

**CENTRAL ARIZONA
IRRIGATION AND DRAINAGE DISTRICT**

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June 05, 2020

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

Re: Pinal Active Management Area Draft 4th Management Plan

Dear Mr. Buschatzke:

I am the General Manager of Central Arizona Irrigation and Drainage District (CAIDD). At the May 27, 2020 meeting of the Pinal Active Management Area (AMA) Groundwater Users' Advisory Council (GUAC), the Arizona Department of Water Resources (ADWR) requested that interested stakeholders submit comments concerning ADWR's current draft Pinal AMA 4th Management Plan (4MP) by June 5, 2020. Although this letter sets forth general comments concerning the draft 4MP, CAIDD has not had sufficient time to fully review and prepare comments addressing the extensive technical details and statements contained in the draft 4MP. Therefore, CAIDD reserves the right to supplement these comments upon completing its review and analysis of the draft 4MP.

I. Pinal AMA Management Goal

Unlike the other AMAs, the management goal of the Pinal AMA is "to allow the development of non-irrigation uses as provided in [the Groundwater Code] 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."¹ Throughout the draft 4MP, ADWR makes repeated references to regulatory and non-regulatory efforts that may be helpful or necessary to achieve or maintain the Pinal AMA management goal, including maximizing the use of renewable supplies, increasing water use efficiency by all sectors, reducing irrigated acreage, and additional recharge and replenishment, among other things.² Although many of the efforts identified by ADWR appear to be unobjectionable, worthwhile water management objectives, there is a

¹ A.R.S. § 45-562(B).

² See, e.g., 4MP, at §§ 2.8; 3.4; 4.1; 8.1; 8.4; 8.7; 11.2.3; 11.2.8; 11.3.1.

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fundamental lack of clarity in the draft 4MP as to how ADWR interprets the statutory water management goal for the Pinal AMA.

As a threshold matter, it is essential that ADWR and stakeholders have a clear, shared understanding of the Pinal AMA water management goal to effectively evaluate whether the 4MP will bring the Pinal AMA closer to achieving and/or maintaining that goal.

Section 11.1 of the draft 4MP suggests that, in ADWR's view, the Pinal AMA management goal "recognizes the reality of continued groundwater use for agricultural purposes," but that preserving future water supplies for non-irrigation uses is the primary objective. CAIDD disagrees with that interpretation. All AMAs effectively recognize the reality of continued groundwater use for agricultural purposes pursuant to IGFRs and the agricultural conservation requirements set forth in each AMA's respective management plan. In the Pinal AMA, however, "preserving existing agricultural economies in the [AMA] for as long as feasible" is an express goal of A.R.S. § 562(B). Accordingly, CAIDD contends that it is insufficient for the 4MP to merely recognize the continued use of water for agricultural purposes while striving to preserve future water supplies for non-irrigation uses. Rather, the 4MP should affirmatively seek to preserve the agricultural economy in the Pinal AMA.

CAIDD recognizes that preserving future water supplies for non-irrigation uses also is an element of the Pinal AMA management goal and supports efforts to augment and increase the use of renewable water supplies, improve water use efficiency among all sectors, increase recharge, and transition some existing agricultural uses to non-irrigation uses over the long-term. As recognized by ADWR, however, the Pinal AMA still "has an agricultural dominated economy."³ Efforts to reduce water use at the expense of preserving the existing agricultural economy will fail to achieve the Pinal AMA management goal not only by failing to preserve the agricultural economy as provided by statute, but also by disrupting the orderly transition of agricultural uses to non-irrigation uses that underlies the need to preserve future water supplies. Therefore, it is important that ADWR not take a short-term view of current agricultural uses as impeding to the long-term preservation of future water supplies for other uses.

II. Chapter 4: Agricultural

In Chapter 4 of the draft 4MP, ADWR notes that agricultural demand in the Pinal AMA has remained steady despite a decrease in irrigation acres since 2002.⁴ As illustrated in Table 4-1, however, the total combined use of groundwater and in-lieu groundwater consistently has been far less than the total allotment.

CAIDD believes that this shows the success of ongoing water management efforts and the conservation and efficiency practices implemented by irrigation districts and farmers

³ Draft 4MP, at 2-14.

⁴ Draft 4MP, at 4-3; Figure 4-2.

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in reducing the agricultural sector's reliance on groundwater in the Pinal AMA, which should be a primary focus of the 4MP and worthy of note.

For similar reasons, CAIDD contends that ADWR's analysis of the effectiveness of the Best Management Practices [BMP] program is incomplete. On page 4-8 of the draft 4MP, ADWR contends that BMP farms applied about 29 percent more water per irrigation acre than non-BMP farms in 2017. Conversely, on page 11-8 of the draft 4MP, ADWR contends that BMP farms use about 57 percent more water per irrigation acre than non-BMP farms. Therefore, ADWR implies that the current BMP program does not meet the requirements of A.R.S. § 45-567.02(G), which provides that the BMP program shall be designed to achieve conservation that is at least equivalent to that required under the Base Program.

CAIDD questions whether BMP farms actually used more water per actively irrigated acre than non-BMP farms. Assuming that was the case, however, CAIDD contends that comparing current water usage for IGFRs in the BMP program with current water usage for IGFRs that remain the Base Program is not the proper method of evaluating whether the BMP program was effectively designed to achieve conservation equivalent to the Base Program. Such a comparison does not account for important differences among the farms at issue and the reasons underlying decisions to enroll certain IGFRs in the BMP program. Rather, to evaluate whether the BMP program is designed to achieve conservation equivalent to the Base Program, ADWR should analyze: (1) whether current BMP farms would use less water if the same IGFRs were regulated instead under the Base Program; or (2) whether overall groundwater conservation for all BMP and Base Program farms is at least equivalent to conservation that would be required if all IGFRs instead were regulated by the Base Program. Because many BMP farms formerly relied on flexibility credits to support their operations, it is not clear that those farms actually would use less groundwater if they were regulated under the Base Program instead. Likewise, if the total groundwater use of all Base Program and BMP farms is less than the combined total groundwater allotment if all IGFRs remained in the Base Program, it is unclear why ADWR proposes to modify the BMP program to increase conservation.

CAIDD appreciates the opportunity to comment on ADWR's draft 4MP. As referenced above, CAIDD will supplement these comments upon completing its review of the draft 4MP. If you have any questions, please do not hesitate to ask.



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