ARIZONA DEPARTMENT OF WATER RESOURCES

BEFORE THE DIRECTOR

IN THE MATTER OF THE MANAGEMENT PLAN FOR THE TUCSON ACTIVE MANAGEMENT AREA FOR THE FOURTH MANAGEMENT PERIOD	SUMMARY OF HEARING AND FINDINGS

I. Procedural Background

Pursuant to the requirements prescribed in A.R.S. §§ 45-567, 45-567.01, 45-567.02, 45-570, and 45-571, Thomas Buschatzke, Director of the Arizona Department of Water Resources ("Director"), issued the proposed management plan for the Tucson Active Management Area ("TAMA") for the fourth management period ("Fourth Management Plan") on May 13, 2016. A public hearing on the proposed plan was held on June 30, 2016 in Tucson, Arizona.

The hearing officer for the hearing was Doug Dunham, Legislative Liaison, Ombudsman, and Special Assistant to the Director for the Arizona Department of Water Resources ("Department"). At the hearing, Jeff Tannler, Statewide Active Management Area Director for the Department, and Pam Muse, Active Management Area Planning and Data Management Supervisor for the Department, presented data in support of the proposed Fourth Management Plan, as well as the Groundwater Users Advisory Council's ("GUAC") comments on the proposed plan. The hearing officer also received oral and documentary evidence concerning the proposed plan. The comment period remained open until June 30, 2016 at 5:00 p.m.

As provided in A.R.S. § 45-571(A), the Director is required to file a written summary and findings with respect to matters considered during the hearing record. As a result of additional review by the Director, the Director has determined that a non-substantive

modification to the proposed plan is necessary to correct a typographical error. Pursuant to A.R.S. § 45-571(B), the Director has made the necessary modification and is filing in the Department an order adopting the plan as modified simultaneously with this Summary and Findings. After reviewing the comments and evidence submitted during the hearing record period, the Director makes the following written summary and findings with respect to matters considered during the hearing record period.

II. Summary of Hearing and Findings

A summary of the comments received during the hearing record period and the Director's responses to the comments are presented below. Two people presented oral comments at the public hearing. The Director received no written comments during the hearing record period. The summary does not address comments which did not raise issues pertaining to the plan and does not answer questions posed within written comments or at the public hearing. Furthermore, the Director is unable to respond to any comments that are unclear or ambiguous.

1. Grandfathered Rights

Comment: A commenter stated he thought "everything looks pretty good" and did not see any changes to his grandfathered rights.

Response: No changes to any of the grandfathered groundwater rights provisions are being proposed. The Department appreciates the commenter's support.

2. CAP water

Comment: A commenter stated his assumption that if Central Arizona Project starts cutting back on water because of the Colorado River flow it would be addressed in the Fifth Management Plan.

Response: Any modifications to CAP allocations, including potential drought related reductions in CAP allocations, will be conducted in separate public processes.

3. Water conservation

Comment: A commenter provided a variety of statements concerning his thoughts about water conservation and actions that should be taken such as not granting water use to foreign companies and tanning companies. The commenter also believed additional dams, rather than levies, would be beneficial and was concerned about the planting of new pecan fields.

Response: These comments do not relate to any specific provision of the Fourth Management Plan, and are therefore outside the scope of this proceeding. However, the Director believes that the conservation measures in the Fourth Management Plan are reasonable and are consistent with the statutory guidelines.

III. Conclusion

The Director has determined it is appropriate to adopt the proposed plan, with the non-substantive modification, as the Fourth Management Plan as described in the Order of Adoption issued simultaneously with this Summary of Hearing and Findings.

Dated this 27 day of July, 2016.

Thomas Buschatzke
Director, Arizona Department of Water Resources