

Amendment to CAAG's 208 Areawide Water Quality Management Plan (AWWQMP) Update (1994)

Pages 218 and 219 should read in part as follows:

8.2.2 Designated Management Agencies

Several of the member entities of CAAG play a particularly important role in the planning process as Designated Management Agencies (DMAs). A Designated Management Agency is an entity with adequate resources, authority and a desire to implement and enforce portions of the Areawide Water Quality Management Plan. The governor, in consultation with the Designated Planning Agency, designates DMAs for specific areas. The DMAs in CAAG vary in their specific characteristics and capabilities but all are required to maintain:

- ❖ Appropriate legal authority to carry out designated responsibility.
- ❖ Financial solvency including, if appropriate, the ability to raise revenue through taxes or fee collection, the ability to accept grants or funds from other sources for water pollution management purposes and the ability to incur short- and/or long-term indebtedness for water quality management.
- ❖ Administrative competence with the organizational resources, personnel resources, equipment and facilities necessary to provide administrative and management support required for effective water quality management programs.
- ❖ Technical competence with the personnel resources, equipment and facilities needed to carry out the required technical water quality management activities.
- ❖ Public acceptability so that the Designated Management Agency will be recognized and accepted as a legitimate entity with appropriate water quality management mission within its management area.
- ❖ Political accountability so that the leadership of the management agency is accountable to the public served within the agency's management area *via petition to the Regional Council.*

The 1978 Plan stated that one of the fundamental responsibilities of the WQM Plan is to identify and designate DMAs for publicly owned waste treatment works in the region. The Plan *must* ~~should~~ also identify the service area for which the DMA will accept responsibility *through a map and exact legal description.* Based on the criteria above, the only agencies that qualify for DMA status are municipalities, sanitary districts and some improvement districts. Historically, the DMA designation has primarily referred to large-scale point source dischargers and some Waste Water Treatment Facility management.

* Note: Items *italicized & underlined* were changes made to the AWWQMP in May 2005. Items were changes made to the AWWQMP in January 2007

8.2.3 Designation Process

*Many eligible entities' planning areas encompass land areas that lie outside the political jurisdiction boundaries as outlined in the entity's Growing Smarter General Plan. Whether an eligible entity proposes to extend their DMA boundary outside their jurisdictional boundary, consistency will not be attained until **the Designated Planning Agency (CAAG) affected municipalities, county government, wastewater improvement districts, and/or existing Certificate of Convenience and Necessity (CC&N) holders agree to the DMA proposed boundary through written communication from their chief elected/operating officer of each affected jurisdiction. In no case will a DMA boundary extend beyond the planning area as outlined in the Growing Smarter General Plan required under ARS 9-461.05. Or the corporate boundary if no such document exists.***

The 208 amendment for the prospective DMA, which must include a 20-year plan, is prepared by a municipality, improvement, or sanitary district in accordance with federal and state water quality planning rules and regulations, statutes and policies (e.g. 40 CFR Part 130, 40 CFR Part 25, Section 208 of the CWA, and the EQA). Proposed DMAs will access the process through the Designated Planning Agency (DPA), CAAG.

An eligible entity desiring DMA status is required to hold a public meeting in the affected area regarding the designation to become a DMA, consistent with 40 CFR 25. The governing body of the DMA would then pass a resolution requesting DMA status. Such resolution must be passed at a public hearing **following proper requiring** a legal notice. The entity submits the designation package to CAAG with a self-certification letter that states that the entity possesses the financial, administrative managerial, and technical capabilities to carry out the responsibilities and a map showing the service area. *The designation package must also contain the exact legal description of the proposed DMA boundary and map indicating the boundary of the DMA along with communications from **any and** affected jurisdictions that agreement has been reached on the DMA boundary.*

CAAG's Environmental Planning Committee will review this request at one of its regularly scheduled meetings and make a recommendation to CAAG's Management Committee and Regional Council. Final regional approval rests with the Regional Council.

A municipality with DMA status may file an abbreviated application to seek expansion of the DMA boundary to conform to corporate limits that have been expanded as a result of a legal and proper annexation. The application for such an extension shall include a written application, consisting of an exact map and legal description of the expanded DMA area; a summary of their ability to serve as the DMA for the new area; and the written concurrence from a competent officer of any affected existing wastewater improvement district, 208 plan holder and/or holder of a Certificate of Convenience and Necessity (CC&N). The governing body of the DMA shall also pass a resolution requesting the expansion of the DMA boundary. CAAG administrative staff shall conduct a completeness review and present the application to Management Committee for consideration and possible final approval by the Regional Council.

* Note: Items *italicized & underlined* were changes made to the AWWQMP in May 2005. Items were changes made to the AWWQMP in January 2007