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# Arizona Administrative REGISTER

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Volume 32, Issue 7

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February 13, 2026

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## From the Publisher

### ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Office of the Secretary of State's website is the official published version for rulemaking activity in the state of Arizona. The *Register* is published weekly by issue number, every Friday by the Administrative Rules Division.

The *Register* is cited by volume and page number. Volumes are published by calendar year. Page numbering continues in each weekly issue.

The *Register* contains notices of docket openings, proposed, final, emergency, expedited, exempt, and terminated rules as defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10. Other "notice only" filings are published in the *Register* which includes Informal Public Meetings on an Open Rulemaking Docket, Formal Rulemaking Advisory Committees, Public Information, Oral Proceedings, Public Hearings, Public Meetings, Agency Guidance Documents, Substantive Policy Statements, Proposed Delegation Agreements, Final Delegation Agreements, and Agency Ombudsman.

### ABOUT AMENDMENTS TO RULES

Rulemaking is defined in the APA. Rules can be made (all new text); amended (changed) or repealed (removed) as codified in the *Arizona Administrative Code*; or renumbered (moving rules to a different Section number). New rules published in the *Register*, whether proposed or made as a final rule, are underlined; repealed rules (text being removed), is stricken.

### ABOUT THE TABLE OF CONTENTS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this Chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking.

### ABOUT FILE NUMBERS

Notices filed in the Division are assigned a file number. This number is enclosed in brackets and located at the top right of the published documents in the *Register*. Original filed notices are available in pdf for free. For a copy, contact our Division with the file number.

### ABOUT THE ADMINISTRATIVE CODE

The *Arizona Administrative Code* (A.A.C) contains codified text of rules. When published, the underling and striking of text in notices as published in the *Register* are removed. The codified rules have either been approved by the Governor's Regulatory Review Council or Attorney General as prescribed under the APA. The *Code* also contains rules exempt from the rulemaking process, and emergency rules. The authenticated pdf of *Code* Chapters posted on the Office of the Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

# Arizona Administrative **REGISTER**

**February 13, 2026**

**Volume 32**

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**PUBLISHER**  
**SECRETARY OF STATE**  
Adrian Fontes

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**ADMINISTRATIVE CODE**  
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available online at [www.azsos.gov](http://www.azsos.gov).

**PUBLICATION DEADLINES**  
Publication dates are published in the  
back of the *Register*. These dates  
include file submittal dates with a  
three-week turnaround from filing to  
published document.

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# How to Participate in Rulemaking

## Review Published Notices

Review notices published in the *Arizona Administrative Register*.

The Preamble at the beginning of a notice contains information about the rulemaking and provides agency justification and regulatory intent. Agency contact information is published in the Preamble for those interested in participating in the rulemaking process.

The Preamble includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

## Agency Contact Lists

Many agencies maintain stakeholder lists to contact those interested in proposed changes to rules. Check an agency's website and its newsletters for information about notices, oral proceedings, and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. Refer to A.R.S. § 41-1033 for more information.

## Attend a Public Meeting

Attend a public meeting, known as an oral proceeding, being conducted by the agency on a Notice of Proposed Rulemaking.

A proceeding may be listed in the Preamble of a Notice of Proposed Rulemaking or an agency may inform the public of the meeting in a Notice of Oral Proceeding. Attend the meeting and be prepared to speak and comment.

An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Refer to information in the Preamble.

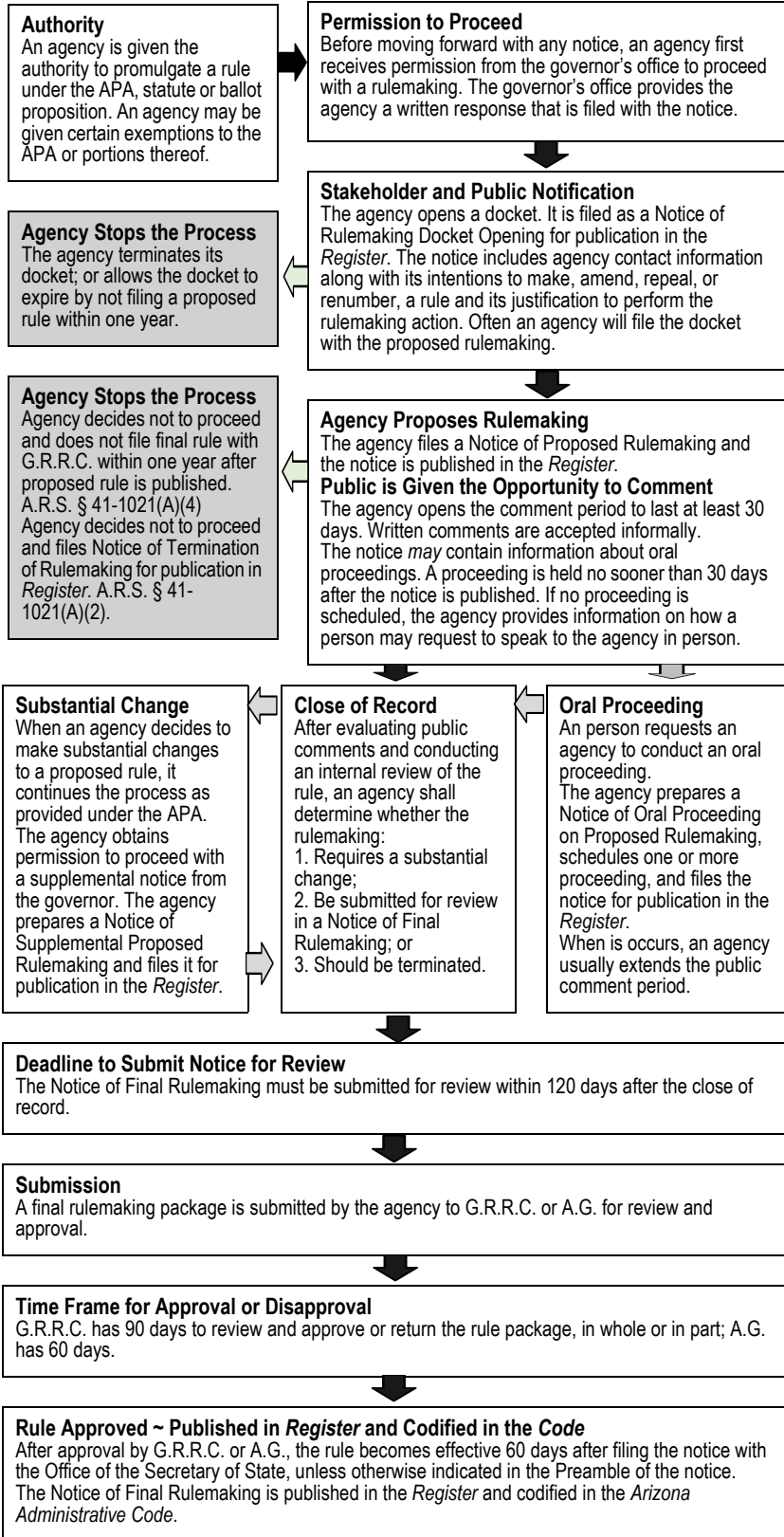
## Write the Agency

Put your comments in writing and send them to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process, before the rules are filed with the Secretary of State.

## THE REGULAR RULEMAKING PROCESS

### START THE PROCESS HERE



## Definitions and Acronyms

**Arizona Administrative Code, Code (A.A.C.):** Official rules codified and published by the Secretary of State's Office. Available online at [www.azsos.gov](http://www.azsos.gov).

**Arizona Administrative Register, Register (A.A.R.):** The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at [www.azsos.gov](http://www.azsos.gov).

**Administrative Procedure Act (APA):** A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at [www.azleg.gov](http://www.azleg.gov).

**Arizona Revised Statutes (A.R.S.):** The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The "§" symbol simply means "section." Available online at [www.azleg.gov](http://www.azleg.gov).

**Chapter:** A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

**Close of Record:** The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

**Code of Federal Regulations (CFR):** The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

**Docket:** A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

**Economic, Small Business, and Consumer Impact Statement (EIS):** The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

**Governor's Regulatory Review (G.R.R.C.):** Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

**Incorporated by Reference:** An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

**Federal Register (FR):** The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

**Session Laws or "Laws":** When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word "Laws" is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation "Ch.", and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at [www.azleg.gov](http://www.azleg.gov).

**United States Code (U.S.C.):** The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

**Arizona Administrative Register**  
**NOTICES OF PROPOSED RULEMAKING**

**Volume 32**

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**February 13, 2026**

**NOTICES OF PROPOSED RULEMAKING**

The APA requires an agency file a Notice of Rulemaking Docket Opening which outlines its rulemaking intentions under A.R.S. § 41-1021. A docket opening and Notice of Proposed Rulemaking are often filed at the same time and published in the same *Register* issue. If they are not filed at the same time, information on where the docket opening was published is listed in the preamble of the proposed rulemaking.

An agency must allow at least 30 days to elapse after the publication of the Notice of Pro-

posed Rulemaking in the *Register* before scheduling any oral proceedings. Written public comments shall be accepted for at least 30 days after the published notice. Refer to A.R.S. §§ 41-1013, 41-1022 and 41-1023.

Questions about the notice can be answered by the person listed in item #5 of the preamble.

Refer to item #11 for information on how to comment on this notice, the close of record to comment, and information related to oral proceedings.

**NOTICE OF PROPOSED RULEMAKING**

**TITLE 18. ENVIRONMENTAL QUALITY**

**CHAPTER 11. DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER QUALITY STANDARDS**

[R26-05]

**PREAMBLE**

- 1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:**  
September 29, 2025 and January 5 2026
- 2. Article, Part, or Section Affected (as applicable)                      Rulemaking Action**  
R18-11-112    Amend
- 3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**  
Authorizing statute: A.R.S. § 49-104(B)(4)  
Implementing statute: A.R.S. §§ 49-203(A)(1), 49-221, 49-222
- 4. Citations to all related notices published in the *Register* that pertain to the current record of the proposed rule:**  
Notice of Rulemaking Docket Opening: 31 A.A.R. 4051; Issue Date: Oct. 17, 2025; Issue Number: 42; File Number: R25-238
- 5. The agency's contact person who can answer questions about the rulemaking:**  
Name: Jonathan Quinsey  
Title: Legal Specialist  
Division: Water Quality  
Address: 1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-8193  
Email: quinsey.jonathan@azdeq.gov  
Website: azdeq.gov
- 6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**  
**A. General Explanation of the Rulemaking**

In this Notice of Proposed Rulemaking (NPRM), the Arizona Department of Environmental Quality (ADEQ) is proposing to amend *Arizona Administrative Code* (A.A.C.) Section R18-11-112(G) to designate specified portions of the Upper Verde River

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and Sycamore Creek (referred to as “the nominated reaches” throughout this NPRM) as Outstanding Arizona Waters (OAWs). Designating these surface waters as OAWs is the highest-level of protection that ADEQ assigns to surface waters. This designation recognizes that the nominated reaches have extraordinary ecological, recreational, and cultural significance and ensures long-term protection of the value these surface waters provide to local communities, recreational users, and threatened and endangered species.

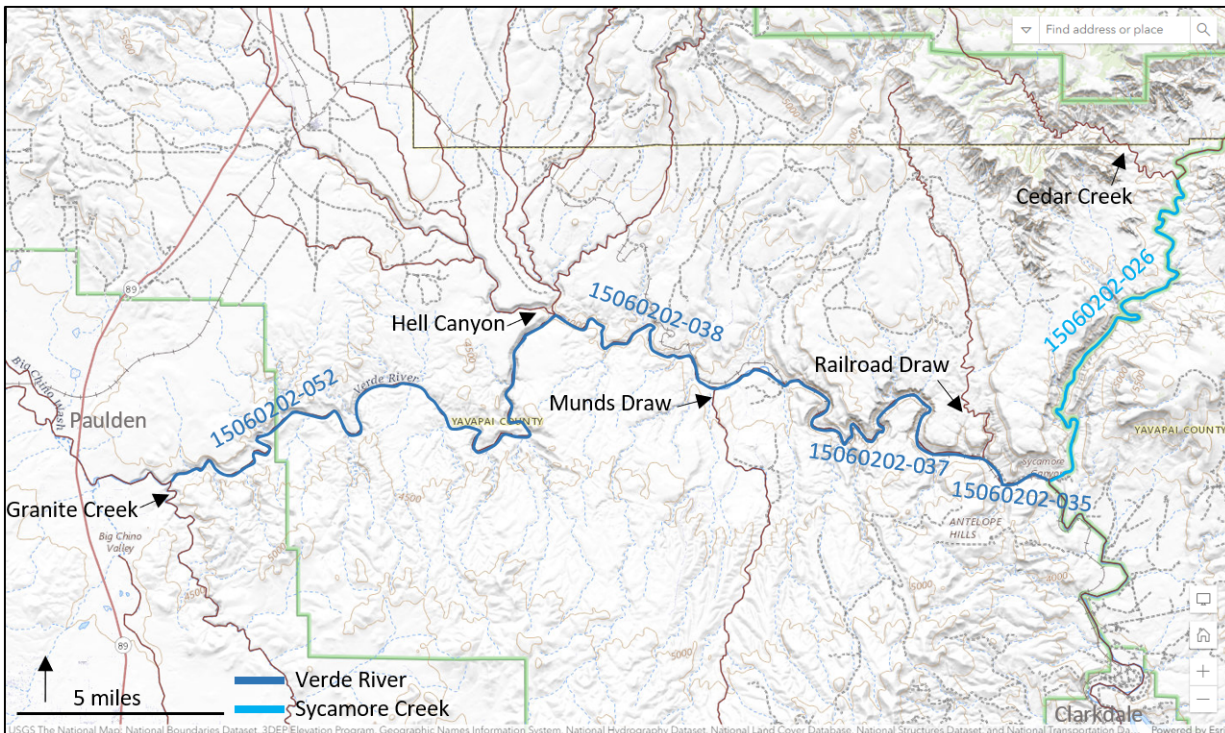
ADEQ’s authority to establish and enforce water quality standards is established in Arizona law and tied to federal requirements. Arizona Revised Statutes (A.R.S.) § 49-221(A) authorizes the ADEQ Director to adopt water quality standards by rule, while A.R.S. § 49-222(A) requires those standards to assure protection of navigable waters consistent with the Clean Water Act (CWA). ADEQ implements the antidegradation policy required by the CWA through its surface water quality standards in A.A.C. R18-11-107 and R18-11-112. These rules establish procedures to maintain existing water quality, protect high-quality waters, and designate OAWs for Tier 3 protection, ensuring consistency with 40 C.F.R. § 131.12.

The CWA antidegradation regulation in 40 C.F.R. § 131.12 establishes three tiers of water quality protection. Tier 1 provides fundamental protection of existing uses by requiring that water quality be maintained and not further degraded in any waterbody where the current quality fails to meet applicable standards. Tier 2 safeguards “high-quality” waters whose conditions are better than the minimum standard. In these waters, any lowering of water quality is tightly restricted and may only be allowed if it is shown to be necessary for important economic or social development. Tier 3 is the most stringent protection, reserved for waters of exceptional ecological or recreational significance.

Under federal law, Tier 3 waters are called Outstanding Natural Resource Waters (ONRWs), whereas Arizona designates them as OAWs pursuant to R18-11-112. An OAW receives the highest level of antidegradation protection – Tier 3. The water quality of an OAW must be preserved at existing levels and cannot be lowered, except for short-term, temporary impacts. OAW protection ensures that these designated surface waters maintain their outstanding characteristics.

Under A.A.C. R18-11-112(C), any person may nominate a surface water for OAW status by submitting a nomination packet to the ADEQ Director. On November 22, 2023, the Sierra Club - Grand Canyon Chapter submitted the nomination for the upper Verde River and Sycamore Creek. The nomination packet included all required components: (1) a map and description of the river segment proposed for designation; (2) a written statement supporting the nomination with specific references to the OAW criteria in the rule; (3) evidence demonstrating that the nominated reaches meet those criteria; and (4) available water quality data establishing the river’s baseline water quality.

For the purpose of evaluating Arizona surface waters, ADEQ segments surface waters into reaches and assigns each segment a unique Waterbody Identification (WBID). The nominated WBIDs include 15060202-052, 15060202-038, 15060202-037, and 15060202-035 from the Granite Creek confluence to the Sycamore Creek confluence. The nominated WBID on Sycamore Creek includes 15060202-026 from the Cedar Creek confluence to the terminus at the Verde River. This nomination covers 35.93 miles of the upper Verde River and 11.71 miles of Sycamore Creek. The map below shows the nominated reaches and WBIDs:



NOTICES OF PROPOSED RULEMAKING

ADEQ initiated a thorough review process upon receiving the nomination. The Department first verified that the nomination was complete and that the nominated reaches fell within the scope of waters eligible for OAW consideration. ADEQ’s evaluation of the nominated reaches eligibility for OAW designation was conducted pursuant to the criteria and procedures established in A.A.C. R18-11-112. Under R18-11-112(D), the Director may classify a surface water as an OAW only if specific criteria are met. In summary, those criteria require that the nominated surface water:

1. Be a perennial or intermittent water;
2. Be in a free-flowing condition;
3. Have “good water quality;” and
4. Meet at least one of the following special significance tests:
  - a. The surface water is of exceptional recreational or ecological significance due to unique attributes such as its geology, flora, fauna, water quality, aesthetic value, or wilderness character; or
  - b. The surface water supports an endangered or threatened species, where the existing high water quality is essential to that species’ survival, or the water provides critical habitat for a threatened/endangered species.

ADEQ’s technical review confirmed that the nominated reaches satisfy all the above criteria for OAW designation:

1. The segments of the Upper Verde River and Sycamore Creek nominated by the Sierra Club are perennial or intermittent reaches fed by spring discharge near the river’s headwaters. The nominated reaches are largely spring-fed and flow year-round, providing continuous aquatic habitat.
2. The nominated reaches are in a free-flowing state and there are currently no dams or major impoundments on the reaches, nor have the channel or banks in this area been subject to significant structural modifications. The surface water flows through natural, undeveloped canyons and valleys, thereby meeting the rule’s definition of “free-flowing condition.”
3. ADEQ’s water quality assessment shows that the nominated reaches currently attain all applicable surface water quality standards. The surface waters are not identified as impaired or “not attaining” on Arizona’s 2024 and 2026 CWA § 303(d) report, which lists impaired waters. On the contrary, available water quality data indicate that the nominated reaches’ water quality is quantifiably “good.” Parameters such as dissolved oxygen, pH, temperature, and nutrient levels meet standards for supporting aquatic life and recreational uses. In designating an OAW, ADEQ establishes the baseline water quality conditions to ensure that no degradation is allowed from those levels. The nominated reaches’ good water quality must be maintained under the Tier 3 antidegradation protections that accompany OAW status.
4. ADEQ found that the nominated reaches possess ecological and recreational significance. The nominated reaches support multiple threatened or endangered species, thereby meeting the requirements of R18-11-112(D)(4). The nominated reaches support significant biodiversity, scenic beauty, and outdoor recreation opportunities. The water and its riparian corridor harbor diverse plant and animal life, representing a rare intact river ecosystem in an otherwise arid region. The upper Verde River provides critical habitat for at least six native fish species of great conservation concern, including several protected under the Endangered Species Act (ESA). Notably, the river is home to or designated critical habitat for the spiketail, loach minnow, and razorback sucker, all of which are federally listed endangered or threatened fish. The nominated reaches are also prime habitat for other native fishes such as the roundtail chub and two native sucker species, the desert sucker and the Sonoran sucker, that are important to the river’s ecology. In addition, the riparian environment in both nominated reaches supports threatened and endangered bird species like the southwestern willow flycatcher and the yellow-billed cuckoo, as well as the threatened northern Mexican gartersnake, among others. The presence of these species and the requirement to maintain high water quality for their survival underscore the nominated reaches’ eligibility under the “endangered or threatened species associated” criterion of the OAW rules.

Beyond its ecological attributes, the nominated reaches offer exceptional recreational values that are unique in Arizona. The surface water’s clear, perennial flows and scenic canyon vistas provide opportunities for fishing, wildlife watching, hiking, kayaking, and backcountry camping. Sycamore Creek is commonly accessed for swimming in spring-fed pools by hiking Parsons Trail. Communities and outdoor enthusiasts in the region have long recognized the nominated reaches’ value. To illustrate, stretches of the upper Verde River have been found eligible and suitable for federal Wild and Scenic River designation by the U.S. Forest Service due to their remarkable character and wilderness values. Approximately 37 miles of the upper Verde River were deemed eligible for Wild and Scenic status, a national-level recognition of the river’s high quality.

Eligibility for Wild and Scenic River designation underscores that the nominated reaches’ recreational, scenic, geological, and ecological features are significant, not just locally but nationally. Designating these surface water segments as OAWs is consistent with and complementary to these ongoing conservation efforts. It is also noteworthy that other tributaries of the Verde River have already been classified as OAWs, such as Oak Creek and Fossil Creek. Adding the nominated reaches to the OAW list will extend similar protections to a connected, high-value reach of the watershed.

In making the decision to proceed with rulemaking, ADEQ also complied with R18-11-112(F), which requires the Director to consider several additional factors beyond the basic eligibility criteria. These factors include:

1. Whether the surface water and its watershed can be managed to maintain and protect the existing water quality;
2. The social and economic impact of applying Tier 3 antidegradation protection;
3. The public comments received in support or opposition;
4. The timing of the nomination relative to the triennial review;

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5. Consistency of the OAW designation with any applicable water quality management plans; and
6. Whether the surface water is located within any special protected area (such as a national or state park, wilderness area, etc.) or has another special designation.

ADEQ’s analysis of the nominated reaches against these considerations favored the OAW designation:

1. The ability to manage and protect the nominated reaches’ water quality is very feasible. Most of the lands along the nominated reaches are publicly owned and already managed for conservation purposes, including areas within the Prescott National Forest and state lands, and there are currently no major point-source dischargers in this reach. With OAW status, new or expanded point-source discharges to the nominated reaches would be prohibited unless they meet stringent exceptions, which is not expected to pose an economic burden because such discharges are not presently occurring and are unlikely in this largely rural, undeveloped area. Nonpoint source pollution controls will continue to be pursued through voluntary and collaborative means.
2. In terms of social and economic impacts, ADEQ has determined that Tier 3 protection for the nominated reaches will help safeguard drinking water supplies and sustain the recreational economy in the region, with minimal negative impact since few, if any, current industrial or municipal activities will be restricted.
3. Public and stakeholder comments received as part of this OAW nomination prior to rulemaking have largely been in favor of designation.
4. ADEQ recently completed a triennial review in 2023 and will review water quality standards again in 2026.
5. ADEQ reviewed water quality management plans in the area during the evaluation of the proposed OAW segments and concluded that the OAW segment is consistent with any existing plans.
6. The proposed OAW segments are not within any specially protected area such a national or state park and this potential OAW designation does not interfere with any potential Wild and Scenic River designation.

In summary, ADEQ has concluded that all the R18-11-112(F) factors either support or present no barrier to the OAW designation. The surface water’s high quality can be protected, the benefits to Arizona’s environment and citizens outweigh any minimal regulatory costs, stakeholder sentiment is strongly positive, and the action is timely and in harmony with other conservation designations.

ADEQ will continue to solicit public input throughout this rulemaking process. In accordance with A.A.C. R18-11-112(E), ADEQ held a community meeting on November 19, 2025, in the local area of the nominated reaches to present the nomination and gauge public opinion. This public meeting, along with additional outreach, provided an opportunity for local stakeholders to ask questions and voice their support or concerns. Stakeholder input from these venues has been carefully considered in the development of this proposed rule. ADEQ is also opening an extended formal public comment period and scheduling a public hearing as part of this NPRM, thereby satisfying state law requirements for rulemaking public participation and ensuring alignment with the federal public hearing mandate.

**B. Explanation of the Specific Rule Change**

The specific change being proposed is an amendment to A.A.C. R18-11-112(G), which is the subsection that lists all surface waters in Arizona currently classified as OAWs. Paragraph (G) of the rule presently enumerates 22 OAW-designated stream segments across the state. This NPRM will add a new entry to this list for both the upper Verde River and Sycamore Creek. The new listings clearly delineate the upstream and downstream boundaries of the designated OAW segment of the nominated surface waters.

The exact boundaries in the rule correspond to the portion of the river evaluated by ADEQ and nominated by the Sierra Club. Based on the nomination packet and ADEQ’s analysis, the Verde River OAW reach is approximately the upper 35.93 mile stretch in Yavapai County, beginning at the Granite Creek confluence and extending downstream to its confluence with Sycamore Creek. The stretch of Sycamore Creek covers 11.71 miles from its confluence with Cedar Creek to the terminus at the Verde River. For the final rule text, ADEQ will use survey coordinates or river mile markers to define this segment unambiguously, consistent with how other OAWs are described in the rule.

The Department invites public comments on this proposed amendment and will consider any feedback or suggested clarification regarding the description of the nominated reaches before finalizing the rule. If ADEQ proceeds with this rulemaking, the amended rule will be published as final, and the nominated reaches OAW designation will take effect. ADEQ will then transmit the updated water quality standards, including the new OAW listing, to the EPA for its review and approval pursuant to CWA § 303(c). This will ensure that the nominated reaches’ OAW status is recognized at the federal level and that the river is afforded the full protection intended under the antidegradation policy.

**7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

Relevant water quality data and ADEQ’s internal evaluation report used in preparation for publishing this NPRM are available for public review at <https://azdeq.gov/active-rulemakings>.

**8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

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**NOTICES OF PROPOSED RULEMAKING**

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**9. The preliminary summary of the economic, small business, and consumer impact:**

ADEQ will expand our summary of the economic, small business, and consumer impact of this rulemaking in the Notice of Final Rulemaking (NFRM). This proposed rule would designate the Upper Verde River and portions of Sycamore Creek as OAWs under A.A.C. R18-11-112(G). This action is limited in scope and does not impose new permitting fees, taxes, or direct costs on the general public, regulated entities, or small businesses. Instead, the designation strengthens the application of Arizona's existing antidegradation policy by prohibiting activities that would cause degradation of the nominated reaches' water quality. There are currently no regulated entities discharging to the nominated OAW reaches and ADEQ anticipates no significant increase in compliance costs because the designation primarily preserves existing high water quality conditions.

Small businesses, municipalities, and consumers may realize indirect benefits from this rule through protection of recreational, ecological, and aesthetic values that support local economies and property values. The rule may restrict future discharges or development proposals that could degrade the waterbody, but ADEQ expects such impacts to be minimal because few regulated discharges currently occur in the designated segment. Overall, the preliminary findings of ADEQ's analysis show that the economic, small business, and consumer impact of the proposed rule will be neutral to positive, with any compliance costs outweighed by long-term public and environmental benefits associated with maintaining the high-quality waters of the Upper Verde River and Sycamore Creek.

**10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:**

Name: Jonathan Quinsey  
Title: Legal Specialist  
Division: Water Quality  
Address: 1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-913  
Email: quinsey.jonathan@azdeq.gov  
Website: azdeq.gov

**11. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**

Written comments about this proposed rulemaking will be accepted in person at the address provided under item #5 and #10, Monday through Friday from 8:00 a.m. to 5:00 p.m., except for state holidays. Comments will also be accepted via email at the email address provided under item #5 and #10. Mailed written comments shall be postmarked within 60 days of this published notice. ADEQ is granting an extended comment period for this rulemaking, and the comment period for this rulemaking shall close on April 14, 2026.

An online oral proceeding is scheduled for this proposed rulemaking. A link to the hearing will be posted on the website for this rulemaking at <https://azdeq.gov/rulemaking/upper-verde-oaw>

Date: April 10, 2026  
Time: 1:00 p.m.  
Location: Online

**12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

Not applicable

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

This rulemaking modifies the list of surface waters subject to antidegradation protection but does not establish or revise permitting requirements.

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

The designation of an OAW is expressly authorized by 40 C.F.R. § 131.12(a)(3), which permits states to identify high-quality waters for Tier 3 protection. The proposed amendment is consistent with 40 C.F.R. Part 131, including federal antidegradation requirements, and does not exceed federal standards.

**c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**

No such analysis has been submitted.

**Arizona Administrative Register**  
**NOTICES OF PROPOSED RULEMAKING**

**13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**

Not applicable

**14. The full text of the rules follows:**

**TITLE 18. ENVIRONMENTAL QUALITY**

**CHAPTER 11. DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER QUALITY STANDARDS**

**ARTICLE 1. WATER QUALITY STANDARDS FOR SURFACE WATERS**

Section

R18-11-112. Outstanding Arizona Waters

**ARTICLE 1. WATER QUALITY STANDARDS FOR SURFACE WATERS**

**R18-11-112. Outstanding Arizona Waters**

- A.** The Director shall classify a surface water as an outstanding Arizona water (OAW) by rule.
- B.** The Director may adopt, under R18-11-115, a site-specific standard to maintain and protect existing water quality in an OAW.
- C.** Any person may nominate a surface water for classification as an OAW by filing a nomination with the Director. The nomination shall include:
1. A map and a description of the surface water;
  2. A written statement in support of the nomination, including specific reference to the applicable criteria for an OAW classification prescribed in subsection (D);
  3. Supporting evidence demonstrating that the criteria prescribed in subsection (D) are met; and
  4. Available water quality data relevant to establishing the baseline water quality of the proposed OAW.
- D.** The Director may classify a surface water as an OAW based upon the following criteria:
1. The surface water is a perennial or intermittent water;
  2. The surface water is in a free-flowing condition. For purposes of this subsection, “in a free-flowing condition” means that a surface water does not have an impoundment, diversion, channelization, rip-rapping or other bank armor, or another hydrological modification within the reach nominated for an OAW classification;
  3. The surface water has good water quality. For purposes of this subsection, “good water quality” means that the surface water has water quality that meets or is better than applicable surface water quality standards. A surface water that is listed as impaired under R18-11-604(E) is ineligible for OAW classification; and
  4. The surface water meets one or both of the following conditions:
    - a. The surface water is of exceptional recreational or ecological significance because of its unique attributes, such as the geology, flora and fauna, water quality, aesthetic value, or the wilderness characteristic of the surface water;
    - b. An endangered or threatened species is associated with the surface water and the existing water quality is essential to the species' maintenance and propagation or the surface water provides critical habitat for the threatened or endangered species. An endangered or threatened species is identified in “Endangered and Threatened Wildlife,” 50 CFR 17.11 (revised 2005), and “Endangered and Threatened Plants,” 50 CFR 17.12 (revised 2005). This material is incorporated by reference and does not include any later amendments or editions of the incorporated material. Copies of the incorporated material are available for inspection at the Arizona Department of Environmental Quality, 1110 West Washington Street, Phoenix, Arizona 85007 or may be obtained from the National Archives and Records Administration at <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>.
- E.** The Director shall hold at least one public meeting in the local area of a surface water that is nominated for classification as an OAW to solicit public comment on the nomination.
- F.** The Director shall consider the following factors when deciding whether to classify a surface water as an OAW:
1. Whether there is the ability to manage the surface water and its watershed to maintain and protect existing water quality;
  2. The social and economic impact of Tier 3 antidegradation protection;
  3. The public comments in support of, or in opposition to, an OAW classification;
  4. The timing of the nomination relative to the triennial review of surface water quality standards;
  5. The consistency of an OAW classification with applicable water quality management plans; and
  6. Whether the nominated surface water is located within a national or state park, national monument, national recreation area, wilderness area, riparian conservation area, area of critical environmental concern, or it has another special use designation (for example, Wild and Scenic River).
- G.** The following surface waters are classified as OAWs:
1. The West Fork of the Little Colorado River, from its headwaters to Government Springs (approximately 9.1 river miles);
  2. Oak Creek, from its headwaters to its confluence with the Verde River (approximately 50.3 river miles);
  3. West Fork of Oak Creek, from its headwaters to its confluence with Oak Creek (approximately 15.8 river miles);
  4. Peeples Canyon Creek, from its headwaters to its confluence with the Santa Maria River (approximately 8.1 river miles);
  5. Burro Creek, from its headwaters to its confluence with Boulder Creek (approximately 29.5 miles);
  6. Francis Creek, from its headwaters to its confluence with Burro Creek (approximately 22.9 river miles);
  7. Bonita Creek, from its boundary of the San Carlos Indian Reservation to its confluence with the Gila River (approximately 14.7 river miles);

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**NOTICES OF PROPOSED RULEMAKING**

8. Cienega Creek, from its confluence with Gardner Canyon to the USGS gaging station (#09484600) (approximately 28.3 river miles);
9. Aravaipa Creek, from its confluence with Stowe Gulch to the downstream boundary of the Aravaipa Canyon Wilderness Area (approximately 15.5 river miles);
10. Cave Creek, from its headwaters to the Coronado National Forest boundary (approximately 10.4 river miles);
11. South Fork of Cave Creek, from its headwaters to its confluence with Cave Creek (approximately 8.6 river miles);
12. Buehman Canyon Creek, from its headwaters to its confluence with unnamed tributary at 32°24'31"/110°32'08" (approximately 9.8 river miles);
13. Lee Valley Creek, from its headwaters to Lee Valley Reservoir (approximately 1.6 river miles);
14. Bear Wallow Creek, from its headwaters to the boundary of the San Carlos Indian Reservation (approximately 4.25 river miles);
15. North Fork of Bear Wallow Creek, from its headwaters to its confluence with Bear Wallow Creek (approximately 3.8 river miles);
16. South Fork of Bear Wallow Creek, from its headwaters to its confluence with Bear Wallow Creek (approximately 3.8 river miles);
17. Snake Creek, from its headwaters to its confluence with the Black River (approximately 6.2 river miles);
18. Hay Creek, from its headwaters to its confluence with the West Fork of the Black River (approximately 5.5 river miles);
19. Stinky Creek, from the White Mountain Apache Indian Reservation boundary to its confluence with the West Fork of the Black River (approximately 3.0 river miles);
20. KP Creek, from its headwaters to its confluence with the Blue River (approximately 12.7 river miles);
21. Davidson Canyon, from the unnamed spring at 31°59'00"/110°38'49" to its confluence with Cienega Creek; and
22. Fossil Creek, from its headwaters at the confluence of Sandroek and Calf Pen Canyons above Fossil Springs to its confluence with the Verde River (approximately 17.2 river miles).
23. Verde River, from its confluence with Granite Creek to its confluence with Sycamore Creek (approximately 35.9 river miles).
24. Sycamore Creek, from its confluence with Cedar Creek to its confluence with the Verde River (approximately 11.7 river miles).

**Arizona Administrative Register**  
**NOTICES OF PROPOSED DELEGATION AGREEMENT**

Volume 32

Issue 7

February 13, 2026

**NOTICES OF PROPOSED DELEGATION AGREEMENT**

**Summaries and Location of Documents**

Some agencies have been given legislative authority to delegate functions, powers, or duties to political subdivisions in Arizona.

An agency that seeks to delegate functions, powers or duties shall file with the Office a summary of its proposed delegation agreement under [A.R.S. § 41-1081\(B\)](#).

Agencies shall provide a contact person to answer questions or accept comments on the notice. This is listed under Item #3 of the notice.

The notice shall also state where interested persons may obtain, upon request, a copy of the proposed delegation agreement from the agency.

**NOTICE OF PROPOSED DELEGATION AGREEMENT**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

[M26-04]

**1. Name of the agency proposing the delegation agreement:**

Arizona Department of Environmental Quality

**2. The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:**

Heber-Overgaard Fire District, 2061 Lumber Valley Road, Overgaard, AZ 85933

**3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:**

Contact: Balaji Vaidyanathan  
Title: Manager, Air Quality Permits Section  
Address: Arizona Department of Environmental Quality, Air Quality Division  
1110 W. Washington St.  
Phoenix, AZ 85007  
Phone: (602) 771-4527  
Email: [bv1@azdeq.gov](mailto:bv1@azdeq.gov)

**4. A summary of the delegation agreement and the subjects and issues involved:**

Pursuant to A.R.S. §§ 49-107 and 49-501(D), the Arizona Department of Environmental Quality proposes to delegate authority to Heber-Overgaard Fire District, the Local Agency (“LA”), the program elements listed below, subject to certain conditions and limitations described in the delegation agreement. The proposed delegated program elements include:

The Functions and Duties delegated to the LA by this Agreement are identified by A.R.S. § 49-501 and A.A.C. R18-2-602 pertaining to issuing permits for open burning.

**5. Copies of the proposed delegation agreement may be obtained from the agency as follows:**

A copy of the proposed Agreements may be obtained by request to the ADEQ Central Office for public records pertaining to the delegation of the issuance of open burn permits.

Or contact: Edwin Slade III, Administrative Counsel  
Arizona Department of Environmental Quality  
Office of Administrative Counsel  
1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-2242  
Email: [slade.edwin@azdeq.gov](mailto:slade.edwin@azdeq.gov)

**6. The schedule of public hearings on the proposed delegation agreement:**

Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m., or postmarked not later than that date.

NOTICES OF PROPOSED DELEGATION AGREEMENT

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency’s decision on whether to enter into the proposed delegation agreement.

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD; (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Nondiscrimination Coordinator at (602) 771-4322 or [ldb@azdeq.gov](mailto:ldb@azdeq.gov).

ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del lenguaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con Ian Bingham, Title VI Nondiscrimination Coordinator al (602) 771-4322 o [ldb@azdeq.gov](mailto:ldb@azdeq.gov).

NOTICE OF PROPOSED DELEGATION AGREEMENT  
DEPARTMENT OF ENVIRONMENTAL QUALITY

[M26-05]

1. **Name of the agency proposing the delegation agreement:**  
Arizona Department of Environmental Quality
2. **The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:**  
Joseph City Fire District, 4513 Main Street, Joseph City AZ 86032
3. **The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:**  
Contact: Balaji Vaidyanathan  
Title: Manager, Air Quality Permits Section  
Address: Arizona Department of Environmental Quality, Air Quality Division  
1110 W. Washington St.  
Phoenix, AZ 85007  
Phone: (602) 771-4527  
Email: [bv1@azdeq.gov](mailto:bv1@azdeq.gov)
4. **A summary of the delegation agreement and the subjects and issues involved:**  
Pursuant to A.R.S. §§ 49-107 and 49-501(D), the Arizona Department of Environmental Quality proposes to delegate authority to Joseph City Fire District, the Local Agency (“LA”), the program elements listed below, subject to certain conditions and limitations described in the delegation agreement. The proposed delegated program elements include:  
The Functions and Duties delegated to the LA by this Agreement are identified by A.R.S. § 49-501 and A.A.C. R18-2-602 pertaining to issuing permits for open burning.
5. **Copies of the proposed delegation agreement may be obtained from the agency as follows:**  
A copy of the proposed Agreements may be obtained by request to the ADEQ Central Office for public records pertaining to the delegation of the issuance of open burn permits.  
Or contact: Edwin Slade III, Administrative Counsel  
Arizona Department of Environmental Quality  
Office of Administrative Counsel  
1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-2242  
Email: [slade.edwin@azdeq.gov](mailto:slade.edwin@azdeq.gov)
6. **The schedule of public hearings on the proposed delegation agreement:**  
Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.  
ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m., or postmarked not later than that date.  
After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency’s decision on whether to enter into the proposed delegation agreement.

NOTICES OF PROPOSED DELEGATION AGREEMENT

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD; (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Nondiscrimination Coordinator at (602) 771-4322 or [ldb@azdeq.gov](mailto:ldb@azdeq.gov).

ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del lenguaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con Ian Bingham, Title VI Nondiscrimination Coordinator al (602) 771-4322 o [ldb@azdeq.gov](mailto:ldb@azdeq.gov).

NOTICE OF PROPOSED DELEGATION AGREEMENT

DEPARTMENT OF ENVIRONMENTAL QUALITY

[M26-06]

1. **Name of the agency proposing the delegation agreement:**

Arizona Department of Environmental Quality

2. **The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:**

Verde Valley Fire District, 2700 Godard Road, Cottonwood AZ 86326

3. **The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:**

Contact: Balaji Vaidyanathan  
Title: Manager, Air Quality Permits Section  
Address: Arizona Department of Environmental Quality, Air Quality Division  
1110 W. Washington St.  
Phoenix, AZ 85007  
Phone: (602) 771-4527  
Email: [bv1@azdeq.gov](mailto:bv1@azdeq.gov)

4. **A summary of the delegation agreement and the subjects and issues involved:**

Pursuant to A.R.S. §§ 49-107 and 49-501(D), the Arizona Department of Environmental Quality proposes to delegate authority to Verde Valley Fire District, the Local Agency (“LA”), the program elements listed below, subject to certain conditions and limitations described in the delegation agreement. The proposed delegated program elements include:

The Functions and Duties delegated to the LA by this Agreement are identified by A.R.S. § 49-501 and A.A.C. R18-2-602 pertaining to issuing permits for open burning.

5. **Copies of the proposed delegation agreement may be obtained from the agency as follows:**

A copy of the proposed Agreements may be obtained by request to the ADEQ Central Office for public records pertaining to the delegation of the issuance of open burn permits.

Or contact: Edwin Slade III, Administrative Counsel  
Arizona Department of Environmental Quality  
Office of Administrative Counsel  
1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-2242  
Email: [slade.edwin@azdeq.gov](mailto:slade.edwin@azdeq.gov)

6. **The schedule of public hearings on the proposed delegation agreement:**

Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m., or postmarked not later than that date.

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency’s decision on whether to enter into the proposed delegation agreement.

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD; (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Nondiscrimination Coordinator at (602) 771-4322 or [ldb@azdeq.gov](mailto:ldb@azdeq.gov).

ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del len-

NOTICES OF PROPOSED DELEGATION AGREEMENT

guaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con Ian Bingham, Title VI Nondiscrimination Coordinator al (602) 771-4322 o [ldb@azdeq.gov](mailto:ldb@azdeq.gov).

NOTICE OF PROPOSED DELEGATION AGREEMENT

DEPARTMENT OF ENVIRONMENTAL QUALITY

[M26-07]

**1. Name of the agency proposing the delegation agreement:**

Arizona Department of Environmental Quality

**2. The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:**

Winslow Fire Department, 215 N. Taylor Ave., Winslow, AZ 86047

**3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:**

Contact: Balaji Vaidyanathan  
Title: Manager, Air Quality Permits Section  
Address: Arizona Department of Environmental Quality, Air Quality Division  
1110 W. Washington St.  
Phoenix, AZ 85007  
Phone: (602) 771-4527  
Email: [bv1@azdeq.gov](mailto:bv1@azdeq.gov)

**4. A summary of the delegation agreement and the subjects and issues involved:**

Pursuant to A.R.S. §§ 49-107 and 49-501(D), the Arizona Department of Environmental Quality proposes to delegate authority to Winslow Fire Department, the Local Agency (“LA”), the program elements listed below, subject to certain conditions and limitations described in the delegation agreement. The proposed delegated program elements include:

The Functions and Duties delegated to the LA by this Agreement are identified by A.R.S. § 49-501 and A.A.C. R18-2-602 pertaining to issuing permits for open burning.

**5. Copies of the proposed delegation agreement may be obtained from the agency as follows:**

A copy of the proposed Agreements may be obtained by request to the ADEQ Central Office for public records pertaining to the delegation of the issuance of open burn permits.

Or contact: Edwin Slade III, Administrative Counsel  
Arizona Department of Environmental Quality  
Office of Administrative Counsel  
1110 W. Washington St.  
Phoenix, AZ 85007

Telephone: (602) 771-2242  
Email: [slade.edwin@azdeq.gov](mailto:slade.edwin@azdeq.gov)

**6. The schedule of public hearings on the proposed delegation agreement:**

Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m., or postmarked not later than that date.

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency’s decision on whether to enter into the proposed delegation agreement.

ADEQ will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 48 hours in advance by contacting: 7-1-1 for TDD; (602) 771-2215 for Disability Accessibility; or Ian Bingham, Title VI Nondiscrimination Coordinator at (602) 771-4322 or [ldb@azdeq.gov](mailto:ldb@azdeq.gov).

ADEQ tomará medidas razonables para proveer acceso a los servicios del departamento para personas con capacidad limitada para hablar, escribir o entender Inglés y / o para las personas con discapacidad. Las solicitudes de servicios de interpretación del lenguaje o de alojamiento de discapacidad deben hacerse por lo menos 48 horas de antelación poniéndose en contacto con Ian Bingham, Title VI Nondiscrimination Coordinator al (602) 771-4322 o [ldb@azdeq.gov](mailto:ldb@azdeq.gov).

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**NOTICES OF PUBLIC INFORMATION**

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Agencies use Notices of Public Information to notify stakeholders about other information that pertains to rulemaking notices under [A.R.S. § 41-1013\(B\)\(14\)](#). When required by law, agencies also use this notice to notify the public about information not related to rulemaking.

The most common use for this notice is to correct errors printed in a rulemaking notice or extend a public comment period.

The Administrative Rules Division of the Office does not provide a standard template for Notices of Public Information because the content of this type of notice varies.

An agency shall follow the Office’s formatting standards when preparing this type of notice and use a numbered list of questions and answers. Additionally, an agency receipt shall be filed with a Notice of Public Information.

**NOTICE OF PUBLIC INFORMATION**  
**OFFICE OF THE GOVERNOR**

[M26-08]

- 1. Agency name:**  
Office of the Governor
- 2. Public information related to this notice:**  
Notice of Executive Pardon

*Governor Hobbs gives notice that the following Executive Pardon was granted to Olayinka Ajiboye in response to a unanimous recommendation by the Board of Executive Clemency.*

Governor Katie Hobbs hereby gives notice that Olayinka Ajiboye received an Executive Pardon on February 3, 2026, in response to a unanimous recommendation by the Board of Executive Clemency. Mr. Ajiboye’s dedication to his community and upstanding behavior since the convictions warrants an Executive Pardon.

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**2026 REGISTER INDEXES**

The *Register* is published by volume in a calendar year (See “Information” in the front of each issue for more details).

Abbreviations for rulemaking activity in this Index include:

**PROPOSED RULEMAKING**

PN = Proposed new Section  
PM = Proposed amended Section  
PR = Proposed repealed Section  
P# = Proposed renumbered Section

**SUPPLEMENTAL PROPOSED RULEMAKING**

SPN = Supplemental proposed new Section  
SPM = Supplemental proposed amended Section  
SPR = Supplemental proposed repealed Section  
SP# = Supplemental proposed renumbered Section

**FINAL RULEMAKING**

FN = Final new Section  
FM = Final amended Section  
FR = Final repealed Section  
F# = Final renumbered Section

**SUMMARY RULEMAKING**

**PROPOSED SUMMARY**

PSMN = Proposed Summary new Section  
PSMM = Proposed Summary amended Section  
PSMR = Proposed Summary repealed Section  
PSM# = Proposed Summary renumbered Section

**FINAL SUMMARY**

FSMN = Final Summary new Section  
FSMM = Final Summary amended Section  
FSMR = Final Summary repealed Section  
FSM# = Final Summary renumbered Section

**EXPEDITED RULEMAKING**

**PROPOSED EXPEDITED**

PEN = Proposed Expedited new Section  
PEM = Proposed Expedited amended Section  
PER = Proposed Expedited repealed Section  
PE# = Proposed Expedited renumbered Section

**SUPPLEMENTAL EXPEDITED**

SPEN = Supplemental Proposed Expedited new Section  
SPEM = Supplemental Proposed Expedited amended Section  
SPER = Supplemental Proposed Expedited repealed Section  
SPE# = Supplemental Proposed Expedited renumbered Section

**FINAL EXPEDITED**

FEN = Final Expedited new Section  
FEM = Final Expedited amended Section  
FER = Final Expedited repealed Section  
FE# = Final Expedited renumbered Section

**EXEMPT RULEMAKING**

**EXEMPT**

XN = Exempt new Section  
XM = Exempt amended Section  
XR = Exempt repealed Section  
X# = Exempt renumbered Section

**EXEMPT PROPOSED**

PXN = Proposed Exempt new Section  
PXM = Proposed Exempt amended Section  
PXR = Proposed Exempt repealed Section  
PX# = Proposed Exempt renumbered Section

**EXEMPT SUPPLEMENTAL PROPOSED**

SPXN = Supplemental Proposed Exempt new Section  
SPXR = Supplemental Proposed Exempt repealed Section  
SPXM = Supplemental Proposed Exempt amended Section  
SPX# = Supplemental Proposed Exempt renumbered Section

**FINAL EXEMPT RULEMAKING**

FXN = Final Exempt new Section  
FXM = Final Exempt amended Section  
FXR = Final Exempt repealed Section  
FX# = Final Exempt renumbered Section

**EMERGENCY RULEMAKING**

EN = Emergency new Section  
EM = Emergency amended Section  
ER = Emergency repealed Section  
E# = Emergency renumbered Section  
EEXP = Emergency expired

**RECODIFICATION OF RULES**

RC = Recodified

**REJECTION OF RULES**

RJ = Rejected by the Attorney General

**TERMINATION OF RULES**

TN = Terminated proposed new Sections  
TM = Terminated proposed amended Section  
TR = Terminated proposed repealed Section  
T# = Terminated proposed renumbered Section

**RULE EXPIRATIONS**

EXP = Rules have expired

See also “*emergency expired*” under emergency rulemaking

**CORRECTIONS**

C = Corrections to Published Rules

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**RULEMAKING ACTIVITY INDEX**

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**RULES EFFECTIVE DATES CALENDAR**

**Volume 32**

**Issue 7**

**February 13, 2026**

**RULES EFFECTIVE DATES CALENDAR**

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states a rule generally becomes effective 60 days after the day it is filed with the Secretary of State’s Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking notice’s Preamble for effective dates.

January		February		March		April		May		June	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date
1/1	3/2	2/1	4/2	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/3	2/2	4/3	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/4	2/3	4/4	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/5	2/4	4/5	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/6	2/5	4/6	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/7	2/6	4/7	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/8	2/7	4/8	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/9	2/8	4/9	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/10	2/9	4/10	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/11	2/10	4/11	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/12	2/11	4/12	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/13	2/12	4/13	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/14	2/13	4/14	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/15	2/14	4/15	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/16	2/15	4/16	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/17	2/16	4/17	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/18	2/17	4/18	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/19	2/18	4/19	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/20	2/19	4/20	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/21	2/20	4/21	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/22	2/21	4/22	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/23	2/22	4/23	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/24	2/23	4/24	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/25	2/24	4/25	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/26	2/25	4/26	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/27	2/26	4/27	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/28	2/27	4/28	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/29	2/28	4/29	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/30			3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/31			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	4/1			3/31	5/30			5/31	7/30		

**Arizona Administrative Register**  
**RULES EFFECTIVE DATES CALENDAR**

July		August		September		October		November		December	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3	12/4	2/2
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4	12/5	2/3
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5	12/6	2/4
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6	12/7	2/5
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7	12/8	2/6
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8	12/9	2/7
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9	12/10	2/8
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10	12/11	2/9
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11	12/12	2/10
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12	12/13	2/11
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13	12/14	2/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14	12/15	2/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15	12/16	2/14
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16	12/17	2/15
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17	12/18	2/16
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18	12/19	2/17
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19	12/20	2/18
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20	12/21	2/19
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21	12/22	2/20
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22	12/23	2/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23	12/24	2/22
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24	12/25	2/23
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25	12/26	2/24
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26	12/27	2/25
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27	12/28	2/26
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28	12/29	2/27
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29	12/30	2/28
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1

**Arizona Administrative Register**  
**REGISTER PUBLISHING DEADLINES**

**REGISTER PUBLISHING DEADLINES**

The Secretary of State’s Office publishes the *Register* weekly. There is a three-week delay between the deadline date to file a notice and the *Register* date in which the notice is published. The weekly deadline dates (*first column*) and issue dates (*second column*) are provided. Governor Regulatory Review Council meetings and *Register* deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements, following publication of the notice in the *Register*.

Deadline Date Friday, 5:00 p.m. <i>(*earlier date due to holiday)</i>	<i>Register</i> Publication Date	Oral Proceeding may be scheduled on or after <i>(*later date due to holiday)</i>
December 12, 2026	January 2, 2026	February 2, 2026
December 19, 2025	January 9, 2026	February 9, 2026
December 26, 2025	January 16, 2026	*February 17, 2026
January 2, 2026	January 23, 2026	February 23, 2026
January 9, 2026	January 30, 2026	March 2, 2026
January 16, 2026	February 6, 2026	March 9, 2026
January 23, 2026	February 13, 2026	March 16, 2026
January 30, 2026	February 20, 2026	March 23, 2026
February 6, 2026	February 27, 2026	March 30, 2026
February 13, 2026	March 6, 2026	April 6, 2026
February 20, 2026	March 13, 2026	April 13, 2026
February 27, 2026	March 20, 2026	April 20, 2026
March 6, 2026	March 27, 2026	April 27, 2026
March 13, 2026	April 3, 2026	May 4, 2026
March 20, 2026	April 10, 2026	May 11, 2026
March 27, 2026	April 17, 2026	May 18, 2026
April 3, 2026	April 24, 2026	*May 26, 2026
April 10, 2026	May 1, 2026	June 1, 2026
April 17, 2026	May 8, 2026	June 8, 2026
April 24, 2026	May 15, 2026	June 15, 2026
May 1, 2026	May 22, 2026	June 22, 2026
May 8, 2026	May 29, 2026	June 29, 2026
May 15, 2026	June 5, 2026	July 6, 2026
May 22, 2026	June 12, 2026	July 13, 2026
May 29, 2026	June 19, 2026	July 20, 2026
June 5, 2026	June 26, 2026	July 27, 2026
June 12, 2026	July 3, 2026	August 3, 2026

**GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES**

**Volume 32**

**Issue 7**

**February 13, 2026**

**GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES**

MEETING DATES ARE SUBJECT TO CHANGE

These deadlines apply to all Five-Year Review Reports and any rulemaking notice submitted for review to the Governor’s Regulatory Review Council (Council). The Office publishes these deadlines under A.R.S. [41-1013\(B\)\(15\)](#).

Council meetings and *Register* deadlines do not correlate.

All rulemaking notices submitted for review and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date.

The Council’s office is located at 100 N. 15th Ave., Suite 305, Phoenix, AZ 85007.

For more information, call (602) 542-2058 or visit <https://grrc.az.gov>.

[M25-79]

<b>DEADLINE FOR PLACEMENT ON AGENDA*</b>	<b>FINAL MATERIALS SUBMITTED TO COUNCIL</b>	<b>DATE OF COUNCIL STUDY SESSION</b>	<b>DATE OF COUNCIL MEETING</b>
<i>Tuesday</i> December 23, 2025	<i>Wednesday</i> January 21, 2026	<i>Tuesday</i> January 27, 2026	<i>Tuesday</i> February 3, 2026
<i>Tuesday</i> January 20, 2026	<i>Tuesday</i> February 17, 2026	<i>Tuesday</i> February 24, 2026	<i>Tuesday</i> March 3, 2026
<i>Tuesday</i> February 17, 2026	<i>Tuesday</i> March 24, 2026	<i>Tuesday</i> March 31, 2026	<i>Tuesday</i> April 7, 2026
<i>Tuesday</i> March 24, 2026	<i>Tuesday</i> April 21, 2026	<i>Tuesday</i> April 28, 2026	<i>Tuesday</i> May 5, 2026
<i>Tuesday</i> April 21, 2026	<i>Tuesday</i> May 19, 2026	<i>Wednesday</i> May 27, 2026	<i>Tuesday</i> June 2, 2026
<i>Tuesday</i> May 19, 2026	<i>Tuesday</i> June 23, 2026	<i>Tuesday</i> June 30, 2026	<i>Tuesday</i> July 7, 2026
<i>Tuesday</i> June 23, 2026	<i>Tuesday</i> July 21, 2026	<i>Tuesday</i> July 28, 2026	<i>Tuesday</i> August 4, 2026
<i>Tuesday</i> July 21, 2026	<i>Tuesday</i> August 18, 2026	<i>Tuesday</i> August 25, 2026	<i>Tuesday</i> September 1, 2026
<i>Tuesday</i> August 18, 2026	<i>Tuesday</i> September 22, 2026	<i>Tuesday</i> September 29, 2026	<i>Tuesday</i> October 6, 2026
<i>Tuesday</i> September 22, 2026	<i>Tuesday</i> October 20, 2026	<i>Tuesday</i> October 27, 2026	<i>Tuesday</i> November 3, 2026
<i>Tuesday</i> October 20, 2026	<i>Tuesday</i> November 17, 2026	<i>Tuesday</i> November 24, 2026	<i>Tuesday</i> December 1, 2026
<i>Tuesday</i> November 17, 2026	<i>Tuesday</i> December 22, 2026	<i>Tuesday</i> December 29, 2026	<i>Tuesday</i> January 5, 2027
<i>Tuesday</i> December 22, 2026	<i>Tuesday</i> January 19, 2027	<i>Tuesday</i> January 26, 2027	<i>Tuesday</i> February 2, 2027

\* Materials must be submitted by 5 p.m. on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.