

ARIZONA MUNICIPAL WATER USERS ASSOCIATION

Overview of the AMWUA Sustainability Policies Process May 2008

Background

The Board of Directors of the Arizona Municipal Water Users Association (AMWUA) has long been a strong proponent of Safe-Yield, the Groundwater Code and the need to assure that we have sustainable water supplies for our future. Each year, in advance of the legislative session, the AMWUA Board of Directors adopts a series of resolutions to provide guidance to staff on legislative issues. The Board has adopted specific resolutions in support of Safe Yield and the Groundwater Code, two issues that play a key role in moving toward sustainable water supplies.

AMWUA has grown increasingly concerned about the sustainability of the water supplies for the state's Active Management Areas (AMAs). This concern has arisen from many factors, including the following:

1. Enrollment in the Central Arizona Groundwater Replenishment District (CAGRDR) is exceeding projections and could exceed replenishment obligations as set forth in the current CAGRDR Plan of Operations.¹
2. Replenishment by the CAGRDR is not required to occur where its members pump groundwater. Thus, these members are relying on a water supply that is not renewable and could find themselves without water in 100 years.
3. In some areas there are serious physical consequences associated with localized groundwater mining, such as land subsidence, diminished water quality, and, ultimately, a lack of a viable water supply for the future.
4. As growth continues, there will be intense competition for imported water supplies to meet future needs and for the use of the remaining capacity of the CAP canal to deliver this water.

The Board directed its staff to identify those issues that should be addressed to assure that our future water supplies will be secure. AMWUA staff, in conjunction with the AMWUA members' Water Resources Advisory Group, developed a series of issue papers that identified areas of concern. These issue papers were forwarded to the AMWUA Board of Directors and the Management Board for discussion and action.

On March 5, 2007, the Board of Directors and the Management Board held a joint retreat for the purpose of continuing their discussions regarding sustainable water supplies for the Active Management Areas (AMAs), the sustainability of the aquifers in the AMAs,

¹ Central Arizona Water Conservation District, staff report on Continued Discussion Regarding CAGRDR Revenue Generation Strategies, July 25, 2007.

and the impact of the Central Arizona Groundwater Replenishment District (CAGR) on these issues. At the conclusion of the retreat, AMWUA staff was directed to prepare draft policies on these issues for review by the Board and the Management Board. On May 9, 2007, the AMWUA Board of Directors adopted “Policies Concerning Sustainable Water Supplies.”

After adopting these policies, the Board of Directors directed AMWUA staff to identify the policies that would require legislative implementation and to prepare draft legislation for the Board’s consideration in the fall of 2007. AMWUA staff worked with the Water Resources Advisory Group during the spring and summer of 2007 to prepare draft legislation. AMWUA staff met with key water interests to discuss the proposals and to assess the level of support for pursuing legislation in the 2008 legislative session. During the course of discussions with the water interests, a number of issues were raised. In November 2007, the AMWUA Board of Directors met to consider the draft legislation. Rather than pursue legislation in the 2008 legislative session, the Board directed AMWUA staff to convene a Sustainability Stakeholders Group to discuss the AMWUA Sustainability Policies.

AMWUA Sustainability Stakeholders Group

To help provide administrative support and plan the process for the Stakeholder meetings, a Process Planning Team comprised of AMWUA and CAWCD staff was established. The Process Planning Team met to develop an agenda, proposed process and desired outcomes for the initial meetings of the Stakeholders.

AMWUA convened the first meeting of the Sustainability Stakeholders Group in early December 2007. In January, the Stakeholders began to meet on the first and third Friday of every month.

Sustainability Stakeholders’ Survey

The first step was to solicit input from the Stakeholders. Prior to the Stakeholder meeting on January 18, 2008, the Stakeholders were asked to respond to the following questions:

- From your perspective, what are the problems that should be addressed in the Stakeholders Process?
- What are the causes of these problems?
- What about the current situation is working and what is not working?
- What concerns you the most?
- How can we collect more information and test our assumptions about the problems and their causes?

The Process Planning Team compiled the comments received, verbatim, into broad categories of issues. The following ten categories to broadly reflect the main issue areas were identified by AMWUA and CAWCD staff:

- CAGRD Enrollment
- Location of Replenishment/Recharge – Hydrologic Impact of CAGRD Pumping
- Competition for New Water Supplies between CAGRD and Non-CAGRD Providers
- CAGRD Funding
- ADWR Oversight of CAGRD
- Growth on Non-Renewable Supplies (Groundwater) as a Threat to the Groundwater Code
- Reallocation of Non-Indian Agriculture Water
- CAGRD Governance
- Assured Water Supply Program
- Other

Sustainability Stakeholder Process

At the Stakeholder meeting on January 18, 2008, the group discussed which of these broad categories should be the focus of the AMWUA Stakeholder Process. The point was made that the issue of “sustainability” is much bigger than AMWUA’s Sustainability Policies. In recognition of this point, other issues that were raised in the survey responses were deferred to other forums.

Discussion on CAGRD funding was tabled. CAWCD is currently reviewing its fee structure to assure that it is sufficient to secure the supplies needed to meet its enrollment obligations.

CAWCD’s “ADD Water” process is scheduled to begin early in 2008. The goal of the ADD Water process is to determine how to share and pay for new water supplies. The need for “new water supplies” is an issue that should be addressed sooner rather than later. One of AMWUA’s policies addresses the equitable distribution of new water supplies and must be included in the discussion. Some Stakeholders expressed the concern that initiating AMWUA’s process prior to completing the ADD Water process might be premature. Issues related to new water supplies were deferred to the ADD Water process.

AMWUA’s initial focus of the Sustainability Stakeholders Process is on membership in the CAGRD and the location of replenishment by the CAGRD. This process is designed to engage a broad group of Stakeholders to resolve potential problems early, before they become problematic for future generations.

There was general acceptance that the following categories should be included in the Sustainability Stakeholders discussions:

- CAGRD Enrollment
- Location of Replenishment/Recharge and Hydrologic Impact of Pumping by CAGRD Members
- ADWR Oversight of CAGRD

- Municipal Growth on Non-Renewable Supplies (Groundwater)
- Assured Water Supply Program

Status of Stakeholder Discussion

The Stakeholders have reviewed a number of issues related to the five common themes that resulted from the Stakeholder survey.

CAGR D Enrollment/ADWR Oversight Over CAGR D

The Stakeholders determined that CAGR D Enrollment and the oversight of ADWR over the CAGR D Plan of Operation are closely linked and should be addressed jointly. Due to the complexity of the issues and the lack of statutory specificity, Stakeholders determined that a white paper that identified the process by which ADWR monitors the CAGR D and the mechanisms in place at CAWCD to assure that sufficient supplies are available to meet the replenishment obligation would be valuable. This document would help to identify issues that would require clarification, a possible means by which to address those issues and issues that require further analysis. This document is currently being drafted and will be shared with Stakeholders on May 16.

Location of Replenishment/Recharge and Hydrologic Impact of Pumping by CAGR D Members

The Stakeholders discussed ADWR's modeling methodology, the process that ADWR uses to assess well impacts, the means by which ADWR considers recharge credits when it issues Certificates of Assured Water Supply, the Assured Water Supply Rules and Program and how that program fits into the overall water management structure in the AMA. The stakeholders also discussed the possibility of direct delivery by the CAGR D. This issue will be discussed further and a summary will be prepared to clarify the implementation of the related programs and to facilitate discussion of possible changes.

Municipal Growth on Non-renewable Supplies

As part of the discussion on replenishment/recharge and pumping, the Stakeholders discussed the impact of continued dependence on groundwater as a source of supply for CAGR D members. The Stakeholders indicated that the problems occurring from continued groundwater pumping are associated with groundwater use by many water sectors. This topic will continue to be addressed in upcoming meetings.

Assured Water Supply Program

The Assured Water Supply Rules allow groundwater to be pumped to a depth of 1000 feet. There was debate as to what the implications for the aquifer would be if the aquifer were pumped to a depth of 1000 feet and how it would affect the Goal of Safe Yield. Stakeholders suggested that this issue be revisited in another forum.

Next Steps

The Stakeholders will identify issues that require action during the May and June meetings.

During the summer the Stakeholders will identify ways to address these issues.

In September and October, the Stakeholders and the AMWUA Board of Directors will discuss various options to implement the concepts that were developed to address improving water supply sustainability including substantive policies, rule changes, Management Plan modifications and any legislative proposals that may be submitted to the Legislature for the 2009 session.