

## **“Rural Groundwater Management Area” Framework Proposal**

The Rural Groundwater Committee has developed a high-level Framework for a new groundwater management program for rural Arizona. The Framework consists of key components on which the Committee has reached consensus and provides a starting point for further policy development. The key components of the Framework include:

- **Designation of “Rural Groundwater Management Area”** – The process for ADWR or local stakeholders to initiate the hearing and designation process for a groundwater basin to become a “Rural Groundwater Management Area”.
- **Acknowledgement of Existing Uses** – After designation of the “Rural Groundwater Management Area”, ADWR would identify and acknowledge existing groundwater users and uses in the basin from which the area Goals' and Management Plan's progress can be monitored and measured.
- **Council Membership** – The membership and appointment process of a Council consisting of local stakeholders that represent groundwater users within the regulated area.
- **Council Duties** – A list of the required and optional duties of the local Council. The local Council will be responsible for drafting the area Goal(s) and Management Plan, with final approval by ADWR.
- **Rural Groundwater Management Area Goal(s)** – Requirements for the area Goal(s) that will be created for the “Rural Groundwater Management Area” by the local Council.
- **Rural Groundwater Management Area Plan** – Required and optional components for the area Management Plan that will include the water management practices and programs tailored to each “Rural Groundwater Management Area”.
- **Sunset and Review** – The provisions associated with whether to rescind the “Rural Groundwater Management Area” and the requirement to either readopt or redraft the area Management Plan every ten years.

## **DESIGNATION OF “RURAL GROUNDWATER MANAGEMENT AREA”**

### **1. ADWR Initiation Criteria**

- a. Director has the option to initiate a “Rural Groundwater Management Area” designation process.
- b. The criteria to initiate should not be more onerous than an AMA.
  - i. Should be created when there has been a significant decrease in groundwater indicators over time and access to groundwater supplies is being threatened.

### **2. Local Initiation Process**

- a. Process can be initiated by county board of supervisors resolution(s) or petition by percentage of area registered voters.

### **3. Hearing and Designation**

- a. ADWR to conduct a hearing process, similar to an AMA or INA, prior to a decision on designation.
- b. Director has final designation authority.

### **4. Interim Pause**

- a. There is a need for a pause on groundwater use expansion that begins when a “Rural Groundwater Management Area” is designated and continues until the area Management Plan is approved by ADWR.
  - i. No new non-exempt wells within area boundaries, with exceptions for supplies necessary for the protection of human health and safety.

## **ACKNOWLEDGEMENT OF EXISTING USES**

1. There is a need to document current and historical groundwater uses and users if a “Rural Groundwater Management Area” is designated.
  - a. Applies to all sectors and water use types served by non-exempt wells.
  - b. Need sufficient information to make an “acknowledgement” determination.
2. The process to establish an “acknowledgement” should be more streamlined than the AMA application process.
3. Is subject to conservation or efficiency measures or other actions identified in the area Management Plan needed to achieve the area Goal(s).
4. Should provide flexibility for water users and the local economy while achieving the area Goal(s).

## **COUNCIL DUTIES**

### **1. Required Duties**

- a. Make a complete record of its proceedings that are open to public review.
- b. Respectfully cooperate with federally recognized Indian tribes, cities, towns, counties, water providers<sup>1</sup>, and other local, state, or federal agencies or organizations within the area to engage in coordinated regional planning.
- c. Coordinate with ADWR in creating area Goal(s) and Management Plan that address the needs of the local basin.
  - i. Request technical assistance from ADWR.
- d. Recommend and send to the Director the area Goal(s) and Management Plan.
  - i. ADWR issues final approval of Goal(s) and portions of Management Plan to be implemented by ADWR, striking illegal and unconstitutional provisions and recommending against impractical provisions.

### **2. Optional Duties**

- a. Gather additional information and data.
- b. Establish a steering committee, advisory committee, or other structure to solicit and receive participation, comment, and advice from residents and other interested parties regarding the development and operation of the area Management Plan.
- c. The Council may have other duties, responsibilities, and capabilities, to be finalized in legislation.

## **AREA GOALS**

1. Each “Rural Groundwater Management Area” must have at least one Goal, with all Goals tied to the needs and conditions of the local area.
  - a. The Goal(s) must address the groundwater conditions and criteria identified when ADWR designated the “Rural Groundwater Management Area”.
  - b. The Goal(s) will remain the same throughout the duration of the “Rural Groundwater Management Area”.
2. The Council must draft and recommend Goal(s) in consultation with ADWR.
  - a. The Council should respectfully cooperate with federally recognized Indian tribes, cities, towns, counties, water providers, and other local, state, or federal agencies or organizations within the area when drafting Goals.
  - b. Director issues final approval of Goal(s).

## **AREA MANAGEMENT PLAN**

### **1. The Area Management Plan Shall Include:**

- a. One or more management Goals for the area, approved by the Director.

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<sup>1</sup> Throughout this document, “water providers” refers to all entities that provide water to end users, such as private water companies, irrigation districts, and ditch companies.

- b. A description of the appropriate physical and socioeconomic conditions in the area and how the Goal(s) relate to those conditions.
  - c. Summary and consideration of other relevant government management plans currently in place in the area, including tribal, federal, state, and local governments.
  - d. Methods to monitor and report on progress toward the Goal(s).
  - e. Measuring and annual reporting for non-exempt wells in the area.
  - f. Rules governing well location.
  - g. Mandatory water conservation programs for all sectors.
- 2. The Area Management Plan May Include:**
- a. Other water management practices or programs within ADWR's statutory authority deemed appropriate by the Council for achieving the Goal(s), with approval by and coordination with ADWR or other entities as necessary.
  - b. Recommended (not mandated) supplemental water conservation and management actions for implementation by cities, towns, counties, water providers, and other public agencies within the area.

## **COUNCIL MEMBERSHIP**

### **1. Council Members**

- a. The Council shall consist of no fewer than five and no more than nine members.
- b. No more than one member may reside outside the area boundaries.
- c. Membership should represent all major water use sectors within the area, such as agricultural, industrial, and municipal users.
- d. The Council must include some number of at-large members to meet the specific needs of the local economy, population, and water users of relevant sectors.

### **2. Appointment Process**

- a. Members must be appointed.
- b. Members shall be appointed from lists of recommended individuals submitted by federally recognized Indian tribes, cities, towns, counties, water providers, and state legislators within the area boundaries.
- c. Appointed based on knowledge of, interest in, and experience related to the condition, development, or use of water within the area.
- d. Members serve five-year terms, with member terms staggered.

## **SUNSET AND REVIEW**

1. Every ten years after the designation, the Director shall review whether the conditions for designating the "Rural Groundwater Management Area" still exist.
2. If the Director determines that the area Goal(s) have been achieved, the Director may rescind the "Rural Groundwater Management Area" designation after following the same notice and hearing procedures that were used for the initial designation process.
3. Unless the "Rural Groundwater Management Area" is rescinded by the Director, the Council shall review and either recommend to readopt the existing area Management Plan for an additional term of ten years or draft and recommend a new Management Plan.