report." This report, to be prepared by the applicant, constitutes an analysis

of the proposed amendment and resolves all matters requiring interjurisdictional agreement to effect the requested change. The Scope of Work Task Force also determines whether the report, as submitted, "...contains the necessary elements and adequately addresses any issues," raised by the Scope of Work Task Force.

Task Force Procedural Guidelines

Once the scope of work for the amendment report is identified by the Task Force, the party requesting the amendment must prepare the draft report. The draft report is then provided to the Scope of Work Task Force for review. The Scope of Work Task Force determines whether the draft report, as submitted, "...contains the necessary elements and adequately addresses any issues." Upon acceptance of the report by the Scope of Work Task Force, the report is then conveyed to the PAG Watershed Planning Subcommittee and subsequent entities for consideration in conformance with Section 10.11 - Procedures for Amending the 208 Plan, of the Areawide Water Quality Management Plan (208 Plan).

Applicability of the Open Meeting Law

It is PAG's standard procedure to follow the Arizona open meeting law when running PAG meetings. Therefore, appropriate notice shall be provided of any meeting, discussions will be limited to items listed on the agendas, and summary minutes will be prepared and distributed.

Management

The Chair of the Scope of Work Task Force shall be a member of PAG's staff as designated by PAG's Executive Director.

Membership

According to PAG's 208 Plan, the Scope of Work Task Force will consist of representatives of entities with a direct stake in the project, such as the applicant seeking DMA status, the existing Designated Management Agency, the jurisdiction in which the project will be located, and the water provider whose service area includes the project site. In addition, the Task Force can include EPAC and Watershed Planning Subcommittee members. The Chair of the Scope of Work Task Force will determine whether any requesting party meets the criteria for having a direct stake in the project.

Decision Making

The Task Force shall seek to achieve consensus through its deliberations. The Chair of the Scope of Work Task Force shall ensure that all matters raised for consideration are adequately documented and shall identify, based on the deliberations of the Task Force, when the draft amendment report contains the necessary elements and adequately addresses all issues. Given the informal structure of the Task Force, voting by attendees shall not be used as a means to determine recommendations nor is a vote of the Task Force required for the Chair to determine the position of the Task Force.

Duration

Sec. 10-11 of the Areawide Water Quality Management Plan (208 Plan) does not limit the duration of the Scope of Work Task Force. The clear direction of Sec.10-11 is to ensure that, the draft plan amendment report, "...contains the necessary elements and adequately addresses any issues." There is no arbitrary or defined limit to the duration of the Scope of Work Task Force's deliberations.