

Janice K. Brewer
Governor



Scott A. Smith
Director

ARIZONA DEPARTMENT OF ADMINISTRATION

WATER QUALITY APPEALS BOARD

100 NORTH FIFTEENTH AVENUE • ROOM 202
PHOENIX, ARIZONA 85007

Telephone: (602) 364-2877 • Fax: (602) 542-4082

REVISED AGENDA – 05/12/11

NOTICE OF AND AGENDA FOR A PUBLIC MEETING OF THE ARIZONA WATER QUALITY APPEALS BOARD

To call-in dial: 1-866-751-5726

Enter the room number: *8511490*

(Enter the star key before and after your room number)

Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.02, notice is hereby given to the members of the Water Quality Appeals Board and general public that the Arizona Water Quality Appeals Board (WQAB) will hold a **regular meeting** open to the public on **Wednesday, May 18, 2011, at 9:30 A.M.** at the Arizona Department of Administration Building, 100 N. 15th Avenue, Second Floor, **Conference Room 204**, Phoenix, Arizona. Members of the Water Quality Appeals Board may attend either in person or by telephone conference call.

The agenda for this meeting follows. Any amendments or additions to the agenda will be available at least 24 hours prior to the meeting. The Board officer presiding at the meeting reserves the right to change the order of items on the agenda, except for public hearings set for a specific time. Pursuant to A.R.S. § 38-431.03(A)(3), the Board may vote to go into Executive Session to obtain legal advice from its attorney on any matter listed on the agenda. Executive sessions are not open to the public.

Pursuant to Title II of the Americans with Disabilities Act (ADA), the WQAB will not discriminate on the basis of disability in admission to and observation of its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Board's Office at (602) 364-2877. Requests should be made as early as possible to allow time to arrange the accommodation.

AGENDA

1. **Call to order and roll call.** (Chairman) Introduction of the new members.
2. **Disclosures and Recusals.** The Board members may disclose past employers and professional associations for informational purposes and, if necessary, may recuse themselves from matters in which they have conflict of interest.
3. **Approval of the Minutes from the September 13, 2010, October 20, 2010, November 8, 2010 & December 1, 2010 Board Meetings.** The Board may vote to go into Executive Session for discussion and consideration of confidential documents under A.R.S. §38-431.03(A)(2).
4. **11-001 WQAB – City of Tempe, AZPDES Permit File No. AZS000005-2010, New Appeal.** In accordance with A.R.S. §§ 41-1092.01 (E) and (F), the Board will discuss and decide whether to hear this new appeal or submit it to the Office of Administrative Hearing. The Board may

discuss and take action on setting deadlines, hearing dates and other procedural matters. The Board will discuss and take action on the Joint Motion to Continue received on May 11, 2011.

5. **11-002 WQAB – Luxcor Gold L.P. – Fancher Mill, APP Inventory No. 106224, New Appeal.** In accordance with A.R.S. §§ 41-1092.01 (E) and (F), the Board will discuss and decide whether to hear this new appeal or submit it to the Office of Administrative Hearing. The Board may discuss and take action on setting deadlines, hearing dates and other procedural matters.
6. **Call to the Public.** A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address to public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.
7. **Approval of the Regular Meeting schedule for Future dates in 2011 as follows:**

| | |
|---------------------------|----------------------------|
| Monday, June 13 2011 | Monday, July 11, 2011 |
| Monday, August 8, 2011 | Monday, September 12, 2011 |
| Tuesday, October 11, 2011 | Monday, November 14, 2011 |
| Monday, December 12, 2011 | |
8. **Future Agenda Items.**
9. **Adjourn.**

DATED AND POSTED this the 12th day of **May, 2011**

ARIZONA WATER QUALITY APPEALS BOARD

By: *Toni Towne*
Toni Towne, Clerk of the Board

A copy of the foregoing was mailed / emailed
this the 12th day of **May, 2011**

ARIZONA WATER QUALITY APPEALS BOARD:
Laurie Woodall
Sharon S. Lagas
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