



SouthEastern Arizona Governments Organization

Serving our member governments and their constituents since 1972

RESOLUTION NO. 2023-01

A RESOLUTION OF THE SOUTHEASTERN ARIZONA GOVERNMENTS ORGANIZATION SERVING NOTICE TO THE OFFICE OF THE GOVERNOR OF SEAGO'S INTENTION TO DEDESIGNATE AS A PLANNING AGENCY UNDER SECTION 208 OF THE CLEAN WATER ACT

WHEREAS, the SouthEastern Arizona Governments Organization (SEAGO) is the regional planning agency for the counties of Cochise, Graham, Greenlee and Santa Cruz; and

WHEREAS, on January 27, 1976, Governor Raul Castro designated SEAGO as an Areawide Designated Planning Agency (DPA) under Section 208 of the Clean Water Act (CWA); and

WHEREAS, despite increasingly inadequate levels of funding to operate the water quality management program provided by the Arizona Department of Environmental Quality (ADEQ), SEAGO has, to the best of its ability, faithfully discharged its duties as a DPA since the date of Governor Castro's designation; and

WHEREAS, CWA Section 604(b) requires that Arizona reserve each fiscal year one percent of the sums allotted to the State under this section, or \$100,000, whichever amount is greater, to carry out planning under section 205(j); and

WHEREAS, CWA Section 205(j)(3) requires ADEQ to allocate at least forty percent of the amount allotted under Section 604(b) each fiscal year to regional public comprehensive planning organizations, an amount that has remained static for more than a decade; and

WHEREAS, 40 CFR Part 130.11(a) enables regional planning agencies to request funding allocated to a state by CWA Section 205(j) to carry out their required planning and management activities; and

WHEREAS, due to increasing costs of operations, pursuant to 40 CFR Part 130.11(a), the State's DPAs have appealed to ADEQ to direct additional funding from CWA Section 604(b) to the DPAs to supplement and enhance their planning activities; and

WHEREAS, ADEQ has rejected the appeal from the State's DPAs, and instead, offers the remaining sixty percent of the annual EPA reservation to designated and undesignated planning agencies through a statewide, competitive grant process; and

WHEREAS, 40 CFR Part 130.9(b) provides that the Governor may withdraw the planning designation of a designated planning agency if the areawide agency requests such cancellation or the areawide agency no longer has the resources or the commitment to continue water quality planning activities within the designated boundaries; and

SEAGO Member Entities

Cochise County

Benson

Bisbee

Douglas

Huachuca City

Sierra Vista

Tombstone

Willcox

Graham County

Pima

Safford

San Carlos

Apache Tribe

Thatcher

Greenlee County

Clifton

Duncan

Santa Cruz County

Nogales

Patagonia

SEAGO Main Office

Administration Community and Economic Dev. Transportation

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Area Agency on Aging Office

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www.seago.org

WHEREAS, SEAGO management has determined that it can no longer meet its obligations as a DPA with the limited funding resources provided by ADEQ.

NOW, THEREFORE, BE IT RESOLVED by the SEAGO Executive Board as follows:

THAT, the Executive Board has reviewed the required functions, responsibilities, and related funding and expenses of continuing as an areawide planning agency under Section 208 of the CWA and hereby finds that funding levels are inadequate to meet the required functions and responsibilities; and

THAT, by approval of this Resolution, the Executive Board hereby serves notice to the Governor that, as of July 1, 2023, SEAGO intends to de-designate as an areawide planning agency under Section 208 of the CWA; and

THAT, as of July 1, 2023, SEAGO will no longer perform the following or associated functions of an areawide planning agency under Section 208 of the CWA such as:

- Ongoing maintenance of its Areawide Water Quality Management Plan;
- Processing of consistency reviews and/or regional plan amendments;
- Ensuring local government participation in the WQM planning process;
- Ensuring requisite Public Participation requirements are met;
- Providing technical assistance to local entities in the WQM plan development and amendment process;
- Participation in the Statewide Water Quality Management Working Group meetings; and
- Ensuring a regional and statewide perspective in the development, review, revision, and implementation of State WQM policy and programs.

AND THAT, between the date of this Resolution and the end of State Fiscal Year 2023, SEAGO stands ready to assist in the process to transition water quality management planning responsibilities in Cochise, Graham, Greenlee and Santa Cruz Counties from SEAGO to ADEQ.

Passed and adopted by the SEAGO Executive Board on this 24th day of February, 2023.



David Gomez
Vice-Chair, SEAGO Executive Board



Randy Heiss,
Executive Director