

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

**ARIZONA DEPARTMENT OF WATER RESOURCES
BEFORE THE DIRECTOR**

**IN THE MATTER OF THE ADOPTION
OF THE MANAGEMENT PLAN FOR
THE PHOENIX ACTIVE
MANAGEMENT AREA FOR THE
FOURTH MANAGEMENT PERIOD**

**ORDER OF ADOPTION
Date: March 11, 2020**

I. Order of Adoption

In accordance with the requirements of A.R.S. § 45-571, Thomas Buschatzke, Director of the Arizona Department of Water Resources (“Director”), hereby adopts the attached document as the management plan for the Phoenix Active Management area (“AMA”) for the fourth management period (“Fourth Management Plan”). The Fourth Management Plan contains the following chapters: Chapter 1 (Introduction), Chapter 2 (Hydrology), Chapter 3 (Water Demand and Supply), Chapter 4 (Agricultural), Chapter 5 (Municipal), Chapter 6 (Industrial), Chapter 7 (Water Quality), Chapter 8 (Underground Water Storage, Savings and Replenishment), Chapter 9 (Water Management Assistance), Chapter 10 (Implementation), and Chapter 11 (Water Management Strategy).

On January 6, 2020, the Director issued the proposed Fourth Management Plan for the Phoenix AMA (“proposed plan”). A public hearing on the proposed plan was held in Phoenix, Arizona on February 10, 2020. The comment record remained open for the submission of written comments until February 10, 2020 at 5:00 p.m.

Simultaneously with this order, the Director is filing in the Department of Water Resources (“Department”) a written summary and findings with respect to matters considered during the hearing record period. As a result of additional review by the Director, the Director

1 has made non-substantive modifications to the proposed plan to make typographical and
2 technical corrections, as described below.

3 **II. Modifications Made to Proposed Fourth Management Plan**

4 The following modifications have been made to the proposed plan:

5 A. Chapter 6, Industrial: Items were edited to make technical corrections and correct
6 typographical errors.

7 B. Chapter 11, Water Management Strategy: Items in Section 11.2.2 were edited to
8 correct minor factual errors, to clarify the scale and timing of impacts, and to reflect
9 newly released data. Other items in the chapter were edited to correct minor
10 typographical or factual errors.

11 **III. Effective Date of Order for Purposes of Motions for Rehearing or Review**

12 Pursuant to A.R.S. § 45-571(C), a summary of this order, the management plan adopted
13 by this order and the Director’s findings with respect to matters considered during the public
14 hearing will be published once each week for two consecutive weeks in the Arizona Republic,
15 beginning on March 11, 2020. This order shall be effective for purposes of motions for rehearing
16 or review on March 17, 2020 the date of the last publication.

17 Pursuant to A.R.S. § 45-114(C), any person may file a motion for rehearing or review of
18 this order and the management plan adopted by this order no later than April 17, 2020 at 5:00
19 p.m. Any motion for rehearing or review must be filed with the Docket Supervisor, Arizona
20 Department of Water Resources, 1110 W. Washington Street, Suite 310, Phoenix, Arizona
21 85007. A party is not required to file a motion for rehearing or review in order to exhaust
22 administrative remedies and may seek judicial review of the Fourth Management Plan once the
23 director’s decision becomes final as provided in section IV.

24 **IV. Judicial Review**

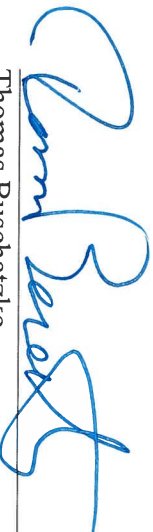
25 This order shall become final for the purpose of judicial review as follows:

1 1. If no person files a motion for rehearing or review within the time allowed by section
2 III of this order, this order shall become final for the purpose of judicial review on April 17, 2020
3 and the Department shall post notice on its website that the order is final as of that date.

4 2. If any person files a timely motion for rehearing or review, the Director will issue a
5 decision on the motion and may modify the management plan after rehearing or review. After
6 the Director issues decisions on all motions for rehearing or review, the Director will publish
7 notice that the management plan is final once each week for two consecutive weeks in the
8 Arizona Republic. The notice will include a description of any modifications made after
9 rehearing or review. The management plan shall be final for the purpose of judicial review when
10 the notice is published for the second time.

11 IT IS HEREBY ORDERED that the attached document is adopted as the Fourth
12 Management Plan.

13 Dated this 11 day of March, 2020.

14
15
16 

17 Thomas Buschatzke
18 Director, Arizona Department of Water Resources
19
20
21
22
23
24
25