

PINAL AMA - DRAFT LEGISLATIVE LANGUAGE TO ADDRESS IMMEDIATELY ACTIONABLE SOLUTIONS
REDUCING GROUNDWATER OR ADDING NON-GROUNDWATER SUPPLIES TO A DESIGNATION

Issue: Good water management practices such as bringing renewable water supplies (non-groundwater) to use through an existing Designation of an Assured Water Supply (Designation) or reducing a Designation's total groundwater volume have been precluded.

Solution: Specifically allow water providers whom wish to reduce the volume of groundwater in their Designation or bring renewable water supplies to use to do so.

Detail: All new subdivisions in the Active Management Areas (AMA) must prove an 100-year assured water supply and do this either through the landowner whom obtains a Certificate of Assured Water Supply for their individual subdivision or through a water provider whom obtains a Designation of Assured Water Supply (Designation) for their entire service area.

Currently in the Pinal AMA, water providers whom have a designation are precluded from making any changes to their Designations due to the current modeled groundwater deficit.

Both reducing the amount of groundwater to be used and using renewable water supplies are widely considered good water management, will help the overall water situation in the Pinal AMA, and should be allowed.

Water providers who wish to use renewable water supplies in their Designation do so in three paths, either through direct use, annual storage and recovery, or by pledging Long-Term Storage Credits.

- The bill language provides that the Department can make modifications to Designations for the addition of renewables through direct use, annual storage and recovery, or Long-Term Storage Credit pledges without being held up by the modeled deficit.
- The bill provides that the Department can make modifications to Designations for the reduction in groundwater supplies without being held up by the modeled deficit.
- Also, the bill language also codifies the definition of area of hydrologic impact so that annual storage and recovery and Long-Term Storage Credits can adequately be incorporated into a designation.

**PINAL AMA - DRAFT LEGISLATIVE LANGUAGE TO ADDRESS IMMEDIATELY ACTIONABLE SOLUTIONS
NEW SECTION TO ADDRESS REDUCING GROUNDWATER OR ADDING NON-GROUNDWATER SUPPLIES
TO A DESIGNATION**

§45-576. __ MODIFYING AN EXISTING DESIGNATION BY ADDING AN ADDITIONAL VOLUME OF NON-GROUNDWATER OR REDUCING THE VOLUME OF GROUNDWATER.

A. FOR A REQUEST TO THE DIRECTOR TO MODIFY THE DESIGNATION BY DECREASING THE VOLUME OF GROUNDWATER APPROVED IN THE DESIGNATION, THE DIRECTOR SHALL APPROVE THE MODIFICATION REQUEST WITHIN 60 DAYS OF THE REQUEST, WITHOUT FURTHER REVIEW OF THE PHYSICAL AVAILABILITY OF GROUNDWATER DETERMINED TO BE PHYSICALLY AVAILABLE UNDER THE ORIGINAL EXISTING DESIGNATION DETERMINATION.

B. FOR A REQUEST TO THE DIRECTOR TO MODIFY THE DESIGNATION BY THE ADDITION OF EFFLUENT, SURFACE WATER, CENTRAL ARIZONA PROJECT WATER, OR COLORADO RIVER WATER, THE DIRECTOR SHALL REVIEW THE ADDITION OF THE NON- GROUNDWATER SUPPLIES UNDER THE EXISTING RULES AS PROMULGATED UNDER SECTION 45-576.H. WITHOUT FURTHER REVIEW OF THE PHYSICAL AVAILABILITY OF GROUNDWATER DETERMINED TO BE PHYSICALLY AVAILABLE UNDER THE ORIGINAL EXISTING DESIGNATION DETERMINATION.

1. ANNUAL RECOVERY OF EFFLUENT, SURFACE WATER, CENTRAL ARIZONA PROJECT WATER, OR COLORADO RIVER WATER WITHIN THE AREA OF HYDROLOGIC IMPACT OF STORAGE AS PROVIDED FOR IN SECTION 45-851.01 SHALL BE DEEMED PHYSICALLY AVAILABLE TO SUCH WATER PROVIDER WITH NO ADDITIONAL HYDROLOGIC STUDY REQUIRED.
2. LONG TERM STORAGE CREDITS PLEDGED TO A DESIGNATION OF ASSURED WATER SUPPLY THAT WILL BE RECOVERED WITHIN THE AREA OF HYDROLOGIC IMPACT SHALL BE DEEMED PHYSICALLY AVAILABLE TO SUCH WATER PROVIDER WITH NO ADDITIONAL HYDROLOGIC STUDY REQUIRED. SUCH CREDITS ONCE PLEDGED TO THE DESIGNATION SHALL BE DEEMED PHYSICALLY AVAILABLE ONLY TO THE DESIGNATED PROVIDER HOLDING SUCH CREDITS.
3. FOR THE PURPOSES OF THIS SECTION THE AREA OF HYDROLOGIC IMPACT SHALL BE
 - I. WITHIN ONE MILE OF AN EXISTING OR PROPOSED UNDERGROUND STORAGE FACILITY OR
 - II. WITHIN THE EXISTING DISTRICT BOUNDARIES OF AN IRRIGATION DISTRICT PERMITTED AS A GROUNDWATER SAVINGS FACILITY OR
 - III. FOR AREAS OUTSIDE OF BOUNDARIES DEFINED IN B.2.I AND B.2.II AREAS THAT HAVE BEEN SHOWN TO HAVE BEEN POSITIVELY IMPACTED BY THE STORAGE ACTIVITY AS DEMONSTRATED BY A HYDROLOGIC MODEL APPROVED BY THE DIRECTOR.