



## Arizona Farm Bureau Federation

325 S. Higley Rd, Suite 210

Gilbert, AZ 85296

December 1, 2019

Warren Tenney & Tim Thomure, Co-Chairs

Post-2025 AMAs Committee

c/o Theresa Johnson, Arizona Department of Water Resources

### **Re: Arizona Farm Bureau Comments on AMA Management Structure Issue Brief**

As the largest general farm organization in Arizona, with more than 2,400 agricultural members across the state, we appreciate the opportunity to comment on the GWAICC's Post-2025 AMA Committee's AMA Management Structure Issue Brief.

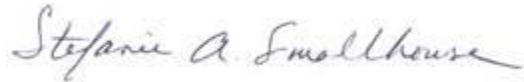
Arizona Farm Bureau's member-driven policy outlines numerous principles that should guide the regulation of groundwater in the state. We support the use of groundwater on agricultural land and believe that state law should ensure value to land with historic water use. We support protecting historic water use through the continuation or grandfathered of irrigation rights on those properties. We also believe that the continued use of the best management practices program incentivizes conservation and is essential as part of a workable, economical, and environmentally sound plan for agricultural water management.

The 1980 Groundwater Management Act, and the subsequent management plans adopted under the act, reflect these principles in large part. We agree that there are opportunities for improvement on certain aspects of the plan, including in areas already identified by the issue brief. We also think this effort represents an appropriate venue to clarify aspects of the 1980 Act. For example, when compared to other sectors of economic development, agriculture is very limited in its ability to adjust to diminishing water allocations – at some point, there is simply not enough water to support the crops that account for over 25 percent of Arizona's \$23.3 billion agricultural industry. Accordingly, we believe that this group represents a good opportunity to revisit, among other things, the Department's interpretation of the word "conservation" to imply an increasing reduction in allowable irrigation, rather than efficiency of water application. This committee should strive to make sure that sectors are treated equitably based on their ability to withstand ratcheting regulatory costs.

While we should not let the opportunity for positive change to pass us by, we would nevertheless caution this group not to use the 2025 deadline as an invitation to overhaul a water management law that has led to significant conservation investments on the part of agriculture and formed the basis of Central Arizona's development plans for the last 40 years.

The 1980 Groundwater Management Act was forged through years of negotiations at great political cost. Changes to fundamental aspects of that act, such as the management goals of the AMAs and replenishment requirements, should not be undertaken without the same level of research, scrutiny, and input that existed 40 years ago.

Sincerely,

A handwritten signature in cursive script that reads "Stefanie A. Smallhouse".

Stefanie Smallhouse, President  
Arizona Farm Bureau Federation

From: **Kathleen Ferris** <[kathleenferris22@gmail.com](mailto:kathleenferris22@gmail.com)>

Date: Mon, Dec 7, 2020 at 11:24 AM

Subject: Management Structure Issue Brief

To: <[tjohnson@azwater.gov](mailto:tjohnson@azwater.gov)>

Link: <https://new.azwater.gov/comment/95#comment-95>

On: December 7, 2020 - 11:09am

By: Kathleen Ferris Email: [kathleenferris22@gmail.com](mailto:kathleenferris22@gmail.com)

Issue Brief - Management Structure - Draft

Comment Title: Management Structure Issue Brief

It is imperative that the legislature require ADWR to continue groundwater management in the AMAs. The ten-year management plan process is a logical way to handle this, however, new tools and strategies are needed to address the complex issues the Committee has identified.

## AMA MANAGEMENT STRUCTURE

**DRAFT**

### ISSUE STATEMENT

Option 1—Should there be additional management periods and management plans after 2025?

Option 2—Do we need additional management periods and management plans after 2025 or is it sufficient for the fifth management plans to remain in effect?

~~There is no clear statutory provision regarding goals or additional management periods and plans after 2025. The fifth management plans will remain in effect until statutory changes designate otherwise.~~

### ISSUE DESCRIPTION

The 1980 Groundwater Management Act established Active Management Areas (AMAs), which are geographic areas where, at the time, groundwater overdraft was the most severe or where significant groundwater overdraft was likely to occur in the very near future (Prescott AMA) with heavy reliance on groundwater. Under the Act, goals are established for each AMA, and a series of management plans must be developed for each AMA, including mandatory conservation programs designed to improve the efficiency of water use and otherwise lead to a reduction in groundwater withdrawals of groundwater.

The Director of ADWR is required by statute to develop a management plan for each AMA for each of five management periods, spanning the years 1980 through 2025. The management plans are designed to assist each AMA in achieving its management goal. The management plans contain conservation programs for agricultural, municipal, and industrial groundwater users as well as the Water Management Assistance Program and information about enforcement provisions. Management periods also tie into Assured Water Supply, with factors related to groundwater allowances and extinguishment credits decreasing over successive management periods.

The fifth and final management period is from 2020 to 2025. The management plans that will be developed for this period remain effective thereafter "until the Legislature determines otherwise,"<sup>1</sup> but there are no statutory provisions for management periods beyond 2025 or for additional management plans. Additionally, the Phoenix, Prescott, and Tucson AMAs' safe-yield management goal is tied to 2025, and the statutes are silent on the management goals in those AMAs after that time. This leaves the State with limited ability to continually adapt and revise groundwater management plans and strategies in the AMAs as needed the State faces continued challenges in the AMAs due to projected population growth, ongoing drought, a drier,

**Commented [SRP1]:** What if the legislature revised the management periods to account for the delay in issuing the fourth management plan? They could say that the fourth management period is from 2020 to 2025 and the fifth management period begins in 2025. That would take some of the pressure off ADWR to rush into development of the 5MP and some of these issues that seem so urgent might calm down in the meantime, especially if we go into a wet period.

<sup>1</sup> A.R.S. § 45-568(C)  
**DRAFT – 10.28.20**

*Governor's Water Augmentation, Innovation and Conservation Council  
Post-2025 AMAs Committee*

warmer, much more variable climate, and anticipated Colorado River shortages, among other factors.

The Post-2025 AMAs Committee has identified issues that present an opportunity to strengthen and improve water management in the AMAs well beyond 2025. These issues include un replenished groundwater withdrawals, exempt wells, the hydrologic disconnect among between recharge and recovery, and the CAGR D and the Assured Water Supply Program. The management plans have been a foundation for developing strategies for implementing measures that would improve water management. In order to provide certainty and more effectively plan and manage the AMAs in the future, it is critical to decide whether there will be new management periods and management plans post-2025, clarify whether the AMA management goals, the 10-year management period cycle, and the management plans themselves are appropriate and should be carried forward in the future.

**Commented [SRP2]:** While conservation alone will not solve all our problems, surely we would want any management plans post-2025 to address conservation standards in addition to these issues.

**Commented [SRP3]:** We don't feel there is any uncertainty that the AMA management goals remain in perpetuity, unless the legislature changes them.

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