



November 12, 2021

Management Plans
Arizona Department of Water Resources
1110 W Washington Street, Suite 310
Phoenix, Arizona 85007

RE: Comments on 5MP Chapter 8 - Recovery Incentive Proposal

Dear Management Plans Team,

The City of Goodyear appreciates the opportunity to comment on the 5MP Chapter 8 Regulatory Language Modification Recovery - Incentive Proposal which includes a definition of shallow groundwater and an incentive to those holding long-term storage credits to recover in those areas. The city is deeply concerned about this proposal as it relates to possible impacts to Goodyear and the potential for unintended consequences. The city's comments are as follows:

1. The area defined as shallow groundwater (< 50 ft below land surface) generally occurs in close proximity to the Salt and Gila River channels according to the Hydrologic Map Series Report No. 35 (Rascona, 2005). This appears to meet the definition for surface water in statute. Consequences of implementation may include:
 - a. Putting recovery of groundwater in conflict with surface water rights.
 - b. Adding another layer of complexity to "undo" in the upcoming surface water adjudication.
 - c. Impacting riparian habitat and wetlands. The Department's definition of shallow groundwater references studies identifying the zone between land surface and 50 feet below lands surface as critical to riparian habitat.
2. Regarding the incentive to automatically determine that the recovery is "consistent with the management plan" (8-801.B.2.a) - Is the geology and hydrology understood well enough to definitively conclude that there will be no negative impacts to surrounding Assured Water Supply wells? Careful consideration should be given to any management practice or policy that would potentially impact a provider's Assured Water Supply without that provider's approval.

The city would also like to express some general concerns.

1. Has any analyses or groundwater modeling been done to determine if this proposal accomplishes what is intended and if there were any unintended consequences?



2. There was very little time for stakeholders to review the proposed definition of shallow groundwater – less than two weeks. Are there any new maps containing up-to-date water level information available for stakeholder review?
3. There should be more information/details provided regarding the “method approved by the Director” to identify the areas of shallow groundwater in order for stakeholders to adequately evaluate this proposal.

Again, the City of Goodyear appreciates the opportunity to comment on this proposal. The city urges the Department to retract this proposal from the Fifth Management Plan until it can be further evaluated. Please feel free to contact us if further discussion or clarification is needed on the city's comments.

Sincerely,

Gretchen Erwin

Gretchen Erwin, R.G.
Water Resources & Sustainability Manager
City of Goodyear
623-882-7639