

ORIGINAL



0000068515

RECEIVED

2007 DEC -6 P 3:08

AZ CORP COMMISSION  
DOCKET CONTROL

50

1 FENNEMORE CRAIG  
A Professional Corporation  
2 Jay L. Shapiro (No. 014650)  
Patrick J. Black (No. 017141)  
3 3003 North Central Avenue  
Suite 2600  
4 Phoenix, Arizona 85012  
Telephone (602) 916-5000

5 Attorneys for The Links at Coyote Wash Utilities, LLC

7 **BEFORE THE ARIZONA CORPORATION COMMISSION**

8 IN THE MATTER OF THE APPLICATION  
9 OF THE LINKS AT COYOTE WASH  
UTILITIES, LLC, FOR AN EXTENSION OF  
10 ITS EXISTING CERTIFICATE OF  
CONVENIENCE AND NECESSITY FOR  
11 WASTEWATER SERVICE IN YUMA  
COUNTY, ARIZONA.

DOCKET NO. SW-04210A-06-0220

**NOTICE OF COMPLIANCE WITH  
DECISION NO. 69209**

12 The Links at Coyote Wash Utilities, L.L.C. ("Company"), an Arizona public service  
13 corporation, hereby submits this Notice of Compliance with Decision No. 69209  
14 (December 21, 2006). Decision No. 69209 requires the Company to file its approved 208 Plan  
15 Amendment.

16 Attached hereto as Exhibit 1 is a copy of the 208 Consistency Review Form issued by the  
17 Arizona Department of Environmental Quality, which notes that expansion plans are not  
18 inconsistent with the current 208 Plan, and approves the wastewater treatment plant expansion.

19 DATED this 6<sup>th</sup> day of December, 2007.

FENNEMORE CRAIG, P.C.

21 Arizona Corporation Commission

22 **DOCKETED**

23 DEC 6 2007

24 DOCKETED BY

By: \_\_\_\_\_

Jay L. Shapiro  
Patrick J. Black

Attorney for The Links at Coyote Wash  
Utilities, LLC

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

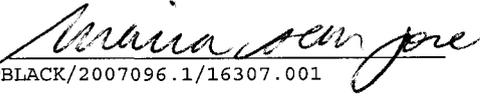
ORIGINAL and 13 copies delivered this 6<sup>th</sup> day of December, 2007, to:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

COPY hand-delivered this 6<sup>th</sup> day of December, 2007:

Kevin Torrey, Esq.  
Legal Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Brian Bozzo, Compliance  
Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

By:   
PHX/PBLACK/2007096.1/16307.001

# **EXHIBIT**

**1**

## 20 Consistency Review Form



This facility review is based on information obtained from the applicant, permit writer, the associated Water Quality Management Plan (WQMP) and amendments, and other related documents as cited.

### Permit Writer or Applicant – Please Complete Sections 1-14

Facility Information		Explanation (Provide a brief description)
<b>1. Include Facility Name, name of Owner, name of Applicant &amp; Permit Writer.</b> & (If Known, Please include permit number)	NAME: The Links at Coyote Wash WWTF OWNER: The Links at Coyote Wash Utilities ADEQ STAFF: TBD/ Not yet Assigned PERMIT #: P-105311	
<b>2. Permit category - (a, b, or c)</b> a. AZPDES (describe discharge) b. Individual APP (describe facility) c. General permit (describe type)		b. Individual Permit
<b>3. Facility location (watershed, county, Lat/Long or Township, Range &amp; Section)</b>	WATERSHED: Yuma Basin Groundwater COUNTY: Yuma County LOCATION: South of the town of Wellton, AZ at the corner of Ave 29 East and County 12 <sup>th</sup> St. Township 9 N, Range 18W, Section 7	
<b>4. Type of permit - (a, b, c, or d)</b> a. New WWT facility b. AZPDES renewal c. Modification to an existing facility d. On-site subdivision		c. Modification to an existing facility
<b>5. Attach a descriptive map</b> <u>Include a, b, c, &amp; d</u> a. Facility/site location b. Discharge location(s) c. Adjacent urban areas (the nearest urban area may be miles away) d. Nearest surface water(s)		See Attached map
<b>6. Treatment &amp; Design Capacity (design flow for annual average daily flow)</b> <i>Note: If renewal with no changes in discharge location, technology, treatment and disposal methods, and capacity - STOP HERE</i>		0.235 MGD, no change in discharge location, technology, treatment level or disposal method  INCREASE IN CAPACITY FROM EXISTING PERMIT
<b>7. Change in annual average daily flow – (a, or b)?</b> a. No change b. Increase (explain)		B, Increase in flow from 0.126 mgd to 0.235 mgd to accommodate additional development
<b>8. Treatment method (explain)</b>		Extended aeration utilizing activated sludge process including nitrogen removal and chlorination/ dechlorination
<b>9. Change in treatment method – (a, b, or c)?</b> a. No change b. Improvement to technology c. Septic/alternative systems (attach ADEQ Forms 113 and 115)		a. No change in treatment method

<b>10. Effluent disposal method(s)</b> <i>If discharge is to a surface water or lake, provide name of surface water.</i>		Discharge to adjacent golf course irrigation pond for reuse consistent with reclaimed water permit for B <sup>+</sup> effluent
<b>11. Change in effluent disposal method (a, b, c, or d)?</b> a. No change b. Change in location (explain) c. Change in method (explain) d. Additional locations (explain)		a. No Change to effluent disposal method
<b>12. Sludge handling</b> – describe how sludge will be handled		Waste sludge is removed to the Copper Mountain Landfill in Wellton, AZ and landfilled in accordance with applicable requirements
<b>13. Entity type</b> a. Municipality/public utility b. Private utility c. Semi public ( <i>sanitary district</i> ) d. Other ( <i>individual homeowner or homeowners association</i> )		a. The Links at Coyote Wash Utilities operates under CC&N granted by the Corporation Commission.
<b>14. Service area (if known)</b> <i>Attach map &amp; legal description</i> a. New service area for CC&N b. Expansion of existing service area c. Increase # of lots in subdivision d. Other		See attached map, Incorporation of expansion to the existing subdivision into the service area for the WWTF.

**For ADEQ 208 Review Staff Only –**

Facility Information	Explanation (Reference the page # and COG WQMP)
<b>1. DPA</b>	Yuma. <i>Yuma County Master Plan 2002. The Plan. Pages 4C-1 thru 4C-7.</i> This project is not listed in the plan. The plan does describe development in the Wellton Area and The Expansion of the Links WWTP in order to serve surrounding development supports 208 regional wastewater planning goals.
<b>2. Permit number</b>	P-105311
<b>3. Service area</b> <i>Attach map &amp; legal description</i> a. New service area for CC &N b. Expansion of existing service area c. Increase # of lots in subdivision	Southern portion of the Wellton area. See Map.
<b>4. Planning area</b> <i>Attach map &amp; legal description</i> a. New b. Expansion of planning area	n/a
<b>5. Designated Management Agency</b> a. Facility is a DMA b. Distance to nearest DMA c. Ordinance requiring hookup	The town of Wellton is the DMA; I conferred with Gary Rinehart, Town Manager, of the Town of Wellton. The Town is supportive of this project.

**Does the facility meet any of the following conditions?**

Special Conditions	Explanation
6. Discharge to a unique water?	No
7. Discharge to an impaired/not attaining water?	No
8. Pollutant load allocations specified in a TMDL?	No
9. Located in a nitrogen management area?	n/a
10. Change in ownership? (Pima County only)	n/a
11. Other (compliance issues, site specific standards, etc.)	This determination is based on the following: 1) the project is not in the draft 208 plan, nor specifically mentioned in the Yuma Comprehensive Plan 2) from a regional planning perspective, it makes sense to sewer, 3) that the facility be incorporated into the final Yuma 208 Plan, and 4) that in the future, unless designated by language in the 208 Plan, or a master sewer plan by the Town of Wellton, that any expansion of capacity or service area, or a request for AZPDES discharge, a 208 amendment will be required.

Based on Section 208 of the Federal Water Pollution Control Act, Arizona Administrative Code R18-9-108(B) (10), and/or the Certified Area WQMP, this application for permit is determined to be:

Determination By: Julie Finke

Date: 7/1/06

Consistent	Not Inconsistent	Inconsistent	208 Coordinator	Unit Manager	Section Manager
	X		JV	Edouard	Wang

If determination is "inconsistent," an amendment to the Water Quality Management (208) Plan must be processed and submitted for approval by ADEQ.

If determination is "Not inconsistent," this means the project was not identified in the current 208 Water Quality Management Plan, but is consistent with regional water quality management goals.