

Governor's Water Augmentation, Innovation and Conservation Council

September 12, 2019

Meeting Summary

Time: 10:00am – 11:30pm

Location: Arizona Department of Water Resources

I. Welcome and Introduction of Council Members

Chairman Tom Buschatzke called the meeting to order and welcomed those in attendance to the third meeting of the Governor's Water Augmentation, Innovation and Conservation Council (Council). Council members introduced themselves and noted their affiliation. Thirty-five of the 42 members or their designees were present or called in.

II. Committee Updates

Desalination Committee

Chairman Philip Richards summarized the committee's work. The committee has identified seven areas in the state that may present good opportunities for desalination projects. The committee is currently focusing on two, the West Salt River Valley and the Yuma Desalting Plant. The committee has formed a subcommittee to research and discuss the challenges in the West Salt River Valley before considering whether to recommend a potential pilot project there. At the Desalination Committee's August 2019 meeting, ADEQ reported on its efforts to secure primacy of the Underground Injection Control Program, which should streamline the permitting process for deep well injection brine disposal. Also, the Bureau of Reclamation provided a summary of the status of the Yuma Desalting Plant. Committee members, along with ADWR, will calculate the cost to Arizona to not operate the plant. The next Desalination Committee meeting is October 10th at 10:00 a.m. at ADWR.

Non-AMA Groundwater Committee

Co-Chairwoman Representative Griffin reported that at their inaugural July meeting they discussed goals and future topics:

- To achieve a baseline understanding of Arizona groundwater in non-Active Management Areas
- To identify and develop voluntary alternatives to address groundwater issues by planning area while protecting individual property rights
- To make recommendations to the full Council for Best Management Practices at the local level
- Further discussion and recommendations of issues which may be brought forward.

Co-Chairwoman Jamie Kelley added there were several groundwater issues raised in the newly published "*Long Term Water Augmentation Options in Arizona*" report that should probably be addressed by the committee. Ms. Kelley asked the Council if there are certain issues that members would like the committee to consider. Chairman Buschatzke first reviewed a list of issues brought up at the July committee meeting:

- Metering, monitoring and reporting requirements
- Consideration of adequate water supply rules outside AMAs
- Options to address fracking, water availability, water quality and aquifer contamination issues

- Well spacing requirements
- Agricultural production in areas involved in the adjudication

Council members largely agreed with the list and the intent of the committee to consider all options. The Council was clear that discussion of these topics by the committee does not predispose any outcomes; it is an opportunity for better understanding of the issues and stakeholder perspectives. It was noted that solutions are rarely one-size-fits-all and that it is important to empower local communities. Chairman Buschatzke acknowledged that the solutions outside the AMAs won't necessarily be the same as those inside the AMAs.

Additional issues put forth by the Council members were:

- Voluntary best measures – how to organize, showcase, and more widely implement
- The need for more data to create more accurate models and better inform local decisions
- Identification of at-risk basins, and gathering necessary data to empower local communities— identifying what information is available per the planning areas, and illustrating where there are gaps in information
- Identification of areas interested in pursuing adequacy requirements or establishing INAs

Chairman Buschatzke stated that the sense of the Council was to refer the additional items back to the Committee for their discussion.

Post 2025 AMA Committee

Committee Co-Chairman Tim Thomure announced the new committee will have its first meeting on October 10th at 2:00 p.m. at ADWR. The objective of the committee is to identify water management challenges and opportunities facing the AMAs and generate objectives and strategic solutions for 2025 and beyond. The proposed committee foundation, its approach, its key principles and structure were presented and can be found at

<https://new.azwater.gov/sites/default/files/Post%202025%20AMAs%20Committee%20Overview.pdf> .

Long Term Water Augmentation Committee

Committee Chairman Wade Noble reported that the committee has completed its report, which is available on ADWR's GWAICC web page. He introduced Richard Humphreys of Carollo Engineers, consultant to the committee. The next committee meeting will be January 8th at 10:00a.m. at ADWR. The committee will continue to address comments to the report and to discuss refinements and new ideas for water augmentation as they are brought forth. Comments to the report can be addressed to committee support staff, Cyndi Ruehl, at cruehl@azwater.gov.

III. “Long Term Water Augmentation Options for Arizona Study” presentation: Richard Humphreys, Carollo Engineers

Richard Humphreys, consultant to the committee, gave a brief presentation of the results of the final report, “*Long Term Water Augmentation Options for Arizona Study.*” (See the meeting video to view the presentation at <https://www.youtube.com/watch?v=65-IRDrh4m4>).

The presentation covered the following:

- The water augmentation planning process with the committee
- The final water augmentation options identified
- The best practices which would improve water-use efficiency
- Projects and practices between willing parties
- The water augmentation concepts still requiring further development
- The identified impediments to water augmentation projects

Mr. Humphreys stressed the report outcomes are not requirements or specific recommendations; they are suggestions and ideas. Choosing, developing, and funding augmentation or best practices is entirely up to the water users in each planning area.

The full report is posted on the GWAICC webpage under the Long Term Water Augmentation Committee\Documents at <https://new.azwater.gov/sites/default/files/Long-Term%20Water%20Augmentation%20Options%20final.pdf>

IV. Adjudications Reform Update: *Sarah Porter, Kyl Center for Water Policy*

As requested by the Council at its June meeting, Sarah Porter of the Kyl Center for Water Policy offered a presentation outlining the current surface water adjudications situation. She explained:

- What are the adjudications: establishing the most senior to the junior water rights and how much water their right includes
- Why have they taken so long: the Gila River Watershed has 85,000 claims and the Little Colorado River Watershed has 14,000 claims
- Explanation of the subflow factor: water that would normally reach the riverbed that is being pumped from below ground surface, is treated as surface water, not groundwater
- Why the adjudications matter: necessary to do good water planning and certainty for water users
- What the Kyl Center is doing on the adjudications: formed the Adjudication Reform Committee comprised of legal experts to suggest ways to expedite the process

See the meeting video at <https://www.youtube.com/watch?v=65-IRDrh4m4> for the full presentation or the slides at

https://new.azwater.gov/sites/default/files/20190912_GWAICC_Sept_%20Meeting_%20presentation_MASTER%20Final%20%28W%20ITEM%20V.%20REMOVED%29.pdf at the meeting presentation site.

Chairman Buschatzke asked Council members if they felt the GWAICC has a role in the adjudication reform. The Council will discuss this matter further at the next GWAICC meeting.

V. Safe Yield in the AMAs: *Natalie Mast, ADWR Manager AMA Management Plans*

Chairman Buschatzke tabled this presentation due to time constraints.

VI. AMA Management Plans Update: *Natalie Mast, ADWR Manager AMA Management Plans*

Chairman Buschatzke requested an abbreviated version of this presentation, again due to time constraints. Ms. Mast presented the current process and timeline for adopting the Fourth Management

plans for Phoenix, Pinal and Santa Cruz AMAs. Chairman Buschatzke asked for Council feedback regarding two potential paths to complete the Fourth Management Plans. The timeline to completion would be the same for either option. The first option would include the proposed incremental increases in conservation requirements, while the second would essentially maintain the status quo of the Third Management Plans. Council members commented largely in support of the first option. Chairman Buschatzke added that he was also seeking input from the Groundwater Users Advisory Councils, and that he would welcome additional comments. (See the meeting video at <https://www.youtube.com/watch?v=65-IRDrh4m4> for more information on the options for AMA Management Plans processes).

VII. Closing Remarks and Next Meetings

The next two Council meetings will be December 3, 2019, and March 11, 2020, at ADWR.

VIII. Adjournment

Chairman Buschatzke thanked everyone for their participation and comments and adjourned the third meeting of the Governor's Water Augmentation, Innovation and Conservation Council.