



November 12, 2021

Arizona Department of Water Resources  
1110 W Washington St., Suite 310  
Phoenix, Arizona 85007

**Re: 5<sup>th</sup> Management Plan for the Phoenix AMA, Proposed Recharge & Recovery Siting Criteria**

ADWR Management Plans Team,

The Arizona Municipal Water Users Association would like to provide comments regarding ADWR's proposal to implement the Section 8-801(B)(1)(a) Recharge and Recovery siting criteria in the Phoenix AMA 5<sup>th</sup> Management Plan.

We acknowledge ADWR's proposal is an effort to address the hydrologic disconnect and to encourage recovery in areas where groundwater conditions would benefit from increased pumping. While we appreciate the Department's intention, AMWUA remains concerned about potential unintended consequences from implementing this policy without more clarification.

The policy needs more certainty as to how the Department will determine whether an area is "*experiencing problems* associated with shallow depth to water" (emphasis added) as there are areas of shallow groundwater where there are no problems. Environmental features such as wetlands and riparian areas, as well as underground storage facilities are examples of areas where shallow groundwater is not necessarily a problem and should not be inadvertently targeted by this policy.

We continue to be concerned about delineating an area as experiencing shallow groundwater conditions that is in effect surface water or subflow. Even if an area has not yet been adjudicated, ADWR should be very cautious about adding another regulatory layer and classification to areas that will be adjudicated in the near future.

Again, while we recognize and appreciate the Department developing a policy that could encourage more hydrologic connection between recharge and recovery, AMWUA believes the policy needs further refinement and clarification before inclusion in the 5<sup>th</sup> Management Plan to ensure it does not inadvertently create unnecessary management problems. During the 5MP stakeholder process, ADWR stated multiple times that its willingness to consider removal of this siting criteria from the 5MP if implementation was not warranted. It appears that the majority of stakeholders do not feel the proposal as currently described is necessary to solve water management issues in the Phoenix AMA.

We remain willing to further discuss this policy and other aspects of the Recharge Program.

Sincerely,

  
Warren Tenney  
Executive Director