

Governor's Water Augmentation, Innovation, and Conservation Council Post-2025 AMAs Committee August 26, 2020



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Welcome & Introductions



Co-Chair Tim Thomure



Co-Chair Warren Tenney

Overview of August 26th Meeting

1. Welcome & Committee's Progress and Objectives
2. Key Provisions of AWS Program and the CAGRDR
 - a) Presentation
 - b) Discussion to Identify Issue
3. Next Steps



100-year Assured Water Supply Program

Designed to sustain the State's economic health

- Preserve groundwater
- Promote long-term water supply planning

AWS Rules were developed with stakeholder input over many years, finally adopted in 1995; modified several times since

Provides consumer & economic protection by requiring that a 100-year water supply be proven before lots can be sold



Assured Water Supply Criteria

Criteria for proving an Assured Water Supply:

- Physical, Continuous and Legal Availability for 100 Years
- Sufficient Water Quality
- Financial Capability
- Consistency with the Management Plan
- Consistency with the Management Goal



Physical Availability

Groundwater is most often used to prove physical availability; surface water supplies and effluent can also be used

Applicants demonstrate groundwater physical availability through hydrologic modeling

Maximum 100-year depth-to-static water level currently allowed in the AWS rules (1,000 ft in Phoenix, Tucson AMAs and 1,100 ft in Pinal AMA)

Certificates and Designations of AWS can be issued entirely on the basis of groundwater that has been demonstrated to be physically available for 100-years, *provided that groundwater withdrawal is **consistent with the Management Goal** of the AMA*



Management Goals (A.R.S. § 45-562)

Safe-yield:

“A groundwater management goal which attempts to achieve and thereafter maintain a long-term balance between the annual amount of groundwater withdrawn in an active management area and the annual amount of natural and artificial recharge in the active management area.”

(A.R.S. § 45-561(12))

Prescott, Phoenix, and Tucson AMAs:

Safe-yield by the year 2025

Pinal AMA:

To allow development of non-irrigation uses and to preserve existing agricultural economies in the AMA for as long as feasible, consistent with the necessity to preserve future water supplies for non-irrigation uses.

Santa Cruz AMA:

To maintain a safe-yield condition in the AMA and to prevent local water tables from experiencing long term declines



Consistency with the Management Goal

Renewable Supplies

- CAP, local surface water and effluent
 - Stored & recovered LTSCs

Groundwater

- Groundwater allowance and other unreplenished withdrawals
- Extinguishment credits

In the Phoenix, Pinal and Tucson AMAs, consistency with the Goal can be satisfied with enrollment as a member of the **CAGRD**

CAGRD replenishes excess groundwater pumped by its members – thereby limiting the amount of unreplenished withdrawals



Designations and Certificates

Designations of AWS

- Issued to a water provider for its service area located within an AMA
- Must show that growth added during designation term can be accommodated for 100 years
- Must be reviewed at least every 15 years
- Renewed for a subsequent period (typically 10 - 20 years) demonstrating demand can be accommodated for 100 years

Certificates of AWS

- Issued to landowners for a subdivision located within an AMA in the absence of a Designated Provider
- Applicant must show that there is sufficient water to meet the projected demand at buildout as platted for 100 years and that the water supply meets all AWS criteria
- No reevaluation



CAGRD and the AWS Program

CAGRD established in 1993

Facilitated the adoption of the AWS Rules in 1995

Purpose: Keep groundwater use consistent with the AMA management goals

Accomplishes this by limiting unreplenished groundwater withdrawals through replenishment of excess groundwater pumping

It is not designed to supply water to subdivisions; it is a mechanism to assist in meeting the management goal, allowing the applicant to meet the physical availability requirement



CAGRDR and the AWS Program

No requirement for CAGRDR-reliant lands or providers to reduce dependence on groundwater over time.

CAGRDR is not required to prove a 100-year replenishment supply up front before enrolling members.

- Differs from the more stringent requirement for obtaining a designation or certificate in which the 100-year supplies must be in-hand.
- This flexibility was intentional to reduce competition. CAGRDR has the ability to utilize renewable supplies of less than 100-years to satisfy the management goal requirement. Must receive approval of Plan of Operation by the Director of ADWR every 10 years.



Evolving Considerations of AWS & CAGR

CAGR developed based on assumptions and realities of the 1990s

- Importance of adopting AWS Rules
- Arizona was not using all its Colorado River water
- Excess CAP water availability was expected for decades to come
- Assumption that CAGR would serve as a 'bridge' to allow small water providers to develop capacity to acquire renewable supplies and related infrastructure

2020 realities

- Excess water is effectively no longer available
- Other supplies are becoming increasingly difficult to acquire
- Some providers have 'de-enrolled' but most lands expected to remain in CAGR indefinitely



Evolving Considerations of AWS & CAGR

Competition for physical availability

Localized groundwater level declines (Hydrologic Disconnect Issue Brief)

Increasing uncertainty of future availability of renewable supplies

- This affects both CAGR and non-CAGR entities

Concern about the current structure still meeting original objectives

- Role of groundwater in AWS rules
- Adequacy of consumer protection for homeowners
- Assuring achievement and long-term maintenance of AMA goals (Phoenix, Pinal, Tucson)



Questions for Discussion

- When considering the AWS Rules, is it prudent to continue to allow CAWS and DAWS to rely primarily on groundwater as we prepare for the next 100 years?
- Is there an unreasonable reliance on potential future renewable supplies, enabling groundwater use today?
- What issues do you foresee post-2025 with certificates not being required to develop a 100-year water supply outside of the identified groundwater resources?
- What issues do you see post-2025 given the CAGRDR must perpetually acquire renewable water supplies to offset the groundwater use of its members?



Next Steps & Next Meeting Date

Committee Participants



Closing Remarks

Co-Chairs

