February 28, 2022

Thomas Buschatzke, Director
Arizona Department of Water Resources
1110 West Washington Street, Suite 310
Phoenix, AZ 85007

RE: Proposed Fifth Management Plan “Storage & Recovery Siting Criteria”

Dear Director Buschatzke:

The Central Arizona Water Conservation District (CAWCD) appreciates the opportunity to provide comment on the draft Fifth Management Plans for the Phoenix, Pinal and Tucson Active Management Areas, and specifically the Department’s request for feedback on the proposed recovery siting criteria in areas of shallow water levels (3-801(B)(1)(a)).

As the operator of five large Underground Storage Facilities (USFs), and as the designated recovery agent for the Arizona Water Banking Authority, we support the Department’s efforts to ensure that stored water does not contribute to groundwater levels that require dewatering. We view the Fourth Management Plan language\(^1\) as an important safeguard to address “problems associated with shallow depth to water.” However, we have concerns about the scope of the Department’s proposed change in approach for the Fifth Management Plans and in the level of accompanying analysis.

The Department proposes to classify new or re-permitted USFs based on whether the Maximum Area of Impact (Max AOI) intersects areas with depths to groundwater of 50 feet or less.\(^2\) This approach would appear to materially alter the intent of this provision and greatly expand its applicability. As other commenters have noted, the modeled Max AOI for USFs can extend over a very large geographic area, and there are many places where the depth to groundwater of 50 feet or less would not be categorized as problematic.

We recognize and appreciate the proposed exemption for current USF permits and accrued credits, but that does not fully alleviate our concerns. We expect to

\(^1\) 8-801(B)(1)(a)
continue to operate our facilities and will ultimately need to modify or renew their associated permits. An initial analysis suggests that half or more of CAWCD’s USFs could be affected by this proposal, despite little or no evidence of these facilities are contributing to nuisance groundwater. Instead, the requirement to recover future credits within the much smaller actual AOI seems aimed at separate policy objectives that have not been fully articulated. We certainly support storage and recovery in a hydrologically sound manner, but there are already significant limitations on USF siting and on recovery wells, and it is not clear whether the perceived benefits of this regulation have been fully weighed against the impacts to the future utility of these recharge facilities. At a minimum, we would expect the Department to publish a map of the Max AIOs for all existing facilities along with GWSI wells with recent measured water levels of 50 feet or less so the potential scope of this proposal could be evaluated.

Thank you again for the opportunity to comment on the Department’s important work in developing Fifth Management Plans.

Sincerely,

Kenneth Seasholes
Manager, Resource Planning & Analysis

cc: Theodore Cooke, General Manager
Patrick Dent, Assistant General Manager for Water Policy
Don Crandall, Water Control Manager