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Via U.S. Mail and E-Mail

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

RE: Proposed 5MP Chapter Eight Regulatory Language Modifications

Dear Director Buschatzke:

SRP appreciates the Arizona Department of Water Resources (ADWR) effort to incorporate stakeholder feedback in the development of the Fifth Management Plan. As a stakeholder, SRP has the following questions about the Proposed 5MP Chapter Eight Regulatory Language Modifications:

- 1. What is the water management challenge that will be improved with the adoption of the shallow depth to water recovery allowance?**

While SRP understands the conceptual benefit of recovering stored water in areas with shallow depth to water conditions, much if not nearly all of the groundwater in the Phoenix AMA has already been allocated for use by one water user or another. Allowing the recovery of stored water in dissociated locations with shallow depth to water conditions appears to risk the water supplies that those water users are depending upon.

- 2. How will this proposed policy interact with limitations on water providers pumping groundwater outside of their service area?**

Based on current water levels in the Phoenix AMA, there are only a handful of areas with depth to water conditions of 50 feet or less below land surface. This means that most water providers with long-term storage credits that could be recovered in an area with

shallow depth to water conditions do not have such an area within their service area. As a result, water providers may attempt to recover that water in areas outside of their service area. Leaving aside the infrastructure challenges of such a proposition, do limitations on groundwater pumping outside of a water providers service area preclude water providers from recovering long-term storage credits from areas with shallow depth to water conditions outside of their service area?

- 3. How will Groundwater Savings Facility Permits be affected by this proposed change?**
- 4. Why was this change only proposed for the Phoenix AMA?**
- 5. Why was the standard for shallow depth to water conditions based on Pima County policy?**

Despite mirroring Pima County policy, defining shallow depth to water conditions as 50 feet or less below land surface seems to be arbitrary. It would be better policy if the requisite water level were based on a specific practical harm the policy was aiming to avoid, such as damage to underground structures.

- 6. Does it make sense for the definition of shallow depth to water conditions to include areas where the overall aquifer thickness is restricted or in areas where there is a shallow perched aquifer?**

There are areas in the Phoenix AMA where shallow depth to water conditions exist due to a shallow bedrock layer which creates a shallow aquifer or areas where there is a shallow perched aquifer. It does not seem to make sense to encourage pumping in these areas with little saturated thickness. Perhaps not all of these areas with shallow depth to water conditions should be treated the same.

- 7. Can regulated entities submit water level measurements to ADWR to determine whether an area meets the definition for shallow depth to water conditions?**
- 8. Since water levels can fluctuate frequently in response to aquifer recharge and stress, how long must water levels be 50 feet or less below land surface before ADWR determines that an area possesses shallow depth to water conditions?**
- 9. Is there a standard for the minimum spatial extent of water levels 50 feet or less below land surface?**

We appreciate the opportunity to provide feedback on the proposed 5MP Chapter Eight Regulatory Language Modifications. SRP suggests that ADWR form a technical advisory group comprised of experts from inside and outside the Department to develop maps delineating the areas within the Phoenix AMA with shallow depth to water conditions. We would be happy to

discuss this suggestion and our questions further with ADWR and look forward to addressing this matter at future Management Plan Workgroup meetings.

Sincerely,

A handwritten signature in blue ink that reads "Christa McJunkin". The signature is written in a cursive style with a large initial "C".

Christa McJunkin
Director
Water Strategy