February 28, 2022

Thomas Buschatzke, Director
Arizona Department of Water Resources
1110 W Washington St #310,
Phoenix, AZ 85007

Re: 5th Management Plan for the Phoenix AMA, rule change 3-801 Storage & Recovery

Dear Director Buschatzke,

Scottsdale would like to thank the department for the opportunity to comment on the Phoenix Active Management Areas (AMA) Proposed 5th Management (5MP) Storage and Recovery Siting Criteria. Scottsdale has been an engaged stakeholder throughout the 5MP development process as we believe it is a provider’s responsibility to assist in making the final Management Plan a sound and innovative set of rules to best manage our water future.

Scottsdale has substantial concerns about the section of the 5MP: Proposed Storage and Recovery Siting Criteria Section 3-801(B)(1)(a). We are encouraging the Department to not proceed with the language amendments as we believe this proposal will negatively impact USFs throughout the Phoenix AMA and limit the recovery options for water providers after 2025.

As this section is written, it is overly far-reaching and will impose a universal “shallow water” determination on broad swathes of land in the Phoenix AMA. The Department’s existing depth-to-water projections sourced from Groundwater Site Inventory (GWSI) data show many locations that would meet the 50-foot depth threshold in the Phoenix AMA. The Department has not provided an analysis of the full impact of this rule amendment. The full implications of this amendment would go beyond the intention of the change and would constraint providers to the point of the inability for adequate recharge and recover in a feasible manner.

We understand the department’s intention to curb recharge in areas of shallow water, however, this proposed amendment would capture more than the intended areas by the Department and lacks full evaluation of the consequences to the entire AMA. Scottsdale strongly encourages the Department to consider all stakeholders concerns before proceeding.

Sincerely,

[Signature]

Brian K. Biesemeyer
Executive Director, Scottsdale Water