Additional opportunity to provide input and feedback on items discussed in the meeting

Questions are optional so you can choose what you’d like to provide input on

Responses will be posted anonymously on our 5MP Concepts Webpage

Please respond by 8/25/2021

Link to Google Form Questionnaire: https://forms.gle/FBr1rWxLxNwsrTzo8
II. Discuss Proposed 5MP Agricultural Regulatory Language
   A. Review Current Draft Language
   B. Process for Providing Suggested Edits and/or Comments

III. Closing
Estimated 5MP Timeline

new.azwater.gov/5MP

2020: Development
• Work Group, Subgroups, & Stakeholder Outreach
• Data Analysis
• Develop Concepts to Increase Conservation
  ➢ Update Existing Programs
  ➢ Design New Programs

2021: Drafting
• Build out Concepts developed in previous phase
  ➢ Regulatory Language
  ➢ Feedback from GUACs/AMAs re: Customization & Implementation
• Draft Narrative & Background
• Develop Data Tools

2022: Adoption
• Publication of initial drafts
• Presentation to GUACs for recommendations
• Promulgation processes
  ➢ Hearing & Public Comment
  ➢ Findings & Adoption
  ➢ Noticing of Conservation Requirements
Chapter 4 (Agricultural) Layout:
* Narrative
  * Contains background information and descriptions of the agricultural conservation programs
* Regulatory Language
  * Italicized section at end of chapter
  * Legally enforceable
  * Contains:
    * Definitions
    * Conservation program requirements

Meeting Structure:
* Summarize changes between the 3MP, 4MP, and 5MP
* Will be discussing the draft 5MP regulatory language that has changed
* We are looking for input on the structure and clarity of the 5MP regulatory language
Proposed 5MP Agricultural Regulatory Language
### Historic Cropping Program

<table>
<thead>
<tr>
<th>3MPs</th>
<th>4MPs</th>
<th>5MPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Inaugural</td>
<td>• Unchanged</td>
<td>• Unchanged</td>
</tr>
</tbody>
</table>
### Base Program - Highest 25% Water Duties

<table>
<thead>
<tr>
<th>3MPs</th>
<th>4MPs</th>
<th>5MPs</th>
</tr>
</thead>
</table>
| • Director may reduce by up to 10% of the highest 25% of water duties within an area of similar farming conditions, pursuant to A.R.S. § 45-566(A)(1)  
• This statutory provision was **NOT** implemented in the 3MPs. | • Director may reduce by up to 10% of the highest 25% of water duties within an area of similar farming conditions, pursuant to A.R.S. § 45-567(A)(1) | • Director may reduce by up to 5% of the highest 25% of water duties within an area of similar farming conditions, pursuant to A.R.S. § 45-568(A)(1) |
<table>
<thead>
<tr>
<th>3MPs</th>
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<th>5MPs</th>
</tr>
</thead>
</table>
| • Developed with assistance of the BMP Advisory Committee | • Prescott and Tucson remained unchanged from 3MP  
• Phoenix, Pinal, Santa Cruz AMAs:  
  • Minor language updates for clarity  
  • Points changes in Categories 1 and 2 | • Updated by recommendation from the BMP Advisory Committee included 9 new BMPs and 12 updated BMPs.  
• Updated Appendix 4B Best Management Practices Program is available on the BMP Advisory Committee website: https://new.azwater.gov/ama/bmp/meetings |
<table>
<thead>
<tr>
<th>Category</th>
<th>3MPs/PrAMA &amp; TAMA 4MPs</th>
<th>PAMA, PhxAAMA, SCAMA 4MPs</th>
<th>5MPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category 1: Water Conveyance System Improvements</td>
<td>1 3</td>
<td>1 4</td>
<td>3 4</td>
</tr>
<tr>
<td>Category 2: Farm Irrigation Systems</td>
<td>2 3</td>
<td>2 4</td>
<td>2 4</td>
</tr>
<tr>
<td>Category 3: Irrigation Water Management</td>
<td>1 3</td>
<td>1 4</td>
<td>2 4</td>
</tr>
<tr>
<td>Category 4: Agronomic Management</td>
<td>1 3</td>
<td>1 4</td>
<td>2 4</td>
</tr>
<tr>
<td>Total Point</td>
<td>10 12</td>
<td>12</td>
<td>12</td>
</tr>
</tbody>
</table>
The applicant shall select at least two BMPs in each of the four BMP Categories described in Appendix 4B: Category 1 (water conveyance system improvements), Category 2, (farm irrigation systems), Category 3 (irrigation water management practices), and Category 4 (agronomic management practices). The total number of points for all BMPs selected by the applicant shall be at least twelve points, using the point values assigned to each BMP in Appendix 4B, subject to the following:

i. The maximum number of points allowed in any category is four points.

ii. The applicant shall select a BMP or BMPs in BMP Category 1 that have a total of at least three points.
### Integrated Farm Program

**Geographic Eligibility Requirements**

<table>
<thead>
<tr>
<th>3MPs/4MPs</th>
<th>5MPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Integrated Farm Program did not exist</td>
<td>• Owner/Operator of IGFRs may combine allotments of those IGFRs and apply that water anywhere within the combined footprint of the IGFRs.</td>
</tr>
<tr>
<td></td>
<td>• To participate in the program IGFRs must be within the same irrigation district or within the same sub basin, if they are not in an irrigation district.</td>
</tr>
</tbody>
</table>
Owner of IGFRs, or any person using groundwater pursuant to those IGFRs may apply to be regulated under the Integrated Farm Program after the 5MP has been adopted until the first compliance date of a future conservation program or until the legislature determines otherwise. One application may be filed for multiple IGFRs, if the IGFRs are within the same irrigation district and are farmed by the same owner or any person using groundwater pursuant to those IGFRs. One application may be filed for multiple IGFRs within the same sub basin, if the IGFRs are not within an irrigation district and are farmed by the same owner or any person using groundwater pursuant to those IGFRs.
## Integrated Farm Program
### Cut to Aquifer

<table>
<thead>
<tr>
<th>3MPs/4MPs</th>
<th>5MPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Integrated Farm Program did not exist</td>
<td>• Final combined allotment of the newly created integrated farm unit will have a cut to the aquifer to 5%</td>
</tr>
</tbody>
</table>
The Director shall establish the irrigation water duty and maximum annual groundwater allotment in the same manner that the Director established the irrigation water duty and maximum annual groundwater allotment assigned for the IGFR in the Base Agricultural Conservation Program described in section 4-502 for each IGFR accepted into the Integrated Farm Program. The total maximum annual groundwater allotment for the integrated farm unit shall be the sum of the individual IGFRs maximum total groundwater allotment minus a 5% cut to the aquifer.
### Integrated Farm Program

**Flexibility Account**

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>• Integrated Farm Program did not exist</td>
<td>• Existing IGFR flexibility accounts are frozen</td>
</tr>
<tr>
<td></td>
<td>• A new flexibility would be created for the new Integrated Farm Unit</td>
</tr>
<tr>
<td></td>
<td>• The new flexibility account would be limited to debits/accruals totaling +/-50% of the total allotment.</td>
</tr>
<tr>
<td></td>
<td>• The new integrated farm unit’s flexibility account will divided proportionally by water duty acres upon an IGFR’s exit from the program.</td>
</tr>
</tbody>
</table>
Under the Integrated Farm Program, the flexibility account provisions of A.R.S. § 45-468 shall not apply to the individual IGFRs regulated under the Integrated Farm Program. Upon acceptance into the Integrated Farm Program, the balance in each IGFR’s flexibility account at the time of acceptance into the Integrated Farm Program shall remain unchanged until water use on the IGFR is no longer regulated under the Integrated Farm Program. Under the Integrated Farm program, a new flexibility account will be created for the integrated farm unit.

The flexibility account provisions of A.R.S.§ 45-468 shall apply to newly created integrated farm unit owners and any person entitled to use groundwater under that integrated farm unit with the following modifications:

1. If the amount of water used to irrigate the integrated farm unit in any year is less than the maximum annual groundwater allotment established for the integrated farm unit pursuant to subsection C, paragraph 1 of this section, the amount of any credit registered to the farm’s flexibility account pursuant to A.R.S. § 45-468 shall not exceed the difference between the existing balance in the account and a positive account balance of 50 percent of the maximum annual groundwater allotment. The Director shall not register a credit to the integrated farm unit’s flexibility account in any year in which the account has an existing positive account balance equal to 50 percent of the maximum annual groundwater allotment.

2. If the amount of water used to irrigate the integrated farm unit in any year is more than the maximum annual groundwater allotment established for the integrated farm unit pursuant to subsection C, paragraph 1 of this section, the amount of any debit registered to the integrated farm unit’s flexibility account pursuant to A.R.S. § 45-468 shall not exceed the difference between the existing balance in the account and a negative account balance of 50 percent of the maximum annual groundwater allotment. The Director shall not register a debit to the integrated farm unit’s flexibility account in any year in which the account has an existing negative account balance equal to 50 percent of the maximum annual groundwater allotment.

3. If IGFR(s) are removed from the Integrated Farm Program pursuant to subsection F and G of this section, the integrated farm unit’s flexibility account will be divided proportionally by water duty acres. The IGFR(s) being removed will add the proportioned flexibility account balance from the integrated farm unit to the unchanged balance existing prior to their acceptance into the Integrated Farm Program.
### Integrated Farm Program Leaving Program

<table>
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<tbody>
<tr>
<td>• Integrated Farm Program did not exist</td>
<td>• New owners/new conveyance may file written request to the Director within 30 days of the conveyance</td>
</tr>
<tr>
<td></td>
<td>• Owners may submit written request(s) to withdraw from the Integrated Farm Program. IGFRs approved for withdrawal would remain in the Integrated Farm program until the next reporting year</td>
</tr>
</tbody>
</table>
A person regulated under the Integrated Farm Program shall be regulated under the program until the first compliance date for any future conservation program or until the legislature determines otherwise, unless:

1. There is a new owner and the new owner has submitted a written request to the Department to withdraw from the program. Requests must be written within 30 days after the conveyance.

2. The owner or any person who is entitled to use groundwater pursuant to the Integrated Farm Program enrolled IGFR(s) submits a written request to the Department detailing the IGFR(s) that would be removed from the program. Those IGFRs exiting the program would remain regulated under the Integrated Farm Program until the next reporting year.
DRAFT 5-506 (B)

…..each irrigation district and private water company owning or operating an irrigation distribution system shall line and maintain all canals used to deliver water for irrigation use with a material that allows no more lost water than a well-maintained concrete lining, and ensure the total quantity of lost and unaccounted-for water of the distribution system is 10 percent or less of the total quantity of water from any source, including effluent, that enters its irrigation distribution system, calculated on either a calendar year basis or a three-year average basis based on that calendar year and the two preceding calendar years.

1. An irrigation district may be exempt from the requirement to line canals if the total quantity of lost and unaccounted-for water of the distribution system is 10 percent or less of the total quantity of water from any source, including effluent, that enters its irrigation distribution system, calculated on either a calendar year basis or a three-year average basis based on that calendar year and the two preceding calendar years.
How To Submit Feedback on Language

* Download the Draft 5MP Agricultural Regulatory Language
* Make your suggested edits right in the document using Tracked Changes
* Upload the document with your edits using the Questionnaire or email it to us at managementplans@azwater.gov
Closing
Today’s Meeting:
* Overview of changes between management plans
* Reviewed draft regulatory language
  * Stakeholders may provide additional feedback by submitting a document with tracked changes or by sending comments in the questionnaire

Next Steps:
* Questionnaire deadline: 8/25/2021
* Additional discussions as needed

Initial drafts of the 5MPs will be published in early 2022
Estimated 5MP Timeline

new.azwater.gov/5MP

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MPWG Subgroups

{All meeting info is available at new.azwater.gov/5MP/meetings}
Questions?

managementplans@azwater.gov

Management Plans Work Group:
new.azwater.gov/5MP

Full Text of Management Plans:
new.azwater.gov/ama/management-plans