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This booklet contains modifications to the management plan for the Phoenix Active Management Area ("AMA") for the third management period, 2000 to 2010 ("Third Management Plan"). The Third Management Plan was adopted by the Director of Water Resources in December of 1999. It is the third in a series of five management plans mandated by the 1980 Groundwater Management Act. As required by the Act, the plan contains mandatory conservation requirements for persons withdrawing, distributing or using groundwater within the Phoenix AMA. The plan also contains a Groundwater Quality Management Program, an Augmentation and Recharge Program, a Water Management Assistance Program and a chapter on plan implementation.

The modifications contained in this booklet were adopted by the Director on April 2, 2003. The modifications became effective on May 19, 2003, following public notice and an opportunity to request review or rehearing. Included in the modifications is the adoption of a new Chapter 4 (Agricultural Conservation Program) to replace the Chapter 4 adopted with the Third Management Plan in December of 1999. The new chapter was adopted to comply with legislation enacted in 2002 requiring the Director to calculate the irrigation water duties for most farms regulated under the Base Agricultural Conservation Program using an irrigation efficiency of 80 per cent and requiring the Director to adopt an Agricultural Best Management Practices Program as an alternative to the Base Program. Modifications were also made to Chapter 5 (Municipal Conservation Program), Chapter 6 (Industrial Conservation Program), and Chapter 9 (Water Management Assistance Program).

The following is a brief description of the modifications to the Third Management Plan contained in this booklet:

Chapter 4, Agricultural Conservation Program

Chapter 4 has been replaced in its entirety with a new chapter 4. The new chapter retains the Historic Cropping Program and the conservation requirements and monitoring and reporting requirements for irrigation distribution systems and also includes the following new provisions:

1. A Base Agricultural Conservation Program (Section 4-102) with new irrigation water duties and maximum annual groundwater allotments for farms within the Phoenix AMA for the third management period. As required by A.R.S. § 45-566(A)(1), the water duties were calculated using an irrigation efficiency of 80 per cent, except that a

lower irrigation efficiency was used for farm units determined by the Director to have limiting soils or excessive slopes and for farm units where orchard crops were historically grown and continue to be grown. The new irrigation water duties and maximum annual groundwater allotments are set forth in Supplement I to the Third Management Plan. Because of its length, Supplement I is not included in this booklet, but may be reviewed at the Department's office in Phoenix and at the Department's Website: www.water.az.gov.

2. A Best Management Practices ("BMP") Program (Section 4-104) that is an alternative to the Base Agricultural Conservation Program. An owner or lessee of an Irrigation Grandfathered Right may apply to the Department for regulation under the BMP Program. Persons regulated under the BMP program are not required to comply with an irrigation water duty or maximum annual groundwater allotment, but instead must implement specific agricultural conservation practices on their farm.

3. A new section (Section 4-107) allowing groundwater withdrawn pursuant to a remedial action project to be accounted for consistent with surface water for purposes of determining compliance with agricultural conservation requirements if certain conditions are met.

Chapter 5, Municipal Conservation Program

1. Non-Per Capita Conservation Program – The following modifications were made to the Non-Per Capita Conservation Program in Section 5-104:

   a. Language was added allowing a municipal provider applying for regulation under the Non-Per Capita Conservation Program to replace a standard Reasonable Conservation Measure ("RCM") in a residential or non-residential water use category with a substitute RCM in a different water use category (other than the system related water use category) if the following two conditions are met: (1) the substitute RCM must be designed to achieve a water use efficiency within the provider's service area that is greater than the efficiency that would result from implementation of the standard RCM, and (2) the substitution must not result in the provider implementing no RCMs in the water use category in which the standard RCM is included.

   b. The residential interior standard RCM entitled "Water Audit and Fixture Retrofit Program for Existing Residential Customers" in Appendix 5-I.1 was modified to clarify that only those audits or retrofits that are verified by the provider as having been successfully completed will count toward the required number of audits or retrofits. The RCM was also modified to require the provider to conduct a follow-up survey of a statistically significant sample of customers audited.

   c. The residential exterior standard RCM in Appendix 5-I.1 entitled "Audit Program for Existing Residential Customers" was modified to clarify that only those audits that are verified by the provider as having been successfully completed will count toward the required number of audits.

d. The non-residential interior standard RCM in Appendix 5-I.2 entitled "Distribution of Conservation Information to all New Non-Residential Customers and Submittal of Water Use Plan by New Large Facilities" was modified by deleting "new large produce processing facilities" from the list of facilities that are excluded from the requirements in the RCM.

e. The non-residential exterior standard RCM in Appendix 5-I.2 entitled "Landscape Ordinance or Condition of New Service for New Facilities" was modified to exclude the following facilities from the landscaping restrictions imposed by the RCM: schools, parks, cemeteries, golf courses, common areas of housing developments and public recreation facilities.

f. The Substitute RCM List in Appendix 5-I.4 was modified by moving the RCM entitled "Landscape Retrofit Program for Existing Residential Customers" from the "Residential Interior" category to the "Residential Exterior" category.

2. Individual User Requirements for Municipal Providers and Individual Users – The following modifications were made to Section 5-112, Individual User Requirements for Municipal Providers and Individual Users:

   a. Section 5-112(A)(3) was modified by deleting the language allowing a municipal provider or individual user to obtain a waiver from the landscaping requirements in publicly owned rights-of-way if a waiver is in the public interest. New language was added allowing a waiver only if plants listed on the Department's Low Water Use Plant List cannot grow in the right-of-way because of high elevation or low-light conditions.

   b. Section 5-112(A)(4) was modified by deleting the language allowing a municipal provider or individual user to obtain a waiver from the regulation prohibiting new water features within publicly owned rights-of-way.

   c. Section 5-112(B) was modified to conform to legislation enacted in 2002 regarding responsibility for compliance with individual user conservation requirements.

Chapter 6, Industrial Conservation Program

1. Conservation Requirements for All Industrial Users – The following modifications were made to Section 6-202, Conservation Requirements for All Industrial Users:

   a. Section 6-202(5) was modified by deleting the language allowing an industrial user to obtain a waiver from the landscaping requirements in publicly owned rights-of-way if a waiver is in the public interest. New language was added allowing a waiver only if plants listed on the Department's Low Water Use Plant List cannot grow in the right-of-way because of high elevation or low-light conditions.

   b. Section 6-202(6) was modified by deleting the language allowing an industrial user to obtain a waiver from the regulation prohibiting new water features within publicly owned rights-of-way.

2. Conservation Requirements for New Large Landscape Users – Section 6-901 was modified to exclude schools, parks, cemeteries, golf courses, common areas of housing developments and public recreational facilities from the conservation requirements for new large landscape users.

Chapter 9, Water Management Assistance Program

Chapter 9 was modified to conform the chapter to legislation requiring state agencies to follow specific procedures in soliciting and awarding grants.

The official language of the modifications described above are set forth in the pages that follow. The Department appreciates the input it received from the Phoenix AMA Groundwater Users Advisory Council and the Governor's Agricultural Water Conservation Best Management Practices Advisory Committee in developing the modifications. Anyone desiring more information about the modifications or the Third Management Plan should contact the Phoenix AMA office at 602-417-2465.

Sincerely,

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Director