



TOWN OF
QUEEN CREEK
ARIZONA

SENT VIA E-MAIL

March 5, 2025

Director Tom Buschatzke
Arizona Department of Water Resources
1110 W. Washington Street, Suite 310
Phoenix, AZ 85007

Dear Director Buschatzke:

Re: Ag-to-Urban Rulemaking

On behalf of the Town of Queen Creek, thank you for your efforts towards creating an Agriculture to Urban Conversion Program (Ag-to-Urban) via the initiated rulemaking procedure. The Town is committed to this process and appreciates the opportunity to provide input into developing a successful program that will be vital as we continue to work towards becoming a designated water provider. While the Town has expressed support for the pending legislation to establish this program, Senate Bill 1611/House Bill 2298, we are equally supportive of the rulemaking track and remain hopeful that differences amongst the two can be reconciled through consensus.

As you know, when the most recent Phoenix AMA groundwater model was released by the Arizona Department of Water Resources (ADWR) in 2023, the Town of Queen Creek had several properties with an Analysis of Assured Water Supply in the application process for a Certificate of Assured Water Supply (certificates). The release of the model, however, invalidated those Analyses due to changes in the aquifer conditions freezing all future developments from occurring within our service area.

While the properties that received certificates have been moving full steam ahead, the Town is nearing a cliff where the next properties in line do not have an assured water supply and cannot begin the process of developing. In most cases, this forces those properties to remain agricultural lands where unreplenished pumping continues today. The Town of Queen Creek is committed to becoming a designated water provider, but the Ag-to-Urban program is necessary to allow us to kick-start the development process for properties within our service area until we can ultimately absorb them into our designation.

With the Town's current situation in mind, we would provide the following for consideration for the presented Ag-to-Urban Program at ADWR's February 26 Stakeholder Meeting:

Usage of the Program as a Designated Water Provider

We would request an initial period of time that the groundwater savings credits be permitted to be pledged to Certificates of Assured Water Supply with an agreement from the service provider of submittal of an application for an Alternative Designation of Assured Water Supply (ADAWS) within five years of the Notice of Intent to Serve. This would allow the Town to start the process of permitting and preparing the properties for development, knowing it takes roughly three years to go from the bare plot of dirt to selling homes.

Due to the time required to sell homes and for water to be utilized, the full water service of the development is not intended to occur until the time in which an application for designation would be required under our proposal.

Conservation Requirements

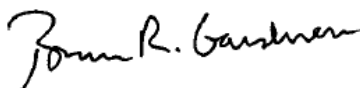
The Town of Queen Creek, like many communities in the Phoenix Metropolitan area, has a recovered effluent lake program, where a developer can build a lake with recovered effluent based on the community's effluent production. Water from the lake is then used to irrigate all of the non-residential landscaping. The program not only reduces potable demands of the community and helps reduce groundwater usage in the Town of Queen Creek's service area but also provides an additional source for our firefighters to utilize in an emergency.

We would respectfully request that lakes smaller than five acres filled by direct or recovered effluent be permitted under the conservation requirements of the program. We believe this would be consistent with the management plans, which already contain effluent use incentives in other programs.

The Town of Queen Creek appreciates the efforts by the Arizona Department of Water Resources for developing common sense programs that work for communities like Queen Creek while striving for sustainable groundwater use. Queen Creek recognizes that the path towards sustainable groundwater use is converting farmland to urban uses, and with the prior Extinguishment Credit Program obsolete this year, we need to develop an alternative to replace it.

We look forward to the continued discussions on the Ag-Urban Program and thank ADWR for their time and efforts towards its creation for the benefit to our community and the region.

Sincerely,



Bruce R. Gardner
Town Manager

cc: Ben Bryce, Special Advisor