



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

March 8, 2016

Michael O'Driscoll, Director
Health and Emergency Services Division
Gila County Environmental Health Department
5515 S. Apache Avenue
Globe, AZ 85501

Subject: Changes to County Delegation Agreement Template

Dear Mr. O'Driscoll:

Please find enclosed two copies of the amended Delegation Agreement ADEQ16-114067 (formerly EV12-EV12-0053) changing the delegation from the Community Development Department to the Health and Emergency Services Division, Environmental Health Department and updating contact persons. The Notice of Proposed Delegation Agreement was published in the Arizona Administrative Register on November 27, 2015 at 21 A.A.R. 2984, and no comments were received during the required 30-day public comment period.

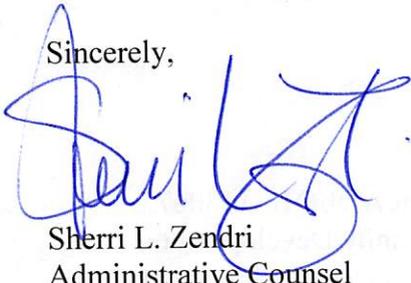
Additionally, after consultation with the Attorney General's Office and Gila County, the following changes to improve the Delegation Agreements have also been incorporated:

1. Updated the contract number to conform to the ProcureAz system.
2. Page 1 - Replaced the reference to A.R.S. § 11-952 with A.R.S. § 49-107 because this document is a Delegation Agreement, not an Intergovernmental Agreement for the joint exercise of powers common to the County and ADEQ.
3. Page 3 - Added to Paragraph D the E-verify requirements in A.R.S. §§ 41-4401(A) and 23-214(A) that shall be included in every government contract.
4. Page 4 - Replaced the word "intent" with "request" in Paragraph G.6 to clarify that ADEQ is to forward the LA's request and that the LA does not have authority to initiate an enforcement action where the Arizona Attorney General has exclusive authority to bring an action.
5. Page 5 - Clarified in Paragraph H.1 that ADEQ will pay for only the Office of Administrative Hearing's costs on behalf of the County, not County costs.

6. In Appendix A at Item 5 concerning 4.23 General Aquifer Protection Permits added "Not applicable to LA" as requested by Gila County
7. Updated Appendix B at C.4. to change "Environmental Health Specialist series" to "Environmental Scientist and Specialist" series after ADEQ reclassified its positions [job description is enclosed]
8. Added to the Signature Page language to memorialize the date of approval by the County Board of Supervisors pursuant to its authority and replaced the reference to A.R.S. § 11-952 with A.R.S. §§ 11-201(A)(3) and 49-107.

Please sign and date the signature pages on the two enclosed copies of the amended Delegation Agreement and return them to me. We will then obtain the remaining signatures and send you a fully executed copy of the amended Delegation Agreement. We look forward to continuing our cooperative efforts with Gila County

Sincerely,



Sherri L. Zendri
Administrative Counsel

Enclosures